

City of Fort Wayne Common Council

DIGEST SHEET

Department of Planning Services

Title of Ordinance: Zoning Map Amendment
Case Number: REZ-2019-0060
Bill Number: Z-19-09-10
Council District: 2-Russ Jehl

Introduction Date: September 24, 2019

Plan Commission
Public Hearing Date: October 7, 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 13.07 acres from C2/Limited Retail to C1/Professional Office and Personal Services.

Location: 10162 Dupont Circle Drive

Reason for Request: To allow for a sports complex that exceeds the square foot maximum in the C2 district

Applicant: CAH Development, LLC

Property Owner: CAH Development, LLC

Related Petitions: Primary Development Plan, Dupont Sports Complex

Effect of Passage: Property will be rezoned to the C1/Professional Office and Personal Services district to allow for a sports complex at the desired size of 101,000 square feet.

Effect of Non-Passage: The property will remain zoned C2/Limited Retail and may develop with those permitted uses, but the desired building size cannot be built. The maximum building size in the C2 district is 22,000 square feet.

#REZ-2019-0060

BILL NO. Z-19-09-10

ZONING MAP ORDINANCE NO. Z-_____

**AN ORDINANCE amending the City of Fort Wayne
Zoning Map No. Q-58 (Sec. 6 of St. Joseph 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 C1
(Professional Office and Personal Services) District under the terms of Chapter 157 Title XV
of the Code of the City of Fort Wayne, Indiana:

TRACT 1 – 9.050 ACRES

PART OF THE NORTHEAST QUARTER OF SECTION 6, TOWNSHIP 31 NORTH,
RANGE 13 EAST OF THE SECOND PRINCIPAL MERIDIAN IN ALLEN COUNTY,
INDIANA MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A BRONZE PLUG ON THE NORTH LINE OF SAID NORTHEAST
QUARTER AT THE INTERSECTION OF THE CENTERLINE OF AUBURN ROAD
WITH THE CENTERLINE OF DUPONT ROAD, SAID POINT BY DEED BEING 1619.0
FEET EAST OF THE NORTHWEST CORNER OF FRACTIONAL SECTION 6;
THENCE SOUTH 00 DEGREES 34 MINUTES 00 SECONDS WEST (ASSUMED
BEARING), A DISTANCE OF 85.47 FEET ALONG THE CENTERLINE OF SAID
AUBURN ROAD; THENCE SOUTH 89 DEGREES 59 MINUTES 44 SECONDS EAST,
A DISTANCE OF 65.18 FEET PARALLEL WITH THE NORTH LINE OF SAID
NORTHEAST QUARTER AND CENTERLINE OF SAID DUPONT ROAD AT THE
POINT OF INTERSECTION OF THE EAST RIGHT-OF-WAY OF SAID AUBURN
ROAD WITH THE SOUTH RIGHT-OF-WAY LINE OF SAID DUPONT ROAD;
THENCE NORTH 40 DEGREES 09 MINUTES 40 SECONDS EAST, A DISTANCE OF
34.85 FEET ALONG THE RIGHT-OF-WAY LINE OF SAID DUPONT ROAD; THENCE
NORTH 9 DEGREES 59 MINUTES 43 SECONDS EAST, A DISTANCE OF 325.04 FEET
CONTINUING ALONG SAID RIGHT-OF-WAY LINE; THENCE SOUTH 87 DEGREES
08 MINUTES 32 SECONDS EAST, A DISTANCE OF 100.13 FEET CONTINUING
ALONG SAID RIGHT-OF-WAY LINE; THENCE NORTH 89 DEGREES 59 MINUTES
43 SECONDS EAST, A DISTANCE OF 550.07 FEET CONTINUING ALONG SAID
RIGHT-OF-WAY LINE; THENCE SOUTH 87 DEGREES 08 MINUTES 31 SECONDS
EAST, A DISTANCE OF 100.13 FEET CONTINUING ALONG SAID RIGHT-OF-WAY
LINE; THENCE SOUTH 89 DEGREES 59 MINUTES 45 SECONDS EAST, A
DISTANCE OF 78.25 FEET ALONG SAID RIGHT-OF-WAY LINE; THENCE SOUTH
00 DEGREES 00 MINUTES 16 SECONDS WEST, A DISTANCE OF 468.24 FEET
ALONG THE WEST LINE OF SAID 50.048 ACRE TRACT OF THE SOUTH RIGHT-OF-
WAY LINE OF SAID DUPONT ROAD; THENCE SOUTH 89 DEGREES 59 MINUTES
44 SECONDS EAST, A DISTANCE OF 940.36 FEET TO THE SOUTHWEST CORNER

