

City of Fort Wayne Common Council

DIGEST SHEET

Department of Planning Services

Title of Ordinance: Zoning Map Amendment
Case Number: REZ-2019-0030
Bill Number: Z-19-05-27
Council District: 4-Jason Arp

Introduction Date: May 28, 2019

Plan Commission
Public Hearing Date: June 10, 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 1.70 acres from R1/Single Family Residential C2/Limited Commercial.

Location: 6626 West Jefferson

Reason for Request: To allow an existing home to be remodeled and used for a restaurant and to allow an adjacent new building to be constructed and used by tenants for retail and commercial purposes (*per rezoning application*).

Applicant: Martin Quintana

Property Owner: Martin Quintana

Related Petitions: Primary Development Plan, Quintana Plaza

Effect of Passage: Property will be rezoned to the C2/Limited Commercial zoning district, which will allow retail and restaurant uses.

Effect of Non-Passage: The property will remain zoned R1/Single Family Residential and the property may be used for residential purposes. A commercial structure is not permitted in the single family district.

1 **#REZ-2019-0030**

2 **BILL NO. Z-19-05-27**

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

5 **AN ORDINANCE amending the City of Fort Wayne**
6 **Zoning Map No. C-07 (Sec. 13 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 a C2 (Limited
11 Commercial) District under the terms of Chapter 157 Title XV of the Code of the City of Fort
12 Wayne, Indiana:

13 LEGAL DESCRIPTION – Deed Book 494, page 369

14 One acre of ground in the Northeast Quarter of Section 13, Township 30 North,
15 Range 11 East, more particularly described as follows:
16 Commencing at the Southwest corner of the East Half of the Northeast Quarter of
17 Section 13, Township 30 North, Range 11 East; thence North 50 feet; East and
18 parallel to and 50 feet at right angles distance from the south line of the east half of
19 the Northeast Quarter of Section 13, a distance of 352.6 feet to a point on the West
20 Right of Way line of United States Highway Number 24; thence Northeasterly along
21 the West Right of Way line of said Highway a distance of 853 feet to the place of
22 beginning of the tract herein described; thence North a distance of 411.5 feet, thence
23 East a distance of 118.95 feet; thence South a distance of 320 feet to the West Right
24 of Way line of said Highway Number 24; thence in a Southwesterly direction along
25 the East Right of Way line of said Highway a distance of 150 feet to the place of
26 beginning, containing one acre of land, more or less.

27 ALSO – Deed Book 584, page 418

28 .69 acre of land in the Northeast Quarter of Section 13, Township 30 North, Range
29 11 East, being more particularly described as follows:
30 Commencing at the Southwest corner of the East Half of the Northeast Quarter of
Section 13, Township 30 North, Range 11 East, thence North 50 feet; East and
parallel to and 50 feet at right angles distance from the south line of the east half of
the Northeast Quarter of Section 13, a distance of 352.6 feet to a point on the West
Right of Way line of United States Highway Number 24; thence Northeasterly along
the West Right of Way line of said Highway a distance of 1003 feet to the place of

1 beginning of the tract herein described; thence Northeasterly along the West Right of
2 Way line of said Highway a distance of 164.4 feet; thence northwesterly making an
3 interior angle of 116 degrees 26 minutes with the preceding line a distance of 223.7
4 feet; thence Westerly a distance of 88.6 feet; thence southerly 320 feet to the place of
5 beginning, containing .69 acre of land, more or less.

6 and the symbols of the City of Fort Wayne Zoning Map No. C-07 (Sec. 13 of Aboite
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
10 SECTION 2. If a written commitment is a condition of the Plan Commission's
11 recommendation for the adoption of the rezoning, or if a written commitment is modified and
12 approved by the Common Council as part of the zone map amendment, that written
13 commitment is hereby approved and is hereby incorporated by reference.

