

1 #REZ-2014-0025

2 BILL NO. Z-14-03-15

3
4 ZONING MAP ORDINANCE NO. Z-23-14

5 AN ORDINANCE amending the City of Fort Wayne
6 Zoning Map No. N-50 (Sec. 12 of Washington Township)

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

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

12 A parcel of land situated in the East One-half of the Northwest One-quarter of
13 Section 11, Township 31 North, Range 12 East and in the Northwest One-quarter
14 of Section 12, Township 31 North, Range 12 East all in Allen County, Indiana and
15 more particularly described as follows:

16 Commencing at the northwest corner of the Northwest One-quarter of Section 12,
17 Township 31 North, Range 12 East; thence South 03 degrees 12 minutes 41
18 seconds East along the west line of said Northwest One-quarter, a distance of 37.84
19 feet to a five-eighths inch diameter steel pin with D&A Firm No. 0026 identification
20 cap set at the south line of a 1.114 acre parcel described in DOC. #200071170 and
21 being the point of beginning. BEGINNING at the above described point; thence
22 North 87 degrees 57 minutes 36 seconds East along said south line, a distance of
23 36.44 feet to a five-eighths inch diameter steel pin with D&A Firm No. 0026
24 identification cap set at the westerly corner of an 0.076 acre parcel described in
25 DOC. #2008012318; thence South 87 degrees 26 minutes 07 seconds East along
26 the southerly line of said 0.076 acre parcel, a distance of 287.75 feet to a five-
27 eighths inch diameter steel pin with D&A Firm No. 0026 identification cap set at the
28 southeast corner of said 0.076 acre parcel and also being on the west line of a
29 1.816 acre parcel described in DOC. #2007070676; thence South 02 degrees 02
30 minutes 24 seconds East along the westerly line of said 1.816 acre parcel, a
distance of 52.78 feet to a five-eighths inch diameter steel pin set with D&A Firm No.
0026 identification cap; thence South 30 degrees 20 minutes 40 seconds West
along the westerly line of said 1.816 acre parcel, a distance of 65.82 feet to a five-
eighths inch diameter steel pin with D&A Firm No. 0026 identification cap set at the
most southwesterly corner of said 1.816 acre parcel; thence South 59 degrees 39
minutes 20 seconds East along the southerly line of said 1.816 acre parcel, a
distance of 300.38 feet to a five-eighths inch diameter steel pin with D&A Firm No.
0026 identification cap set at the northwesterly corner of an 0.176 acre parcel
described in DOC. #200812319; thence South 30 degrees 43 minutes 08 seconds
West along the westerly line of said 0.176 acre parcel, a distance of 414.98 feet to a
five-eighths inch diameter steel pin set with D&A Firm No. 0026 identification cap;
thence South 24 degrees 08 minutes 48 seconds West along the westerly line of

