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1 ACCESS EASEMENT ESTABLISHED UNDER DOCUMENT NUMBER 93-45088; THENCE
2 SOUTH 04 DEGREES 58 MINUTES 37 SECONDS EAST, ON AND ALONG SAID WEST LINE,
3 A DISTANCE OF 122.29 FEET TO THE POINT OF CURVATURE OF A REGULAR CURVE TO
4 THE LEFT HAVING A RADIUS OF 789.58 FEET; THENCE SOUTHERLY, CONTINUING
5 ALONG SAID WEST LINE, AS DEFINED BY THE ARC OF SAID CURVE, AN ARC
6 DISTANCE OF 206.71 FEET, BEING SUBTENDED BY A LONG CHORD HAVING A LENGTH
7 OF 206.12 FEET AND A BEARING OF SOUTH 12 DEGREES 28 MINUTES 37 SECONDS EAST
8 TO THE POINT OF TANGENCY; THENCE SOUTH 19 DEGREES 58 MINUTES 37 SECONDS
9 EAST, CONTINUING ALONG SAID WEST LINE AND TANGENT TO SAID CURVE, A
10 DISTANCE OF 70.00 FEET TO THE POINT OF CURVATURE OF A REGULAR CURVE TO
11 THE RIGHT HAVING A RADIUS OF 313.43 FEET; THENCE SOUTHERLY, CONTINUING
12 ALONG SAID WEST LINE, AS DEFINED BY THE ARC OF SAID CURVE, AN ARC
13 DISTANCE OF 204.54 FEET, BEING SUBTENDED BY A LONG CHORD HAVING A LENGTH
14 OF 200.93 FEET AND A BEARING OF SOUTH 01 DEGREES 16 MINUTES 55 SECONDS EAST
15 TO THE TRUE POINT OF BEGINNING; THENCE SOUTHERLY, CONTINUING ALONG THE
16 WESTERLY LINE OF SAID 60 FOOT WIDE ACCESS EASEMENT, AS DEFINED BY
17 THE ARC OF THE AFORESAID CURVE, AN ARC DISTANCE OF 14.28 FEET, BEING
18 SUBTENDED BY A LONG CHORD HAVING A LENGTH OF 14.28 FEET AND A BEARING OF
19 SOUTH 18 DEGREES 43 MINUTES 09 SECONDS WEST TO THE POINT OF TANGENCY;
20 THENCE SOUTH 20 DEGREES 01 MINUTES 23 SECONDS WEST, CONTINUING ALONG
21 SAID WESTERLY LINE AND TANGENT TO SAID CURVE, A DISTANCE OF 46.19 FEET TO
22 THE POINT OF CURVATURE OF A REGULAR CURVE TO THE RIGHT HAVING A RADIUS
23 OF 329.43 FEET; THENCE SOUTHWESTERLY, CONTINUING ALONG THE
24 NORTHWESTERLY LINE OF SAID 60 FOOT WIDE ACCESS EASEMENT, AN ARC
25 DISTANCE OF 400.41 FEET, BEING SUBTENDED BY A LONG CHORD HAVING A LENGTH
26 OF 376.21 FEET AND A BEARING OF SOUTH 54 DEGREES 50 MINUTES 37 SECONDS
27 WEST TO THE POINT OF TANGENCY; THENCE SOUTH 89 DEGREES 39 MINUTES 50
28 SECONDS WEST, CONTINUING ALONG THE NORTHERLY LINE OF SAID 60 FOOT WIDE
29 ACCESS EASEMENT, A DISTANCE OF 448.43 FEET; THENCE NORTH 45 DEGREES
30 37 MINUTES 28 SECONDS WEST, CONTINUING ALONG SAID NORTHERLY LINE, A
DISTANCE OF 28.43 FEET TO THE POINT OF INTERSECTION OF SAID NORTHERLY LINE
WITH THE EASTERLY RIGHT-OF-WAY LINE OF CROSS CREEK BOULEVARD; THENCE
NORTHERLY, ON AND ALONG SAID EASTERLY RIGHT-OF-WAY LINE AS DEFINED BY
THE ARC OF A REGULAR CURVE TO THE LEFT, NOT TANGENT TO THE LAST COURSE,
HAVING A RADIUS OF 561.20 FEET, AN ARC DISTANCE OF 240.26 FEET, BEING
SUBTENDED BY A LONG CHORD HAVING A LENGTH OF 238.43 FEET AND A BEARING
OF NORTH 14 DEGREES 07 MINUTES 57 SECONDS WEST; THENCE NORTH 89 DEGREES
46 MINUTES 36 SECONDS EAST, A DISTANCE OF 143.72 FEET; THENCE NORTH 00
DEGREES 13 MINUTES 24 SECONDS WEST, A DISTANCE OF 66.75 FEET; THENCE NORTH
89 DEGREES 46 MINUTES 36 SECONDS EAST, A DISTANCE OF 291.00 FEET; THENCE
SOUTH 00 DEGREES 13 MINUTES 24 SECONDS EAST, A DISTANCE OF 45.00 FEET;
THENCE NORTH 89 DEGREES 46 MINUTES 36 SECONDS EAST, A DISTANCE OF 420.31
FEET TO THE TRUE POINT OF BEGINNING, CONTAINING 4.818 ACRES OF LAND.

