

#REZ-2020-0014

BILL NO. Z-20-05-18

ZONING MAP ORDINANCE NO. Z-_____

**AN ORDINANCE amending the City of Fort Wayne
Zoning Map No. M-11 (Sec. 14 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 C3 (General
Commercial) District under the terms of Chapter 157 Title XV of the Code of the City of Fort
Wayne, Indiana:

Block #13, together with the East 40 feet of Block #14 in the Plat of Rudisill's Partition of
the West part of the Fractional Southeast Quarter of Section 14, Township 30 North, Range
12 East, Allen County, Indiana, being recorded in Deed Record 63, pages 29-31 in the Office
of the Recorder of Allen County, Indiana and as surveyed in the legal survey by A. K. Hofer
being recorded in Plat Book 19, pages 134-136 in the Office of said Recorder, also together
with part of Lot #12 in the plat of Koehler Estate as subdivided by Commissioners being
recorded in Deed Record 107, pages 605-607 in the Office of said Recorder, said Lot #12 in
Koehler Estate having been originally platted as Block #12 in said Rudisill's Partition,
excepting from all of the above that part taken for Rudisill Boulevard right-of-way by Board
of Park Commissioner's Boulevard Improvement Resolution No. 7-1914 as recorded in Plat
Book 7B, page 91, in the Office of said Recorder, also together with the East 34.34 feet of
Lot #5 in Calhoun Place, an Addition to the City of Fort Wayne, Indiana, being recorded in
Plat Book 7A, page 13 in the Office of said Recorder, also together with Lots #6, #7, #8, and
#9, all being in said Calhoun Place, also together with that part of the vacated alley lying
North of said part of said Lot #5 and North of said Lots #6, #7, and #8 and North of the East
22 feet of said Lot #9, said alley having been vacated by Declaratory Resolution #940-1956
and Declaratory Resolution #957-1956, both being recorded in Plat Book 23, page 87 in the
Office of said Recorder, all being more particularly described as follows, to wit:

Beginning at the Southwest corner of Lot #9 in said Calhoun Place; thence North 00 degrees
- 00 minutes East (assumed bearing), on and along the West line of said Lot #9, a distance of
148.0 feet; thence South 87 degrees - 29 minutes East, on and along the North line of said
Lot #9, a distance of 18.0 feet to a point situated 22.0 feet Westerly of the Northeast corner
of said Lot #9; thence North 00 degrees - 00 minutes East, a distance of 12.0 feet to the
South line of Block #14 in said Rudisill's Partition; thence South 87 degrees - 29 minutes
East, on and along the South line of said Block #14, a distance of 1.26 feet to the Southwest
corner of the East 40 feet of said Block #14, thence North 00 degrees - 00 minutes - 12
seconds East, on and along the West line of the East 40 feet of said Block #14, a distance of
170.2 feet to the South right-of-way line of Rudisill Boulevard as established in Boulevard
Improvements Resolution No. 7-1914; thence South 88 degrees - 06 minutes - 30 seconds
East, on and along said South right-of-way line, a distance of 175.0 feet; thence South 00

1 degrees - 00 minutes West, a distance of 332.1 feet to the South line of Lot #5 in said
2 Calhoun Place at a point situated 34.34 feet Easterly of the Southwest corner thereof; thence
3 North 87 degrees - 29 minutes West, on and along the South line of Lots #5, #6, #7, #8 and
4 #9 in said Calhoun Place, being also the North right-of-way line of East Foster Parkway, a
5 distance of 194.34 feet to the Point of Beginning.

6 and the symbols of the City of Fort Wayne Zoning Map No. M-11 (Sec. 14 of Wayne
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 SECTION 2. If a written commitment is a condition of the Plan Commission's
10 recommendation for the adoption of the rezoning, or if a written commitment is modified and
11 approved by the Common Council as part of the zone map amendment, that written
12 commitment is hereby approved and is hereby incorporated by reference.

