

City of Fort Wayne Common Council

DIGEST SHEET

Department of Planning Services

Title of Ordinance: Zoning Map Amendment
Case Number: REZ-2017-0051
Bill Number: Z-17-11-17
Council District: 3-Tom Didier

Introduction Date: November 28, 2017

Plan Commission
Public Hearing Date: December 11, 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 1.36 acres of property from RP-Planned Residential to C2-Limited Commercial

Location: Southwest corner of Wallen Road and Coldwater Road

Reason for Request: To bring the property into the commercial district to match the existing Speedway development site.

Applicant: Speedway LLC

Property Owners: Speedway LLC

Related Petitions: Primary Development Plan and Special Use Petition, Speedway Store

Effect of Passage: Property will be rezoned to the C2-Limited Commercial district, which will match the zoning of the adjacent property owned by Speedway. They will then seek a Special Use approval for a gas station and convenience store.

Effect of Non-Passage: The site will remain zoned RP-Planned Residential and may be developed as such. A Special Use approval for a gas station is not an option in the RP district. Adding this ground to the development site will allow for safer vehicular access.

1 **REZ-2017-0051**
2 **BILL NO. Z-17-11-17**

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

4 **AN ORDINANCE amending the City of Fort Wayne**
5 **Zoning Map No. N-50 (Sec. 12 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 Commercial) District under the terms of Chapter 157 Title XV of the Code of the City of Fort
10 Wayne, Indiana:

11 Part of the Northwest Quarter of Section 12, Township 31 North, Range 12 East,
12 Washington Township, Allen County, Indiana, being part of the lands conveyed to
13 Coldwater Villages LLC in Document 20078017686 in the office of the Recorder of
14 Allen County, Indiana, described as follows:

15 Commencing at a "P.K." nail marking the Northwest Corner of said Quarter Section;
16 thence along the west line of said Quarter Section South 03 degrees 13 minutes 18
17 seconds East (bearings are derived from coordinates based on the Indiana State
18 Plane Coordinate System (east zone) NAD 83 (2011) epoch 2010.0) 37.84 feet to
19 the south line of the land conveyed to the County of Allen, State of Indiana in Doc.
20 #200071170 in the office of Allen County Recorder being the south right-of-way line
21 of Wallen Road; thence along said south line North 87 degrees 57 minutes 27
22 seconds East 323.29 feet the northwest corner of the lands originally conveyed to
23 Speedway SuperAmerica in Doc. #2007070676 in said Recorder's office; thence
24 along the west line of Speedway the next two courses 1) South 02 degrees 02
25 minutes 33 seconds East 75.84 feet (75.88 feet deed); 2) South 30 degrees 20
26 minutes 46 seconds West 65.47 feet (65.82 feet deed) to the west southwest corner
27 of Speedway and the **Point of Beginning**; thence continuing South 30 degrees 20
28 minutes 46 seconds West 197.65 feet to a 5/8-inch rebar with yellow plastic cap
29 stamped "WEIHE ENGR. 0012" set in May 2017 (hereafter "rebar"); thence parallel
30 with the southwesterly line of Speedway South 59 degrees 39 minutes 14 seconds
 East 299.09 feet to a "rebar" on the westerly line of the land conveyed to the City of
 Fort Wayne, Indiana in Doc. #2008012319 in said Recorder's office, being the same
 as the westerly right-of-way line of Coldwater Road; thence along said westerly line
 North 30 degrees 43 minutes 14 seconds East 197.65 feet to a "rebar" on the
 southwesterly line of Speedway; thence along said southwesterly line North 59
 degrees 39 minutes 14 seconds West 300.38 feet to the place of beginning,
 containing 1.36 acres, more or less.

 and the symbols of the City of Fort Wayne Zoning Map No. N-50 (Sec. 12 of Washington
 Township), as established by Section 157.082 of Title XV of the Code of the City of Fort
 Wayne, Indiana is hereby changed accordingly.

