

1
2 #REZ-2014-0101

3 BILL NO. Z-14-10-20

4 ZONING MAP ORDINANCE NO. Z-30-14

5 AN ORDINANCE amending the City of Fort Wayne
6 Zoning Map No. D-02 (Sec. 7 of Wayne 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 a C3
10 (General Commercial) District under the terms of Chapter 157 Title XV of the Code of the
11 City of Fort Wayne, Indiana:

12 PART OF THE NORTHWEST QUARTER OF SECTION 7, TOWNSHIP 30 NORTH,
13 RANGE 12 EAST OF THE SECOND PRINCIPAL MERIDIAN, ALLEN COUNTY,
14 INDIANA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

15 COMMENCING AT THE NORTHEAST CORNER OF SAID NORTHWEST QUARTER;
16 THENCE ON THE NORTH LINE OF SAID NORTHWEST QUARTER SOUTH 89
17 DEGREES 42 MINUTES 07 SECONDS WEST (GRID BEARING BASED ON THE
18 STATE PLANE COORDINATE SYSTEM - INDIANA EAST (ZONE 1301) (NAD
19 83(2011))) 325.00 FEET TO THE EXTENSION OF THE WEST LINE OF WALNUT
20 HILLS TERRACE ADDITION PER THE PLAT THEREOF RECORDED IN PLAT
21 BOOK 16, PAGE 139 IN THE OFFICE OF THE RECORDER OF ALLEN COUNTY,
22 INDIANA; THENCE SAID EXTENSION SOUTH 00 DEGREES 36 MINUTES 25
23 SECONDS EAST 65.00 FEET TO A 5/8 INCH DIAMETER REBAR WITH YELLOW
24 PLASTIC CAP STAMPED "WEIHE ENGR. 0012" (REBAR) ON THE SOUTH RIGHT-
25 OF-WAY LINE OF STATE ROAD 14; THENCE ON SAID RIGHT-OF-WAY LINE
26 NORTH 89 DEGREES 42 MINUTES 07 SECONDS EAST 271.65 FEET TO A RIGHT-
27 OF-WAY MONUMENT; THENCE CONTINUING ON SAID RIGHT-OF-WAY LINE
28 SOUTH 45 DEGREES 17 MINUTES 53 SECONDS EAST 18.98 FEET TO A REBAR
29 ON THE WEST RIGHT-OF-WAY OF GETZ ROAD BEING 40 FEET WEST OF THE
30 EAST LINE OF SAID NORTHWEST QUARTER AS MEASURED PERPENDICULAR
THERETO; THENCE ON SAID RIGHT-OF-WAY LINE SOUTH 00 DEGREES 36
MINUTES 25 SECONDS EAST 286.58 FEET TO A REBAR ON THE SOUTH LINE
OF LOT 2 OF SAID WALNUT HILLS TERRACE ADDITION; THENCE ON SAID
SOUTH LINE SOUTH 89 DEGREES 42 MINUTES 07 SECONDS WEST 285.00
FEET TO A REBAR AT THE SOUTHWEST CORNER THEREOF; THENCE ON THE
WEST LINE THEREOF NORTH 00 DEGREES 36 MINUTES 25 SECONDS WEST
89.67 FEET TO A REBAR AT THE SOUTHEAST CORNER OF THE LAND

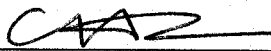
1 DESCRIBED IN INSTRUMENT NUMBER 88-024041 IN SAID RECORDER'S
2 OFFICE; THENCE ON THE SOUTH LINE THEREOF SOUTH 89 DEGREES 42
3 MINUTES 07 SECONDS WEST 195.08 FEET TO A REBAR ON THE EAST RIGHT-
4 OF-WAY LINE OF MAGNAVOX WAY PER THE PLAT OF COMMERCE SQUARE
5 RECORDED IN PLAT BOOK 33, PAGES 62 AND 63 IN SAID RECORDER'S OFFICE;
6 THENCE ON SAID RIGHT-OF-WAY LINE NORTH 00 DEGREES 22 MINUTES 53
7 SECONDS WEST 137.54 FEET TO A REBAR ON THE SOUTH RIGHT-OF-WAY
8 LINE OF STATE ROAD 14; THENCE ON SAID RIGHT-OF-WAY LINE NORTH 43
9 DEGREES 18 MINUTES 17 SECONDS EAST 86.71 FEET TO A REBAR; THENCE
10 CONTINUING ON SAID RIGHT-OF-WAY LINE NORTH 89 DEGREES 42 MINUTES
11 07 SECONDS EAST 134.40 FEET TO A REBAR; THENCE CONTINUING ON SAID
12 RIGHT-OF-WAY LINE NORTH 00 DEGREES 36 MINUTES 25 SECONDS WEST
13 10.00 FEET TO THE POINT OF BEGINNING CONTAINING 2.813 ACRES, MORE
14 OR LESS.

