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OF A 63.904 ACRE TRACT OF LAND, SAID CORNER BEING MARKED BY A 5/8"x24" REBAR WITH "FORESIGHT – BOUNDARY" IDENTIFICATION CAP AND BEING THE POINT OF BEGINNING OF THE HEREIN DESCRIBED REAL ESTATE; THENCE CONTINUING NORTH 87 DEGREES 10 MINUTES 53 SECONDS EAST ON AND ALONG THE SOUTHERLY LINE OF SAID LANDS OF INDIANA, A DISTANCE OF 268.82 FEET TO A POINT BEING MARIED BY A HOFER AND DAVIS IDENTIFICATION CAP; THENCE SOUTH 89 DEGREES 24 MINUTES 22 SECONDS EAST ON AND ALONG THE SOUTHERLY LINE OF SAID LANDS OF INDIANA, A DISTANCE OF 292.62 FEET TO THE NORTHEAST CORNER OF SAID LANDS OF ARNEO, INC. (DOCUMENT NUMBER 81-20527) BEING COINCIDENT WITH THE NORTHWEST CONER OF THE LANDS OF BRANDON DOWNEY AS RECORDED IN DOCUMENT NUMBER 202005743 WITHIN THE OFFICE OF THE RECORDER OF ALLEN COUNTY, INDIDANA; THENCE SOUTH 20 DEGREES 10 MINUTES 49 SECONDS EAST ON AND ALONG THE EAST LINE OF SAID LANDS OF ARNEO, INC. (DOCUMENT NUMBER 81-20527) BEING COINCIDENT WITH THE WEST LINE OF THE EAST HALF OF SAID BOURE'S RESERVE, A DISTANCE OF 3927.96 FEET TO THE APPROXIMATE LOW WATER LINE OF THE ST. JOSEPH RIVER AS SITUATED 100.12 FEET SOUTHEAST OF 2"x2" ANGLE IRON POST SITUATED ON SAID LINE; THE FOLLOWING 13 COURSES BEING ON ALONG THE APPROXIMATE LOW WATER LINE OF THE ST. JOSEPH RIVER BEING COINCIDENT WITH THE SOUTHERLY LINE OF SAID LANDS OF ARNEO, INC.: THENCE NORTH 84 DEGREES 07 MINUTES 56 SECONDS WEST, A DISTANCE OF 180.86 FEET; THENCE SOUTH 58 DEGREES 28 MINUTES 16 SECONDS WEST, A DISTANCE OF 280.91 FEET; THENCE SOUTH 15 DEGREES 02 MINUTES 59 SECONDS WEST, A DISTANCE OF 335.34 FEET; THENCE SOUTH 01 DEGREES 08 MINUTES 06 SECONDS WEST, A DISTANCE OF 265.47 FEET; THENCE SOUTH 17 DEGREES 38 MINUTES 33 SECONDS WEST , A DISTANCE OF 351.05 FEET; THENCE SOUTH 63 DEGREES 51 MINUTES 47 SECONDS WEST, A DISTANCE OF 90.36 FEET; THENCE NORTH 75 DEGREES 32 MINUTES 28 SECONDS WEST, A DISTANCE OF 270.82 FEET; THENCE NORTH 51 DEGREES 00 MINUTES 36 SECONDS WEST, A DISTANCE OF 179.12 FEET; THENCE NORTH 33 DEGREES 47 MINUTES 16 SECONDS WEST, A DISTANCE OF 170.23 FEET; THENCE NORTH 17 DEGREES 52 MINUTES 54 SECONDS WEST, A DISTANCE OF 178.48 FEET; THENCE NORTH 31 DEGREES 56 MINUTES 56 SECONDS WEST, A DISTANCE OF 364.37 FEET; THENCE NORTH 45 DEGREES 43 MINUTES 57 SECONDS WEST, A DISTANCE OF 402.91 FEET; THENCE NORTH 41 DEGREES 57 MINUTES 51 SECONDS WEST, A DISTANCE OF 301.18 FEET; THENCE NORTH 33 DEGREES 49 MINUTES 16 SECONDS EAST, A DISTANCE OF 483.91 FEET TO A RAILROAD POST MARKING THE WESTERLY CORNER OF THE LANDS OF SAID ARNEO, INC. (DOCUMENT NUMBER 81-20528); THENCE NORTH 56 DEGREES 14 MINUTES 42 SECONDS WEST ON AND ALONG THE WESTERLY LINE OF SAID LANDS OF SAID ARNEO, INC. (DOCUMENT

