

City of Fort Wayne Common Council

DIGEST SHEET

Department of Planning Services

Title of Ordinance: Zoning Map Amendment
Case Number: REZ-2017-0019
Bill Number: Z-17-04-23
Council District: 3-Tom Didier

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 2.32 acres of property from RP-Planned Residential to C2-Limited Retail

Location: 3005 West Washington Center Road

Reason for Request: To redevelop the property with a 9,100 square foot retail building.

Applicant: Kevin and Debra Mullendore

Property Owner: Kevin and Debra Mullendore

Related Petitions: Primary Development Plan, Washington Center General Retail Store

Effect of Passage: Property will be rezoned to the C2-Limited Retail district which will allow the redevelopment of the site with retail services.

Effect of Non-Passage: The property will remain zoned RP-Planned Residential. The property may be redeveloped with single or multiple-family uses.

1 **REZ-2017-0019**

2 **BILL NO. Z-17-04-23**

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

4 **AN ORDINANCE amending the City of Fort Wayne**
5 **Zoning Map No. I-34 (Sec. 21 of Washington 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 the Northeast Quarter of Section 21, Township 31 North, Range 12 East, more particularly
12 described as follows:

13 Commencing at the North Quarter corner of said Section 21; thence North 88 degrees 33 minutes
14 20 seconds East on and along the North line of said Northeast Quarter, a distance of 391.90 feet
15 to the Point of Beginning and marked by a Mag Nail with an identification disk stamped "T-E INC
16 FIRM ID #0070"; thence continuing North 88 degrees 33 minutes 20 seconds East on and along
17 said North line, a distance of 255.00 feet to a Mag Nail with an identification disk stamped
18 "T-E INC FIRM ID #0070"; thence South 01 degree 02 minutes 43 seconds East, 396.55 feet to a
19 5/8-inch diameter rebar with an identification cap stamped "T-E INC FIRM ID #0070"; thence
20 South 88 degree 35 minutes 40 seconds West, 255.00 feet to a 5/8-inch diameter rebar with an
21 identification cap stamped "T-E INC FIRM ID #0070"; thence North 01 degree 02 minutes 43
22 seconds West, 396.37 feet to the Point of Beginning, containing 2.321 acres more or less,
23 being subject to and/or together with all easements and rights-of-way of record.

24 and the symbols of the City of Fort Wayne Zoning Map No. I-34 (Sec. 21 of Washington
25 Township), as established by Section 157.082 of Title XV of the Code of the City of Fort
26 Wayne, Indiana is hereby changed accordingly.

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

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

Council Member

APPROVED AS TO FORM AND LEGALITY:

Carol T. Helton, City Attorney

Department of Planning Services
Rezoning Petition Application

Applicant	Applicant	Kevin H & Debra L Mullendore		
	Address	11407 Auburn Road		
	City	Fort Wayne	State	IN Zip 46845
	Telephone		E-mail	

Contact Person	Contact Person	Zaremba Group, LLC / AR Engineering, LLC		
	Address	14600 Detroit Ave., Suite 1500 / 4664 Campus Drive, Suite 106		
	City	Lakewood / Kalamazoo	State	OH / MI Zip 44107 / 49008
	Telephone	216-221-6600 / 269-830-1311	E-mail	ECrouch@zarembagroup.com / Whitney@arengineeringllc.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 3005 W. Washington Center Rd, Ft. Wayne, IN	
	Present Zoning RP	Proposed Zoning C2 Acreage to be rezoned 2.32
	Proposed density	1 building (9,100 SF) units per acre
	Township name	Washington Township Township section # 21
	Purpose of rezoning (attach additional page if necessary) To construct a 9,100 SF general retail store that will provide employment opportunities and serve the needs of the surrounding community.	
	Approving the rezone will also contribute to the continuing growth along W. Weshington Center.	

Sewer provider Water provider City of Ft. 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 N/A	

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.

