

City of Fort Wayne Common Council

DIGEST SHEET

Department of Planning Services

Title of Ordinance: Zoning Map Amendment
Case Number: REZ-2019-0009
Bill Number: Z-19-02-19
Council District: 4-Jason Arp

Introduction Date: February 26, 2018

Plan Commission
Public Hearing Date: March 11, 2019 (not heard by Council)

Next Council Action: Ordinance will return to Council after recommendation by the Plan Commission

Synopsis of Ordinance: To rezone approximately 2.97 acres of property from AR-Low Intensity Residential to C2-Limited Commercial.

Location: 8506 Illinois Road

Reason for Request: To rezone property for the development of a Shigs in Pit restaurant and an Indiana Physical Therapy medical office building.

Applicant: Blaine Stuckey

Property Owner: BBDH, LLC

Related Petitions: Primary Development Plan, Shigs in Pit and Indiana Physical Therapy

Effect of Passage: Property will be rezoned to the C2-Limited Commercial zoning district, which allow redevelopment of the site for retail and office uses.

Effect of Non-Passage: The property will remain zoned AR-Low Intensity Residential, which allows for single family residential development and limited agricultural uses.

#REZ-2019-0009

BILL NO. Z-19-02-19

ZONING MAP ORDINANCE NO. Z-_____

**AN ORDINANCE amending the City of Fort Wayne
Zoning Map No. A-06 (Sec. 2 of Aboite 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 the Southeast Quarter of Section 3, Township 31 North, Range 11 East of the Second
Principal Meridian, Aboite Township in Allen County, Indiana, based on an original survey
by Brett R. Miller, Indiana Professional Surveyor Number 20300059 of Miller Land
Surveying, Inc., Survey No. 19014944, dated January 25, 2019, and being more particularly
described as follows:

Commencing at a Harrison Monument marking the Southwest corner of said Southeast
Quarter; thence North 88 degrees 51 minutes 14 seconds East (GPS grid bearing and basis of
bearings to follow), a distance of 643.06 feet (641.00 feet Deed) along the South line of said
Southeast Quarter and within the right-of-way of State Road 14; thence North 01 degrees 07
minutes 46 seconds West, a distance of 40.00 feet to South line of an existing 0.117 acre
tract of land described in Document Number 2007036732 in the Office of the Recorder of
Allen County, Indiana; thence North 00 degrees 24 minutes 01 seconds West, a distance of
19.06 feet along the West line of said 0.117 acre tract to a 5/8" steel rebar with a "Miller
Firm #0095" identification cap set at the POINT OF BEGINNING of the herein described
tract; thence continuing North 00 degrees 24 minutes 01 seconds West, a distance of 463.65
feet along the East line of an existing 1.016 acre tract described in Document Number
206042040 and along the East line of an existing tract described in Document Number
2016068970 in the Office of the Recorder of Allen County to a 5/8" steel rebar with an
Yellow Cap found on the South line of the Whispering Meadows Subdivision described in
Plat Cabinet C, Page 10 in said Recorders Office; thence North 87 degrees 34 minutes 37
seconds East, a distance of 284.36 feet along said South line to the West line of an existing
1.530 acre tract of land described in Document Number 92-063638 in the Office of the
Recorder of Allen County, Indiana, said point being referenced by a 1" steel pipe found 0.34
feet South; thence South 01 degrees 18 minutes 39 seconds West, a distance of 470.46 feet
along said West line to a 5/8" steel rebar with a "Miller Firm #0095" identification cap set
on the North line of said 0.117 acre tract; thence South 88 degrees 52 minutes 14 seconds
West, a distance of 270.16 feet (268.61 feet Deed) along said North line to the Point of
Beginning. Containing 2.970 Acres, more or less. Subject to easements of record.

1 and the symbols of the City of Fort Wayne Zoning Map No. A-06 (Sec. 2 of Aboite
2 Township), as established by Section 157.082 of Title XV of the Code of the City of Fort
3 Wayne, Indiana is hereby changed accordingly.