1 NUMBER 81-20528), A DISTANCE OF 698.50 FEET; THENCE NORTH 20
2 DEGREES 10 MINUTES 20 SECONDS WEST ON AND ALONG THE
3 WESTERLY LINE OF SAID LANDS OF SAID ARNEO, INC. (DOCUMENT
4 NUMBER 81-20528), A DISTANCE OF 801.90 FEET TO A POINT BEING
5 MARKED BY A MAG NAIL SET IN A TREE ROOT OVER A STONE, SAID
6 POINT BEING THE SOUTHERN MOST CORNER OF SAID 63.904 ACRE
7 TRACT OF LANDS; THE FOLLOWING 8 COURSES BEING ON AND ALONG
8 THE SOUTHEASTERLY LINES OF SAID 63.904 ACRE TRACT OF LAND
9 WITH CORNERS BEING MARKED BY A 5/8"x24" REBAR WITH
10 "FORESIGHT - BOUNDARY" IDENTIFICATION CAP: THENCE NORTH 33
11 DEGREES 32 MINUTES 39 SECONDS EAST, A DISTANCE OF 383.05 FEET;
12 THENCE NORTH 58 DEGREES 51 MINUTES 25 SECONDS EAST, A
13 DISTANCE OF 493.50 FEET; THENCE NORTH 20 DEGREES 18 MINUTES 20
14 SECONDS WEST, A DISTANCE OF 550.73 FEET; THENCE NORTH 29
15 DEGREES 47 MINUTES 06 SECONDS EAST, A DISTANCE OF 340.68 FEET
16 TO THE POINT OF CURVATURE OF 1470.00 FOOT RADIUS CURVE TO THE
17 RIGHT; THENCE NORTHEASTERLY ALONG THE ARC OF SAID 1470.00
18 FOOT RADIUS CURVE, A DISTANCE OF 118.37 FEET AND BEING
19 SUBTENDED BY A CHORD BEARING NORTH 32 DEGREES 05 MINUTES 30
20 SECONDS EAST AND A CHORD LENGTH OF 118.33 FEET TO THE POINT
21 OF A NON-TANGENT 100.00 FOOT RADIUS CURVE TO THE RIGHT;
22 THENCE NORTHERLY ALONG THE ARC OF SAID 100.00 FOOT RADIUS
23 CURVE, A DISTANCE OF 205.08 FEET AND BEING SUBTENDED BY A
24 CHORD BEARING NORTH 14 DEGREES 39 MINUTES 36 SECONDS WEST
25 AND A CHORD LENGTH OF 170.98 FEET TO THE POINT OF A NON-
26 TANGENT 385.00 FOOT RADIUS CURVE TO THE RIGHT; THENCE
27 NORTHERLY ALONG THE ARC OF SAID 385.00 FOOT RADIUS CURVE TO
28 THE RIGHT, A DISTANCE OF 103.81 FEET AND BEING SUBTENDED BY A
29 CHORD BEARING NORTH 10 DEGREES 32 MINUTES 35 SECONDS WEST
30 AND A CHORD LENGTH OF 103.49 FEET TO THE POINT OF TANGENCY;
THENCE NORTH 02 DEGREES 49 MINUTES 07 SECONDS WEST, A
DISTANCE OF 165.91 FEET TO THE POINT OF BEGINNING; CONTAINING
137.78 ACRES OF LAND MORE OR LESS AND BEING SUBJECT TO
EASEMENTS AND RIGHTS OF WAY OF RECORD.

and the symbols of the City of Fort Wayne Zoning Map Nos. R-54, R-50, S-54 and S-50
(Sec. 31 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

1 commitment is hereby approved and is hereby incorporated by reference.

2
3 SECTION 3. That this Ordinance shall be in full force and effect from and after its
4 passage and approval by the Mayor.

5 _____
6 Council Member

7 APPROVED AS TO FORM AND LEGALITY:

8 _____
9 City Attorney

City of Fort Wayne Common Council
DIGEST SHEET

Department of Planning Services

Title of Ordinance: Zoning Map Amendment
Case Number: REZ-2021-0070
Bill Number: Z-22-05-01
Council District: 2-Russ Jehl

Introduction Date: May 10, 2022

Plan Commission
Public Hearing Date: May 9, 2022 (not heard by Council)

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

Synopsis of Ordinance: To rezone approximately 138 acres from AR/Low Intensity Residential
to RP/Planned Residential.