(printed name of applicant)	(signature of applicant)	(date)
Kevin H Mullendore		3-29-17
(printed name of property owner)	(signature of property owner)	(date)
Debra L Mullendore		3-29-17
(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.
4-4-17	123503	MAY 8, 2017	Rez-2017-00

Topography Detail

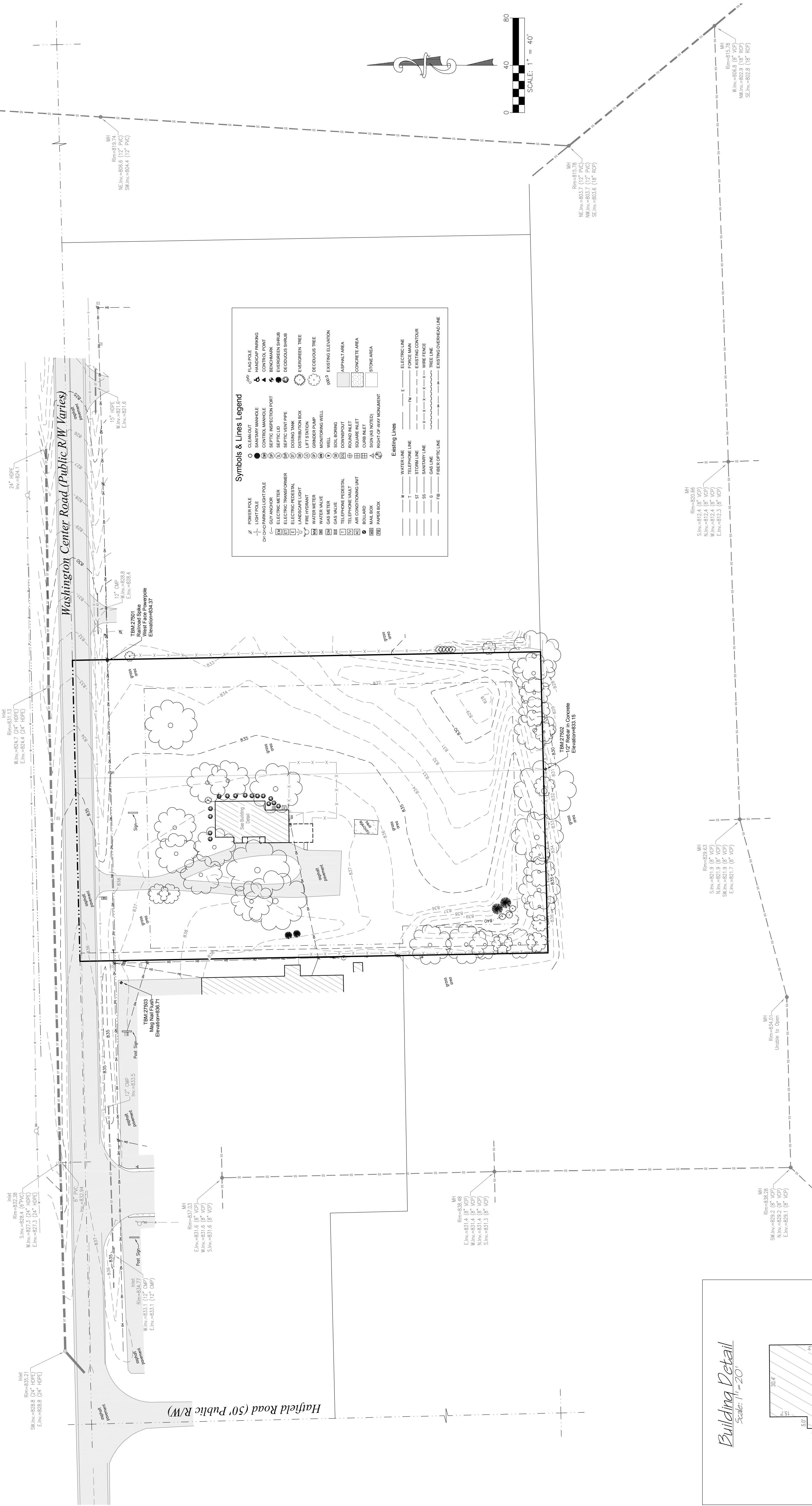


Table A Items - 2016 ALTA/NSPS Land Title Survey Minimum Standard Detail Requirements

