

FACT SHEET

Case #REZ-2017-0051

Bill # Z-17-11-17

Project Start: 28 November 2017

APPLICANT:	Speedway LLC
REQUEST:	To rezone a portion of property from RP/Planned Residential to C2/Limited Commercial; and approve a primary development plan for a new Speedway facility, and consideration of a sign package in excess of the ordinance.
LOCATION:	The site lies at the southwest corner of the intersection of Coldwater Road and East Wallen Road (Section 12 of Washington Township).
LAND AREA:	Approximately 1.4 acres for rezoning Approximately 3.1 acres for overall site
PRESENT ZONING:	RP/Planned Residential and C2/Limited Commercial
PROPOSED ZONING:	C2/Limited Commercial
COUNCIL DISTRICT:	3-Tom Didier
ASSOCIATED PROJECTS:	Primary Development Plan, Speedway Store
SPONSOR:	City of Fort Wayne Plan Commission

11 December 2017 Public Hearing

- No one spoke at the hearing in favor
- One neighbor spoke at the hearing in opposition.
- Staff recommended Do Pass.
- Mike Bynum and Billy Davenport were absent.

18 December 2017 – Business Meeting

Plan Commission Recommendation: DO PASS

A motion was made by Mike Bynum and seconded by Don Schmidt to return the ordinance to Common Council for their final decision.

7-0 MOTION PASSED

- Billy Davenport and Justin Shurley were absent.

Fact Sheet Prepared by:
Michelle B. Wood, Senior Land Use Planner
4 January 2018

Reviewed by:


Kimberly R. Bowman
Executive Land Use Director

PROJECT SUMMARY

The petitioner requests to rezone the property generally located at the southwest corner of the intersection of Coldwater Road and East Wallen Road from RP/Planned Residential to C2/Limited Commercial. A primary development plan is also proposed for a new Speedway facility immediately at the corner of the intersection. A portion of real estate is proposed to be rezoned to C2, but does not include a primary development plan. No development is proposed on that site at this time. Because of the replacement Zoning Ordinance which came into effect in 2014, a gas station is no longer a permitted use in the C2 district. The applicant is proposing to submit a special use approval to be heard by the Board of Zoning Appeals, to allow the gas station.

The site is surrounded on the west and south by proposed C1 zoning for Junior Achievement (to be heard at same public hearing). There is existing C1 zoning to the north of the site, an office park at the northwest corner of the intersection. To the east of the site is C2 zoning which includes a gas station, car wash, convenience store, and multi-tenant retail. The gas station use at that corner was in place prior to the Zoning Ordinance replacement in 2014.

The proposed zoning district can be supported by the Comprehensive Plan in that it will offer infill development and investment in the area. The proposal will allow for the proposed use and limited commercial uses within close proximity to other services and neighborhoods. 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.

A full access point off East Wallen Road will be shared with the proposed Junior Achievement development. A right-in/right-out access point is planned off Coldwater Road. A public sidewalk will be installed along the street frontages. Stormwater detention will be provided in a new basin off-site, to be shared with the Junior Achievement development. The primary development plan shows landscape areas which meets the Zoning Ordinance code requirements. A site lighting plan has been submitted and cut-off fixtures are proposed to be used. Light spill will not occur on residential properties, as required by the Zoning Ordinance.

PUBLIC HEARING SUMMARY:

Presenter: Eric Carter, representing the applicant, presented the proposal to the Plan Commission as outlined above. Mr. Carter stated that Speedway will commit to limiting speaker noise to alleviate neighbor concerns.

Comments in Favor:

None

Questions or Comments in Opposition:

Steve Till, Wallen Cove, has concerns about lighting, noise, and stormwater.

FORT WAYNE PLAN COMMISSION • FINDINGS OF FACT

Rezoning Petition REZ-2017-0051

APPLICANT:	Speedway LLC
REQUEST:	To rezone a portion of property from RP/Planned Residential to C2/Limited Commercial for approve a primary development plan for a new Speedway facility.
LOCATION:	The site lies at the southwest corner of the intersection of Coldwater Road and East Wallen Road (Section 12 of Washington Township).
LAND AREA:	Approximately 1.4 acres for rezoning Approximately 3.1 acres for overall site
PRESENT ZONING:	RP/Planned Residential and C2/Limited Commercial
PROPOSED ZONING:	C2/Limited Commercial