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

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

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13 _____
Council Member

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15 APPROVED AS TO FORM AND LEGALITY:

16 _____
17 Carol T. Helton, City Attorney
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Department of Planning Services Rezoning Petition Application

Applicant
Applicant Blaine Stuckey
Address 2701 Broadway
City Fort Wayne State IN Zip 46807
Telephone (260) 704-6222 E-mail blaines@madbrew.com

Contact Person
Contact Person Cody Ward
Address 10060 Bent Creek Boulevard
City Fort Wayne State IN Zip 46825
Telephone 260-489-8571 E-mail cody@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 8506 Illinois Road, Fort Wayne, IN 46804
Present Zoning AR Proposed Zoning C2 Acreage to be rezoned 2.97
Proposed density N/A units per acre
Township name Aboite Township section # 2
Purpose of rezoning (attach additional page if necessary) The applicant is rezoning the property for proposed Restaurant & Professional Office. See Primary Development Plan.
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.

Blaine Stuckey
(printed name of applicant) Dr. John Drake 1/30/19
BBDH LLC (printed name of property owner) managing member 1/31/2019
(signature of applicant) Dr. John Drake (date)
(signature of property owner) (date)
(signature of property owner) (date)
(signature of property owner) (date)

Received <u>2-5-2019</u>	Receipt No. <u>129399</u>	Hearing Date <u>3-11-2019</u>	Petition No. <u>RE2-2019-0009</u>
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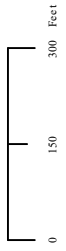


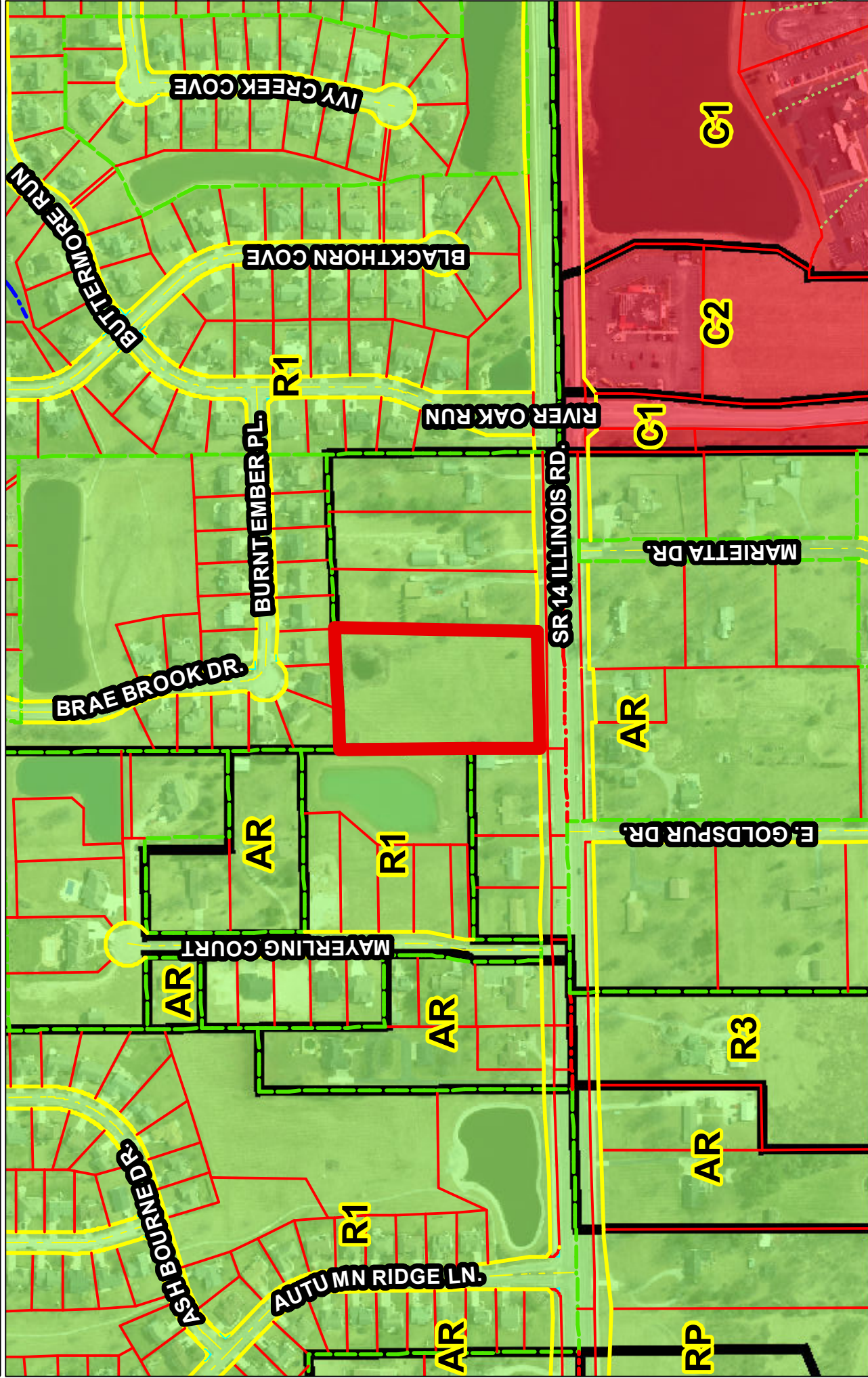
Although strict accuracy standards have been employed in the compilation of this map, Allen County does not warrant or guarantee the accuracy of the information contained herein and disclaims any and all liability resulting from any error or omission in this map.