1
2 SECTION 2. If a written commitment is a condition of the Plan Commission's
3 recommendation for the adoption of the rezoning, or if a written commitment is modified and
4 approved by the Common Council as part of the zone map amendment, that written
5 commitment is hereby approved and is hereby incorporated by reference.

6
7 SECTION 3. That this Ordinance shall be in full force and effect from and after its
8 passage and approval by the Mayor.

9 _____
Council Member

10 APPROVED AS TO FORM AND LEGALITY:

11
12 _____
Carol T. Helton, City Attorney

**Department of Planning Services
Rezoning Petition Application**

Applicant
Applicant Speedway LLC
Address 500 Speedway Drive
City Enon State OH Zip 45323
Telephone 317-833-1219 E-mail mrfriz@speedway.com

Contact Person
Contact Person Eric Carter
Address 10505 N. College Avenue
City Indianapolis State IN Zip 46280
Telephone 317-846-6611 E-mail cartere@weihe.net

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 SW corner of Wallen Road and Coldwater Road
Present Zoning RP Proposed Zoning C2 Acreage to be rezoned 1.36
Proposed density _____ units per acre
Township name Washington Township section # 12
Purpose of rezoning (attach additional page if necessary) _____
To rezone to C2 in order to match the existing Speedway site (C2)
Sewer provider Ft. Wayne Water provider 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

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.

Matt Fritz

(printed name of applicant)	(signature of applicant)	(date)
<u>Matt Fritz</u>	<u>[Signature]</u>	<u>10-23-17</u>
(printed name of property owner)	(signature of property owner)	(date)
<u>John Bellio</u>	<u>[Signature]</u>	<u>10-23-17</u>
(printed name of property owner)	(signature of property owner)	(date)
<u>Coldwater Villages LLC</u>	<u>[Signature]</u>	<u>10-23-17</u>
(printed name of property owner)	(signature of property owner)	(date)
<u>[Signature]</u>	<u>[Signature]</u>	<u>10-23-17</u>
(printed name of property owner)	(signature of property owner)	(date)

Received <u>11/1/17</u>	Receipt No. <u>125641</u>	Hearing Date <u>12/11/17</u>	Petition No. <u>Rez-2017-0051</u>
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Mason C. Townsend
(printed name of applicant)

Mason C. Townsend
(signature of applicant)

10/23/17
(date)

Speedway LLC
(printed name of property owner)

Gregory S. Whitman
(signature of property owner)
Gregory S. Whitman
Dir. RE & Ops Planning

10/23/17
(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.
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APPROVED
AS TO FORM
KAC/10/18