PARCEL 2 (EASEMENT): A NON-EXCLUSIVE EASEMENT FOR INGRESS AND EGRESS
OVER THE INTERIOR ROADWAYS ESTABLISHED AND SET OUT IN THE RECIPROCAL
EASEMENT AND OPERATING AGREEMENT RECORDED FEBRUARY 6, 1991 AS
DOCUMENT NUMBER 91-004687, AS MODIFIED BY FIRST AMENDMENT TO
RECIPROCAL EASEMENT AND OPERATING AGREEMENT RECORDED AUGUST 6, 1993
AS DOCUMENT NUMBER 93-045088 AND AS MODIFIED BY SECOND AMENDMENT TO
RECIPROCAL EASEMENT AND OPERATING AGREEMENT RECORDED DECEMBER 28,
1993 AS DOCUMENT NUMBER 93-078347 AND ALSO ESTABLISHED AND SET OUT IN
THE CROSS CREEK RECIPROCAL EASEMENTS, PROTECTIVE COVENANTS,
RESTRICTIONS AND LIMITATIONS RECORDED NOVEMBER 24, 1993 AN DOCUMENT
NUMBER 93-070778.

1 and the symbols of the City of Fort Wayne Zoning Map No. J-38 (Sec. 15 of Washington
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

16 APPROVED AS TO FORM AND LEGALITY:
17

18 _____
19 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-2023-0031
Bill Number: Z-23-06-33
Council District: 3-Tom Didier

Introduction Date: June 27, 2023

Plan Commission
Public Hearing Date: July 10, 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 4.8 acres from SC/Shopping Center to C3/General Commercial

Location: 6043 Lima Road

Reason for Request: To allow for electric car sales, service and delivery.

