

1 #REZ-2017-0012

2 BILL NO. Z-17-03-19

3 ZONING MAP ORDINANCE NO. Z-9-17

4 AN ORDINANCE amending the City of Fort Wayne
5 Zoning Map No. AA-02 (Sec. 11 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 a C1
9 (Professional Office and Personal Services) District under the terms of Chapter 157 Title XV
10 of the Code of the City of Fort Wayne, Indiana:

11 Parcel I:

12 Part of the West 55 acres of the West Half of the Northwest Quarter of Section 11,
13 Township 30 North, Range 11 East, Allen County, Indiana, more particularly
described as follows, to-wit:

14 Beginning on the North line of said Northwest Quarter, at a point situated 328.5 feet
15 Easterly of the Northwest corner of said Northwest Quarter; thence Easterly, on and
16 along said North line, also being the centerline of Illinois Road (Indiana State Road
17 #14), a distance of 140.0 feet; thence South, by a deflection angle right of 90 degrees
18 01 minutes 30 seconds and parallel to the West line of said Northwest Quarter, a
distance of 280.0 feet; thence Westerly and parallel to said North line, a distance of
140.0 feet; thence North and parallel to said West line, a distance of 280.0 feet to the
point of beginning, containing 0.900 acres of land.

19 Excepting therefrom:

20 A part of the West Half of the Northwest Quarter of Section 11, Township 30 North,
21 Range 11 East, Allen County, Indiana, and being that part of the grantors' land lying
22 within the right-of-way line depicted on the Right-of-Way Parcel Plat marked as
Exhibit "B" and attached to Document Number 207029032, described as follows:

23 Commencing at the northwest corner of said section; thence South 89 degrees 10
24 minutes 28 seconds East 468.50 feet (142.799 meters) along the north line of said
25 section to the prolonged east line of the grantors' land; thence South 0 degrees 47
26 minutes 05 seconds West 40.00 feet (12.192 meters) along said prolonged east line to
27 the northeast corner of the grantors' land and the point of beginning of this
description, which point is on the south boundary of S.R. 14 (also known as Illinois
28 Road): thence South 0 degrees 47 minutes 05 seconds West 19.80 feet (6.035 meters)
29 along the east line of the grantors' land; thence North 89 degrees 13 minutes 27
30

1 seconds West 140.00 feet (42.672 meters) along the east line of the grantors' land;
2 thence North 0 degrees 47 minutes 05 seconds East 19.92 feet (6.072 meters) along
3 said west line to the south boundary of said S.R. 14; thence South 89 degrees 10
4 minutes 28 seconds East 140.00 feet (42.672 meters) along the boundary of said S.R.
5 14 to the point of beginning and containing 0.064 acres (0.0259 hectares), more or
6 less.

7 Parcel II:

8 Part of the West 55 acres of the West Half of the Northwest Quarter of Section 11,
9 Township 30 North, Range 11 East, Allen County, Indiana, more particularly
10 described as follows, to-wit:

11 Commencing at the Northwest corner of said Northwest Quarter, thence Easterly, on
12 and along the North line of said Northwest Quarter, also being the centerline of
13 Illinois Road (Indiana State Road No. 14), a distance of 328.5 feet; thence South by a
14 deflection angle right 90 degrees 01 minutes 30 seconds and parallel to the West line
15 of said Northwest Quarter, a distance of 280.0 feet to the true Point of beginning;
16 thence continuing South on the last described course, a distance of 120.0 feet; thence
17 Easterly and parallel to said North line, a distance of 140.0 feet; thence North and
18 parallel to said West line, a distance of 120.0 feet to a point situated 280.0 feet South
19 of the North line of said Northwest Quarter; thence Westerly and parallel to said
20 North line, a distance of 140.0 feet to a true point of beginning, containing 0.386
21 acres of land.

