

#REZ-2023-0034

BILL NO. Z-23-06-36

ZONING MAP ORDINANCE NO. Z-_____

**AN ORDINANCE amending the City of Fort Wayne
Zoning Map No. F-03 (Sec. 08 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:

PARCEL I:

3.22 acres of land in the Southwest Quarter of Section 8, in Township 30 North of
Range 12 East, being particularly described as follows, to-wit: Beginning at a point
in said Southwest Quarter of Section 8, located 375 feet North 89 degrees, 53
minutes East from the Southwest corner of said Quarter Section and 428.6 feet North
of the South line of said Quarter Section; thence North 79 degrees, 45 minutes East a
distance of 318 feet; thence North zero degrees, 52 minutes West a distance of
323.57 feet; thence North 42 degrees, 37 minutes West a distance of 218 feet to the
South line of U.S. Highway # 24; thence following said South line of U.S. Highway
24, a distance of 174 feet; thence South a distance of 457.3 feet to the place of
beginning.

PARCEL II:

Part of the Southwest Quarter of Section 8, Township 30 North, Range 12 East in
Allen County, Indiana, described as follows, to wit: From the Southwest corner of
the Southwest Quarter of Section 8, Township 30 North, Range 12 East in Allen
County, Indiana, North 89 degrees 53 minutes East 75.0 feet; thence North and
parallel to the West line of said Quarter Section, 380.0 feet; thence North 79 degrees
45 minutes East, 115.1 feet for a place of beginning; thence North and parallel to the
aforementioned West line of the said Quarter Section, a distance of 404.6 feet to the
Southerly line of United States Highway Number 24; thence Northeasterly along the
Southerly line of United States Highway Number 24, a distance of 210.4 feet; thence
South 457.3 feet to a point situated 189.4 feet, North 79 degrees 45 minutes East of
the place of beginning; thence from last described point to the place of beginning,
said in previous deed to contain 1.85 acres of land, more or less.

1 PARCEL III: Part of the Southwest Quarter of Section 8, Township 30 North, Range
2 12 East, in Allen County, Indiana, described as follows, to-wit: Beginning at a point
3 in the Southwest Quarter of Section 8, Township 30 North, Range 12 East, in Allen
4 County, Indiana, said point being situated 75.0 feet North 89 degrees 53 minutes
5 East from the Southwest corner of the said Quarter Section and 380.0 feet North of
6 the South line of said Quarter Section; thence North and parallel to the West line of
7 said Quarter Section, a distance of 373.0 feet to the Southerly line of United States
8 Highway 24; thence Northeasterly along said Southerly right-of-way line of U.S.
9 Highway 24, a distance of 122.0 feet; thence South and parallel to the aforesaid West
10 line of said Quarter Section, a distance of 404.6 feet; thence South 79 degrees 45
11 minutes West 115.1 feet to the place of beginning, said in previous deed to contain
12 1.00 acre of land, more or less.

13
14 and the symbols of the City of Fort Wayne Zoning Map No. F-03 (Sec. 08 of Wayne
15 Township), as established by Section 157.082 of Title XV of the Code of the City of Fort
16 Wayne, Indiana is hereby changed accordingly.

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

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

23 _____
24 Council Member

25 APPROVED AS TO FORM AND LEGALITY:

26 _____
27 Malak Heiny, City Attorney
28
29
30

City of Fort Wayne Common Council

DIGEST SHEET

Department of Planning Services

Title of Ordinance: Zoning Map Amendment
Case Number: REZ-2023-0034
Bill Number: Z-23-06-36
Council District: 4-Jason Arp

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 6.0 acres from RP/Planned Residential to C3/General Commercial

Location: 5112, 5201, and 5219 West Jefferson Boulevard

Reason for Request: To allow for a new Mercedes Benz dealership.

