

1 #REZ-2022-0028

2 BILL NO. Z-22-07-10

3 ZONING MAP ORDINANCE NO. Z-26-22

4 AN ORDINANCE amending the City of Fort Wayne
5 Zoning Map No. I-31 (Sec. 33 of Wayne Township)

6
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 I1 (Limited
10 Industrial) District under the terms of Chapter 157 Title XV of the Code of the City of Fort
11 Wayne, Indiana:

12 Part of the Southeast Quarter of the Northeast Quarter of Section 33, Township 30 North,
13 Range 12 East, Allen County, Indiana and being also part of a parcel of land described in
14 Document 204040528 in the Office of the Recorder of Allen County (hereinafter referred to
15 as "parent parcel"), more particularly described as follows:

16 BEGINNING at a 5/8 inch rebar found on the south right-of-way line of Alma Avenue,
17 marking the Northwest corner of said parent parcel and the Northeast corner of Lot 1 in
18 Hindeman's Addition to Waynedale, as recorded in Plat Record 19, page 124 in the Office of
19 the Recorder of Allen County; thence North 89 degrees 10 minutes 19 seconds East
20 (bearing based on the State Plan Coordinate System (NAD83)(2011), Indiana East zone) on
21 said south right-of-way line and the North line of said parent parcel, a distance of 59.92 feet
22 (60 feet deed) to a 5/8 inch rebar marking the Northeast corner of said parent parcel and the
23 Northwest corner of a parcel of land described in Document 2016053221 in said Recorder's
24 Office; thence South 00 degrees 42 minutes 28 seconds East on the east line of said parent
25 parcel and the southerly extension thereof, a distance of 122.19 feet to a railroad spike set;
26 thence South 89 degrees 07 minutes 58 seconds West 10.00 feet to a railroad spike set;
27 thence South 00 degrees 56 minutes 57 seconds East 71.00 feet to a 5/8 inch rebar with
28 "GOU LS29500017" cap set on the south line, a distance of 50.00 feet to a 5/8 inch rebar
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with FIRM 0027 cap found marking the southwest corner of said parent parcel, the northwest corner of a parcel of land described in Document 830009344 in said Recorder's Office and lying on the east line of said Lot 1 in Hindeman's Addition; thence North 00 degrees 46 minutes 20 seconds West on the east line of said Lot 1 and the west line of said parent parcel, a distance of 193.27 feet to the point of beginning, containing 0.249 acres of land, more or less.

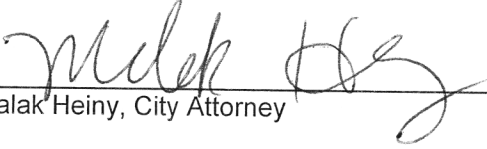
and the symbols of the City of Fort Wayne Zoning Map No. I-31 (Sec. 33 of Wayne Township), as established by Section 157.082 of Title XV of the Code of the City of Fort Wayne, Indiana is hereby changed accordingly.

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:


Malak Heiny, City Attorney

City of Fort Wayne Common Council
DIGEST SHEET

Department of Planning Services

Title of Ordinance: Zoning Map Amendment
Case Number: REZ-2022-0028
Bill Number: Z-22-07-10
Council District: 4-Jason Arp

Introduction Date: July 12, 2022
Plan Commission
Public Hearing Date: July 11, 2022 (not heard by Council)
Next Council Action: Ordinance will return to Council after recommendation by the
Plan Commission

Synopsis of Ordinance: To rezone approximately 0.25 acres from C4/Intensive Commercial to
I1/Limited Industrial.
Location: 7708 Bluffton Road
Reason for Request: To allow for the existing commercial building to be used for a custom
furniture and design business.
Applicant: Kenefic Properties, LLC
Property Owner: Kenefic Properties, LLC

Related Petitions: Primary Development Plan, KDA Custom Furniture

Effect of Passage: Property will be rezoned to the I1/Limited Industrial district, which will
match the zoning for the existing furniture manufacturing building and
allow expansion of the business on this adjacent ground.
Effect of Non-Passage: The property will remain zoned C4/Intensive Commercial, which would
not permit the manufacturing part of the business.

