

1 #REZ-2023-0005

2 BILL NO. Z-23-02-37

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4
5 ZONING MAP ORDINANCE NO. Z- Failed

6 AN ORDINANCE amending the City of Fort Wayne
7 Zoning Map No. I-30 (Sec. 21 of Washington Township)

8 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE,
9 INDIANA:

10 SECTION 1. That the area described as follows is hereby designated an I1 (Limited
11 Industrial) District under the terms of Chapter 157 Title XV of the Code of the City of Fort
12 Wayne, Indiana:

13 Document Number 2018063987

14 Part of the Southwest Quarter of the Southeast Quarter of Section 21, Township 31
15 North, Range 12 East, more particularly described as follows, to wit: Beginning at
16 the intersection of the West line of said Southwest Quarter of said Southeast Quarter
17 of said Section and the centerline of U.S. Routes Numbered 30 and 33 (Goshen
18 Road) as now established; thence North on the West line of said Southwest Quarter
19 of said Southeast Quarter of said Section, a distance of 259.5 feet; thence East a
20 distance of 410.92 feet; thence South a distance of 253 feet; thence West making an
interior angle of 90 degrees, a distance of 192 feet; thence to the left with a
deflection angle of 74 degrees 37 minutes, a distance of 213.5 feet to the center line
of said U.S. Routes Numbered 30 and 33; thence Northwesterly along the center line
of said highway a distance of 262.5 feet to the place of beginning.

21 ALSO

22 Part of the Southwest Quarter of the Southeast Quarter of Section 21, Township 31
23 North, Range 12 East, more particularly described as follows:
24 Commencing at the intersection of the West line of the said Southwest Quarter of the
25 Southeast Quarter with the centerline of U.S. Highway 30; thence North on the West
26 line of said Southwest Quarter of the Southeast Quarter 259.5 feet to the place of
27 beginning; thence East 410.92 feet; thence North 150.0 feet; thence West 410.92
28 feet; thence South with the West line of said Southwest Quarter of the Southeast
29 Quarter 150.0 feet to the place of beginning.

30 ALSO, the South 120 feet of Lots Numbered 149 and 150 in Lincolnale a
Subdivision of Lots 1 to 44 inclusive in Elmer E. Gandy's Subdivision, an Addition
to the city of Fort Wayne, according to the plat thereof, recorded in Plat Record 12,
page 32, in the Office of the Recorder of Allen County, Indiana.