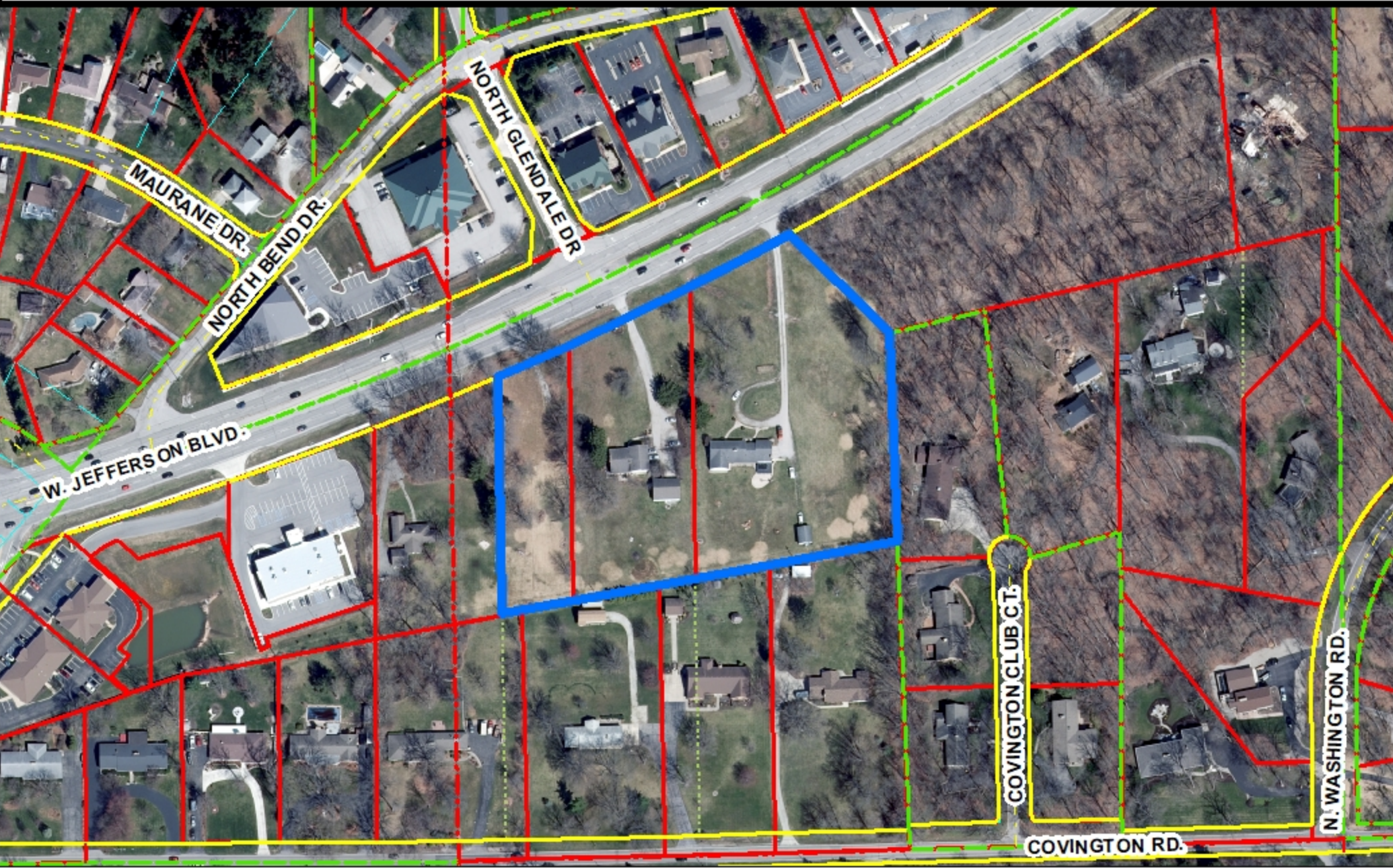
Applicant: D &T Land LLC

Property Owner: D &T Land LLC

Related Petitions: Primary Development Plan, Mercedes Benz

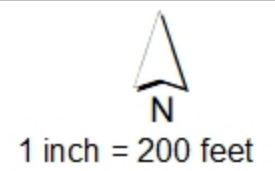
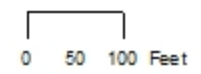
Effect of Passage: Property will be rezoned to the C3/General Commercial zoning district, which permits automobile sales and service.