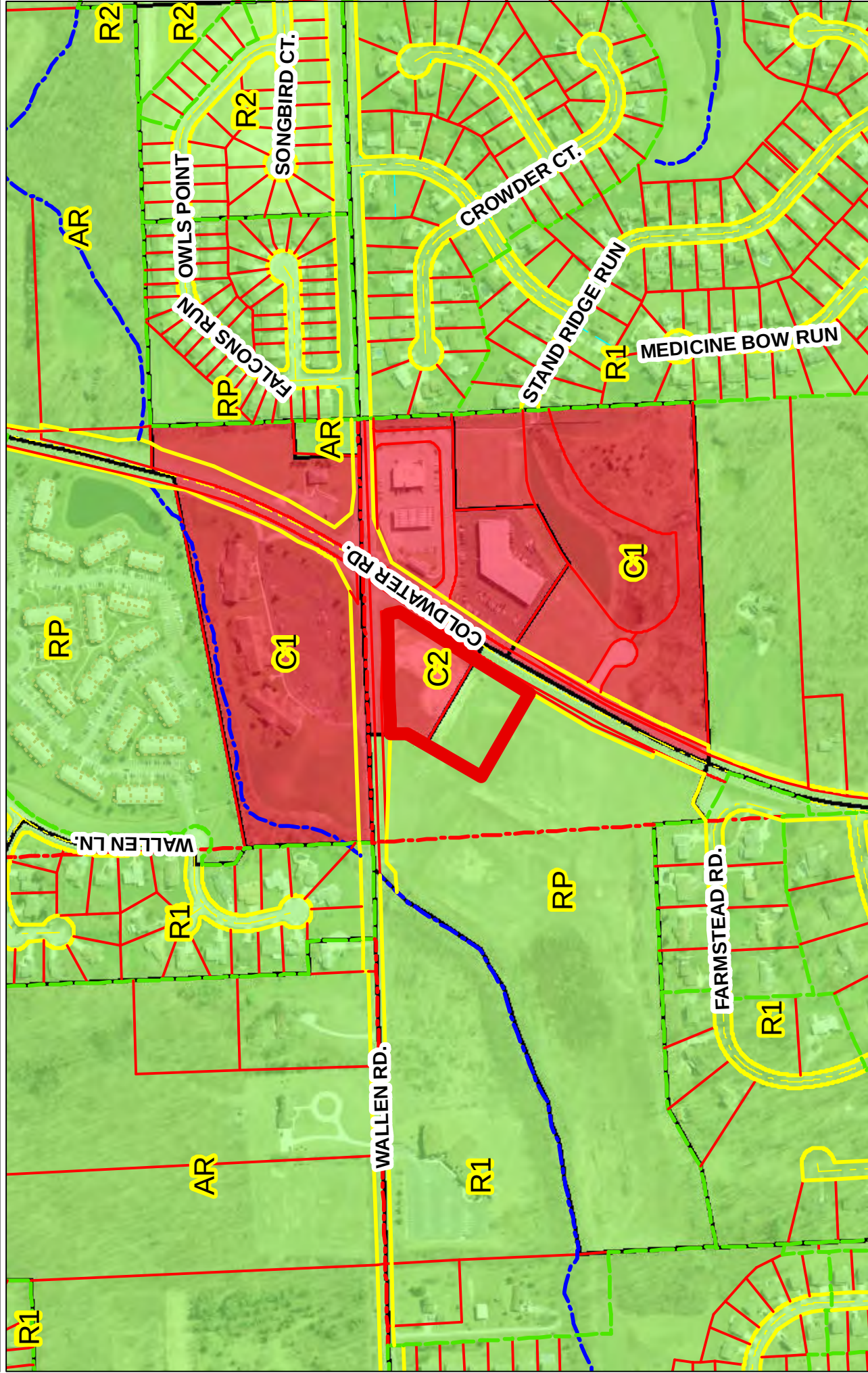
Although strict accuracy standards have been employed in the compilation of this map, Allen County does not warrant or guarantee the accuracy of the information contained herein and disclaims any and all liability resulting from any error or omission in this map.

© 2004 Board of Commissioners of the County of Allen
North American Datum 1983
State Plane Coordinate System, Indiana East
Photos and Contours: Spring 2009
Date: 11/17/2017

Areas depicted with bold lines are for representational purposes only.



1 inch = 400 feet
0 200 400 Feet

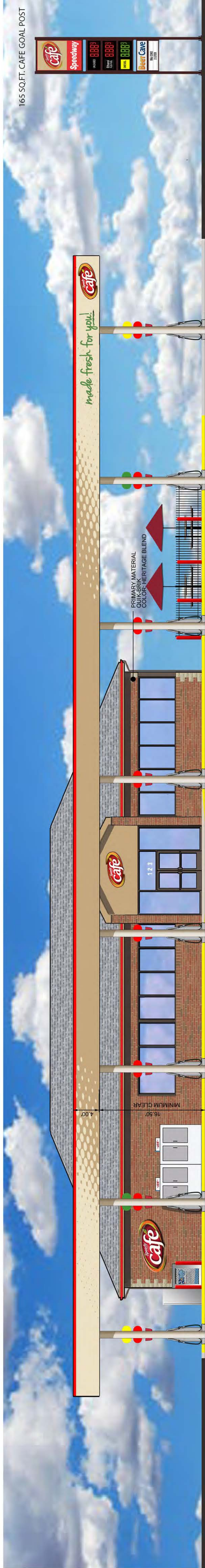


Areas depicted with bold lines are for representational purposes only.