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

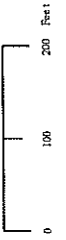
15
16 
17 Council Member

18 APPROVED AS TO FORM AND LEGALITY:

19
20 _____
21 Carol T. Helton, City Attorney
22
23
24
25
26
27
28
29
30



1 inch = 200 feet



Although street 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 City of Allen
 1000 North Main Street, Suite 100
 Allen, Texas 75009
 State Plane Coordinate System, Indiana East
 Photo and Contour are Spira, 2009
 Date: 3/4/2020



**Department of Planning Services
Rezoning Petition Application**

Applicant
Applicant KEYSER INDUSTRIES
Address 9015 S KEDZIE
City EVERGREEN PARK State IL Zip 60805
Telephone 708-876-1249 E-mail michelle.freeman@explorekeyser.com

Contact Person
Contact Person MICHELLE FREEMAN, KEYSER INDUSTRIES
Address 9015 S KEDZIE
City EVERGREEN PARK State IL Zip 60805
Telephone 708-876-1249 E-mail michelle.freeman@explorekeyser.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 202 E RUDISILL
Present Zoning C3/R1 Proposed Zoning C3 Acreage to be rezoned 1.4
Proposed density 1 units per acre
Township name WAYNE TWP Township section # 14
Purpose of rezoning (attach additional page if necessary) To bring an existing restaurant use into conformance with municipality ordinance.
Need both parcels to be zoned C3.
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 plansurvey 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>Michelle Freeman</u> (printed name of applicant)	<u>Michelle Freeman</u> (signature of applicant)	<u>2/27/2020</u> (date)
<u>McDonald's USA, LLC</u> (printed name of property owner)	<u>[Signature]</u> (signature of property owner)	<u>2/27/2020</u> (date)
_____ (printed name of property owner)	_____ (signature of property owner)	_____ (date)
_____ (printed name of property owner)	_____ (signature of property owner)	_____ (date)

Received <u>3-2-2020</u>	Receipt No. <u>133442</u>	Hearing Date <u>4-13-2020</u>	Petition No. <u>RCZ-2020-0014</u>
-----------------------------	------------------------------	----------------------------------	--------------------------------------

FACT SHEET

Case #REZ-2020-0014		Bill # Z-20-05-18	Project Start: May 2020
APPLICANT:	Keyser Industries		
REQUEST:	To rezone property from C3/General Industrial and R1/Single Family Residential to C3/General Commercial to permit the existing restaurant use on the entirety of the site.		
LOCATION:	The address of the subject property is 202 East Rudisill Boulevard (Section 14 of Wayne Township).		
LAND AREA:	Approximately 1.4 acres		
PRESENT ZONING:	C3/General Commercial and R1/Single Family Residential		
PROPOSED ZONING:	C3/General Commercial		
COUNCIL DISTRICT:	6- Sharon Tucker		
ASSOCIATED PROJECT:	none		
SPONSOR:	City of Fort Wayne Plan Commission		

May 27, 2020 Public Hearing

- No one from the public spoke at the hearing.
- Tom Freistroffer, Justin Shurley and Rachel Tobin-Smith were absent.

May 27, 2020 – Business Meeting

Plan Commission Recommendation: DO PASS

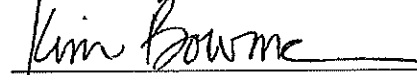
A motion was made by Paul Sauerteig and seconded by Judi Wire to return the ordinance with a Do Pass recommendation to Common Council for their final decision.

6-0 MOTION PASSED

- Tom Freistroffer, Justin Shurley and Rachel Tobin-Smith were absent.

Fact Sheet Prepared by:
Michelle B. Wood, Senior Land Use Planner
June 3, 2020

Reviewed by:



Kimberly R. Bowman, AICP
Executive Director
Secretary to the Commission

PROJECT SUMMARY

- The McDonald's was constructed on this property in 1984;
- The McDonald's was redeveloped in 2010.

The petitioner is requesting to rezone the southern portion of the property from R1/Single Family Residential to C3/General Commercial. The entire property is currently developed with a McDonald's restaurant. The drive-through and parking located on the southern portion of the property was approved by the Board of Zoning Appeals. The northern portion of the site is already zoned C3/General Commercial. The existing McDonald's recently redeveloped under the current zoning and Board of Zoning Appeals approvals. McDonald's recently approached us regarding a new sign package which would have required a revised Board of Zoning Appeals approval. The applicant requested that the site be rezoned to a consistent zoning over the entire site. Adjacent properties to the east and west already have commercial zoning to Foster Parkway to the south.