OF AN EXISTING 50.048 ACRE TRACT CONVEYED TO MARATHON OIL COMPANY; THENCE SOUTH 00 DEGREES 50 MINUTES 44 SECONDS EAST, A DISTANCE OF 200.00 FEET ALONG THE WEST LINE OF AN EXISTING 1,240.00 ACRE TRACT CONVEYED TO WHITLEY COUNTY RURAL ELECTRIC MEMBERSHIP CORP., AND RECORDED AS INSTRUMENT NO.91-023740 IN THE OFFICE OF THE RECORDER OF ALLEN COUNTY, INDIANA TO THE SOUTH LINE OF SAID 1.240 ACRE TRACT, ALSO BEING THE POINT OF BEGINNING OF HEREIN DESCRIBED TRACT; THENCE SOUTH 89 DEGREES 59 MINUTES 44 SECONDS EAST, A DISTANCE OF 270.02 FEET ALONG SAID SOUTH LINE TO THE EAST LINE OF SAID NORTHEAST QUARTER; THENCE SOUTH 00 DEGREES 46 MINUTES 41 SECONDS EAST, A DISTANCE OF 1256.20 FEET ALONG THE EAST LINE OF SAID NORTHEAST QUARTER; THENCE SOUTH 88 DEGREES 10 MINUTES 24 SECONDS WEST, A DISTANCE OF 162.83 FEET; THENCE NORTH 36 DEGREES 34 MINUTES 40 SECONDS WEST, A DISTANCE OF 388.15 FEET TO THE EASTERLY LINE OF AN EXISTING PRIVATE DRIVE; THENCE AROUND A CURVE TO THE LEFT WHOSE RADIUS IS 300.00 FEET, AN ARC DISTANCE OF 259.57 FEET, HAVING A CHORD BEARING NORTH 23 DEGREES 17 MINUTES 14 SECONDS EAST, A DISTANCE OF 251.55 FEET; THENCE NORTH 01 DEGREE 30 MINUTES 00 SECONDS WEST, A DISTANCE OF 227.00 FEET; THENCE AROUND A CURVE TO THE LEFT WHOSE RADIUS IS 350.00 FEET, AN ARC DISTANCE OF 335.54 FEET, HAVING A CHORD BEARING NORTH 28 DEGREES 57 MINUTES 52 SECONDS WEST, A DISTANCE OF 322.84 FEET; THENCE NORTH 39 DEGREES 04 MINUTES 14 SECONDS EAST, A DISTANCE OF 269.40 FEET TO THE POINT OF BEGINNING; SAID DESCRIBED TRACT CONTAINING 9.050 ACRES, MORE OR LESS, SUBJECT TO EASEMENTS OF RECORD.

TRACT 2 – 4.019 ACRES DEED (4.082 ACRES MEASURED)

