

#REZ-2023-0051

BILL NO. Z-23-10-18

ZONING MAP ORDINANCE NO. Z-_____

**AN ORDINANCE amending the City of Fort Wayne
Zoning Map No. J-42 (Sec. 15 of Washington 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 I1 (Limited
Industrial) District under the terms of Chapter 157 Title XV of the Code of the City of Fort
Wayne, Indiana:

A parcel of land situated in the Northeast One-quarter and the Northwest One-
quarter of Section 15, Township 31 North, Range 12 East, Allen County, Indiana,
and more particularly described as follows:

COMMENCING at the center of Section 15, Township 31 North, Range 12 East,
Allen County, Indiana, marked by a Harrison monument; thence North 04 degrees 26
minutes 10 seconds West (bearing base on Deed DOC. #86-009318 and DOC. #86-
009319) along the North-South centerline of the said Section 15, a distance of 847.64
feet to the Point of Beginning as marked by a set five-eighths inch diameter steel pin
with D&A Firm No. 0026 identification cap.

BEGINNING at the above described point; thence South 86 degrees 57 minutes 00
seconds West, a distance 869.86 feet to a set five-eighths inch diameter steel pin on
the West bank of Spy Run Creek; thence, North 51 degrees 34 minutes 50 seconds
West (North 50 degrees 48 minutes 14 seconds West - deed), a distance of 192.50
feet to a stone; thence North 04 degrees 11 minutes 11 seconds West (North 04
degrees 14 minutes 14 seconds West - deed) a distance of 1581.25 feet to a set five-
eighths inch diameter steel pin on the Southerly line of parcel of land described in
DOC.#200063132 also being the Southerly right-of-way line of Cook Road; thence
North 88 degrees 12 minutes 33 seconds East along said Southerly line, a distance of
953.56 feet to a set five-eighths inch diameter steel pin; thence South 89 degrees 05
minutes 00 seconds East along said Southerly line, a distance of 219.28 feet to a set
five-eighths inch diameter steel pin with D&A Firm No. 0026 identification cap;
thence South 70 degrees 15 minutes 43 seconds East along Southerly line, a distance
of 37.51 feet to a set five-eighths inch diameter steel pin with D&A Firm No. 0026
identification cap; thence South 14 degrees 25 minutes 55 seconds East along said
Westerly right-of-way line, a distance of 429.03 feet to a four inch by four inch
concrete right-of-way marker found; thence South 14 degrees 58 minutes 08 seconds
East, a distance of 667.09 feet to a four inch by four inch concrete right-of-way

marker found; thence South 15 degrees 07 minutes 53 seconds East along said Westerly right-of-way line a distance of 597.71 feet to five-eighths inch diameter steel pin; thence South 86 degrees 57 minutes 00 seconds West, a distance of 508.75 feet to the point of beginning, containing 52.58 acres, more or less. The above being described by a Survey by Dickmeyer & Associates, Kerry D. Dickmeyer, Land Surveyor, recorded April 9, 2004 in Document Number 204025735.

EXCEPTING THEREFROM

A part of the Northeast Quarter of Section 15, Township 31 North, Range 12 East, Allen County, Indiana, and being that part of the grantor's land lying within the right of way lines depicted on the Right of Way Parcel Plat marked Exhibit "B" attached to Document Numbers 2008054153 and 2008054154, described as follows: Commencing at the Southwest corner of said quarter section, designated as point "520" on the Location control Route Survey Plat recorded in Instrument Number 204040574 in the Office of the Recorder of said County; thence North 2 degrees 14 minutes 35 seconds West 847.58 feet (847.64 feet by Instrument Number 86-009319) along the West line of said quarter section to the South line of the grantor's land; thence South 89 degrees 05 minutes 46 seconds West 334.79 feet (334.80 feet by Instrument Number 86-009319) along said South line to the West line of the tract of land described in Instrument Number 86-009319; thence North 2 degrees 01 minutes 56 seconds West 1,694.31 feet along said tract line to the South boundary of Cook Road; thence South 89 degrees 35 minutes 47 seconds East 277.67 feet along the boundary of said Cook Road; thence South 86 degrees 56 minutes 03 seconds East 109.31 feet along said boundary to point "340" designated on said parcel plat and the POINT OF BEGINNING of this description: thence continuing South 86 degrees 56 minutes 03 seconds East 109.97 feet along said boundary to the Southwestern boundary of the intersection of said Cook Road and S.R. 3 (Lima Road); thence South 68 degrees 44 minutes 22 seconds East 31.78 feet along the boundary of the intersection of said Cook Road and S.R. 3 to the Western boundary of said S.R. 3; thence South 12 degrees 46 minutes 42 seconds East 301.24 feet along the boundary of said S.R. 3 to point "345" designated on said parcel plat; thence South 77 degrees 13 minutes 18 seconds West 5.00 feet to point "344" designated on said parcel plat; thence North 12 degrees 46 minutes 42 seconds West 150.00 feet to point "343" designated on said parcel plat; thence North 19 degrees 07 minutes 06 seconds West 90.55 feet to point "342" designated on said parcel plat; thence North 43 degrees 02 minutes 05 seconds West 69.46 feet to point "341" designated on said parcel plat; thence North 71 degrees 55 minutes 39 seconds West 95.66 feet to the point of beginning and containing 0.125 acres, more or less.

and the symbols of the City of Fort Wayne Zoning Map No. J-42 (Sec. 15 of Washington 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.

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

Council Member

APPROVED AS TO FORM AND LEGALITY:

Malak Heiny, City Attorney

City of Fort Wayne Common Council
DIGEST SHEET

Department of Planning Services

Title of Ordinance: Zoning Map Amendment
Case Number: REZ-2023-0051
Bill Number: Z-23-10-18
Council District: 3-Thomas F. Didier

Introduction Date: October 24, 2023

Plan Commission
Public Hearing Date: November 13, 2023 (not heard by Council)

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

Synopsis of Ordinance: To rezone 52.38 acres from C1/Professional Office and Personal Services to I1/Limited Industrial

Location: 1919 W Cook Road

Reason for Request: To permit a seven-lot business park.