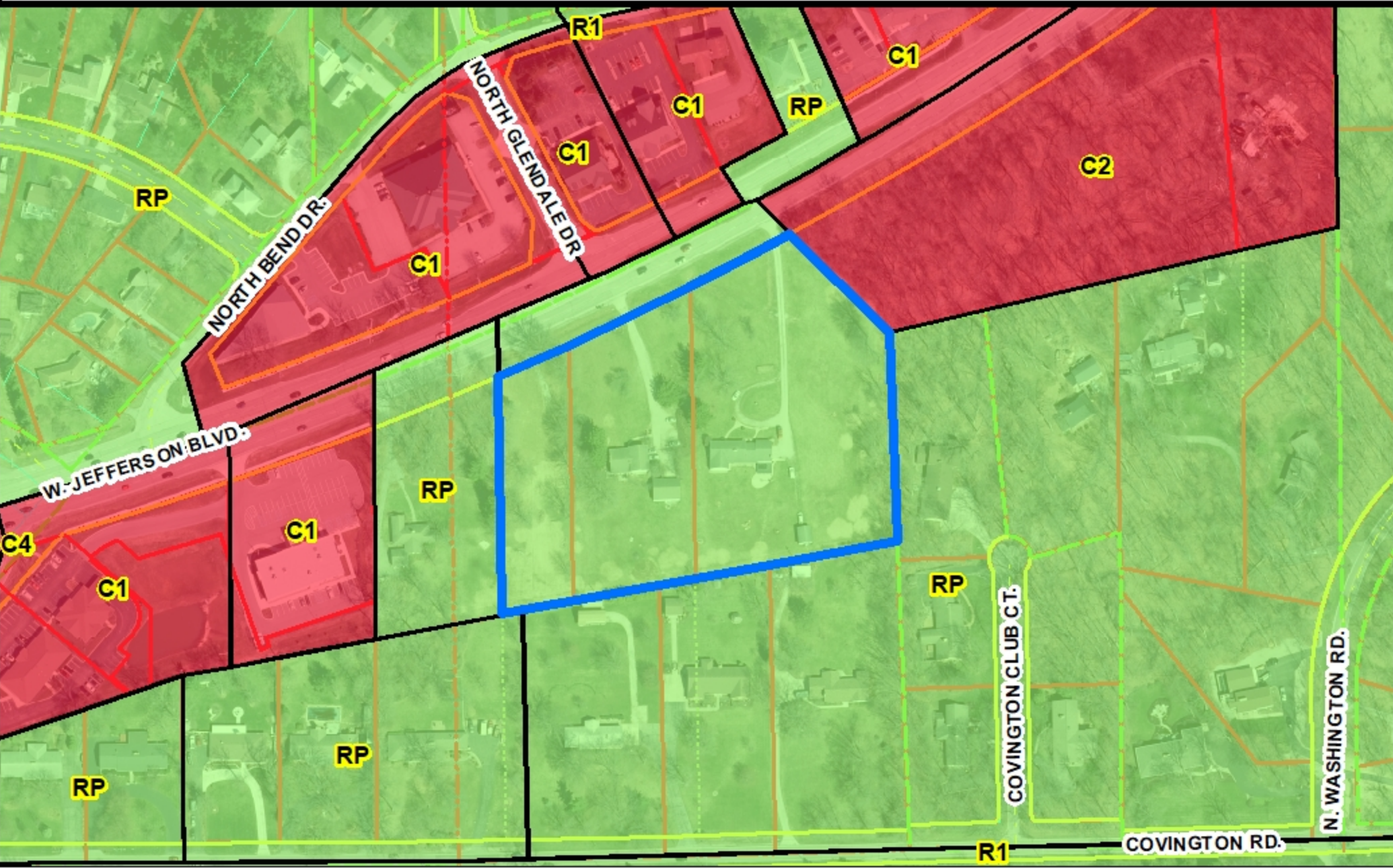
Effect of Non-Passage: The property will remain zoned RP/Planned Residential, which does not permit commercial uses. The site may be redeveloped with single, two family or multiple family housing.



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.

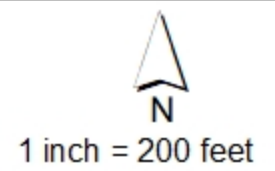
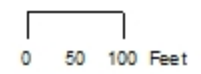
© 2004 Board of Commissioners of the County of Allen
North American Datum 1983
State Plane Coordinate System, Indiana East
Photos and Contours: Spring 2009
Date: 6/22/2023





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© 2004 Board of Commissioners of the County of Allen
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State Plane Coordinate System, Indiana East
Photos and Contours: Spring 2009
Date: 6/22/2023



**Department of Planning Services
Rezoning Petition Application**

Applicant
Applicant D&T Land LLC
Address 9431 US Hwy 24 W
City Fort Wayne State IN Zip 46804
Telephone _____ E-mail _____

Contact Person
Contact Person Joshua C. Neal, Barrett McNagny LLP
Address 215 E Berry St
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 5112, 5201, and 5219 W Jefferson Blvd
Present Zoning RP Proposed Zoning C-3 Acreage to be rezoned 6.07 acres
Proposed density _____ units per acre
Township name Wayne Township section # 8
Purpose of rezoning (attach additional page if necessary) To facilitate the relocation of Mercedes-Benz Fort Wayne to the subject real estate.
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.

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.
6-6-23	143391	7-10-23	RET 2023 0034

EXHIBIT A
REZONING PETITION APPLICATION
SIGNATURE PAGE

"APPLICANT"

D&T LAND LLC

By: 

Date: 6-6-23

Name: Doug McKibben

Its: MEMBER

"PROPERTY OWNER"

D&T LAND LLC

By: 

Date: 6-6-23

Name: Doug McKibben

Its: MEMBER



EXAMPLE: ACM (ARCHITECTURAL COMPOSITE METAL PANEL)
PROPOSED FOR THE BLACK AREAS OF THE BUILDING



EXAMPLE: CORRUGATED ARCHITECTURAL METAL PANEL
PROPOSED FOR THE GREY AREAS OF THE BUILDING



1 Exterior Perspective
not to scale

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CONSULTANT:

CERTIFICATION:

NOT FOR CONSTRUCTION

PROPOSED PROJECT FOR:

MERCEDES-BENZ
OF FORT WAYNE
5201 WEST JEFFERSON BOULEVARD
FORT WAYNE, INDIANA 46804

REVISIONS:		
#	Date	Description

PROJECT NUMBER:

1-20-505

ISSUE DATE:

06/06/23

SHEET NAME:

Exterior Perspective

SHEET NUMBER:

PRES

PROPOSED UTILITY KEYNOTES

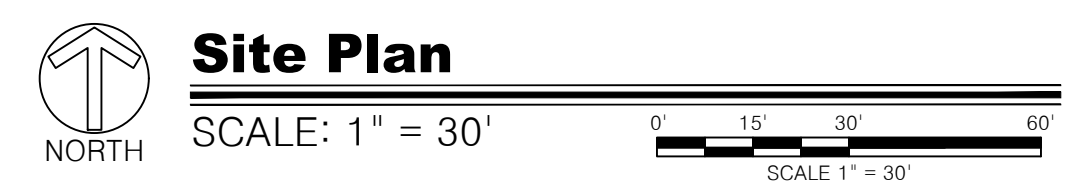
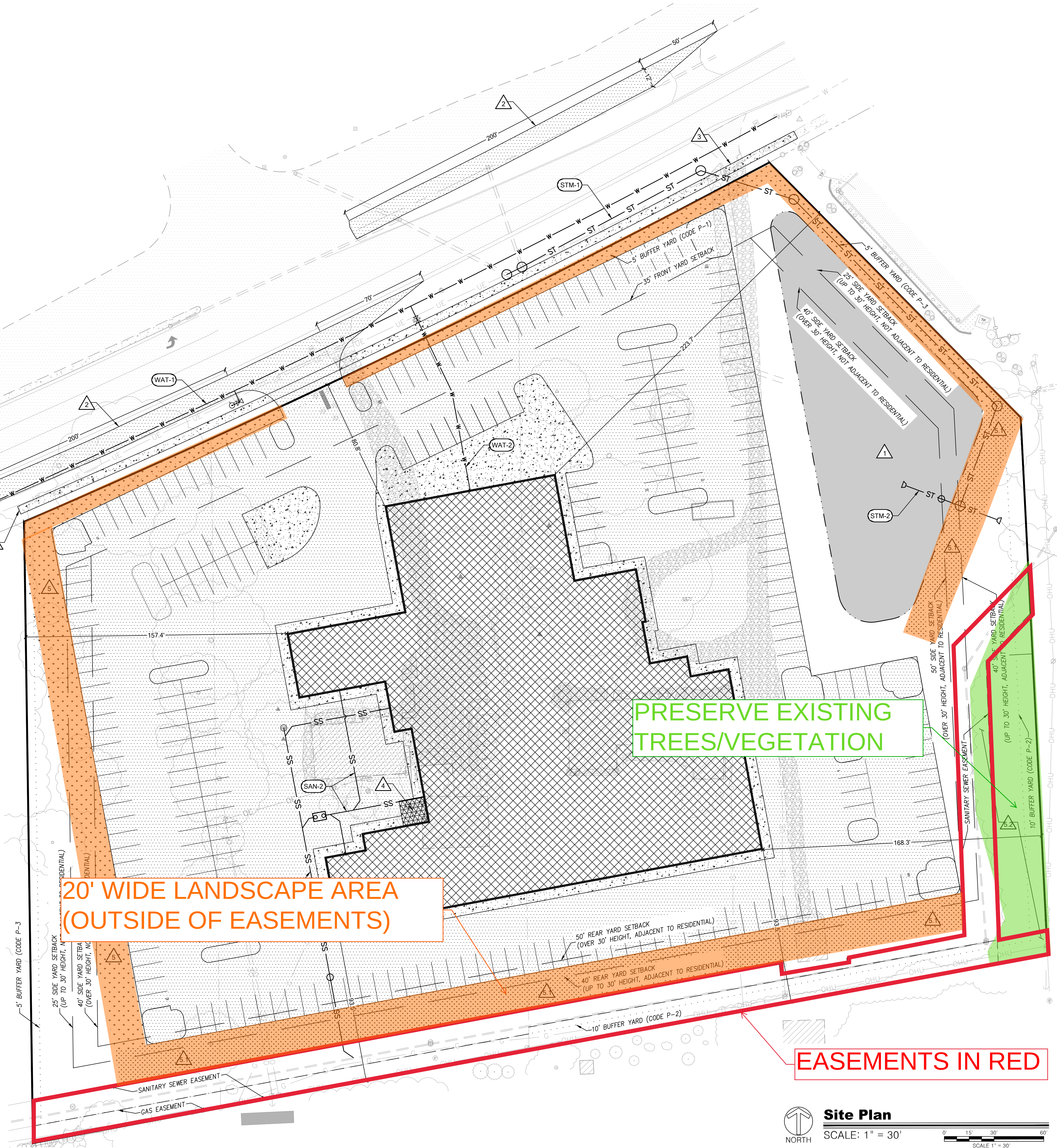
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(460) LF OF 24" HDPE STORM SEWER
(4) 60" MANHOLES
(2) 60" DOGHOUSE MANHOLES
- STM-2 OUTLET CONTROL FOR DRY DETENTION BASIN:
(60) LF OF 12" HDPE STORM SEWER
(1) 30" ROUND INLET
(2) METAL END SECTIONS
- SAN-1 SANITARY SEWER FOR BUILDING SERVICE:
(250) LF OF 6" SDR 35 PVC
(1) CONTROL MANHOLE
(1) CLEANOUT
- SAN-2 SANITARY SEWER FOR TRENCH DRAINS:
(175) LF OF 6" SDR 35 PVC
(1) SAND/OIL SEPARATOR
- WAT-1 WATER MAIN EXTENSION:
(730) LF OF 8" C900 PVC WATER MAIN
(1) FIRE HYDRANT ASSEMBLY
- WAT-2 WATER SERVICE FOR BUILDING:
(140) LF OF WATER SERVICE PIPE
(1) CURB STOP

PROPOSED SITE KEYNOTES

1. DRY DETENTION BASIN.
2. TURN LANE.
3. 5' CONCRETE SIDEWALK.
4. DUMPSTER LOCATION.
5. LANDSCAPING AREA.
- 5.1. DENSELY PLANTED LANDSCAPING BUFFER
- 5.2. EXISTING TREES & VEGETATION TO BE PRESERVED.

