

#REZ-2022-0037

BILL NO. Z-22-07-25

ZONING MAP ORDINANCE NO. Z-_____

**AN ORDINANCE amending the City of Fort Wayne
Zoning Map No. P-15 (Sec. 19 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 a C2 (Limited
Commercial) District under the terms of Chapter 157 Title XV of the Code of the City of Fort
Wayne, Indiana:

DESCRIPTION OF TRACT II, remainder Parcel C
Part of Block 4 and Block 18 in Anthony Wayne Village Subdivision in the City of
Fort Wayne, Indiana, recorded in Plat Record 16, page 136 and 137 and found in the
Office of the Recorder of Allen County, Indiana, more particularly described as
follows:

Commencing at a 1/2 inch rebar found marking the northeasterly corner of Lot 24 in
said Anthony Wayne Village Subdivision; thence South 48 degrees 02 minutes 59
seconds West, on the northwesterly line of said Lot 24, a distance of 135.00 feet to a
5/8 inch rebar capped "OPOKU" marking the northwesterly corner of said Lot 24,
said point being on the Easterly right of way line of Plaza Drive (formerly Allerton
Boulevard); thence on said Easterly right of way by the following 4 courses: North
39 degrees 38 minutes 57 seconds West (bearing based on the State Plane Coordinate
System (NAD83)(2011), Indiana East zone), 67.00 feet to a found 5/8 inch rebar
capped "STRUCTUREPOINT #0094"; thence North 37 degrees 38 minutes 57
seconds West 90.00 feet to a found 5/8 inch rebar capped "STRUCTUREPOINT
#0094"; thence North 35 degrees 38 minutes 57 seconds West, 66.50 feet to a found
5/8 inch rebar capped "STRUCTUREPOINT #0094"; thence on a curve to the right,
having a radius of 100.00 feet, a length of 209.80 feet and a chord of 173.38 feet
bearing North 29 degrees 53 minutes 53 seconds East to the south right of way line
of McKinnie Avenue; thence North 87 degrees 21 minutes 03 seconds East, on said
south right of way line, a distance of 146.63 feet to a found 5/8 inch rebar capped
"STRUCTUREPOINT #0094" marking the northwest corner of a 2.013 acre parcel
of land described in Document 2017043544 in said Recorder's Office; thence South
02 degrees 33 minutes 10 seconds East on the west line of said parcel of land, a
distance of 247.80 feet to the point of beginning, containing 1.410 acres, more or
less.

1 and the symbols of the City of Fort Wayne Zoning Map No. P-15 (Sec. 19 of Adams
2 Township), as established by Section 157.082 of Title XV of the Code of the City of Fort
3 Wayne, Indiana is hereby changed accordingly.
4

5 SECTION 2. If a written commitment is a condition of the Plan Commission's
6 recommendation for the adoption of the rezoning, or if a written commitment is modified and
7 approved by the Common Council as part of the zone map amendment, that written
8 commitment is hereby approved and is hereby incorporated by reference.
9

10 SECTION 3. That this Ordinance shall be in full force and effect from and after its
11 passage and approval by the Mayor.
12

13 _____
14 Council Member

15 APPROVED AS TO FORM AND LEGALITY:
16

17 _____
18 Malak Heiny, City Attorney
19
20
21
22
23
24
25
26
27
28
29
30

City of Fort Wayne Common Council

DIGEST SHEET

Department of Planning Services

Title of Ordinance: Zoning Map Amendment
Case Number: REZ-2022-0037
Bill Number: Z-22-07-25
Council District: 6-Sharon Tucker

Introduction Date: July 26, 2022

Plan Commission
Public Hearing Date: July 11, 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 1.4 acres from R3/Multiple Family Residential to C2/Limited Commercial.

Location: Southeast corner of McKinnie Avenue and Plaza Drive

Reason for Request: For approval of a new mixed-use residential and commercial building.

Applicant: House Investments

Property Owner: House Investments

Related Petitions: Primary Development Plan, Village Premier

Effect of Passage: Property will be rezoned to the C2/Limited Commercial district, which will allow the currently vacant parcel to be developed with a mixed-use building that can include a senior living facility and retail services as part of a new mixed-use development.

Effect of Non-Passage: The property will remain zoned R3, and may develop as such. The proposed development includes a mixture of residential and retail uses, which requires the C2 zoning.

