

City of Fort Wayne Common Council

DIGEST SHEET

Department of Planning Services

Title of Ordinance:
Case Number:
Bill Number:
Council District:

Zoning Map Amendment
REZ-2018-0050
Z-18-11-02
3-Tom Didier

Introduction Date:

November 13, 2018

Plan Commission

Public Hearing Date:

November 5, 2018 (not heard by Council)

Next Council Action:

Ordinance will return to Council after recommendation by the Plan Commission (on or after November 19, 2018)

Synopsis of Ordinance:

To rezone approximately 2.89 acres of property from R1/Single Family Residential to C2/Limited Commercial

Location:

9522 Lima Road

Reason for Request:

To allow for a 3-building office development with outlot for commercial use.

Applicant:

Springmill Woods Development, LLC

Property Owner:

Springmill Woods Development, LLC

Related Petitions:

Primary Development Plan, Belinni Office Park

Effect of Passage:

Property will be rezoned to the C2/Limited Commercial district which will allow office and retail uses.

Effect of Non-Passage:

The property will remain zoned R1/Single Family Residential and may redevelop with single-family uses.

#REZ-2018-0050

BILL NO. Z-18-11-02

ZONING MAP ORDINANCE NO. Z-_____

AN ORDINANCE amending the City of Fort Wayne
Zoning Map No. K-58 (Sec. 3 of Washington Township)

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE,
INDIANA:

SECTION 1. That the area described as follows is hereby designated a C2 (Limited
Commercial) District under the terms of Chapter 157 Title XV of the Code of the City of Fort
Wayne, Indiana:

Part of Rousseau's Out Lot Number 2, as recorded in Plat Book 7, page 50 in the
Office of the Recorder of Allen County, Indiana, based on an original survey by John
C. Sauer, Indiana Professional Surveyor Number S0364 of Sauer Land Surveying,
Inc., Survey No. BOP-001, dated October 2, 2018, and being more particularly
described as follows, to-wit:

Beginning at a concrete right-of-way monument at the point of intersection of the
North line of said Out Lot Number 2 and the East right-of-way line of Lima Road
(State Road #3); thence South 01 degrees 26 minutes 40 seconds East (GPS grid
bearing and the basis of all bearing in this description), on and along said East right-
of-way line, a distance of 202.52 feet to a #5 rebar at the point of intersection of said
East right-of-way line with the South line of a 0.709 acre base tract of real estate
described in a deed to Springmill Woods Development, LLC, in Document Number
2017051824 in the Office of the Recorder of Allen County, Indiana; thence North 88
degrees 30 minutes 01 seconds East, on and along said South line, a distance of
185.82 feet to a #5 rebar; thence South 01 degrees 29 minutes 13 seconds East, on
and along a West line of said 0.709 acre base tract, a distance of 25.60 feet to a #3
rebar; thence North 88 degrees 32 minutes 13 seconds East, on and along a South
line of said 0.709 acre base tract, a distance of 89.70 feet to a #3 rebar at the
Northwest corner of a base tract of real estate described in a deed to Springmill
Woods Development, LLC, in Document Number 2017054226 in the Office of the
Recorder; thence South 01 degrees 40 minutes 28 seconds East, on and along the
West line of said base tract, a distance of 160.60 feet to the Southwest corner thereof,
being a point on the North line of a 1.97 acre tract of real estate described in a deed
to Lancia Properties, LLC, in Document Number 2012073631 in the Office of the
Recorder; thence North 88 degrees 05 minutes 21 seconds East, on and along said
North line, a distance of 180.70 feet to a #3 rebar at the Northeast corner thereof,

1 being a point on the East line of Out Lot Number 2; thence North 02 degrees 00
2 minutes 49 seconds West, on and along said East line, a distance of 381.01 feet to a
3 #5 rebar at the Northeast corner thereof; thence South 89 degrees 19 minutes 12
4 seconds West, on and along said North line, a distance of 453.13 feet to the point of
5 beginning, containing 2.898 acres of land, subject to all easements of record.

6 and the symbols of the City of Fort Wayne Zoning Map No. K-58 (Sec. 3 of Washington
7 Township), as established by Section 157.082 of Title XV of the Code of the City of Fort
8 Wayne, Indiana is hereby changed accordingly.

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

13
14 SECTION 3. That this Ordinance shall be in full force and effect from and after its
15 passage and approval by the Mayor.

16
17 _____
18 Council Member

19 APPROVED AS TO FORM AND LEGALITY:

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

Applicant Springmill Woods Development, LLC
Address 9430 Lima Road, Suite A
City Fort Wayne State IN Zip 46818
Telephone 260-489-4433 E-mail 9430@lanciahomes.com

Contact Person Jim Lancia
Address same
City State Zip
Telephone E-mail

All staff correspondence will be sent only to the designated contact person.