1 said 0.176 acre parcel, a distance of 208.74 feet to a five-eighths inch diameter
2 steel pin with D&A Firm No. 0026 identification cap set at the southwesterly corner
3 of said 0.176 acre parcel; thence South 65 degrees 51 minutes 12 seconds East
4 along the southerly line of said 0.176 acre parcel, a distance of 14.58 feet to a five-
5 eighths inch diameter steel pin with D&A Firm No. 0026 identification cap set at the
6 southeasterly corner of said 0.176 acre parcel and also being on the westerly line of
7 said 1.114 acre parcel; thence South 23 degrees 46 minutes 22 seconds West
8 along the westerly line of said 1.114 acre parcel, a distance of 158.42 feet to a five-
9 eighths inch diameter steel pin set with D&A Firm No. 0026 identification cap;
10 thence South 25 degrees 35 minutes 59 seconds West along the westerly line of
11 said 1.114 acre parcel, a distance of 9.50 feet to a five-eighths inch diameter steel
12 pin found with Tazian Assoc. Firm #0020 identification cap; thence North 69
13 degrees 01 minutes 14 seconds West along the northerly line of said 1.114 acre
14 parcel, a distance of 98.68 feet to a five-eighths inch diameter steel pin found
15 Tazian Assoc. Firm #0020 identification cap; thence South 50 degrees 32 minutes
16 15 seconds West along westerly line of said 1.114 acre parcel, a distance of 64.65
17 feet to a five-eighths inch diameter steel pin with Tazian Assoc. Firm #0020
18 identification cap found at the southeast corner of lot 52 in Waterswolde, Section C,
19 according to the plat thereof, recorded in Plat Book 24, page 86 in the Office of the
20 Recorder of Allen County, Indiana; thence North 02 degrees 54 minutes 24 seconds
21 West along the east line of said lot 52, a distance of 159.89 feet to a pinched pipe
22 found; thence South 87 degrees 06 minutes 21 seconds West along the north line of
23 said Waterswolde, Section C and along the north line of Waterswolde, Section B,
24 according to the plat thereof, recorded in Plat Book 20, page 126, in the Office of the
25 Recorder of Allen County, Indiana, a distance of 880.64 feet to a one-half inch
26 diameter steel pin found at the northwest corner of lot 40 in said Waterswolde,
27 Section B; thence South 59 degrees 30 minutes 54 seconds West along the
28 northerly line of said Waterswolde, Section B, a distance of 198.69 feet to a one-half
29 inch square steel pin found at the northwest corner of lot 39 in said Waterswolde,
30 Section B; thence South 78 degrees 07 minutes 43 seconds West along the
northerly line of said Waterswolde, Section B, a distance of 257.48 feet to a five-
eighths inch steel pin with DA Brown identification cap found on the west line of the
East One-half of the Northeast One-quarter of said Section 11 and also being the
east line of Saddle Brook, Section I, according to the plat thereof, recorded in Plat
Cabinet D, page 86, in the Office of the Recorder of Allen County, Indiana; thence
North 02 degrees 58 minutes 47 seconds West along the west line of said East
One-half and the east line of said Saddle Brook, Section I, a distance of 440.88 feet
to the southwest corner of an 11.51 acre parcel described in DOC. #94-019390 and
being the centerline of Water's Drain; thence North 81 degrees 29 minutes 43
seconds East along the southerly line of said 11.51 acre parcel and said centerline,
a distance of 323.29 feet; thence North 70 degrees 47 minutes 43 seconds East
along the southerly line of said 11.51 acre parcel and said centerline, a distance of
484.50 feet; thence North 63 degrees 18 minutes 43 seconds East along the
southerly line of said 11.51 acre parcel and said centerline, a distance of 106.00
feet; thence North 53 degrees 34 minutes 43 seconds East along the southerly line
of said 11.51 acre parcel and said centerline, a distance of 126.30 feet; thence
North 33 degrees 03 minutes 43 seconds East along the southerly line of said 11.51
acre parcel and said centerline, a distance of 264.83 feet to the southwesterly
corner of said 1.114 acre parcel; thence North 87 degrees 57 minutes 36 seconds
East along southerly line of said 1.114 acre parcel, a distance of 55.94 feet to a five-
eighths inch eighth inch diameter steel pin set with D&A Firm No. 0026

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identification cap; thence North 49 degrees 18 minutes 00 seconds East along southerly line of said 1.114 acre parcel, a distance of 42.02 feet to a five-eighths inch diameter steel pin found; thence North 87 degrees 57 minutes 36 seconds East along southerly line of said 1.114 acre parcel, a distance of 70.26 feet to the point of beginning, containing 23.00 acres of land, more or less.

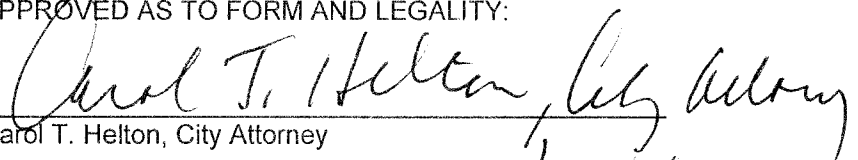
and the symbols of the City of Fort Wayne Zoning Map No. N-50 (Sec. 12 of Washington Township), as established by Section 157.082 of Title XV of the Code of the City of Fort Wayne, Indiana is hereby changed accordingly.

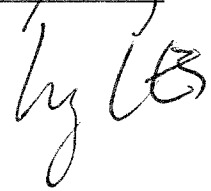
SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.