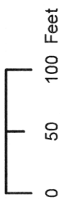


Rezoning Petition REZ-2022-0028 - Custom Furniture Bluffton Road



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State Plane Coordinate System, Indiana East
Photos and Contours: Spring 2009
Date: 6/28/2022



1 inch = 150 feet

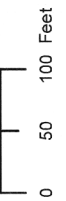


Rezoning Petition REZ-2022-0028 - Custom Furniture Bluffton Road



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**Department of Planning Services
Rezoning Petition Application**

Applicant
 Applicant Kenefic Properties, LLC
 Address 12323 Sanctuary Trail
 City Fort Wayne State IN Zip 46814
 Telephone _____ E-mail _____

Contact Person
 Contact Person Robert C. Kruger, Esq.
 Address 200 E. Main Street, Suite 1000
 City Fort Wayne State IN Zip 46802
 Telephone 260-426-1300 E-mail rkruger@burtblee.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 7708 Bluffton Road (split from)
 Present Zoning C4 Proposed Zoning I1 Acreage to be rezoned 0.25 acre
 Proposed density N/A units per acre
 Township name Wayne Township section # 12
 Purpose of rezoning (attach additional page if necessary) To allow for expansion of Custom Furniture and Interior Design activities on adjacent I1 parcel owned by Applicant.
 Sewer provider _____ Water provider _____

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.

- Filing 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.

Kenefic Properties, LLC Birby 6/6/22
 (printed name of applicant) (signature of applicant) (date)
Integrity Communications & Electronics, LLC [Signature] 6/6/22
 (printed name of property owner) (signature of property owner) (date)
 _____ (signature of property owner) _____ (date)
 _____ (signature of property owner) _____ (date)

Received <u>6/7/22</u>	Receipt No. <u>140474</u>	Hearing Date <u>7/11/22</u>	Petition No. <u>REZ-2022-0020</u>
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REZONING FACT SHEET

Petition #REZ-2022-0028 Z-22-07-10 Project Start: June 2022

APPLICANT:	Kenefic Properties, LLC
REQUEST:	To rezone property from C4/Intensive Commercial to I1/Limited Industrial to allow a custom furniture and interior design business.
LOCATION:	7708 Bluffton Road, southwest corner of its intersection with Alma Avenue. (Section 33 of Wayne Township)
LAND AREA:	0.25 acre
PRESENT ZONING:	C4/Intensive Commercial
PROPOSED ZONING:	I1/Limited Industrial
COUNCIL DISTRICT:	6-Jason Arp
ASSOCIATED PROJECT:	Primary Development Plan, Custom Furniture
SPONSOR:	City of Fort Wayne Plan Commission

11 July 2022 Plan Commission Public Hearing

- No one spoke in support or opposition.
- Paul Sauerteig and Ryan Neumeister were absent.

18 July 2022 Business Meeting

Plan Commission Recommendation: Do Pass

- A motion was made by Paul Sauerteig and seconded by Tom Freistroffer to return the ordinance to Common Council with a DO PASS recommendation for their final decision.
- Ryan Neumeister was absent.
- **8-0 MOTION PASSED**

Fact Sheet Prepared by:
Michelle B. Wood, Senior Land Use Planner
August 3, 2022, 2022

PROJECT SUMMARY

The petitioner, Kenefic Properties, LLC wishes to rezone 7708 Bluffton Road to I1/Limited Industrial, from C4/Intensive Commercial to allow for expansion of a custom furniture and interior design business. Kenefic – KDA also owns and operates furniture manufacturing at 7702 Bluffton, immediately north and east of this parcel. The two properties lie at the southwest corner of the intersection of Bluffton Road and Alma Avenue.

The Bluffton Road corridor has developed over the years into a mixture of industrial, commercial, and residential uses. There is I1, I2, C4, and R3 zoning all at the Bluffton/Alma intersection. As with the 2016 rezoning of 7702 Bluffton Road, approval of this proposal will result in a district with uses and standards more compatible with the mixed use nature of the corridor. C4/Intensive Commercial, allows the widest range of commercial uses, many of which are permitted out of doors. I1/Limited Industrial, as the name implies, is the least impactful of industrial districts, requiring all activities to take place indoor, and no outside storage. I1 is also much more limited in the commercial uses it allows. There is no plan at this time for additional building expansion, so no primary development plan is required. 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;

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.

PUBLIC HEARING SUMMARY:

Presenter: Eric Claxton represented the owners Brian and Nicole Kenefic and presented the project to the Plan Commission, as outlined above. The zoning proposal is to expand the existing furniture manufacturing business. They have 11 employees and 3 interns. Small equipment is used, all indoors, and approximately 3 to 5 semis deliver materials a week, with Fed Ex deliveries occurring daily. The proposed zoning will allow the expansion and will be less intensive than the current C4/Intensive Commercial zoning.