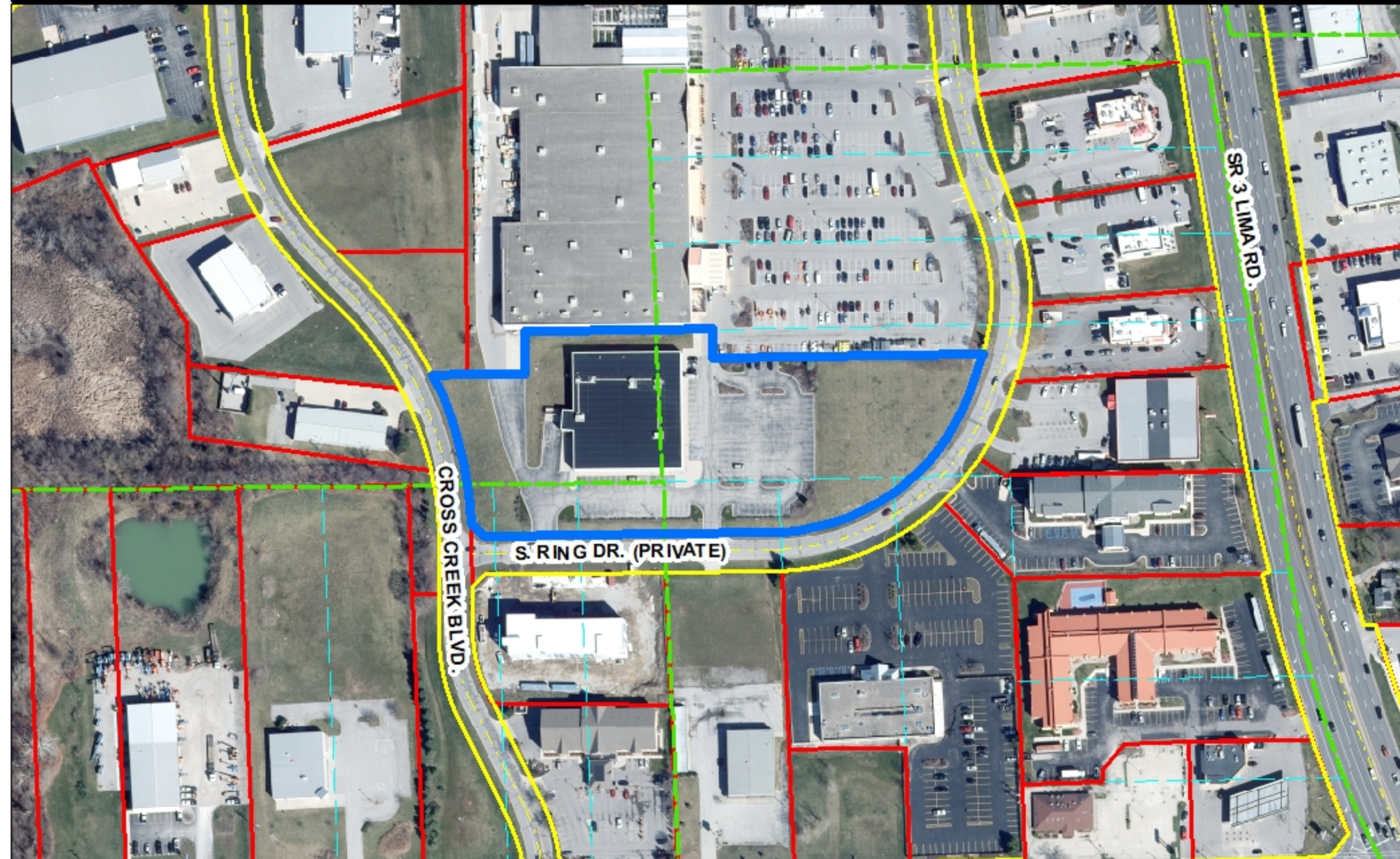
Applicant: KDP Fort Wayne IN, LLC

Property Owner: Southern Business Park, LLC/SDKC Properties, LLC

Related Petitions: none

Effect of Passage: Property will be rezoned to the C3/General Commercial zoning district, which permits automobile sales and service.

Effect of Non-Passage: The property will remain zoned SC/Shopping Center and may continue as a general retailer.