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

17
18 _____
Council Member

19
20 APPROVED AS TO FORM AND LEGALITY:

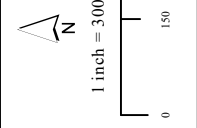
21 _____
22 Carol T. Helton, City Attorney
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Rezoning Petition REZ-2019-0030 and Primary Development Plan PDP-2019-0022- Quintana Plaza



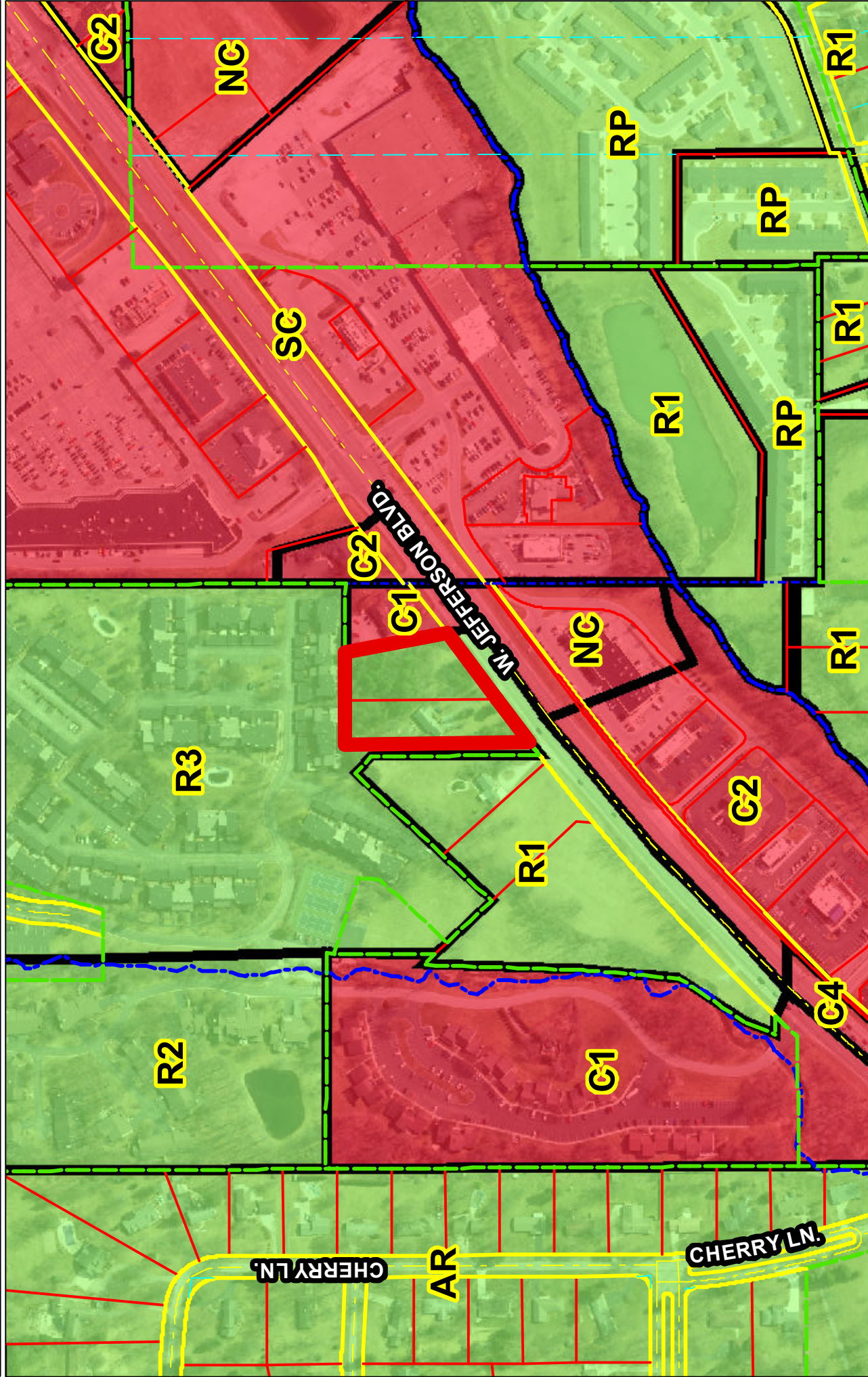
Although strict accuracy standards have been employed in the compilation of this map, Allen County does not warrant or guarantee the accuracy of the information contained herein and disclaims any and all liability resulting from any error or omission in this map.