PART OF THE NORTHWEST QUARTER OF SECTION 5, TOWNSHIP 31 NORTH, RANGE 13 EAST OF THE SECOND PRINCIPAL MERIDIAN IN ALLEN COUNTY, INDIANA MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A BRONZE PLUG ON THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 6, TOWNSHIP 31 NORTH, RANGE 13 EAST AT THE INTERSECTION OF THE CENTERLINE OF AUBURN ROAD WITH THE CENTERLINE OF DUPONT ROAD, SAID POINT BE DEED BEING 1619.0 FEET EAST OF THE NORTHWEST CORNER OF FRACTIONAL SECTION 6; THENCE SOUTH 00 DEGREES 34 MINUTES 00 SECONDS WEST (ASSUMED BEARING), A DISTANCE OF 85.47 FEET ALONG THE CENTERLINE OF SAID AUBURN ROAD; THENCE SOUTH 89 DEGREES 59 MINUTES 44 SECONDS EAST, A DISTANCE OF 65.18 FEET PARALLEL WITH THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 6 AND THE CENTERLINE OF SAID DUPONT ROAD AT THE POINT OF INTERSECTION OF THE EAST RIGHT-OF-WAY OF SAID AUBURN ROAD WITH THE SOUTH RIGHT-OF-WAY LINE OF SAID DUPONT ROAD; THENCE NORTH 40 DEGREES 09 MINUTES 40 SECONDS EAST, A DISTANCE OF 34.85 FEET ALONG THE RIGHT-OF-WAY LINE OF SAID DUPONT ROAD; THENCE NORTH 89 DEGREES 59 MINUTES 43 SECONDS EAST, A DISTANCE OF 325.04 FEET CONTINUING ALONG SAID RIGHT-OF-WAY LINE; THENCE SOUTH 87 DEGREES 08 MINUTES 32 SECONDS EAST, A DISTANCE OF 100.13 FEET CONTINUING ALONG SAID RIGHT-OF-WAY LINE; THENCE NORTH 89 DEGREES 59 MINUTES 43 SECONDS EAST, A DISTANCE OF 550.07 FEET CONTINUING ALONG SAID RIGHT-OF-WAY LINE; THENCE SOUTH 87 DEGREES 08 MINUTES 31 SECONDS

1 EAST, A DISTANCE OF 100.13 FEET CONTINUING ALONG SAID RIGHT-OF-WAY
2 LINE; THENCE SOUTH 89 DEGREES 59 MINUTES 45 SECONDS EAST, A
3 DISTANCE OF 78.25 FEET ALONG SAID RIGHT-OF-WAY LINE; THENCE SOUTH
4 00 DEGREES 00 MINUTES 16 SECONDS WEST, A DISTANCE OF 468.24 FEET
5 ALONG THE WEST LINE OF SAID 50.048 ACRE TRACT OF THE SOUTH RIGHT-OF-
6 WAY LINE OF SAID DUPONT ROAD; THENCE SOUTH 89 DEGREES 59 MINUTES
7 44 SECONDS EAST, A DISTANCE OF 940.36 FEET TO THE SOUTHWEST CORNER
8 OF AN EXISTING 50.048 ACRE TRACT CONVEYED TO MARATHON OIL
9 COMPANY; THENCE SOUTH 00 DEGREES 50 MINUTES 44 SECONDS EAST, A
