

1 #REZ-2019-0020

2 BILL NO. Z-19-04-16

3
4 ZONING MAP ORDINANCE NO. Z-15-19

5 AN ORDINANCE amending the City of Fort Wayne
6 Zoning Map No. N-66 (Sec. 33 of Perry 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 C1
10 (Professional Office and Personal Services) District under the terms of Chapter 157 Title XV
11 of the Code of the City of Fort Wayne, Indiana:

12 Five acres of land in the Southeast Quarter of the Northeast Quarter of Section 33,
13 Township 32 North, Range 12 East, Allen County, Indiana, being more particularly
described as follows:

14 COMMENCING at a point in the East line of the Southeast Quarter of the Northeast
15 Quarter of said Section 33, said point being 327.1 feet North of the East Quarter
16 corner of said Section 33; thence West and parallel with the South line of the
17 Southeast Quarter of the Northeast Quarter of said Section 33, a distance of 664.5
18 feet; thence North a distance of 327.76 feet; thence East a distance of 664.5 feet to
19 the East line of the Southeast Quarter of the Northeast Quarter of said Section 33;
20 thence South along the East line of the Southeast Quarter of the Northeast Quarter of
21 said Section 33, a distance of 327.76 feet to the place of beginning, containing 5
22 acres of land, more or less.

23 EXCEPT:

24 Part of Section 33, Township 32 North, Range 12 East, Allen County, Indiana, more
25 particularly described as follows, to-wit:

26 COMMENCING at a point on the East line of the Southeast Quarter of the Northeast
27 Quarter of said Section 33, said point being 327.1 feet North of the East Quarter
28 corner of said Section 33; thence West and parallel with the South line of the
29 Southeast Quarter of the Northeast Quarter of said Section 33, a distance of 664.5
30 feet; thence North a distance of 163.88 feet; thence East a distance of 664.5 feet to
the East line of the Southeast Quarter of the Northeast Quarter of said Section 33;
thence South along the East line of the Southeast Quarter of the Northeast Quarter of
said Section 33, a distance of 163.88 feet to the point of beginning, containing 2 1/2
acres of land, more or less.

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and the symbols of the City of Fort Wayne Zoning Map No. N-66 (Sec. 33 of Perry 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:



Carol T. Helton, City Attorney

**Department of Planning Services
Rezoning Petition Application**

Applicant
 Applicant Sycamore Pointe Holdings, LLC
 Address P.O. Box 25627
 City Fort Wayne State IN Zip 46825-0627
 Telephone 260-750-0716 E-mail nschro7103@yahoo.com

Contact Person
 Contact Person Patrick R. Hess, Beckman Lawson, LLP
 Address 201 W. Wayne St.
 City Fort Wayne State IN Zip 46802
 Telephone 260-422-0800 E-mail phess@beckmanlawson.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 11305 Coldwater Road
 Present Zoning AR Proposed Zoning C1 Acreage to be rezoned 2.5
 Proposed density N/A units per acre
 Township name Perry Township section # 33
 Purpose of rezoning (attach additional page if necessary) To permit a suburban office development.

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 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

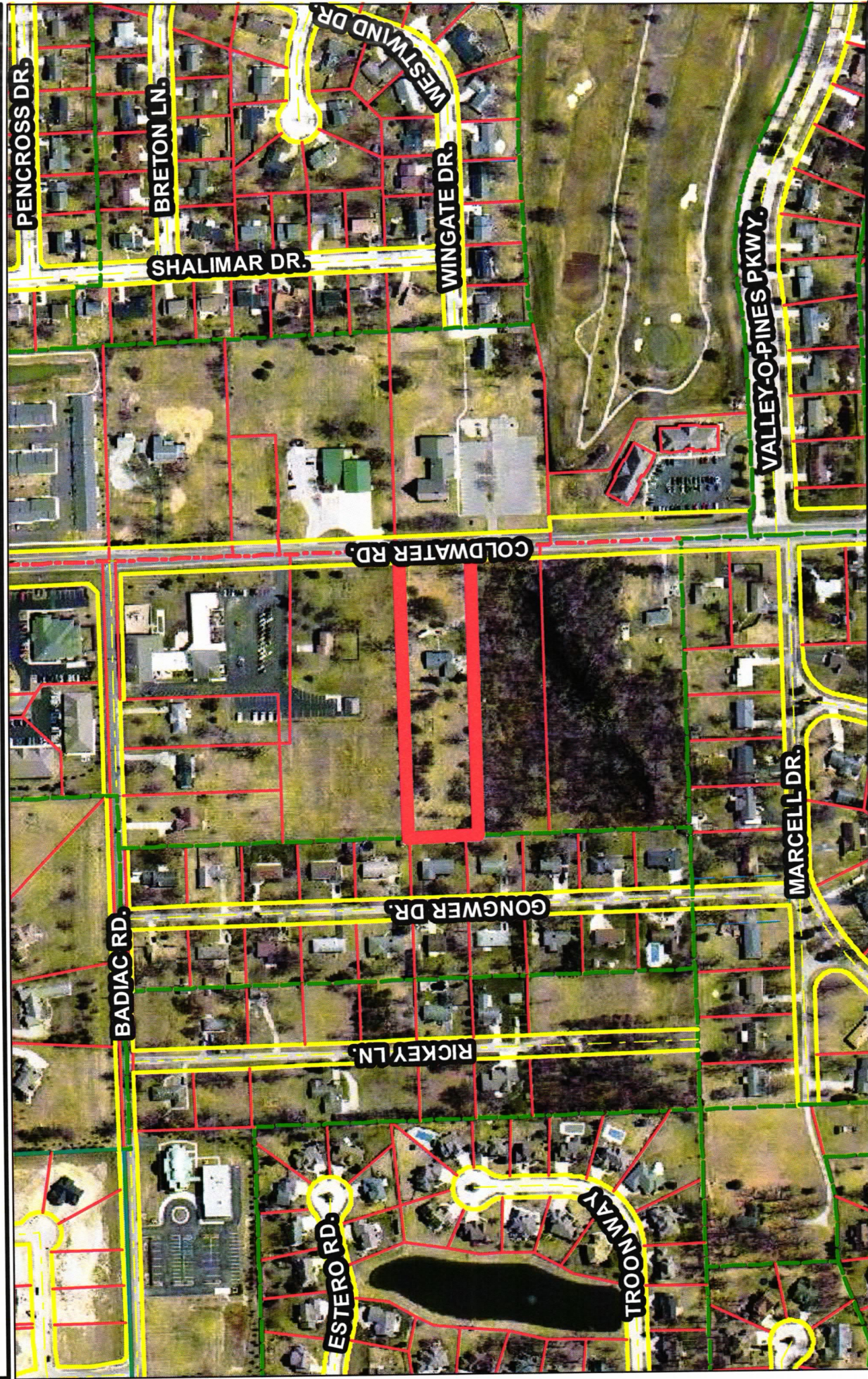
I/We understand and agree, upon execution and submission of this application, that I am/we are the owner(s) of more than 50 percent of the property described in this application; that I/we agree to abide by all provisions of the Allen County Zoning and Subdivision Control Ordinance as well as all procedures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

