

City of Fort Wayne Common Council

DIGEST SHEET

Department of Planning Services

Title of Ordinance: Rezoning Petition
Case Number: REZ-2021-0045
Bill Number: Z-21-09-02
Council District: 5-Geoff Paddock

Introduction Date: September 14, 2021

Plan Commission
Public Hearing Date: September 13, 2021 (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 acres from R1/Single Family Residential to C2/Limited Commercial

Location: North of 1808 Bluffton Road

Reason for Request: To allow for the expansion of the parking lot for Quimby Village and the Clyde Theatre

Applicant: Sweet Real Estate, LLC

Property Owners: City of Fort Wayne, Ryan Ramey

Related Petitions: Primary Development Plan, Quimby Village Parking Expansion

Effect of Passage: The property will be rezoned to C2/Limited Commercial, which matches the zoning for the Clyde Theatre and will allow a combination of lots to expand the parking. The site will also hold City of Fort Wayne underground detention for stormwater improvements in the neighborhood.

Effect of Non-Passage: The property will remain zoned for single family residential, which will not allow for a parking expansion.

#REZ-2021-0045
BILL NO. Z-21-09-02

ZONING MAP ORDINANCE NO. Z-_____

AN ORDINANCE amending the City of Fort Wayne
Zoning Map Nos. K-07 and J-07 (Sec. 15 of Wayne 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:

A PORTION OF THE LANDS OF RYAN D. RAMEY PER DOC. #2009025344 AND
THE CITY OF FORT WAYNE PER DOC. #2018009856, 2017057741, & 2018021178 IN
THE OFFICE OF THE RECORDER OF ALLEN COUNTY, INDIANA, BEING PART OF
THE NORTH HALF OF SECTION 15, TOWNSHIP 30 NORTH, RANGE 12 EAST,
ALLEN COUNTY, INDIANA, AS DEPICTED ON THE ATTACHED RE-ZONING
PLAT, MARKED EXHIBIT "B" COMPLETED BY BERTSCH-FRANK &
ASSOCIATES, AND CERTIFIED BY MATTHEW G. BERTSCH (P.S.#20200087) ON
AUGUST 31, 2021 AS JOB NUMBER 21209.100; BEING MORE PARTICULARLY
DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF LOT 80 OF RIVERSIDE TERRACE
ADDITION, AS SHOWN ON THE PLAT THEREOF IN PLAT BOOK 11, PAGE 102,
RECORDED OCTOBER 19, 1925; THENCE SOUTH 88 DEGREES 40 MINUTES 47
SECONDS WEST (GRID BEARING AND BASIS TO FOLLOW), ALONG THE NORTH
LINE OF LOTS 80 THRU 92, A DISTANCE OF 519.94 FEET TO THE NORTHWEST
CORNER OF SAID LOT 92; THENCE SOUTH 2 DEGREES 01 MINUTES 52 SECONDS
WEST, ALONG THE WEST LINE OF SAID LOT 92 AND THE EXTENSION
THEREOF, A DISTANCE OF 153.05 FEET TO THE SOUTH LINE OF THE NORTH
HALF OF SAID SECTION 15, ALSO THE CENTERLINE OF NUTTMAN AVENUE;
THENCE NORTH 88 DEGREES 38 MINUTES 54 SECONDS EAST, ALONG SAID
SOUTH LINE, A DISTANCE OF 519.62 FEET TO THE INTERSECTION THEREOF
WITH THE SOUTHERLY EXTENSION OF THE EAST LINE OF SAID LOT 80;
THENCE NORTH 01 DEGREES 54 MINUTES 44 SECONDS WEST, ALONG SAID
EAST LINE AND THE EXTENTION THEREOF, A DISTANCE OF 152.66 FEET, TO
THE POINT OF BEGINNING, CONTAINING, 1.823 ACRES, MORE OR LESS.