☐ Allen County Planning Jurisdiction ☒ City of Fort Wayne Planning Jurisdiction
Address of the property 9522 Lima Road, Fort Wayne, IN 46818
Present Zoning R1 Proposed Zoning C2 Acreage to be rezoned 2.898 acres
Proposed density n/a units per acre
Township name Washington Township section # 3
Purpose of rezoning (attach additional page if necessary) To develop an Office Park with
an adjacent restaurant site

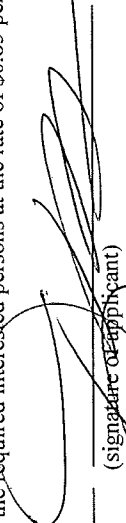
Sewer provider City of Fort Wayne Water provider City of Fort Wayne

*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.*

Filing
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.

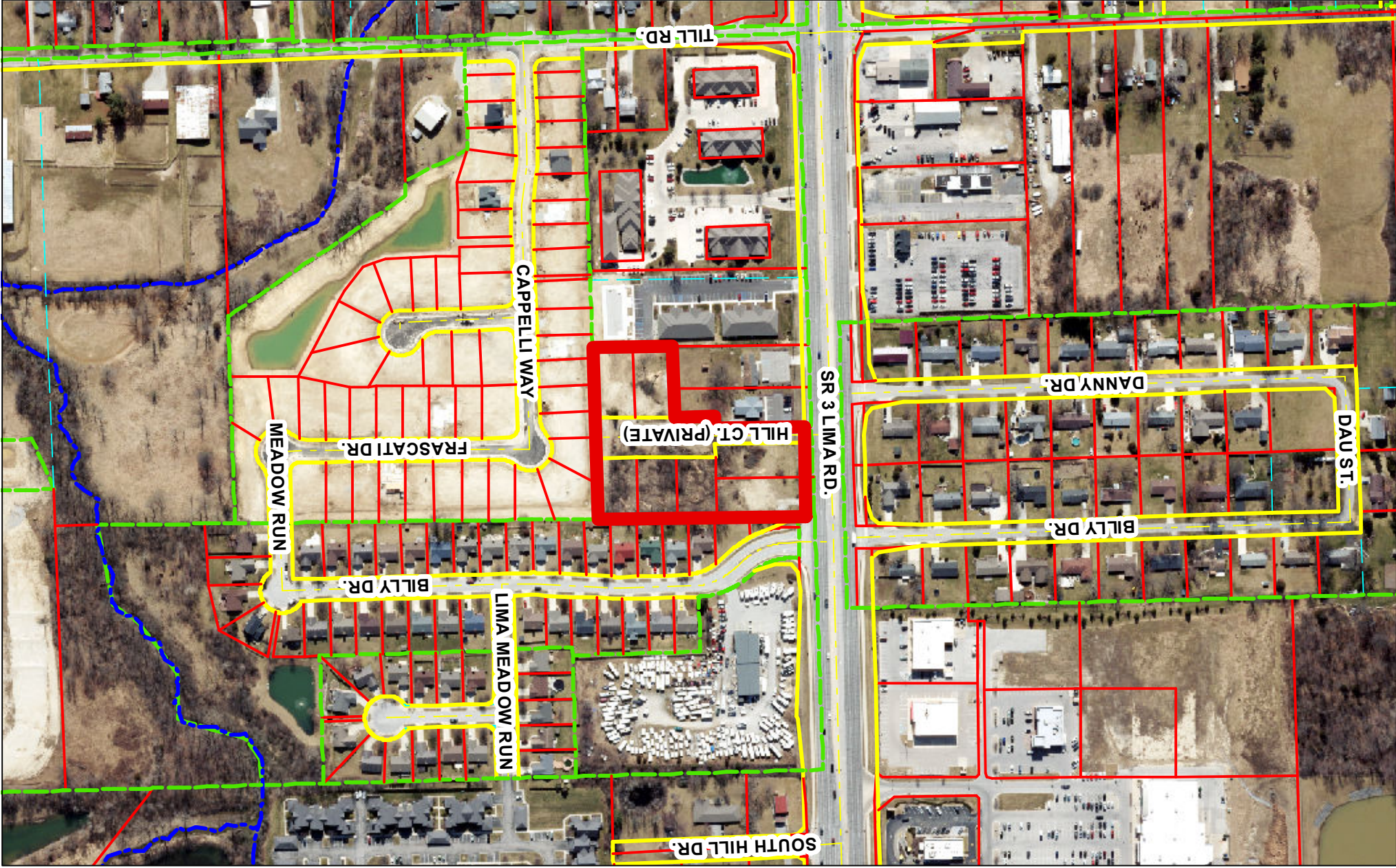
Springmill Woods Dev LLC
(printed name of applicant)  10/1/18
(signature of applicant) (date)