Location: 9000 to 9100 block of North Clinton Road to the St. Joseph River

Reason for Request: For approval of a single family residential subdivision.

Applicant: B1 Enterprises, LLC

Property Owner: B1 Enterprises, LLC

Related Petitions: Primary Development Plan, Arneo

Effect of Passage: Property will be rezoned to the RP/Planned Residential zoning district,
which will allow the currently vacant parcel to be developed with a platted
subdivision.

Effect of Non-Passage: The property will remain zoned AR and may develop with low-intensity
residential uses and limited agricultural uses.

Department of Planning Services
Rezoning Petition Application

Applicant
Applicant B1 Enterprises, LLC
Address 203 E. Berry Street, Ste. 602
City Fort Wayne State IN Zip 46802
Telephone _____ E-mail james@obicai.com

Contact Person
Contact Person Joshua C. Neal, Barrett McNagny, LLP
Address 215 E. Berry Street
City Fort Wayne State IN Zip 46802
Telephone (260) 423-9551 E-mail jcn@barrettllaw.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 9218 North Clinton Street
Present Zoning AR Proposed Zoning RP Acreage to be rezoned _____
Proposed density _____ units per acre
Township name St. Joseph Township section # 31
Purpose of rezoning (attach additional page if necessary) To permit the
development and construction of a mixed-use development
including both signage and multi-family residential housing.
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 plans/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.

See attached Exhibit A.

(printed name of applicant) (signature of applicant) (date)

See attached Exhibit A.

(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.
12-7-2021	134067	1-10-2022	REZ-2021-0070

EXHIBIT A
REZONING APPLICATION
SIGNATURE PAGE

"APPLICANT"

B1 ENTERPRISES, LLC

By: 

Date: December 6th, 2021

Name: James Khan

Its: President

"PROPERTY OWNER"

Arneo, Inc.

By: Mark H. Kramer

Date: December 6, 2021

Name: Mark H. Kramer

Its: President, Arneo, Inc.

Residential Property Legal Description

A PART OF THE WEST HALF OF BOURIE'S RESERVE IN TOWNSHIP 31 NORTH, RANGE 13 EAST, ALLEN COUNTY, INDIANA AND FURTHER BEING A PORTION OF THE LANDS OF ARNEO, INC. AS RECORDED IN DOCUMENTS 81-20527 AND 81-20528 WITHIN THE OFFICE OF THE RECORDER OF ALLEN COUNTY, INDIANA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE WESTERLY LINE OF SAID BOURIE'S RESERVE WITH THE CENTERLINE OF CLINTON STREET (FORMERLY FORT WAYNE AND LEO ROAD); THENCE NORTH 54 DEGREES 59 MINUTES 14 SECONDS EAST (INDIANA STATE PLANE GRID BEARING AND BASIS OF BEARINGS TO FOLLOW) ON AND ALONG SAID CLINTON STREET CENTERLINE, A DISTANCE OF 1056.76 FEET; THENCE SOUTH 35 DEGREES 00 MINUTES 46 SECONDS EAST A DISTANCE OF 25.00 FEET TO THE WESTERLY MOST CORNER OF THE LANDS OF THE STATE OF INDIANA AS RECORDED IN DOCUMENT NUMBER 93-37229 WITHIN THE OFFICE OF THE RECORDER OF ALLEN COUNTY, INDIANA, SAID CORNER BEING MARKED BY A HOFER AND DAVIS IDENTIFICATION CAP; THENCE SOUTH 73 DEGREES 46 MINUTES 54 SECONDS EAST ON AND ALONG THE SOUTHERLY LINE OF SAID LANDS OF INDIANA, A DISTANCE OF 121.31 FEET TO A POINT BEING MARKED BY A HOFER AND DAVIS IDENTIFICATION CAP; THENCE SOUTH 59 DEGREES 42 MINUTES 55 SECONDS EAST ON AND ALONG THE SOUTHERLY LINE OF SAID LANDS OF INDIANA, A DISTANCE OF 170.42 FEET TO A POINT BEING MARKED BY A HOFER AND DAVIS IDENTIFICATION CAP; THENCE NORTH 87 DEGREES 10 MINUTES 53 SECONDS EAST ON AND ALONG THE SOUTHERLY LINE OF SAID LANDS OF INDIANA, A DISTANCE OF 788.20 FEET TO THE NORTHEAST CORNER OF A 63.904 ACRE TRACT OF LAND, SAID CORNER BEING MARKED BY A 5/8"x24" REBAR WITH "FORESIGHT – BOUNDARY" IDENTIFICATION CAP AND BEING THE POINT OF BEGINNING OF THE HEREIN DESCRIBED REAL ESTATE; THENCE CONTINUING NORTH 87 DEGREES 10 MINUTES 53 SECONDS EAST ON AND ALONG THE SOUTHERLY LINE OF SAID LANDS OF INDIANA, A DISTANCE OF 268.82 FEET TO A POINT BEING MARKED BY A HOFER AND DAVIS IDENTIFICATION CAP; THENCE SOUTH 89 DEGREES 24 MINUTES 22 SECONDS EAST ON AND ALONG THE SOUTHERLY LINE OF SAID LANDS OF INDIANA, A DISTANCE OF 292.62 FEET TO THE NORTHEAST CORNER OF SAID LANDS OF ARNEO, INC. (DOCUMENT NUMBER 81-20527) BEING COINCIDENT WITH THE NORTHWEST CORNER OF THE LANDS OF BRANDON DOWNEY AS RECORDED IN DOCUMENT NUMBER 202005743 WITHIN THE OFFICE OF THE RECORDER OF ALLEN COUNTY, INDIANA; THENCE SOUTH 20 DEGREES 10 MINUTES 49 SECONDS EAST ON AND ALONG THE EAST LINE OF SAID LANDS OF ARNEO, INC. (DOCUMENT NUMBER 81-20527) BEING COINCIDENT WITH THE WEST LINE OF THE EAST HALF OF SAID BOURIE'S RESERVE, A DISTANCE OF 3927.96 FEET TO THE APPROXIMATE LOW WATER LINE OF THE ST. JOSEPH RIVER AS SITUATED 100.12 FEET SOUTHEAST OF 2"x2" ANGLE IRON POST SITUATED ON SAID LINE;