and the symbols of the City of Fort Wayne Zoning Map Nos. K-07 and J-07 (Sec. 15 of
Wayne 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

1 recommendation for the adoption of the rezoning, or if a written commitment is modified and
2 approved by the Common Council as part of the zone map amendment, that written
3 commitment is hereby approved and is hereby incorporated by reference.
4

5 SECTION 3. That this Ordinance shall be in full force and effect from and after its
6 passage and approval by the Mayor.
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8 _____
Council Member
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10 APPROVED AS TO FORM AND LEGALITY:

11 _____
12 Carol T. Helton, City Attorney
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**Department of Planning Services
Rezoning Petition Application**

Applicant
Applicant Sweet Real Estate, LLC
Address 7100 W. Jefferson Blvd.
City Fort Wayne State Indiana Zip 46804
Telephone 260-432-8176 E-mail jerry_noble@sweetwater.com

Contact Person
Contact Person Andy Boxberger
Address 301 W. Jefferson Blvd. Suite 200
City Fort Wayne State IN Zip 46802
Telephone 260-423-9411 E-mail aboxberger@carsonboxber.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 See Attached
Present Zoning R1 Proposed Zoning C2 Acreage to be rezoned Aprox. 2.23 Acres
Proposed density Parking Lot units per acre
Township name Wayne Township section # 12
Purpose of rezoning (attach additional page if necessary) Rezoned Parcels (as well as other adjacent parcels zoned C3) will be merged with the parcel to the south to provide additional parking for Quimby Village and the Clyde Theatre
Sewer provider City Water provider City

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) In process
- ☐ Legal Description of parcel to be rezoned Deeds attached/updated legals with surveys
- ☐ 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.

Charles J. Surack, Manager
(printed name of applicant)

Charles J. Surack
(signature of applicant)

8/3/21
(date)

See Attached

(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	Receipt No.	Hearing Date	Petition No.
<u>8/3/21</u>	<u>13798</u>	<u>9-13-2021</u>	<u>REZ-2021-0045</u>

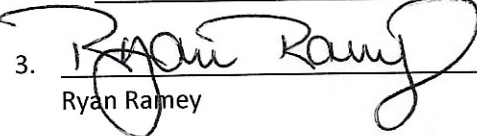
Rezoning Application

Signature Page for Property Owners

(Property Owners Described Below)

1. _____
Inglesia Evangelica Chrisitiana Chruch
By: _____
Its: _____

2. _____
Inglesia Evangelica Chrisitiana Chruch
By: _____
Its: _____

3. 
Ryan Ramey

4. _____
City of Fort Wayne
By: _____
Its: _____

5. _____
City of Fort Wayne
By: _____
Its: _____

6. _____
City of Fort Wayne
By: _____
Its: _____

7. _____
City of Fort Wayne
By: _____
Its: _____

8. _____
City of Fort Wayne
By: _____
Its: _____

Rezoning Application

Signature Page for Property Owners

(Property Owners Described Below)

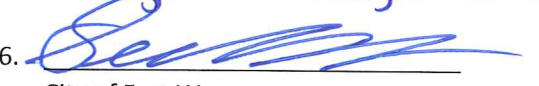
1. _____
Inglesia Evangelica Chrisitiana Chruch
By: _____
Its: _____