22 Parcel III:

23 Part of the West 55 acres of the West Half of the Northwest Quarter of Section 11,
24 Township 30 North, Range 11 East, Allen County, Indiana, more particularly
25 described as follows, to-wit:

26 Beginning on the North line of said Northwest Quarter, at a point situated 188.5 feet
27 Easterly of the Northwest corner of said Northwest Quarter; thence Easterly, on and
28 along said North line, also being the centerline of Illinois Road (Indiana State Road
29 #14), a distance of 140.0 feet; thence South, by a deflection angle right of 90 degrees
30 01 minutes 30 seconds and parallel to the West line of said Northwest Quarter, a
distance of 400.0 feet; thence Westerly and parallel to said North line, a distance of
140.0 feet; thence North and parallel to said West line, a distance of 400.0 feet to the
point of beginning, containing 1.286 acres of land.

and the symbols of the City of Fort Wayne Zoning Map No. AA-02 (Sec. 11 of Aboite
Township), as established by Section 157.082 of Title XV of the Code of the City of Fort
Wayne, Indiana is hereby changed accordingly.

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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.

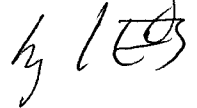
SECTION 3. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.



Council Member

APPROVED AS TO FORM AND LEGALITY:



Carol T. Helton, City Attorney


**Department of Planning Services
Rezoning Petition Application**

Applicant
 Applicant Sanjeev Sood
 Address 917 Henlock Drive
 City Fort Wayne State IN Zip 46818
 Telephone 260-797-6601 E-mail five_star10@hotmail.com

Contact Person
 Contact Person Scott M. Federoff, Synder Morgan Federoff & Kuchmay LLP
 Address 200 West Main St.
 City Syracuse State IN Zip 46567
 Telephone 260-602-8000 E-mail smf@smfklaw.com

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

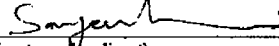
Request
 Allen County Planning Jurisdiction City of Fort Wayne Planning Jurisdiction
 Address of the property 9307 Illinois Road, Ft. Wayne, IN 46804
 Present Zoning R1 Proposed Zoning C1 Acreage to be rezoned 1.233
 Proposed density 1 units per acre
 Township name Aboite Township section # 30 North
 Purpose of rezoning (attach additional page if necessary) To allow the construction of a multi-tenant office building.
 Sewer provider City of Fort Wayne Water provider City of Fort Wayne

2.5 total w/ Burke property

Filing Requirements
Applications will not be accepted unless the following filing requirements are submitted with this application. Please refer to checklist 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

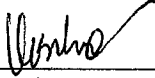
I/We understand and agree, upon execution and submission of this application, that I am/we are the owner(s) of more than 50 percent of the property described in this application; that I/we agree to abide by all provisions of the Allen County Zoning and Subdivision Control Ordinance as well as all procedures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

Sanjeev Sood  3/2/17
 (printed name of applicant) (signature of applicant) (date)
See the attached Exhibit "A" _____ (date)
 (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)

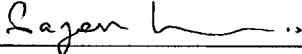
Received	Receipt No.	Hearing Date	Petition No.
3-3-17	123200	4-10-17	REZ-2017-0012

