

#REZ 2024 0045

BILL NO. Z-24-12-02

ZONING MAP ORDINANCE NO. Z-\_\_\_\_\_

**AN ORDINANCE amending the City of Fort Wayne  
Zoning Map No. N-26 (Sec. 25 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 C3 (General  
Commercial) District under the terms of Chapter 157 Title XV of the Code of the City of Fort  
Wayne, Indiana:

**LEGAL DESCRIPTION:**

**PARCEL I:**

Part of the West Half of the Northwest Quarter of Section 25, Township 31 North,  
Range 12 East, Allen County, Indiana, together with parts of Lots Numbered 11 and  
12 in Rudisill Heights Addition as recorded in Plat Book 10, page 78 in the Office of  
the Recorder of Allen County, Indiana, also together with parts of Lots Numbered 1,  
2, 3, 4 and the West 42.7 feet of Lot Number 5, all in Brudi's Second Addition as  
recorded in Plat Book 13, page 138 in the Office of said Recorder, all together being  
more particularly described as follows, to wit:

BEGINNING on the West line of Lot Number 1 in said Brudi's second Addition at a  
point situated, by deed, 61.5 feet South 01 degree, 45 minutes, 20 seconds East  
(bearings in this description are based on the Indiana Department of Highways  
bearing for Coliseum Boulevard) from the North line of said Northwest Quarter, this  
point being the point of intersection of the South right-of-way line of Coliseum  
Boulevard as established by deed of conveyance to the State of Indiana in Document  
Number 72-26819 in the Office of said Recorder with said West line; thence North  
83 degrees, 46 minutes, 46 seconds East, on and along said South right-of-way line,  
a distance of 130.83 feet; thence Easterly, continuing along said South right-of-way  
line as defined by the arc of a regular curve to the right, not tangent to the last  
course, having a radius of 6088.84 feet and situated 50.0 feet radially distant  
Southerly of and concentric to the centerline (Line "A") of said Coliseum Boulevard  
as established by "F" Project 724 (1) 1946, an arc distance of 375.27 feet, being  
subtended by a long chord having a length of 375.21 feet and a bearing of South 86  
degrees, 57 minutes East to the point of intersection of said South right-of-way line  
with the East line of the West 42.7 feet of Lot Number 5 in said Brudi's Second  
Addition; thence South 01 degree, 45 minutes, 20 seconds East, on and along said  
East line, a distance of 307.3 feet to the Southeast corner of the West 42.7 feet of said  
Lot Number 5; thence North 87 degrees, 51 minutes, 40 seconds East, on and along  
the South line of said Brudi's Second Addition and the Easterly projection thereof, a

distance of 194.4 feet to a point on the East line of the West Half of said Northwest Quarter; thence South 02 degrees, 13 minutes East, on and along said East line, a distance of 95.4 feet to a point situated 9.95 feet South of the most Northerly corner of Lot Number 11 in said Rudisill Heights Addition; thence south 55 degrees, 39 minutes East, a distance of 234.29 feet (recorded 235.44 feet) to a point on the Northeasterly right-of-way line of Clinton Street.as established in Document Number 73-29163 in the Office of said Recorder; thence South 34 degrees, 47 minutes, 20 seconds West, on and along said Northwesterly right-of-way line, a distance of 20.0 feet; thence North 55 degrees, 39 minutes West, a distance of 10.0 feet to the most Northerly corner of a 0.040 acre tract of land dedicated for Clinton Street right-of-way in Document Number 90-46699 in the Office of said Recorder; thence South 34 degrees, 47 minutes, 20 seconds West, on and along the Northwesterly line of said 0.040 acre tract and the Northwesterly right-of-way line of said Clinton Street, a distance of 112.0 feet to a point on the Southwesterly line of the Northeasterly 40 feet of Lot Number 12 in said Rudisill Heights Addition; thence North 55 degrees, 39 minutes West and parallel to the Northeasterly line of said Lot Number 12, a distance of 143.5 feet; thence South 87 degrees, 42 minutes, 30 seconds West, a distance of 89.6 feet; thence South 01 degree, 39 minutes East, a distance of 4.2 feet; thence South 87 degrees, 50 minutes West, a distance of 276.3 feet; thence North 01 degree, 45 minutes, 20 seconds West, a distance of 40.0 feet; thence South 87 degrees, 50 minutes West, a distance of 320.3 feet (recorded 320 feet) to a survey pin found; thence North 01 degree, 45 minutes, 20 seconds West, on and along a line situated, by deed, parallel to and 605.8 feet East of the West line of said Northwest Quarter, on and along a line established by survey monuments found, a distance of 545.7 feet to the point of beginning, containing 8.113 acres of land,