THE FOLLOWING 13 COURSES BEING ON ALONG THE APPROXIMATE LOW WATER LINE OF THE ST. JOSEPH RIVER BEING COINCIDENT WITH THE SOUTHERLY LINE OF SAID LANDS OF ARNEO, INC.:

THENCE NORTH 84 DEGREES 07 MINUTES 56 SECONDS WEST, A DISTANCE OF 180.86 FEET;
THENCE SOUTH 58 DEGREES 28 MINUTES 16 SECONDS WEST, A DISTANCE OF 280.91 FEET;
THENCE SOUTH 15 DEGREES 02 MINUTES 59 SECONDS WEST, A DISTANCE OF 335.34 FEET;
THENCE SOUTH 01 DEGREES 08 MINUTES 06 SECONDS WEST, A DISTANCE OF 265.47 FEET;
THENCE SOUTH 17 DEGREES 38 MINUTES 33 SECONDS WEST, A DISTANCE OF 351.05 FEET;
THENCE SOUTH 63 DEGREES 51 MINUTES 47 SECONDS WEST, A DISTANCE OF 90.36 FEET;

THENCE NORTH 75 DEGREES 32 MINUTES 28 SECONDS WEST, A DISTANCE OF 270.82 FEET;
THENCE NORTH 51 DEGREES 00 MINUTES 36 SECONDS WEST, A DISTANCE OF 179.12 FEET;
THENCE NORTH 33 DEGREES 47 MINUTES 16 SECONDS WEST, A DISTANCE OF 170.23 FEET;
THENCE NORTH 17 DEGREES 52 MINUTES 54 SECONDS WEST, A DISTANCE OF 178.48 FEET;
THENCE NORTH 31 DEGREES 56 MINUTES 56 SECONDS WEST, A DISTANCE OF 364.37 FEET;
THENCE NORTH 45 DEGREES 43 MINUTES 57 SECONDS WEST, A DISTANCE OF 402.91 FEET;
THENCE NORTH 41 DEGREES 57 MINUTES 51 SECONDS WEST, A DISTANCE OF 301.18 FEET;
THENCE NORTH 33 DEGREES 49 MINUTES 16 SECONDS EAST, A DISTANCE OF 483.91 FEET TO A
RAILROAD POST MARKING THE WESTERLY CORNER OF THE LANDS OF SAID ARNEO, INC. (DOCUMENT
NUMBER 81-20528); THENCE NORTH 56 DEGREES 14 MINUTES 42 SECONDS WEST ON AND ALONG THE
WESTERLY LINE OF SAID LANDS OF SAID ARNEO, INC. (DOCUMENT NUMBER 81-20528), A DISTANCE OF
698.50 FEET; THENCE NORTH 20 DEGREES 10 MINUTES 20 SECONDS WEST ON AND ALONG THE
WESTERLY LINE OF SAID LANDS OF SAID ARNEO, INC. (DOCUMENT NUMBER 81-20528), A DISTANCE OF
801.90 FEET TO A POINT BEING MARKED BY A MAG NAIL SET IN A TREE ROOT OVER A STONE, SAID
POINT BEING THE SOUTHERN MOST CORNER OF SAID 63.904 ACRE TRACT OF LANDS