PUBLIC HEARING SUMMARY:

Presenter: Michelle Freeman, representing McDonald's Corporation, presented the proposal as outlined above.

Public Comments:

none



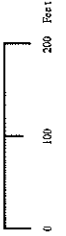
Rezoning Petition REZ-2020-0014 (202 E Rudisill)



Although strict agency 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
Photo and Contour, Spring 2009
Date: 3/4/2020

1 inch = 200 feet





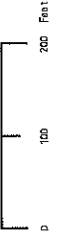
Rezoning Petition REZ-2020-0014 (202 E Rudisill)



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 2019
Date: 3/4/2020

1 inch = 200 feet



**Department of Planning Services
Rezoning Petition Application**

Applicant
Applicant KEYSER INDUSTRIES
Address 9015 S KEDZIE
City EVERGREEN PARK State IL Zip 60805
Telephone 708-876-1249 E-mail michelle.freeman@explorekeyser.com

Contact Person
Contact Person MICHELLE FREEMAN, KEYSER INDUSTRIES
Address 9015 S KEDZIE
City EVERGREEN PARK State IL Zip 60805
Telephone 708-876-1249 E-mail michelle.freeman@explorekeyser.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 202 E RUDISILL
Present Zoning C3/R1 Proposed Zoning C3 Acreage to be rezoned 1.4
Proposed density 1 units per acre
Township name WAYNE TWP Township section # 14
Purpose of rezoning (attach additional page if necessary)
To bring an existing restaurant use into conformance with municipality ordinance.
Need both parcels to be zoned C3.
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.

Michelle Freeman

(printed name of applicant)

Michelle Freeman

(signature of applicant)

2/27/2020

(date)

McDonald's USA, LLC

(printed name of property owner)

Jeffrey Rink, Senior Counsel

(signature of property owner)

2/27/2020

(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.
3-2-2020	133442	4-13-2020	RCZ-2020-0014

City of Fort Wayne Common Council

DIGEST SHEET

Department of Planning Services

Title of Ordinance: Zoning Map Amendment
Case Number: REZ-2020-0014
Bill Number: Z-20-05-18
Council District: 6-Sharon Tucker

Introduction Date: May 26, 2020

Plan Commission
Public Hearing Date: May 27, 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 1.4 acres from C3/General Commercial and R1/Single Family Residential to C3/General Commercial.

Location: 202 East Rudisill

Reason for Request: To bring the McDonald's Restaurant property into compliance with the Zoning Ordinance.

Applicant: Keyser Industries

Property Owner: Keyser Industries

Related Petitions: none

Effect of Passage: Property will be rezoned to the C3/General Commercial district which will allow the restaurant use as a permitted use by right.

Effect of Non-Passage: The property will remain zoned R1 and C3. Improvements may not be made to the portion of the site that is zoned R1 without the rezoning or a use variance by the Board of Zoning Appeals.

FACT SHEET

Case #REZ-2020-0014		Bill # Z-20-05-18	Project Start: May 2020
APPLICANT:	Keyser Industries		
REQUEST:	To rezone property from C3/General Industrial and R1/Single Family Residential to C3/General Commercial to permit the existing restaurant use on the entirety of the site.		
LOCATION:	The address of the subject property is 202 East Rudisill Boulevard (Section 14 of Wayne Township).		
LAND AREA:	Approximately 1.4 acres		
PRESENT ZONING:	C3/General Commercial and R1/Single Family Residential		
PROPOSED ZONING:	C3/General Commercial		
COUNCIL DISTRICT:	6- Sharon Tucker		
ASSOCIATED PROJECT:	none		
SPONSOR:	City of Fort Wayne Plan Commission		

May 27, 2020 Public Hearing

- No one from the public spoke at the hearing.
- Tom Freistroffer, Justin Shurley and Rachel Tobin-Smith were absent.

May 27, 2020 – Business Meeting

Plan Commission Recommendation: DO PASS

A motion was made by Paul Sauerteig and seconded by Judi Wire to return the ordinance with a Do Pass recommendation to Common Council for their final decision.

6-0 MOTION PASSED

- Tom Freistroffer, Justin Shurley and Rachel Tobin-Smith were absent.