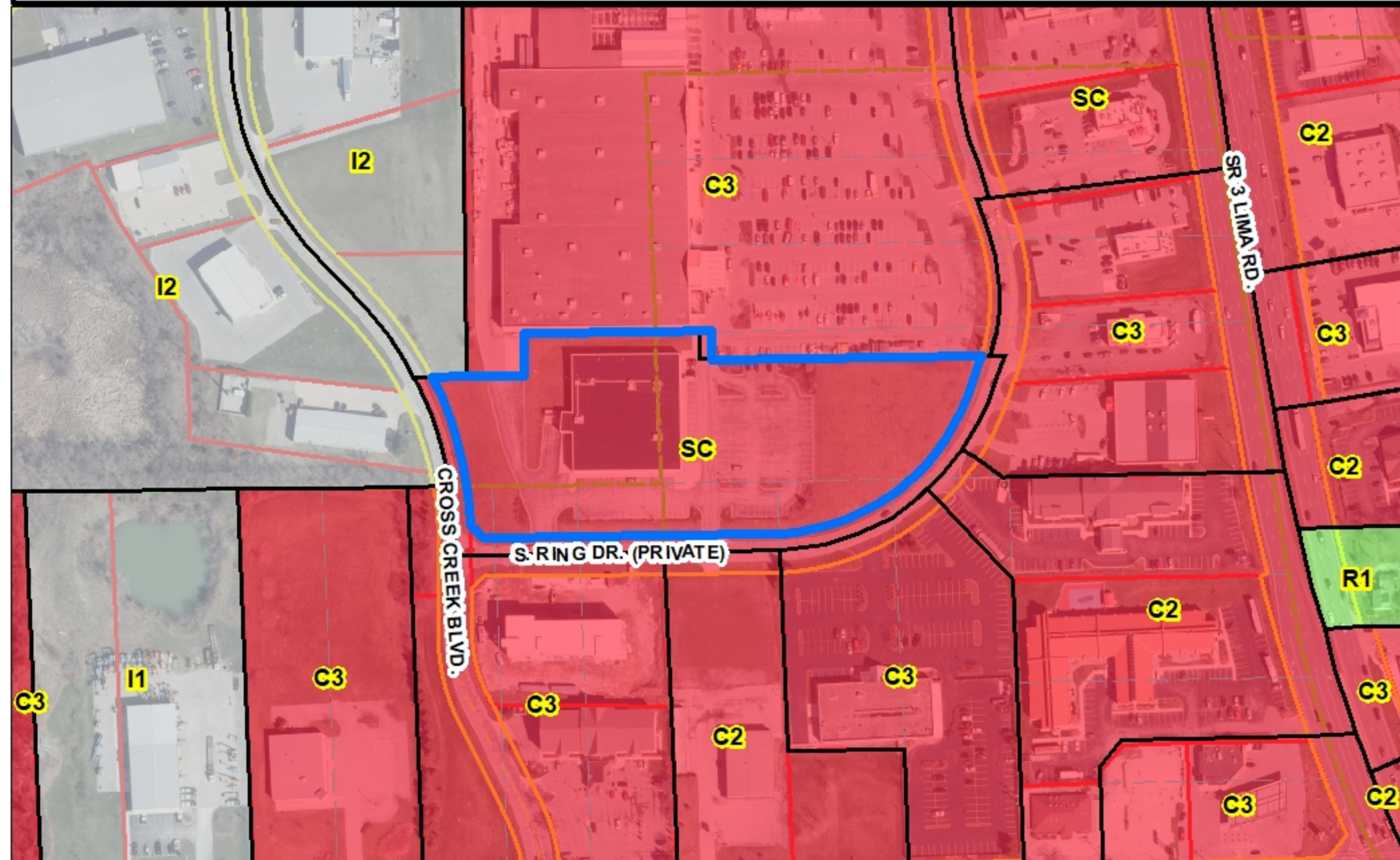
Although strict accuracy standards have been employed in the compilation of this map, Allen County does not warrant or guarantee the accuracy of the information contained herein and disclaims any and all liability resulting from any error or omission in this map.

© 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: 6/22/2023

0 50 100 Feet



1 inch = 200 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: 6/22/2023

0 50 100 Feet



1 inch = 200 feet

Department of Planning Services Rezoning Petition Application

Applicant

Applicant KDP Fort Wayne IN LLC
 Address 449 N. Clark St., Suite 400
 City Chicago State IL Zip 60654
 Telephone 312-379-5109 E-mail csotos@kdp-llc.com

Property Ownership

Property Owner Southern Business Park, LLC / SDKC Properties, LLC
 Address 430 Jake Alexander Blvd West / 5240 North Bay Road
 City Salisbury / Miami Beach State NC / FL Zip 28144 / 33140
 Telephone _____ E-mail _____

Contact Person

Contact Person Joseph Jacobs, PE
 Address 3333 Warrentown Road, Suite 200
 City Lisle State IL Zip 60532
 Telephone 585-424-0425 E-mail joe.jacobs@woolpert.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 6043 Lima Road, Fort Wayne, IN Township and Section Fort Wayne
 Present Zoning SC Proposed Zoning C-3 Acreage to be rezoned 4.818
 Purpose of rezoning (attach additional page if necessary) allow for electronic car sales service and delivery

 Sewer provider Fort Wayne Water provider Fort Wayne

Filing Checklist

Applications will not be accepted unless the following filing requirements are submitted with this application.
☒ Filing fee \$1000.00
☒ Surveys showing area to be rezoned
☒ Legal Description of parcel to be rezoned
☒ Rezoning Criteria (see attached checklist)

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 Fort Wayne and Allen County Plan Commissions 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

Chris G. Sotos _____ May 31, 2023
 (printed name of applicant) (signature of applicant) (date)
 Shauna Rockson _____ June 5, 2023
 (printed name of property owner) (signature of property owner) (date)