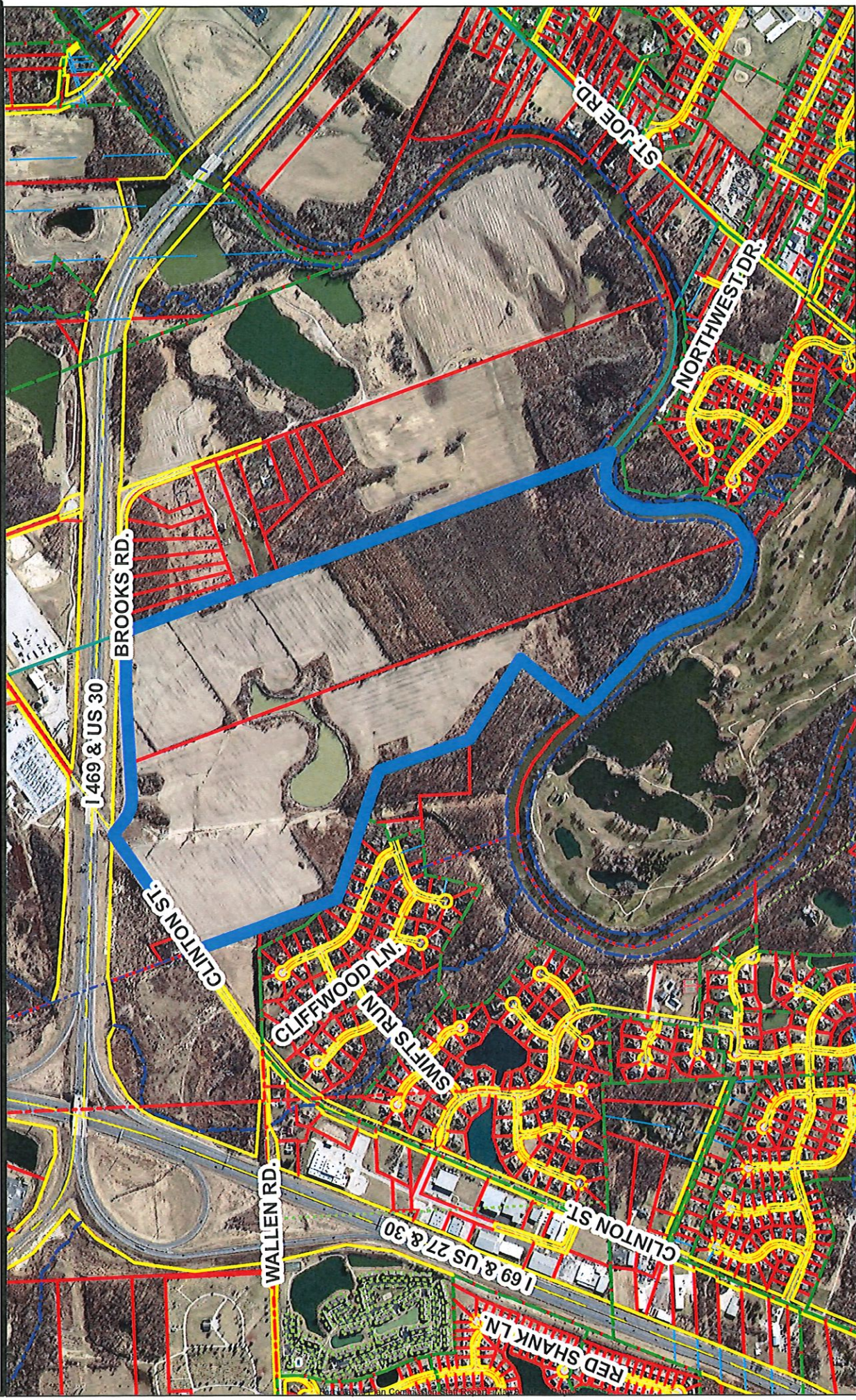
THE FOLLOWING 8 COURSES BEING ON AND ALONG THE SOUTHEASTERLY LINES OF SAID 63.904
ACRE TRACT OF LAND WITH CORNERS BEING MARKED BY A 5/8"x24" REBAR WITH "FORESIGHT
- BOUNDARY" IDENTIFICATION CAP.

