

1 #REZ-2022-0060

2 BILL NO. Z-22-11-19

3  
4 ZONING MAP ORDINANCE NO. Z- 6-23

5 AN ORDINANCE amending the City of Fort Wayne  
6 Zoning Map Nos. R-54 and Q-54 (Sec. 5 and 6 of Saint Joseph 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 C2 (Limited  
10 Commercial) District under the terms of Chapter 157 Title XV of the Code of the City of Fort  
11 Wayne, Indiana:

12 A PART OF THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 6  
13 AND A PART OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 5 IN  
14 TOWNSHIP 31 NORTH, RANGE 13 EAST, ALLEN COUNTY, INDIANA BEING FURTHER  
15 A PORTION OF THAT PROPERTY DESCRIBED IN DOCUMENT NUMBER 960005245  
16 WITHIN THE OFFICE OF THE RECORDER OF ALLEN COUNTY, INDIANA IN  
17 PARTICULAR DESCRIBED AS FOLLOWS:

18 TO ARRIVE AT THE POINT OF BEGINNING, COMMENCE AT AN I-BEAM POST  
19 AT THE INTERSECTION OF THE NORTH LINE OF THE SOUTHWEST QUARTER OF  
20 SECTION 5 AND THE WEST LINE OF THE BOURIES RESERVE; THENCE SOUTH 19  
21 DEGREES 54 MINUTES 45 SECONDS EAST (BEARINGS BASED UPON INDIANA STATE  
22 PLANE COORDINATE, EAST ZONE, GRID), A DISTANCE OF 1489.58 FEET TO THE  
23 POINT OF BEGINNING INITIALLY REFERRED TO AS SITUATED ON THE SOUTH LINE  
24 OF AN 11.802 ACRE RIGHT OF WAY PARCEL FOR INTERSTATE HIGHWAY NO. 469  
25 BEING DESCRIBED IN DOCUMENT NUMBER 94-043253 WITHIN THE OFFICE OF THE  
26 RECORDER OF ALLEN COUNTY, INDIANA; THENCE NORTH 80 DEGREES 23  
27 MINUTES 59 SECONDS EAST ALONG THE SAID SOUTH RIGHT OF WAY, A DISTANCE  
28 OF 46.19 FEET; THENCE SOUTH 88 DEGREES 18 MINUTES 03 SECONDS EAST AND  
29 CONTINUING ALONG SAID SOUTH RIGHT OF WAY, A DISTANCE OF 1073.95 FEET TO  
30 THE NORTHWESTERLY RIGHT OF WAY OF NORTH CLINTON STREET (LEO ROAD,  
STATE ROAD NO. 1); THENCE SOUTH 54 DEGREES 59 MINUTES 49 SECONDS WEST  
ALONG SAID NORTHWESTERLY RIGHT OF WAY, A DISTANCE OF 931.23 FEET TO  
THE SOUTHEASTERLY CORNER OF A 0.8609 ACRE PARCEL DESCRIBED IN  
DOCUMENT NUMBER 87-035762 WITHIN THE OFFICE OF THE RECORDER OF ALLEN  
COUNTY, INDIANA; THENCE NORTH 19 DEGREES 54 MINUTES 45 SECONDS WEST  
ALONG THE EAST LINE OF SAID 0.8609 ACRES, A DISTANCE OF 224.10 FEET TO THE  
NORTHEAST CORNER THEREOF; THENCE SOUTH 54 DEGREES 55 MINUTES 37  
SECONDS WEST ALONG THE NORTH LINE OF SAID 0.8609 ACRES, A DISTANCE OF  
150.00 FEET TO THE NORTHWEST CORNER THEREOF AND THE POINT OF  
BEGINNING INITIALLY REFERRED TO; THENCE NORTH 35 DEGREES 04 MINUTES  
23 SECONDS WEST, A DISTANCE OF 50.00 FEET; THENCE SOUTH 54 DEGREES 55  
MINUTES 37 SECONDS WEST, A DISTANCE OF 30.00 FEET TO A POINT OF CURVE;  
THENCE SOUTHWESTERLY ALONG A CIRCULAR CURVE TO THE RIGHT HAVING A  
RADIUS OF 1225.00 FEET, AN ARC DISTANCE OF 208.75 FEET, THE CHORD OF  
WHICH BEARS SOUTH 59 DEGREES 48 MINUTES 32 SECONDS WEST, 208.50 FEET  
TO A POINT OF REVERSE CURVE; THENCE SOUTHWESTERLY ALONG A CIRCULAR