2. _____
Inglesia Evangelica Chrisitiana Chruch
By: _____
Its: _____

3. _____
Ryan Ramey

4. 
City of Fort Wayne
By: Seth Weinglass, CUE
Its: Program Manager - CPS

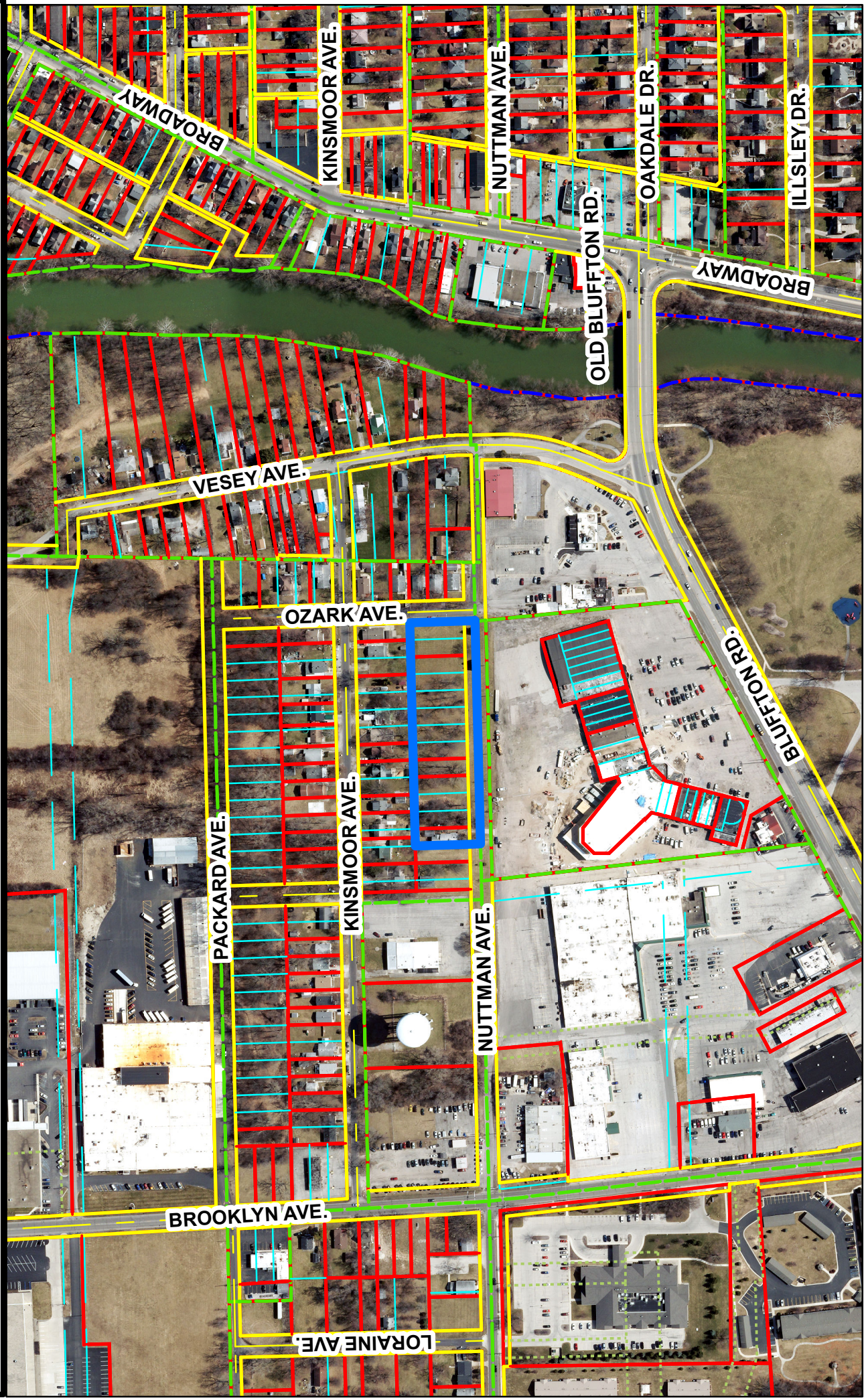
5. 
City of Fort Wayne
By: Seth Weinglass, CUE
Its: Program Manager - CPS

6. 
City of Fort Wayne
By: Seth Weinglass, CUE
Its: Program Manager - CPS

7. 
City of Fort Wayne
By: Seth Weinglass, CUE
Its: Program Manager, CPS

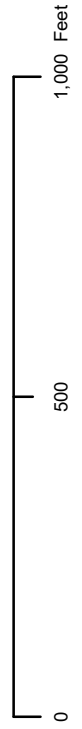
8. 
City of Fort Wayne
By: Seth Weinglass, CUE
Its: Program Manager - CPS

