

1 #REZ 2024 0028

2 BILL NO. Z-24-06-17

3  
4 ZONING MAP ORDINANCE NO. Z-20-24

5 AN ORDINANCE amending the City of Fort Wayne  
6 Zoning Map No. L-22 (Sec. 26 of Washington 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 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 **LEGAL DESCRIPTION:**

13 **TRACT 1 - DOCUMENT NUMBER 2007052335:**

14 PART OF THE SOUTHWEST QUARTER OF SECTION 26, TOWNSHIP 31 NORTH, RANGE 12 EAST, ALLEN  
15 COUNTY, INDIANA, IN PARTICULAR DESCRIBED AS FOLLOWS, TO-WIT:

16 COMMENCING ON THE CENTERLINE OF THE PUBLIC HIGHWAY KNOWN AS WELLS STREET (BMA  
17 ROAD) AT A POINT SITUATED 276.06 FEET SOUTH OF THE POINT OF INTERSECTION OF SAID ROAD  
18 CENTERLINE BY THE NORTH LINE OF THE SAID QUARTER SECTION; THENCE SOUTH 1 DEGREE 28  
19 MINUTES 41 SECONDS EAST (ASSUMED BEARINGS) ALONG THE SAID ROAD CENTERLINE, A DISTANCE  
20 OF 454.59 FEET TO THE NORTHEAST CORNER OF LOT "A" IN ROMY'S OUT LOTS AS SITUATED BY DEED  
21 11 CHAINS SOUTH OF THE NORTH LINE OF SAID QUARTER SECTION; THENCE NORTH 89 DEGREES 58  
22 MINUTES 16 SECONDS WEST ALONG THE NORTH LINE OF SAID LOT "A" AS ESTABLISHED, A DISTANCE  
23 OF 330.07 FEET (330 FEET, DEED) TO A #4 PIN IN PIPE FOUND ON AN EAST LINE OF A 21.91 ACRE  
24 TRACT DESCRIBED IN INSTRUMENT NUMBER 73-4746; THENCE NORTH 0 DEGREES 59 MINUTES 16  
25 SECONDS WEST ALONG SAID EAST LINE AS ESTABLISHED BY FOUND ORIGINAL MONUMENTS, A  
26 DISTANCE OF 120.00 FEET TO A #4 PIN FOUND AT THE NORTHEAST CORNER OF SAID 21.91 ACRES;  
27 THENCE SOUTH 88 DEGREES 56 MINUTES 36 SECONDS WEST ALONG THE NORTH LINE OF SAID 21.91  
28 ACRES AS ESTABLISHED BY FOUND ORIGINAL MONUMENTS, A DISTANCE OF 389.98 FEET TO A 1 INCH  
29 PINCHED PIPE FOUND AT THE SOUTHEAST CORNER OF A 2.70 ACRE TRACT DESCRIBED IN DEED  
30 RECORD 598, PAGE 113; THENCE NORTH 0 DEGREES 56 MINUTES 41 SECONDS WEST ALONG THE  
EAST LINE OF SAID 2.70 ACRES AS ESTABLISHED BY FOUND MONUMENTS SET BY A.K. HOFER IN 1953,  
A DISTANCE OF 490.98 FEET (491.1 FEET, DEED) TO A 1 INCH PINCHED PIPE FOUND AT THE  
NORTHEAST CORNER OF SAID 2.70 ACRES; THENCE NORTH 89 DEGREES 53 MINUTES 20 SECONDS  
EAST ALONG A LINE PARALLEL WITH AND 1.91 CHAINS SOUTH OF THE NORTH LINE OF SAID  
QUARTER SECTION BY DEED, A DISTANCE OF 394.30 FEET TO A #5 REBAR SET WITH HOFER AND  
DAVIS, INC. CAP AFFIXED, SAID POINT BEING THE FORMER POSITION OF A RAILROAD RAIL POST  
SINCE 1953 AND SITUATED 320 FEET WEST OF THE CENTERLINE OF SAID WELLS STREET AND THE  
NORTHWEST CORNER OF A 1.10 ACRE TRACT DESCRIBED IN INSTRUMENT NUMBER 86- 21820;  
THENCE SOUTH 1 DEGREE 34 MINUTES 36 SECONDS EAST ALONG THE WEST LINE OF THE TRACT  
AFORESAID, A DISTANCE OF 150.00 FEET TO A RAILROAD RAIL POST FOUND SINCE 1953 AT THE  
SOUTHWEST CORNER OF SAID 1.10 ACRES; THENCE SOUTH 89 DEGREES 57 MINUTES 20 SECONDS  
EAST ALONG THE SOUTH LINE OF THE TRACT AFORESAID, A DISTANCE OF 320.00 FEET TO THE  
SOUTHEAST CORNER THEREOF AS SITUATED ON THE AFORESAID CENTERLINE AND THE POINT OF  
BEGINNING, CONTAINING 7.8069 ACRES OF LAND, MORE OR LESS.