1 CURVE TO THE LEFT HAVING A RADIUS OF 775.00 FEET, AN ARC DISTANCE OF  
2 131.14 FEET, THE CHORD OF WHICH BEARS SOUTH 59 DEGREES 50 MINUTES 35  
3 SECONDS WEST, 130.99 FEET TO A POINT OF TANGENCY; THENCE SOUTH 54  
4 DEGREES 59 MINUTES 43 SECONDS WEST, A DISTANCE OF 252.85 FEET; THENCE  
5 NORTH 35 DEGREES 00 MINUTES 17 SECONDS WEST, A DISTANCE OF 210.00 FEET;  
6 THENCE SOUTH 54 DEGREES 59 MINUTES 43 SECONDS WEST, A DISTANCE OF  
7 442.55 FEET; THENCE SOUTH 0 DEGREES 00 MINUTES 00 SECONDS EAST, A  
8 DISTANCE OF 339.60 FEET TO THE NORTH LINE OF A 14.986 ACRE RIGHT OF WAY  
9 PARCEL DESCRIBED IN DOCUMENT NUMBER 93-048576; THENCE SOUTH 86  
10 DEGREES 55 MINUTES 52 SECONDS EAST ALONG SAID NORTH LINE, A DISTANCE  
11 OF 329.13 FEET TO THE NORTHWESTERLY RIGHT OF WAY OF SAID NORTH  
12 CLINTON STREET; THENCE NORTH 54 DEGREES 56 MINUTES 49 SECONDS EAST  
13 ALONG SAID RIGHT OF WAY, A DISTANCE OF 958.32 FEET TO THE WESTERLY  
14 LINEN OF THE 0.8602 ACRES AFORESAID; THENCE NORTH 19 DEGREES 54  
15 MINUTES 45 SECONDS WEST ALONG SAID WEST LINE, A DISTANCE OF 224.10 FEET  
16 TO THE POINT OF BEGINNING AND CONTAINING 10.250 ACRES OF LAND, MORE OR  
17 LESS.


18  
19 and the symbols of the City of Fort Wayne Zoning Map Nos. R-54 and Q-54 (Secs. 5 and 6  
20 of Saint Joseph Township), as established by Section 157.082 of Title XV of the Code of the  
21 City of Fort Wayne, Indiana is hereby changed accordingly.

22  
23 SECTION 2. If a written commitment is a condition of the Plan Commission's  
24 recommendation for the adoption of the rezoning, or if a written commitment is modified and  
25 approved by the Common Council as part of the zone map amendment, that written  
26 commitment is hereby approved and is hereby incorporated by reference.

27  
28 SECTION 3. That this Ordinance shall be in full force and effect from and after its  
29 passage and approval by the Mayor.

30  
  
Council Member

APPROVED AS TO FORM AND LEGALITY:

  
Malak Heiny, City Attorney

City of Fort Wayne Common Council  
**DIGEST SHEET**

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**Department of Planning Services**

Title of Ordinance: Zoning Map Amendment  
Case Number: REZ-2022-0060  
Bill Number: Z-22-11-19  
Council District: 2 – Russ Jehl

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Introduction Date: November 22, 2022  
  
Plan Commission  
Public Hearing Date: December 12, 2022 (not heard by Council)  
  
Next Council Action: Ordinance will return to Council after recommendation by the  
Plan Commission

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Synopsis of Ordinance: To rezone approximately 10.2 acres from NC/Neighborhood Center, C1/Professional Offices and Personal Services, and RP/Planned Residential to C2/Limited Commercial to develop a new corporate campus and development parcels  
  
Location: The west side of the 8900 block of North Clinton Street  
  
Reason for Request: To accommodate the planned development of the Tippmann Group, who is planning to construct outlots between their new corporate campus and the North Clinton Street corridor  
  
Applicant: Tippmann Realty Partners, LLC  
  
Property Owner: Banet-Roy Development

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Related Petitions: Rezoning Petitions REZ-2022-0059 and REZ-2022-0061 and Primary Development Plan PDP-2022-0044 for the entire North Clinton Campus development

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Effect of Passage: Property will be rezoned to the C2/Limited Commercial zoning district, which will enable development of outlots to accompany Tippmann Group's new corporate campus.