**Department of Planning Services
Rezoning Petition Application**

Applicant
Applicant House Investments (Village Premier Project)
Address 11590 N. Meridian St. Ste 550
City Indianapolis State IN Zip 46032
Telephone (317) 413-9430 E-mail mgadus@houseinvestments.com

Contact Person
Contact Person Andrew Boxberger
Address 301 W. Jefferson Ste. 200
City Fort Wayne State IN Zip 46802
Telephone (260) 423-9411 E-mail aboxberger@carsonllp.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 Plaza Dr. (See Survey)
Present Zoning C1 & R3 Proposed Zoning C1 & C2 Acreage to be rezoned See Attached
Proposed density See Attached Development Plan units per acre
Township name Adams Township section # 13
Purpose of rezoning (attach additional page if necessary) See Attached

Sewer provider City of Fort Wayne Water provider City of Fort Wayne

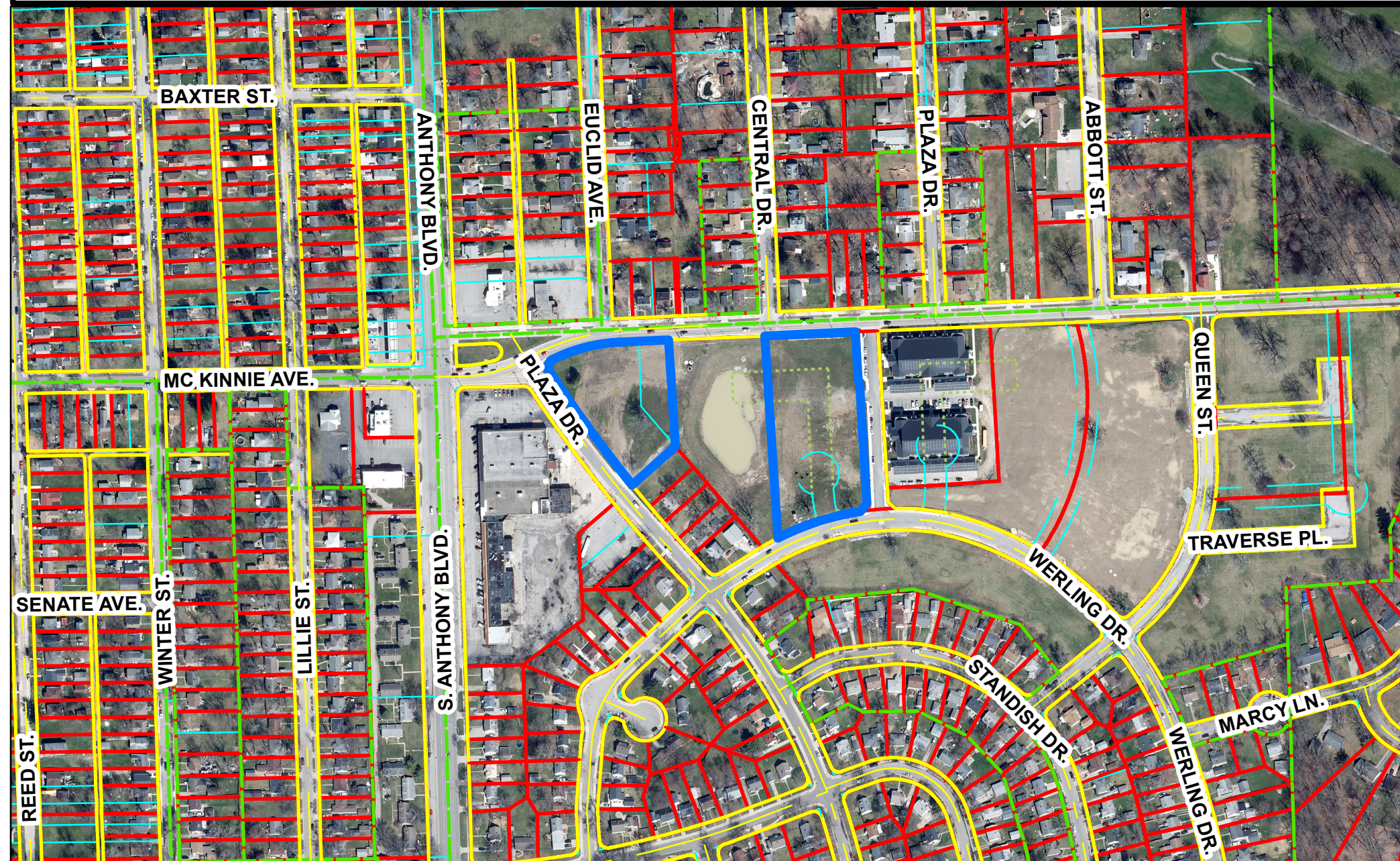
Filing Requirements
Applications will not be accepted unless the following filing requirements are submitted with this application. Please refer to checklist for applicable filing fees and plan/survey submittal requirements.