GENERAL SHEET NOTES

1. LOCATE ALL UTILITIES PRIOR TO START OF CONSTRUCTION AND ORDERING OF MATERIALS. UTILITIES ARE SHOWN BASED ON FIELD MARKINGS FROM 811 & UTILITY SERVICES AND FIELD MEASUREMENTS OF VISUAL APPURTENANCES. ADDITIONAL UNDERGROUND UTILITIES MAY EXIST.
2. EXAMINE EXISTING SITE CONDITIONS AND VERIFY CONDITIONS ARE ACCEPTABLE FOR REQUIRED WORK. NOTIFY ENGINEER OF ANY DISCREPANCIES WITH THE INFORMATION SHOWN ON THESE PLANS PRIOR TO BEGINNING WORK OR ORDERING OF MATERIALS.
3. MAINTAIN POSITIVE DRAINAGE THROUGHOUT CONSTRUCTION AND POST CONSTRUCTION
4. ALL DIMENSIONS SHOWN ARE TO FACE OF BUILDING AND EDGE OF HARDSCAPE. FOR STRUCTURAL DIMENSIONS, SEE ARCHITECTURAL AND STRUCTURAL PLANS
5. ALL AREAS DISTURBED BY CONSTRUCTION ACTIVITIES NOT SPECIFICALLY DESIGNATED TO RECEIVE PAVEMENT, MULCH, OR BUILDING SHALL BE CONSIDERED LAWN AREA. ALL LAWN AREAS SHALL RECEIVE A MINIMUM OF SIX INCHES OF TOPSOIL CAPABLE OF SUSTAINING LAWN GROWTH.
6. ANY RESULTING VOIDS ATTRIBUTED TO THE DEMOLITION AND REMOVAL OF EXISTING IMPROVEMENTS IN AREAS WHERE NEW BUILDING, PAVEMENT, OR OTHER STRUCTURES ARE TO BE CONSTRUCTED SHALL BE COMPLETELY BACKFILLED AND COMPACTED WITH AN ENGINEERED FILL, OR OTHER APPROVED MATERIAL, IN ACCORDANCE WITH PROJECT SPECIFICATIONS. ALL DIRT FILL IS TO BE CLEAN AND FREE FROM DEBRIS.
7. REMOVE EXISTING TREES, SHRUBS, GRASS AND OTHER VEGETATION, INCLUDING ALL ROOTS, STUMPS AND BRANCHES, TO A POINT 18" BELOW FINISHED GRADE AS REQUIRED FOR CONSTRUCTION.
8. STRIP TOPSOIL TO WHATEVER DEPTHS ARE ENCOUNTERED IN A MANNER TO PREVENT INTERMINGLING WITH UNDERLYING SUBSOIL OR OTHER WASTE MATERIALS. STRIP SURFACE SOIL OF UNSUITABLE TOPSOIL, INCLUDING TRASH, DEBRIS, WEEDS, ROOTS AND OTHER WASTE MATERIALS. STOCKPILE TOPSOIL ON SITE.
9. ONLY SATISFACTORY SOIL MATERIALS ACCEPTABLE TO, AND APPROVED BY THE OWNER, ARCHITECT, AND GEOTECHNICAL ENGINEER SHALL BE USED AS FILL MATERIALS. TYPICALLY THE FOLLOWING CLASSIFICATIONS OF SOIL TYPES MAY BE USED FOR FILL BENEATH STRUCTURES AND PARKING AREAS:
- 9.1. ASTM D 2487 SOIL CLASSIFICATIONS OF GW, GP, GM, SW, SP, AND SM OR A COMBINATION OF THESE SOIL GROUPS.
10. PLACE BACKFILL AND FILL MATERIALS IN LAYERS NOT MORE THAN 6 INCHES IN LOOSE DEPTH FOR MATERIAL COMPACTED BY HEAVY COMPACTION EQUIPMENT.
11. COMPACT SOIL TO NOT LESS THAN THE FOLLOWING PERCENTAGES OF MAXIMUM DRY UNIT WEIGHT ACCORDING TO ASTM D 1557:
- 11.1. UNDER PAVEMENTS, SCARIFY AND RECOMPACT THE TOP 12 INCHES OF THE EXISTING SUBGRADE AND EACH LAYER OF FILL MATERIAL AT 95 PERCENT.
- 11.2. UNDER LAWN OR UNPAVED AREAS, SCARIFY AND RECOMPACT THE TOP 6 INCHES OF THE EXISTING SUBGRADE AND EACH LAYER OF FILL MATERIAL AT 90 PERCENT.
12. ALL WORK SHALL BE PERFORMED IN ACCORDANCE WITH THE CITY OF FORT WAYNE REQUIREMENTS AND THE EROSION CONTROL PLANS.
13. CONTRACTOR SHALL ENSURE ADA PARKING AND PATH TO DOORS SHALL CONFORM TO 2010 ADA STANDARDS FOR ACCESSIBLE DESIGN.