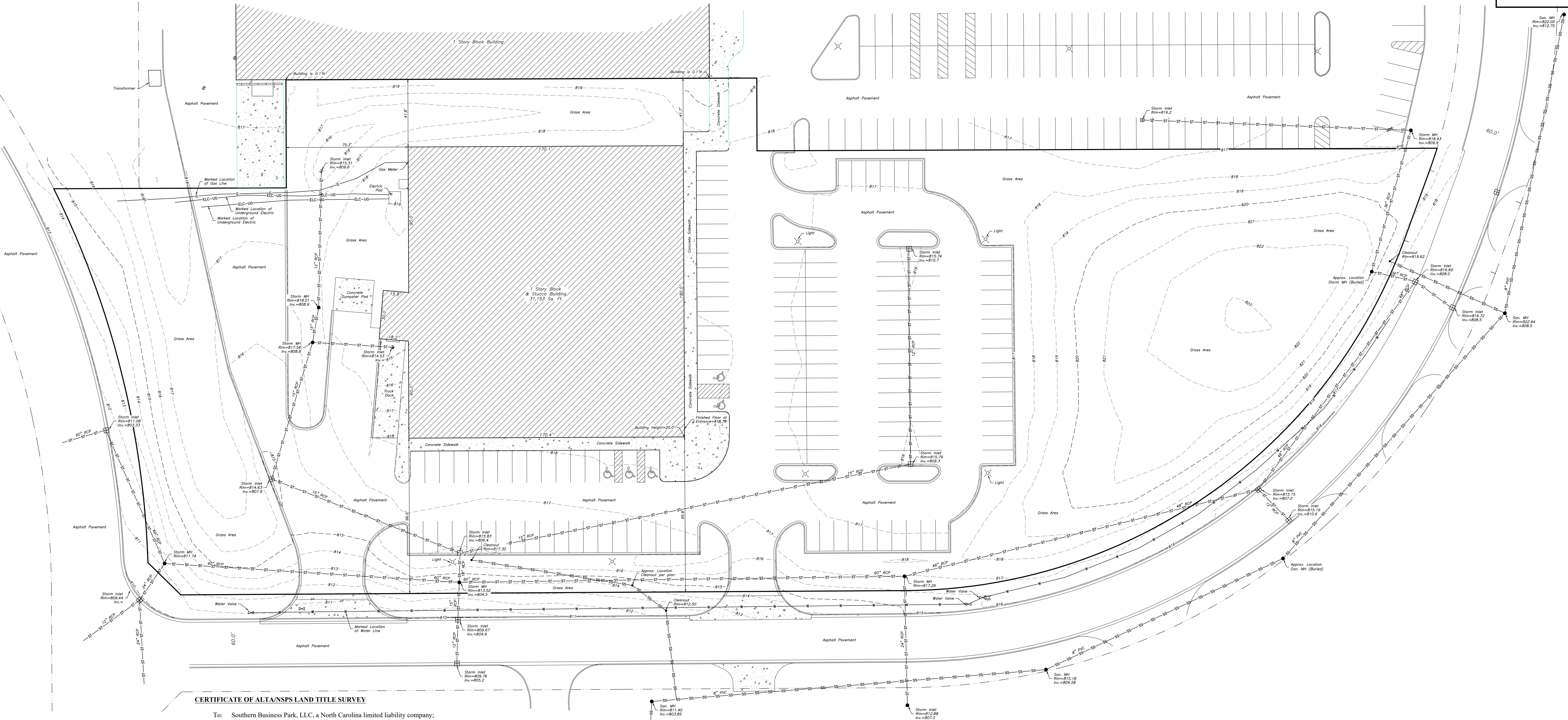


Received	Receipt No.	Hearing Date	Petition No.
5/6/23	143389	7/13/23	RE2-2023-0031

Department of Planning Services • 200 East Berry Suite 150 • Fort Wayne, Indiana • 46802
 Phone (260) 449-7607 • Fax (260) 449-7682 • www.allencounty.us • www.cityoffortwayne.org



DETAIL OF ALTA/NSPS LAND TITLE SURVEY



CERTIFICATE OF ALTA/NSPS LAND TITLE SURVEY

To: Southern Business Park, LLC, a North Carolina limited liability company;
SDKC Properties LLC, a Florida limited liability company;
KDP Acquisitions LLC; and
Fidelity National Title Insurance Company, LLC

ALTA/NSPS STANDARD CERTIFICATE

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 in 2021, and includes Items 1, 2, 3, 4, 5, 6(a), 7(a), 7(b)(1), 7(c), 8, and 11 of Table A thereof. The fieldwork was completed on April 20, 2023. Pursuant to the Accuracy Standards as adopted by ALTA and NSPS and in effect on the date of this certification, undersigned further certifies that in my professional opinion, as a land surveyor registered in the State of Indiana, the Relative Positional Accuracy of this survey does not exceed that which is specified therein.