Applicant: Silverado Cook Properties, LLC

Property Owner: Silverado Cook Properties, LLC

Related Petitions: Primary Development Plan PDP-2023-0040 – Silverado Business Park

Effect of Passage: Property will be rezoned to the I1/Limited Industrial zoning district, which will better fit the existing uses and permit a variety of low intensity industrial and commercial uses.

Effect of Non-Passage: The property will remain zoned C1/Professional Office and Personal Services, which is not the preferred district for the existing research and development uses and may not permit some future commercial uses that are compatible with existing development in the area.

Department of Planning Services
 Rezoning Petition Application

Applicant

Applicant Silverado Cook Properties, LLC (Todd Ramsey)
 Address 10050 Bent Creek Blvd
 City Fort Wayne State IN Zip 46825
 Telephone (260) 438-2483 E-mail tramsey@rcidevelops.com

Property Ownership

Property Owner Silverado Cook Properties, LLC (Todd Ramsey)
 Address 10050 Bent Creek Blvd
 City Fort Wayne State IN Zip 46825
 Telephone (260) 438-2483 E-mail tramsey@rcidevelops.com

Contact Person

Contact Person Cody Ward (MLS Engineering, LLC)
 Address 10060 Bent Creek Blvd
 City Fort Wayne State IN Zip 46825
 Telephone 260-489-8571 E-mail cody@mlswebsite.us

All staff correspondence will be sent only to the designated contact person.

Request

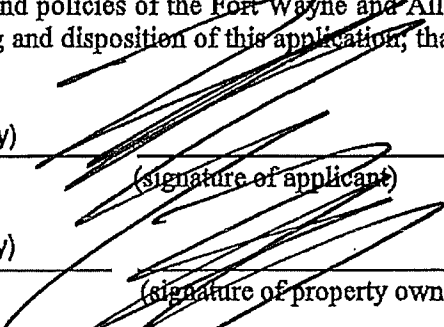
☐ Allen County Planning Jurisdiction
 ☒ City of Fort Wayne Planning Jurisdiction
 Address of the property 1919 Cook Rd, Fort Wayne, IN 46825 Township and Section Washington / Sec. 15
 Present Zoning C1 Proposed Zoning I-1 -NWS- Acreage to be rezoned 52.38
 Purpose of rezoning (attach additional page if necessary)
Rezone C1 property to I2 for a Business Park.
 Sewer provider City of Fort Wayne Water provider City of 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)

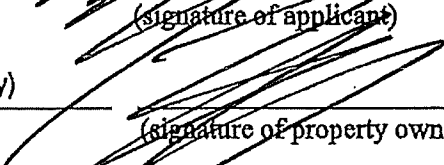
I/We understand and agree, upon execution and submission of this application, that I am/we are the owner(s) of more than 50 percent of the property described in this application; that I/we agree to abide by all provisions of the Allen County Zoning and Subdivision Control Ordinance as well as all procedures 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

Silverado Cook Properties, LLC (Todd Ramsey)
 (printed name of applicant)


 (signature of applicant)

10.3.23
 (date)

Silverado Cook Properties, LLC (Todd Ramsey)
 (printed name of property owner)


 (signature of property owner)

10.3.23
 (date)