Sycamore Pointe Holdings, LLC (Nell Schroeder)
 (printed name of applicant) _____ (signature of applicant) _____ (date) _____
 Thomas Jackson _____ (signature of property owner) _____ (date) 3-21-19
 Tammy Jackson _____ (signature of property owner) _____ (date) 3-21-19
 _____ (printed name of property owner) _____ (signature of property owner) _____ (date) _____

Received	Receipt No.	Hearing Date	Petition No.
<u>4-2-2019</u>	<u>129914</u>	<u>5-6-2019</u>	<u>REZ-2019-0020</u>



Rezoning Petition REZ-2019-0020 and Primary Development Plan PDP-2019-0018 - Coldwater Pointe Offices



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North American Datum 1983
State Plane Coordinate System, Indiana East
Photos and Contours: Spring 2009
Date: 4/17/2019

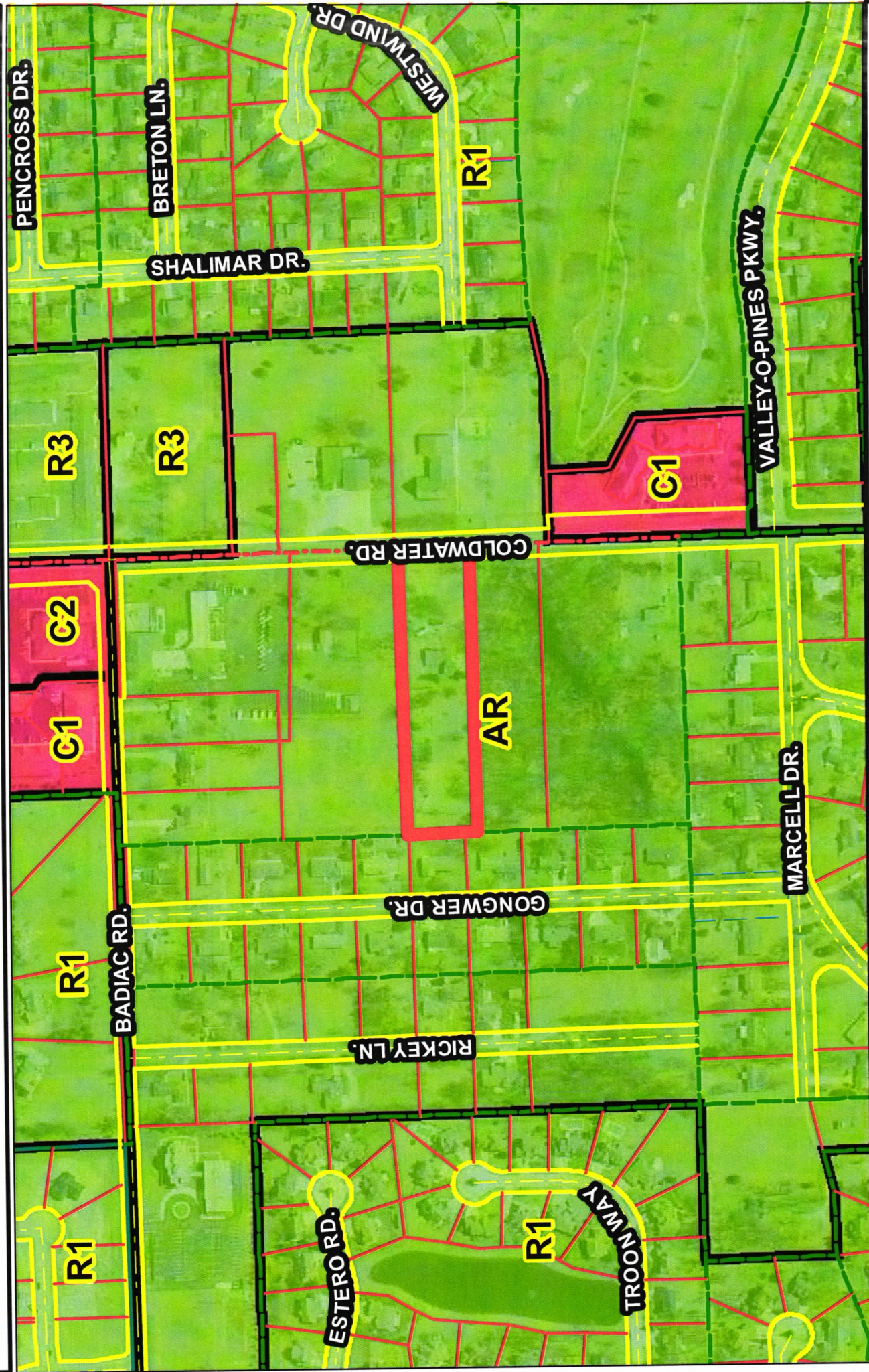


1 inch = 300 feet





Rezoning Petition REZ-2019-0020 and Primary Development Plan PDP-2019-0018 - Coldwater Pointe Offices