1 inch = 400 feet





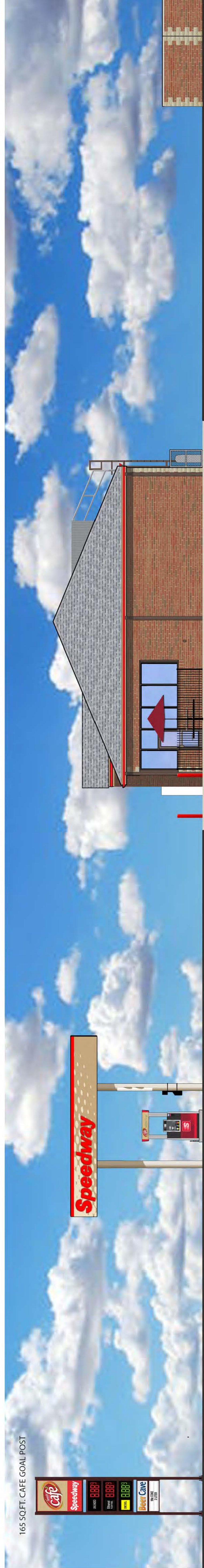
FRONT ELEVATION



REAR ELEVATION



LEFT ELEVATION



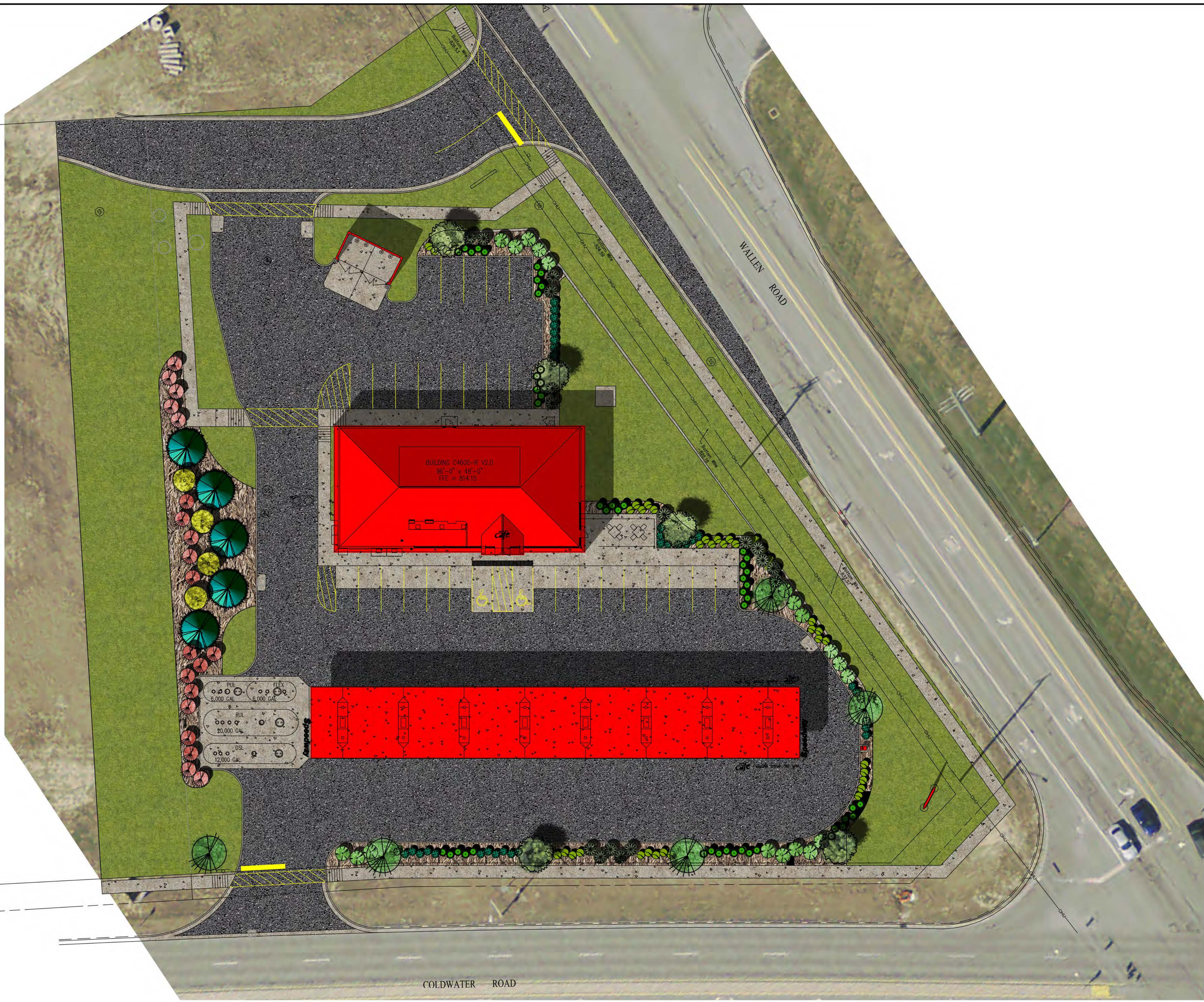
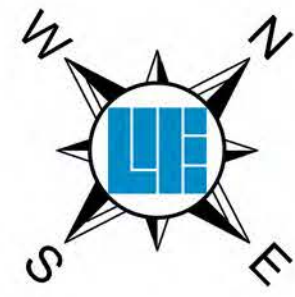
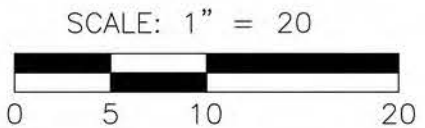
RIGHT ELEVATION