Effect of Non-Passage: The property will remain zoned a patchwork of various residential and commercial zoning districts, all of which are developable but would not meet the needs for the desired investment.

**Department of Planning Services  
Rezoning Petition Application**

**Applicant**  
 Applicant Tippmann Realty Partners, LLC  
 Address 9009 Coldwater Road  
 City Fort Wayne State IN Zip 46825  
 Telephone (260) 469-5446 E-mail jwharton@tippmanngroup.com

**Contact Person**  
 Contact Person Joe Wharton  
 Address 9009 Coldwater Road  
 City Fort Wayne State IN Zip 46825  
 Telephone (260) 469-5446 E-mail jwharton@tippmanngroup.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 8923 North Clinton (Parcel II on the Survey Attached)  
 Present Zoning NC Proposed Zoning O2 Acreage to be rezoned 10.18  
 Proposed density See Survey and Development Plan units per acre  
 Township name St. Joseph Township section # \_\_\_\_\_  
 Purpose of rezoning (attach additional page if necessary) The rezoning is necessary to accommodate the planned development of the Tippmann Group which is planning to build their corporate campus on the site along with the development of the remaining site.  
 Sewer provider City of Ft. Wayne Water provider City of Ft. Wayne

*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 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.

Tippmann Realty Partners, LLC [Signature] 11/1/22  
 (printed name of applicant) (signature of applicant) (date)

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

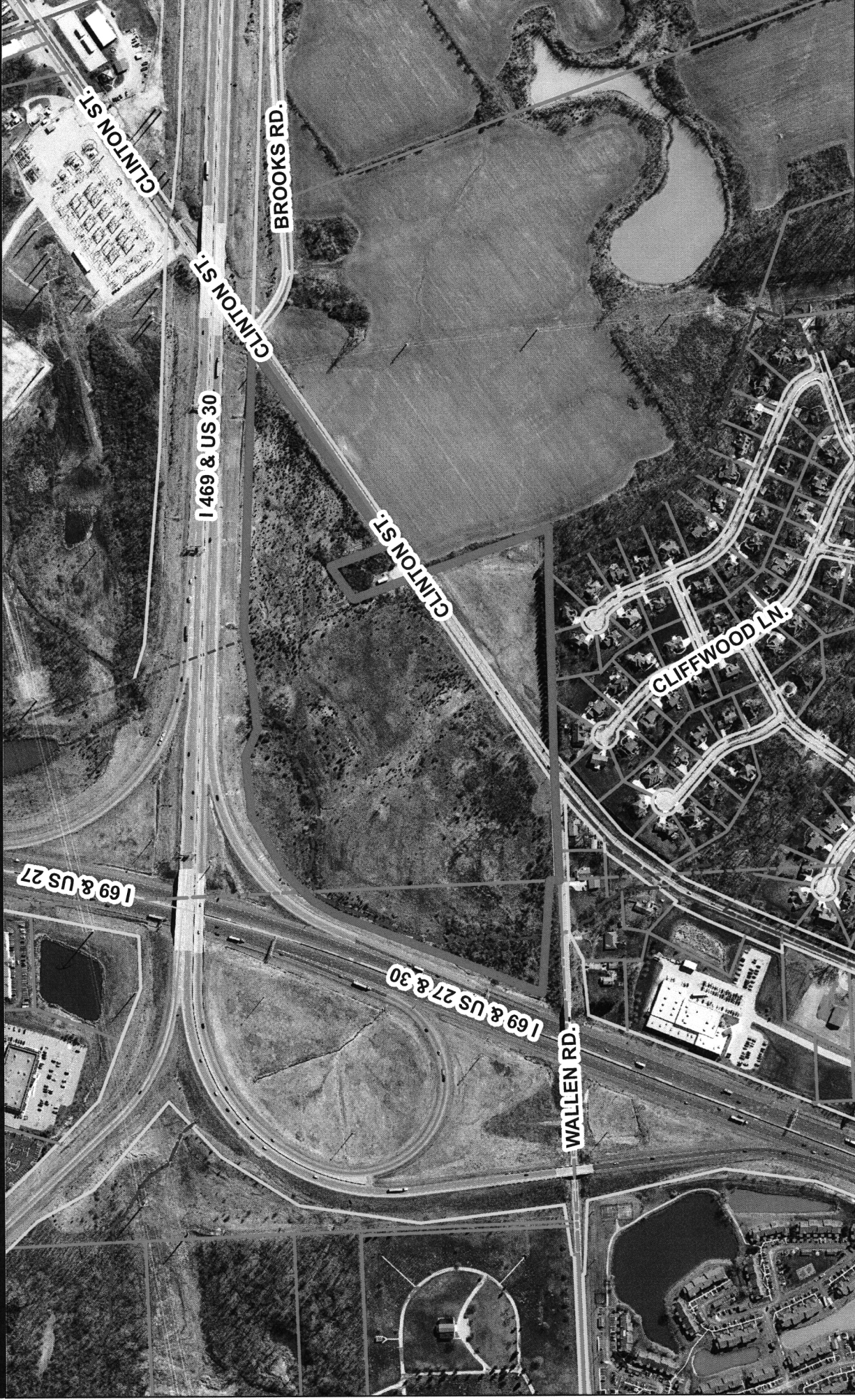
Banet-Roy Development Company, LLC [Signature] 11/1/22  
 (printed name of property owner) (signature of property owner) (date)