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**TRACT 2 - DOCUMENT NUMBER 2022027243:**

PART OF THE SOUTHWEST QUARTER OF SECTION 26, TOWNSHIP 31 NORTH, RANGE 12 EAST, ALLEN COUNTY, INDIANA, IN PARTICULAR DESCRIBED AS FOLLOWS, TO-WIT:

COMMENCING ON THE NORTHEASTERLY LINE OF THE PUBLIC STREET KNOWN AS SHERMAN STREET AS ESTABLISHED ON THE NORTHEASTERLY BORDER OF FRANKE PARK, AND RECORDED IN PLAT BOOK 13, PAGE 119, IN THE OFFICE OF THE RECORDER OF SAID COUNTY, AT A POINT SITUATED 126.06 FEET SOUTH OF THE NORTH LINE OF SAID QUARTER SECTION; THENCE EAST AND PARALLEL TO THE AFORESAID LINE 380.4 FEET, MORE OR LESS, TO A POINT SITUATED 714.3 FEET WEST OF THE CENTERLINE OF THE PUBLIC HIGHWAY KNOWN AS THE LIMA ROAD; THENCE SOUTH A DISTANCE OF 491.1 FEET TO A POINT SITUATED 719.4 FEET WEST OF THE CENTERLINE OF SAID LIMA ROAD; THENCE WESTWARD BY A DEFLECTION RIGHT OF 90 DEGREES, A DISTANCE OF 175.3 FEET TO THE EAST LINE OF SAID SHERMAN STREET; THENCE NORTHWESTERLY ALONG THE AFORESAID STREET LINE, ON THE ARE OF A CIRCULAR CURVE LEFT, HAVING A RADIUS OF 1253.1 FEET, A DISTANCE OF 215.6 FEET, MORE OR LESS, TO A POINT OF COMPOUND CURVATURE; THENCE CONTINUING NORTHWESTWARD ALONG SAID STREET LINE, ON THE ARE OF A CIRCULAR CURVE LEFT, HAVING A RADIUS OF 598.1 FEET, A DISTANCE OF 357 FEET, MORE OR LESS, TO THE PLACE OF BEGINNING, CONTAINING 2.70 ACRES OF LAND, MORE OR LESS, IN ALLEN COUNTY, INDIANA.

and the symbols of the City of Fort Wayne Zoning Map No. L-22 (Sec. 26 of Washington 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**

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**Department of Planning Services**

Title of Ordinance: Zoning Map Amendment  
Case Number: REZ-2024-0028  
Bill Number: Z-24-06-17  
Council District: 3 – Nathan Hartman

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Introduction Date: June 25, 2024

Plan Commission  
Public Hearing Date: July 8, 2024 (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 10.583 acres from I1/Limited Industrial, R1/Single Family Residential, and RP/Planned Residential to I1/Limited Industrial

Location: 3706 Sherman Blvd and 3675 Wells Street, immediately south of existing house at 3706 Sherman Blvd (Section 26 of Washington Township)

Reason for Request: To create uniform zoning and development standards and permit expansion of existing zoo.