UPDATE:

At the Council meeting on June 3, 2020, Council voted to hold the petition for 30 days for the applicant to submit a Written Commitment restricting certain uses. At the time of this printing, Staff has received an agreement to the uses proposed to be restricted, as attached. Staff has requested a signed copy of the Commitment before the meeting to be held on July 14, 2020.

Fact Sheet and Update Prepared by:
Michelle B. Wood, Senior Land Use Planner
July 9, 2020

From: Steinfink Jacob [<mailto:Jacob.Steinfink@us.mcd.com>]
Sent: Thursday, 9 July 2020 8:06 AM
To: Michelle Freeman
Cc: Taylor John
Subject: RE: URGENT: FW: McDonalds WC - NSN6657 - 202 E. Rudisill, Ft. Wayne, IN // LC 013-0251

Hi Michelle, we just received approval from the Field Office to agree to those restrictions in pink/purple in the attached doc.

Jacob M. Steinfink
Senior Counsel
McDonald's Corporation
US Legal - #089
110 N. Carpenter Street
Chicago, Illinois 60607-2101
630-207-1034 (mobile)
jacob.steinfink@us.mcd.com

PLEASE NOTE OUR NEW ADDRESS AND CONTACT INFORMATION

The information contained in this electronic communication and any accompanying documents is confidential, written at the direction of McDonald's in-house attorneys and subject to the attorney-client privilege and/or attorney work product privilege. It is the property of McDonald's Corporation. Unauthorized use, disclosure, forwarding, redistribution and/or reproduction of this communication, its attachments or any part thereof, in any way whatsoever, is strictly prohibited and may be unlawful. If you have received this communication in error, please notify the sender immediately by return e-mail, and destroy this communication and all copies, including all attachments.

FORT WAYNE ZONING ORDINANCE

§ 157.216 C3 GENERAL COMMERCIAL

(A) Purpose

The General Commercial district is intended to provide areas for a variety of commercial uses including certain high intensity uses not permitted in C1 and C2 districts. Uses typically found within this district include moderate intensity general business, community, office, **personal service**, and retail uses, along with certain residential facilities. Commercial uses in this district often serve the general public and therefore are usually located along arterial or collector roadways.

(B) Permitted Uses

The following uses are permitted as a matter of right in a C3 district; unless otherwise noted, **primary uses** shall be permitted to have outdoor components. In C3 districts, except for **automobile**, boat, and similar vehicle sales uses, **outdoor display** shall meet the **building setback** standards; display area shall be limited to a maximum of 10% of the **primary structure** or tenant space; **outdoor storage** shall be located behind the **primary structure**, or on the internal side of a corner lot; meet **primary building setback** standards; and be located on a paved or permitted gravel surface.

C3 GENERAL COMMERCIAL USE CATEGORIES		
Animal service, indoor	Food and beverage service	Residential facility, general
Animal service, outdoor	Instruction/training/education	Residential facility, limited
Automobile service, general	Medical facility or office	Retail/service, general
Automobile service, limited	Personal service	Retail, limited
Clothing	Professional office/business service	Studio
Community facility	Recreation, general	Universally permitted use
Electronics	Recreation/tourism, limited	Miscellaneous use

C3 GENERAL COMMERCIAL SPECIFIC PERMITTED USES		
Accessory building/structure/use	Appraiser	Automobile detailing or trim shop
Accountant	Arcade	Automobile maintenance (quick service)
Adoption service	Architect	Automobile rental
Adult care center	Arena	Automobile repair
Adult care home	Art gallery	Automobile restoration
Advertising	Art instruction	Automobile rustproofing
Agricultural equipment sales	Artist material and supply store	Automobile sales
Agricultural equipment service	Artist studio	Automobile washing facility
Agricultural supply sales	Assisted living facility	Bait sales
Air conditioning sales	Athletic field	Bakery goods
Air conditioning service	Attorney	Bank
Amusement park ⁽²⁾	Auction hall	Bankruptcy service
Animal grooming	Auction service	Bar or tavern
Animal hospital	Audiologist	Barber shop
Animal kennel	Audio-visual studio	Barber/beauty school
Animal obedience school	Automatic teller machine	Batting cages
Answering service	Automobile accessory store	Beauty shop
Antique shop	Automobile auction	Bed and breakfast
Apparel and accessory store	Automobile body shop	Betting or other gambling facility