1 EXCEPTING therefrom that part acquired for road rights-of-way purposes.
2 More commonly described as follows:

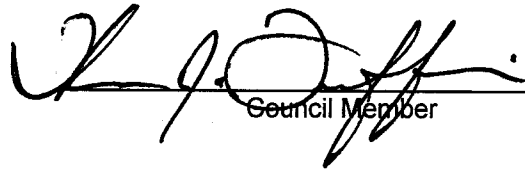
3 Part of the Northwest Quarter of Section 21, Township 31 North, Range 12 East of
4 the Second Principal Meridian, Washington Township in Allen County, Indiana,
5 together with Part of Lots Numbered 149 and 150 of Lincolndale Subdivision of Lots
6 1 to 44 inclusive in Elmer E. Gandy's Subdivision to the City of Fort Wayne, Allen
7 County, Indiana, based on an original survey by Brett R. Miller, Indiana Professional
8 Surveyor Number 20300059 of Miller Land Surveying, Inc., Survey No. 23016770,
9 dated January 19, 2023, and being more particularly described as follows:
10 Commencing at the Northeast corner of Lot Number 150 in Lincolndale Subdivision,
11 said point being referenced by a 5/8" steel rebar with a "D+A" identification cap;
12 thence South 02 degrees 02 minutes 44 seconds East (Indiana Geospatial Coordinate
13 System - Allen County bearing and basis of bearings to follow), a distance of 260.10
14 feet (260.24 feet deed) along the East line of said Lot Number 150, and the West line
15 of an existing 10.56 acre tract as described in Document Number 2017009350 in the
16 Office of the Recorder of Allen County, Indiana to a 5/8" steel rebar with a "Miller
17 Firm #0095" identification cap at the POINT OF BEGINNING of the herein
18 described tract; thence South 02 degrees 02 minutes 44 seconds East, a distance of
19 119.93 feet (120.00 feet deed), along the East line of said Lot Number 150 and the
20 West line of said 10.56 acre tract to a 5/8" steel rebar with a "Sauer" identification
21 cap on the South line of said 10.56 acre tract; thence North 88 degrees 07 minutes 58
22 seconds East, a distance of 2.03 feet (deed) along said South line to a 5/8" steel rebar
23 with a "Sauer" identification cap on the West line of said 10.56 acre tract; thence
24 South 01 degrees 17 minutes 46 seconds East, a distance of 144.86 feet (deed)
25 continuing along said West line to a 5/8" steel rebar with a "Sauer" identification
26 cap; thence South 02 degrees 05 minutes 54 seconds East, a distance of 259.85 feet
27 (deed), continuing along said West line to a 5/8" steel rebar with a "Miller Firm
28 #0095" identification cap on the North line of an existing 0.573 acre tract as
29 described in Document Number 2018045249 in the Office of said Recorder; thence
30 South 88 degrees 46 minutes 50 seconds West, a distance of 192.00 feet (deed) along
said North line to the West line of said 0.573 acre tract, said point being referenced
by a 1/2" steel rebar 0.24 feet West; thence South 14 degrees 27 minutes 58 seconds
West, a distance of 22.11 feet (deed), along said West line to a 1/2" steel rebar on the
Easterly right-of-way line of Hatfield Road; thence North 43 degrees 45 minutes 25
seconds West, a distance of 201.50 feet, along said Easterly right-of-way line to a
5/8" steel rebar with a "Miller Firm #0095" identification cap; thence North 23
degrees 38 minutes 05 seconds West, a distance of 124.40 feet, continuing along said
Easterly right-of-way line to a 5/8" steel rebar with a "Miller Firm #0095"
identification cap; thence North 04 degrees 11 minutes 14 seconds West, a distance
of 158.11 feet, continuing along said Easterly right-of-way line to a 2" angle iron
post on the South line of Lot Number 148 in said plat of Lincolndale Subdivision;
thence North 88 degrees 36 minutes 00 seconds East, a distance of 178.92 feet (plat),
along said South line to a 2" angle iron post on the East line of said Lot Number 148;
thence North 01 degrees 26 minutes 59 seconds West, a distance of 119.79 feet
(120.00 feet deed), along said East line to a 5/8" steel rebar with a "Miller Firm

1 #0095" identification cap on the South line of an existing tract described in
2 Document Number 2019027211 in the Office of said Recorder; thence North 87
3 degrees 37 minutes 00 seconds East, a distance of 203.49 feet (200.00 feet deed),
4 along said South line to the Point of Beginning. Containing 3.705 acres, more or less.
5 Subject to easements of record.


6 and the symbols of the City of Fort Wayne Zoning Map No. I-30 (Sec. 21 of Washington
7 Township), as established by Section 157.082 of Title XV of the Code of the City of Fort
8 Wayne, Indiana is hereby changed accordingly.

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

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

15 
16 _____
17 Council Member

18 APPROVED AS TO FORM AND LEGALITY:

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20 _____
21 Malak Heiny, City Attorney

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

Department of Planning Services

Title of Ordinance: Zoning Map Amendment
Case Number: REZ-2023-0005
Bill Number: Z-23-02-37
Council District: 3 – Tom Didier

Introduction Date: February 28, 2023

Plan Commission
Public Hearing Date: March 13, 2023 (not heard by Council)

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

Synopsis of Ordinance: To rezone approximately 3.70 acres from C4/Intensive Commercial and
R1/Single Family Residential to I1/Limited Industrial

Location: East side of the 4600-4700 blocks of Hatfield Road

Reason for Request: To develop the parcel with a three-unit warehouse building.