EXCEPTING therefrom the following described land:

Part of the West Half of the Northwest Quarter of Section 25, Township 31 North, Range 12 East, Allen County, Indiana, together with parts of Lots Numbered 2, 3, 4 and the West 42.7 feet of Lot Number 5, all in Brudi's Second Addition as recorded in Plat Book 13, page 138 in the Office of the Recorder of Allen County, Indiana, all together being more particularly described as follows, to wit:

COMMENCING on the west line of Lot Number 1 in said Brudi's Second Addition at a point situated, by deed, 61.5 feet South 01 degree, 45 minutes, 20 seconds East (bearings in this description are based on the Indiana Department of Transportation bearing for Coliseum Boulevard) from the North line of said Northwest Quarter, this point being the point of intersection of the South right-of-way line of Coliseum Boulevard as established by deed of conveyance to the State of Indiana in Document Number 72-26819 in the Office of said Recorder with said West line; thence South 01 degree, 45 minutes, 20 seconds East, on and along said West line and the Southerly projection thereof, a distance of 510.10 feet; thence North 88 degrees, 21 minutes, 23 seconds East, a distance of 202.68 feet to a-point on the Southerly projection of the East wall face of an existing building, this point being the true point of beginning; thence North 01 degree, 38 minutes, 37 seconds West, on and along said Southerly projection and said East wall face, a distance of 202.5 feet; thence North 88 degrees, 21 minutes, 23 seconds East, a distance of 261.83 feet; thence South 01 degree, 38 minutes, 37 seconds East, a distance of 202.5 feet; thence South

88 degrees, 21 minutes, 23 seconds West, a distance of 261.83 feet to the true point of beginning, containing 1.217 acres of land.

PARCEL II:

Part of the west Half of the Northwest Quarter of Section 25, Township 31 North, Range 12 East, Allen County, Indiana, together with parts of Lots Numbered 2, 3, 4 and the West 42.7 feet of Lot Number 5, all in Brudi's Second Addition as recorded in Plat Book 13, page 138 in the Office of the Recorder of Allen County, Indiana, all together being more particularly described as follows, to wit:

COMMENCING on the west line of Lot Number 1 in said Brudi's Second Addition at a point situated, by deed, 61.5 feet South 01 degree, 45 minutes, 20 seconds East (bearings in this description are based on the Indiana Department of Transportation bearing for Coliseum Boulevard) from the North line of said Northwest Quarter, this point being the point of intersection of the South right-of-way line of Coliseum Boulevard as established by deed of conveyance to the State of Indiana in Document Number 72-26819 in the Office of said Recorder with said West line; thence South 01 degree, 45 minutes, 20 seconds East, on and along said West line and the Southerly projection thereof, a distance of 510.10 feet; thence North 88 degrees, 21 minutes, 23 seconds East, a distance of 202.68 feet to a-point on the Southerly projection of the East wall face of an existing building, this point being the true point of beginning; thence North 01 degree, 38 minutes, 37 seconds West, on and along said Southerly projection and said East wall face, a distance of 202.5 feet; thence North 88 degrees, 21 minutes, 23 seconds East, a distance of 261.83 feet; thence South 01 degree, 38 minutes, 37 seconds East, a distance of 202.5 feet; thence South 88 degrees, 21 minutes, 23 seconds West, a distance of 261.83 feet to the true point of beginning, containing 1.217 acres of land.

and the symbols of the City of Fort Wayne Zoning Map No. N-26 (Sec. 25 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-2024-0045  
Bill Number: Z-24-12-02  
Council District: 3 – Nathan Hartman

---

Introduction Date: November 26, 2024

Plan Commission  
Public Hearing Date: December 9, 2024 (not heard by Council)

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

---

Synopsis of Ordinance: To rezone 8.113 acres from I1/Limited Industrial and C4/Intensive Commercial to C3/General Commercial

Location: 614 E Coliseum Blvd (Section 25 of Washington Township)

Reason for Request: To permit a retail sporting goods store that includes gun and propane sales, and to allow for uniform zoning.