PROPOSED UTILITY KEYNOTES

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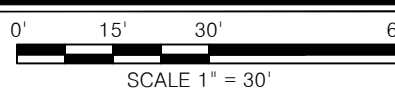
LIGHT POLES WILL BE ~15' TALL

ALL LIGHT POLES WITHIN 100' OF PROPERTY SHALL BE ~12' TALL AND SHINING INWARD



Site Plan

SCALE: 1" = 30'



5620 COVENTRY LANE, FORT WAYNE, INDIANA 46804
TEL: (260) 434-4000 FAX: (260) 434-4001
https://www.felderman.com/

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CONSULTANT:



CERTIFICATION:

MERCEDES-BENZ OF
FORT WAYNE
5201 WEST JEFFERSON BOULEVARD
FORT WAYNE, INDIANA 46804

PROPOSED PROJECT FOR:



REVISIONS:

#	Date	Description
---	------	-------------

PROJECT NUMBER:

23087.100

ISSUE DATE:

06/02/23

SHEET NAME:

Overall Site Plan

SHEET NUMBER:

C1.0

PROPOSED UTILITY KEYNOTES

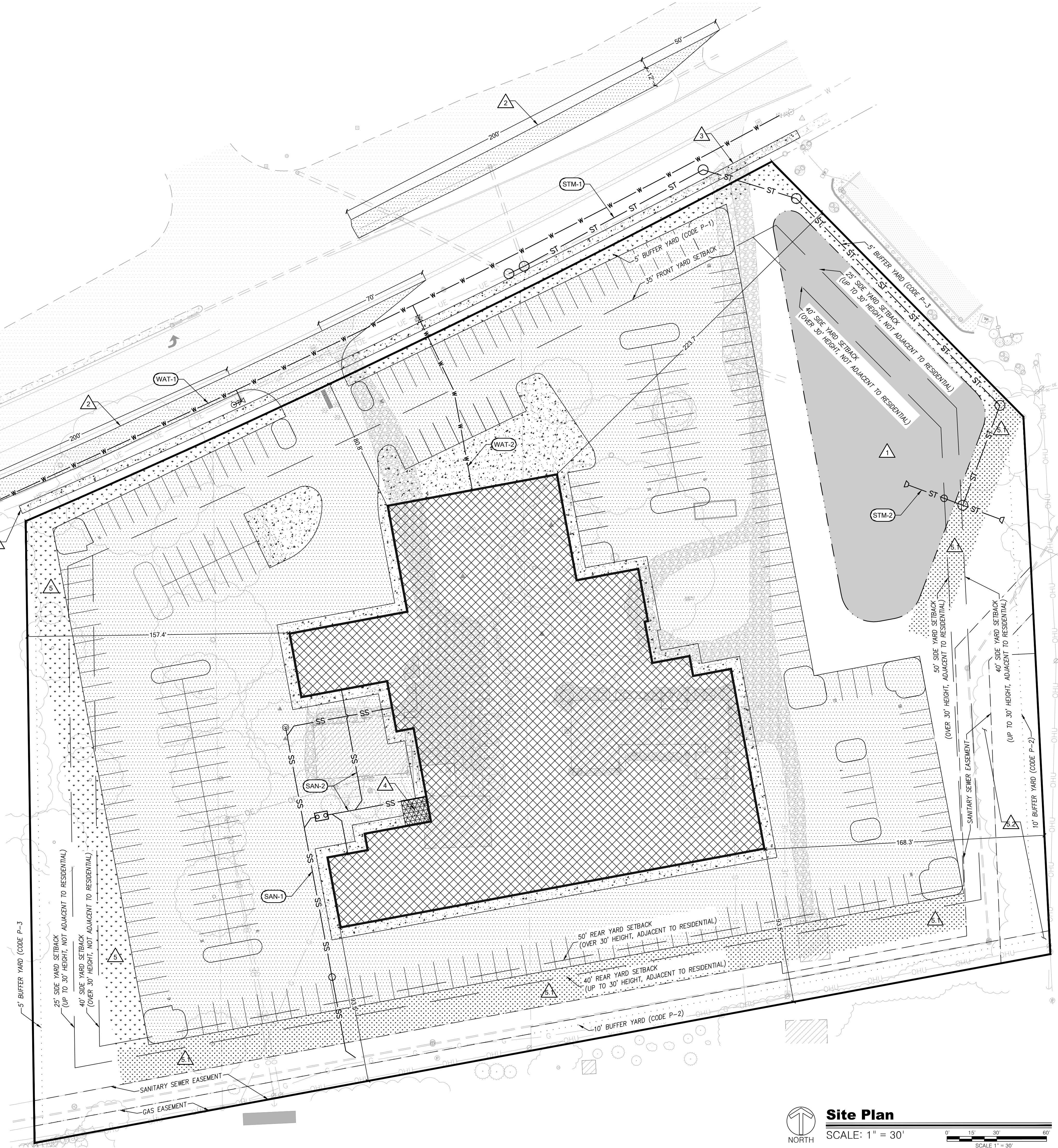
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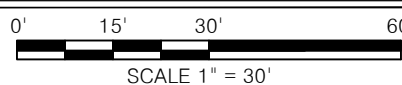
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9. ONLY SATISFACTORY SOIL MATERIALS ACCEPTABLE TO, AND APPROVED BY THE OWNER, ARCHITECT, AND GEOTECHNICAL ENGINEER SHALL BE USED AS FILL MATERIALS. TYPICALLY THE FOLLOWING CLASSIFICATIONS OF SOIL TYPES MAY BE USED FOR FILL BENEATH STRUCTURES AND PARKING AREAS:
- 9.1. ASTM D 2487 SOIL CLASSIFICATIONS OF GW, GP, GM, SW, SP, AND SM OR A COMBINATION OF THESE SOIL GROUPS.
10. PLACE BACKFILL AND FILL MATERIALS IN LAYERS NOT MORE THAN 6 INCHES IN LOOSE DEPTH FOR MATERIAL COMPACTED BY HEAVY COMPACTION EQUIPMENT.
11. COMPACT SOIL TO NOT LESS THAN THE FOLLOWING PERCENTAGES OF MAXIMUM DRY UNIT WEIGHT ACCORDING TO ASTM D 1557:
- 11.1. UNDER PAVEMENTS, SCARIFY AND RECOMPACT THE TOP 12 INCHES OF THE EXISTING SUBGRADE AND EACH LAYER OF FILL MATERIAL AT 95 PERCENT.
- 11.2. UNDER LAWN OR UNPAVED AREAS, SCARIFY AND RECOMPACT THE TOP 6 INCHES OF THE EXISTING SUBGRADE AND EACH LAYER OF FILL MATERIAL AT 90 PERCENT.
12. ALL WORK SHALL BE PERFORMED IN ACCORDANCE WITH THE CITY OF FORT WAYNE REQUIREMENTS AND THE EROSION CONTROL PLANS.
13. CONTRACTOR SHALL ENSURE ADA PARKING AND PATH TO DOORS SHALL CONFORM TO 2010 ADA STANDARDS FOR ACCESSIBLE DESIGN.