15 and the symbols of the City of Fort Wayne Zoning Map No. D-02 (Sec. 7 of Wayne
16 Township), as established by Section 157.082 of Title XV of the Code of the City of Fort
17 Wayne.

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

20 
21 _____
22 Council Member

23 APPROVED AS TO FORM AND LEGALITY:

24 
25 _____
26 Carol T. Helton, City Attorney

27
28
29
30

City of Fort Wayne Common Council
DIGEST SHEET

Department of Planning Services

Title of Ordinance: Zoning Map Amendment
Case Number: REZ-2014-0101
Bill Number: Z-14-10-20
Council District: 4 – Mitch Harper

Introduction Date: October 28, 2014
Plan Commission
Public Hearing Date: November 10, 2014
Next Council Action: Ordinance will return to Council after recommendation by the Plan Commission

Synopsis of Ordinance: To rezone approximately 2.8 acres of property from C2-Limited Commercial to C3-General Commercial
Location: 6205 Illinois Road
Reason for Request: To rezone the former bank property to be included in the redevelopment of the Speedway gas station.
Applicant: Speedway LLC
Property Owner: Speedway LLC

Related Petitions: Primary Development Plan, Speedway Store #5161

Effect of Passage: Property will be rezoned to C3-General Commercial to allow the existing Speedway gas station to utilize the former bank property for access and a part of a new gas canopy.

Effect of Non-Passage: The property will remain zoned C2-Limited Commercial. The property may continue as a banking business or redevelopment with a C2 use. Speedway will not be permitted to use the bank property for access for fueling purposes.

**Department of Planning Services
Rezoning Petition Application**

Applicant
 Applicant Speedway LLC, Mike Bergman
 Address 5000 W. 86th Street
 City Indianapolis State IN Zip 46268
 Telephone 937-206-9605 Fax _____ E-mail mbergman@speedway.com

Property Ownership
 Property Owner Speedway LLC, by Jeffrey J. Wild, Dir. R.E., Const. & Engineering
 Address 500 Speedway Drive
 City Enon State OH Zip 45323
 Telephone 937-864-3000 Fax _____ E-mail jwild@speedway.com

Contact Person
 Contact Person Eric Carter, Weihe Engineers, Inc.
 Address 10505 N. College Avenue
 City Indianapolis State IN Zip 46280
 Telephone 317-846-6611 Fax _____ E-mail cartere@weihe.net

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 6205 Illinois Rd.
 Present Zoning C2 Proposed Zoning C3 Acreage to be rezoned 2.813 +/-
 Proposed density _____ units per acre
 Township name Wayne Township section # _____
 Purpose of rezoning (attach additional page if necessary) After meeting with Staff, it was concluded that rezoning the site to C3 would allow for gas use, bringing the site up to current standards.
 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
 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 Rezonings 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.

Mike Bergman [Signature] 9/24/2014
 (printed name of applicant) (signature of applicant) (date)
Speedway LLC - by Jeffrey J. Wild [Signature] 9/23/14
 (printed name of property owner) (signature of property owner) (date)
Director R.E., Const. & Engineering _____
 (printed name of property owner) (signature of property owner) (date)

 (printed name of property owner) (signature of property owner) (date)

