

City of Fort Wayne Common Council

DIGEST SHEET

Department of Planning Services

Title of Ordinance: Zoning Map Amendment
Case Number: REZ-2019-0003
Bill Number: Z-19-02-23
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 8.36 acres of property from C2-Limited Commercial to R3-Multiple Family Residential.

Location: 5495 Coventry Lane

Reason for Request: To redevelop the vacant theatre and parking lot into an 11-building apartment complex.

Applicant: DOMO Development Company, LLC

Property Owner: Ventry Apartments, LLC

Related Petitions: Primary Development Plan, Ventry Apartments

Effect of Passage: Property will be rezoned to the R3-Multiple Family Residential zoning district, which will allow the redevelopment of the property for multiple family housing.

Effect of Non-Passage: The property will remain zoned C2-Limited Commercial, which would allow for the apartment complex, however the residential design standards are more appropriate for the proposed project.

1 **#REZ-2019-0003**

2 **BILL NO. Z-19-02-23**

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

5 **AN ORDINANCE amending the City of Fort Wayne**
6 **Zoning Map No. A-19 (Sec. 12 of Aboite Township)**

7
8 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE,
9 INDIANA:

10 SECTION 1. That the area described as follows is hereby designated an R3
11 (Multiple Family Residential) District under the terms of Chapter 157 Title XV of the Code of
12 the City of Fort Wayne, Indiana:

13 Part of the Southeast Quarter of Section 23, Township 30 North, Range 11 East, Allen
14 County, Indiana, based on an original survey by Joseph R. Herendeen, Indiana Professional
15 Surveyor Number 20900190 of Sauer Land Surveying, Inc., Survey No. 129-145 "A", dated
16 October 30, 2018, and being more particularly described as follows, to-wit:
17 Commencing at the Center of said Section 23; thence North 89 degrees 45 minutes 37
18 seconds East (deed bearing and basis of all bearings in this description), on and along the
19 North line of said Southeast Quarter, a distance of 100.00 feet to a #5 rebar on the Easterly
20 right-of-way line of Coventry Lane, also being the Northwest corner of a 4.207 acre base
21 tract of real estates described in a deed to Striving Legacy Estates, LLC, in Document
22 Number 2016064348 in the Office of the Recorder of Allen County, Indiana, this being the
23 true point of beginning; thence North 89 degrees 45 minutes 37 seconds East, continuing on
24 and along said North line, a distance of 436.72 feet to a #4 rebar at the Northeast corner of
25 said 4.207 acre base tract; thence South 00 degrees 08 minutes 00 seconds West, on and
26 along the East line of said 4.207 acre base tract, a distance of 425.84 feet to a #5 rebar at the
27 Easterly deflection corner thereof; thence South 39 degrees 25 minutes 49 seconds West,
28 continuing on and along the East line of said 4.207 acre base tract and a Southeast line of a
29 4.155 acre base tract of real estate described in a deed to JSMN Coventry Cinemas, LLC, in
30 Document Number 2012064227 in the Office of said Recorder, a distance of 130.10 feet to a
 #5 rebar at the Southeast corner of said 4.155 acre base tract; thence South 50 degrees 34
 minutes 11 seconds East, on and along a Northeast line of said 4.155 acre base tract, a
 distance of 20.00 feet to a #5 rebar at an East corner thereof; thence South 39 degrees 25
 minutes 49 seconds West, on and along a Southeast line of said 4.155 acre base tract, a
 distance of 220.91 feet to a #4 rebar at an Easterly deflection corner thereof; thence South 00
 degrees 29 minutes 15 seconds West, on and along an East line of said 4.155 acre base tract,
 a distance of 69.63 feet to a #4 rebar at the Southeast corner thereof; thence North 89
 degrees 30 minutes 45 seconds West, on and along the South line of said 4.155 acre base
 tract, a distance of 235.83 feet to a #5 rebar at a Southerly deflection corner thereof; thence
 North 53 degrees 17 minutes 22 seconds West, on and along a Southwest line of said 4.155
 acre base tract, a distance of 274.00 feet to a #5 rebar at a Southwesterly deflection corner
 thereof; thence North 32 degrees 48 minutes 02 seconds West, continuing on and along said

1 Southwest line, a distance of 60.00 feet to a #5 rebar at the most Westerly corner of said
2 4.155 acre base tract, being a point on the Easterly right-of-way line of Coventry Lane;
3 thence Northeasterly, on and along said Easterly right-of-way line, as defined by the arc of a
4 non-tangent circular curve to the left having a radius of 570.00 feet, an arc distance of
5 575.25 feet, being subtended by a long chord having a length of 551.16 feet and a bearing of
6 North 28 degrees 17 minutes 11 seconds East to a survey nail at the point of tangency;
7 thence North 00 degrees 38 minutes 19 seconds West, continuing on and along said Easterly
8 right-of-way and tangent to said curve, a distance of 75.89 feet to the true point of beginning,
9 containing 8.362 acres of land, and subject to all easements of record.

10
11 and the symbols of the City of Fort Wayne Zoning Map No. A-19 (Sec. 12 Aboite Township),
12 as established by Section 157.082 of Title XV of the Code of the City of Fort Wayne, Indiana
13 is hereby changed accordingly.

14
15 SECTION 2. If a written commitment is a condition of the Plan Commission's
16 recommendation for the adoption of the rezoning, or if a written commitment is modified and
17 approved by the Common Council as part of the zone map amendment, that written
18 commitment is hereby approved and is hereby incorporated by reference.