- ☒ 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.

Matthew S. Gadus (printed name of applicant)	Matthew S. Gadus (signature of applicant)	6/1/2022 (date)
<u>JONATHAN LEIST</u> (printed name of property owner)	<u>[Signature]</u> (signature of property owner)	<u>6/7/22</u> (date)
_____ (printed name of property owner)	_____ (signature of property owner)	_____ (date)
_____ (printed name of property owner)	_____ (signature of property owner)	_____ (date)

Received <u>6-7-22</u>	Receipt No. <u>140516</u>	Hearing Date <u>7-11-22</u>	Petition No. <u>REZ-2022-0034</u>
---------------------------	------------------------------	--------------------------------	--------------------------------------



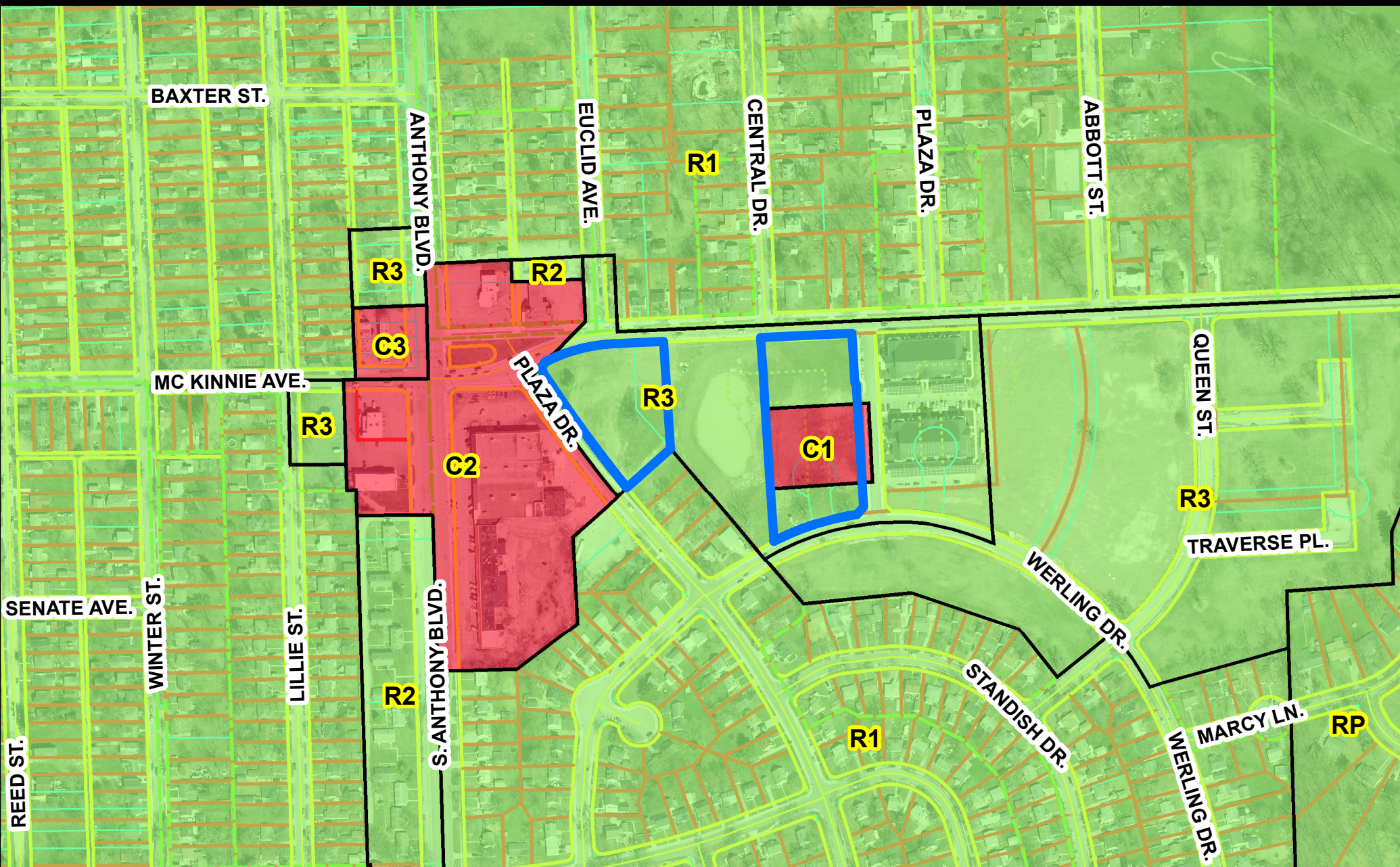
Although strict accuracy standards have been employed in the compilation of this map, Allen County does not warrant or guarantee the accuracy of the information contained herein and disclaims any and all liability resulting from any error or omission in this map.

