

#REZ-2023-0014

BILL NO. Z-23-04-14

ZONING MAP ORDINANCE NO. Z-_____

**AN ORDINANCE amending the City of Fort Wayne
Zoning Map No. I-02 (Sec. 9 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:

The lands of the World Baseball Academy as described in Document Number
2012066304 within the Office of the Recorder of Allen County, Indiana, being a part
of the Third Commercial Addition as recorded in Plat Book 4B, page 48 within the
Office of the Recorder of Allen County, Indiana, more particularly described as
follows, to-wit:

Commence at the southeast corner of Block E in said Third Commercial Addition;
thence South 88 Degrees 48 minutes 34 seconds west (bearings based upon Indiana
State Plane Coordinate, East Zone, Grid) along the South line of said Block E as
coincident with the north right of way of a public road known as Taylor Street, a
distance of 544.76 feet to the Easterly right of way of a public road known as
Freeman Street; thence North 0 degrees 46 minutes 01 seconds west along the
Easterly right of way of said Freeman Street, a distance of 1194.03 feet to the
Northwestern corner of the lands of The World Baseball Academy (WBA) aforesaid;
thence Northeasterly along a non-tangent circular curve to the right having a radius
of 666.20 feet, an arc distance of 171.75 feet, the chord of which bears North 81
degrees 25 minutes 45 seconds East, 171.27 feet; thence North 88 degrees 43
minutes 23 seconds East along the North line of said WBA, a distance of 369.60 feet
to the West line of vacated Morris street; thence South 01 degree 01 minutes 29
seconds East along the West line of said vacated Morris Street, a distance of 51.96
feet to the Westerly extension of the North line of lot 517 in said Third Commercial
Addition; thence north 88 degrees 41 minutes 39 seconds East along the line
aforesaid, a distance of 50.01 feet to the Northwest corner of said lot 517; thence
north 01 degree 01 minutes 26 seconds West along the Northerly extension of the
west line of said lot 517, a distance of 6.0 feet to the center of a platted alley; thence
North 88 degrees 41 minutes 39 seconds East along said centerline of said alley, a
distance of 219.99 feet to the Northwest corner of the lands of Proper Properties,
LLC,

as described in Document Number 2016069895; thence along the lands of said Proper Properties, LLC on the following four courses: South 01 degree 02 minutes 15 seconds East, a distance of 175.03 feet; thence North 88 degrees 41 minutes 47 seconds East, a distance of 46.43 feet; thence South 0 degrees 58 minutes 58 seconds East, a distance of 15.16 feet; thence North 88 degrees 41 minutes 47 seconds East, a distance of 253.57 feet to the West right of way of a public road known as Catalpa Avenue; thence South 01 degree 02 minutes 14 seconds East along said West right of way, a distance of 639.55 feet to the Southeast corner of lot 425 in said Third Commercial Addition; thence South 0 degrees 59 minutes 26 seconds East, a distance of 50.24 feet to the Northeast corner of lot 400 in said Third Commercial Addition; thence South 89 degrees 08 minutes 57 seconds West along the North line of said lot 400 as coincident with the South right of way of Culbertson Street, a distance of 39.96 feet to the Northwest corner of said lot 400; thence South 01 degree 02 minutes 15 seconds East along the West line of said lot 400, a distance of 140.00 feet to the Southwest corner thereof; thence South 88 degrees 48 minutes 34 seconds West along the South line of lots 401 through 412 inclusive of said Third Commercial Addition as coincident with the North line of a platted alley, a distance of 480.21 feet to the Southwest corner of lot 412 aforesaid as situated on the East right of way of Morris Street; thence South 88 degrees 58 minutes 31 seconds West, a distance of 50.00 feet to the east line of said Block E as coincident with the West right of way of said Morris Street; thence South 01 degree 01 minutes 29 seconds East along said West right of way, a distance of 152.14 feet to the Point of Beginning. Containing 27.014 acres of land, more or less and subject to easements and rights of way of record.

and the symbols of the City of Fort Wayne Zoning Map No. I-02 (Sec. 9 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 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.