Applicant: Razz Logistics and Wholesale, LLC

Property Owners: VRC Properties, LLC

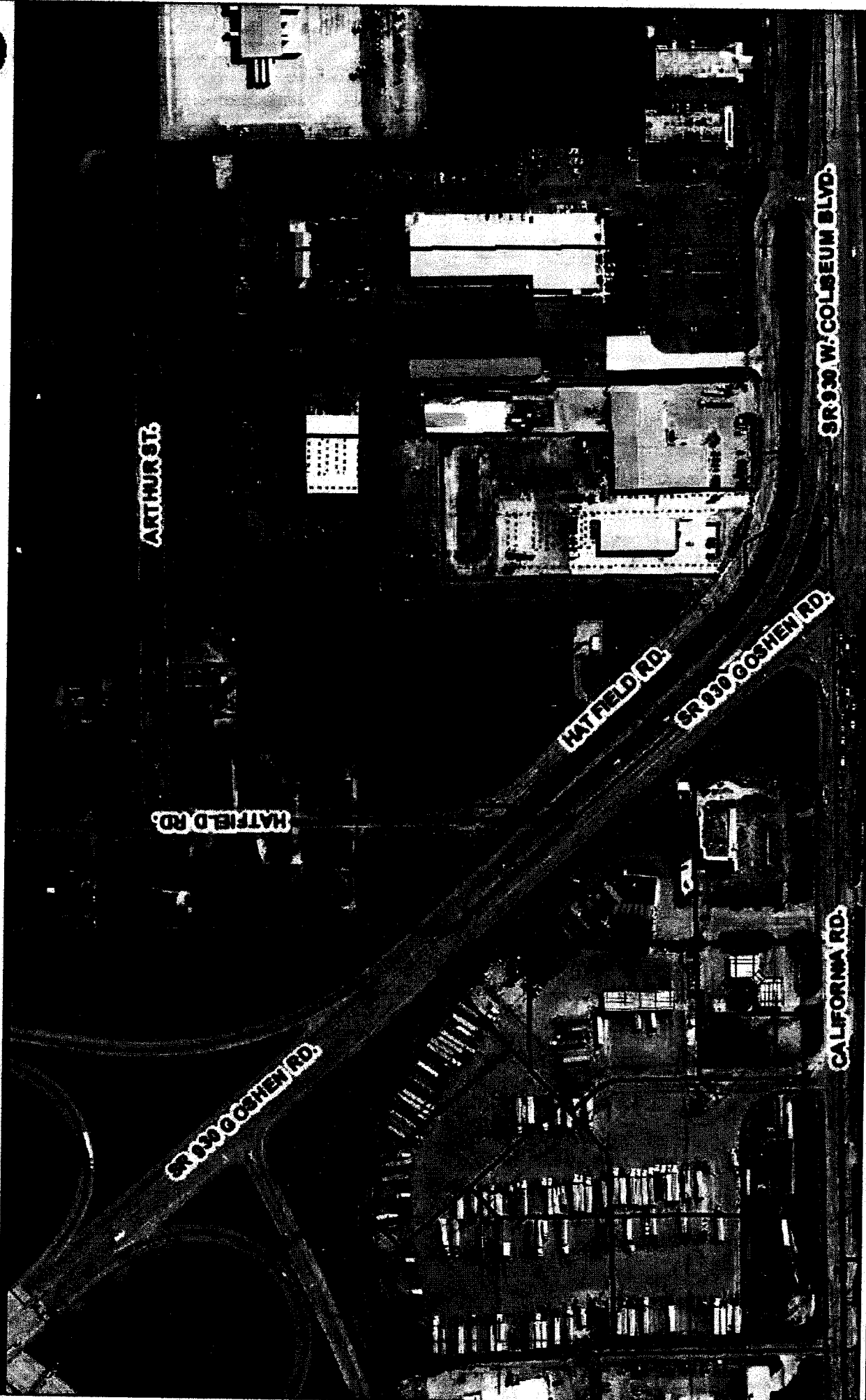
Related Petitions: PDP-2023-0005 – Hatfield Road Warehouse

Effect of Passage: Property will be rezoned to the I1/Limited Industrial zoning district,
which will allow the development of a warehouse, and stormwater
detention (on the current R1 portion).

Effect of Non-Passage: The property will remain zoned C4/Intensive Commercial and R1/Single
Family Residential. The C4 zoning would support the warehouse, but
also allows use more intensive than those permitted in I1/limited
industrial.

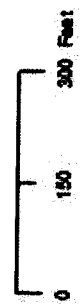


REZ-2023-0005 and PDP-2023-0005 - Hatfield Rd Warehouse



Although we use accuracy standards we have employed in the compilation of this map, Allen County does not warrant or guarantee the accuracy of the information contained hereon and the liability and a liability resulting from any error or omission in this map.