© 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: 6/28/2022

0 50 100 Feet



1 inch = 300 feet



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.

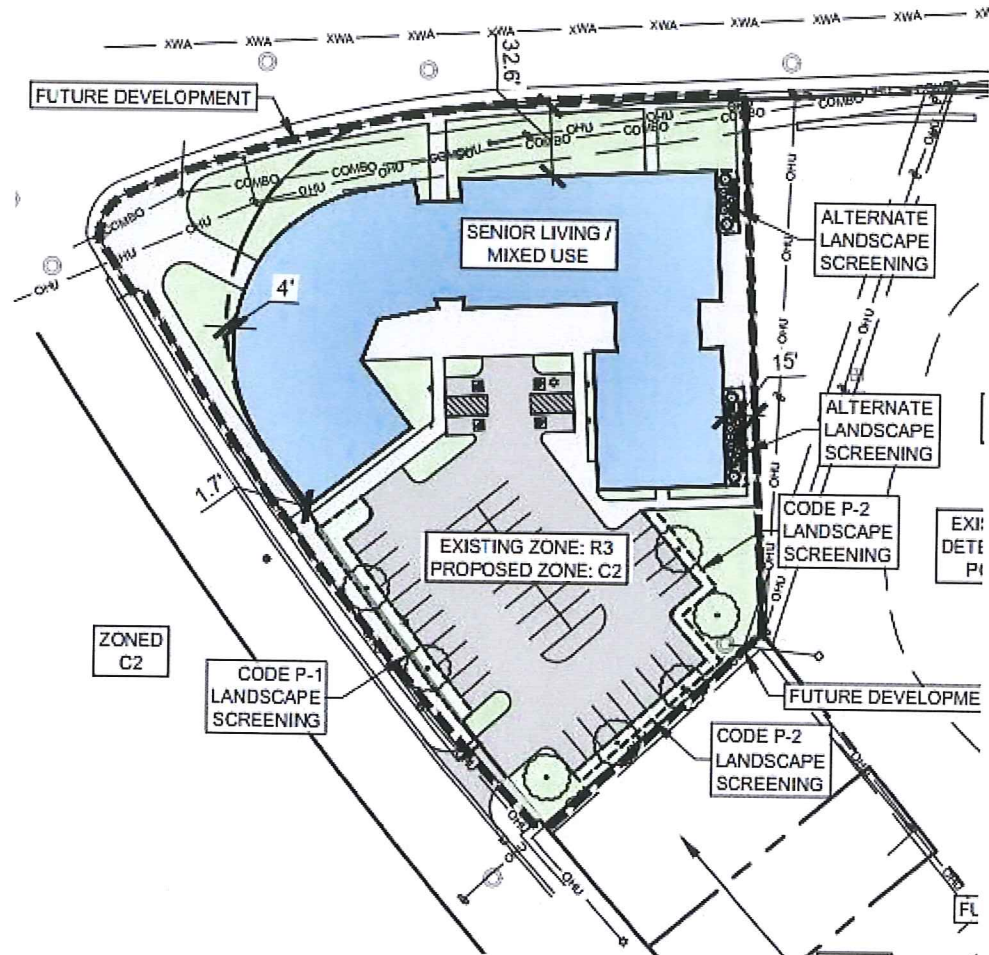
© 2004 Board of Commissioners of the County of Allen
North American Datum 1983
State Plane Coordinate System, Indiana East
Photos and Contours: Spring 2009
Date: 6/28/2022