THENCE NORTH 33 DEGREES 32 MINUTES 39 SECONDS EAST, A DISTANCE OF 383.05 FEET;
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THENCE NORTH 20 DEGREES 18 MINUTES 20 SECONDS WEST, A DISTANCE OF 550.73 FEET;
THENCE NORTH 29 DEGREES 47 MINUTES 06 SECONDS EAST, A DISTANCE OF 340.68 FEET TO THE POINT
OF CURVATURE OF 1470.00 FOOT RADIUS CURVE TO THE RIGHT;
THENCE NORTHEASTERLY ALONG THE ARC OF SAID 1470.00 FOOT RADIUS CURVE, A DISTANCE OF
118.37 FEET AND BEING SUBTENDED BY A CHORD BEARING NORTH 32 DEGREES 05 MINUTES 30
SECONDS EAST AND A CHORD LENGTH OF 118.33 FEET TO THE POINT OF A NON-TANGENT 100.00 FOOT
RADIUS CURVE TO THE RIGHT;
THENCE NORTHERLY ALONG THE ARC OF SAID 100.00 FOOT RADIUS CURVE, A DISTANCE OF 205.08
FEET AND BEING SUBTENDED BY A CHORD BEARING NORTH 14 DEGREES 39 MINUTES 36 SECONDS
WEST AND A CHORD LENGTH OF 170.98 FEET TO THE POINT OF A NON-TANGENT 385.00 FOOT RADIUS
CURVE TO THE RIGHT;
THENCE NORTHERLY ALONG THE ARC OF SAID 385.00 FOOT RADIUS CURVE TO THE RIGHT, A DISTANCE
OF 103.81 FEET AND BEING SUBTENDED BY A CHORD BEARING NORTH 10 DEGREES 32 MINUTES 35
SECONDS WEST AND A CHORD LENGTH OF 103.49 FEET TO THE POINT OF TANGENCY;
THENCE NORTH 02 DEGREES 49 MINUTES 07 SECONDS WEST, A DISTANCE OF 165.91 FEET TO THE
POINT OF BEGINNING;

CONTAINING 63.904 ACRES OF LAND MORE OR LESS AND BEING SUBJECT TO EASEMENTS AND RIGHTS
OF WAY OF RECORD.