FORT WAYNE ZONING ORDINANCE

C3 GENERAL COMMERCIAL SPECIFIC PERMITTED USES		
Bicycle sales and repair shop	Craft studio	Funeral home
Billiard or pool hall	Craft supply store	Furniture refinishing/repair
Bingo establishment	Credit service	Furniture store
Blood bank	Credit union	Furrier
Blood or plasma donor facility	Customer service facility	Garage sales
Boarding/lodging house	Dance instruction	Gas station
Boat/watercraft sales	Data processing facility	Gift shop
Book store	Data storage facility	Glass cutting/glazing shop
Bookkeeping service	Dating service	Go-kart facility ⁽²⁾
Bowling alley	Day care	Golf course, miniature
Brewery (micro)	Day spa	Golf driving range
Broker	Delicatessen	Graphic design service
Business training	Dentist	Greenhouse
Campus housing	Department store	Grocery store or supermarket
Card and stationery store	Diagnostic center	Group residential facility (large) ⁽²⁾
Catalog showroom	Dialysis center	Group residential facility (small)
Caterer	Diaper service facility	Gun sales
Check cashing	Dinner theater	Gymnastics instruction
Child care center	Doctor	Hardware store
Child care home (class I or II)	Dormitory	Haunted house
Chiropractor	Driving instruction	Health center
Cigarette/tobacco/cigar store	Drug store	Health club
Clinic	Dry cleaning store	Heating sales
Clock/watch/jewelry sales/repair	Educational institution	Heating service
Clothing store	Embroidery	Hobby shop
Club, private	Employment agency	Home improvement store
Coffee shop	Engine repair	Homeless/emergency shelter ⁽²⁾
Coin shop	Engineer	Hospice care center
Collection agency	Entertainment facility	Hospital
Community center	Equipment rental (limited)	Hotel
Community garden	Equipment service	Insurance agency
Computer sales and service	Exhibit hall	Interior decorating store
Computer software store	Exterminator	Interior design service
Computer training	Fabric shop	Internet/web site service
Confectionery/ice cream/candy store	Farmers market	Investment service
Consignment shop	Feed store	Laboratory
Consulting service	Finance agency	Land surveyor
Consumer electronics sales/service	Financial planning service	Landscape contracting service
Convenience store	Fireworks sales	Laundromat
Copy or duplicating service	Fitness center	Leather goods or luggage store
Correctional services facility	Flea market	Legal service
Cosmetic store	Floor covering store	Library
Costume and clothing rental	Florist	Live-work unit
Counseling service	Foundation office	Loan office
Country club	Fraternity house	Manufactured home sales
Craft instruction	Fruit/vegetable store	Marketing agency

FORT WAYNE ZONING ORDINANCE

C3 GENERAL COMMERCIAL SPECIFIC PERMITTED USES		
Martial arts training	Planetarium	Storage shed sales
Massage therapy	Planner	Surgery center
Meat or fish market	Plant nursery	Swim club
Medical training	Plumbing sales	Tailor/alterations service
Model unit	Plumbing service	Tanning salon
Mortgage service	Podiatrist	Tattoo establishment
Motel	Pottery sales	Tax consulting
Motor vehicle rental	Propane/bottled gas sales and service	Taxi service
Motor vehicle sales	Public transportation facility	Taxidermist
Movie and game sales and rental	Radio station	Telephone sales and service
Multiple family complex	Real estate	Television station
Multiple family dwelling	Reception/banquet hall	Tennis club
Museum	Recreation area ⁽²⁾	Theater
Music instruction	Recreation facility	Tire sales
Music store	Rehabilitation facility	Title company
Music/recording studio	Religious institution/school field	Towing service (with no storage yard)
Musical instrument store	Rental and/or leasing store	Townhouse complex
Nail salon	Residential dwelling unit ⁽¹⁾	Toy store
Neighborhood facility	Residential facility for homeless individuals ⁽²⁾	Trade show facility
Nursing home	Restaurant, including drive-through	Travel agency
Nutrition service	Retirement facility	Treatment center
Ophthalmologist	Riding stable	Truck fueling station
Optician	Savings and loan	Truck stop
Optometrist	School	Tutoring service
Package liquor store	Seasonal sales	Variety store
Paint store	Security service	Veterinary clinic
Park or recreation area	Shoe store/shoe repair shop	Warehouse/storage facility
Parking area (off-site) ⁽³⁾	Shooting range (indoor)	Water park ⁽²⁾
Parking area ⁽²⁾	Sign sales store	Wedding consultant
Parking structure	Skating rink	Weight loss service
Pawn shop	Sleep disorder facility	Wholesale facility
Pest control	Social service agency	Wind energy conversion system (micro) ⁽²⁾
Pet store	Sorority house	Window repair
Photographic supply store	Sporting goods sales and rentals	Window sales
Photography training	Stadium/racetrack ⁽²⁾	Yoga/Pilates instruction
Physical therapy facility	Stained glass studio	Zipline
Picture framing facility	Stock and bond broker	Zoo
Notes: (1) Above, to the rear of, or attached to a permitted nonresidential use (2) If not adjacent to a residential district (3) See universally permitted use definition for additional standards		