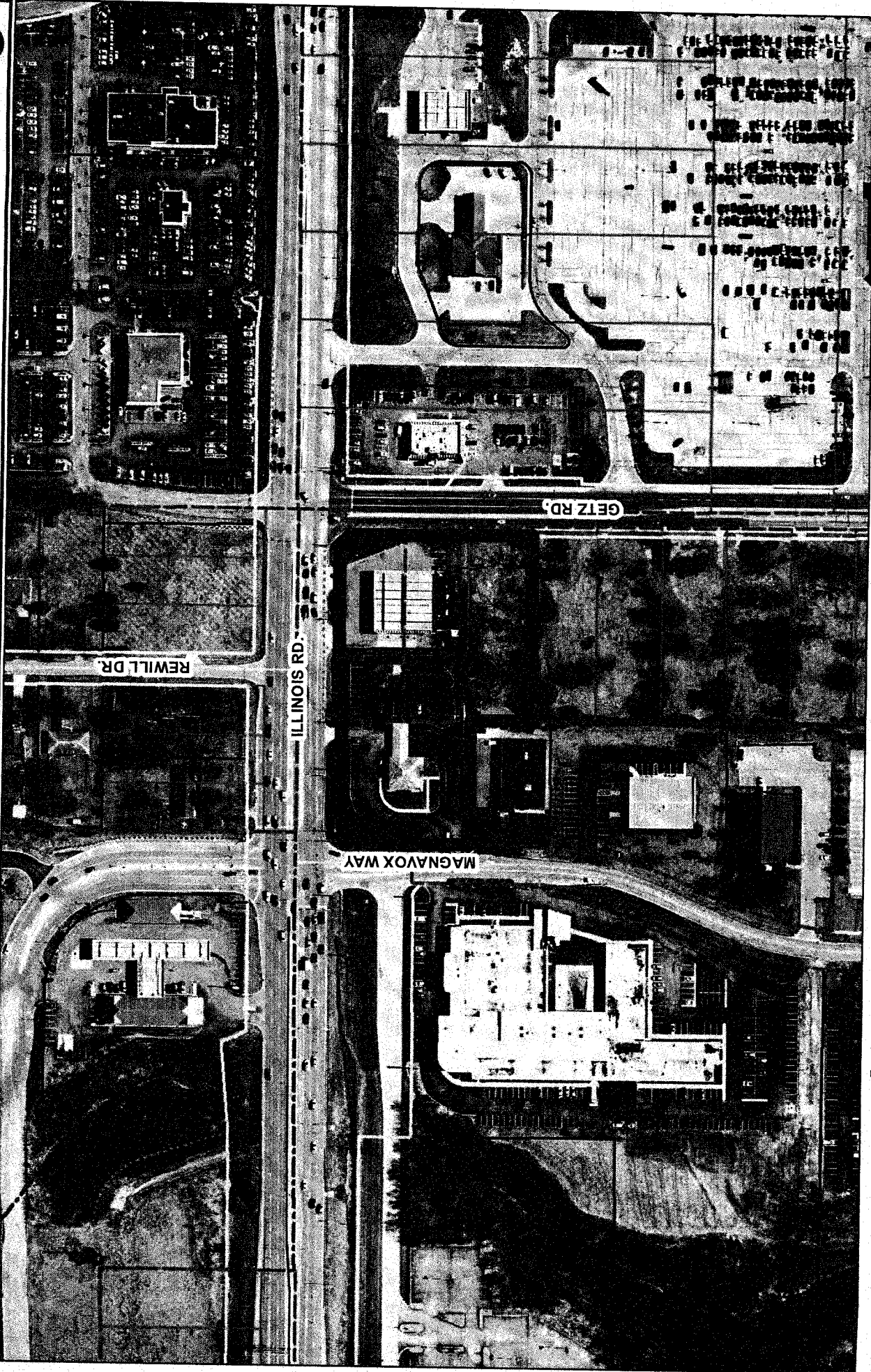


Received	Receipt No.	Hearing Date	Petition No.
10/1/14	116349	11/10/14	

RC2-2014-0101



Rezoning Petition REZ-2014-0101 and Primary Development Plan - Speedway Getz and Illinois Road



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

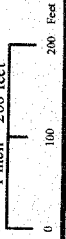
© 2004 Board of Commissioners of the County of Allen
North American Datum 1983
State Plane Coordinate System, Indiana East
Photos and Contours: Spring 2009

Although 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.