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-2014-0025
Bill Number: Z-14-03-15
Council District: 3 – Tom Didier

Introduction Date: March 25, 2014

Plan Commission
Public Hearing Date: April 7, 2014

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

Synopsis of Ordinance: To rezone approximately 23.0 acres of property from R1-Single Family
Residential and CM1-Professional Office and Personal Services to RP-
Planned Residential

Location: 8600 block of Coldwater Road on the west side of the street.

Reason for Request: To allow for a 140-unit single-story apartment development.

Applicant: Coldwater Villages, LLC

Property Owner: Coldwater Villages, LLC

Related Petitions: Primary Development Plan, The Villages on Coldwater

Effect of Passage: Property will be rezoned to RP-Planned Residential to allow the development
of an apartment complex.

Effect of Non-Passage: The property will remain zoned R1 and CM1 and may develop with single
family and office uses.

**Department of Planning Services
Rezoning Petition Application**

Applicant
 Applicant Coldwater Villages LLC
 Address 5503 Coventry Lane
 City Fort Wayne State IN Zip 46804-7144
 Telephone 260-489-3336 Fax 260-489-0606 E-mail jbellio@cbrwg.com

Property Ownership
 Property Owner same as above
 Address _____
 City _____ State _____ Zip _____
 Telephone _____ Fax _____ E-mail _____

Contact Person
 Contact Person Kerry Dickmeyer
 Address 6018 E. State Blvd.
 City Fort Wayne State IN Zip 46815
 Telephone 260-797-8806 Fax _____ E-mail landk68@gmail.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 9000 Coldwater Road
 Present Zoning R1 CM1 Proposed Zoning RP Acreage to be rezoned 23.0
 Proposed density _____ 6.1 units per acre
 Township name Washington Township section # 12
 Purpose of rezoning (attach additional page if necessary) _____
construction of single family attached housing
 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 contact staff for applicable filing fees and plan/survey submittal requirements.
 Applicable filing fee \$500.00
 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.

John Bellio member John Bellio 12-18-13
 (printed name of applicant) (signature of applicant) (date)
Coldwater Villages LLC.

 (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.
<u>3/14/14</u>	<u>114190</u>	<u>4/7/14</u>	<u>Rez-2014-0025</u>



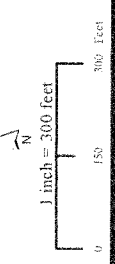
Rezoning Petition REZ-2014-0025 and Primary Development Plan - The Villages on Coldwater Road



Project boundaries represented by bold colored lines are for representational purposes only.

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

Although special 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 does not assume any and all liability resulting from any error or omission in this map.





Rezoning Petition REZ-2014-0025 and Primary Development Plan - The Villages on Coldwater Road