REZ-2021-0070, REZ-2021-0071, PP-2021-0038, and PDP-2021-0051 - Arneo

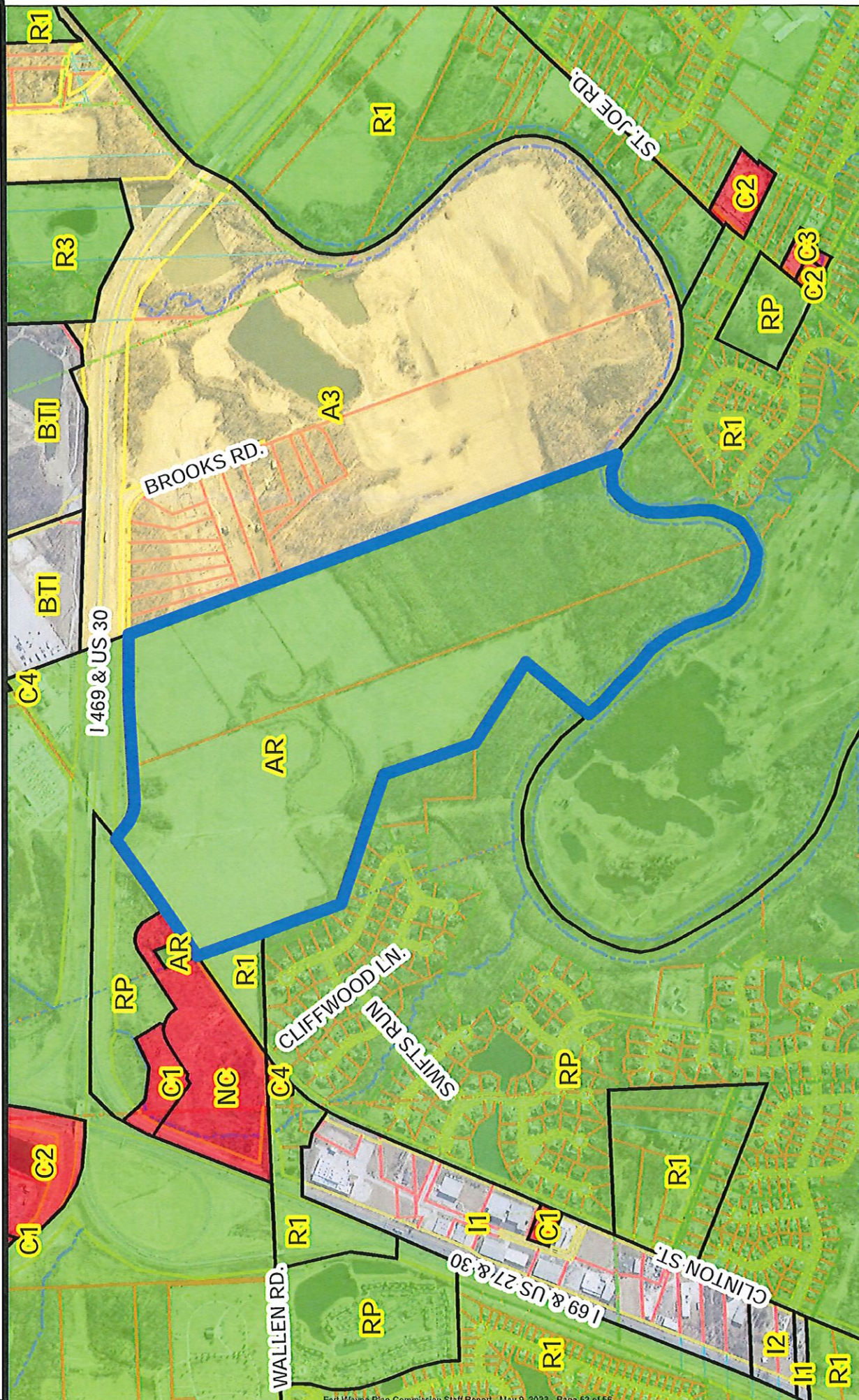


Although strict accuracy standards have been employed in the compilation of this map, Allen County does not warrant or guarantee the accuracy of the information contained herein and disclaims any and all liability resulting from any error or omission in this map.

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North American Datum 1983
State Plane Coordinate System, Indiana East
Photos and Contours: Spring 2009
Date: 12/30/2021



1 inch = 1,000 feet

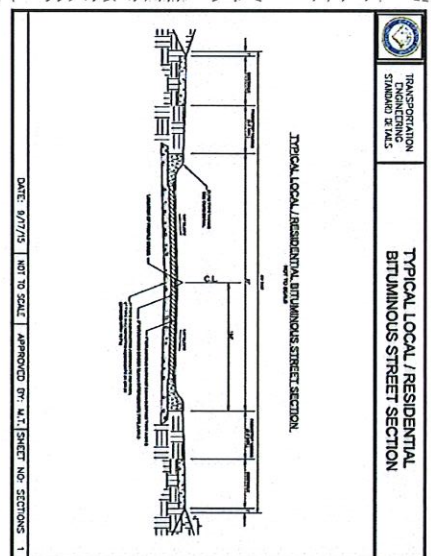


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Photos and Contours: Spring 2009
Date: 12/30/2021



1 inch = 1,000 feet



Primary Plat For:

Arneo Commercial Center

9218 North Clinton Street, Fort Wayne, Indiana 46825

Drawing Revisions

Commission Number
213178

Date
December 7th, 2021

Title

Sheet Number
PP1.3
SHEET 3 OF 3

Performed for:



ForeSight Consulting, LLC
Professional Engineers & Surveyors
1910 St. Joe Center Road, Suite #51
Fort Wayne, Indiana 46825
260.484.9900 phone
260.484.9950 fax
www.48re.biz

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