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

3 _____
4 Council Member

5 APPROVED AS TO FORM AND LEGALITY:

6 _____
7 Malak Heiny, City Attorney
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City of Fort Wayne Common Council

DIGEST SHEET

Department of Planning Services

Title of Ordinance: Zoning Map Amendment
Case Number: REZ-2023-0014
Bill Number: Z-23-04-14
Council District: 4-Jason Arp

Introduction Date: April 25, 2023

Plan Commission
Public Hearing Date: May 8, 2023 (not heard by Council)

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

Synopsis of Ordinance: To rezone approximately 26.20 acres from C2/Limited Commercial, R3/Multiple Residential and C3/General Commercial to C3/General Commercial (approximately 24 acres is already zoned C3)

Location: 1701 Freeman Street

Reason for Request: To allow for the consolidation of all property owned and used by World Baseball Academy into one zoning designation.

Applicant: World Baseball Academy Inc.

Property Owner: World Baseball Academy Inc.

Related Petitions: Primary Development Plan, World Baseball Academy

Effect of Passage: Property will be rezoned to the C3/General Commercial zoning district, which permits outdoor recreational uses.

Effect of Non-Passage: The property will continue to have split zoning districts, including R3/Multiple Family Residential, and C2/Limited Commercial, which do not support the World Baseball Academy – an existing use. The majority of the property is properly zoned, except for 2 acres.

**Department of Planning Services
Rezoning Petition Application**

Applicant
Applicant World Baseball Academy Inc
Address 1701 Freeman Street
City Fort Wayne State Indiana Zip 46802
Telephone _____ Fax _____ E-mail _____

Property Ownership
Property Owner World Baseball Academy Inc
Address 1701 Freeman Street
City Fort Wayne State Indiana Zip 46802
Telephone _____ Fax _____ E-mail _____

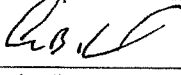
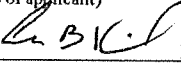
Contact Person
Contact Person Caleb Kimmel
Address 1701 Freeman Street
City Fort Wayne State Indiana Zip 46802
Telephone 260-436-1507 Fax _____ E-mail Caleb@WorldBaseballAcademy.com

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 1701 Freeman Street
Present Zoning C3,C2,R Proposed Zoning C3 Acreage to be rezoned 27.014
Proposed density _____ units per acre
Township name Wayne Township section # 9
Purpose of rezoning (attach additional page if necessary) The purpose of rezoning is to consolidate all property owned and used by World Baseball Academy into one zoning designation to simplify permitting now and in the future as recommended by DPS.
Sewer provider City of Fort Wayne Water provider City of Fort Wayne