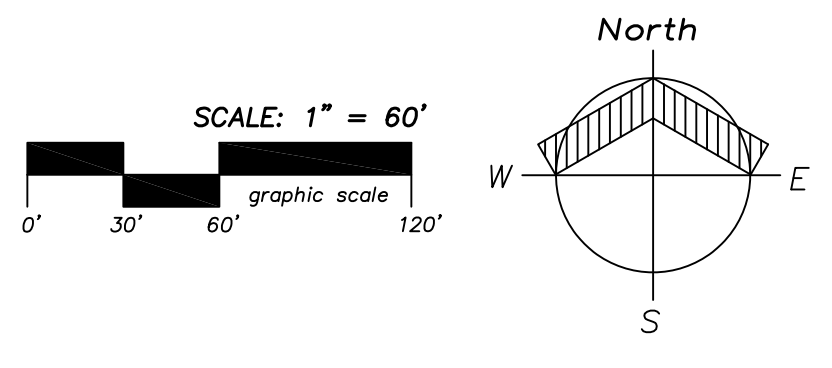
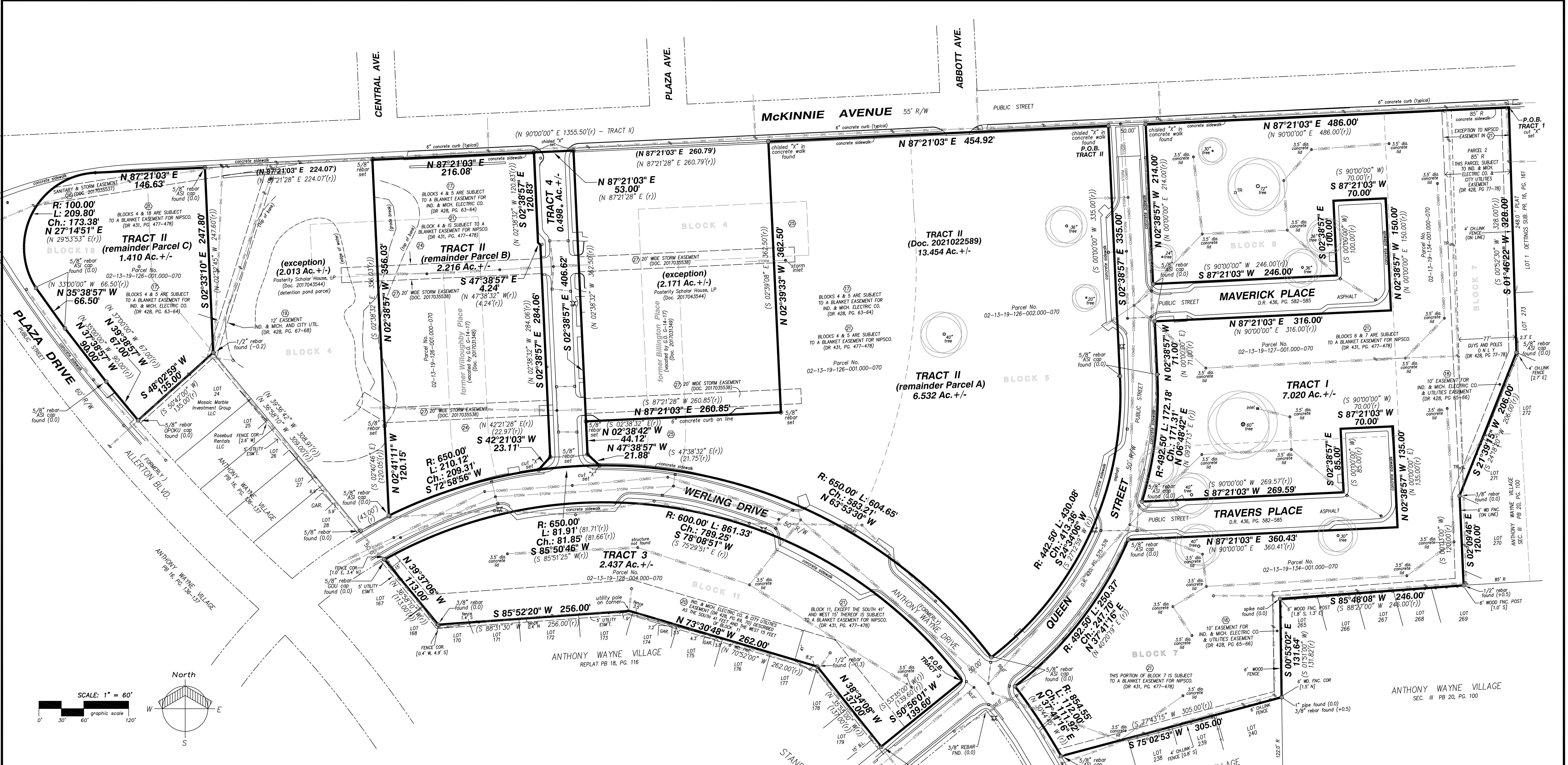
0 50 100 Feet



