

City of Fort Wayne Common Council

DIGEST SHEET

Department of Planning Services

Title of Ordinance: Zoning Map Amendment
Case Number: REZ-2020-0040
Bill Number: Z-20-10-34
Council District: 6-Sharon Tucker

Introduction Date: October 27, 2020

Plan Commission
Public Hearing Date: November 9, 2020 (not heard by Council)

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

Synopsis of Ordinance: To rezone approximately 18 acres from RP/Planned Residential to NC/Neighborhood Center.

Location: 3700 block of Tillman Road

Reason for Request: For approval of a 12-lot neighborhood commercial development.

Applicant: 4 Life Investments

Property Owner: Richard Wiehe

Related Petitions: Primary Development Plan, Roosevelt Pointe

Effect of Passage: Property will be rezoned to the NC/Neighborhood Center zoning district, which will allow the currently vacant parcel to be developed with commercial outlots.

Effect of Non-Passage: The property will remain zoned residential and may be developed for single, two-family or multiple family residential purposes.

#REZ-2020-0040

BILL NO. Z-20-10-34

ZONING MAP ORDINANCE NO. Z-_____

**AN ORDINANCE amending the City of Fort Wayne
Zoning Map No. R-27 (Sec. 29 of Adams 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 an NC
(Neighborhood Center) District under the terms of Chapter 157 Title XV of the Code of the
City of Fort Wayne, Indiana:

A part of the South Half of the Southwest Quarter of Section 29, Township 30 North,
Range 13 East, Adams Civil Township, Allen County, Indiana, also being a tract of land
conveyed to Richard Gustav Wiehe, Jr. by Document 2013063530, all recorded
documents in this description are recorded in the Office of the Recorder of Allen County,
and more particularly described as follows:

Commencing at the South Quarter corner of said Section 29, being marked by an
INDOT Type "B" Monument; thence South 88 degrees 55 minutes 14 seconds West,
being the basis of all bearings this description, on and along the South line of said
Southwest Quarter, a distance of 339.71 feet to the Point of Beginning, also being the
intersection of the West Top of Bank of the Trier Ditch and said South line, being
marked by a mag nail with an identification disk stamped "T-E INC FIRM #0070"; thence
continuing South 88 degrees 55 minutes 14 seconds West, on and along said South
line, a distance of 938.07 feet to a mag nail with an identification disk stamped "T-E INC
FIRM #0070"; thence North 00 degrees 35 minutes 25 seconds West, a distance of
840.03 feet to a 5/8-inch diameter rebar with an identification cap stamped "T-E INC
FIRM #0070"; thence North 88 degrees 55 minutes 14 seconds East, a distance of
944.77 feet to the West Top of Bank of the Trier Ditch, being marked by a 5/8-inch
diameter rebar with an identification cap stamped "T-E INC FIRM #0070"; thence South
00 degrees 07 minutes 59 seconds East, on and along said West Top of Bank, a
distance of 840.11 feet to the Point of Beginning, containing 18.154 acres more or less,
being subject to and/or together with all easements and rights-of-way of record.

and the symbols of the City of Fort Wayne Zoning Map No. R-27 (Sec. 29 of Adams
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.