Date: 10/20/2014

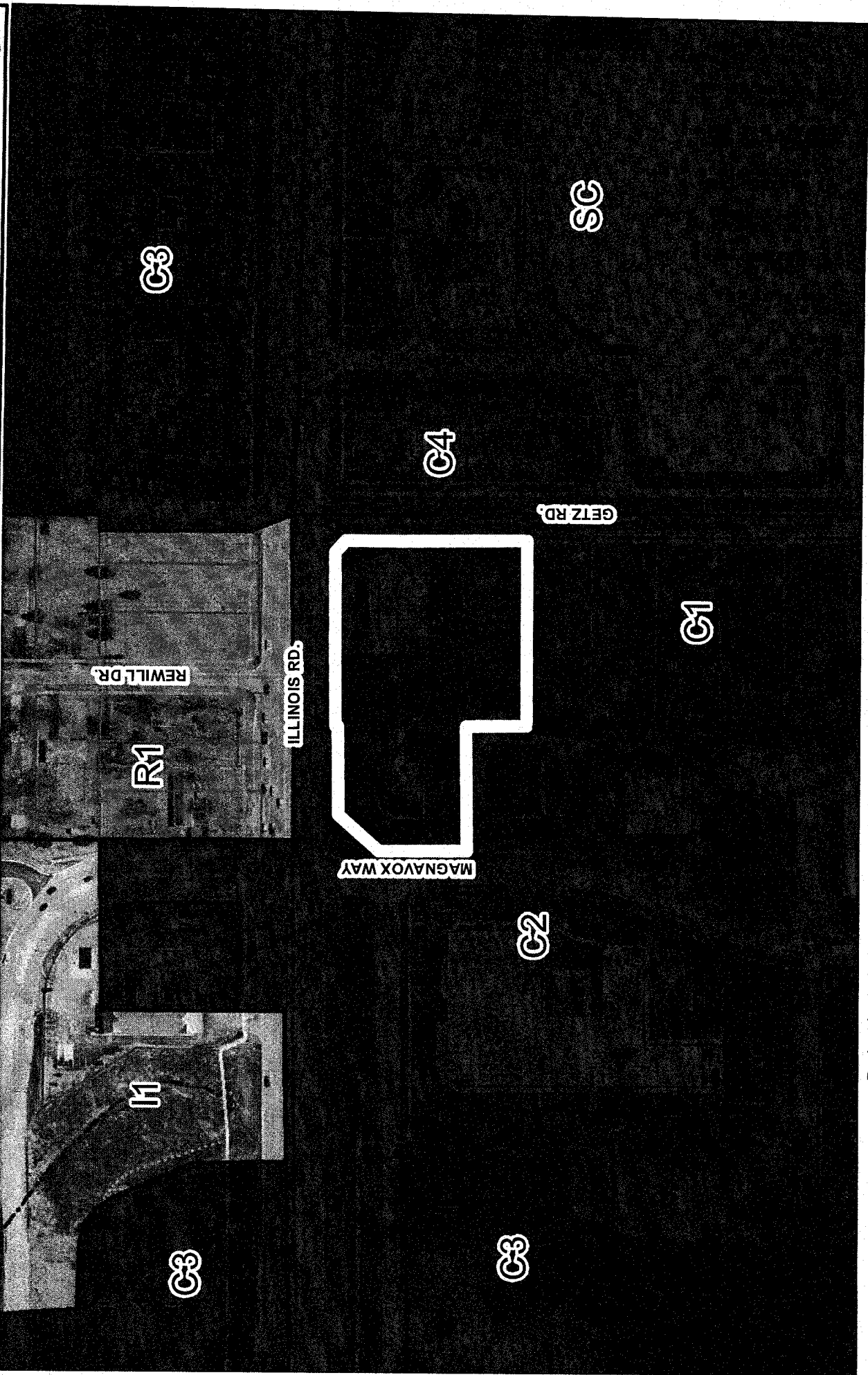


1 inch = 200 feet





Rezoning Petition REZ-2014-0101 and Primary Development Plan - Speedway Getz and Illinois Road



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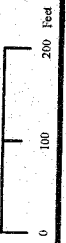
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© 2014 Board of Commissioners of the County of Allen
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1 inch = 200 feet



WEST ELEVATION EAST ELEVATION NORTH ELEVATION SOUTH ELEVATION FRONT ELEVATION



Speedway

BUILDING ELEVATIONS
 6006 KILBOURNS RD
 ALLEN COUNTY
 FT. WAYNE, IN

PROJECT NO.	5161
DATE	06/23
SCALE	1/4" = 1'-0"
DATE	06/23
SCALE	1/4" = 1'-0"
DATE	06/23
SCALE	1/4" = 1'-0"
DATE	06/23
SCALE	1/4" = 1'-0"
DATE	06/23
SCALE	1/4" = 1'-0"

5161 ELEY

Public Hearing Date, if applicable 11-10-14

Read the first time in full and on motion by Councilman Mitch Harper
Read the second time by title and referred to the Regulations
Committee. Read the third time in full and on motion by Councilman
Mitch Harper, 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: 12-9-14 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. 2-30-14 on the 9th day of
December, 2014

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

Thomas A. Bender
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day
of December, 2014, at the hour of _____ o'clock _____ E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 11th day of December
2014, at the hour of 9:36 o'clock AM E.S.T.

Thomas C. Henry
THOMAS C. HENRY, MAYOR