EXHIBIT "A"
Property Owners Signatures

Mithu Mhambhani



Vaneet Nehra



Sanjeev Sood

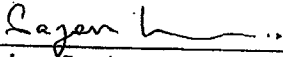
Dated: March 2, 2017

EXHIBIT "A"
Property Owners Signatures



Mithu ~~Mhambhani~~ BHAMBHANI

Vaneet Nehra



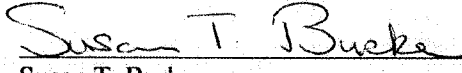
Sanjeev Sood

Dated: March 2, 2017

EXHIBIT "A"
Property Owners Signatures



Jeffery A. Burke

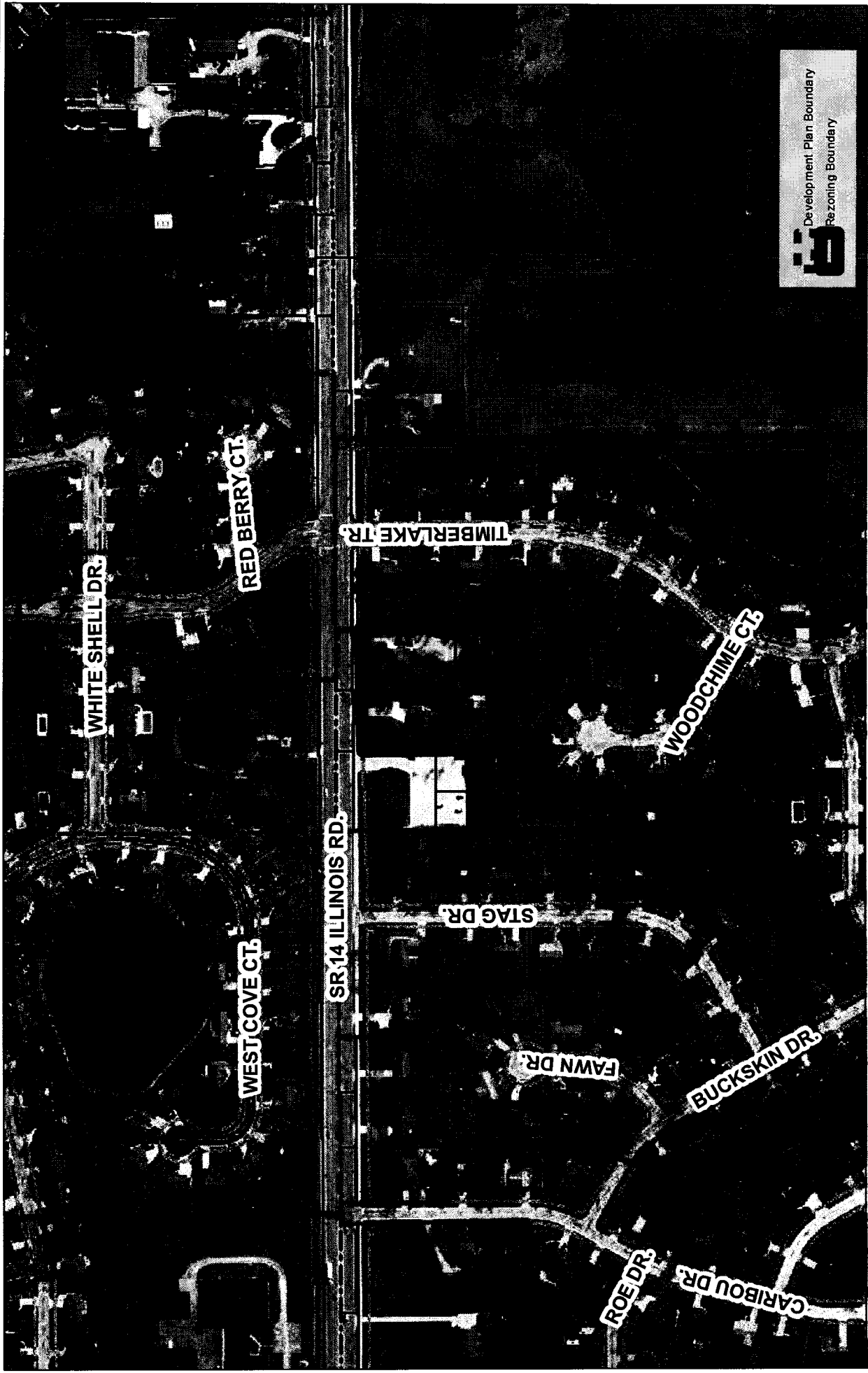


Susan T. Burke

Dated: March 3, 2017



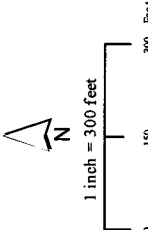
Rezoning Petition REZ-2017-0012 and Primary Development Plan PDP-2017-0007 - Multi-tenant Office Building (9307 Illinois Road)