Applicant: Fort Wayne Zoological Society, Inc.

Property Owner: Fort Wayne Zoological Society, Inc.

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Related Petitions: Primary Development Plan – Fort Wayne Children’s Zoo Veldt Barn Replacement

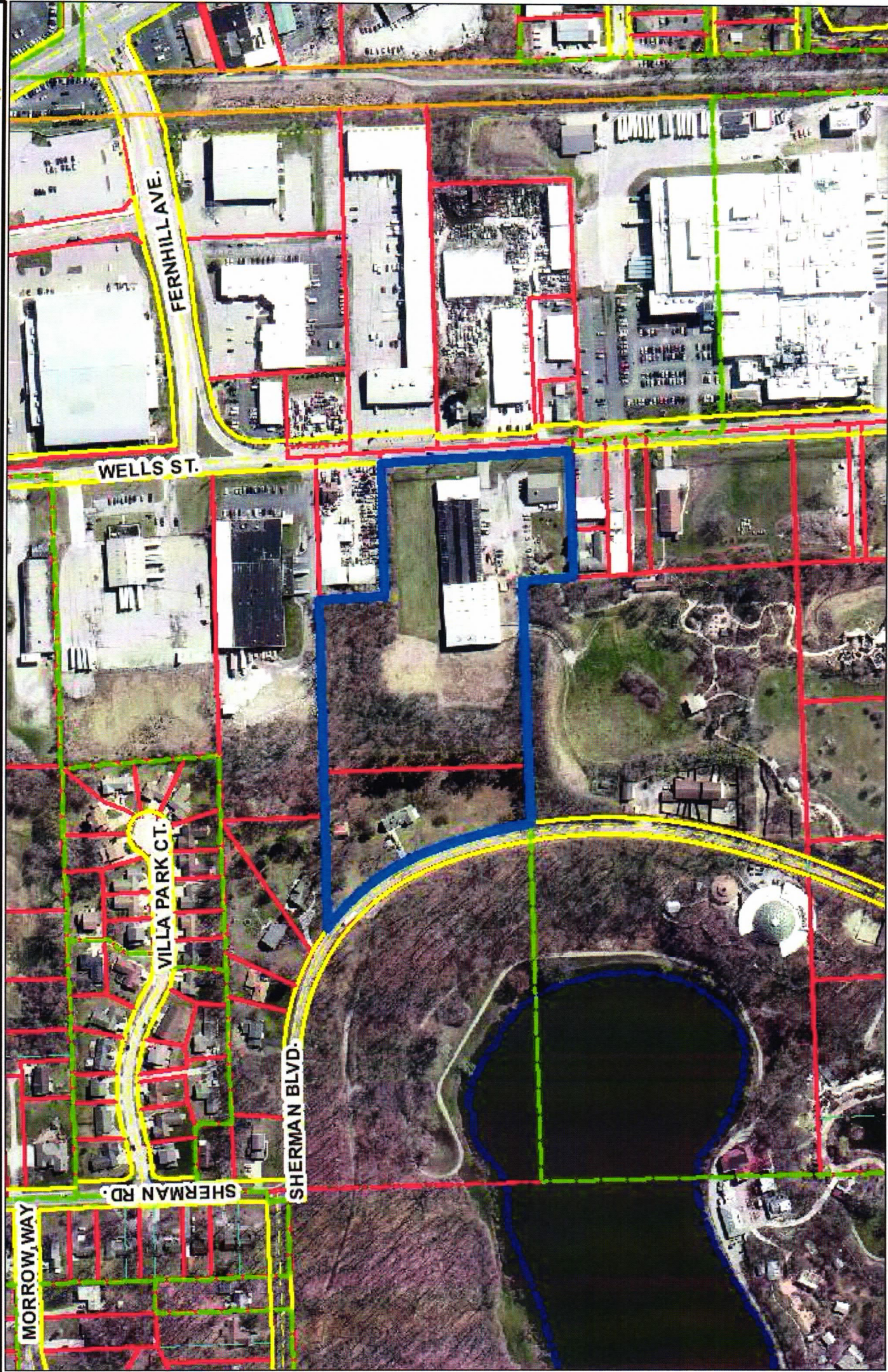
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Effect of Passage: Property will be rezoned to the I1/Limited Industrial zoning district, which will create uniform zoning and development standards and permit expansion of existing zoo.