Springmill Woods Dev LLC
(printed name of property owner)  10/1/18
(signature of property owner) (date)

(printed name of property owner) (signature of property owner) (date)

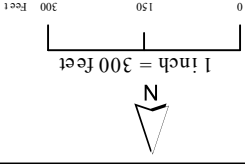
(printed name of property owner) (signature of property owner) (date)

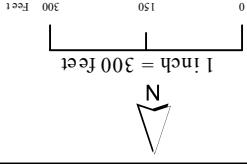
Received 10-3-18	Receipt No. 128452	Hearing Date 11-5-18	Petition No. RCZ-2018-0050
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Project Boundaries Represented with Bold Lines are for Representational Purposes Only

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.
© 2004 Board of Commissioners of the County of Allen
North American Datum 1983
State Plane Coordinate System, Indiana East
Photos and Contour: Spring 2009
Date: 10/25/2018





BELINNI OFFICE PARK

Primary Development Plan of:

Developer:
Springmill Woods Development, LLC
9430 Lima Road, Suite A
Fort Wayne, IN 46814
Sauer Land Surveying, Inc.
14033 Illinois Road, Suite C
Fort Wayne, IN 46814
Tel: 260/469-3300
Tel: 260/469-3300

RECORD SITE DESCRIPTION:

(As described in Document Number 2017051824)

PARCEL I:
Tract Number 8 in Hill Court Tracts, beginning at a point in the North line of Out Lot No. 2, said point being 220 feet East of the Northwest corner of said Lot, thence continuing East on the North line of said Lot, 90 feet; thence South 138 feet; thence West 90 feet; thence North 193.9 feet to the place of beginning. The above description being part of Rousseau's Out Lot 2.

PARCEL II:
Tract Number 9 in Hill Court Tracts, beginning at a point in the North line of Out Lot No. 2, said point being 310 feet East of the Northwest corner of said Lot, thence continuing East on the North line of said Lot, 90 feet; thence South 136.7 feet; thence West 90 feet; thence North 138 feet to the place of beginning. The above description being part of Rousseau's Out Lot 2.

PARCEL III:
Tract Number 10 in Hill Court Tracts, beginning at the Northeast corner of Out Lot No. 2, thence South on the East line thereof 135.5 feet; thence West 89 feet; thence North 136.7 feet to the place of beginning. The above description being part of Rousseau's Out Lot 2.

PARCEL IV:
Part of Out Lot Number 2 of Rousseau's Out Lots as situated in the Northeast Quarter of Section 3, Township 31 North, Range 12 East, Allen County, Indiana, being the plat of survey of the Hill Court Tracts as recorded in Plat Book 22, page 43 in the Allen County Recorder's Office described as follows:
To arrive at the point of beginning, commence at the Northeast corner of Out Lot No. 2 in the plat of Rousseau's Out Lots as recorded in Plat Book 22, page 43 in the Allen County Recorder's Office and on the Southeast corner of the Hill Court Tracts, beginning at the Northeast corner of said Lot No. 2, 135.5 feet to the Southeast corner of the Hill Court Tracts, as coincident with the East line of said Lot No. 2, 135.5 feet to the Southeast corner of said Lot No. 2, thence North along the East line of said Lot No. 2, a distance of 26 feet to the Northeast corner of Tract No. 2, thence West along the North line of said Lot No. 2, a distance of 35 feet to the Northwest corner of said Lot No. 2, said point being 389 feet South of the Northeast corner of said Lot, thence East 400 feet for a point of beginning; thence continuing East 90 feet; thence West 90 feet; thence South 160 feet to the place of beginning.

(As described in Document Number 201705426)

Part of Lot Numbered Two (2) in Rousseau's Out Lots in the Northwest Quarter of Section 3, Township 31 North, Range 12 East, according to the recorded Plat thereof, and more particularly described as follows: Commencing at a point in the West line of Out Lot Number 2, said point beginning 389 feet South of the Northwest corner of said Lot, thence East 310 feet for a point of beginning; thence continuing East 90 feet; thence West 90 feet; thence South 160 feet to the place of beginning.