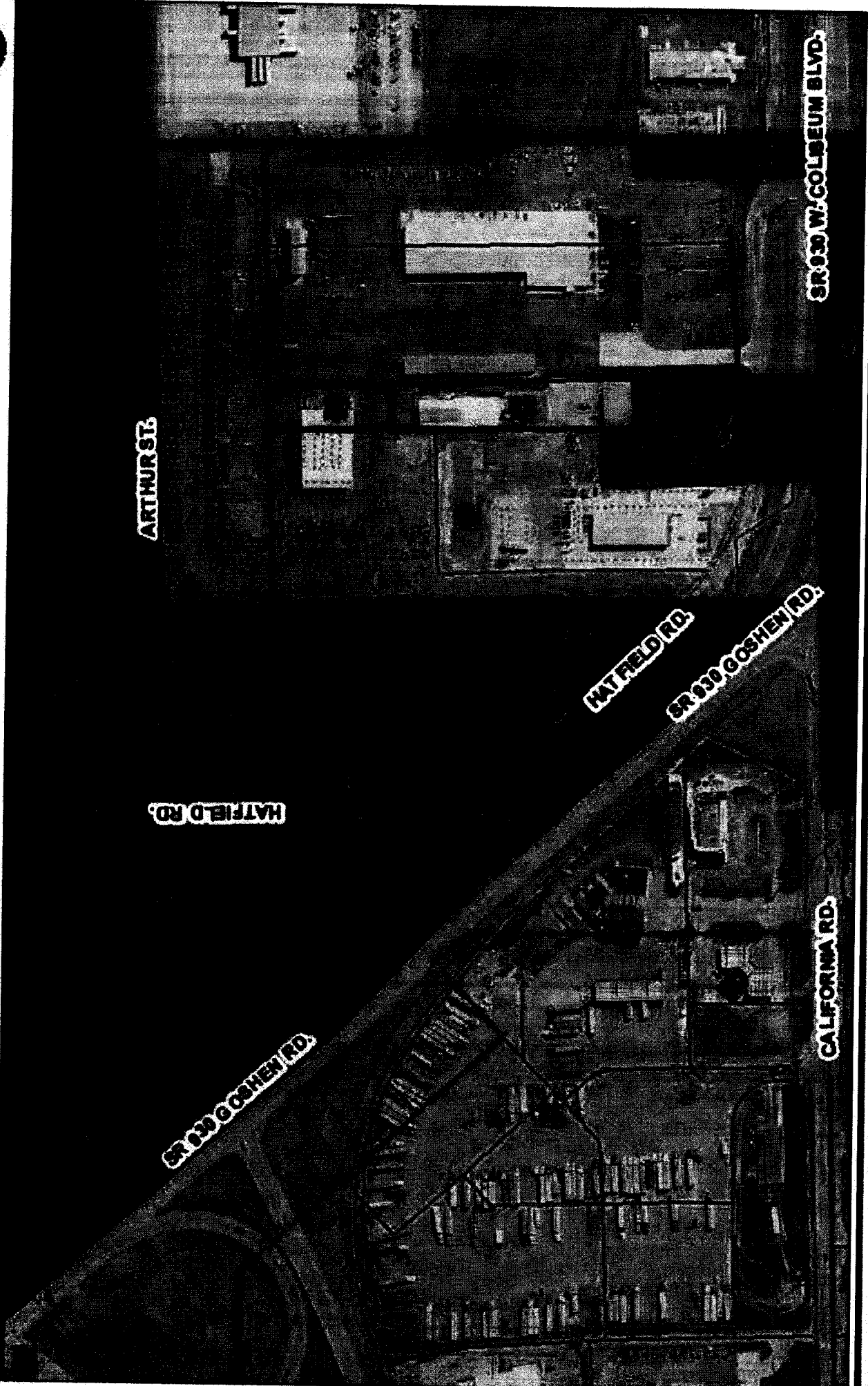
© 2004 Board of Commissioners of the County of Allen
North American Datum 1983
State Plane Coordinate System, Indiana 1818
Photos and Contours: Spring 2009
Date: 2/22/2023



1 inch = 250 feet



REZ-2023-0005 and PDP-2023-0005 - Hatfield Rd Warehouse



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North American Datum 1983
State Plane Coordinate System, Indiana State
Plane and Coordinate System 2011
Date: 2/22/2023



1 inch = 250 feet

FACT SHEET

Case #	#REZ-2023-0005	Bill #	Z-23-02-37	Project Start:	February 2023
PROPOSAL:	Rezoning Petition REZ-2023-0005, Hatfield Warehouse				
APPLICANT:	Razz Logistics and Wholesale LLC				
REQUEST:	Rezone from C4/Intensive Commercial and R1/Single Family Residential to I1/Limited Industrial for a new wholesale facility.				
LOCATION:	4600 block of Hatfield Road, approximately 1000 feet west of its intersection with Coliseum Blvd (Section 21 of Washington Township)				
LAND AREA:	3.7 acres				
PRESENT ZONING:	C4/Intensive Commercial and R1/Single Family Residential				
PROPOSED ZONING:	I1/Limited Industrial				
COUNCIL DISTRICT:	3 – Tom Didier				
SPONSOR:	Fort Wayne Plan Commission				

March 13, 2023 Public Hearing

- Eight residents spoke in opposition.
- Paul Sauerteig was absent.