REZ-2021-0045 and PDP-2021-0034 Quimby Village Parking Lot



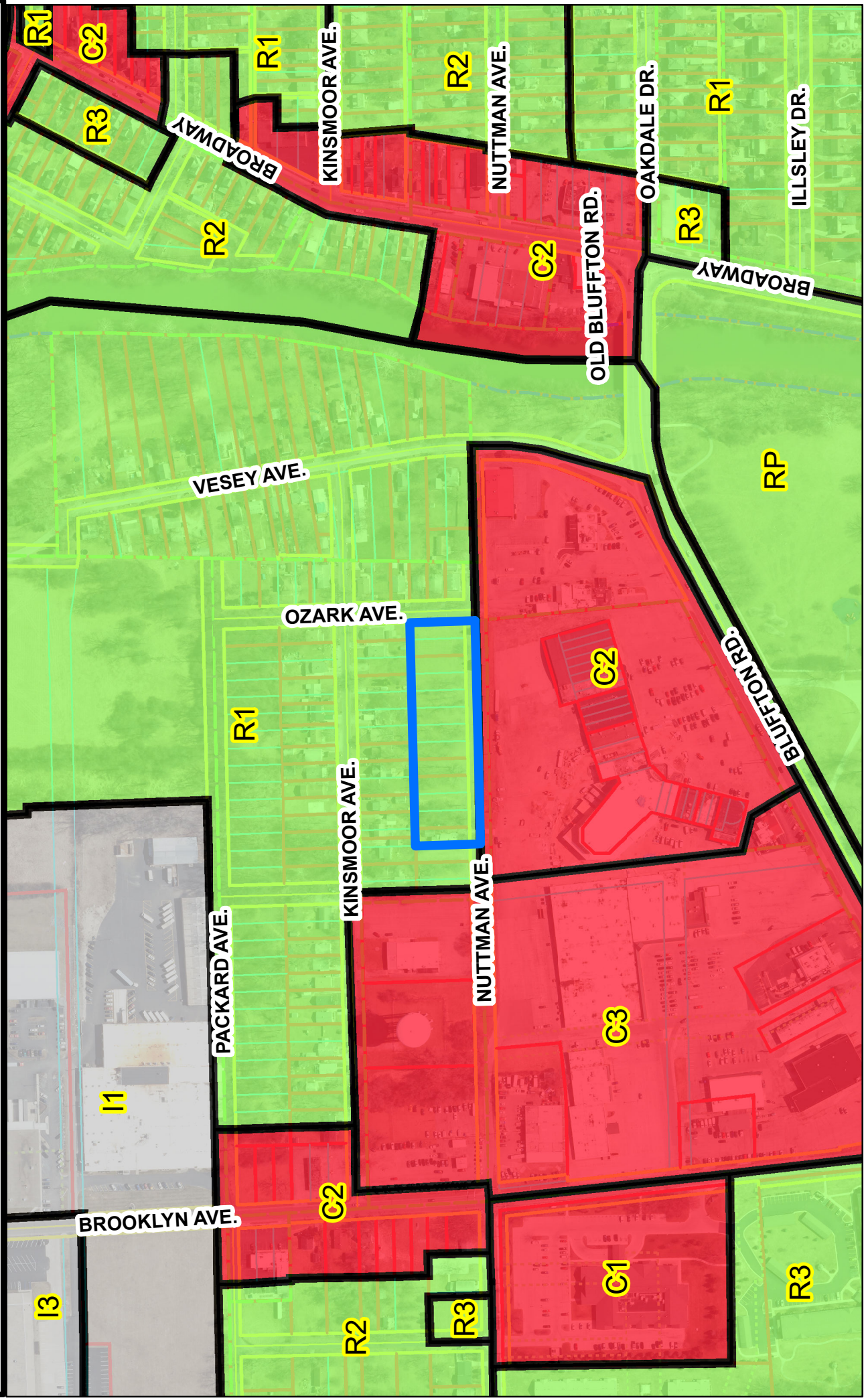
Although strict accuracy standards have been employed in the compilation of this map, Allen County does not warrant or guarantee the accuracy of the information contained herein and disclaims any and all liability resulting from any error or omission in this map.