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

Received	Receipt No.	Hearing Date	Petition No.
11/1/2022	141 909	12/12/22	REZ-2022-0060

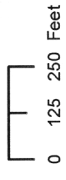


Rezoning Petitions REZ-2022-0059, 0060, 0061 and Primary Development Plan PDP-2022-0044 - North Clinton Campus



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.

© 2004 Board of Commissioners of the County of Allen  
North American Datum 1983  
State Plane Coordinate System, Indiana East  
Photos and Contours: Spring 2009  
Date: 11/16/2022

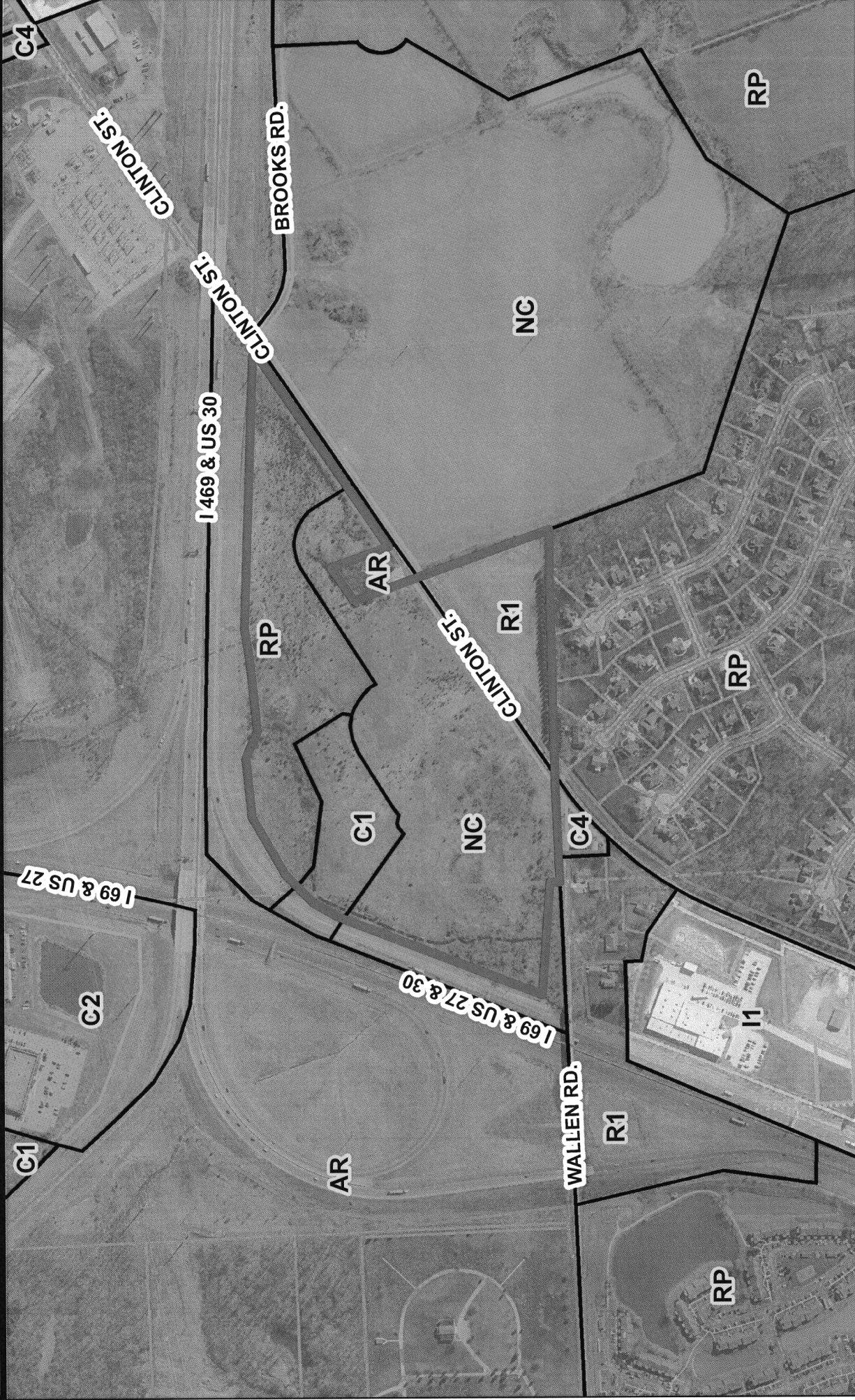


1 inch = 500 feet



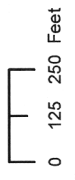


Rezoning Petitions REZ-2022-0059, 0060, 0061 and Primary Development Plan PDP-2022-0044 - North Clinton Campus



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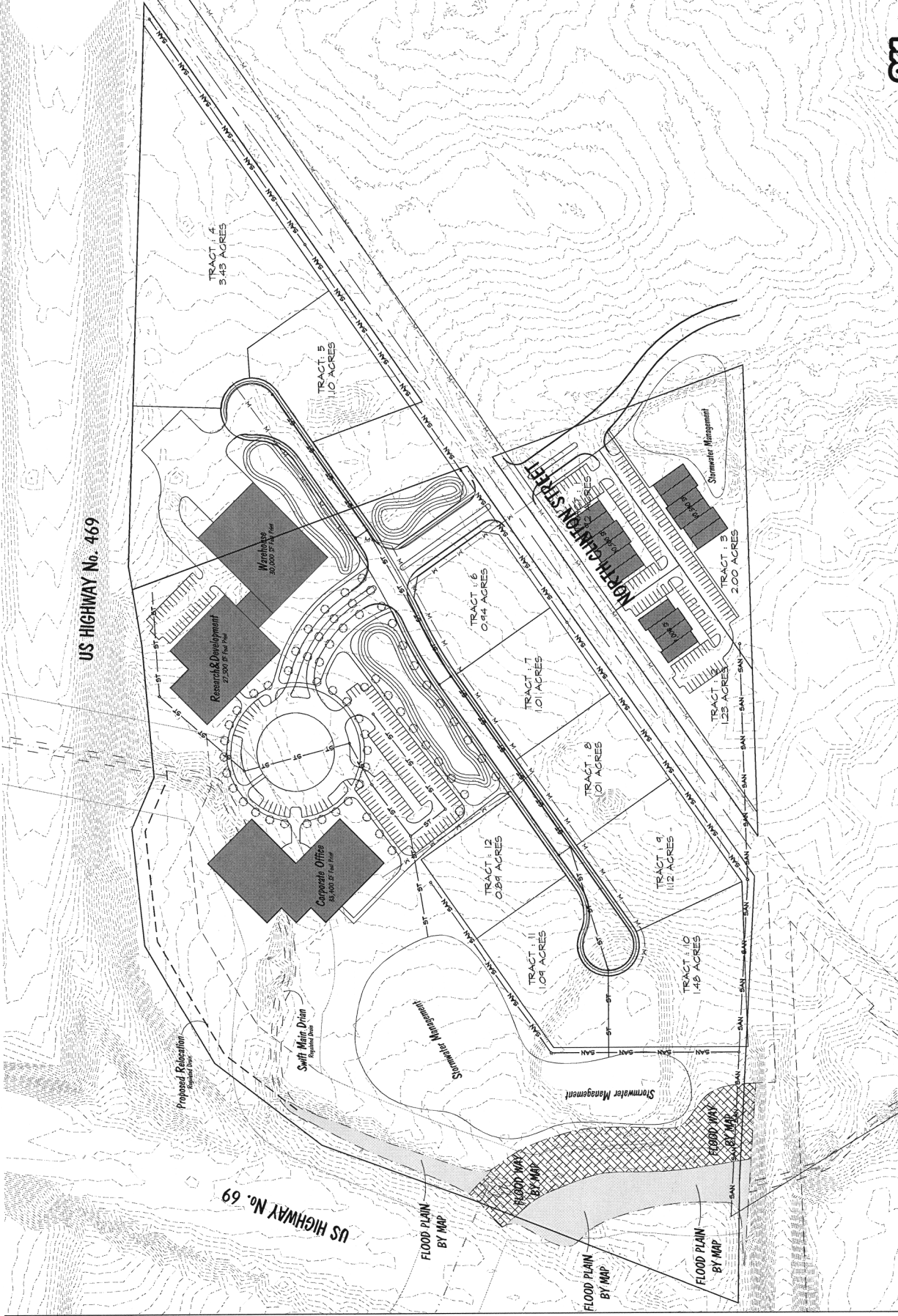
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North American Datum 1983  
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Photos and Contours: Spring 2009  
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1 inch = 500 feet