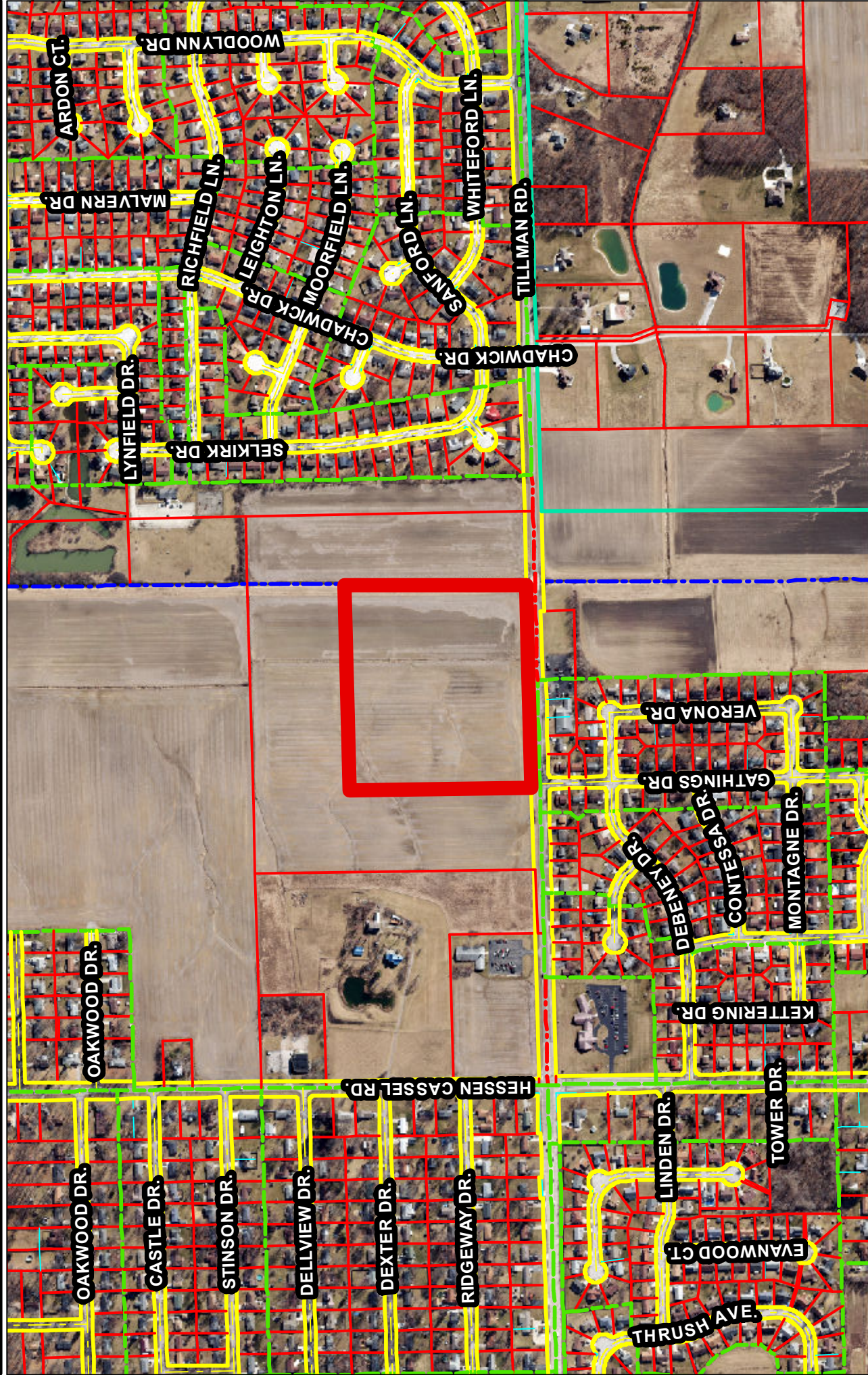
Council Member

APPROVED AS TO FORM AND LEGALITY:

Carol T. Helton, City Attorney



Rezoning Petition REZ-2020-0040 and Primary Development Plan PDP-2020-0028 - Roosevelt Pointe

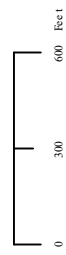


Although strict accuracy standards have been employed in the compilation of this map, Allen County does not warrant or guarantee the accuracy of the information contained herein and disclaims any and all liability resulting from any error or omission in this map.