Note to the client, insurer, and lender - With regard to Table A, item 11, source information from plans and markings have been combined with observed evidence of utilities pursuant to Section 5.E.iv. to develop a view of the underground utilities. However, lacking excavation, the exact location of underground features cannot be accurately, completely, and reliably depicted. In addition, in some jurisdictions, §11 or other similar utility locate requests from surveyors may be ignored or result in an incomplete response, in which case the surveyor shall note on the plat or map how this affected the surveyor's assessment of the location of the utilities. Where additional or more detailed information is required, the client is advised that excavation and/or a private utility locate request may be necessary.

INDIANA TITLE IAC 865, ARTICLE 1, RULE 12 CERTIFICATE

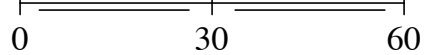
This document is a record retracement survey of real estate prepared under IAC Title 865, Article 1, Rule 12 and in conformity with established practices of surveying and made in accordance with the records on file in the Office of the Recorder of Allen County, Indiana. The land described exists in full dimensions as shown hereon in feet. It is free from encroachments either way across boundary lines unless specifically stated hereon. Corners were perpetuated as indicated.

I, Joseph R. Herendeen, certify the above statements to be correct to the best of my information, knowledge, and belief. 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.

Joseph R. Herendeen
Indiana Land Surveyor, Reg. No. 20900190
Date: 05/11/2023

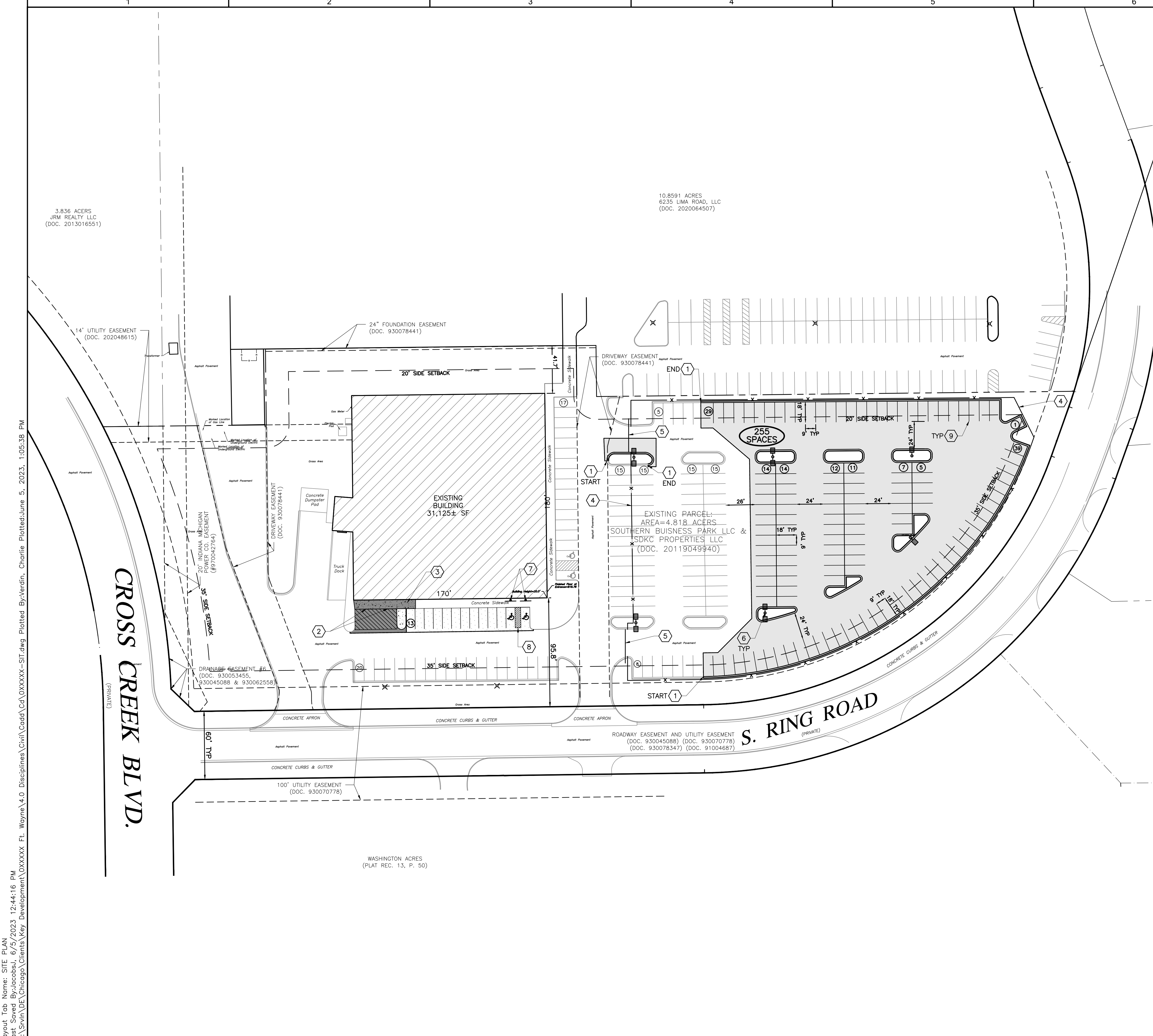


SCALE IN FEET:



ALTA/NSPS Land Title Survey
of
Part of Lots 1, 2, & 3 in Washington Acres, together with part of
Lots 1, 2, 3, & 8 in Kahn's Suburban Addition; also together with