Public Comments:

No one spoke in support or opposition.

FORT WAYNE PLAN COMMISSION • FINDINGS OF FACT

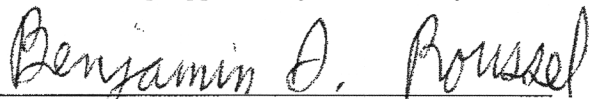
Rezoning Petition REZ-2022-0028

APPLICANT: Kenefic Properties, LLC
REQUEST: To rezone property from C4/Intensive Commercial to I1/Limited Industrial to allow a custom furniture and interior design business.
LOCATION: 7708 Bluffton Road, southwest corner of its intersection with Alma Avenue. (Section 33 of Wayne Township)
LAND AREA: 0.25 acre
PRESENT ZONING: C4/Intensive Commercial
PROPOSED ZONING: I1/Limited Industrial

The Plan Commission recommends that Rezoning Petition REZ-2022-0028, be returned to Council with a “Do Pass” recommendation after considering the following:

1. Approval of the rezoning request will not establish an undesirable precedent in the area. This property is adjacent to industrial zoning districts in an area has developed with a variety of uses. This proposal will replace the current C4/Intensive Commercial zoning district, which could be considered incompatible with the adjacent residential uses.
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. No additional building improvements are proposed at this time.
3. Approval is intended to conserve property values in the area through compatible development. Many of the properties along the Bluffton Road corridor are already industrial. Any site improvements offered by the applicant in the future may increase the aesthetic appeal of the site.
4. Approval is consistent with responsible development and growth principles based on existing uses and infrastructure in the area. Sewer, water, stormwater management, and adequate access are in place. The proposed development does not require new structures or infrastructure.

These findings approved by the Fort Wayne Plan Commission on July 18, 2022.



Benjamin J. Roussel
Executive Director
Secretary to the Commission



Rezoning Petition REZ-2022-0028 - Custom Furniture Bluffton Road



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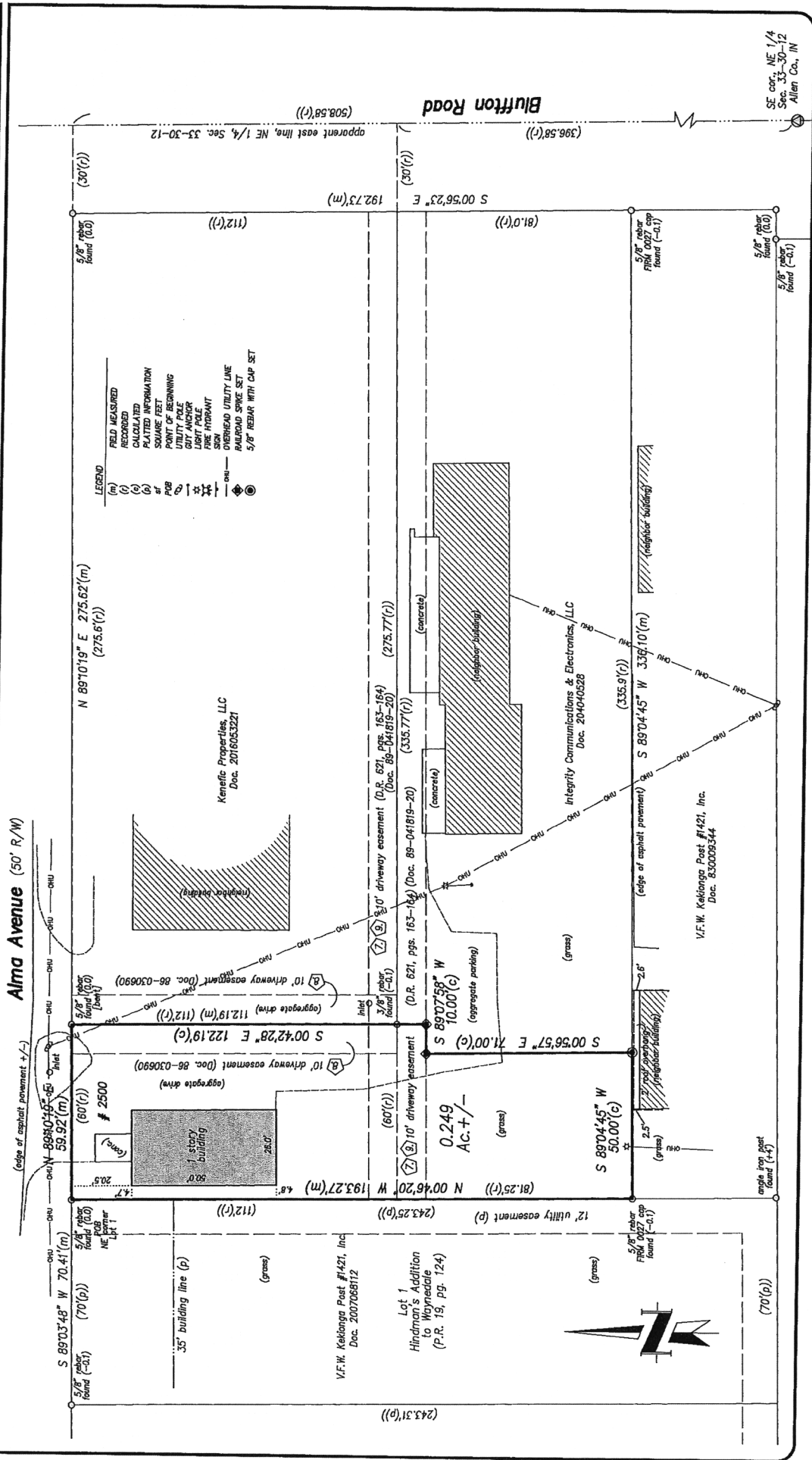