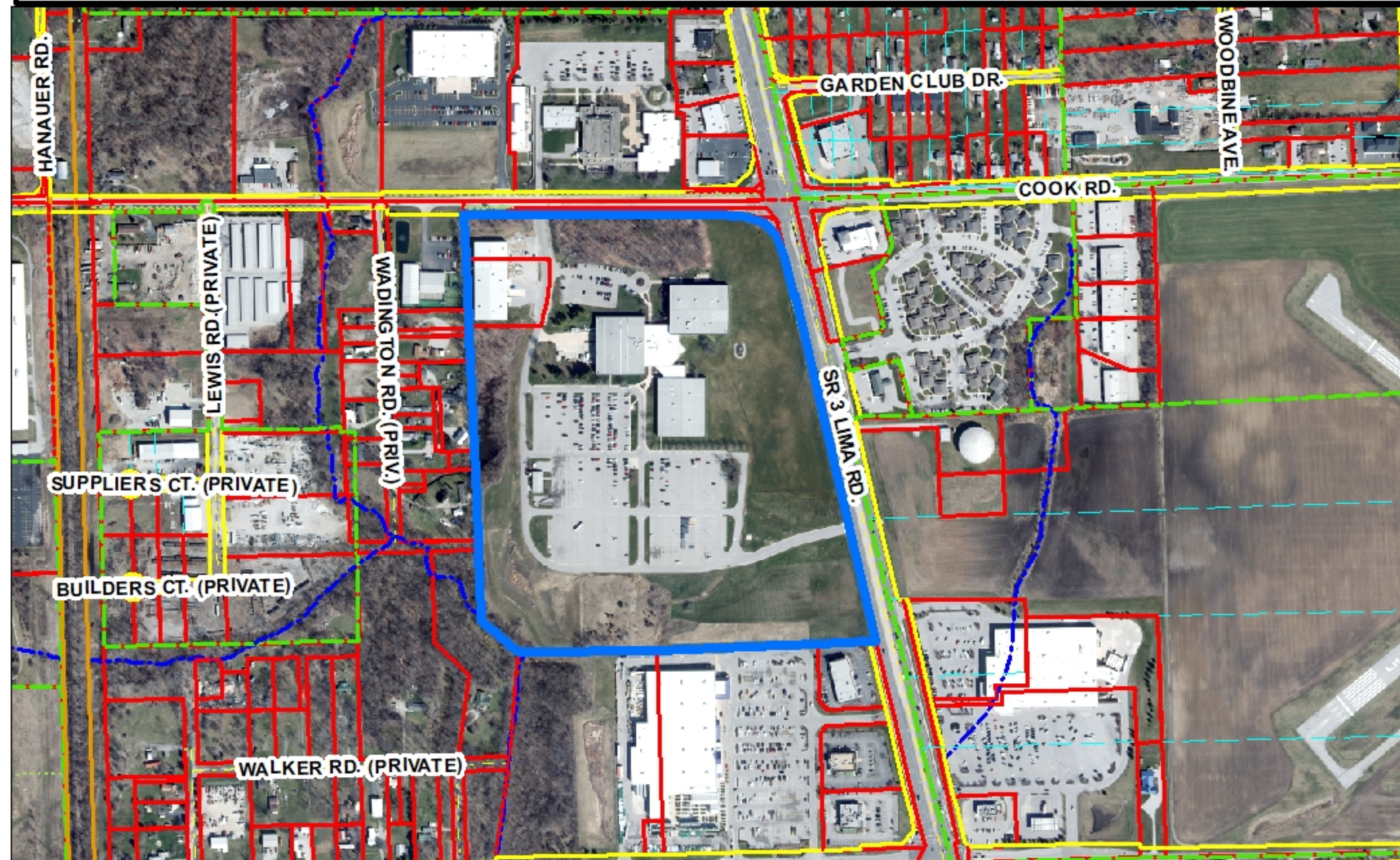


Received	Receipt No.	Hearing Date	Petition No.
10-3-23	144204	11-13-23	

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



REZ 2023 0051



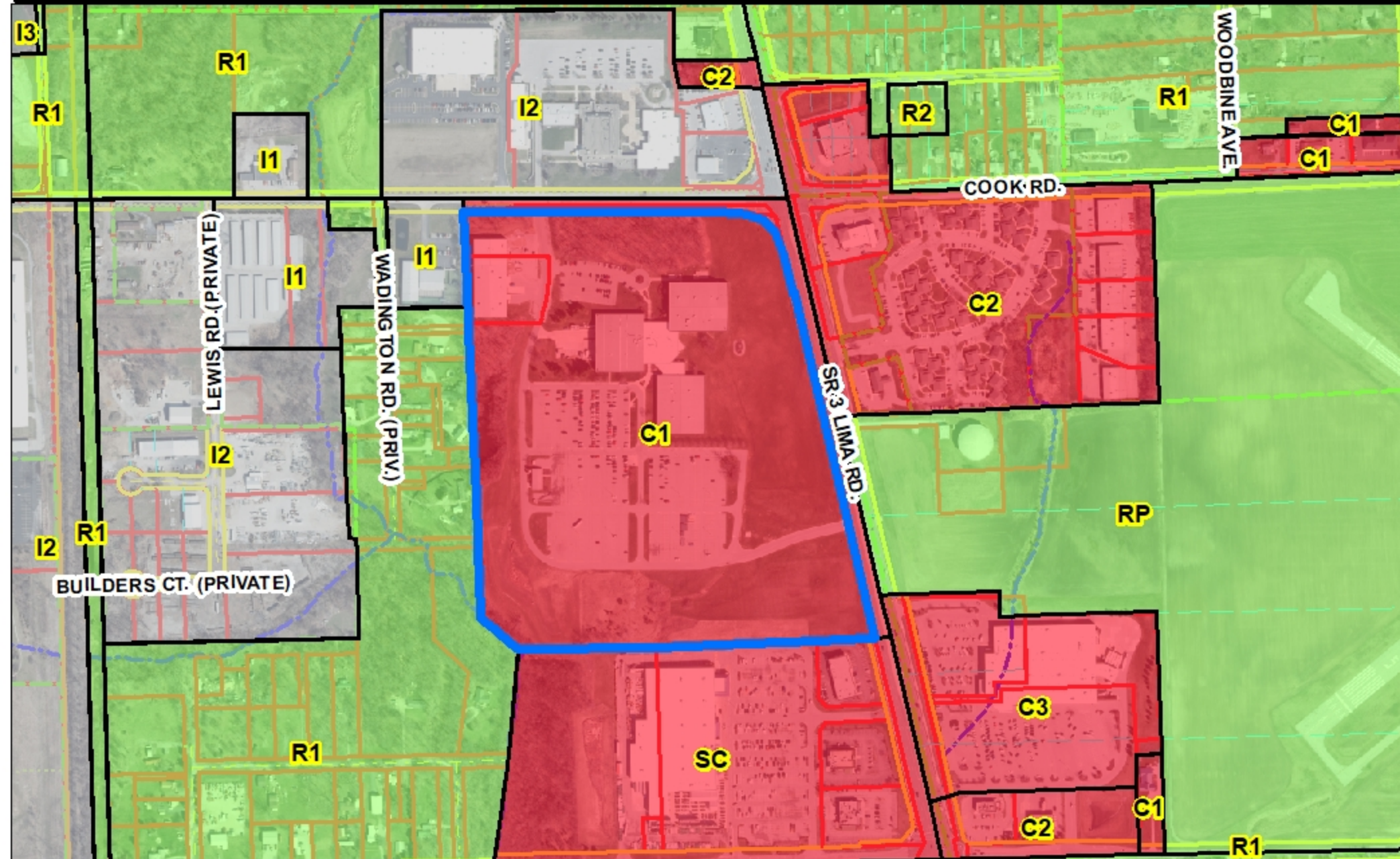
Although strict accuracy standards have been employed in the compilation of this map, Allen County does not warrant or guarantee the accuracy of the information contained herein and disclaims any and all liability resulting from any error or omission in this map.

© 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: 10/16/2023

0 125 250 Feet



1 inch = 500 feet



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SURVEYOR'S REPORT

In accordance with Title 865, Article 1, Rule 12, Section 1 through 30 of the Indiana Administrative Code, the following opinion submitted regarding the Relative Positional Accuracy in the corners and lines reestablished on this attached Survey as a result of uncertainties and/or ambiguities in the reference monuments and descriptions.