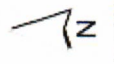
Effect of Non-Passage: Property will remain zoned I1/Limited Industrial, R1/Single Family Residential, and RP/Planned Residential, which does not permit expansion of existing zoo. The site will continue with existing uses, and may be redeveloped with limited uses as there is a split zoning.



REZ-2024-0028 and PDP-2024-0036 - Fort Wayne Children's Zoo Veldt Barn Replacement

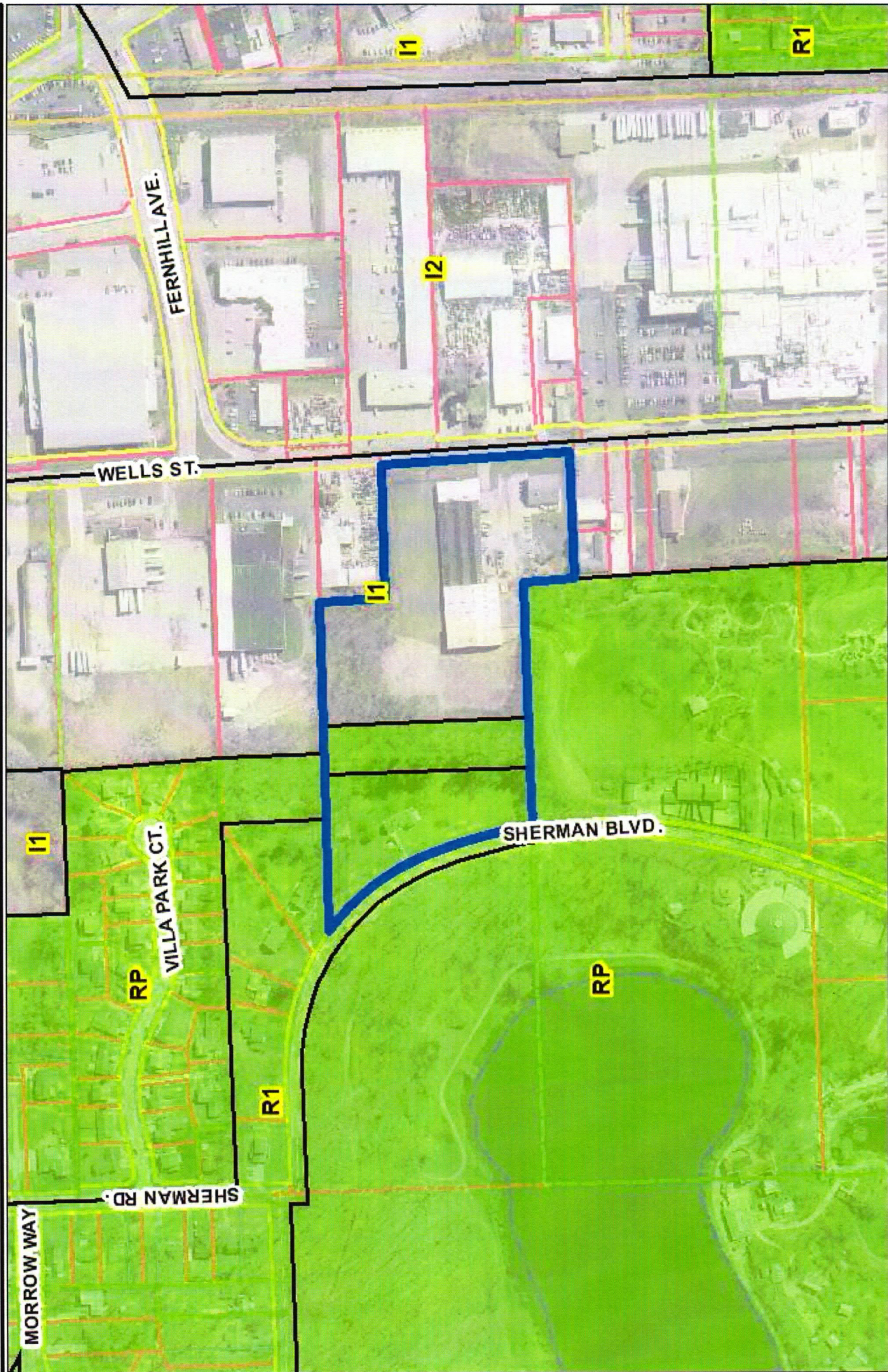


Although great accuracy is indicated here, these services are in the discretion of the user. All City of Fort Wayne information is provided for informational purposes only and is not intended to be used for legal or other purposes. No warranty is made by the City of Fort Wayne for any use of this information. © 2024 Fort Wayne, Indiana. All rights reserved. North American Datum 1983. State Plane Coordinate System, Indiana East. Photos and Graphics: Spring 2019. Date: 01/22/2024



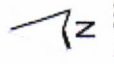
1 inch = 300 feet

REZ-2024-0028 and PDP-2024-0036 - Fort Wayne Children's Zoo Veldt Barn Replacement



Although street accuracy standards have been employed in the compilation of this map, Kent County does not warrant or guarantee the accuracy of the information contained herein and does not accept liability resulting from any use of this information.

© 2008 InRoads/Centimaps, Inc. City of Allen  
 North American Datum 1983  
 State Plane Coordinate System, Indiana East  
 Photos and Contours: Spring 2009  
 Date: 6/17/2023



1 inch = 300 feet



# Department of Planning Services Rezoning Petition Application

**Applicant**  
 Applicant Fort Wayne Zoological Society Inc.  