19
20 SECTION 3. That this Ordinance shall be in full force and effect from and after its
21 passage and approval by the Mayor.

22
23 _____
24 Council Member

25
26 APPROVED AS TO FORM AND LEGALITY:

27
28 _____
29 Carol T. Helton, City Attorney
30

**Department of Planning Services
Rezoning Petition Application**

Applicant
Applicant Domo Development Company, LLC
Address 6471 Brauer lane
City Carmel State IN Zip 46033
Telephone 317-418-2200 E-mail jhennessey@sunstoneproperties.com

Contact Person
Contact Person John Hennessey
Address 6471 Brauer Lane
City Carmel State IN Zip 46033
Telephone 317-418-2200 E-mail jhennessey@sunstoneproperties.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 5495 Coventry Lane, Fort Wayne, IN
Present Zoning C-2 Proposed Zoning R-3 Acreage to be rezoned 8.362
Proposed density 21.5 units per acre
Township name Aboite Township section # 23
Purpose of rezoning (attach additional page if necessary) Construction of Multi Building Apartment Complex
Sewer provider Aqua Indiana 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.

John M. Hennessey

(printed name of applicant)

(signature of applicant)

2/5/2019
(date)

John M. Hennessey

(printed name of property owner)

(signature of property owner)

2/5/2019
(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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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.

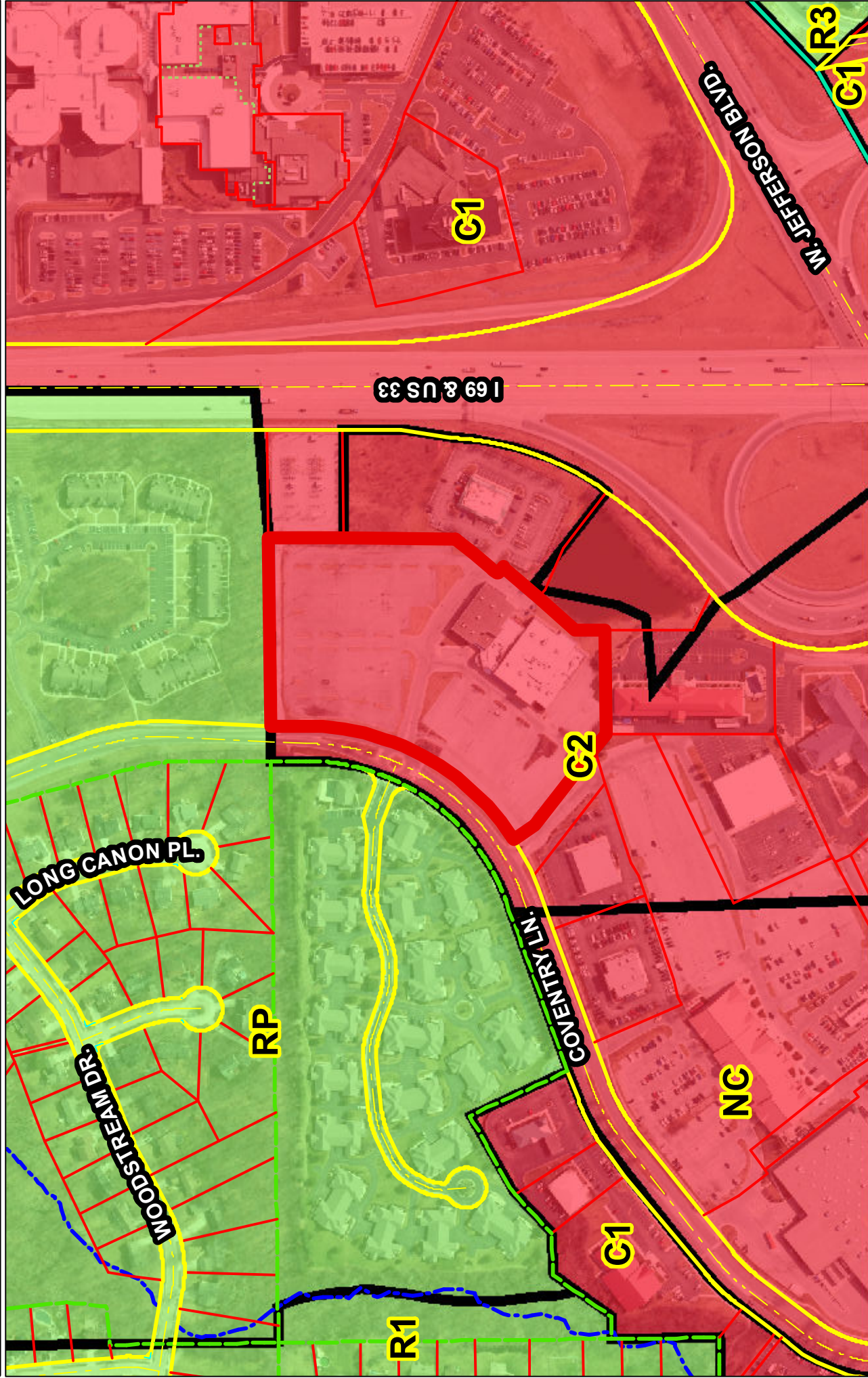
North American Datum 1983
State Plane Coordinate System, Indiana East
Photos and Contours: Spring 2009
Date: 2/15/2019

1 inch = 300 feet

0 150 300 Feet



Rezoning Petition REZ-2019-0003 and Primary Development Plan PDP-2019-0005 - Ventry Apartments



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