The Plan Commission recommends that Rezoning Petition REZ-2017-0051 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 the City of Fort Wayne Comprehensive Plan, and should not establish an undesirable precedent in the area. The general area has seen a mixture of land developments from professional offices and retail development to single family residential land uses. This proposal will provide for the development of additional retail space. The Comprehensive Plan can support this proposal 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;
 - LU5.** Encourage sustainable growth and quality development, revitalization and redevelopment by increasing and enhancing connectivity;
 - LU5.C** Encourage development proposals that provide neighborhood commercial, civic, institutional and other similar uses, designed to allow adequate access for pedestrians and bicycles, in close proximity to housing.
 - LU8.** Use land resources efficiently by encouraging compact development alternatives in infill areas where utilities and other infrastructure currently exist.
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. Site plan review from the Plan Commission and staff will ensure a compatible development that complements the area.
3. Approval is consistent with the preservation of property values in the area. This proposal allows for additional retail space to serve the growing needs of the Coldwater Road corridor and northwest Fort Wayne.
4. Approval is consistent with responsible development and growth principles based on existing uses and infrastructure in the area. Review by City engineering departments indicates that the site can be developed for the proposed uses and adequate infrastructure is available to service the site.

These findings approved by the Fort Wayne Plan Commission on December 18, 2017.



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

**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>Coldwater Villages LLC</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>

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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**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

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Sewer provider Ft. Wayne Water provider Ft. Wayne

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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

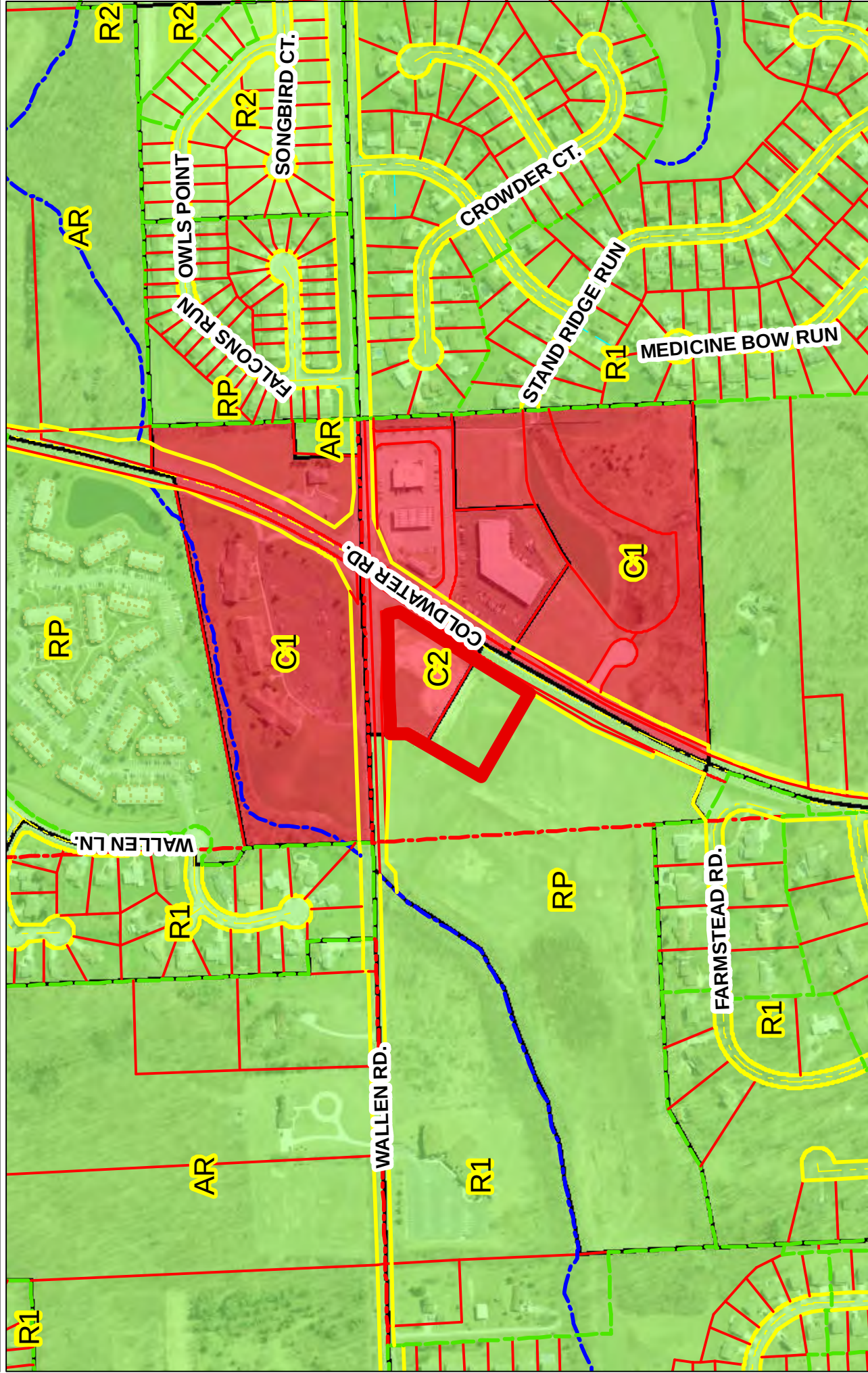


Although strict accuracy standards have been employed in the compilation of this map, Allen County does not warrant or guarantee the accuracy of the information contained herein and disclaims any and all liability resulting from any error or omission in this map.