© 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: 9/1/2021



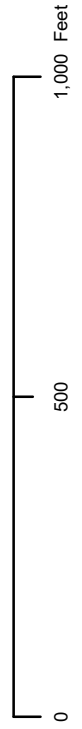
1 inch = 300 feet

REZ-2021-0045 and PDP-2021-0034 Quimby Village Parking Lot



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© 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: 9/1/2021



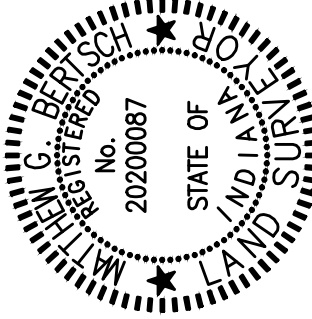
1 inch = 300 feet

Exhibit "A"

Re-Zoning Description

A PORTION OF THE LANDS OF RAMEY PER DOC. #2009025344 AND THE CITY OF FORT WAYNE PER DOC. #2018009856, 2017057741, & 2018021178 IN THE OFFICE OF THE RECORDER OF ALLEN COUNTY, INDIANA, BEING PART OF THE NORTH HALF OF SECTION 15, TOWNSHIP 30 NORTH, RANGE 12 EAST, ALLEN COUNTY, INDIANA, AS DEPICTED ON THE ATTACHED RE-ZONING PLAT, MARKED EXHIBIT "B" COMPLETED BY BERTSCH-FRANK & ASSOCIATES, AND CERTIFIED BY MATTHEW G. BERTSCH (P.S.#20200087) ON AUGUST 31, 2021 AS JOB NUMBER 21209.100; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF LOT 80 OF RIVERSIDE TERRACE ADDITION, AS SHOWN ON THE PLAT THEREOF IN PLAT BOOK 11, PAGE 102, RECORDED OCTOBER 19, 1925; THENCE SOUTH 88 DEGREES 40 MINUTES 47 SECONDS WEST (GRID BEARING AND BASIS TO FOLLOW), ALONG THE NORTH LINE OF LOTS 80 THRU 92 OF SAID RIVERSIDE TERRACE ADDITION, A DISTANCE OF 519.94 FEET TO THE NORTHWEST CORNER OF SAID LOT 92; THENCE SOUTH 02 DEGREES 01 MINUTES 52 SECONDS WEST, ALONG THE WEST LINE OF SAID LOT 92, A DISTANCE OF 153.05 FEET TO THE SOUTH LINE OF THE NORTH HALF OF SAID SECTION 15, ALSO THE CENTERLINE OF NUTTMAN AVENUE; THENCE NORTH 88 DEGREES 38 MINUTES 54 SECONDS EAST, ALONG SAID SOUTH LINE, A DISTANCE OF 519.62 FEET TO THE INTERSECTION THEREOF WITH THE SOUTHERLY EXTENSION OF THE EAST LINE OF SAID LOT 80; THENCE NORTH 01 DEGREES 54 MINUTES 44 SECONDS WEST, ALONG SAID EAST LINE AND THE EXTENTION THEREOF, A DISTANCE OF 152.66 FEET, TO THE POINT OF BEGINNING, CONTAINING, 1.823 ACRES, MORE OR LESS.