March 20, 2022 Business Meeting

Plan Commission Recommendation: DO NOT PASS

A motion was made by Judi Wire and seconded by Karen Richards to return the Ordinance with a Do Not Pass recommendation to Common Council for their final decision.

8-0 MOTION PASSED

- Rachel Tobin-Smith was absent

Fact Sheet Prepared by:
Michelle B. Wood, Senior Land Use Planner
April 5, 2023

PROJECT SUMMARY

- The site had a structure in 1938 aerial imagery when Hatfield intersected Lincoln Highway.
- When Interstate 69 was constructed, Hatfield Road became a frontage road to US 33 and the building was demolished.

The petitioner is requesting to rezone a dual-zoned site from C4 and R1 to I1, which is a limited industrial zoning district. The purpose of the rezoning petition is to construct an industrial warehousing building, with one of the end user being the petitioner's wholesale distribution company. Two other tenant spaces are proposed in one single building. Accessory items, like fire lanes, parking lots, landscaping, and dumpster enclosures, are included with the plan.

The site is on Hatfield Road, and it runs parallel to Goshen Road, just south of the I-69 interchange. The general area is a mix of industrial uses and highway related services, but the north has the Lincolndale neighborhood, which was platted in the 1920's as a rural subdivision. Generally, nearby nonresidential zoning districts are intensive, with I3 to the east and C4 to the south. The zoning appears to be the original zoning classification and there is not perfect reason for the split zoning. Regarding C4, the zoning district description in the zoning ordinance states that "new C4 zoning districts not be adjacent to existing residential zoning districts." As mentioned, about 3/5 of the site is currently zoned C4, which is an intensive commercial zoning district, while the northern 2/5 is zoned single family residential. While this is existing zoning, staff recommended a different zoning district to bring the entire site into compliance. I1, or Limited Industrial, is the least intensive zoning district that permits a wholesale warehousing facility. The purpose of the zoning district, according to the zoning ordinance, is to "serve as a buffer between heavier industrial districts and business or residential districts" making this site a good demonstration on using the I1 district. There is adjacent industrial zoning to the east, so there would not be an "island" of industrial zoning classification in the general area.

The rezoning petition satisfies the following goals and objectives in 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.

The site is an irregular shape, with a Hatfield Road sloping across the southwest portion of the site, and with a small platted area of Lincolndale, about half an acre, creating a half acre alcove to the north of the site. That area has a 5' platted utility easement on the west. The structure is a warehouse with one of the end tenants being a wholesale facility. The other two tenants have yet to be determined, but new tenants will need to be a permitted use in the I1 zoning district. One access point is obtained off Hatfield Road, but the entire building has a "fire lane" around the structure. Parking requirements are 1 per 1,000 square feet or 1 employee for largest shift, whichever is greater. The applicant has provided 38 spaces, which is 1 per 1,000 square feet. The applicant mentioned that two of the end users are not determined, but if they are a user that requires a different parking count, the loading docks can be eliminated, and the paved area can accommodate enough parking per the zoning ordinance. Since this is an industrial zoning development, the proposal is exempt from installing sidewalks, and the Walk Fort Wayne Plan does not show this area as a pedestrian generating area. Because the site is within 50' of a residential district, lighting will need to be no higher than 25' on the building, which the professionals agreed to meet. Additionally, the applicant has submitted an alternate landscaping plan to maintain existing vegetation to screen and buffer the dry detention area, which is located

on the north end of the site. The applicant worked with staff to screen and buffer the north side of the development site, adjacent to the residence along Hatfield Road. The site plan shows that the building meets general setback standards for the primary structure, parking lots, and drive lanes. The applicant confirmed the height of the building will be under 30 feet, which is a zoning ordinance requirement adjacent to a residential district.

PUBLIC HEARING SUMMARY:

Presenter: Attorney Robert Owen Vegeler, representing the property owner, presented the request as outlined above. Mr. Vegeler added that the proposed warehouse is likely to receive two trucks of product per week. The remaining tenant space will be offered for retail or service, possibly an exercise facility.

Public Comments:

Anthony Everly, Hatfield Road – Concerned about the existing use of McCallister and the noise of truck reversing and jack brakes. Also concerned about hotel customers walking through their neighborhood.