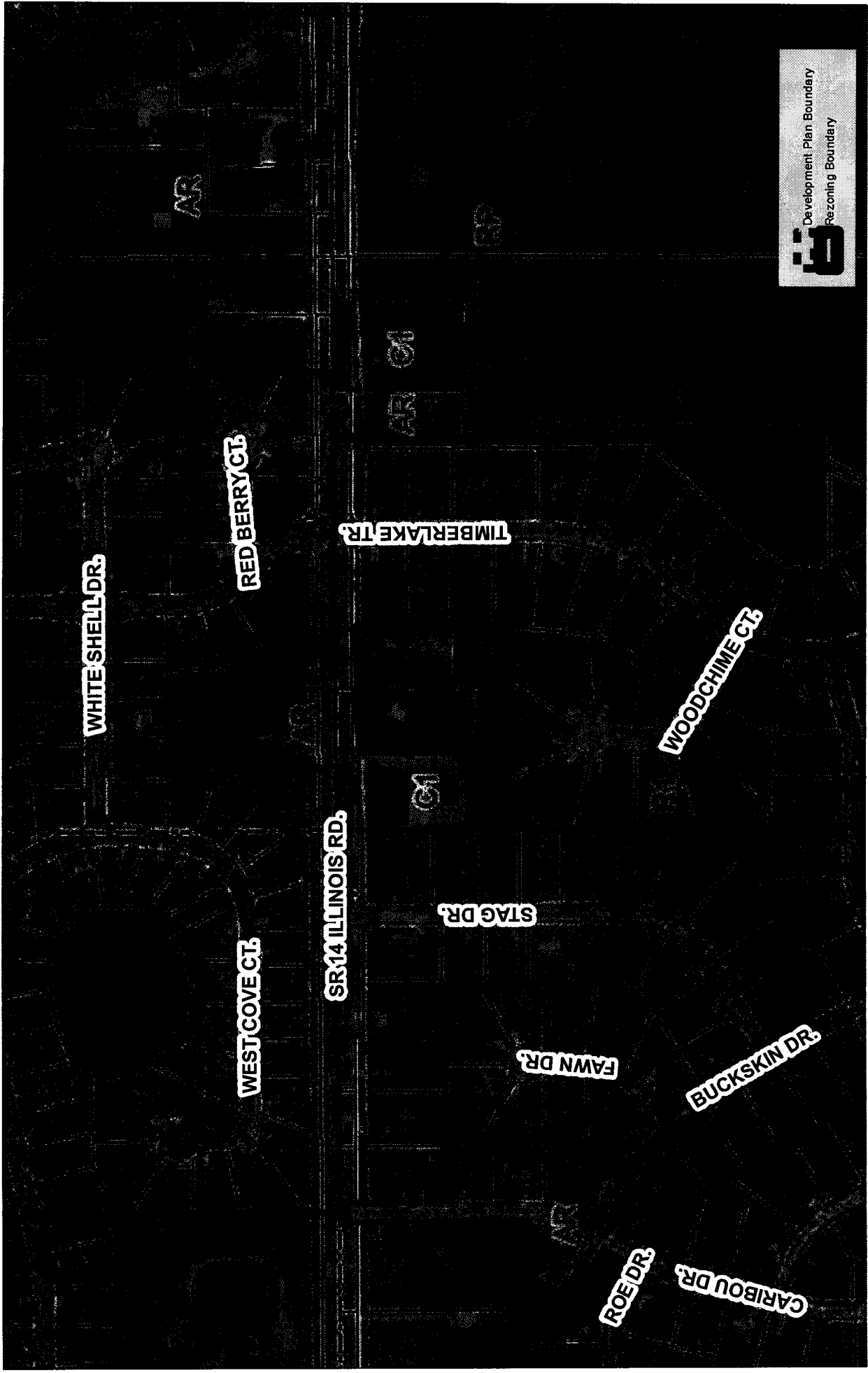

Development Plan Boundary
Rezoning Boundary

Although every attempt has been made to ensure the accuracy of the information contained herein, 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: Sprague 2009
Date: 3/20/17