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1 inch = 300 feet

0 150 300 Feet

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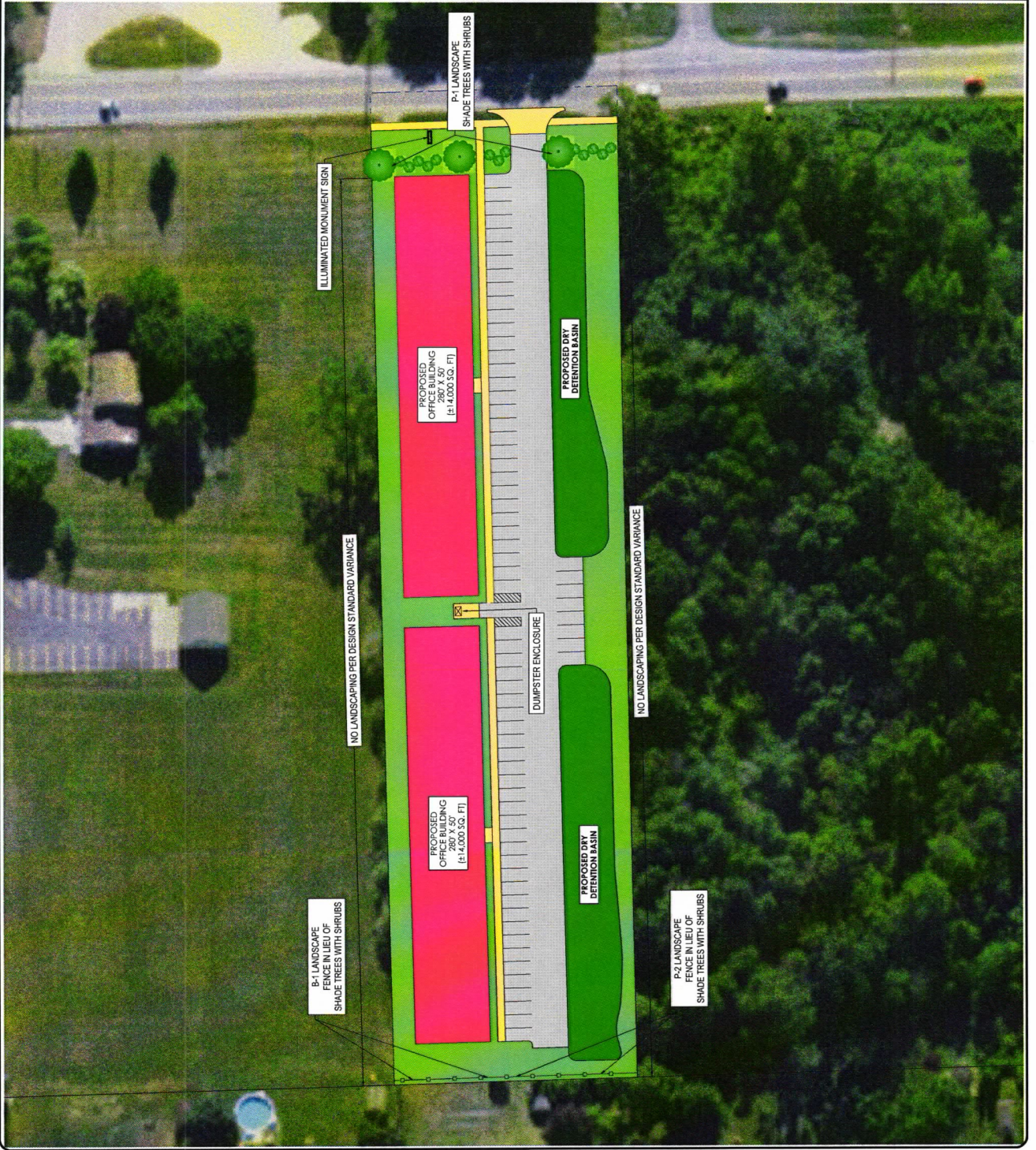
		PREPARED FOR: Syngenta, Corinne Hill 9th 15000 Hill Creek Building P.O. Box 22967 Fort Wayne, IN 46825 (260) 750-0716	REVISIONS _____ _____ _____ _____ _____
		Fort Wayne Office 15000 Hill Creek Building Fort Wayne, IN 46825 P.O. Box 22967 Fort Wayne, IN 46825 (260) 750-0716 www.mseinc.com	Landscape Plan Site Development Plans Fort Wayne, IN 46845 11305 Coldwater Rd Coldwater Pointe Project No.: 19030389 Sheet Number:

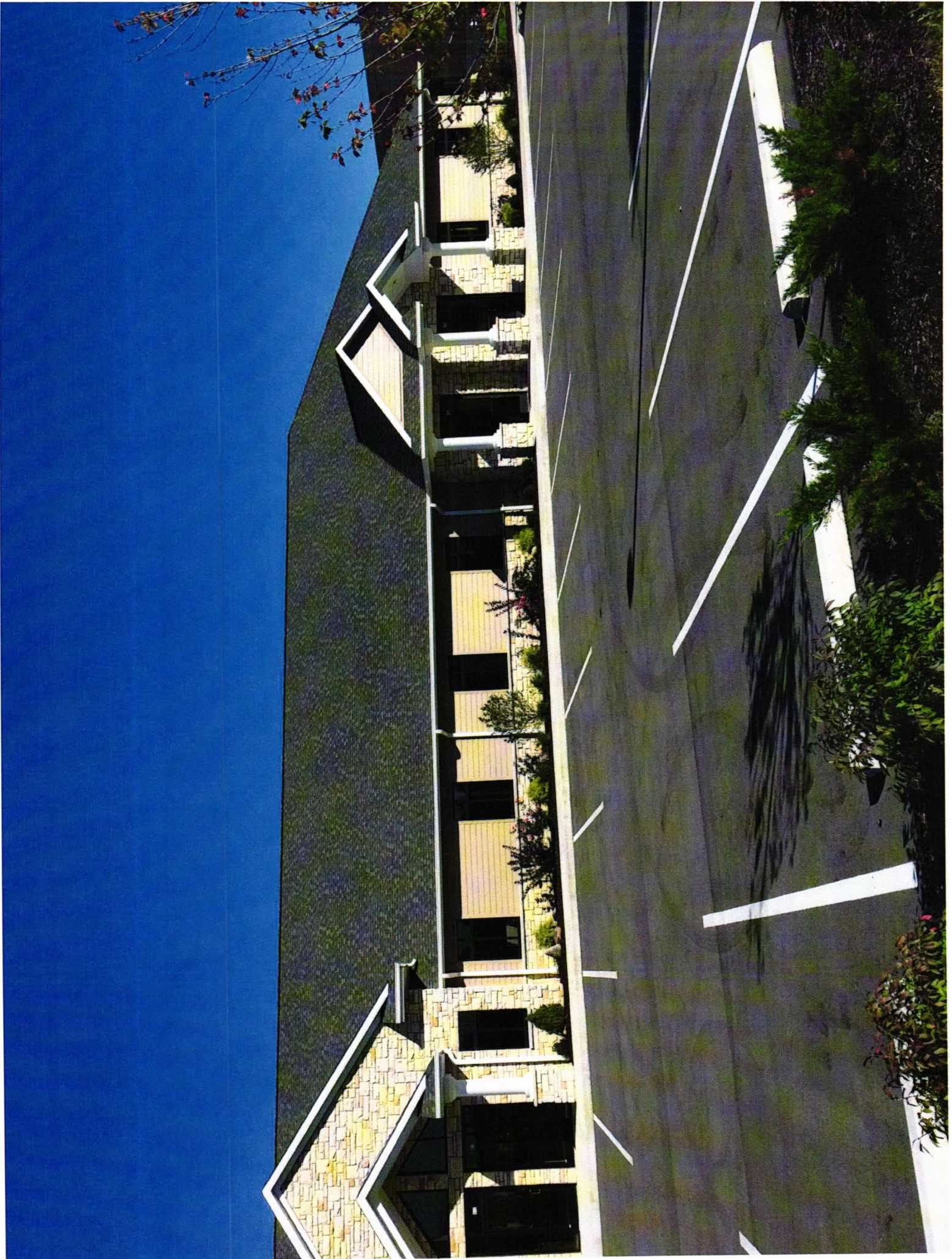
Agency Review - April 2, 2019

PROPOSED FEATURES LEGEND

- CONCRETE PAVEMENT / DRIVEWAY
- PROPOSED ASPHALT PAVEMENT
- PROPOSED DRY DETENTION BASIN
- EXISTING ASPHALT PAVEMENT
- EXISTING DRY DETENTION BASIN
- EXISTING CONCRETE PAVEMENT
- LANDSCAPE
- SHADE TREES







City of Fort Wayne Common Council
DIGEST SHEET

Department of Planning Services

Title of Ordinance: Zoning Map Amendment
Case Number: REZ-2019-0020
Bill Number: Z-19-04-16
Council District: 2-Russ Jehl

Introduction Date: April 23, 2019

Plan Commission
Public Hearing Date: May 6, 2019 (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 R1-Single Family Residential to C1-Profesisonal Office and Personal Services.

Location: 11305 Coldwater Road

Reason for Request: To rezone property to C1/Professional Offices and Personal Services to permit a 2-building office development.

Applicant: Sycamore Pointe Holdings, LLC

Property Owner: Thomas and Tammy Jackson

Related Petitions: Primary Development Plan, Coldwater Pointe Offices

Effect of Passage: Property will be rezoned to the C1-Professional Office and Personal Services which will allow office uses.

Effect of Non-Passage: The property will remain zoned R1-Single Family Residential and can be developed with single family uses.

FACT SHEET

Case #	REZ-2019-0020	Bill #	Z-19-04-16	Project Start:	23 April 2019
APPLICANT:	Sycamore Pointe Holdings, LLC				
REQUEST:	To rezone property from AR/Low Intensity Residential to C1/Professional Office and Personal Services; and approve a primary development plan for a two building office development, including waivers of building setbacks and landscaping.				
LOCATION:	The site is located on the west side of the 11300 block of Coldwater Road. The address of the subject property is 11305 Coldwater Road (Section 33 of Perry Township).				
LAND AREA:	Approximately 2.5 acres				
PRESENT ZONING:	AR/Low Intensity Residential				
PROPOSED ZONING:	C1/Professional Office and Personal Services				
COUNCIL DISTRICT:	2-Russ Jehl				
ASSOCIATED PROJECTS:	Primary Development Plan, Coldwater Pointe Offices				
SPONSOR:	City of Fort Wayne Plan Commission				

6 May 2019 Public Hearing

- One resident spoke in support at the hearing.
- One letter of support is in the project file.
- Three residents had questions or concerns at the hearing.
- Don Schmidt, Tom Friestroffer and Billy Davenport were absent.

13 May 2019 – Business Meeting

Plan Commission Recommendation: DO PASS

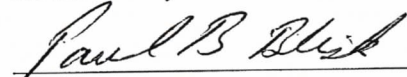
A motion was made by Paul Sauerteig and seconded by Tom Friestroffer to return the ordinance with a Do Pass recommendation to Common Council for their final decision.

8-0 MOTION PASSED

- Billy Davenport was absent.

Fact Sheet Prepared by:
Michelle B. Wood, Senior Land Use Planner
23 May 2019

Reviewed by:



Paul B. Blisk
Deputy Land Use Director

PROJECT SUMMARY

This property has been utilized as a single family residential home site. According to the property record card, the dwelling was constructed in 1948. The petitioner requests a rezoning from AR/Low Intensity Residential to C1/Professional Office and Personal Services to permit construction of a two-building office development. The property is an unplatted parcel that has historically been utilized as single family residential. This rezoning proposal will allow the redevelopment of an approximately 2.5 acre parcel. The site lies directly south of Pine Hills ministry and daycare, and across from Beautiful Savior Lutheran Church and a Fort Wayne fire station. There is C1 zoning just south for an office complex and C2/Limited Commercial zoning north of Pine Hills for Coldwater Office Park. The property lies along a major north/south arterial roadway, with much commercial growth, making the site less desirable for single family residential. As properties transition from residential to other districts, office uses are often considered a compatible buffer between remaining residential and busy thoroughfares. The proposal can be supported by the following goals and policies of the Comprehensive Plan:

LU3. Use land resources efficiently by encouraging new development, revitalization and redevelopment in areas already served by infrastructure;

LU5.D Encourage development proposals that provide housing, designed to allow adequate pedestrian and bicycle access, in close proximity to existing neighborhood commercial, civic, institutional and other similar uses.

LU6. Encourage carefully planned sustainable growth and coordinated development by encouraging mixed land uses.

