

1 #REZ-2013-0189

2 BILL NO. Z-13-12-27

3 ZONING MAP ORDINANCE NO. Z-8-14

4 AN ORDINANCE amending the City of Fort Wayne
5 Zoning Map No. A-11 (Sec. 14 of Aboite Township)

6 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE,
7 INDIANA:

8 SECTION 1. That the area described as follows is hereby designated an R3
9 (Multiple Family Residential) District under the terms of Chapter 157 Title XV of the Code of
10 the City of Fort Wayne, Indiana:

11 Commencing at the Southwest corner of the Southeast Quarter of Section 14,
12 Township 30 North, Range 11 East; thence East 20 rods; thence North 40 rods,
13 thence West 20 rods; thence South 40 rods to the place of beginning, containing 5
14 acres, more or less.

15 EXCEPT that part deeded to The Board of Commissioners of the County of Allen,
16 State of Indiana by Warranty Deed recorded as Document Number 2008058909
17 described as follows:

18 A part of the Southeast Quarter of Section 14, Township 30 North, Range 11 East,
19 Aboite Township, Allen County, Indiana, and being that part of the grantor's land
20 lying within the right-of-way line depicted on the attached Right-of-Way Parcel Plat
21 marked Exhibit "B" described as follows: Beginning a the southwest corner of said
22 quarter section, designated as point "4005" on said Exhibit "B"; thence North 0
23 degrees 40 minutes 15 seconds West 55.00 feet along the west line of said quarter
24 section to the line between the point designated "1020" and the point designated
25 "1050" on said Exhibit "B"; thence North 89 degrees 41 minutes 58 seconds East
26 0.16 feet along said line to said point "1050"; thence North 89 degrees 17 minutes 31
27 seconds East 203.01 feet to the point of designated "1022" on said Exhibit "B";
28 thence North 81 degrees 18 minutes 13 seconds East 128.08 feet to the west line of
29 the grantor's land and the point designated "1023" on said Exhibit "B"; thence South
30 0 degrees 40 minutes 15 seconds East 72.80 feet along said west line to the south line
of said quarter section; thence South 89 degrees 17 minutes 31 seconds West 330.00
feet (distance derived from Deed Book 515, Page 234) along said south line to the
point of beginning and containing 0.443 acres, more or less, inclusive of the
presently existing right-of-way which contains 0.152 acres, more or less, for a net
additional taking of 0.291 acres, more or less.

and the symbols of the City of Fort Wayne Zoning Map No. A-11 (Sec. 14 of Aboite

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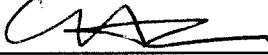
Township), as established by Section 157.082 of Title XV of the Code of the City of Fort Wayne, Indiana is hereby changed accordingly.

SECTION 2. 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:



Carol T. Helton, City Attorney

City of Fort Wayne Common Council
DIGEST SHEET

Department of Planning Services

Title of Ordinance: Zoning Map Amendment
Case Number: REZ-2013-0189
Bill Number: Z-13-12-27
Council District: 4-Mitch Harper

Introduction Date: December 17, 2013

Plan Commission
Public Hearing Date: January 6, 2014

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

Synopsis of Ordinance: To rezone approximately 4.56 acres from AR-Low Intensity Residential to R3-Multiple Family Residential.

Location: The north side of Aboite Center Road, on the west side of I-69.

Reason for Request: The applicant wishes to construct a 45-unit single-story apartment development.

Applicant: JR Parent

Related Petitions: Primary Development Plan, Yellow Retirement of Aboite

Effect of Passage: The current farmed ground will be rezoned to allow multiple family development.

Effect of Non-Passage: Property will remain AR and may continue to be used for agriculture or may be developed with low intensity single family homes.

**Department of Planning Services
Rezoning Petition Application**

Applicant
 Applicant JR Parent
 Address P.O. Box 11311
 City Fort Wayne State IN Zip 46865
 Telephone 260-493-3000 Fax _____ E-mail jrparent@yellowretirement.com

Property Ownership
 Property Owner JR Parent Corp. YELLOW RETIREMENT LLC
 Address P.O. Box 11311
 City Fort Wayne State IN Zip 46865
 Telephone 260-493-3000 Fax _____ E-mail jrparent@yellowretirement.com

Contact Person
 Contact Person Cliff Patterson / MLS Engineering, LLC
 Address 217 Airport North Office Park
 City Fort Wayne State IN Zip 46825
 Telephone 260-489-8571 Fax 260-489-8570 E-mail cliff@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 North side Aboite Ctr. Road - 200' East of Coventry Lane
 Present Zoning AR Proposed Zoning R3 Acreage to be rezoned 4.561 Ac.
 Proposed density 9.87 D.U. Acre units per acre
 Township name Aboite Township section # 14
 Purpose of rezoning (attach additional page if necessary) To allow construction of a 45 unit multi-family development
 Sewer provider Aqua Indiana Water provider Aqua Indiana