part of the Southwest and Southeast Quarters of Section 15,
Township 31 North, Range 12 East, Allen County, Indiana.

Revisions:	For: Southern Business Park, LLC & SDKC Properties LLC / KDP Acquisitions LLC	Sheet No. 2 of 2
By: Sauer Land Surveying, Inc.	14033 ILLINOIS ROAD, SUITE C FORT WAYNE, IN 46814 TEL: 260/469-3300 / FAX: 260/469-3301	Drawn By: TAN Checked By: JRH
Date: May 11, 2023		Scale: 1" = 30' Survey No. 145-127



LEGEND

- SIGN
- PARKING SPACE COUNT
- CONCRETE SIDEWALK
- HEAVY DUTY CONCRETE
- STANDARD DUTY ASPHALT
- HEAVY DUTY ASPHALT
- MILL & PAVE
- PROPOSED SITE LIGHTING

SITE DATA

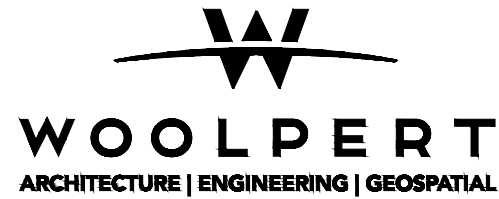
EXISTING ZONE	SC (SHOPPING CENTER)
PROPOSED ZONE	C3 (GENERAL COMMERCIAL)
TOTAL SITE AREA	2.55 ACRES
PROPOSED USE	ELECTRIC CAR SALES
PARKING SPACE SIZE REQUIRED	9' X 18'
PARKING SPACE SIZE PROVIDED	9' X 18' (MIN.)
TYPICAL PARKING AISLE (TWO WAY)	24' WIDE (F/F)
TYPICAL ACCESS AISLE (TWO WAY)	24' WIDE (F/F)
PARKING SPACES REQUIRED	1 SPACE PER 400 SQ. FT.
	31,125 SQ. FT. / 400 SQ. FT. = 78 SPACES
TOTAL SPACES REQUIRED	= 78 SPACES
PARKING SPACES PROVIDED	255 SPACES
OUTSIDE OF FENCED AREA	= 65 SPACES
INSIDE OF FENCED AREA	= 190 SPACES
(INSIDE OF FENCED AREA FOR EMPLOYEES AND VEHICLE STORAGE)	
ADA SPACES PROVIDED	
STANDARD ADA SPACES	2 SPACES
VAN ADA SPACES	2 SPACE
(ADA SPACES CALCULATED ON PARKING PROVIDED OUTSIDE OF FENCED AREA)	

NOTES

- EXISTING SITE INFORMATION/TOPOGRAPHIC SURVEY WAS PREPARED BY SAUER LAND SURVEYING, INC., DATED MAY 11, 2023.
- CONTRACTOR SHALL REFER TO OTHER PLANS WITHIN THIS CONSTRUCTION SET FOR OTHER PERTINENT INFORMATION. IT IS NOT THE ENGINEER'S INTENT THAT ANY SINGLE PLAN SHEET WITHIN THIS SET OF DOCUMENTS FULLY DEPICT ALL WORK ASSOCIATED WITH THE PROJECT.
- TRANSITION PROPOSED BARRIER CURB OR CONCRETE CURB AND GUTTER TO EXISTING CURB AND GUTTER IN 2'.