10 DISTANCE OF 200.00 FEET ALONG THE WEST LINE OF AN EXISTING 1.240 ACRE
11 TRACT CONVEYED TO WHITLEY COUNTY RURAL ELECTRIC MEMBERSHIP
12 CORP. AND RECORDED AS INSTRUMENT NO.91-023740 IN THE OFFICE OF THE
13 RECORDER OF ALLEN COUNTY, INDIANA TO THE SOUTH LINE OF SAID 1.240
14 ACRE TRACT; THENCE SOUTH 89 DEGREES 59 MINUTES 44 SECONDS EAST, A
15 DISTANCE OF 270.02 FEET ALONG SAID SOUTH LINE TO THE WEST LINE OF
16 THE NORTHWEST QUARTER OF SAID SECTION 5; THENCE SOUTH 00 DEGREES
17 46 MINUTES 41 SECONDS EAST, A DISTANCE OF 3.08 FEET ALONG SAID WEST
18 LINE TO THE SOUTH LINE OF AN EXISTING TRACT DESCRIBED IN DOCUMENT
19 NUMBER 990070919 IN THE OFFICE OF THE RECORDER OF ALLEN COUNTY,
20 INDIANA, ALSO BEING THE POINT OF BEGINNING OF THE HEREIN DESCRIBED
21 TRACT; THENCE SOUTH 89 DEGREES 46 MINUTES 16 SECONDS EAST, A
22 DISTANCE OF 180.30 FEET ALONG SAID SOUTH LINE TO THE WEST RIGHT-OF-
23 WAY LINE OF INTERSTATE 69; THENCE SOUTH 13 DEGREES 24 MINUTES 42
24 SECONDS EAST, A DISTANCE OF 16.15 FEET ALONG SAID RIGHT-OF-WAY LINE;
25 THENCE SOUTH 00 DEGREES 18 MINUTES 09 SECONDS EAST, A DISTANCE OF
26 86.64 FEET ALONG SAID RIGHT-OF-WAY LINE; THENCE SOUTH 21 DEGREES 04
27 MINUTES 27 SECONDS WEST, A DISTANCE OF 153.16 FEET ALONG SAID RIGHT-
28 OF-WAY LINE; THENCE SOUTH 00 DEGREES 49 MINUTES 37 SECONDS WEST, A
29 DISTANCE OF 186.50 FEET ALONG SAID RIGHT-OF-WAY LINE; THENCE SOUTH
30 04 DEGREES 14 MINUTES 25 SECONDS EAST, A DISTANCE OF 414.91 FEET
ALONG SAID RIGHT-OF-WAY LINE; THENCE SOUTH 02 DEGREES 37 MINUTES
56 SECONDS WEST, A DISTANCE OF 418.80 FEET ALONG SAID RIGHT-OF-WAY
LINE TO THE NORTH LINE OF AN EXISTING TRACT DESCRIBED IN DOCUMENT
NUMBER 201018143., IN THE OFFICE OF THE RECORDER OF ALLEN COUNTY,
INDIANA; THENCE SOUTH 89 DEGREES 13 MINUTES 27 SECONDS WEST, A
DISTANCE OF 120.99 FEET ALONG SAID NORTH LINE TO THE WEST LINE OF
THE NORTHWEST QUARTER OF SAID SECTION 5; THENCE NORTH 00 DEGREES
46 MINUTES 41 SECONDS WEST, A DISTANCE OF 1266.35 FEET ALONG SAID
WEST LINE TO THE POINT OF BEGINNING; SAID DESCRIBED TRACT
CONTAINING 4.019 ACRES, MORE OR LESS, SUBJECT TO EASEMENTS OF
RECORD.