LU6.C Encourage the conversion of vacant or underutilized properties into compatible mixed-use development areas.

LU6.D Support carefully planned, coordinated, compatible mixed-use development.

LU8. Use land resources efficiently by encouraging compact development alternatives in infill areas where utilities and other infrastructure currently exist.

The proposed site plan includes two one-story office buildings consisting of approximately 14,000 square feet each. The site is deep and narrow from Coldwater Road, with the buildings located along the north property line, parking lining both buildings, and dry detention along the south property line. Because of the shape of the site, the applicant is requesting a setback waiver to 10 feet on the north property line. When adjacent to a residential district, the setback requirement is 25 feet. The applicant states that the adjacent neighbor (Pine Hills) is mostly commercial and institutional in use, and is likely to be converted to commercial zoning in the future, according to the property owner. Staff did receive a letter of support for the project, and the requested waivers, from the property owner of the Pine Hills properties. There is also a request to waive the landscaping requirement on the north property line. If the Pine Hills properties were not zoned for residential, there would be no requirement for the building buffering. A landscape waiver is also requested along the south property line, on the south side of the detention basin. The property to the south is undeveloped, heavily-wooded, and consists of a large central wetland. The remainder of the plan meets zoning ordinance requirements for setbacks, landscaping, building height, parking, sidewalks, signage and access.

PUBLIC HEARING SUMMARY:

Presenter: Brian Heck from Beckman Lawson represented the applicant and presented the proposal to the Plan Commission, as outlined above.

Public Comments In Support:

Tom Wood, 13685 Montoro Court
Doug Adelsperger, 10810 Sandpiper Cove
Doug Middleton, 1307 Old Lantern Trail
Chris Pflieger, 12312 Orchard Place

Public Comments with Questions:

Jeannette and Lee Keefer, 11226 Gongwer Drive – Concerned about stormwater, traffic, and protecting the adjacent wetland.

Richard Joram, 403 Deep Wood Cove– Concerned about adjacent wetland and if there will be a sidewalk.

Rebuttal:

- Stormwater will not be allowed to go to the adjacent wetland. It will be diverted to the City system.
- There will be a sidewalk installed on Coldwater Road.

FORT WAYNE PLAN COMMISSION • FINDINGS OF FACT

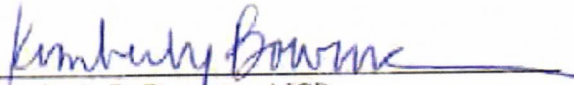
Rezoning Petition REZ-2019-0020

APPLICANT: Sycamore Pointe Holdings, LLC
REQUEST: To rezone property from AR/Low Intensity Residential to C1/Professional Office and Personal Services for approval of a two-building office development.
LOCATION: The site is located on the west side of the 11300 block of Coldwater Road. The address of the subject property is 11305 Coldwater Road (Section 33 of Perry Township).
LAND AREA: Approximately 2.5 acres
PRESENT ZONING: AR/Low Intensity Residential
PROPOSED ZONING: C1/Professional Office and Personal Services

The Plan Commission recommends that Rezoning Petition REZ-2019-0020 be returned to Council with a "Do Pass" recommendation after considering the following:

1. Approval of the rezoning request will be in substantial compliance with the City of Fort Wayne Comprehensive Plan, and should not establish an undesirable precedent in the area. The site is near similar commercial development and the proposal will provide more service options for the surrounding neighborhoods. This proposal will provide infill development using existing infrastructure.
2. Approval of the request will not have an adverse impact on the current conditions in the area, or the character of current structures and uses in the area. Site plan and architectural review from the Plan Commission and staff will ensure a compatible development that complements the neighborhood.
3. Approval is consistent with the preservation of property values in the area. This proposal will provide redevelopment in the neighborhood with a market to serve the area residents, and provide a substantial investment into the community.
4. Approval is consistent with responsible development and growth principles based on existing uses and infrastructure in the area. Review by City engineering departments indicates that the site can be developed for the proposed uses and adequate infrastructure is available to service the site.

These findings approved by the Fort Wayne Plan Commission on May 13, 2019.


Kimberly R. Bowman, AICP
Executive Director
Secretary to the Commission

**Department of Planning Services
Rezoning Petition Application**

Applicant
 Applicant Sycamore Pointe Holdings, LLC
 Address P.O. Box 25627
 City Fort Wayne State IN Zip 46825-0627
 Telephone 260-750-0716 E-mail nschro7103@yahoo.com

Contact Person
 Contact Person Patrick R. Hess, Beckman Lawson, LLP
 Address 201 W. Wayne St.
 City Fort Wayne State IN Zip 46802
 Telephone 260-422-0800 E-mail phess@beckmanlawson.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 11305 Coldwater Road
 Present Zoning AR Proposed Zoning C1 Acreage to be rezoned 2.5
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 Township name Perry Township section # 33
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 Sewer provider City of Fort Wayne Water provider City of Fort Wayne