© 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.





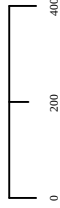
Although strict accuracy standards have been employed in the compilation of this map, Allen County does not warrant or guarantee the accuracy of the information contained herein and disclaims any and all liability resulting from any error or omission in this map.

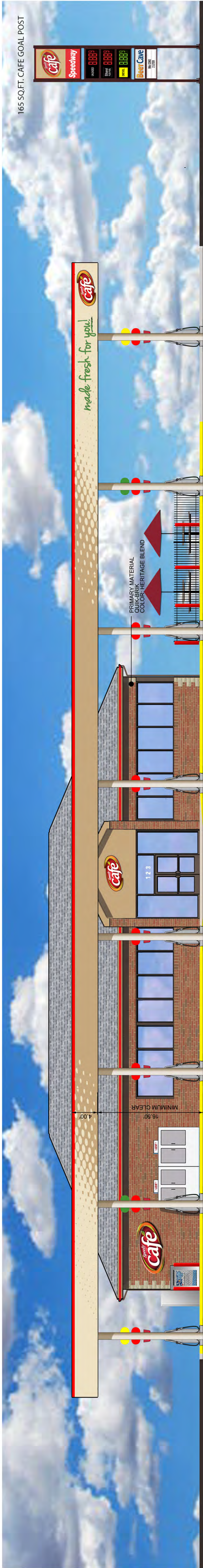
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1 inch = 400 feet