© 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: 2/15/2019



1 inch = 300 feet





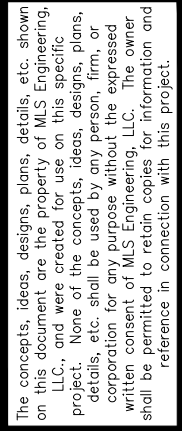
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North American Datum 1983
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1 inch = 300 feet





MTS Engineering
Engineering Your Tomorrow... Today

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Phone: (260) 669-6152
Marion Office

PREPARED FOR:
Lynn Delagrangre, Inc
113 Airport North
Office Park Fort
Wayne, IN 46825
(260) 490-4663

Shirley M. Phillips, M.D.
8506 Illinois Road
Fort Wayne, IN 46804
Primary Development Plans
Site Plan

e : 01/30/19
 igned By: CAW
 igned By : DSG
 Subject No.: 19014944
 et Number

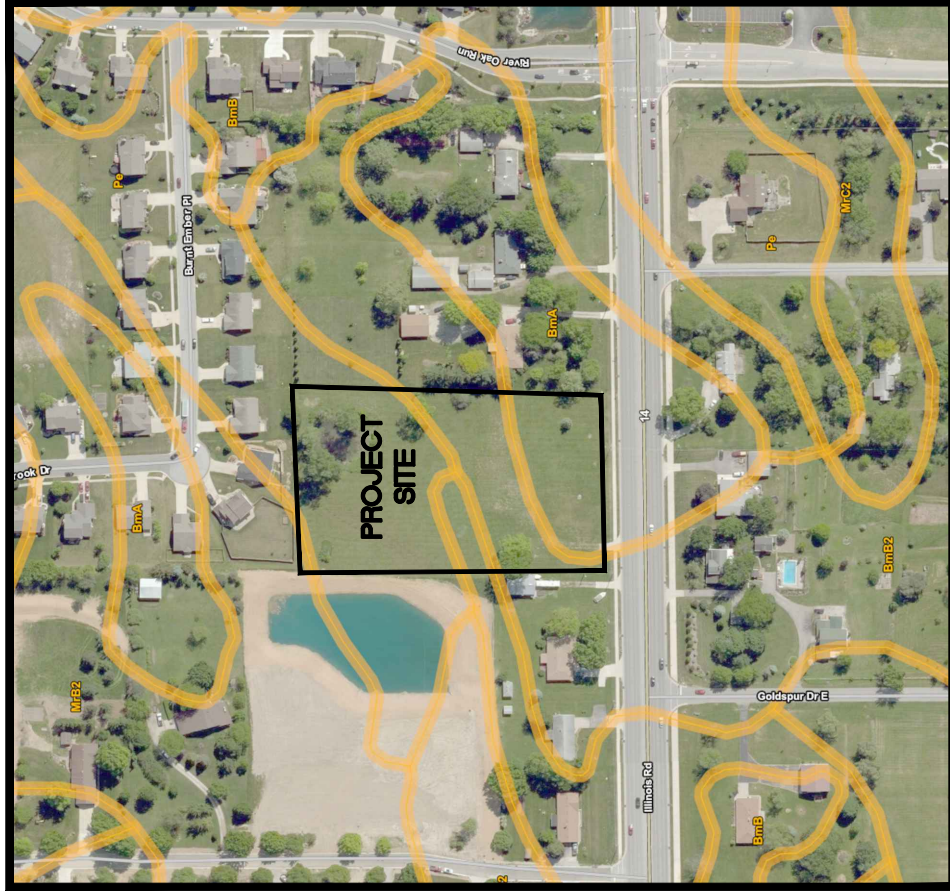
DP-1



⊗ = PROJECT SITE
PROJECT SITE VICINITY MAP
NOT TO SCALE

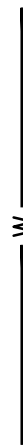


FLOOD INSURANCE RATE MAP (FIRM)
AUGUST 3, 2009 / MAP# 18003C0260G
NOT TO SCALE



ALLEN COUNTY SOIL SURVEY MAP

NOT TO SCALE

PROPOSED LEGEND	
	PROPERTY LINE
	BUILDING SETBACK LINE
	STORM PIPE
	SANITARY PIPE
	WATER PIPE
	6" TALL SOLID WOOD FENCE
	STORM CATCH BASIN / INLET
	(D) DRAINAGE / (S) SANITARY MANHOLE
	WATER VALVE / FIRE HYDRANT ASSEMBLY
	POST INDICATOR VALVE
	FIRE DEPARTMENT CONNECTION
	= HEAVY DUTY ASPHALT PAVEMENT