Applicant: CASCO (Academy Sports and Outdoors)

Property Owner: Fort Wayne Coliseum Retail LLC

---

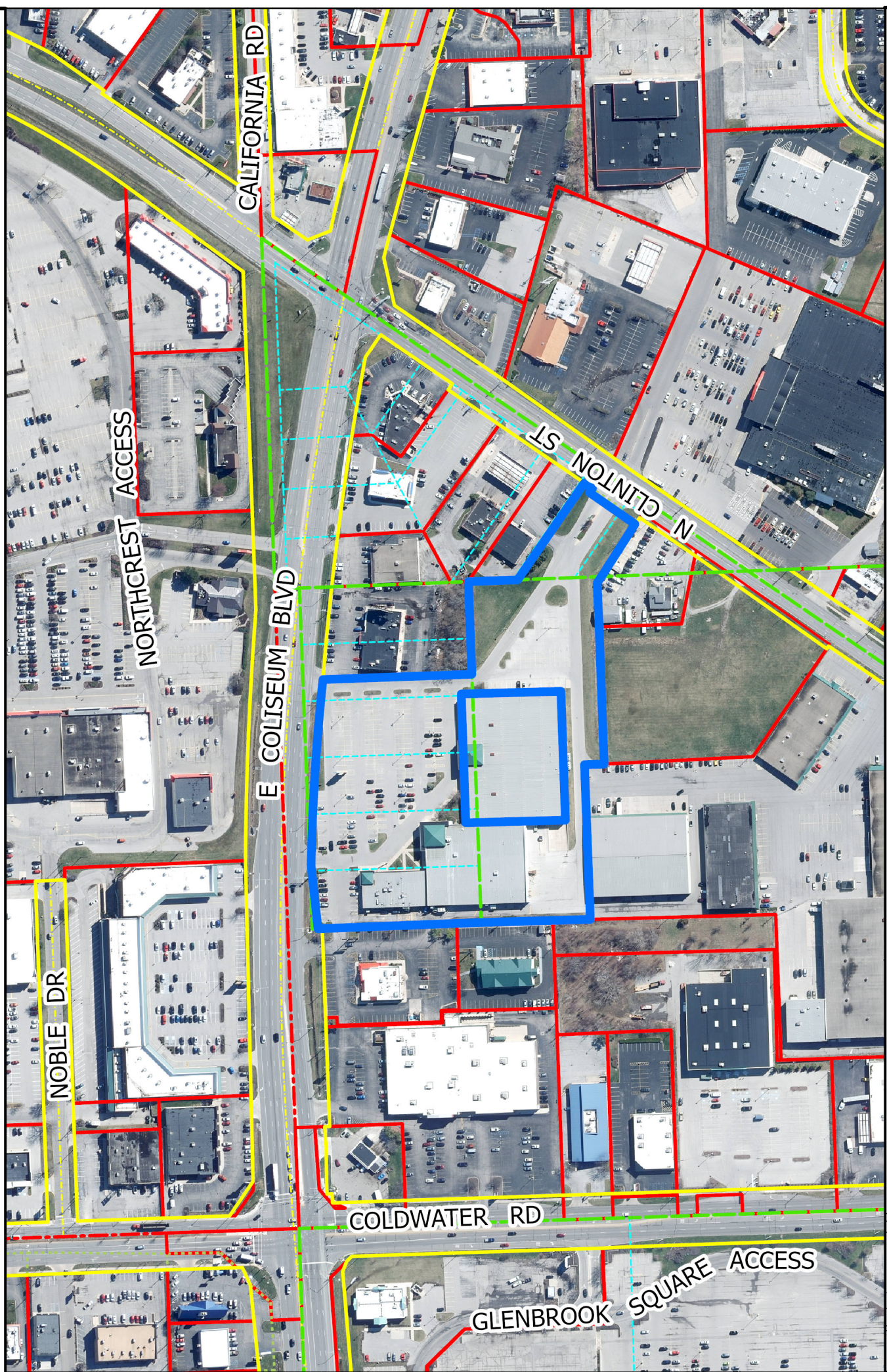
Related Petitions: None

---

Effect of Passage: Property will be rezoned to the C3/General Commercial zoning district, which permits a retail sporting goods store that includes gun and propane sales, and allows for a uniform zoning district for the entire parcel.