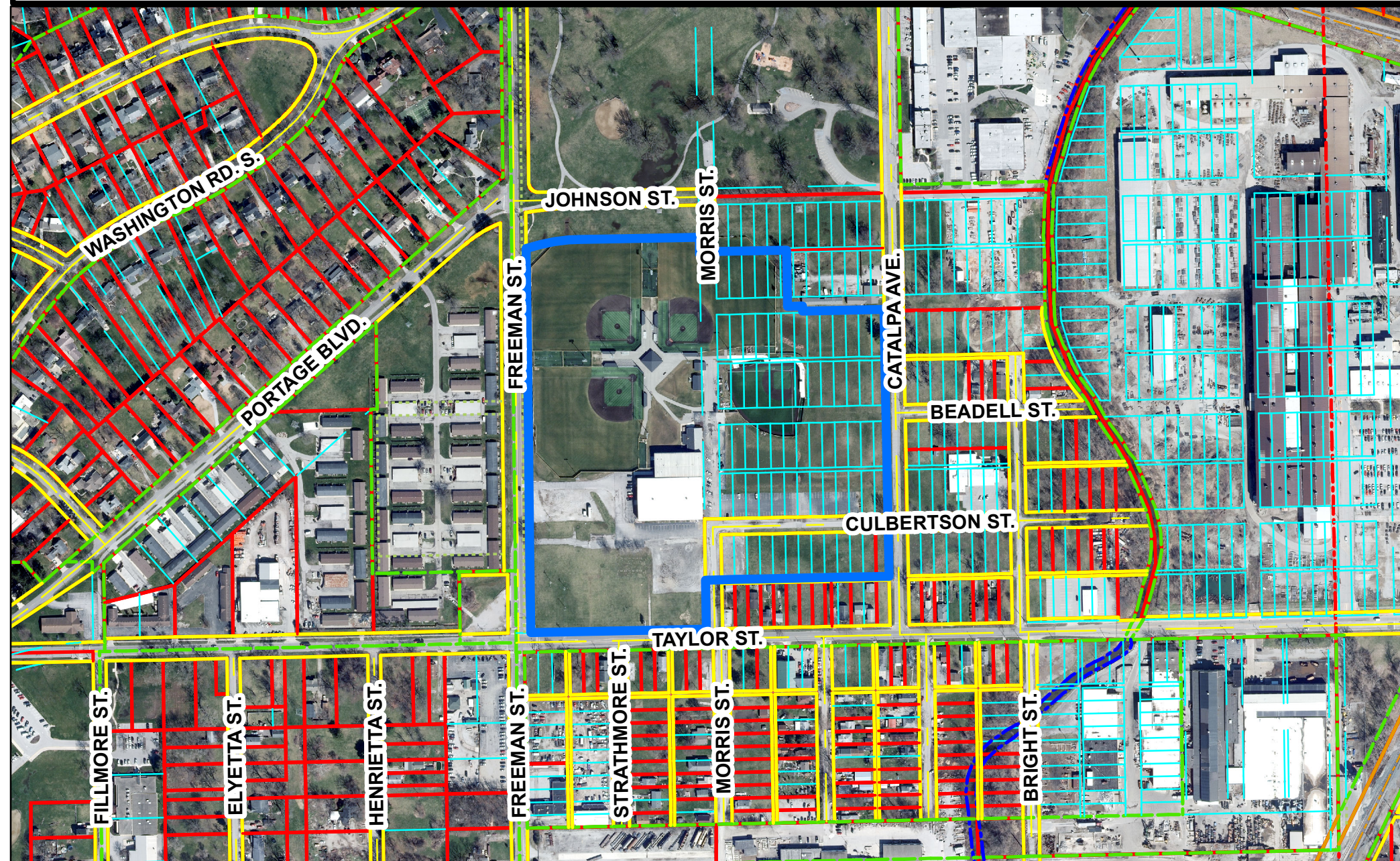
Filing Requirements
Applications will not be accepted unless the following filing requirements are submitted with this application. Please contact staff for applicable filing fees and plan/survey submittal requirements.
☒ Applicable filing fee
☒ Applicable number of surveys showing area to be rezoned (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>CALEB B. KIMMEL</u>		<u>4/3/23</u>
(printed name of applicant)	(signature of applicant)	(date)
<u>WORLD BASEBALL ACADEMY</u>		<u>4/3/23</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 4-4-23	Receipt No.	Hearing Date 5-8-23	Petition No. REZ-
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2023-0014