 Address 3411 Sherman Blvd.  
 City Fort Wayne State IN Zip 46808  
 Telephone \_\_\_\_\_ E-mail \_\_\_\_\_

**Property Ownership**  
 Property Owner Same as Applicant  
 Address \_\_\_\_\_  
 City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
 Telephone \_\_\_\_\_ E-mail \_\_\_\_\_

**Contact Person**  
 Contact Person Mark H. Bains, Barrett McNagny LLP  
 Address 215 E. Berry Street  
 City Fort Wayne State IN Zip 46802  
 Telephone (260) 423-9551 E-mail mhb@barrettllaw.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 3706 Sherman Blvd. and 3675 Wells Street Township and Section Washington / 26  
 Present Zoning I1, R1, and RP Proposed Zoning I1 Acreage to be rezoned 10.583 Acres  
 Purpose of rezoning (attach additional page if necessary) To allow the construction of a new African Veldt Barn replacing the existing dilapidated barn. Once the new barn is constructed, Applicant anticipates the demolition of the existing barn which will allow for more exhibits in the African Journey exhibit.  
 Sewer provider City of Fort Wayne Water provider City of Fort Wayne

**Filing Checklist**  
*Applications will not be accepted unless the following filing requirements are submitted with this application.*  
 Filing fee \$1000.00  
 Surveys showing area to be rezoned  
 Legal Description of parcel to be rezoned  
 Rezoning Criteria (please complete attached document)

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 Fort Wayne and Allen County Plan Commissions 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

See attached Exhibit A  
 \_\_\_\_\_ (printed name of applicant) \_\_\_\_\_ (signature of applicant) \_\_\_\_\_ (date)