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

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

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

Council Member

APPROVED AS TO FORM AND LEGALITY:

Carol T. Helton, City Attorney

Department of Planning Services
Rezoning Petition Application

Applicant CAH Developments, LLC
Address 41 N Jefferson St, 4th Floor
City Pensacola State FL Zip 32502
Telephone 850-607-6069 E-mail rwhite@catalysthre.com

Contact Person Mark Reinhard - Engineering Resources, Inc.
Address 11020 Diebold Road
City Fort Wayne State IN Zip 46845
Telephone 260-490-1025 E-mail mark@eri.consulting

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 10162 Dupont Circle Drive
Present Zoning C2 Proposed Zoning C1 Acreage to be rezoned 13.07
Proposed density 1 units per acre
Township name St. Joeshph Township section # 6 & 5
Purpose of rezoning (attach additional page if necessary) To allow for square footage that exceeds that allowable in the C2 zoning 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 Rezoniugs 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.

Anthony Lampasona (printed name of applicant) [Signature] (signature of applicant)
Community Health Systems (printed name of property owner) [Signature] (signature of property owner)

09/03/19
(date)

09/03/19
(date)

(printed name of property owner)

(signature of property owner)

(date)

(printed name of property owner)

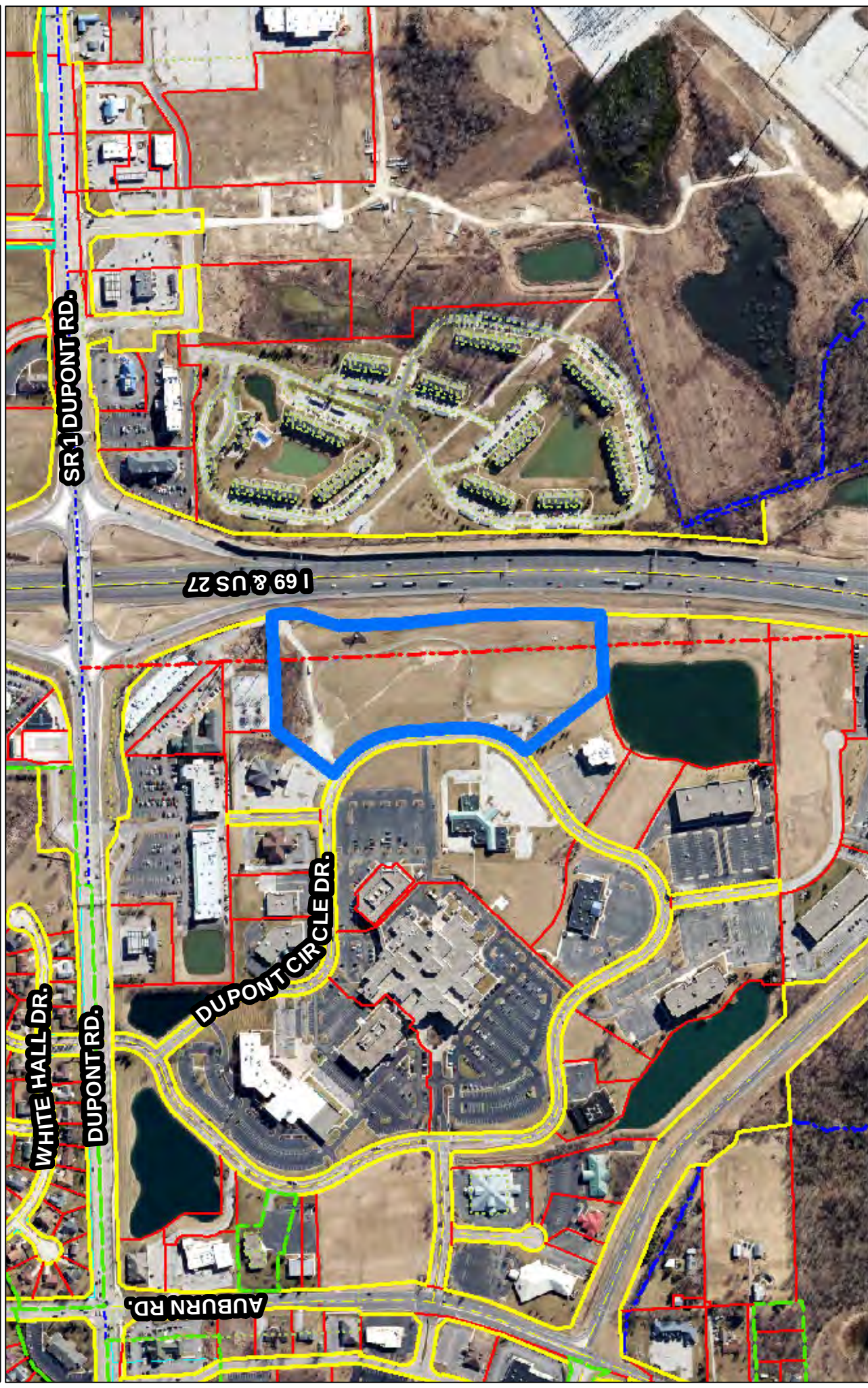
(signature of property owner)

(date)

Received	Receipt No.	Hearing Date	Petition No.
<u>9-3-19</u>	<u>131798</u>	<u>10-7-19</u>	<u>REZ-2019-0060</u>

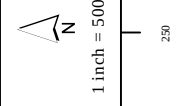


Rezoning Petition REZ-2019-0060 and Primary Development Plan PDP-2019-0048 - Dupont Sports Complex