Filing Requirements
Applications will not be accepted unless the following filing requirements are submitted with this application. Please contact staff for applicable filing fees and plan/survey submittal requirements.
 Applicable filing fee
 Applicable number of surveys showing area to be rezoned (plans must be folded)
 Legal Description of parcel to be rezoned
 Rezoning Questionnaire (original and 10 copies) County Rezoning Only

I/we understand and agree, upon execution and submission of this application, that I am/we are the owner(s) of more than 50 percent of the property described in this application; that I/we agree to abide by all provisions of the Allen County Zoning and Subdivision Control Ordinance as well as all procedures and policies of the Allen County Plan Commission as those provisions, procedures and policies related to the handling and disposition of this application; that the above information is true and accurate to the best of my/our knowledge; and that I/we agree to pay Allen County the cost of notifying the required interested persons at the rate of \$0.85 per notice and a public notice fee of \$50.00 per Indiana code.

JR Parent J.R. Parent 12/3/13
 (printed name of applicant) (signature of applicant) (date)
JR Parent J.R. Parent 12/3/13
 (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 1214	Receipt No. 113797	Hearing Date 11/6/14	Petition No.
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202-1013-0189



This map is for representational purposes only - Boundaries identified by bold colored lines represent the general location of the proposed project

Rezoning Petition REZ-2013-0189 and Primary Development Plan - Yellow Retirement of Aboite



Printed: December 9, 2013
 © 2004 Board of Commissioners of the County of Allen
 North American Datum 1983
 State Plane Coordinate System, Indiana East
 Photos: Spring 2006; Contours: 1999



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.



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Rezoning Petition REZ-2013-0189 and Primary Development Plan - Yellow Retirement of Aboite



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Public Hearing Date, if applicable 1-6-14

Read the first time in full and on motion by Councilman Russell Jehl
Read the second time by title and referred to the Regulations Committee
Committee. Read the third time in full and on motion by Councilman
Jehl, placed on passage by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
<u>TOTAL VOTES</u>	<u>9</u>	_____	_____	_____
BENDER	<u>✓</u>	_____	_____	_____
CRAWFORD	<u>✓</u>	_____	_____	_____
DIDIER	<u>✓</u>	_____	_____	_____
HARPER	<u>✓</u>	_____	_____	_____
HINES	<u>✓</u>	_____	_____	_____
JEHL	<u>✓</u>	_____	_____	_____
PADDOCK	<u>✓</u>	_____	_____	_____
SHOAFF	<u>✓</u>	_____	_____	_____
SMITH	<u>✓</u>	_____	_____	_____

DATED: 2-11-14 Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as
(ANNEXATION) (APPROPRIATION) (GENERAL) (SPECIAL) (ZONING) ORDINANCE
(RESOLUTION) NO. Z-8-14 on the 11th day of
February, 2014

ATTEST:
Sandra E. Kennedy
SANDRA E. KENNEDY,
CITY CLERK

Martin A. Bender
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day
of February, 2014, at the hour of 3:45 o'clock P.M. E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 17th day of FEBRUARY
2014, at the hour of 11:00 o'clock AM E.S.T.

Thomas C. Henry
THOMAS C. HENRY, MAYOR

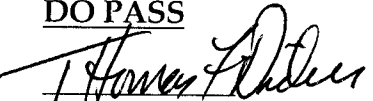
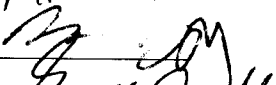
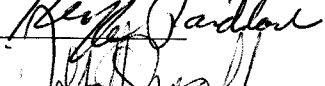
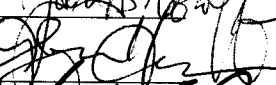
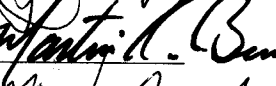
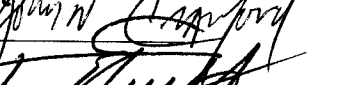
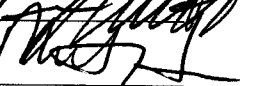

BILL NO. Z-13-12-27

REPORT OF COMMITTEE ON REGULATIONS

FEBRUARY 11, 2014

*Tom Didier, Chair
Mitch Harper, Co-Chair
All Council Members*

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. A-11 (Sec. 14 of Aboite Township). The location is the north side of Aboite Center Road, on the west side of I-69. **COMMITTEE ON REGULATIONS HAVE HAD SAID ORDINANCE UNDER CONSIDERATION AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID ORDINANCE**

<u>DO PASS</u>	<u>DO NOT PASS</u>	<u>ABSTAIN</u>	<u>NO REC</u>
	_____	_____	_____
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**SANDRA E. KENNEDY
CITY CLERK**