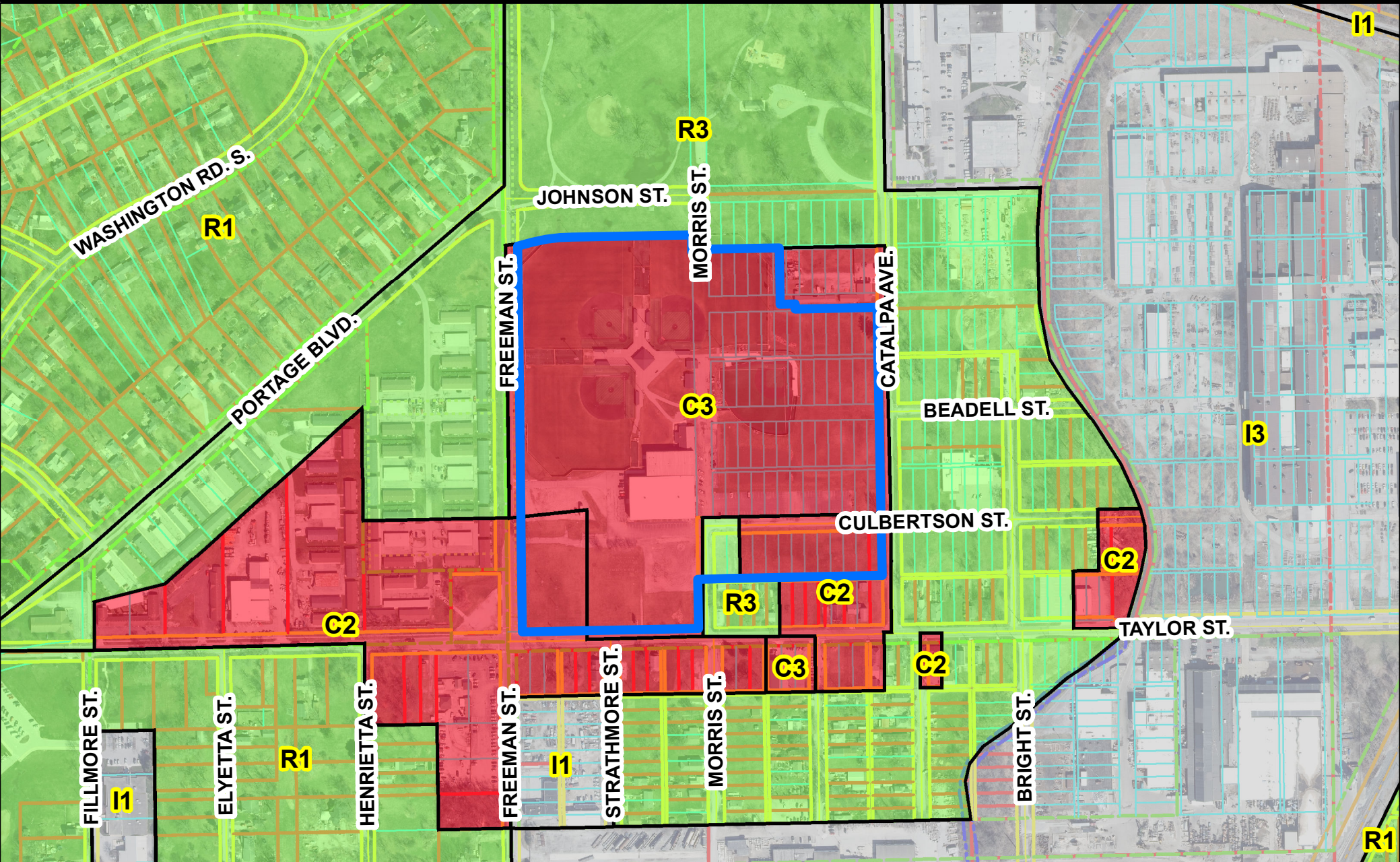


Although strict accuracy standards have been employed in the compilation of this map, Allen County does not warrant or guarantee the accuracy of the information contained herein and disclaims any and all liability resulting from any error or omission in this map.

© 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: 4/12/2023

0 500 1,000 Feet

N
1 inch = 400 feet



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Photos and Contours: Spring 2009
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0 500 1,000 Feet



1 inch = 400 feet

Property Owner/Developer:



World Baseball Academy
Caleb Kimmel
caleb@worldbaseballacademy.com
1701 Freeman Street
Fort Wayne, Indiana 46802

PROJECT CIVIL ENGINEER/LAND SURVEYOR:

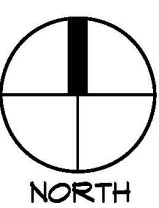
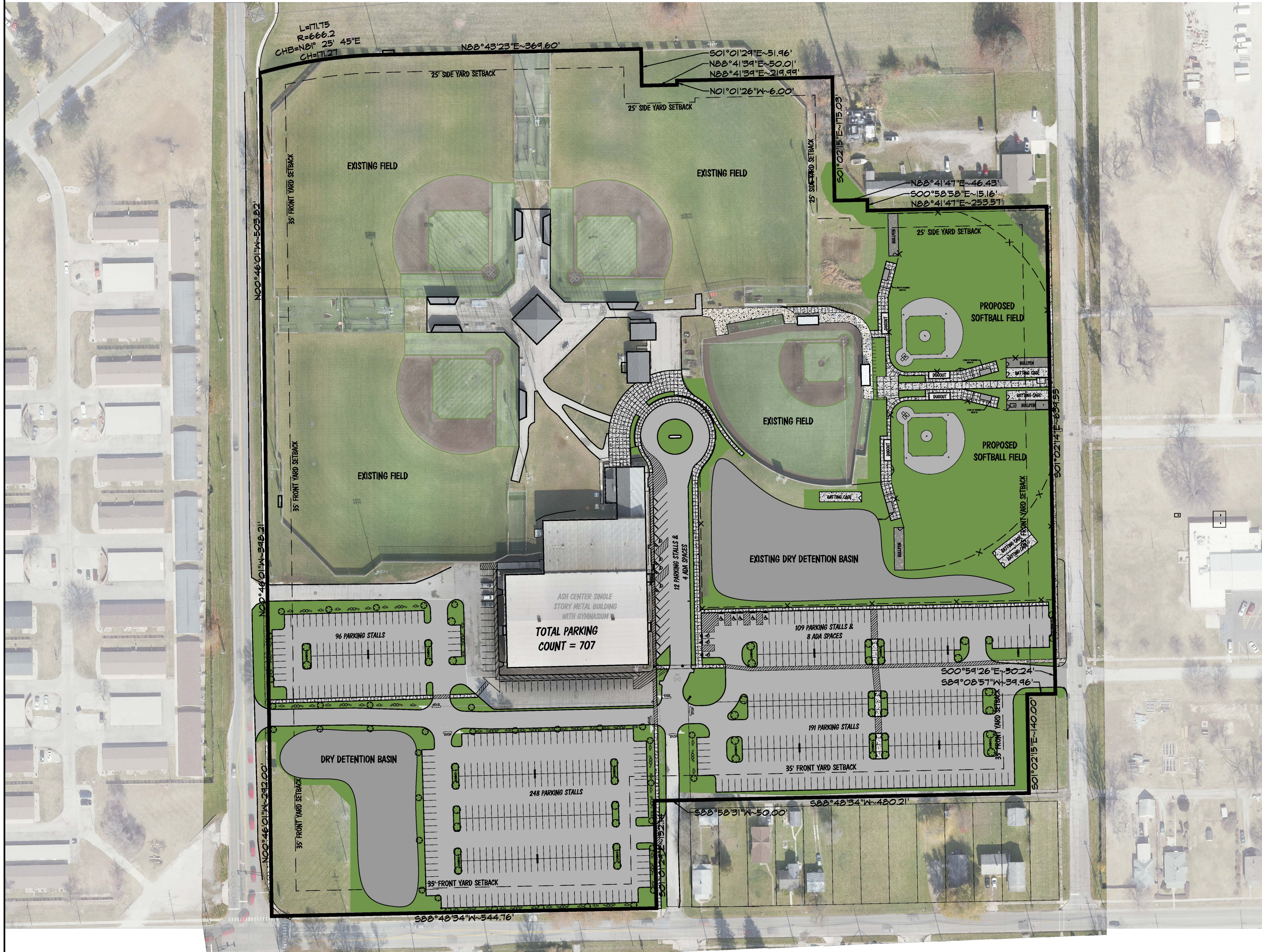


ForeSight Consulting, LLC
1910 Saint Joe Center Rd, Suite 61
Fort Wayne, Indiana 46825
260.484.9900 phone
260.484.9980 fax www.4site.biz
todd@4site.biz

Primary Development Plan For:

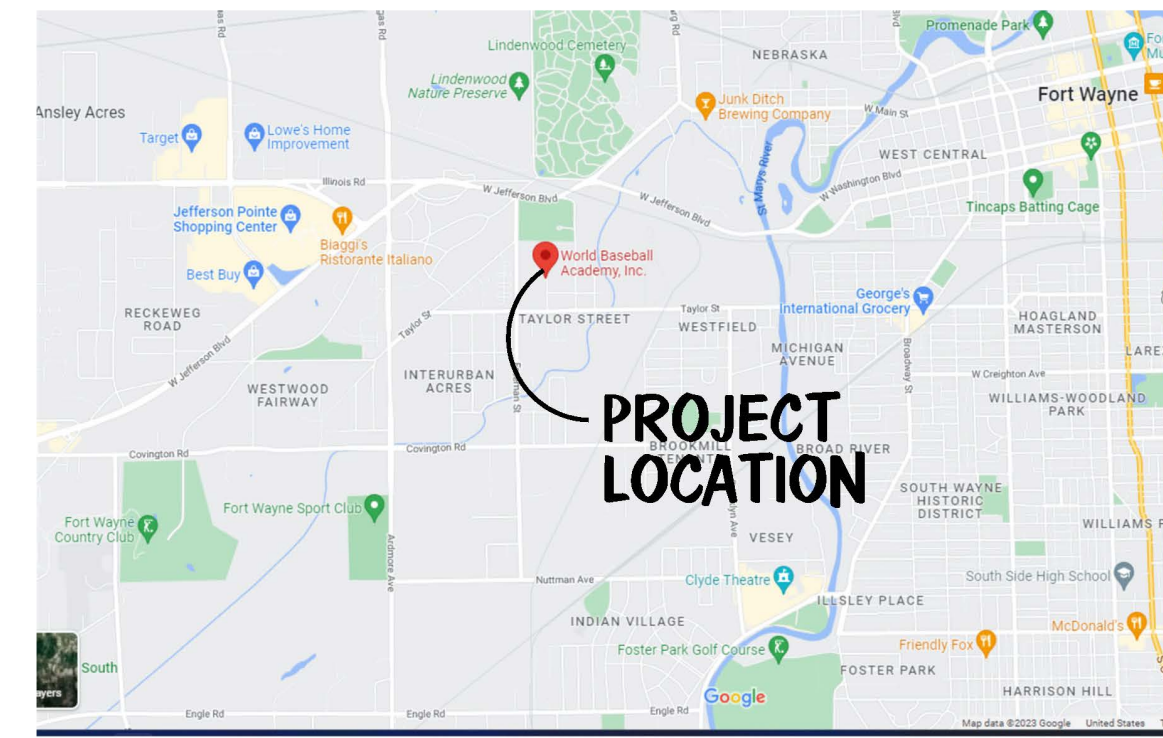
World Baseball Academy

1701 Freeman Street, Fort Wayne, Indiana 46802

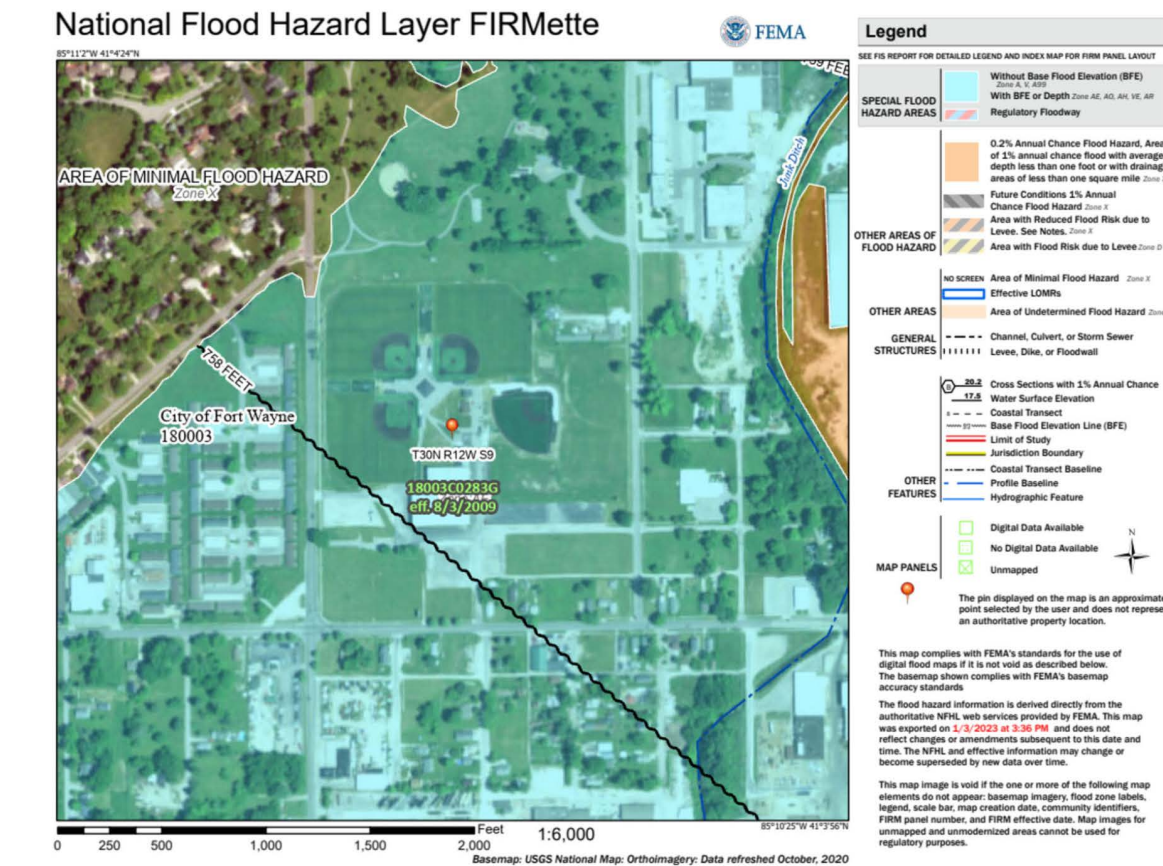


Primary Development Plan

Scale: 1" = 80'



Site Location Map
NOT TO SCALE



Flood Insurance Rate Map
SCALE: N.T.S.

Real Estate Description per Doc. No. 2022056094

THE LANDS OF THE WORLD BASEBALL ACADEMY AS DESCRIBED IN DOCUMENT NUMBER 2012066304 WITHIN THE OFFICE OF THE RECORDER OF ALLEN COUNTY, INDIANA, BEING A PART OF THE THIRD COMMERCIAL ADDITION AS RECORDED IN PLAT BOOK 48, PAGE 48 WITHIN THE OFFICE OF THE RECORDER OF ALLEN COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:

COMMENCE AT THE SOUTHEAST CORNER OF BLOCK E IN SAID THIRD COMMERCIAL ADDITION; THENCE SOUTH 88 DEGREES 48 MINUTES 34 SECONDS WEST (BEARINGS BASED UPON INDIANA STATE PLANE COORDINATE, EAST ZONE, GRID) ALONG THE SOUTH LINE OF SAID BLOCK E AS COINCIDENT WITH THE RIGHT OF WAY OF A PUBLIC ROAD KNOWN AS TAYLOR STREET, A DISTANCE OF 544.76 FEET TO THE EASTERLY RIGHT OF WAY OF A PUBLIC ROAD KNOWN AS FREEMAN STREET; THENCE NORTH 0 DEGREES 46 MINUTES 01 SECONDS WEST ALONG THE EASTERLY RIGHT OF WAY OF SAID FREEMAN STREET, A DISTANCE OF 1194.03 FEET TO THE NORTHWESTERN CORNER OF THE LANDS OF THE WORLD BASEBALL ACADEMY (WBA) AFORESAID; THENCE NORTHEASTERLY ALONG A NON TANGENT CIRCULAR CURVE TO THE RIGHT HAVING A RADIUS OF 666.20 FEET, AN ARC DISTANCE OF 111.73 FEET, THE CHORD OF WHICH BEARS NORTH 81 DEGREES 25 MINUTES 48 SECONDS EAST, 111.21 FEET; THENCE NORTH 88 DEGREES 48 MINUTES 23 SECONDS EAST ALONG THE NORTH LINE OF SAID WBA, A DISTANCE OF 369.60 FEET TO THE WEST LINE OF VACATED MORRIS STREET; THENCE SOUTH 1 DEGREE 01 MINUTES 24 SECONDS EAST ALONG THE WEST LINE OF SAID VACATED MORRIS STREET, A DISTANCE OF 51.46 FEET TO THE WESTERLY EXTENSION OF THE NORTH LINE OF LOT 511 IN SAID THIRD COMMERCIAL ADDITION; THENCE NORTH 88 DEGREES 41 MINUTES 54 SECONDS EAST ALONG THE LINE AFORESAID, A DISTANCE OF 50.01 FEET TO THE NORTHWEST CORNER OF SAID LOT 511; THENCE NORTH 1 DEGREE 01 MINUTES 26 SECONDS WEST ALONG THE NORTHERLY EXTENSION OF THE WEST LINE OF SAID LOT 511, A DISTANCE OF 6.00 FEET TO THE CENTER OF A PLATTED ALLEY; THENCE NORTH 88 DEGREES 41 MINUTES 34 SECONDS EAST ALONG SAID THE CENTERLINE OF SAID ALLEY, A DISTANCE OF 214.44 FEET TO THE NORTHWEST CORNER OF THE LANDS OF PROPER PROPERTIES, LLC AS DESCRIBED IN DOCUMENT NUMBER 2018064845; THENCE ALONG THE LANDS OF SAID PROPER PROPERTIES, LLC ON THE FOLLOWING FOUR COURSES: SOUTH 1 DEGREE 02 MINUTES 15 SECONDS EAST, A DISTANCE OF 175.03 FEET; THENCE NORTH 88 DEGREES 41 MINUTES 41 SECONDS EAST, A DISTANCE OF 46.43 FEET; THENCE SOUTH 0 DEGREES 58 MINUTES 58 SECONDS EAST, A DISTANCE OF 15.16 FEET; THENCE NORTH 88 DEGREES 41 MINUTES 41 SECONDS