KEYNOTES

- 18" WIDE CONCRETE CURB & GUTTER
- FLUSH CURB
- INTERNAL CURB AND CONCRETE WALK
- 6' HIGH DECORATIVE SECURITY FENCE, TYPICAL
- 6' HIGH DECORATIVE SECURITY SLIDING GATE
- SITE LIGHTING
- ACCESSIBLE SIGNAGE, MOUNTED TO BUILDING
- ADA MAKINGS, LIGHT BLUE AND THERMOPLASTIC ROAD MARKING PAINT
- 4" WHITE STRIPING, TYPICAL



3333 Warrenville Road, Suite 200
Lisle, Illinois 60532
800.414.1045



ISSUANCE SCHEDULE

NUMBER DATE DESCRIPTION

KDP FORT WAYNE IN LLC
ELECTRIC CAR SALES, SERVICE & DELIVERY
PRIMARY DEVELOPMENT PLAN

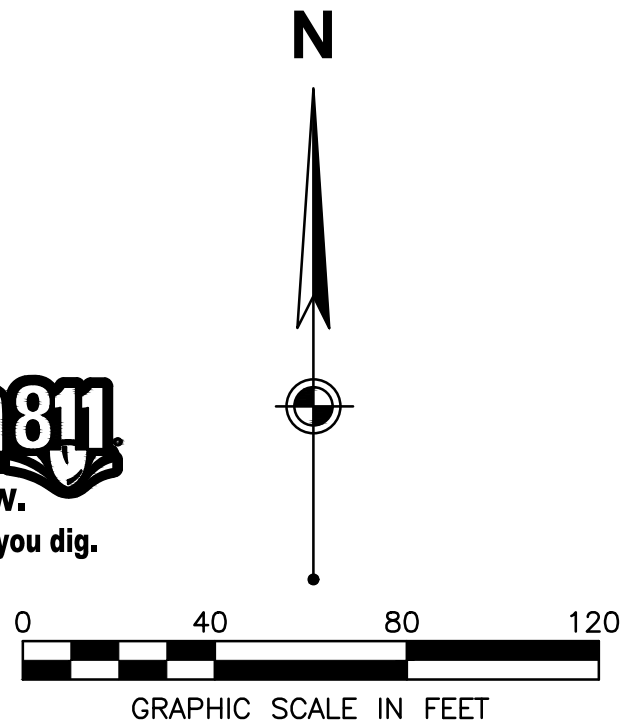
6043 LIMA ROAD
FORT WAYNE, IN 46818

PROJECT NO: 10017742.00
DATE ISSUED: 06/06/2023
DESIGNED BY: BAC
DRAWN BY: CKV
CHECKED BY: JJJ

SHEET NAME:
SITE PLAN

SHEET NO:

C-200



Department of Planning Services

Application for Waiver of Required Design Standards

Project Name _____

Project Address _____

Applicant _____

Address _____

City _____ State _____ Zip _____

Telephone _____ Fax _____ E-mail _____

☐ Allen County Planning Jurisdiction ☐ City of Fort Wayne Planning Jurisdiction

Description of Requested Waiver(s) _____

How will granting the waiver request(s) be in conformance with the purposes and intent of the ordinance and with the objectives and policies of the comprehensive plan? _____

Will granting the waiver request(s) result in a significant impact on contiguous residential properties? _____

How will failure to grant the waiver request(s) result in practical difficulties in the use of the property for the proposed development? _____



Signature of Applicant

Printed Name

Date

Department of Planning Services

Application for Waiver of Required Design Standards

Project Name _____

Project Address _____

Applicant _____

Address _____

City _____ State _____ Zip _____

Telephone _____ Fax _____ E-mail _____

☐ Allen County Planning Jurisdiction ☐ City of Fort Wayne Planning Jurisdiction

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Signature of Applicant

Printed Name

Date