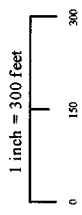


1 inch = 300 feet
0 150 300 Feet



Development Plan Boundary
Rezoning Boundary

All North arrow 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: Sprag 2009
Date: 3/20/17



City of Fort Wayne Common Council
DIGEST SHEET

Department of Planning Services

Title of Ordinance: Zoning Map Amendment
Case Number: REZ-2017-0012
Bill Number: Z-17-03-19
Council District: 4-Jason Arp

Introduction Date: March 28, 2017

Plan Commission
Public Hearing Date: April 10, 2017 (not heard by Council)

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

Synopsis of Ordinance: To rezone approximately 2.5 acres of property from AR-Low Intensity Residential and R1-Single Family Residential to C1-Professional Office and Personal Services

Location: 9307 and 9329 Illinois Road

Reason for Request: To allow for a multitenant office building at 9307 Illinois Road and future office development at 9329 Illinois Road

Applicants: Sanjeev Sood

Property Owner: Sood, Bhambhani, Nehra, and Burke

Related Petitions: Primary Development Plan, Illinois Road Multi-Tenant Office Building

Effect of Passage: Property will be rezoned to the C1-Professional Office and Personal Services District, which will allow the property to redevelop with medical and office uses.

Effect of Non-Passage: The property will remain zoned both AR-Low Intensity Residential and R1-Single Family Residential which may remain residential, or redevelop with low-intensity agricultural uses on the AR portion.

REPORT OF COMMITTEE ON REGULATIONS

May 9, 2017

John Crawford Chair

Michael Barranda Co-Chair

All Council Members

An Ordinance amending the City of Fort Wayne Zoning Map No. AA-02 (Sec. 11 of Aboite Township)

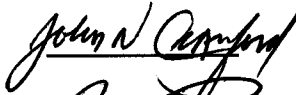

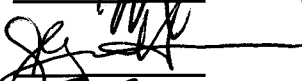



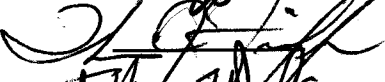

COMMITTEE ON REGULATIONS HAVE HAD SAID Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance

DO PASS

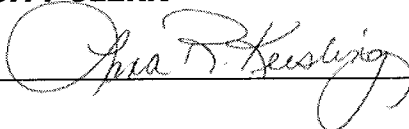
DO NOT PASS

ABSTAIN

NO REC

	_____	_____	_____
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**LANA R. KEESLING
CITY CLERK**



Public Hearing Date: April 10, 2017

Read the first time in full and on motion by Councilman Crawford.

Read the second time by title and referred to the Regulations Committee.

Read the third time in full and on motion by Councilman Crawford, placed on passage by the following vote:

<u>TOTAL VOTES</u>	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
ARP	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
BARRANDA	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
CRAWFORD	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
DIDIER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ENSLEY	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
FREISTROFFER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
HINES	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
JEHL	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
PADDOCK	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>


DATED: May 9, 2017


LANA R. KEESLING, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as

Zoning Ordinance No. Z-17-03-19 on the 9th day of May, 2017

ATTEST:

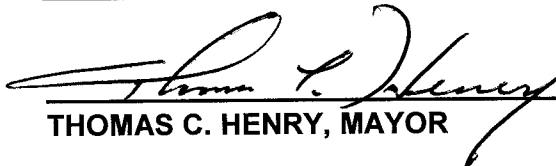

LANA R. KEESLING
CITY CLERK


PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th of May 2017, at the hour of 10:30 o'clock A.M. E.S.T.


LANA R. KEESLING, CITY CLERK

Approved and signed by me this 10TH day of MAY 2017, at the hour of 4:00 O'clock PM E.S.T.


THOMAS C. HENRY, MAYOR