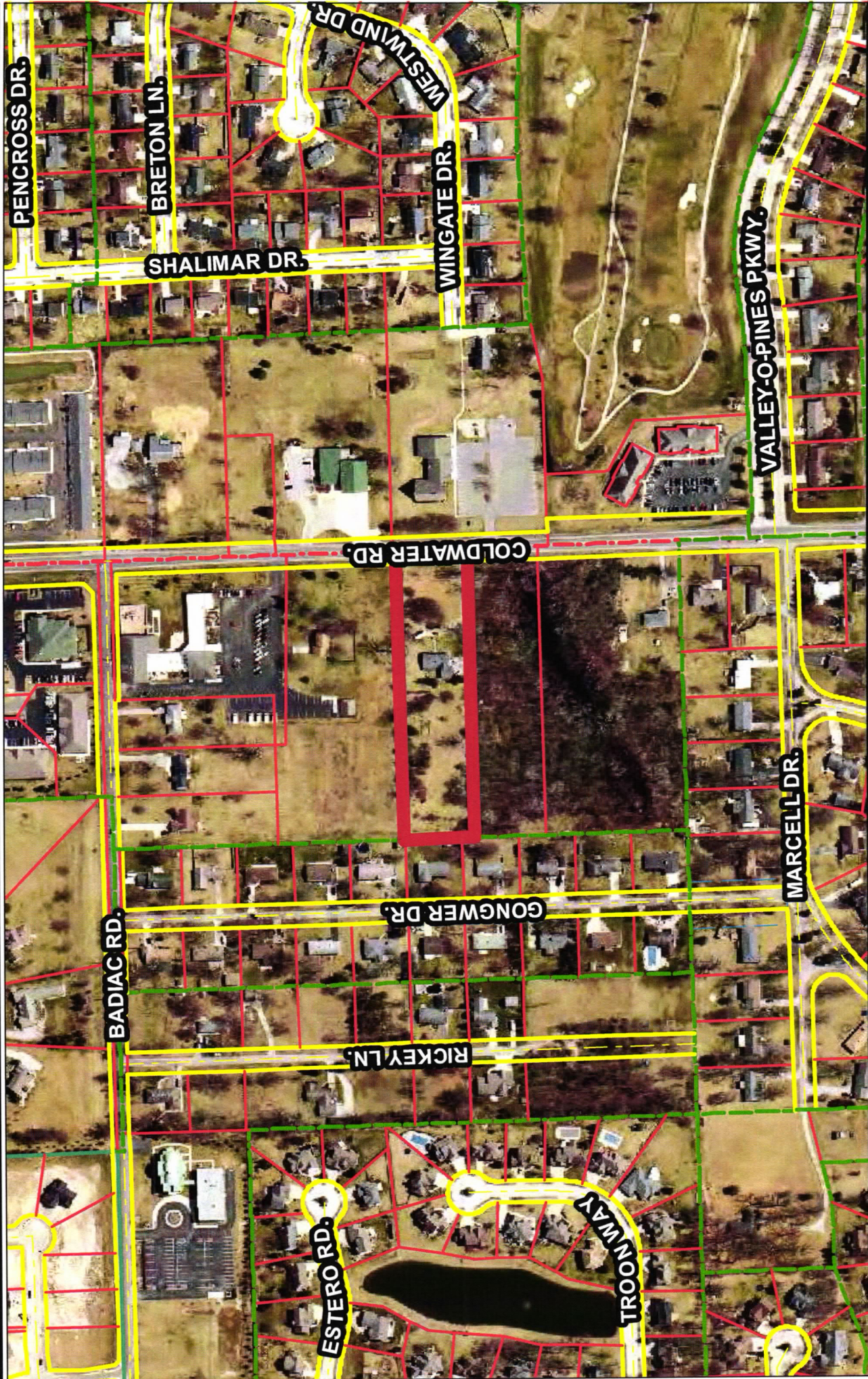
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- Applicable filing fee
- Applicable number of surveys showing area to be rezoned (plans must be folded)
- Legal Description of parcel to be rezoned
- Rezoning Questionnaire (original and 10 copies) County Rezoning Only

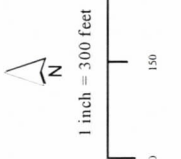
I/We understand and agree, upon execution and submission of this application, that I am/we are the owner(s) of more than 50 percent of the property described in this application; that I/we agree to abide by all provisions of the Allen County Zoning and Subdivision Control Ordinance as well as all procedures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

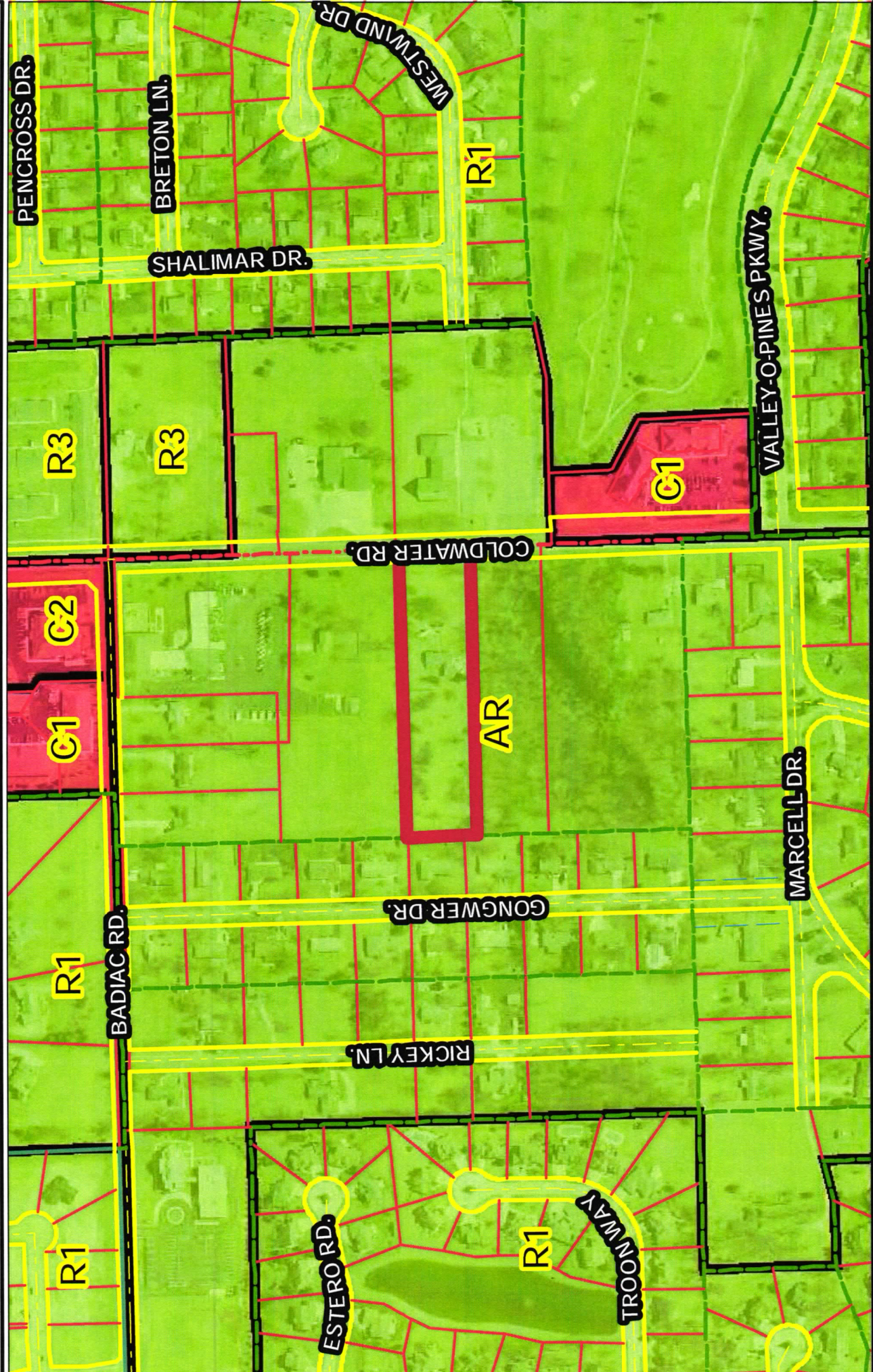
Sycamore Pointe Holdings, LLC (Nell Schroeder)
 (printed name of applicant) _____ (signature of applicant) _____ (date) _____
 Thomas Jackson _____ (signature of property owner) _____ (date) 3-21-19
 Tammy Jackson _____ (signature of property owner) _____ (date) 3-21-19
 _____ (signature of property owner) _____ (date) _____