(As described in Document Number 2017039314)

Part of Out Lot Numbered 2, in Rousseau's Out Lots, in the North East 1/4 of Section 3, in Township 31 North, Range 12 East, according to the recorded plat thereof, and more particularly described as follows, to wit:
Beginning at North 84.7 feet, to the North line of said Lot Number 2, thence West on the North line of said Lot 220 feet to the place of beginning.

ALSO,
Part of Out Lot Numbered 2, in Rousseau's Out Lots, in the North East 1/4 of Section 3, in Township 31 North, Range 12 East, according to the recorded plat thereof, and more particularly described as follows, to wit:
Beginning at a point in the West line of Out Lot Number 2, said point being 168 feet South of the North West corner of said Lot, thence East 220 feet; thence North 84.7 feet, to the North line of said Lot Number 2, thence West on the North line of said Lot 220 feet to the place of beginning.

NEW ORIGINAL DESCRIPTION: (part of eight tracts described in Documents Numbered 2017039314, 2017051824 and 201705426)

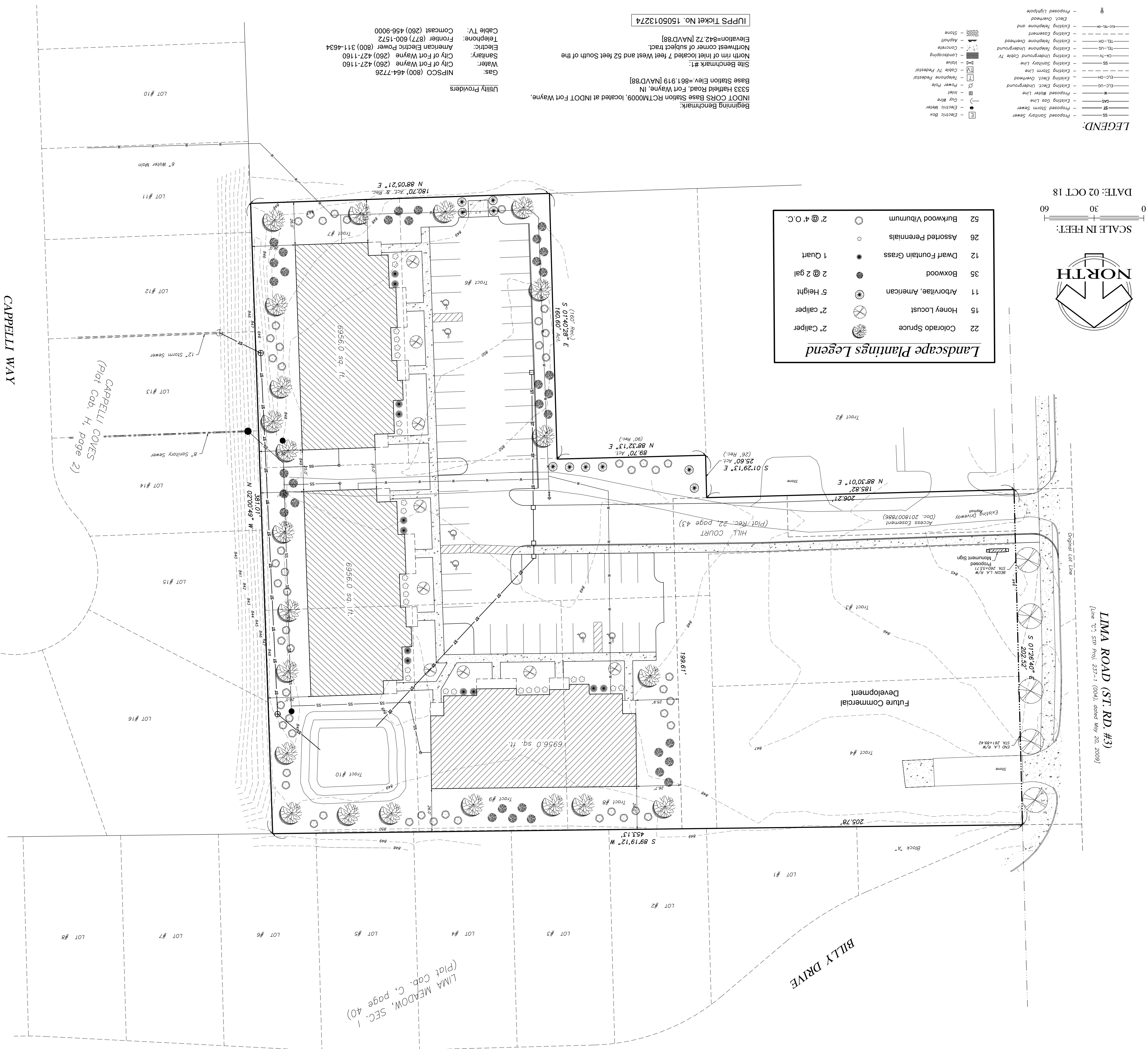
No. BOP-001, dated October 2, 2018, and being more particularly described as follows, to-wit:
Part of Rousseau's Out Lot Number 2, as recorded in Plat Book 7, page 50, in the Office of the Recorder of Allen County, Indiana, based on an original survey by John C. Sauer, Indiana Professional Surveyor Number 50364 of Sauer Land Surveying, Inc., Survey on Flood Insurance Rate Map No. 18003C 0170G, effective August 3, 2009