- Monuments with no relationship to the height or depth (above/below ground) as shown on the within plat were found flush with the existing ground. Monuments set this survey are 58-inch iron rebar stakes 24 inches in length or magnetic masonry nails. Identification caps and washers placed on the iron rebar stakes and magnetic masonry nails set this survey are marked "T-E INC. - FIRM ID #0070". Monuments found this survey are noted as such, as shown on the plat of survey.
- The property address of the subject parcel (or parent tract, if an original survey) was found to be: 3005 West Washington Center Road, Fort Wayne, Indiana 46818
- The within tract lies in Zones "X" as depicted from the FIRM - Flood Insurance Rate Map for Allen County, Community Panel number 18003C017MG, revision date August 3, 2009 and is subject to map scale accuracy
- The gross land area of the subject parcel determined this survey was found to be: 2.320 acres, more or less.
- Vertical relief based on a ground survey, shown at 1 foot contour intervals is shown on the plat of survey, utilizing the following originating benchmark: U.S.G.S. Disk V22 RESET, Elevation=826.04 NVD 88

Table A Items - 2016 ALTA/NSPS Land Title Survey Minimum Standard Detail Requirements (cont'd)

6. Zoning Information / Classification:

(a) This information is provided by Andrew Russell in an e-mail, dated March 09, 2017:

The established building setback requirements, height and floor space area restrictions, in accordance with the Fort Wayne Zoning Ordinance, last dated January 01, 2016, are generally as follows:

Building Setback Requirements:	C2
Front yard:	25 feet
Side yard:	25 feet not adjacent to residential
Rear yard:	25 feet not adjacent to residential
Building Height Restriction:	40 feet
Building Floor Space Area Restriction:	Max. N/A
Maximum height:	40 feet
Parking Requirements:	N/A

(b) The zoning setback requirements are as shown on the plat of survey.

7. (a) The exterior dimensions of all buildings at ground level, are shown on the plat of survey.

(b) The exterior footprint of all buildings at ground level, is shown on the plat of survey.

(c) The measured height of all buildings above grade at the specified location, is shown on the plat of survey.

Table A Items - 2016 ALTA/NSPS Land Title Survey Minimum Standard Detail Requirements (Cont)

- Substantial features observed in the process of conducting the survey (in addition to the improvements and features required under Section 5 of the 2016 ALTA/NSPS Land Title Survey Minimum Standard Detail Requirements) such as parking lots, billboards, signs, swimming pools, landscaped areas, etc., are as shown on the plat of survey.
 - The striping, number and type (e.g. handicapped, motorcycle, regular, etc.) of parking spaces in parking areas, lots and driveways, as shown on the plat of survey.
 - (a) A determination of the relationship and location of certain division or party walls designated by the client with respect to adjoining properties, is shown on the plat of survey.
 - Location of utilities (representative examples of which are listed below) existing on or serving the surveyed property as determined by:
 - Observed evidence, are shown on the topography detail.
 - Observations from plans obtained from utility companies or provided by client are shown on the topography detail.
 - Markings by the utility locate companies are shown on the topography detail.
- Note to the client: insurer and lender - With regard to Table A, item 11, source information from plans and markings will be combined with observed evidence of utilities pursuant to Section 5.E.iv, to develop a view of the underground utilities. However, lacking excavation, the exact location of underground features cannot be accurately, completely, and reliably depicted. In addition, in some jurisdictions, 811 or other similar utility locate requests from surveyors may be ignored or result in an incomplete response, in which case the surveyor shall note on the plat or map how this affected the survey. The client is advised that excavation and/or a private utility locate request may be necessary.
- Names of adjoining owners of platted lands according to current public records, are shown on the plat of survey.