- Variances in the reference monuments;
- Discrepancies in the record descriptions and plats;
- Inconsistencies in lines of occupation;
- The relative positional accuracy of the measurements

The precision and accuracy of the measurements to the position of the lines and corners established are within a urban survey (0.07 feet plus 50 ppm).

The purpose of this survey was to resurvey the tract described in Document Number 2011054146 in the Office of the Recorder of Allen County, Indiana. All section corner monuments needed for this survey were found as noted on the survey drawing. The South (869.86 feet), West (1581.25 feet), North (953.56 feet) lines were established by deed distances and angles based on the East line of the Northwest Quarter of Section 15, Township 31 North, Range 12 East. The West right-of-way line of Lima Road (State Road #3) (State Highway Project No. S-419(4) Plans) was established by state highway description's distances and angles.

As a result of the above findings, it is my opinion that the uncertainties in the locations of the lines and corners of this surveyed parcel are as follows:

Due to Variances in reference monuments: See Survey Drawing
Due to Discrepancies in the record description: None
Due to Inconsistencies in lines of occupation: None

This survey is valid only with original signature and seal, full payment of invoice, and complete with all pages of survey. The information shown on the survey documents is intended for this transaction only as dated on said survey documents. Any reuse without written verification and adaptation by the land surveyor for the specific purpose intended will be at the users' sole risk and without liability or legal exposure to the land surveyor.

Since the last date of field work of this survey, conditions beyond the knowledge or control of Miller Land Surveying, Inc. may have altered the validity and circumstances shown or noted herein.

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, Brett R. Miller.

SYMBOL AND LINE LEGEND

MONUMENT LEGEND

A = 5/8"x24"Steel Rebar w/"Miller Firm #0095" id. Cap Set (Flush)
B = Right-of-Way Marker Fnd. 0.34'S. & 0.27'W. of Actual
C = Right-of-Way Marker Fnd. 1.33'N. & 0.63'W. of Actual
D = Right-of-Way Marker Fnd. 0.27'N. & 0.31'W. of Actual
E = Right-of-Way Marker Fnd. 0.24'W. of Actual
F = Right-of-Way Marker Fnd. 0.13'W. of Actual
G = Right-of-Way Marker Fnd. 0.33'W. of Actual
H = Right-of-Way Marker Fnd. 0.99'N. & 0.34'E. of Actual
J = Right-of-Way Marker Fnd. 1.08'N. & 23.55'W. of Actual
K = 5/8"Steel Rebar Fnd. 0.09'W. of Actual

Drawn By: ADW	Fieldwork Completed: 01-19-2015	REVISIONS
Date: January 22, 2015	Drawing Name: 15012998.dwg	01/26/15 - Legal Description
Survey Number: 15012998	For: Silverado Properties, LLC	
Approved By: BRM		

Corporate Office
221 Tower Drive
Montrose, IN 46772
Phone: (260) 692-6166
Fax: (260) 692-6242

Miller Land Surveying, Inc.

Brett R. Miller, PLS No.LS20300059
Robert J. Marucci, PLS No.LS20400028
Angela D. Wallace, PLS No.LS21200016

www.mlswebsite.us

MLS

Precision and Professionalism is where we draw the line.

Fort Wayne Office
217 Airport North Office Park
Fort Wayne, IN 46825
Phone: (260) 489-8571
Fax: (260) 489-8570