Received	Receipt No.	Hearing Date	Petition No.
<u>4-2-2019</u>	<u>129714</u>	<u>5-6-2019</u>	<u>REZ-2019-0020</u>



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1 inch = 300 feet



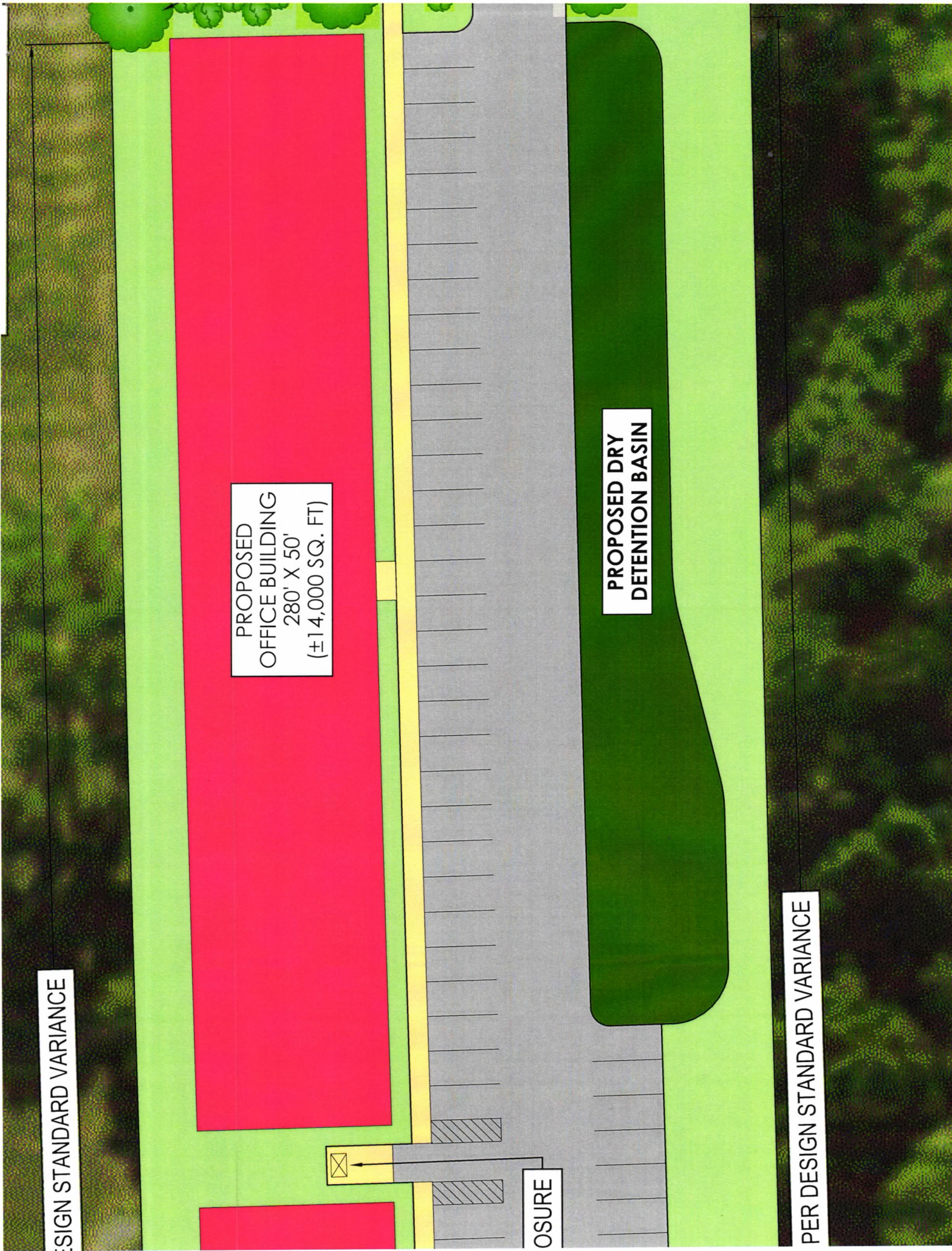
DESIGN STANDARD VARIANCE

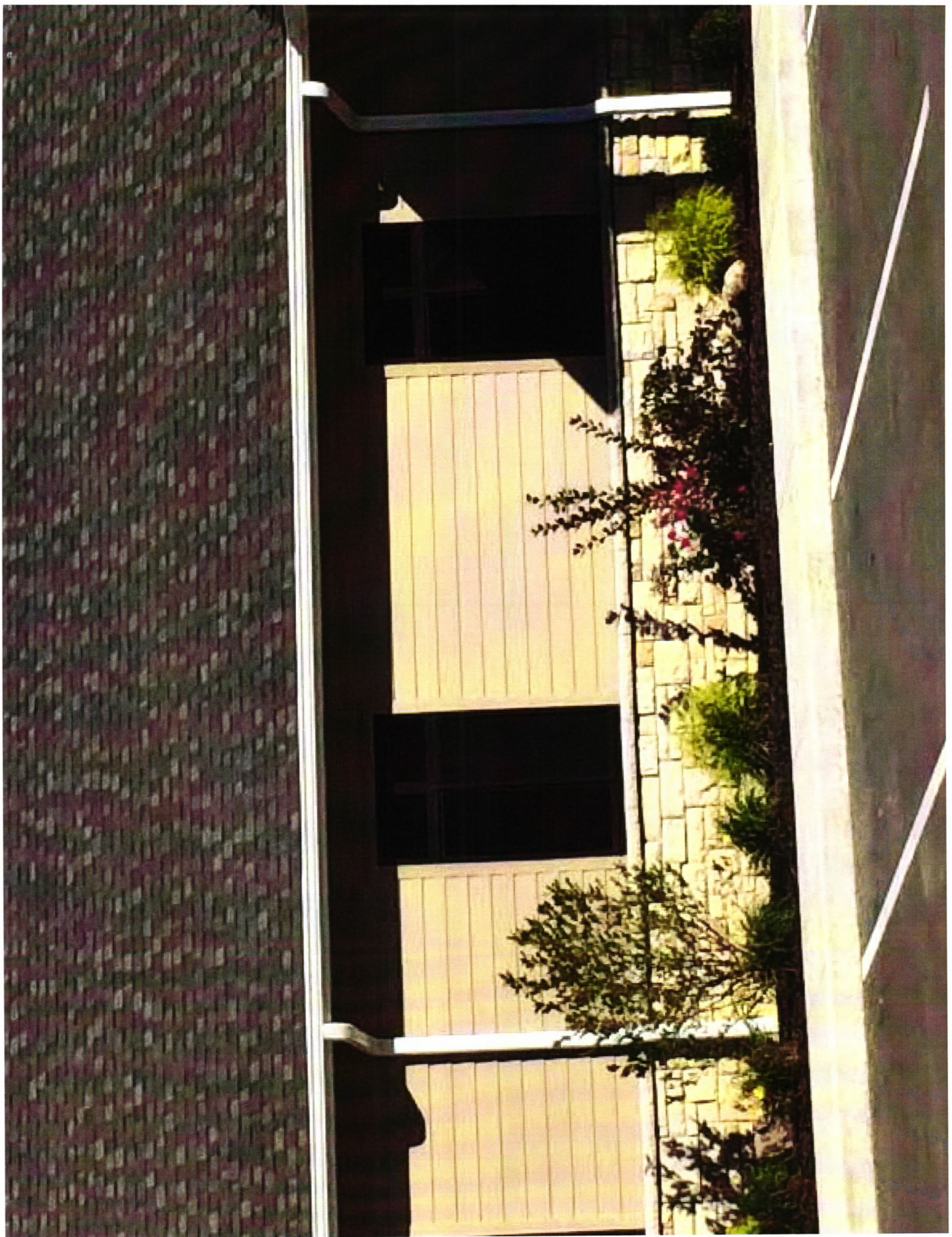
PROPOSED
OFFICE BUILDING
280' X 50'
(±14,000 SQ. FT)

ENCLOSURE

PROPOSED DRY
DETENTION BASIN

DESIGN STANDARD VARIANCE





COLDWATER 329, LLC
5265 South Rio Grande Street, Suite 202
Littleton, CO 80120

April 16, 2019

City of Fort Wayne Plan Commission
200 E. Berry Street, Suite 150
Fort Wayne, IN 46802

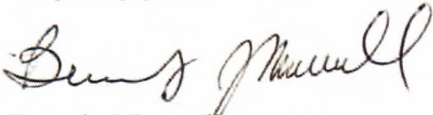
Re: Proposed Rezoning of 11305 Coldwater Road;
Coldwater Pointe Office Development

Dear Plan Commission Members:

I own, as Coldwater 329, LLC, the 4 acres north of and adjacent to the proposed Coldwater Pointe Office development. As an adjacent land owner, I have no objection to the rezoning of the subject property to C1 Commercial. I also do not oppose the proposed development plan and waiver requests with respect to the shared property line between my parcel and the development parcel.

I appreciate your time and effort in reviewing this development proposal and I encourage the Plan Commission to approve the request.

Very truly yours,



Beverly Maxwell

BILL NO. Z-19-04-16

REPORT OF COMMITTEE ON REGULATIONS

May 28, 2019

Michael Barranda Chair

Tom Freistroffer Co-Chair

All Council Members

An Ordinance amending the City of Fort Wayne Zoning Map No. N-66 (Sec. 33 of Perry Township)