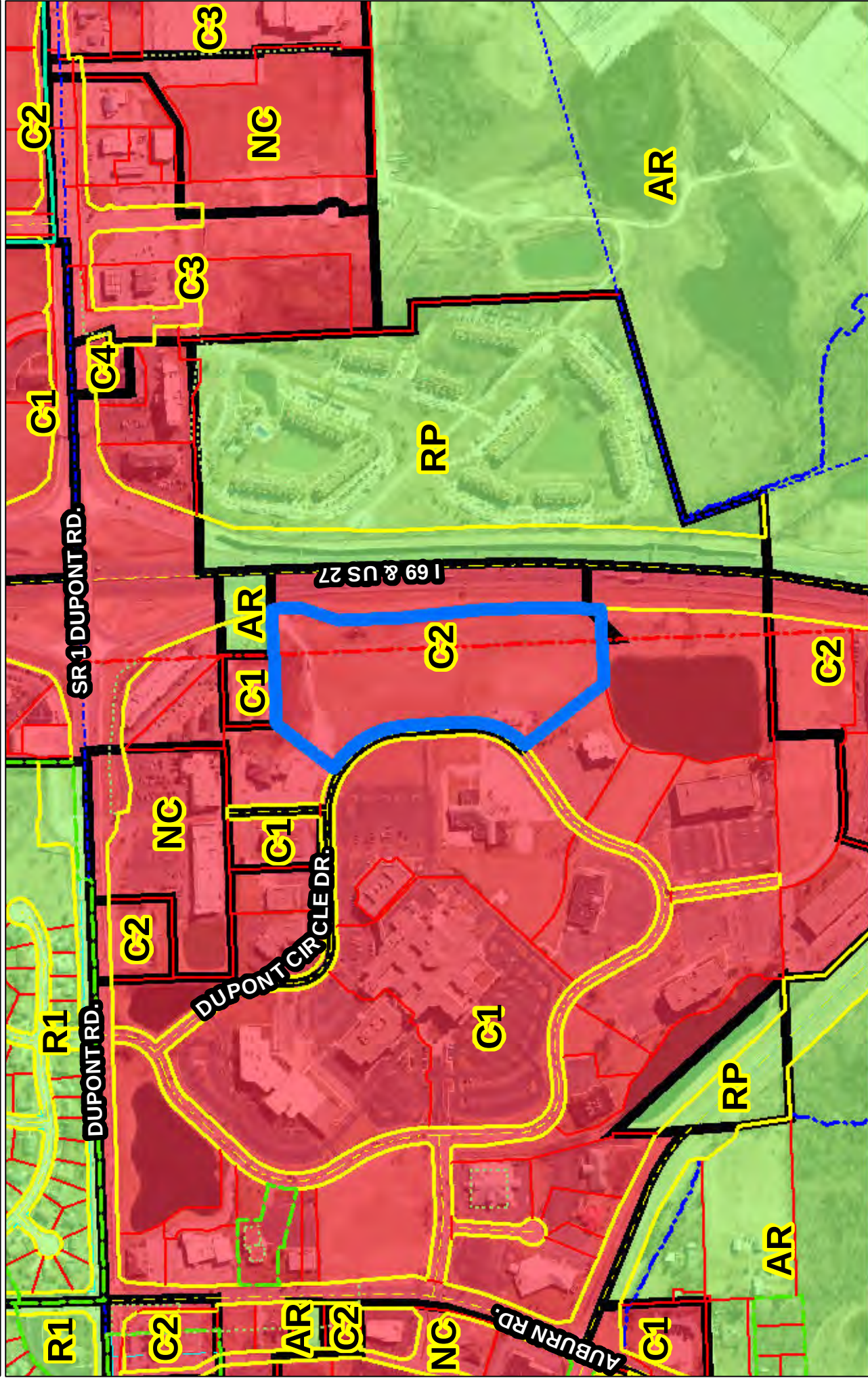
Although strict accuracy standards have been employed in the compilation of this map, Allen County does not warrant or guarantee the accuracy of the information contained herein and disclaims any and all liability resulting from any error or omission in this map.

North American Datum 1983
State Plane Coordinate System, Indiana East
Photos and Contours: Spring 2009
Date: 9/10/2019





Rezoning Petition REZ-2019-0060 and Primary Development Plan PDP-2019-0048 - Dupont Sports Complex