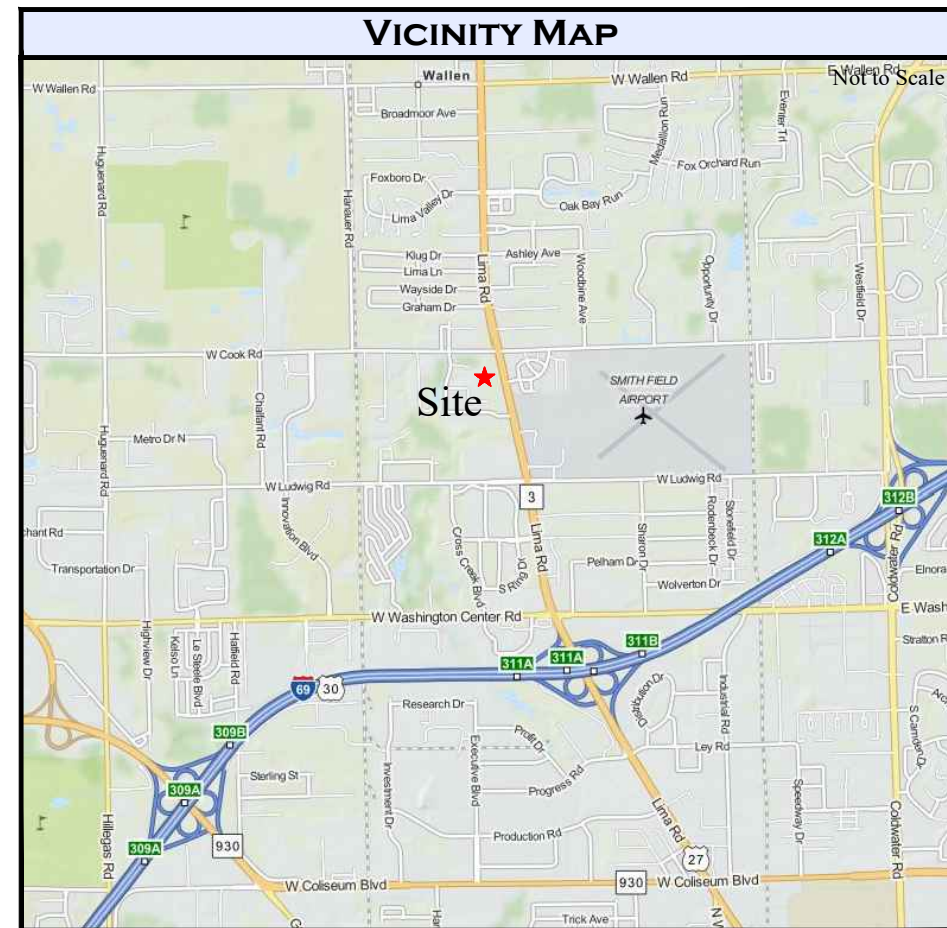
Project

Washington Twp. Sect.15,TN,RE
Allen County, Indiana
52.380 Acres

Description

ALTA/ACSM Land Title Survey

Page 1 of 1



TITLE COMMITMENT - SCH. B - # 1423461

Item #1 - Not Survey Item
Item #2 - Not Survey Item
Item #3 - Not Survey Item
Item #4 - Not Survey Item
Item #5 - Not Survey Item
Item #6 - Distribution Easement, Document Number 86-41594, October 15, 1986 - Depicted on Survey
Item #7 - Sanitary Sewer Easement, Document Number 87-20053, April 22, 1987 - Depicted on Survey
Item #8 - Right-of-Way Grant, Deed Book 586, Page 9-10, May 23, 1961 - Depicted on Survey
Item #9 - Partial Limited Access, Document Number 2008054153 & 2008054154, November 18, 2008 - Depicted on Survey
Item #10 - Perpetual Easement, Document Number 2008054155, November 18, 2008 - Depicted on Survey
Item #11 - Not Survey Item
Item #12 - Not Survey Item
Item #13 - Not Survey Item
Item #14 - Subject to Environmental Disclosure, Document Number 205025211, April 26, 2005
Item #15 - Subject to Special Ordinance No. S-202-78, November 14, 1978
Item #16 - Not Survey Item
Item #17 - Not Survey Item
Item #18 - Subject to Periodic Ditch Maintenance
Item #19 - Subject to right-of-way for drainage tiles, ditches, feeders and laterals
Item #20 - Subject to right-of-way for drainage, flow and maintenance of Spy Run Creek
Item #21 - Not Survey Item

NOTES

All underground lines were taken from the Allen County GIS map website.

FLOOD PLAIN CERTIFICATION

A portion of this property is within Zone "X" (areas determined to be outside the 0.2% annual chance floodplain) and Floodway area in Zone "AE" as defined by the FIRM (Flood Insurance Rate Map) for Fort Wayne, Indiana, Community No.180003, Panel No.0107G, dated August 3, 2009.

ALTA/ACSM LAND TITLE SURVEY CERTIFICATION

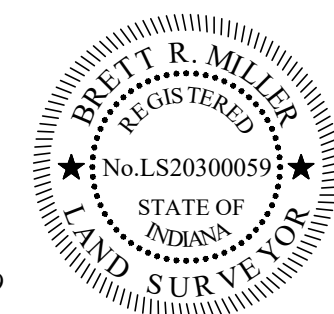
To:
Silverado Properties, LLC, an Indiana limited liability company
Exelis, Inc., an Indiana corporation
Titan Title Services, LLC
First American Title Insurance Company

Commitment No. 1423461
Commitment Date: December 17, 2014 at 7:00am

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2011 Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items 1, 3, 4, 6a, 8, 11a, 13, 14, 16, 17 and 18 of Table A thereof. The field work was completed on January 22, 2014.

Date: January 22, 2015
Revised: January 26, 2015

Brett R. Miller, PLS Registration No. 20300059



Reference Survey
Karl Surveying Services, Inc.
Survey No. 04093121
September 22, 2004
&
State Highway Plans
Project No. S-419(4)
Fort Wayne - Kendallville Road
July 14, 1961
Last Revision 10-26-89

Legend

POB - Point of Beginning
M. - Measured
R. - Record
C. - Calculated
D. - Deed
--- Right of Way (R.W.)
--- Building Setback Line
--- Center Line

2015007243

RECORDED: 02/09/2015 11:16:29 AM

ANITA MATHER

ALLEN COUNTY RECORDER

FORT WAYNE, IN

SPECIAL WARRANTY DEED

1919 W. Cook Road, Fort Wayne, Allen County, Indiana

Pin No. 02-07-15-126-017.000-073

Washington - 107323

THIS INDENTURE WITNESSETH, that Exelis Inc., an Indiana corporation (the "Grantor"), CONVEYS to Silverado Cook Properties, LLC, an Indiana limited liability company (the "Grantee") for and in consideration of One and 00/100 Dollar, and other valuable consideration, the receipt, of which is hereby acknowledged, the following described real estate in Allen County, in the State of Indiana, to-wit:

As described on Exhibit A, which is attached hereto and incorporated herein.

Property Address: 1919 W. Cook Road, Fort Wayne, Allen County, Indiana.

This conveyance is subject to: (i) real estate taxes due and payable in 2015 (for tax year 2014) and all subsequent taxes that shall come due and payable thereafter; (ii) zoning restrictions and other applicable governmental regulations; and (iii) any and all easements, restrictions, reservations, exceptions, covenants, agreements and rights-of-way contained or referred to in prior deeds or other instruments of record affecting or pertaining to the tract or parcel of land hereby conveyed, as the same are set forth on Exhibit B, which is attached hereto and incorporated herein (the "Permitted Exceptions").

The Grantor, as its sole warranty herein, specially warrants to the Grantee and the Grantee's successors and assigns that the Grantor will forever defend title to the real estate (subject to all matters to which this conveyance is hereinabove made subject) against those claims, and only those claims, of all persons whomsoever who shall claim title to or assert claims affecting the title to the real estate, or any part thereof, under, by or through, or based upon the acts of the Grantor, but not otherwise.

The Grantor, by execution and delivery hereof, warrants the title to the real estate as to and against its own acts only and none other.