Andy Beachy, Lincolndale Avenue – Has recently built new houses in the neighborhood. Concerned about crime, would rather see houses or a park.

Abby Norden, Hatfield Road – Neighborhood is quiet and peaceful, they do not need another warehouse.

Mike Royal, Lincolndale Avenue – Concerned about trucks waiting to enter the site and adequate parking.

Daniel Brown, Hatfield Road – Lives immediately behind the project site, concerned about getting out of his driveway.

Tim Curtis, Hatfield Road – Opposed to the project at the entrance to the neighborhood.

David Egolf, Lincolndale Avenue – Has spoken at several hearings for industrial projects on Coliseum and feels their concerns are not taken seriously. Concern about noise and traffic.

Anna Regan, Lincolndale Avenue – Concern about the curve in the road and trucks missing the entrance.

Closing Comments:

This project cannot change issues in the neighborhood stemming from other developments. Traffic will not enter the neighborhood and the traffic study will show that it is not an issue.

FORT WAYNE PLAN COMMISSION • FINDINGS OF FACT

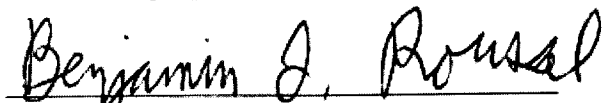
Rezoning Petition REZ-2023-0005

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REQUEST: Rezone from C4/Intensive Commercial and R1/Single Family Residential to I1/Limited Industrial
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LAND AREA: 3.7 acres
PRESENT ZONING: C4/Intensive Commercial and R1/Single Family Residential
PROPOSED ZONING: I1/Limited Industrial

The Plan Commission recommends that Rezoning Petition REZ-2023-0005 be returned to Council, with a “Do not Pass” recommendation after considering the following:

1. Approval of the rezoning request is not within substantial compliance with the City of Fort Wayne Comprehensive Plan, and may establish an undesirable precedent in the area. The site is located at the entrance to the Lincolndale neighborhood and will interrupt the pattern of existing development adjacent to the neighborhood.
2. Approval of the request may have an adverse impact on the current conditions in the area, or the character of current structures and uses in the area. The current conditions of the adjacent neighborhood are low intensity and single family residential in character. The area has experienced adverse noise impacts from industrial zoning and this proposal may exacerbate the ongoing issues residents are experiencing.

These findings approved by the Fort Wayne Plan Commission on March 20, 2023.



Benjamin J. Roussel
Executive Director
Secretary to the Commission

BILL NO. Z-23-02-37

REPORT OF COMMITTEE ON REGULATIONS
April 11, 2023

Tom Freistroffer Chair
Sharon Tucker Co-Chair
All Council Members

An Ordinance amending the City of Fort Wayne Zoning Map No. I-30 (Sec. 21 of Washington Township)

To rezone approximately 3.70 acres from C4/Intensive Commercial and R1/Single Family Residential to I/Limited Industrial at the east side of the 4600-4700 blocks of Hatfield 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>
<u>ARP</u>	<u> </u>	<u> </u>	<u> </u>
<u>CHAMBERS</u>	<u> </u>	<u> </u>	<u> </u>
<u>DIDIER</u>	<u> </u>	<u> </u>	<u> </u>
<u>ENSLEY</u>	<u> </u>	<u> </u>	<u> </u>
<u>FREISTROFFER</u>	<u> </u>	<u> </u>	<u> </u>
<u>HINES</u>	<u> </u>	<u> </u>	<u> </u>
<u>JEHL</u>	<u> </u>	<u> </u>	<u> </u>
<u>PADDOCK</u>	<u> </u>	<u> </u>	<u> </u>
<u>TUCKER</u>	<u> </u>	<u> </u>	<u> </u>

LANA R. KEESLING
CITY CLERK

Lana R. Keesling

Public Hearing Date: N/A

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

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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
CHAMBERS	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
DIDIER	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ENSLEY	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
FREISTROFFER	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
HINES	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
JEHL	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
PADDOCK	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
TUCKER	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

DATED: April 11, 2023

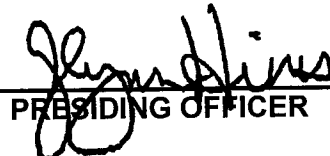

LANA R. KEESLING, CITY CLERK

Did not pass through the Common Council of the City of Fort Wayne, Indiana, as

General Ordinance No. Z-23-02-37 on the 11th day of April, 2023

ATTEST:


LANA R. KEESLING
CITY CLERK


LYNN HINES
PRESIDING OFFICER