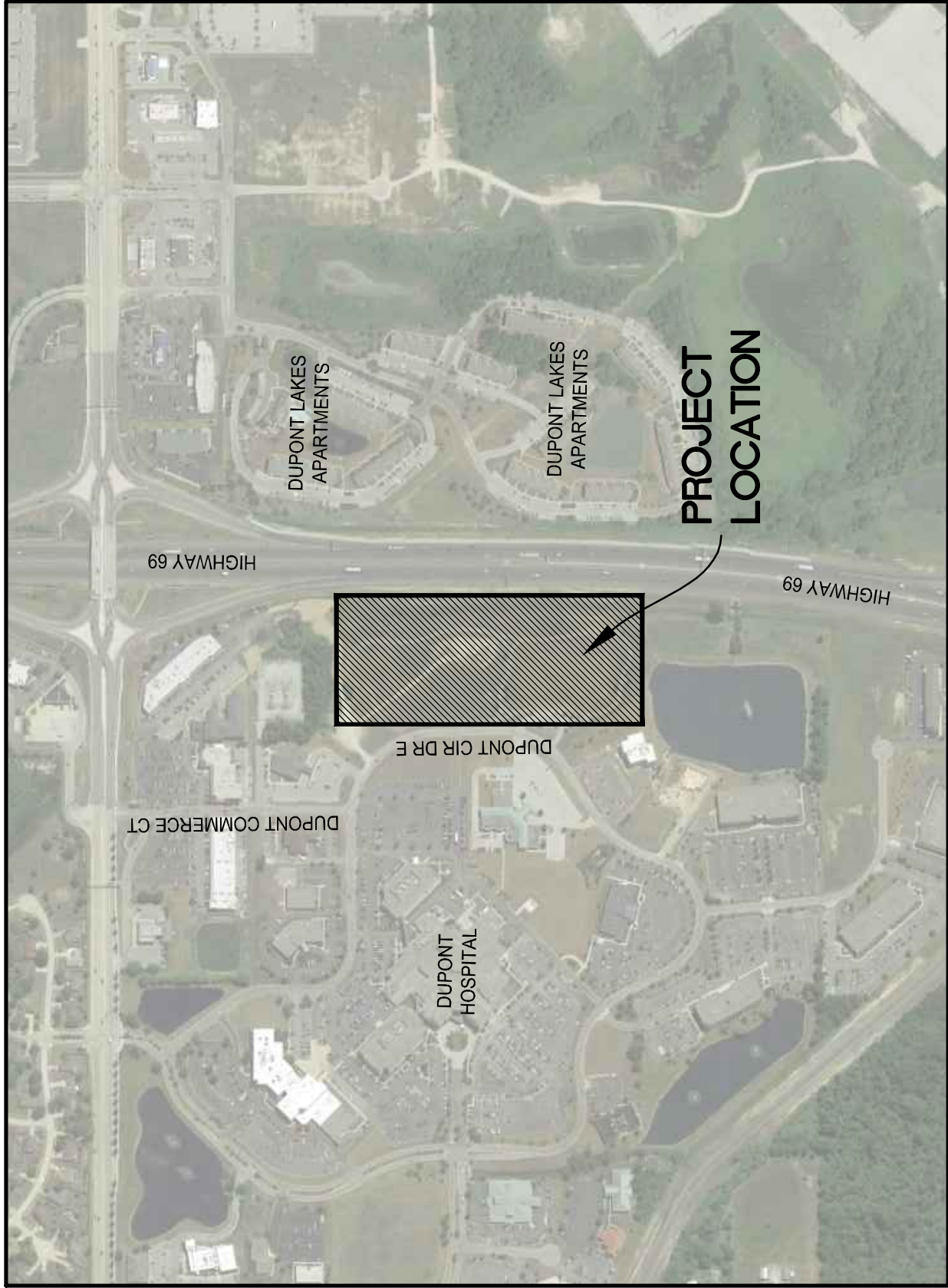
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North American Datum 1983
State Plane Coordinate System, Indiana East
Photos and Contours: Spring 2009
Date: 9/10/2019