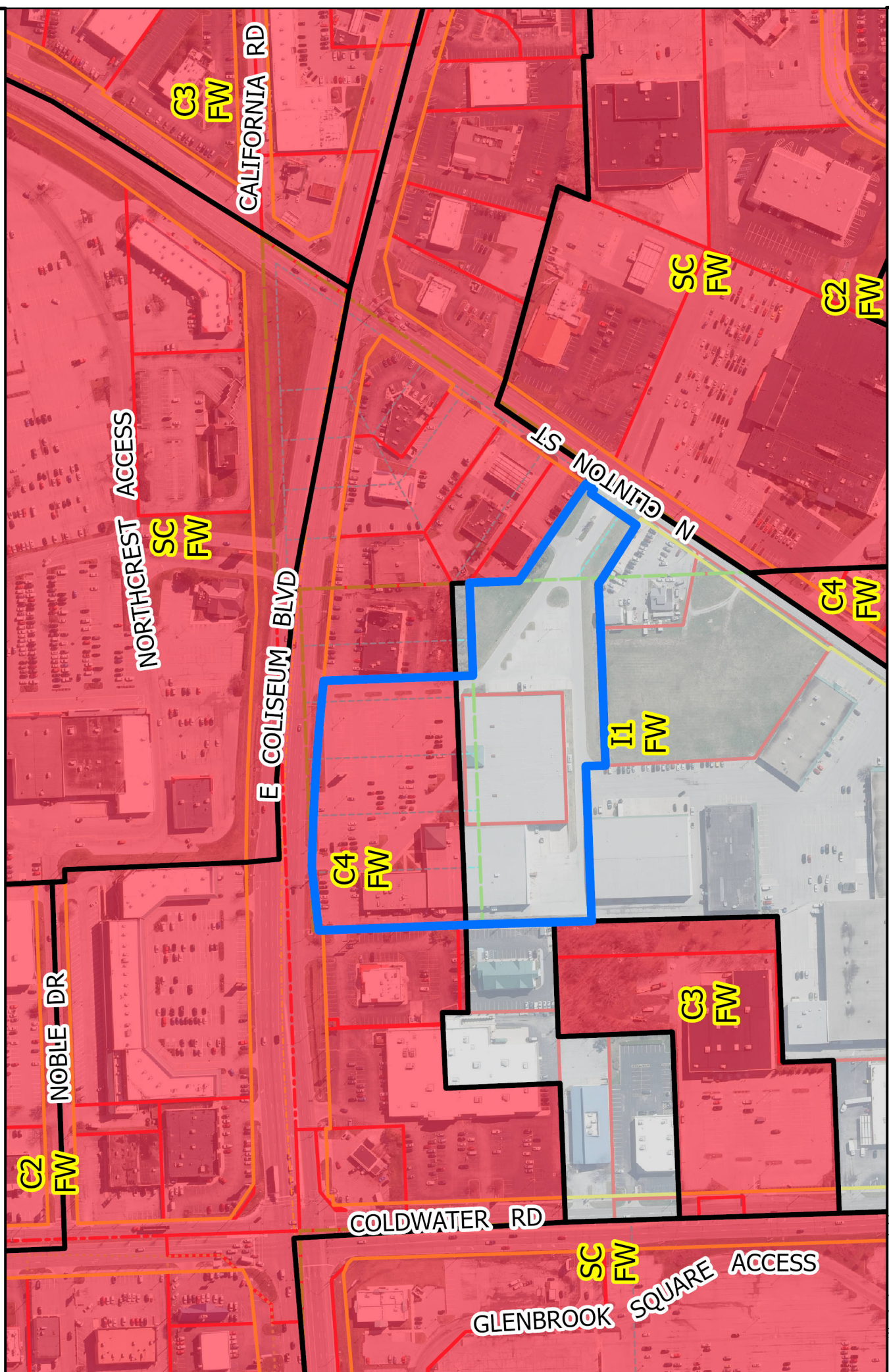
Effect of Non-Passage: Property will remain partially zoned I1/Limited Industrial and C4/Intensive Commercial, which does not permit a retail sporting goods store that includes gun and propane sales, and will not allow for uniform zoning. The site will continue with existing uses, and may be redeveloped with intense commercial uses, and provide areas in which goods are produced for direct consumption by consumers.