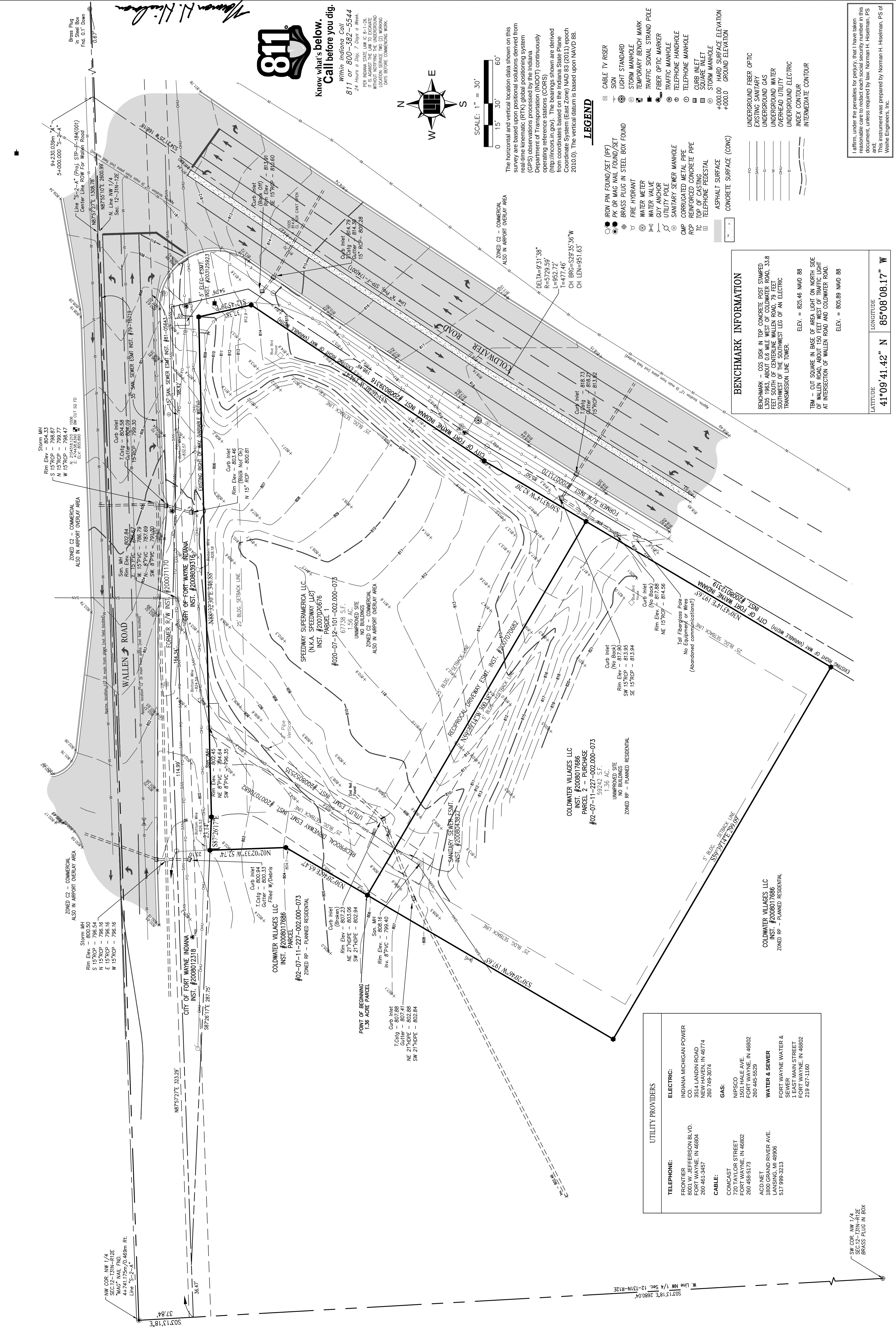
BUILDING ELEVATION
NEW BUILD
WALLEN RD AND COLDWATER RD
FORT WAYNE, INDIANA
ALLEN COUNTY