EAST, A DISTANCE OF 283.51 FEET TO THE WEST RIGHT OF WAY OF A PUBLIC ROAD KNOWN AS CATALPA AVENUE; THENCE SOUTH 1 DEGREE 02 MINUTES 14 SECONDS EAST ALONG SAID WEST RIGHT OF WAY, A DISTANCE OF 634.55 FEET TO THE SOUTHEAST CORNER OF LOT 425 IN SAID THIRD COMMERCIAL ADDITION; THENCE SOUTH 0 DEGREES 54 MINUTES 26 SECONDS EAST, A DISTANCE OF 50.24 FEET TO THE NORTHEAST CORNER OF LOT 400 IN SAID THIRD COMMERCIAL ADDITION; THENCE SOUTH 89 DEGREES 08 MINUTES 57 SECONDS WEST ALONG THE NORTH LINE OF SAID LOT 400 AS COINCIDENT WITH THE SOUTH RIGHT OF WAY OF CULBERTSON STREET, A DISTANCE OF 34.46 FEET TO THE NORTHWEST CORNER OF SAID LOT 400; THENCE SOUTH 1 DEGREE 02 MINUTES 15 SECONDS EAST ALONG THE WEST LINE OF SAID LOT 400, A DISTANCE OF 140.00 FEET TO THE SOUTHWEST CORNER THEREOF; THENCE SOUTH 88 DEGREES 48 MINUTES 34 SECONDS WEST ALONG THE SOUTH LINE OF LOTS 401 THROUGH 412 INCLUSIVE OF SAID THIRD COMMERCIAL ADDITION AS COINCIDENT WITH THE NORTH LINE OF A PLATTED ALLEY, A DISTANCE OF 480.21 FEET TO THE SOUTHWEST CORNER OF LOT 412 AFORESAID AS SITUATED ON THE EAST RIGHT OF WAY OF MORRIS STREET; THENCE SOUTH 88 DEGREES 58 MINUTES 31 SECONDS WEST, A DISTANCE OF 50.00 FEET TO THE EAST LINE OF SAID BLOCK E AS COINCIDENT WITH THE WEST RIGHT OF WAY OF SAID MORRIS STREET; THENCE SOUTH 1 DEGREE 01 MINUTES 24 SECONDS EAST ALONG SAID WEST RIGHT OF WAY, A DISTANCE OF 152.14 FEET TO THE POINT OF BEGINNING.

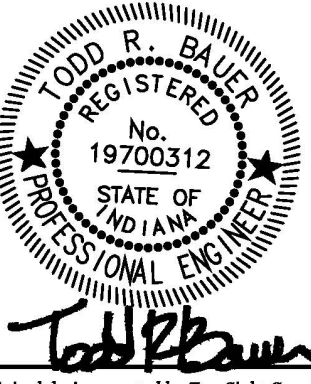
CONTAINING 27.014 ACRES OF LAND, MORE OR LESS AN SUBJECT TO EASEMENTS AND RIGHTS OF WAY OF RECORD.

ForeSight Consulting, LLC

Professional Engineers & Surveyors
1910 St. Joe Center Road, Suite #61
Fort Wayne, Indiana 46825
260.484.9900 phone
260.484.9980 fax
www.4site.biz



Certification:



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Performed for:

Primary Development Plan For:

WBA Parking Improvements

1701 Freeman Street, Fort Wayne, Indiana 46802

Drawing Revisions

Commission Number
223386

Date
April 4th, 2023

Title
Primary
Development Plan
Sheet Number

PD1



Know what's below.
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