Table A Items - 2016 ALTA/NSPS Land Title Survey Minimum Standard Detail Requirements (Cont)

- No evidence of current earth moving work, building construction or building additions was observed during the course of gathering field data for this survey, however this survey and this firm may not be recognized by the State of Indiana as qualified to make such observations and/or conclusions.
- Proposed changes in street right of way lines, if any, are shown on the plat of survey. No evidence of recent street or utility relocation or utility relocation was observed during the course of gathering field data for this survey, however this survey and this firm may not be recognized by the State of Indiana as qualified to make such observations and/or conclusions.
- No wetland area were delineated at the time of the field data collection for this survey.
- Optional items as negotiated between the client and the surveyor are as follows:
 - According to the National Wetland Inventory Map, the subject property does not contain any designated wetland.

ALTA/NSPS LAND TITLE SURVEY

Part of the Northeast Quarter of Section 21,
Township 31 North, Range 12 East
Address: 3005 West Washington Center Road, Fort Wayne, IN 46818
Surveyed for: Andrew Russell
AK Engineering
4664 Campuses Drive, Suite 106
Kalamazoo, MI 49008

Date: _____
No. _____
Remarks _____
By: _____

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Fort Wayne, IN 46809
Phone (260) 489-5541
FAX (260) 489-3174
Email TE@t-e-inc.com
Surveying * Engineering * Asphalt * Utilities * Site Development



SITE DATA

1. PROPERTY INFORMATION:
PARCEL #: 02-07-21-200-001.000-073 &
02-07-21-200-002.000-073
SITE AREA: 101,103 SF (2.321 AC)
OWNER: KEVIN H. & DEBRA L. MULLENDORE
11407 AUBURN RD
FORT WAYNE, IN 46845
DEVELOPER: ZAREMBA GROUP
EMILY CROUCH
14600 DETROIT AVE, SUITE 1500
LAKEWOOD, OH 44107
PHONE: (216) 226-2115
FAX: (216) 226-1031
E-MAIL: ECROUCH@ZAREMBAGROUP.COM
3. SETBACKS
FRONT = 10', 25' (ADJ. RES. DISTRICT)
SIDES = 10', 25' (ADJ. RES. DISTRICT)
REAR = 10', 25' (ADJ. RES. DISTRICT)
4. PARKING:
REQUIRED = (1) PARKING SPACE PER 400) SF OF
9,100 SF / 400 = 23
PROVIDED - STANDARD 9'x20' SPACES = 28
BARRIER FREE SPACES = 2
TOTAL PROVIDED = 30
5. BUILDING:
SINGLE-STORY (1S)
TOTAL BLDG. AREA = 9,100 SFT
TOTAL AREA OF 9,100 SFT:
PROPOSED BUILDING COVERAGE 9%
MAXIMUM BLDG. SIZE: 25% OF LOT AREA
6. LANDSCAPING:
SHALL BE IN ACCORDANCE WITH LANDSCAPING PLAN
REZONE TO C2, LIMITED COMMERCIAL
7. STORM WATER DETENTION REQUIRED:
ABUTTING PROPERTY CURRENTLY ZONED:
NORTH: RP- PLANNED RESIDENTIAL
SOUTH: RP- PLANNED RESIDENTIAL
EAST: C2, LIMITED COMMERCIAL & RP
WEST: C2, LIMITED COMMERCIAL & RP
PROPOSED LAND USE = RETAIL STORE