STORE OR BLDG NO.	7071
VERSION OR PROJECT ID	4600 V2
SCALE	 $18'' = 1'-0''$
DESIGN TEAM	DATE
OWNER, STORTENBECKER	10/31/17
P. MGR.	
REVISED BY	
WORKING NO.	

Speedway 7071 FT. WAYNE

Date: 2017-10-26





UTILITY PROVIDERS	
TELEPHONE:	ELECTRIC:
FRONTIER 8001 W. JEFFERSON BLVD. FORT WAYNE, IN 46804 260 467-3457	INDIANA MICHIGAN POWER CO. 3514 LANDIN ROAD NEW HAVEN, IN 46714 260 749-5074
CABLE:	GAS:
COMCAST 720 TAYLOR STREET FORT WAYNE, IN 46802 260 458-5173	NIPSCO 1501 HALE AVE. FORT WAYNE, IN 46802 260 445-5525
	WATER & SEWER
ACD NET 1800 GRAND RIVER AVE LANSING, MI 48906 517 995-3213	FORT WAYNE WATER & SEWER 1 EAST MAIN STREET FORT WAYNE, IN 46802 213 427-1165

BENCHMARK INFORMATION

BENCHMARK – CCS DISK IN TOP CONCRETE POST STAMPED L305 1963, ABOUT 0.6 MILE WEST OF COLDWATER ROAD, 33.8 FEET SOUTH OF CENTERLINE WALLEN ROAD, 79 FEET SOUTHWEST OF THE SOUTHWEST LEG OF AN ELECTRIC TRANSMISSION LINE TOWER.

ELEV. = 825.46 NAD 88

TBM – CUT SQUARE IN BASE OF AREA LIGHT ON NORTH SIDE OF WALLEN ROAD, ABOUT 150 FEET WEST OF TRAFFIC LIGHT AT INTERSECTION OF WALLEN ROAD AND COLDWATER ROAD.