1 inch = 300 feet

- Rezoning 1.410 acres (Tract II Remainder Parcel C on Survey) currently zoned R3 to entirely C2 zoning for the development of a mixed-use building on the site as shown on the Development Plan.





Surveyor's Certificate			General Notes		
TO: THE CITY OF FORT WAYNE DEPARTMENT OF REDEVELOPMENT; OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY; TITAN TITLE SERVICES, LLC THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2021 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1-4, 6(b), 8, 11(b), 13, AND 16-20 OF TABLE A THEREOF. THE INITIAL FIELD WORK WAS COMPLETED ON 09/30/2021. DATE: 10/05/2021 <i>Timothy C. Gouloff</i> REGISTERED SURVEYOR: TIMOTHY C. GOULOFF, LS REGISTERED LAND SURVEYOR NO.: 29500017 *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. (Timothy Gouloff)			1. THIS SURVEY REFLECTS ABOVE GROUND INDICATIONS OF UTILITIES AND INFORMATION AVAILABLE FROM UTILITY COMPANIES AT TIME OF SURVEY. THE SURVEYOR MAKES NO GUARANTEE THAT ANY UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT ANY UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED, ALTHOUGH HE DOES CERTIFY THAT THEY ARE DEPICTED AS ACCURATELY AS POSSIBLE FROM THE INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED UNDERGROUND UTILITIES. 2. ALL STATEMENTS WITHIN THE CERTIFICATION, AND OTHER REFERENCES LOCATED ELSEWHERE HEREON, RELATED TO: UTILITIES, IMPROVEMENTS, STRUCTURES, BUILDINGS, PARTY WALLS, PARKING, EASEMENTS, SERVITUDES, AND ENCROACHMENTS ARE BASED SOLELY ON ABOVE GROUND, VISIBLE EVIDENCE, UNLESS ANOTHER SOURCE OF INFORMATION IS SPECIFICALLY REFERENCED HEREON. 3. THIS SURVEY MEETS OR EXCEEDS THE SURVEY STANDARDS/STANDARDS OF CARE AS SET FORTH IN SECTION 3 OF THE 2021 ALTA/NSPS SURVEY REQUIREMENTS. 4. THERE IS NO VISIBLE EVIDENCE OF CEMETERIES ON SUBJECT PROPERTY. 5. THERE IS NO OBSERVABLE EVIDENCE OF EARTH MOVING WORK, BUILDING CONSTRUCTION OR BUILDING ADDITIONS WITHIN RECENT MONTHS. 6. THERE IS NO OBSERVABLE EVIDENCE OF SITE USE AS A SOLID WASTE DUMP, SUMP OR SANITARY LANDFILL. 7. THE PARCELS CONTAINED IN THE LEGAL DESCRIPTION ARE CONTIGUOUS WITHOUT ANY GAPS, GORES OR OVERLAPS UNLESS OTHERWISE DEPICTED AND/OR DESCRIBED HEREON. 8. ZONING INFORMATION OR REPORT WAS NOT PROVIDED TO THE SURVEYOR BY THE CLIENT. 9. NO APPARENT CHANGES IN STREET RIGHT OF WAY LINES EITHER COMPLETED OR PROPOSED, AND AVAILABLE FROM THE CONTROLLING JURISDICTION. NO OBSERVABLE EVIDENCE OF RECENT STREET OR SIDEWALK CONSTRUCTION OR REPAIRS. 10. NOT VALID WITHOUT THE SIGNATURE AND SEAL OF A STATE OF INDIANA REGISTERED LAND SURVEYOR. ADDITIONS TO OR DELETION FROM THIS SURVEY DRAWING IS PROHIBITED WITHOUT THE WRITTEN CONSENT OF THE HEREON SIGNED REGISTERED LAND SURVEYOR. 11. NO ATTEMPT WAS MADE TO DETERMINE WETLANDS OR OTHER ENVIRONMENTAL ISSUES, UNLESS OTHERWISE NOTED.		
REVISION	DATE	COMMENT	REVISION	DATE	COMMENT