Matthew G. Bertsch

Matthew G. Bertsch, P.L.S.
Indiana Registered Land Surveyor No. 20200087

This description was prepared for Sweet Real Estate, LLC by Bertsch-Frank & Associates, LLC. and certified by Matthew G. Bertsch, P.L.S. Indiana Registered Land Surveyor No. 20200087.

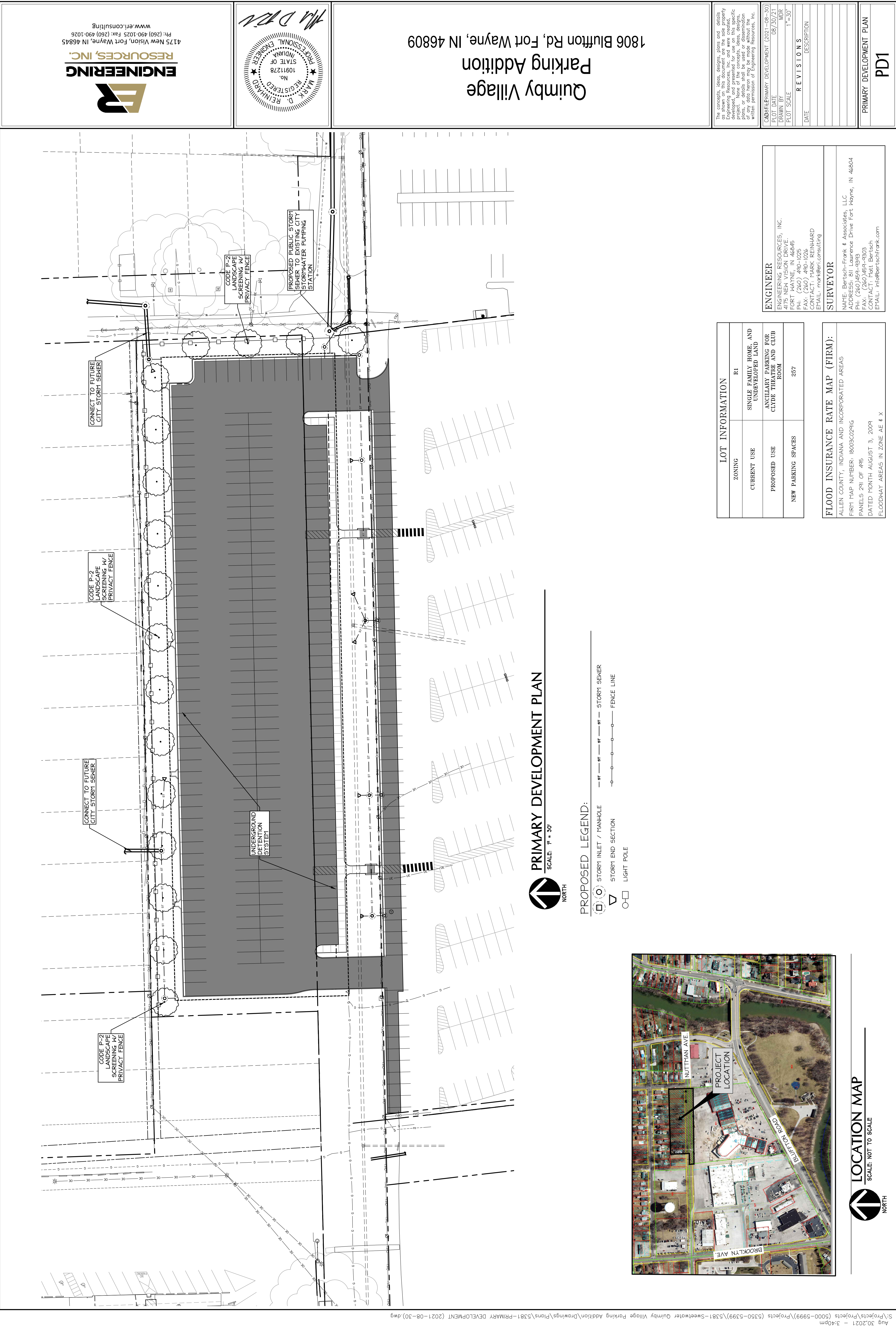
BFA | **BERTSCH-FRANK & ASSOCIATES**
LAND SURVEYING & CONSULTING

LAND PLANNING | LAND SURVEYING
811 LAWRENCE DRIVE PHONE: (260) 459-9393
FORT WAYNE, IN 46804 FAX: (260) 459-9303

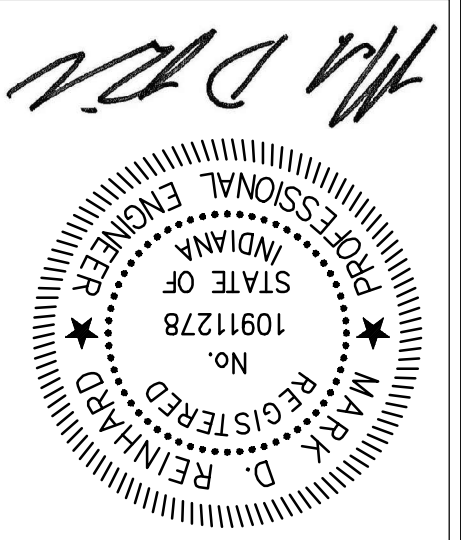
Re-Zoning Exhibit "A"
Sweet Real Estate, LLC
1808 Bluffton Rd
Fort Wayne, Indiana

REVISIONS		
MARK	DATE	DESCRIPTION

CAD FILE:	21209_Bndy.dwg
DRAWN BY:	NJB
CHECKED BY:	MGB
DATE:	08/31/2021
PRCT. NO.:	21209.100



ENGINEERING
RESOURCES, INC.
4175 New Vision, Fort Wayne, IN 46845
Ph: (260) 490-1025 Fax: (260) 490-1026
www.eri consulting



**Quimby Village
Parking Addition**
1806 Bluffton Rd, Fort Wayne, IN 46809

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CAD#	PRIMARY DEVELOPMENT (2021-08-30)