SITE PLAN NOTES

- A** BITUMINOUS PAVEMENT
B 18' x 50' CONCRETE PAD/LOADING AREA
C 18' x 18' (MIN.) CONCRETE DUMPSTER PAD (PROVIDE 18' x 12' DUMPSTER ENCLOSURE AREA FOR (2) STD DUMPSTERS
D PROPOSED HVAC CONDENSERS LOCATED ON THE ROOF. REFER TO MECHANICAL DRAWINGS FOR ADDITIONAL INFORMATION.
E INTEGRAL CURB/WALK
F AT-GRADE RAMP
G PROPOSED LIGHTED PYLON SIGN W/ UNDERGROUND ELECTRICAL
H PROPOSED BUILDING SIGN
- L** BOLLARDS - (8) TOTAL
M PROVIDE CONCRETE PARKING STOPS FOR CURBING AT PERIMETER OF PAVEMENT.
N DOWNSPOUT (TYP)

3. SETBACKS
FRONT = 10', 25' (ADJ. RES. DISTRICT)
SIDES = 10', 25' (ADJ. RES. DISTRICT)
REAR = 10', 25' (ADJ. RES. DISTRICT)
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SITE AREA: 101,103 SF (2.321 AC)
OWNER: KEVIN H. & DEBRA L. MULLENDORE
11407 AUBURN RD
FORT WAYNE, IN 46845
DEVELOPER: ZAREMBA GROUP
EMILY CROUCH
14600 DETROIT AVE, SUITE 1500
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PHONE: (216) 226-2115
FAX: (216) 226-1031
E-MAIL: ECROUCH@ZAREMBAGROUP.COM

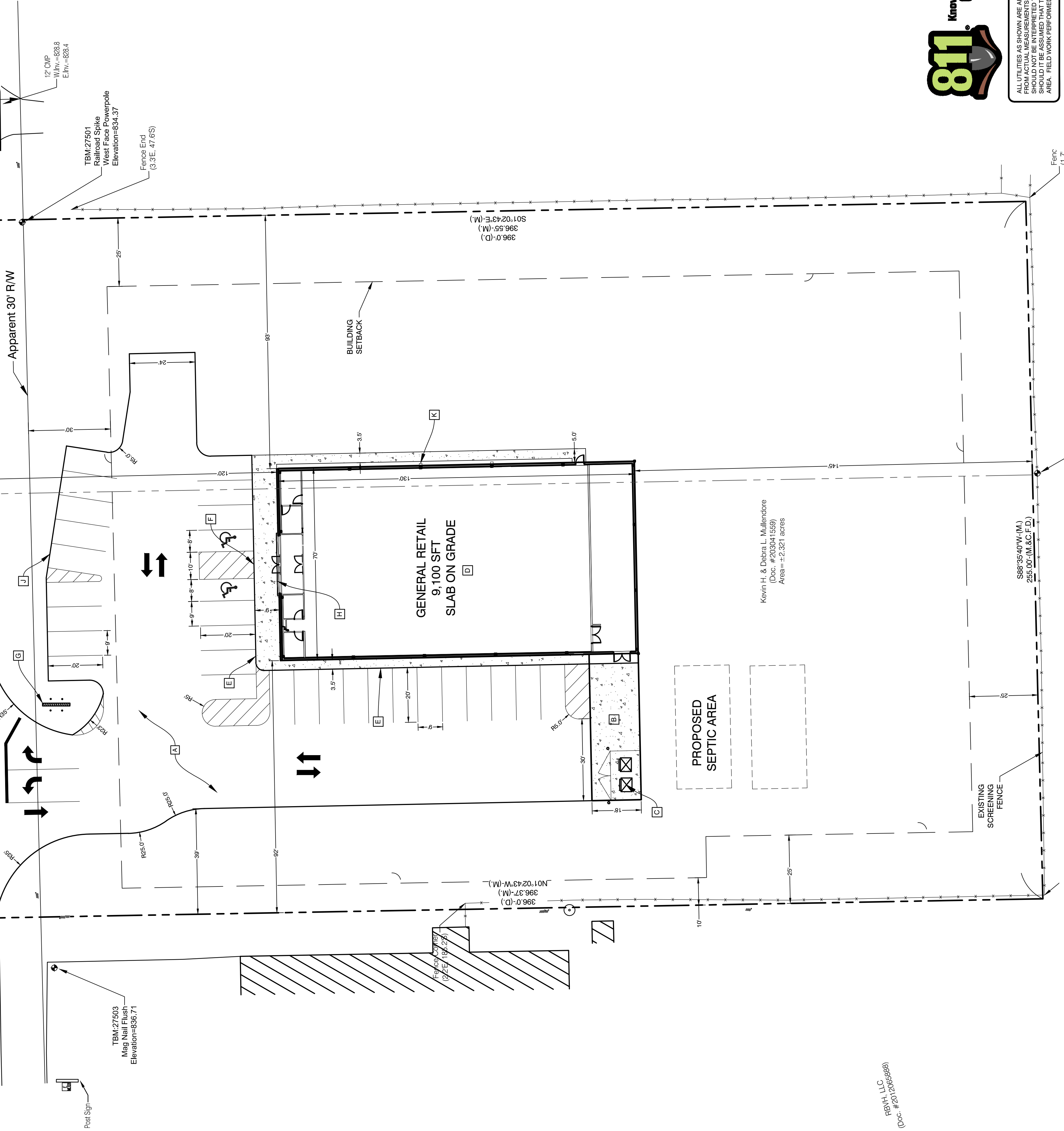
2. ZONING:
PROPERTY CURRENTLY ZONED RP- PLANNED RESIDENTIAL
REZONE TO C2, LIMITED COMMERCIAL
ABUTTING PROPERTY CURRENTLY ZONED:
NORTH: RP- PLANNED RESIDENTIAL
SOUTH: RP- PLANNED RESIDENTIAL
EAST: C2, LIMITED COMMERCIAL & RP
WEST: C2, LIMITED COMMERCIAL & RP
PROPOSED LAND USE = RETAIL STORE