The undersigned persons executing this Special Warranty Deed on the Grantor's behalf represent and certify that the undersigned is the Grantor's duly authorized representative and has been fully empowered to execute and deliver this Special Warranty Deed on the Grantor's behalf; that the Grantor has full organizational capacity to convey the real estate described

1423461

TITAN TITLE SERVICES, LLC

AUDITOR'S OFFICE

Duly entered for taxation. Subject
to final acceptance for transfer.

Feb 09 2015

TERA K. KLUTZ

AUDITOR OF ALLEN COUNTY

- 1 -

herein; and that all necessary action for the making of such conveyance has been taken and done.

IN WITNESS WHEREOF, the Grantor has executed this Special Warranty Deed this 4th day of February, 2014.

GRANTOR:

EXELIS INC.,
an Indiana corporation

By: [Signature]
Name: Janet McGregor
Title: Corporate Vice President, Treasurer

STATE OF ^{Virginia}INDIANA)
COUNTY OF Fairfax) SS

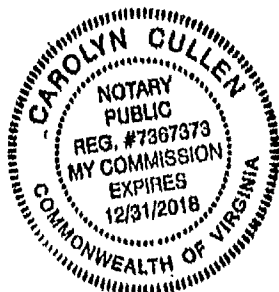
Before me, the undersigned, a Notary Public in and for said County and State, this 4th day of February, 2015, personally appeared Janet McGregor, Corporate Vice President, Treasurer of Exelis Inc., who acknowledged the execution of the foregoing Special Warranty Deed for and on behalf of Grantor, and who, having been duly sworn, stated that the representations herein contained are true.

Carolyn Cullen
Notary Public-Signature

Carolyn Cullen
Notary Public-Printed

My Commission Expires: 12/31/2018

My County of Residence: Fairfax



Prepared by: Patrick M. Malgieri, Esq.
Harris Beach PLLC
99 Garnsey Road
Pittsford, New York 14534

Grantee's address is and send recorded Special Warranty Deed to: 301 Airport North Office Park, Fort Wayne, Indiana 46825.

Send tax statements to: J. Andrew Norton, Manager, Silverado Cook Properties, LLC, 301 Airport North Office Park, Fort Wayne, Indiana 46825.

I, Patrick M. Malgieri, Esq., affirm, under penalties of perjury, that I have taken reasonable care to redact each Social Security Number in this document, unless required by law.

Exhibit A

LEGAL DESCRIPTION

A parcel of land situated in the Northeast One-quarter and the Northwest One-quarter of Section 15, Township 31 North, Range 12 East, Allen County, Indiana, and more particularly described as follows:

COMMENCING at the center of Section 15, Township 31 North, Range 12 East, Allen County, Indiana, marked by a Harrison monument; thence North 04 degrees 26 minutes 10 seconds West (bearing base on Deed DOC. #86-009318 and DOC. #86-009319) along the North-South centerline of the said Section 15, a distance of 847.64 feet to the Point of Beginning as marked by a set five-eighths inch diameter steel pin with D&A Firm No. 0026 identification cap.

BEGINNING at the above described point; thence South 86 degrees 57 minutes 00 seconds West, a distance of 869.86 feet to a set five-eighths inch diameter steel pin on the West bank of Spy Run Creek; thence North 51 degrees 34 minutes 50 seconds West (North 50 degrees 48 minutes 14 seconds West - deed), a distance of 192.50 feet to a stone; thence North 04 degrees 11 minutes 11 seconds West (North 04 degrees 14 minutes 14 seconds West - deed) a distance of 1581.25 feet to a set five-eighths inch diameter steel pin on the Southerly line of parcel of land described in DOC. #200063132 also being the Southerly right-of-way line of Cook Road; thence North 88 degrees 12 minutes 33 seconds East along said Southerly line, a distance of 953.56 feet to a set five-eighths inch diameter steel pin; thence South 89 degrees 05 minutes 00 seconds East along said Southerly line, a distance of 219.28 feet to a set five-eighths inch diameter steel pin with D&A Firm No. 0026 identification cap; thence South 70 degrees 15 minutes 43 seconds East along said Southerly line, a distance of 37.51 feet to a set five-eighths inch diameter steel pin with D&A Firm No. 0026 identification cap; thence South 14 degrees 25 minutes 55 seconds East along said Westerly right-of-way line, a distance of 429.03 feet to a four inch by four inch concrete right-of-way marker found; thence South 14 degrees 58 minutes 08 seconds East, a distance of 667.09 feet to a four inch by four inch concrete right-of-way marker found; thence South 15 degrees 07 minutes 53 seconds East along said Westerly right-of-way line a distance of 597.71 feet to a found five-eighths inch diameter steel pin; thence South 86 degrees 57 minutes 00 seconds West, a distance of 508.75 feet to the point of beginning, containing 52.58 acres, more or less.

The above being described by a Survey by Dickmeyer & Associates, Kerry D. Dickmeyer, Land Surveyor, recorded April 9, 2004 in Document Number 204025735.

EXCEPTING THEREFROM:

A part of the Northeast Quarter of Section 15, Township 31 North, Range 12 East, Allen County, Indiana, and being that part of the grantor's land lying within the right of way lines depicted on the Right of Way Parcel Plat marked Exhibit "B" attached to Document Numbers 2008054153 and 2008054154, described as follows:

Commencing at the Southwest corner of said quarter section, designated as point "520" on the Location Control Route Survey Plat recorded in Instrument Number 204040574 in the Office of the Recorder of said County; thence North 2 degrees 14 minutes 35 seconds West 847.58 feet (847.64 feet by Instrument Number 86-009319) along the West line of said quarter section to the South line of the grantor's land; thence South 89 degrees 05 minutes 46 seconds West 334.79 feet (334.80 feet by Instrument Number 86-009319) along said South line to the West line of the tract of land described in Instrument Number 86-009319; thence North 2 degrees 01 minute 56 seconds West 1,694.31 feet along said tract line to the South boundary of Cook Road; thence South 89 degrees 35 minutes 47 seconds East 277.67 feet along the boundary of said Cook Road; thence South 86 degrees 56 minutes 03 seconds East 109.31 feet along said boundary to point "340" designated on said parcel plat and the POINT OF BEGINNING of this description; thence continuing South 86 degrees 56 minutes 03 seconds East 109.97 feet along said boundary to the Southwestern boundary of the intersection of said Cook Road and S.R. 3 (Lima Road); thence South 68 degrees 44 minutes 22 seconds East 31.78 feet along the boundary of the intersection of said Cook Road and said S.R. 3 to the Western boundary of said S.R. 3; thence South 12 degrees 46 minutes 42 seconds East 301.24 feet along the boundary of said S.R. 3 to point "345" designated on said parcel plat; thence South 77 degrees 13 minutes 18 seconds West 5.00 feet to point "344" designated on said parcel plat; thence North 12 degrees 46 minutes 42 seconds West 150.00 feet to point "343" designated on said parcel plat; thence North 19 degrees 07 minutes 06 seconds West 90.55 feet to point "342" designated on said parcel plat; thence North 43 degrees 02 minutes 05 seconds West 69.46 feet to point "341" designated on said parcel plat; thence North 71 degrees 55 minutes 39 seconds West 95.66 feet to the point of beginning and containing 0.125 acres, more or less.

Exhibit B
PERMITTED EXCEPTIONS

1. Utility Easement granted to Indiana & Michigan Electric Company over a portion of insured real estate by instrument recorded October 15, 1986 as Document Number 86-41594.
2. Sanitary Sewer Easement over a portion of insured real estate granted to the City of Fort Wayne, Indiana by instrument recorded April 22, 1987 as Document Number 87-20053
3. Right of Way Grant granted to the State of Indiana for State Road 3 recorded May 23, 1961 in Deed Record 586, pages 9-10.
4. Any limitation of access to and from the land across the limited access right of way line of S.R. 3 abutting the property, as established by instrument recorded November 18, 2008 as Document Numbers 2008054153 and 2008054154.
5. Perpetual Easement over a portion of insured real estate granted to the State of Indiana by instrument recorded November 18, 2008 as Document Number 2008054155
6. Subject to Special Ordinance No. S-202-78 which restricts the height of buildings and other structures which might interfere with the safe descent, landing, and ascent of aircraft of Smith Field Airport.
7. Right of way for drainage, flow and maintenance of Spy Run Creek as set forth in IC 36-9-27-33.

1. **Approval of the rezoning request will be in substantial compliance with the All in Allen Comprehensive Plan and should not establish an undesirable precedent in the area.**

The proposed rezoning is in full alignment with the All in Allen County Plan, as it unmistakably aligns with the Generalized Future Land Use Map on page 68 of the PDF. On this map, the property is distinctly labeled as "Business and Office Park." The primary activities anticipated within a Business and Office Park encompass Professional Office, Medical, Technology, and Research, all of which are actively flourishing on this site.

2. **Approval of the request will not have an adverse impact on the current conditions in the area, or the character of current structures and uses in the area.**

Granting approval for this request will unquestionably align with the current conditions and character of the area. Silverado Business Park's design and function seamlessly integrate into the existing landscape, complementing the surrounding structures and uses without causing disruption to the established ambiance or nearby structures. Instead, this approval will signal a continuation of the cohesive blend that defines the area's unique character, affirming a forward-thinking approach that respects and upholds the essence of the community while enhancing the overall environment.

3. **Approval is consistent with the preservation of property values in the area.**

Silverado Business Park's meticulous maintenance and seamless integration with the neighborhood contribute to its alignment with the goal of preserving property values. Approving its continued use and potential expansion is a positive step toward maintaining property values in the area.

4. **Approval is consistent with responsible development and growth principles based on existing uses and infrastructure in the area.**

Silverado Business Park seamlessly aligns with the principles of responsible development and growth, leveraging its existing infrastructure and uses in the area. Its current layout and utilization reflect a thoughtful approach to resource optimization. By adhering to established infrastructure and building upon existing uses, Silverado Business Park serves as a sustainable growth model. Approving its continued development not only upholds these principles but also establishes a precedent for conscientious expansion in the area. This decision will benefit not only Silverado Business Park but also contribute positively to responsible development and growth in the community.

FACT SHEET

Case #REZ-2023-0051

Bill # Z-23-10-18

Project Start: October 2023

PROPOSAL:	Rezoning Petition REZ-2023-0051
APPLICANT:	Silverado Cook Properties, LLC
REQUEST:	To rezone parcel from C1/Professional Office and Personal Services to I1/Limited Industrial for a 7-lot business park.
LOCATION:	1919 W Cook Road, southwest corner of its intersection with SR 3 (Section 15 of Washington Township)
LAND AREA:	52.38 acres
PRESENT ZONING:	C1/Professional Office and Personal Services
PROPOSED ZONING:	I1/Limited Industrial
COUNCIL DISTRICT:	3 – Thomas F. Didier
SPONSOR:	Fort Wayne Plan Commission

November 13, 2023 Public Hearing

- No one spoke in support or with concerns.
- Tom Freistroffer, Karen Richards, and Ryan Neumeister were absent.

November 20, 2023 Business Meeting

Plan Commission Recommendation: DO PASS

A motion was made by Paul Sauerteig and seconded by Tom Freistroffer to return the ordinance with a Do Pass recommendation to Common Council for their final decision.

8-0 MOTION PASSED

- Judi Wire was absent.

Fact Sheet Prepared by:
Karen Couture, Associate Land Use Planner
November 21, 2023

PROJECT SUMMARY

- The current structure was constructed in 1987.
- The site currently is expanding with an improvement location permit from 2023.