ELEV. = 805.89 NAD 88

LATITUDE	41°09'41.42" N	LONGITUDE	85°08'08.17" W
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- LEGEND**
- IRON PIN FOUND/SET (IPF)

●

PK OR MAG NAIL FOUND/SET

⊕

BRASS PLUG IN STEEL BOX FOUND

⊕

FIRE HYDRANT

⊕

WATER METER

⊕

WATER VALVE

⊕

GUY ANCHOR

⊕

UTILITY POLE

⊕

SANITARY SEWER MANHOLE

⊕

CMP CORRUGATED METAL PIPE

⊕

RCP REINFORCED CONCRETE PIPE

⊕

TC TOP OF CASTING

⊕

TELEPHONE PEDESTAL

⊕

ASPHALT SURFACE

⊕

CONCRETE SURFACE (CONC)
- ⊕

CABLE TV RISER
- ⊕

SIGN
- ⊕

LIGHT STANDARD
- ⊕

STORM MANHOLE
- ⊕

TEMPORARY BENCH MARK
- ⊕

TRAFFIC SIGNAL STRAND POLE
- ⊕

FIBER OPTIC MARKER
- ⊕

TRAFFIC MANHOLE
- ⊕

TELEPHONE HANDHOLE
- ⊕

TELEPHONE MANHOLE
- ⊕

CURB INLET
- ⊕

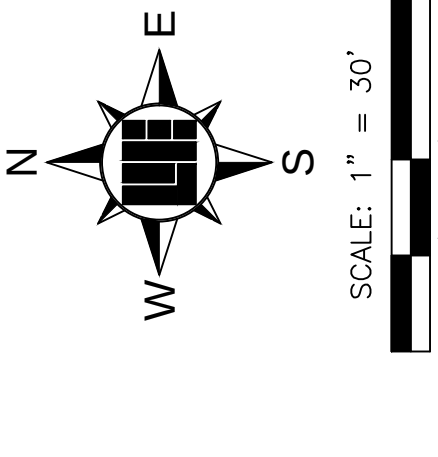
SQUARE INLET
- ⊕

STORM MANHOLE
- ⊕

HARD SURFACE ELEVATION
- ⊕

+000.0 GROUND ELEVATION

Underground Fiber Optic
Existing Sanitary
Underground Gas
Underground Water
Overhead Utility
Underground Electric
Index Contour
Intermediate Contour



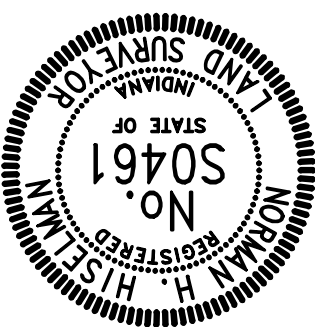
Speedway

Know what's below.
Call before you dig.

Within Indiana Call
811 or 800-382-5544

24 Hours a Day, 7 Days a Week.

PER INDIANA STATE LAW IC 8-1-26
CALL 811 OR 800-382-5544
WITHOUT NOTIFYING THE UNDERGROUND
LOCATION SERVICE TWO (2) WORKING
DAYS BEFORE COMMENCING WORK.



WEIHE ENGINEERS
Land Surveying | Civil Engineering
Landscape Architecture

10505 N. College Avenue
Indianapolis, Indiana 46280
317 848-1161
317 843-4549
weihe.net

ALAN H. WEIHE, P.E., L.S., F.O.S.E.
REGISTERED PROFESSIONAL ENGINEER

ALTA/NSPS Land Title Survey
NEW BUILD
8829 Coldwater Road
Allen County
Fort Wayne, Indiana

ALTA/NSPS Land Title Survey
STORE OR BLDG NO. 0007071
PROJECT ID 49320
SCALE 30

DESIGN TEAM	DATE
J. Saloranzo	04-26-17
DATE	DATE
P. MGR. J. McDonald	04-26-17
RWR. M. Elabough	04-26-17
DRG. N. Hselman	04-26-17

I affirm, under the penalties for perjury, that I have taken reasonable care to reduce each social security number in this instrument, unless required by law. Norman H. Hselman, PS and: This instrument was prepared by Norman H. Hselman, PS of Weihe Engineers, Inc.