Site Plan

SCALE: 1" = 30'



5620 COVENTRY LANE, FORT WAYNE, INDIANA 46804
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CONSULTANT:



CERTIFICATION:

MERCEDES-BENZ OF
FORT WAYNE
5201 WEST JEFFERSON BOULEVARD
FORT WAYNE, INDIANA 46804

PROPOSED PROJECT FOR:



REVISIONS:

#	Date	Description
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PROJECT NUMBER:

23087.100

ISSUE DATE:

06/02/23

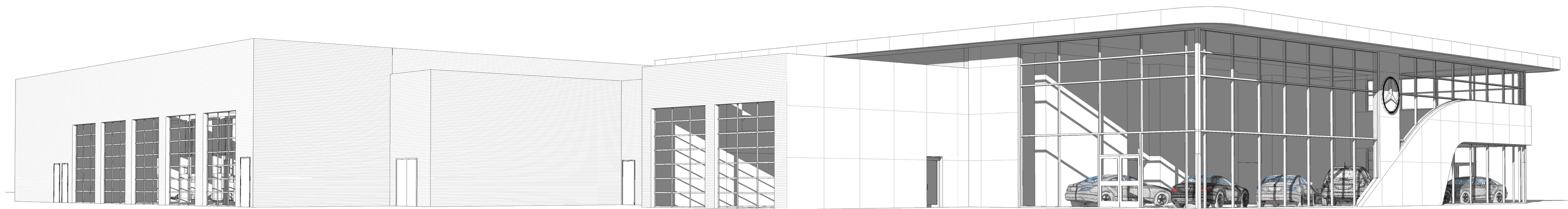
SHEET NAME:

Overall Site Plan

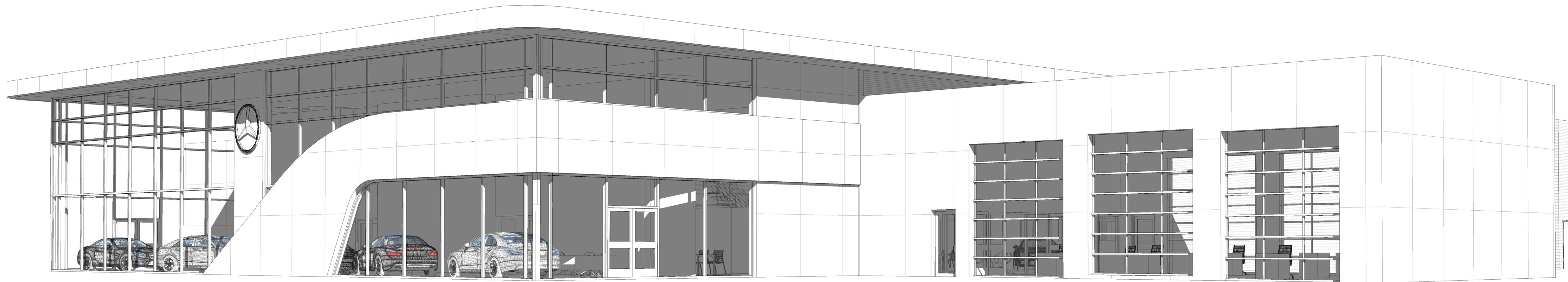
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2 EXTERIOR PERSPECTIVE - SOUTHWEST
not to scale



1 EXTERIOR PERSPECTIVE - SOUTHEAST
not to scale

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CERTIFICATION:

NOT FOR
CONSTRUCTION

PROPOSED PROJECT FOR:

MERCEDES-BENZ OF FORT WAYNE

5201 WEST JEFFERSON BOULEVARD
FORT WAYNE, INDIANA 46804



REVISIONS:

#	Date	Description
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PROJECT NUMBER:

1-20-505

ISSUE DATE:

02/03/23

SHEET NAME:

EXTERIOR
RENDERINGS

SHEET NUMBER:

A-901

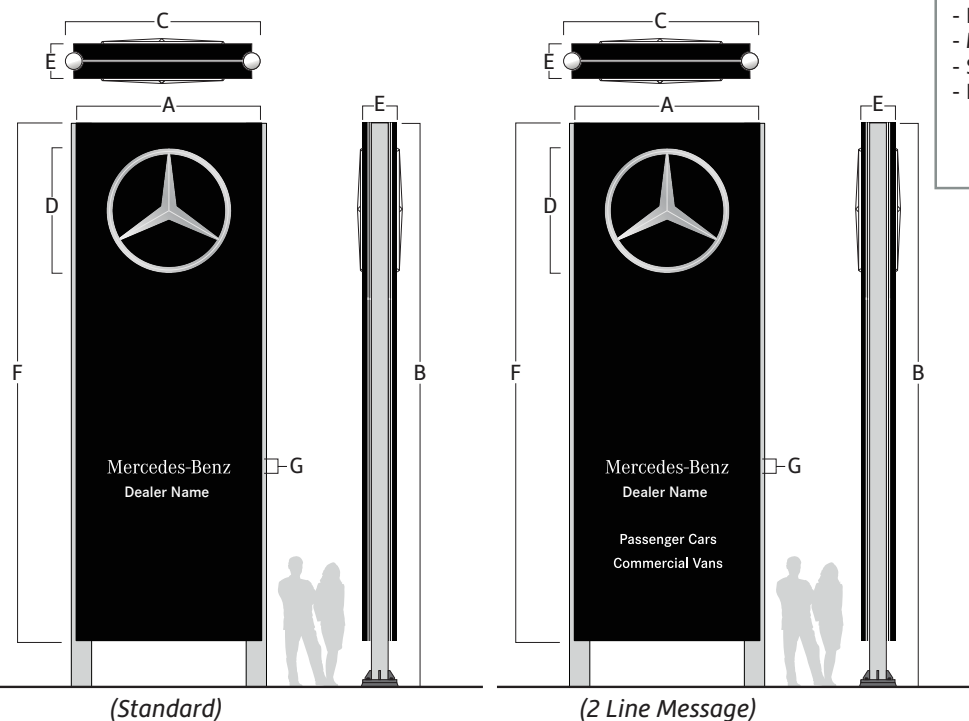


STANDARD PYLON SIGNS



SIGN SPECS

- Illuminated
- Power Requirements: 120V/20A Circuit Required
- Mounting Method: Rebar Foundation
- Sign Colors: Alpolic ACM TBL Black with 3M #7225-10 White Vinyl Copy
- Paint: Akzonobel #SIGN91723 GGBC Arrow Silver



Model No.	Dimensions							Sq. Ft.
	A	B	C	D	E	F	G	TOTAL
111B	2'-10 1/2"	9'-0 5/8"	3'-0 1/4"	1'-11 1/4"	7 3/4"	8'-1 3/4"	2 5/8"	23.42
112B	4'-2 7/8"	13'-1 1/2"	4'-5 11/16"	2'-10 1/4"	11 1/2"	11'-10 1/2"	3 5/8"	50.35
113B	5'-7 1/2"	17'-4 1/4"	5'-10 13/16"	3'-9 11/16"	1'-0 13/16"	15'-10 15/16"	4 3/4"	89.5
114B	6'-9 7/8"	20'-10"	7'-2 1/4"	4'-7 1/2"	1'-2 11/16"	19'-1 1/2"	5 7/8"	130.49
115B	8'-2 3/16"	24'-9 5/8"	8'-7 5/16"	5'-6"	1'-8 1/16"	22'-10"	7 1/8"	186.83

CO.0