Rezoning Petition REZ-2024-0045 - Academy Sports and Outdoors

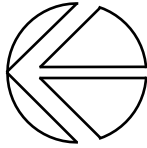
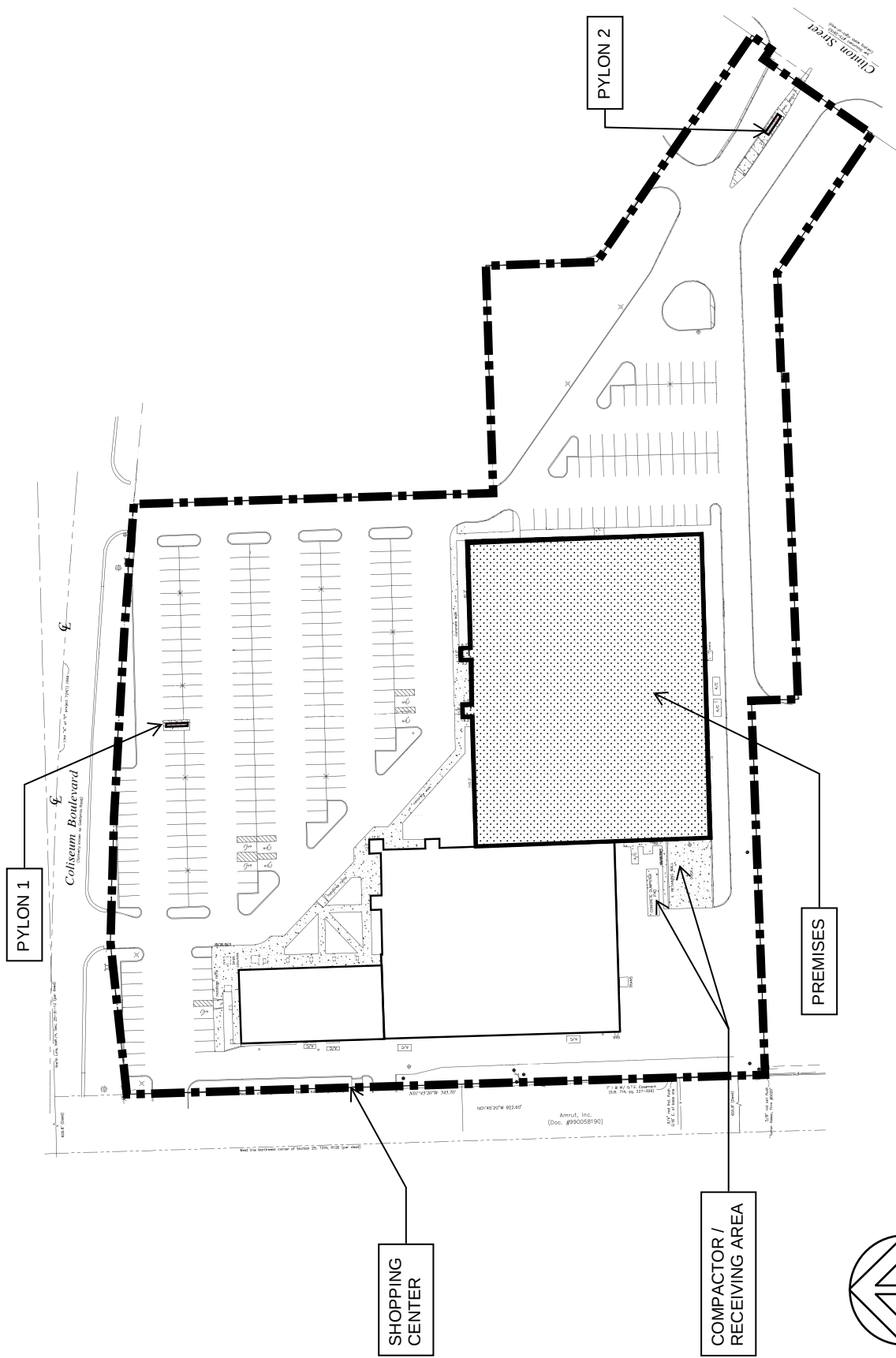