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LEGEND

(M)	FIELD MEASURED
(C)	RECORDED
(G)	CALCULATED
(S)	PLATTED INFORMATION
(F)	SQUARE FEET
(P)	POINT OF BEGINNING
(U)	UTILITY POLE
(A)	DRY ANCHOR
(B)	DRY BENCH
(I)	IRREGULAR
(O)	OVERHEAD UTILITY LINE
(R)	RAILROAD SPIKE SET
(S)	5/8" REBAR WITH CAP SET



SE cor., NE 1/4
 Sec. 33-30-12
 Allen Co., IN

BILL NO. Z-22-07-10

REPORT OF COMMITTEE ON REGULATIONS

August 9, 2022

Paul Ensley Chair

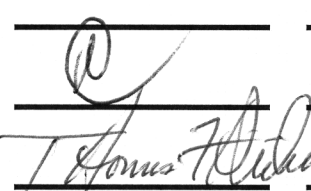

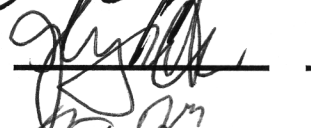
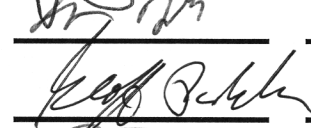
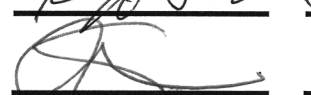

Tom Freistroffer Co-Chair

All Council Members

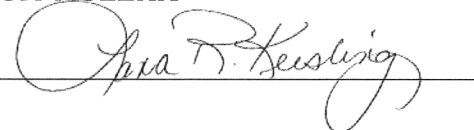
An Ordinance amending the City of Fort Wayne Zoning Map No. I-31 (Sec. 33 of Wayne Township)

To rezone approximately 0.25 acres from C4/Intensive Commercial to I1/Limited Industrial, 7708 Bluffton Road

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

<u>COUNCIL MEMBER</u>	<u>DO PASS</u>	<u>DO NOT PASS</u>	<u>ABSTAIN</u>
ARP			
CHAMBERS			
DIDIER			
ENSLEY			
FREISTROFFER			
HINES			
JEHL			
PADDOCK			
TUCKER			

**LANA R. KEESLING
CITY CLERK**



Public Hearing Date: July 11, 2022

Read the first time in full and on motion by Councilperson Ensley.

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

Read the third time in full and on motion by Councilperson Ensley, 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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
CHAMBERS	<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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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"/>
TUCKER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

DATED: August 9, 2022



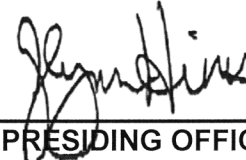
 LANA R. KEESLING, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as
 Zoning Ordinance No. Z-22-07-10 on the 9th day of August, 2022

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 August 2022, at the hour of 2:05 o'clock PM. E.S.T.



 LANA R. KEESLING, CITY CLERK

Approved and signed by me this 15TH day of AUGUST 2022, at the
 hour of 5:00 o'clock PM. E.S.T.

FORT WAYNE, INDIANA
RECEIVED
 AUG 16 2022
 LANA R. KEESLING
 CITY CLERK



 THOMAS C. HENRY, MAYOR