The applicant is petitioning to rezone from C1/Professional Office and Personal Services to I1/Limited Commercial to align existing tenants of an approximately 248,000 square foot building and build up to 7 outlots around the existing lawn. Today, the campus is sprawling, with most of the site consisting of lawns and parking. The current character of Lima Road includes regional shopping destinations, like Sam's Club and Lowe's as well as other franchises and office parks. The Smith Field airport lies across SR 3.

For the rezoning petition, I1/Limited Industrial allows current and future tenants to conduct current operations. The site works well between limited manufacturing to the north and west and commercial uses to the south and east. The intent of the I1 district is to "provide areas in which goods are produced for direct consumptions by consumers" according to the zoning ordinance. The zoning district limits outdoor storage to 10% of the primary structure and behind existing buildings. I1 also permits retail and restaurants, which should provide seamless transition among the surrounding built environment.

For the development plan, the applicant proposes up to 7 outlots around the existing building, using existing infrastructure. As mentioned, about half of the existing lot is undeveloped. A 6-acre common area is proposed adjacent to existing residences and will contain detention for the site. Floodplain management has approved the plan, which includes a small amount of floodplain in the southwest corner. General vehicular access will remain unchanged. The plan will need to adhere to the airport overlay district, which may require some end users to obtain a special use but should not affect the general subdivision of outlots (Airport Authority approved the plan.). NIRCC requests sidewalks are installed along the site labeled Lot 2. The onus of adhering to zoning ordinance standards, landscaping, and other elements will be upon the end users of the outlots. It is also important to note that outlots may vary in size and location within the development parcel, but a maximum of seven splits will be permitted if approved by Plan Commission. As a final note, the zoning ordinance encourages interconnection with surrounding parcels, so the applicant is encouraged to work with the owners to the south if the new lot lines allow for interconnection.

COMPREHENSIVE PLAN REVIEW:

Future Growth and Development Map, Goals, and Strategies

- The project site is located within the Urban Infill Area.
- The proposed use of subdividing an existing development into outlots provides urban infill as well as maintains the existing development pattern along Lima Road.

Overall Land Use Policies

- The following policies couple be applicable and supportive of this proposal:
- **LUD Policy 6** Transform key suburban corridors over time into mixed use areas with housing, neighborhood-oriented retail, public spaces, walkable public realms, and transit service.
- **LUD Policy 7** Encourage compatible adaptive reuse of vacant, obsolete, or underutilized nonresidential buildings. (In this case, the grounds themselves are underutilized).

Generalized Future Land Use Map

- The project site is located within the Business and Office district.
The Business and Office Park Generalized Land Use includes a mix of professional office and personal service uses; medical, technology, and research facilities; and limited intensity industrial uses. This generalized land use can include planned developments with internal multimodal connectivity and access to integrated or nearby commercial uses. Business and office park uses should consist of high-quality development with internal pedestrian connectivity to nearby residential subdivisions and commercial development. Supporting uses may include low- to moderate-intensity service and retail uses. This category may serve as a buffer between residential uses and higher intensity commercial or industrial uses.
- The plan identifies technology and research as a primary use with service and retail as secondary uses.

Land Use Related Action Steps

- The following Action Step could be applicable and supportive of this proposal:
 - **LUD Goal 1** Encourage compatible infill development and redevelopment in the Urban Infill and Priority Investment Areas
 - **LUD 1.3** Encourage compatible higher density residential and mixed-use development in infill areas that are near public transit routes, employment centers, institutions, and other amenities

Compatibility Matrix

- The I1/Limited Industrial zoning request with the adopted land use classification of Business and Office park identifies this district as compatible.

Other applicable plans: none

PUBLIC HEARING SUMMARY:

Presenter: Todd Ramsey, developer, presented the request as outlined above.

Public Comments:

None

FORT WAYNE PLAN COMMISSION • FINDINGS OF FACT

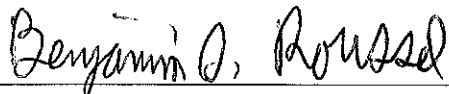
Rezoning Petition REZ-2023-0051

APPLICANT:	Silverado Cook Properties, LLC
REQUEST:	To rezone parcel from C1/Professional Office and Personal Services to I1/Limited Industrial for a 7-lot business park.
LOCATION:	1919 W Cook Road, southwest corner of its intersection with SR 3 (Section 15 of Washington Township)
LAND AREA:	52.38 acres
PRESENT ZONING:	C1/Professional Office and Personal Services
PROPOSED ZONING:	I1/Limited Industrial

The Plan Commission recommends that Rezoning Petition REZ-2023-0051 be returned to Council, with a “Do Pass” recommendation after considering the following:

1. Approval of the rezoning request will be in substantial compliance with the City of Fort Wayne Comprehensive Plan and should not establish an undesirable precedent in the area. The site is within the Urban Infill area identified in the Fort Wayne Comprehensive Plan. The rezone can also fulfill Land Use Policy 7: Encourage compatible adaptive reuse of vacant, obsolete, or underutilized nonresidential buildings.
2. Approval of the request will not have an adverse impact on the current conditions in the area, or the character of current structures and uses in the area. One of the reasons for the rezoning petition is aligning current uses within the existing structure. The Lima Road/SR 3 corridor is predominantly regional commercial or uses that serve as I-69 interchange destinations. The proposed rezoning petition allows for research and development, limited manufacturing, and professional offices, as well as retail without permitting automobile related uses, such as sales or gas stations.
3. Approval is consistent with the preservation of property values in the area. The I1 zoning district restricts outdoor storage and other primary or accessory uses that otherwise may not be compatible with existing residential zoning to the east.
4. Approval is consistent with responsible development and growth principles based on existing uses and infrastructure in the area. Infill development is an encouraged growth principle, and review from other agencies will ensure the site can handle additional development.

These findings approved by the Fort Wayne Plan Commission on November 20, 2023.



Benjamin J. Roussel
Executive Director
Secretary to the Commission