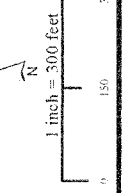


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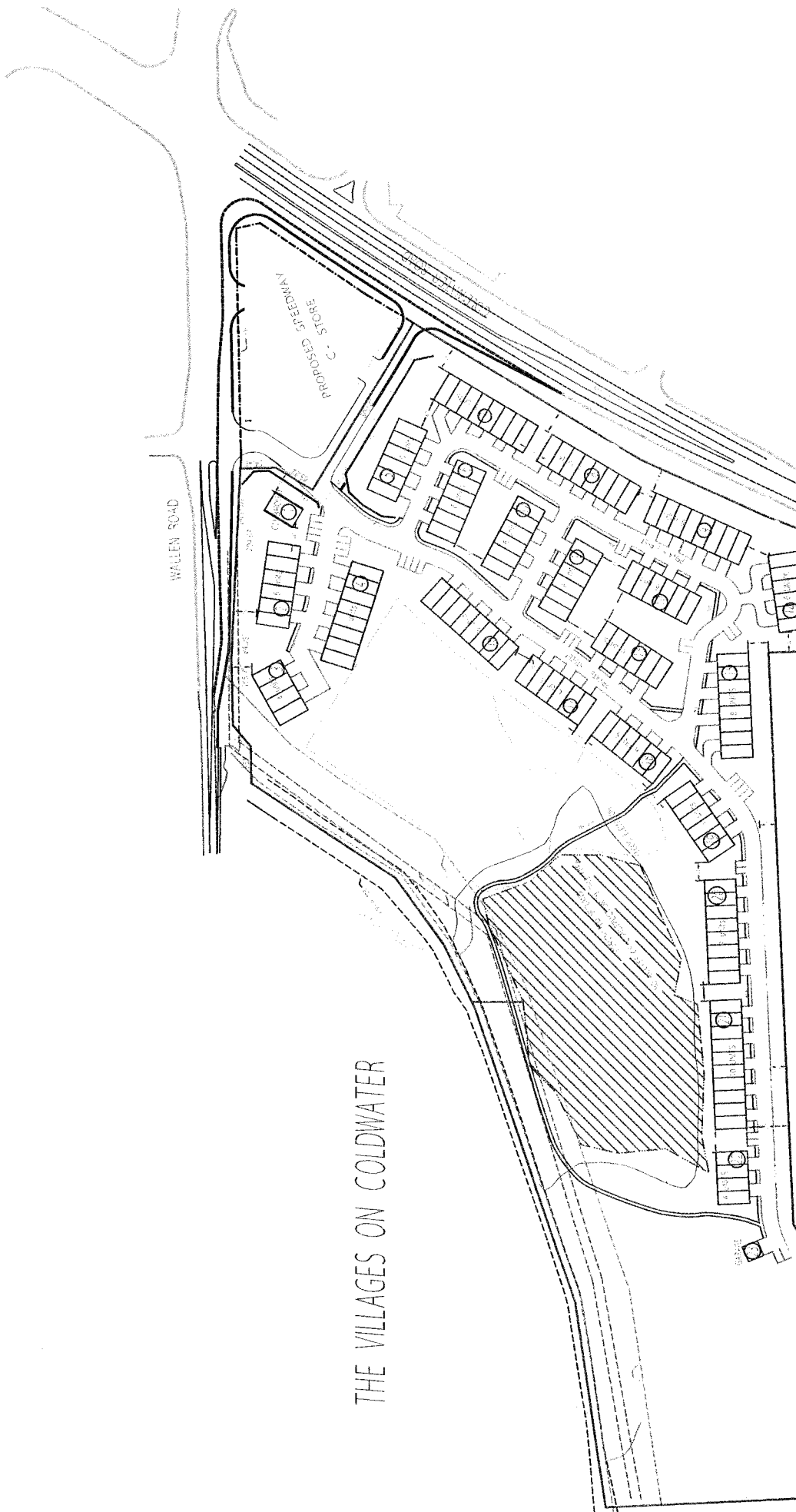
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Date: 3/14/2014



THE VILLAGES ON COLDWATER



Public Hearing Date, if applicable _____

Read the first time in full and on motion by Councilman Didier

Read the second time by title and referred to the Regulations Committee. Read the third time in full and on motion by Councilman

Didier, 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>	_____	_____	_____
SHOAF	<u>✓</u>	_____	_____	_____
SMITH	<u>✓</u>	_____	_____	_____

DATED: 6-24-14 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. 2-23-14 on the 24th day of June, 2014

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

Robert A. Bender
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th day of June, 2014, at the hour of 2 o'clock PM. E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 30th day of June

2014, at the hour of 3 o'clock PM. E.S.T.

Thomas C. Henry
THOMAS C. HENRY, MAYOR

BILL NO. Z-14-03-15

REPORT OF COMMITTEE ON REGULATIONS

JUNE 24, 2014

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

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. N-50 (Sec. 12 of Washington Township). The property to be rezoned is in the 8600 Block of Coldwater Road on the west side of the street. **COMMITTEE ON REGULATIONS HAVE HAD SAID** Ordinance under consideration and beg leave to report back to the Common Council that said ordinance

DO PASS

DO NOT PASS

ABSTAIN

NO REC

<i>T. Harper</i>	_____	_____	_____
<i>M. Harper</i>	_____	_____	_____
<i>F. Starnes</i>	_____	_____	_____
<i>James W. Curren</i>	_____	_____	_____
<i>Walter B. C.</i>	_____	_____	_____
<i>Gregory J.</i>	_____	_____	_____
<i>Gregory J.</i>	_____	_____	_____
<i>Gregory J.</i>	_____	_____	_____

**SANDRA E. KENNEDY
CITY CLERK**