This is an unperfected plat created by ForeSight Consulting, LLC. It is not a deed or other instrument that conveys an interest in real property. It is a plat of a subdivision of land, and it is subject to all applicable laws, regulations, and ordinances. It is not to be used as a basis for any claim of title or interest in real property. It is to be used only for the purposes stated herein. It is the responsibility of the user to verify the accuracy of the information contained herein. ForeSight Consulting, LLC is not responsible for any errors or omissions in this plat. It is created by the use of computer software and is subject to the same limitations as any other computer-generated document. It is not to be used as a basis for any claim of title or interest in real property. It is to be used only for the purposes stated herein. It is the responsibility of the user to verify the accuracy of the information contained herein. ForeSight Consulting, LLC is not responsible for any errors or omissions in this plat.





**BILL NO. Z-22-11-19**

**REPORT OF COMMITTEE ON REGULATIONS  
January 10, 2023**

**Tom Freistroffer Chair**

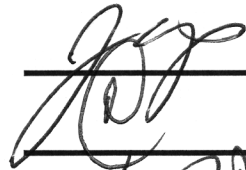
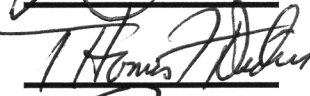

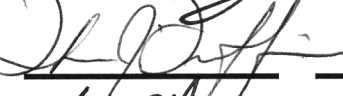




**Sharon Tucker Co-Chair**

**All Council Members**

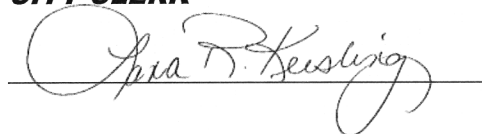
An Ordinance amending the City of Fort Wayne Zoning Map Nos. R-54 and Q-54 (Sec. 5 and 6 of Saint Joseph Township)

*To rezone approximately 10.2 acres from NC/Neighborhood Center, C1/Professional Offices and Personal Services, and RP/Planned Residential to C2/Limited Commercial to develop a new corporate campus and development parcels at the west side of the 8900 block of North Clinton Street*

**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: December 12, 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 Freistroffer, 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"/>
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 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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: January 10, 2023

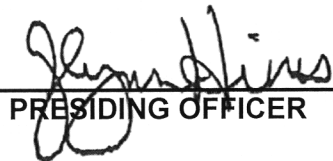
  
 \_\_\_\_\_  
 LANA R. KEESLING, CITY CLERK

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

Zoning Ordinance No. Z-22-11-19 on the 10th day of January, 2023

ATTEST:

  
 \_\_\_\_\_  
 LANA R. KEESLING  
 CITY CLERK

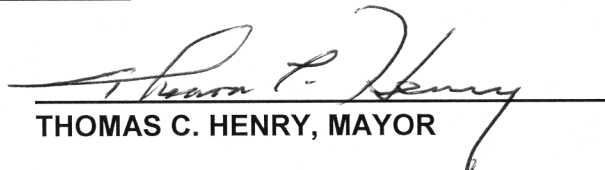
  
 \_\_\_\_\_  
 PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th of January 2023, at the hour of 2:40 o'clock P.M. E.S.T.

  
 \_\_\_\_\_  
 LANA R. KEESLING, CITY CLERK

Approved and signed by me this 12<sup>TH</sup> day of JANUARY 2023, at the

hour of 8:00 o'clock AM E.S.T.

  
 \_\_\_\_\_  
 THOMAS C. HENRY, MAYOR