PLOT DATE	08/30/21
DRAWN BY	MJR
PLOT SCALE	1"=30'
REVISIONS	DESCRIPTION
DATE	

PRIMARY DEVELOPMENT PLAN
PD1

ENGINEER	SURVEYOR
ENGINEERING RESOURCES, INC. 4175 NEW VISION DRIVE FORT WAYNE, IN 46845 PH: (260) 490-1025 FAX: (260) 490-1026 EMAIL: mjr@eri consulting	NAME: Bertisch-Frank & Associates, LLC ADDRESS: 1800SC0291G FIRM MAP NUMBER: 1800SC0291G PANELS 291 OF 496 DATED MONTH AUGUST 3, 2009 FLOODWAY AREAS IN ZONE AE 4 X

LOT INFORMATION	
ZONING	R1
CURRENT USE	SINGLE FAMILY HOME, AND UNDEVELOPED LAND
PROPOSED USE	ANCILLARY PARKING FOR CLYDE THEATRE AND CLUB ROOM
NEW PARKING SPACES	257

FLOOD INSURANCE RATE MAP (FIRM):	
ALLEN COUNTY, INDIANA AND INCORPORATED AREAS	
FIRM MAP NUMBER: 1800SC0291G	
PANELS 291 OF 496	
DATED MONTH AUGUST 3, 2009	
FLOODWAY AREAS IN ZONE AE 4 X	

PRIMARY DEVELOPMENT PLAN

SCALE: 1" = 30'



PROPOSED LEGEND:

- STORM INLET / MANHOLE
- STORM END SECTION
- LIGHT POLE
- STORM SEWER
- FENCE LINE



LOCATION MAP

SCALE: NOT TO SCALE