To rezone approximately 2.5 acres of property from R1-Single Family Residential to C1-Profesional Office and Personal Services

11305 Coldwater Road


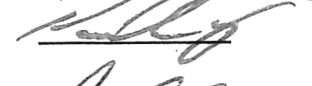

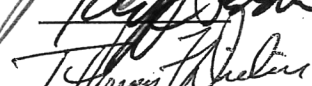
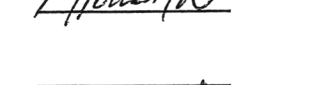
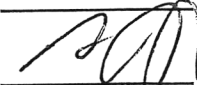
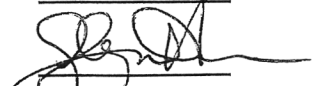
COMMITTEE ON REGULATIONS HAVE HAD SAID Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance

DO PASS

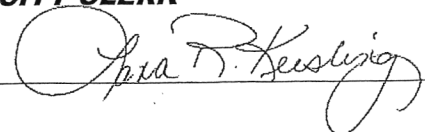
DO NOT PASS

ABSTAIN

NO REC

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



Public Hearing Date: 05/06/2019

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

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

Read the third time in full and on motion by Councilman Barranda, 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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
HINES	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
JEHL	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
PADDOCK	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

DATED: May 28, 2019



 LANA R. KEESLING, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as
 Zoning Ordinance No. Z-19-04-16 on the 28th day of May, 2019



 LANA R. KEESLING
 CITY CLERK




 PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 30th
 of May 2019, at the hour of 8:50 o'clock A.M. E.S.T.



 LANA R. KEESLING, CITY CLERK

Approved and signed by me this 30th day of MAY
 2019, at the hour of 9:30 o'clock AM E.S.T.



 THOMAS C. HENRY, MAYOR

FORT WAYNE, INDIANA
RECEIVED
 MAY 31 2019
 LANA R. KEESLING
 CITY CLERK