PROJECT SUMMARY

- The McDonald's was constructed on this property in 1984;
- The McDonald's was redeveloped in 2010.

The petitioner is requesting to rezone the southern portion of the property from R1/Single Family Residential to C3/General Commercial. The entire property is currently developed with a McDonald's restaurant. The drive-through and parking located on the southern portion of the property was approved by the Board of Zoning Appeals. The northern portion of the site is already zoned C3/General Commercial. The existing McDonald's recently redeveloped under the current zoning and Board of Zoning Appeals approvals. McDonald's recently approached us regarding a new sign package which would have required a revised Board of Zoning Appeals approval. The applicant requested that the site be rezoned to a consistent zoning over the entire site. Adjacent properties to the east and west already have commercial zoning to Foster Parkway to the south.

PUBLIC HEARING SUMMARY:

Presenter: Michelle Freeman, representing McDonald's Corporation, presented the proposal as outlined above.

Public Comments:

none

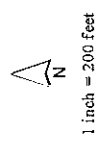


Rezoning Petition REZ-2020-0014 (202 E Rudisill)



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
Satellite Coordinate System, Indiana East
Photo and Cartography: Spring 2019
Date: 3/14/2020



1 inch = 200 feet
0 100 200 Feet



Rezoning Petition REZ-2020-0014 (202 E Rudisill)

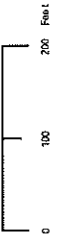


Although strict accuracy standards have been employed in the compilation of this map, Allin County does not warrant or guarantee the accuracy of the information contained herein and disclaims any and all liability resulting from any error or omission in this map.

North American Datum 1983
State Plane Coordinate System, Indiana East
Photo and Contour: Spring 2009
Date: 3/14/2020



1 inch = 200 feet



**Department of Planning Services
Rezoning Petition Application**

Applicant
Applicant KEYSER INDUSTRIES
Address 9015 S KEDZIE
City EVERGREEN PARK State IL Zip 60805
Telephone 708-876-1249 E-mail michelle.freeman@explorekeyser.com

Contact Person
Contact Person MICHELLE FREEMAN, KEYSER INDUSTRIES
Address 9015 S KEDZIE
City EVERGREEN PARK State IL Zip 60805
Telephone 708-876-1249 E-mail michelle.freeman@explorekeyser.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 202 E RUDISILL
Present Zoning C3/R1 Proposed Zoning C3 Acreage to be rezoned 1.4
Proposed density 1 units per acre
Township name WAYNE TWP Township section # 14
Purpose of rezoning (attach additional page if necessary)
To bring an existing restaurant use into conformance with municipality ordinance.
Need both parcels to be zoned C3.
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.

Michelle Freeman (printed name of applicant)	<u>Michelle Freeman</u> (signature of applicant)	<u>2/27/2020</u> (date)
<u>McDonald's USA, LLC</u> (printed name of property owner)	<u>[Signature]</u> (signature of property owner)	<u>2/27/2020</u> (date)
_____ (printed name of property owner)	_____ (signature of property owner)	_____ (date)
_____ (printed name of property owner)	_____ (signature of property owner)	_____ (date)

Received <u>3-2-2020</u>	Receipt No. <u>133442</u>	Hearing Date <u>4-13-2020</u>	Petition No. <u>RCZ-2020-0014</u>
-----------------------------	------------------------------	----------------------------------	--------------------------------------