	= LIGHT DUTY ASPHALT PAVEMENT
	= CONCRETE SIDEWALK / PAVEMENT

PROJECT SUMMARY	
PARCEL ADDRESS:	8506 ILLINOIS RD. FORT WAYNE, IN 46804
TOWNSHIP NAME:	ABOITE TOWNSHIP
TOWNSHIP SECTION:	SECTION 2, 130 N. R. 1 E
CONSTRUCTION START DATE:	MAY 6, 2019
CONSTRUCTION END DATE:	MAY 29, 2020
ZONING CLASSIFICATION:	C2- LIMITED COMMERCIAL DEVELOPMENT STANDARDS
PROPOSED USE:	PROFESSIONAL OFFICE AND RESTAURANT
NUMBER OF BUILDINGS:	(2) 1-STORY BUILDING
BUILDING GROSS FLOOR AREA (SF):	(1) 1,250 SQ. FT. & (1) 4,500 SQ. FT.
TOTAL LOT ACREAGE (AC):	2.97+ ACRES
TOTAL LOT COVERAGE (AC):	2.11 ACRES (71% IMPERVIOUS)
PARKING REQUIREMENT:	1 SPACE PER 400 SQ. FT.
PARKING REQUIRED:	11,750 SQ. FT. / 400 SQ. FT. = 30 PARKING SPACES
PARKING PROVIDED:	165 PARKING SPACES
SANITARY/ UTILITY SERVICE:	CITY OF FORT WAYNE
WATER UTILITY SERVICE:	CITY OF FORT WAYNE
STORMWATER OUTLET:	ON-SITE DETENTION TO CITY OF FORT WAYNE STORMWATER SYSTEM
PROPOSED SITE LIGHTING:	PROPOSED SITE LIGHTING WILL BE DESIGNED TO COMPLY WITH THE ZONING ORDINANCE AND SUBMITTED TO DPS FOR REVIEW AND PERMITTING DURING THE SECONDARY DEVELOPMENT PLAN PROCESS.
PROPOSED SIGNAGE:	PROPOSED SIGNS WILL BE DESIGNED TO COMPLY WITH THE ZONING ORDINANCE AND SUBMITTED TO DPS FOR REVIEW AND PERMITTING DURING THE SECONDARY DEVELOPMENT PLAN PROCESS.