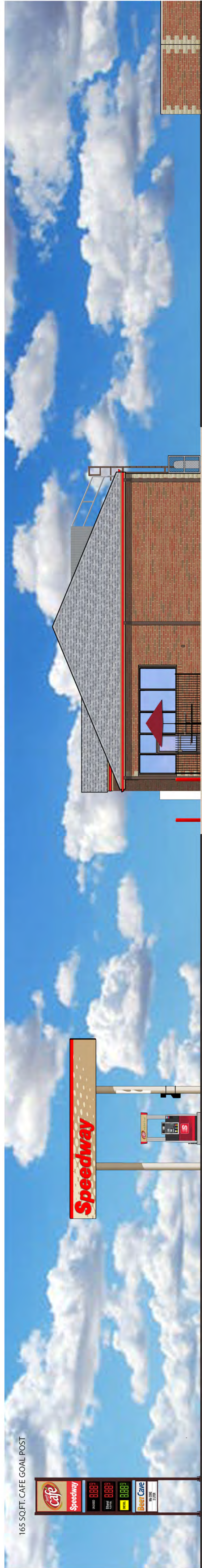
FRONT ELEVATION



REAR ELEVATION



LEFT ELEVATION



RIGHT ELEVATION

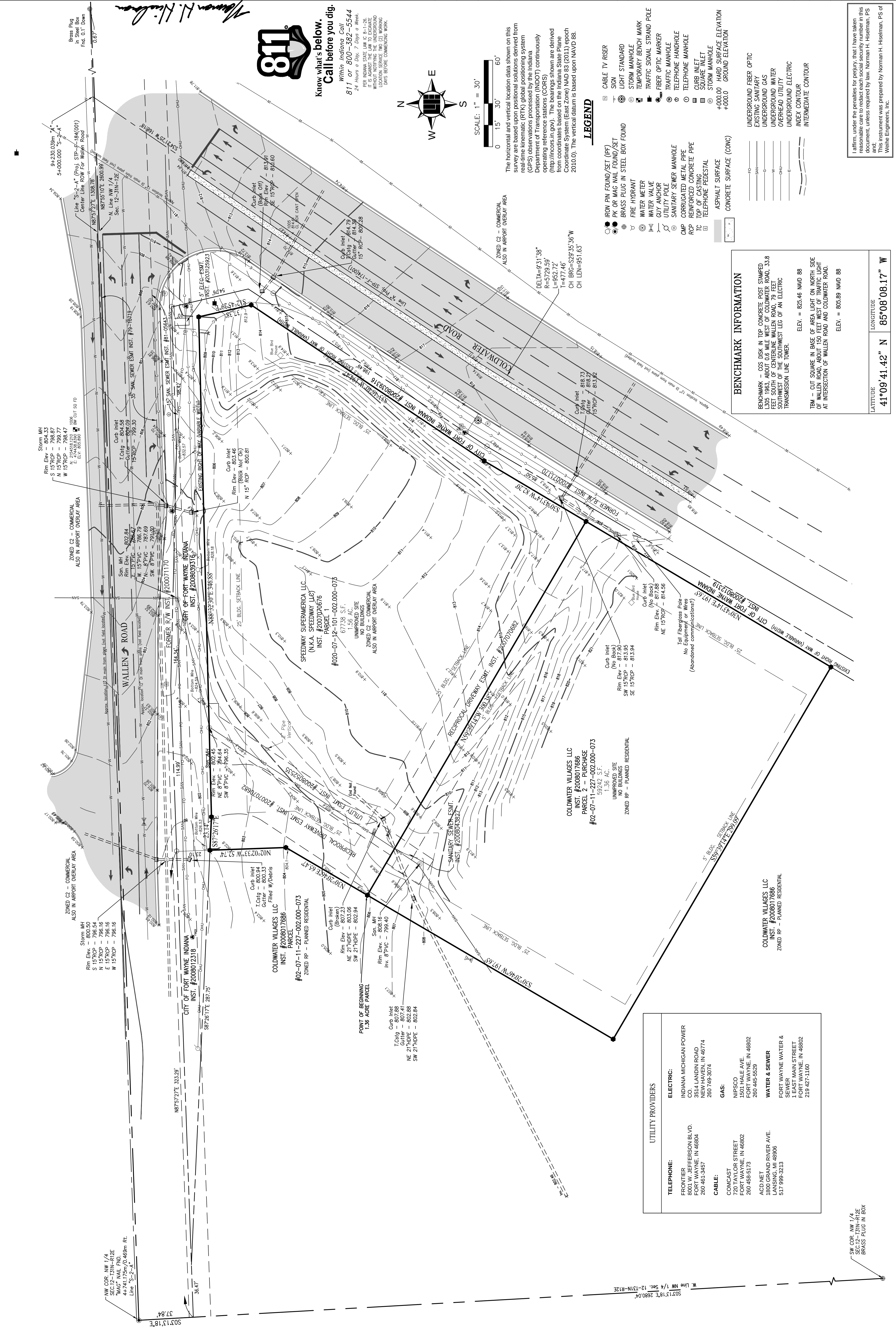
BUILDING ELEVATION
NEW BUILD
WALLEN RD AND COLDWATER RD
FORT WAYNE, INDIANA
ALLEN COUNTY

TITLE OR JOB NO.	7071
VERSION OR PROJECT ID	4600 V2
SCALE	 0 8' 18" = 1'-0"
DESIGN TEAM	DATE
ENGR. STORTENBECKER	10/31/17
MGR.	
WR.	
REV. 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 260 445-5529
ACD NET 1800 GRAND RIVER AVE LANSING, MI 48906 517 999-3213	WATER & SEWER FORT WAYNE WATER & SEWER 1 EAST MAIN STREET FORT WAYNE, IN 46802 213 427-1166

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.	
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. = 825.46 NAD 88	ELEV. = 805.89 NAD 88
41°09'41.42" N	85°08'08.17" W
LATITUDE	LONGITUDE

SW COR. NW 1/4
SEC.12-131N-R12E
BRASS PLUG IN BOX

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: Weihe Engineers, Inc.

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

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

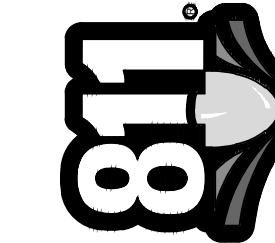
DESIGN TEAM DATE
J. Salorano 04-26-17
P. McGr. J. McDonald 04-26-17
R. McGr. M. Elabough 04-26-17
D. McGr. M. Elabough 04-26-17

7071-ALTA

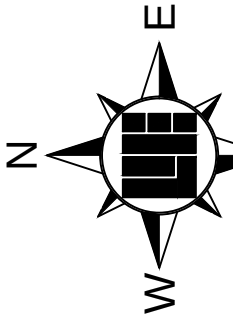
REVISIONS
NO. DATE DESCRIPTION
1 04/26/17 Initial Survey
2 04/26/17 Final Survey

NO. DATE DESCRIPTION
1 04/26/17 Initial Survey
2 04/26/17 Final Survey

Speedway
Prepared For:
Speedway
Engineering and Construction Dept.
Evon, OH 45323



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
CALLING 811 OR 800-382-5544
WITHOUT NOTIFYING THE UNDERGROUND
LOCATION SERVICE TWO (2) WORKING
DAYS BEFORE COMMENCING WORK.



SCALE: 1" = 30'
0 15' 30' 60'

The horizontal and vertical location data shown on this survey are based upon positional solutions derived from real-time kinematic (RTK) global positioning system (GPS) observations processed by the Indiana Department of Transportation (INDOT) continuously operating reference stations (CORS) (<http://indot.in.gov>). The bearings shown are derived from coordinates based on the Indiana State Plane Coordinate System (East Zone) NAD 83 (2011) Epoch 2010.0. The vertical datum is based upon NAVD 88.

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