See attached Exhibit A  
 \_\_\_\_\_ (printed name of property owner) \_\_\_\_\_ (signature of property owner) \_\_\_\_\_ (date)



Received <u>6-4-24</u>	Receipt No. <u>145636</u>	Hearing Date <u>7-8-24</u>	Petition No. <u>REZ-2024-0028</u>
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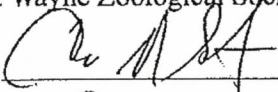
Department of Planning Services • 200 East Berry Suite 150 • Fort Wayne, Indiana • 46802  
 Phone (260) 449-7607 • Fax (260) 449-7682 • [www.allencounty.us](http://www.allencounty.us) • [www.cityoffortwayne.org](http://www.cityoffortwayne.org)



Exhibit A  
Signature Page

"APPLICANT & PROPERTY OWNER"

Fort Wayne Zoological Society Inc.

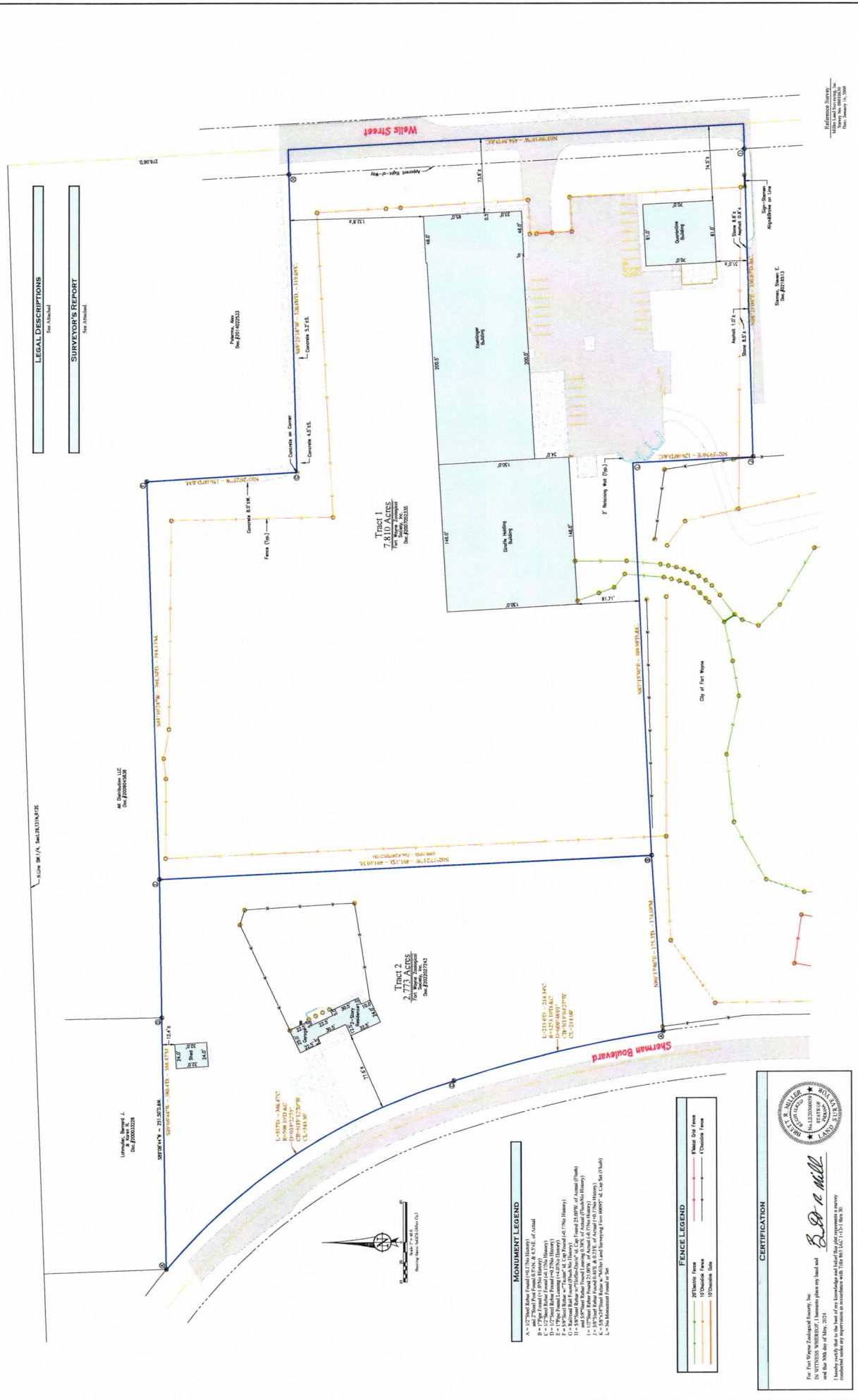
By: 