0 190 380 Feet

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: 11/20/2024



Proposed Academy Sports + Outdoors at:  
Fort Wayne, IN



NORTH

SITE PLAN  
(KITTLER'S SHOPPING CENTER)

VERSION DATE: 11/4/24



# Department of Planning Services Rezoning Petition Application

**Applicant**  
Applicant CASCO (on behalf of Academy Sports + Outdoors)  
Address 12 Sunnen Drive, Suite #100  
City Saint Louis State Missouri Zip 63143  
Telephone 314.821.1100 ext. 186 E-mail academysports@thecdcompanies.com

**Property Ownership**  
Property Owner Fort Wayne Coliseum Retail LLC  
Address 5623 Coventry Lane  
City Fort Wayne State IN Zip 46804  
Telephone 260-421-1943 E-mail pknape@bnd.net

**Contact Person**  
Contact Person Allyson Justmann, Project Manager - CASCO  
Address 12 Sunnen Drive, Suite #100  
City Saint Louis State Missouri Zip 63143  
Telephone 314.504.8343 E-mail academysports@thecdcompanies.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 614 E Coliseum Blvd Township and Section Township 31N - Range 12E  
Present Zoning 11 KC C4 Proposed Zoning X C3 Acreage to be rezoned 1.22 AC 8.113  
Purpose of rezoning (attach additional page if necessary) Interior remodel project with a change in the KC retail tenant. There are no footprint / structure changes proposed. Academy Sports + Outdoors will be selling firearms, ammunition, and propane tanks which is why  
Sewer provider City of Fort Wayne Utilities Water provider City of Fort Wayne Utilities

**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 (please complete attached document)

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

Ally Justmann  
(printed name of applicant)

  
(signature of applicant)

11.05.2024  
(date)

Patrick J. Pearson  
(printed name of property owner)

Patrick J Pearson  
(signature of property owner)

11/5/2024  
(date)



| Received                                                                                                                                                                                                                                                                  | Receipt No. | Hearing Date | Petition No.  |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|--------------|---------------|
| 11-6-24                                                                                                                                                                                                                                                                   | 146668      | 12-9-24      | REZ-2024-0045 |
| Department of Planning Services • 200 East Berry Suite 150 • Fort Wayne, Indiana • 46802<br>Phone (260) 449-7607 • Fax (260) 449-7682 • <a href="http://www.allencounty.us">www.allencounty.us</a> • <a href="http://www.cityoffortwayne.org">www.cityoffortwayne.org</a> |             |              |               |



## Department of Planning Services Rezoning Questionnaire

When making recommendations on rezoning requests, the Plan Commission shall pay reasonable regard to the following items. Please describe how this petition satisfies the following:

- (1) The Comprehensive Plan;

This proposed remodel and change in user accommodates Fort Wayne's market demand within the designated Priority Investment Area.

- (2) Current conditions and the character of current structures and uses in the district;

The existing shopping center has a zoning district division along the north side of Academy Sport's proposed unit; with the building (and tax parcel limits) under I1 zoning and the northern parking field under C4. The goal is to have the entire property zoned ~~C4~~ **C3**

- (3) The most desirable use for which the land in the district is adapted;

Retail / Commercial: Sporting Goods Sales

- (4) The conservation of property values throughout the jurisdiction;

The proposed exterior improvements (that do not affect the overall site) will visually enhance the building and therefore increase the property value, maintain marketability, and strengthen Fort Wayne's commercial activity.

- (5) Responsible development and growth.

The proposed project utilizes the existing built environment.

### COMPLETE FILING TO INCLUDE:

- ☐ Filing Fee
- ☐ Complete application signed by property owner\*
- ☐ Legal description (in Word document format)\*
- ☐ Boundary/Utility Survey\*
- ☐ Rezoning Criteria \*
- ☐ Written Commitment (if applicable)\*

*\*All documents may be digital*