© 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: 10/19/2020

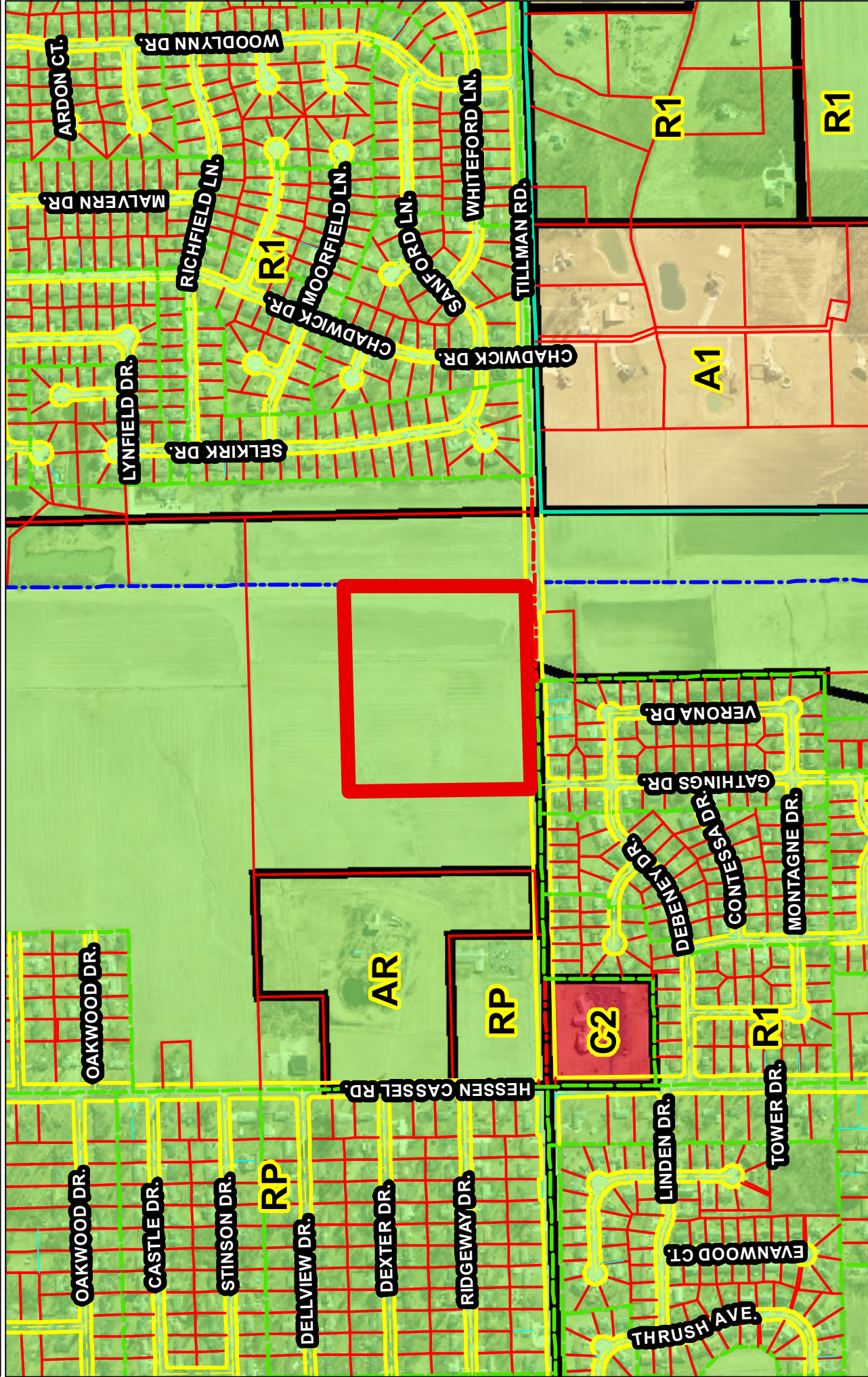


1 inch = 600 feet



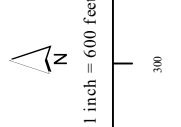


Rezoning Petition REZ-2020-0040 and Primary Development Plan PDP-2020-0028 - Roosevelt Pointe



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North American Datum 1983
State Plane Coordinate System, Indiana East
Photos and Contours: Spring 2009
Date: 1/19/2020



Department of Planning Services Rezoning Petition Application

Applicant
 Applicant 4 Life Investments
 Address 3472 Stellhorn Road
 City Fort Wayne State IN Zip 46815
 Telephone 260-969-2709 E-mail jerrystarks@4lifeinvestmentsinc.com

Contact Person
 Contact Person T-E Incorporated c/o Justin Hoffman
 Address 8620 Bluffton Road
 City Fort Wayne State IN Zip 46809
 Telephone 260-489-5541 E-mail jhoffman@t-einc.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 3700 Block of Tillman Road
 Present Zoning RP Proposed Zoning NC Acreage to be rezoned 18.154
 Proposed density 1.5 units per acre
 Township name Adams Township section # 29
 Purpose of rezoning (attach additional page if necessary) To align the land zoning with the proposed use.
 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.

<u>4 Life Investments Inc</u>	<u>Jerry Starks</u>	<u>10/5/2020</u>
(printed name of applicant)	(signature of applicant)	(date)
<u>Richard Wiehe</u>	<u>Richard Wiehe</u>	<u>10/5/2020</u>
(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 <u>10/6/20</u>	Receipt No. <u>135452</u>	Hearing Date <u>11-9-2020</u>	Petition No. <u>RE2-2020-0040</u>
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Roosevelt Pointe

Surveyor:
T-E Incorporated
8620 Bluffton Road
Fort Wayne, IN 46809
(260) 489-5541

Commencing at the South Quarter corner of Section 29, being marked by an INDOT Type-B¹ Monument, thence South 88 degrees 55 minutes 14 seconds West, along the basis of all bearings on this description, on and along the South line of said Southwest Quarter, a distance of 339.71 feet to the Point of Beginning, also being the intersection of the West Top of Bank of the Trier Ditch and said South line, being marked by a mag spike with an identification disk stamped "T-E INC FIRM #0070"; thence continuing South 88 degrees 55 minutes 14 seconds West, on and along said South line, a distance of 938.07 feet to a mag spike with an identification disk stamped "T-E INC FIRM #0070"; thence North 00 degrees 35 minutes 25 seconds East, a distance of 840.03 feet to a 5/8-inch diameter rebar with an identification disk stamped "T-E INC FIRM #0070"; thence North 88 degrees 55 minutes 14 seconds East, a distance of 944.77 feet to the West Top of Bank of the Trier Ditch, being marked by a 5/8-inch diameter rebar with an identification disk stamped "T-E INC FIRM #0070"; thence South 00 degrees 07 minutes 59 seconds East, on and along said West Top of Bank, a distance of 840.11 feet to the Point of Beginning, containing 18.54 acres more or less, being subject to and/or together with all easements and rights-of-way of record.

The diagram illustrates a typical street cross-section for asphalt pavement. The total width is 50'-0". The street is divided into two 11'-6" wide travel lanes, separated by a 27'-0" wide central area. The central area includes a 14'-4" wide section labeled "SEE PAVEMENT SECTION" and a 4'-3/4" wide section labeled "SEE ROLL CURB DETAIL". The street is bordered by 4'-6" wide sidewalks on both sides, with a 1'-0" wide curb on the outer edge. The street surface is 1/2" wide, and the sidewalk is 1/8" wide. The street is labeled "TYPICAL STREET X-SECTION (ASPHALT PAVEMENT)".

Not To Scale

Surveying * Engineering * Asphalt * Utilities * Site Development

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law. Printed name: Justin W. Hoffman.