Walthamwood, LLC
(Doc. #2011055665)

Washington Center Road (Public R/W Varies)

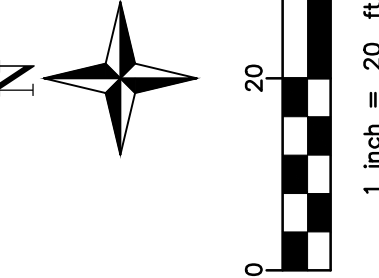
N88°33'20"E (M.)
255.00' (M.&C.F.D.)

N88°33'20"E (M.)
2491.16' (M.)



BENCHMARK INFORMATION

- TBM #27501
ELEV = 634.37
RAILROAD SPIKE
WEST FACE POWERPOLE
TBM #27502
ELEV = 633.15
REBAR IN CONCRETE
TBM #27503
ELEV = 436.71
MAG NAIL FLUSH



PLANS PREPARED BY:



Civil Engineers & Surveying
WASHINGTON CENTER ROAD
203041559
www.ar-engineering.com

DRAWN:	50
CHECKED:	ASR

PRELIMINARY
NOT FOR CONSTRUCTION

ANDREW ROSSELL, P.E.
No. 36021

No.	ISSUED FOR:	DATE	BY
0	PRIMARY DEVELOPMENT PLAN REVIEW	4/4/17	SO
1			
2			
3			
4			

SITE LAYOUT
FT. WAYNE (WASHINGTON) GENERAL RETAIL
ZAREMBA GROUP, LLC

SHEET TITLE:
PROJECT:
CLIENT:

JOB NUMBER
1712016
DATE
04/04/2017

SHEET NUMBER
C2.0

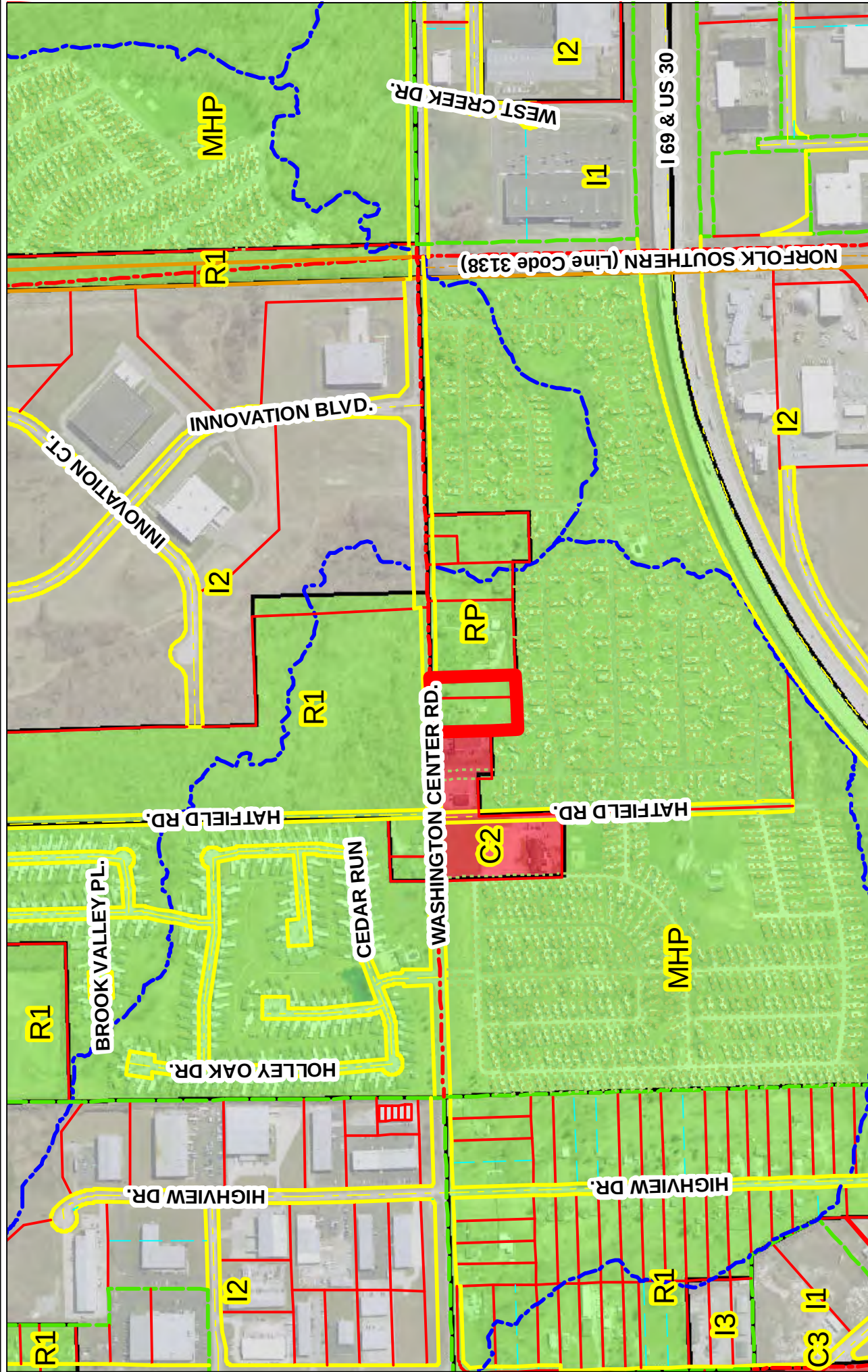


ALL UTILITIES AS SHOWN ARE APPROXIMATE LOCATIONS DERIVED FROM ACTUAL MEASUREMENTS AND AVAILABLE RECORDS. THEY SHOULD BE ASSUMED THAT THEY ARE THE ONLY UTILITIES IN THE AREA. FIELD WORK PERFORMED BY T.E. INCORPORATED.



1 inch = 600 feet





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: 4/15/2017



1 inch = 600 feet