Beginning at a concrete right-of-way monument at the point of intersection of the North line of said Out Lot Number 2 and the East right-of-way line of Lima Road (State Road #3), thence South 01 degrees 26 minutes 40 seconds East (GPS grid bearing and the basis of all bearings in this description), on and along said East right-of-way line, a distance of 202.52 feet to a #5 rebar at the point of intersection of said East right-of-way line with the South line of a 0.709 acre base tract of real estate described in a deed to Springmill Woods Development, L.L.C., in Document Number 2017051824 in the Office of the Recorder of Allen County, Indiana, thence North 88 degrees 30 minutes 01 seconds East, on and along said South line, a distance of 185.82 feet to a #5 rebar; thence South 01 degrees 29 minutes 13 seconds East, on and along a West line of said 0.709 acre base tract, a distance of 25.60 feet to a #5 rebar; thence North 88 degrees 32 minutes 13 seconds East, on and along a South line of said 0.709 acre base tract, a distance of 89.70 feet to a #3 rebar at the Northwest corner of a base tract of real estate described in a deed to Springmill Woods Development, L.L.C., in Document Number 201705426 in the Office of said Recorder; thence South 01 degrees 40 minutes 28 seconds East, on and along the West line of said base tract, a distance of 160.60 feet to the Southwest corner thereof, being a point on the North line of a 1.97 acre tract of real estate described in a deed to Lancia Properties, L.L.C., in Document Number 2012073631 in the Office of said Recorder; thence North 88 degrees 30 minutes 01 seconds East, on and along said North line, a distance of 180.70 feet to a #3 rebar at the Northeast corner thereof, being a point on the East line of Out Lot Number 2, thence North 02 degrees 00 minutes 49 seconds West, on and along said East line, a distance of 381.01 feet to a #3 rebar at the Northeast corner thereof; thence South 89 degrees 19 minutes 12 seconds West, on and along said North line, a distance of 453.13 feet to the point of beginning, containing 2.898 acres of land, subject to all easements of record.

This property appears to be within Zone X as the description plots by scale

CAPPELLI WAY

CAPPELLI COVES
(Plat Cap. H, page 2)



Landscape Plantings Legend

22	Colorado Spruce	2" Caliper
15	Honey Locust	2" caliper
11	Arbutus, American	5' Height
35	Boxwood	2 @ 2 gal
12	Dwarf Fountain Grass	1 Quart
26	Assorted Perennials	
52	Burkwood Viburnum	2' @ 4" O.C.



SCALE IN FEET:
0 30 60
DATE: 02 OCT 18

- LEGEND:
- SS - Proposed Sanitary Sewer
 - ST - Electric Sewer
 - W - Existing Gas Line
 - W - Proposed Storm Sewer
 - W - Existing Water Line
 - W - Proposed Water Line
 - W - Existing Electric, Underground
 - W - Existing Electric, Overhead
 - W - Existing Storm Line
 - W - Existing Sanitary Line
 - W - Existing Telephone
 - W - Existing Telephone Underground
 - W - Existing Overhead
 - W - Existing Overhead and
 - W - Proposed Lightpole

Beginning Benchmark:
INDOT CORS Base Station RCTM0009, located at INDOT Fort Wayne,
5333 Hatfield Road, Fort Wayne, IN
Base Station Elev = 861.919 [NAVD'88]
Site Benchmark #1:
North end of inlet located 7 feet West and 52 feet South of the
Northwest corner of subject tract.
Elevation = 842.72 [NAVD'88]
IUPPS Ticket No. 1505013274

Utility Providers
Water: NIPSCO (800) 464-7726
Sanitary: City of Fort Wayne (260) 427-1160
Electric: American Electric Power (800) 311-4634
Frontier (877) 600-1572
Comcast (260) 456-9000
Cable TV: Frontier (877) 600-1572

LIMA MEADOW, SEC. 1
(Plat Cap. C, page 40)