ALTA / NSPS Land Title Survey
Property Address:
4209 Plaza Drive, Fort Wayne, IN 46806

Job No.:
9910560(ALTA)(2021)

Drawn by: TMJ

Checked by: TCG

Sheet: 1 of 2

GOULOFF - JORDAN
SURVEYING AND DESIGN, INC.
1133 BROADWAY FORT WAYNE, IN 46802
PH (260) 424-5362 FAX (260) 424-4916

Jun 06, 2022 - 4:57pm
S:\Projects\Projects (5000-5999)\Projects (5550-5999)\Projects (5550-5999)\5570-Village Premier Site Drawings\Plans\5570-Primary Development Plan.dwg

BUILDING INFORMATION		
PROPOSED BUILDING TYPE - 1	23,490 SF	47' HT.
PROPOSED BUILDING TYPE - 2	26,850 SF	47' HT.
PROPOSED BUILDING TYPE - 3	11,000 SF	36' HT.
PROPOSED BUILDING TYPE - 4	15,880 SF	36' HT.
PROPOSED BUILDING TYPE - 5	26,190 SF	47' HT.
PROPOSED CLUBHOUSE	3,600 SF	25' HT.
PROPOSED MAINTENANCE BUILDING	585 SF	25' HT.
FUTURE DAYCARE	12,000 SF	25' HT.
FUTURE PRIMARY CARE	19,000 SF	25' HT.
FUTURE SENIOR LIVING	100,000 SF	75' HT.

LOT INFORMATION	
ZONING	R3
CURRENT USE	VACANT
PROPOSED USE	MULTI-FAMILY RESIDENTIAL

FUTURE LOT INFORMATION	
EXISTING ZONING	R3 & C1
PROPOSED ZONING	C1
CURRENT USE	VACANT
PROPOSED USE	PRIMARY CARE & DAYCARE

FUTURE LOT INFORMATION	
EXISTING ZONING	R3
PROPOSED ZONING	C2
CURRENT USE	VACANT
PROPOSED USE	SENIOR LIVING & MIXED USE

PARKING SUMMARY		
BUILDING / USE	TOTAL PARKING REQUIRED	PROPOSED PARKING COUNT
MULTI-FAMILY 1 SPACE PER 1 & 2 BEDROOM UNITS 2 SPACES PER 3+ BEDROOM UNITS	262 SPACES	ON-STREET - 45 SPACES ONSITE - 259 SPACES
PRIMARY CARE & DAYCARE 1 SPACE PER 400SF	78 SPACES	70 SPACES
SENIOR LIVING & MIXED USE 1 SPACE PER 3 SLEEPING ROOMS	24 SPACES	45 SPACES

FLOOD INSURANCE RATE MAP (FIRM):	
ALLEN COUNTY, INDIANA AND INCORPORATED AREAS	
FIRM MAP NUMBER: 18003C0315G	
PANELS 315 OF 495	
DATED AUGUST 3, 2009	
ZONE: X	

DEVELOPER	
HOUSE INVESTMENTS 11590 N. MERIDIAN ST., SUITE 550 CARMEL, IN 46032 PH: (317) 580-2541 CONTACT: MATTHEW GADUS EMAIL: mgadus@houseinvestments.com	

ARCHITECT	
MKM ARCHITECTURE + DESIGN 119 W. WAYNE ST. FORT WAYNE, IN 46802 PH: (260) 422-0783 CONTACT: ZACH BENEDICT EMAIL: zbenedict@mkmdesign.com	

ENGINEER	
ENGINEERING RESOURCES, INC. 4175 NEW VISION DR. FORT WAYNE, IN 46845 PH: (260) 490-1025 CONTACT: MARK REINHARD EMAIL: mark@eri.consulting	

SURVEYOR	
GOULOFF - JORDAN SURVEYING AND DESIGN, INC. 1133 BROADWAY FORT WAYNE, IN 46802 PH: (260) 424-5362 CONTACT: TODD JORDAN EMAIL: todd@goulloffjordan.com	



PRIMARY DEVELOPMENT PLAN

SCALE: 1" = 80'