North American Datum 1983
 State Plane Coordinate System, Indiana East
 Photos and Contours: Spring 2009
 Date: 5/17/2019



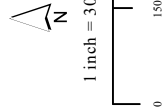


Rezoning Petition REZ-2019-0030 and Primary Development Plan PDP-2019-0022- Quintana Plaza



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North American Datum 1983
State Plane Coordinate System, Indiana East
Photos and Contours: Spring 2009
Date: 5/17/2019



**Department of Planning Services
Rezoning Petition Application**

Applicant
Applicant Martin Quintana
Address 3823 Leesburg Road
City Fort Wayne State IN Zip 46808
Telephone 260.247.0106 E-mail martinquintana1170@gmail.com

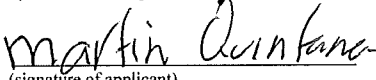
Contact Person
Contact Person James A. Federoff, Carson LLP
Address 301 W. Jefferson Blvd., Suite 200
City Fort Wayne State IN Zip 46802
Telephone 260.423.9411 E-mail jfederoff@carsonllp.com

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 6626 W. Jefferson Blvd.
Present Zoning R1 Proposed Zoning C2 Acreage to be rezoned 1.70 A.
Proposed density 2 units per acre
Township name Aboite Township section # 13
Purpose of rezoning (attach additional page if necessary) To allow an existing home to be remodeled and used for a restaurant, and to allow an adjacent new building to be constructed and used by tenants for retail commercial purposes permitted in the C2 district.
Sewer provider City of Fort Wayne Water provider City of Fort Wayne

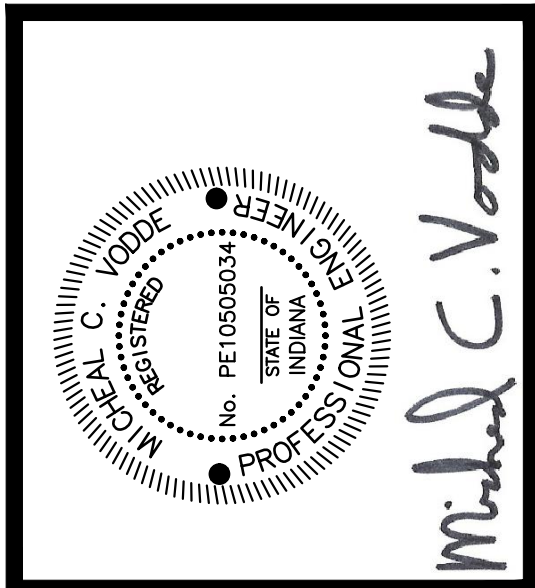
Filing Requirements
Applications will not be accepted unless the following filing requirements are submitted with this application. Please refer to checklist for applicable filing fees and plan/survey submittal requirements.
☐ Applicable filing fee
☐ Applicable number of surveys showing area to be rezoned (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.

Martin Quintana		05.03.19
(printed name of applicant)	(signature of applicant)	(date)
_____	_____	_____
(printed name of property owner)	(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 5-7-2019	Receipt No. 130344	Hearing Date 6-10-19	Petition No. REZ-2019-0030
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**PRIMARY
DEVELOPMENT
PLAN FOR
QUINTANA PLAZA
6626 W. JEFFERSON
BLVD.
FORT WAYNE, INDIANA**



SHEET TITLE:

**PRIMARY DEVELOPMENT
PLAN**

[illegible]

SCALE:	1"=20'	DRAWN BY:	MCV
ISSUE DATE:	5/07/19	CHECKED BY:	EJS/DMW
SAVED FILE: M:\2019ENG\19-E-11...			

SITE

SITE AS SHOWN CONTAINS 42 TOTAL SPACES

[illegible]