1 inch = 500 feet



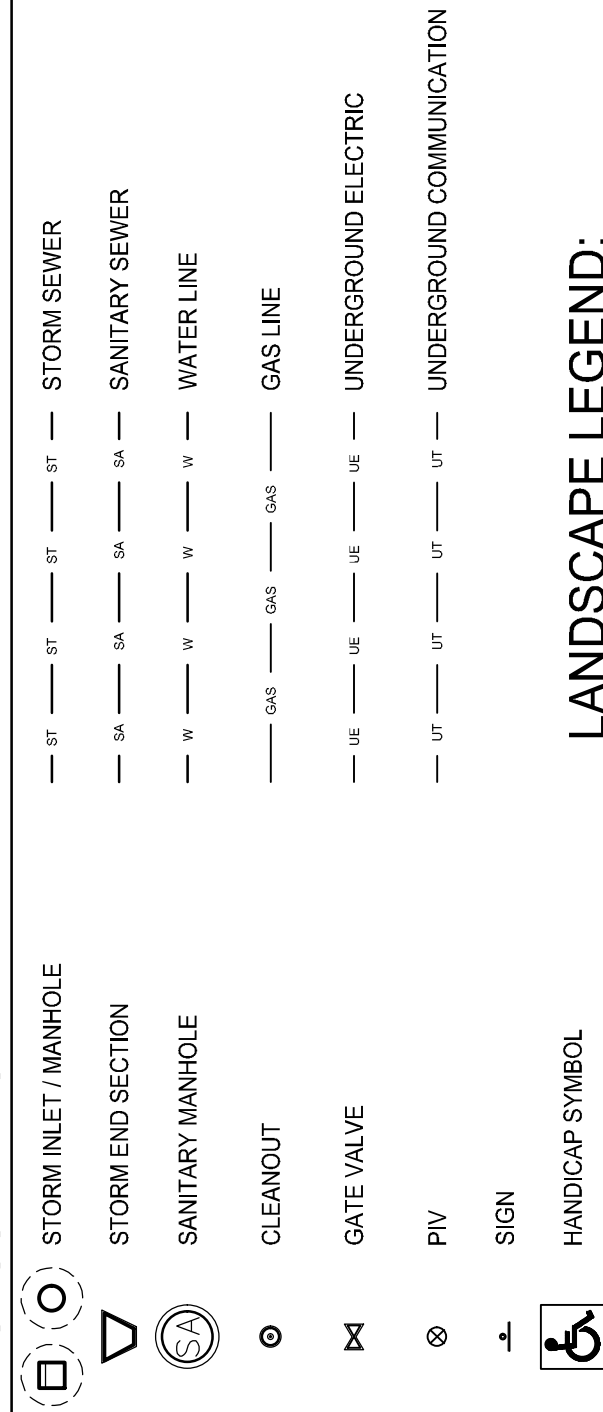


LOCATION MAP

SCALE: NOT TO SCALE



PROPOSED LEGEND:

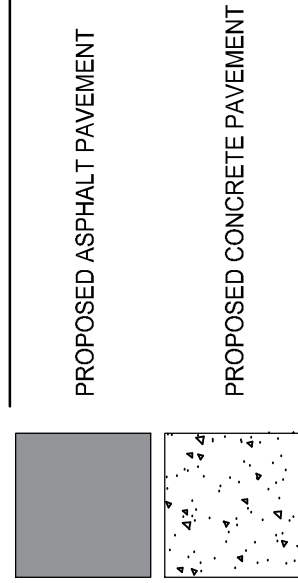


LANDSCAPE LEGEND:

- TREE AND SHRUB FOR CODE P-1
SCREENING REQUIREMENT AND CODE P-4
PARKING ISLAND REQUIREMENT PER CITY
OF FORT WAYNE LANDSCAPE CODE.



LAYOUT LEGEND:



DEVELOPER

CAH DEVELOPMENTS, LLC
41 NORTH JEFFERSON STREET, 4TH FLOOR
PENSACOLA, FL 32502
PH: (850) 607 - 6069
Anthony Lampasona
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PH: (260) 459-9393
FAX: (260) 459-9303
MATT BERTSCH
EMAIL: mbertsch@bertschfrank.com

BUILDING INFORMATION

PROPOSED BUILDING S.F.	101,000 SF
PROPOSED BUILDING HEIGHT	38' - 0" HT.

LOT INFORMATION

EXISTING ZONING	C-2
PROPOSED ZONING	C-1
CURRENT USE	FITNESS PARK
PROPOSED USE	SPORTS FACILITY

INSURANCE RATE MAP (FIRM):

ALLEN COUNTY, INDIANA AND INCORPORATED AREAS
FIRM MAP NUMBER: 18003C0186G
PANELS 186 OF 495
DATED AUGUST 3, 2009

PARKING SUMMARY

TOTAL PARKING REQUIRED (1 PER 400 SQ.FT.)	155 SPACES	PROPOSED PARKING COUNT	333 SPACES
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CAD FILE	4763 -- Primary Development, Plots
PLOT DATE	09/03/2019
DRAWN BY	AND
PLOT SCALE	1"=60'
REVISIONS	
DATE	DESCRIPTION

PRIMARY DEVELOPMENT PLAN

PD1

PRIMARY DEVELOPMENT PLAN

$$\therefore 1^{\text{st}} = 60'$$