Date: 6.4.24

Name: Casindra N Shoot

Its: \_\_\_\_\_





**LEGAL DESCRIPTIONS**  
See Attached

**SURVEYOR'S REPORT**  
See Attached

**Tract 1**  
7.811 ACRES  
Fort Wayne, Indiana  
Date: 02/20/2024

**Tract 2**  
2.773 ACRES  
Fort Wayne, Indiana  
Date: 02/20/2024

**Tract 3**  
1.000 ACRES  
Fort Wayne, Indiana  
Date: 02/20/2024

**Tract 4**  
1.000 ACRES  
Fort Wayne, Indiana  
Date: 02/20/2024

**Tract 5**  
1.000 ACRES  
Fort Wayne, Indiana  
Date: 02/20/2024

**Tract 6**  
1.000 ACRES  
Fort Wayne, Indiana  
Date: 02/20/2024

**Tract 7**  
1.000 ACRES  
Fort Wayne, Indiana  
Date: 02/20/2024

**Tract 8**  
1.000 ACRES  
Fort Wayne, Indiana  
Date: 02/20/2024

**Tract 9**  
1.000 ACRES  
Fort Wayne, Indiana  
Date: 02/20/2024

**Tract 10**  
1.000 ACRES  
Fort Wayne, Indiana  
Date: 02/20/2024

**Tract 11**  
1.000 ACRES  
Fort Wayne, Indiana  
Date: 02/20/2024

**Tract 12**  
1.000 ACRES  
Fort Wayne, Indiana  
Date: 02/20/2024

**Tract 13**  
1.000 ACRES  
Fort Wayne, Indiana  
Date: 02/20/2024

**Tract 14**  
1.000 ACRES  
Fort Wayne, Indiana  
Date: 02/20/2024

**Tract 15**  
1.000 ACRES  
Fort Wayne, Indiana  
Date: 02/20/2024

**Tract 16**  
1.000 ACRES  
Fort Wayne, Indiana  
Date: 02/20/2024

**Tract 17**  
1.000 ACRES  
Fort Wayne, Indiana  
Date: 02/20/2024

**Tract 18**  
1.000 ACRES  
Fort Wayne, Indiana  
Date: 02/20/2024

**Tract 19**  
1.000 ACRES  
Fort Wayne, Indiana  
Date: 02/20/2024

**Tract 20**  
1.000 ACRES  
Fort Wayne, Indiana  
Date: 02/20/2024

**MONUMENT LEGEND**

- A - 1/2" Steel Rebar Found (1/2" Dia History)
- B - 1/4" Pipe Found (1/2" Dia History)
- C - 1/2" Steel Rebar Found (1/2" Dia History)
- D - 1/2" Steel Rebar Found (1/2" Dia History)
- E - 1/2" Steel Rebar Found (1/2" Dia History)
- F - 1/2" Steel Rebar Found (1/2" Dia History)
- G - 1/2" Steel Rebar Found (1/2" Dia History)
- H - 1/2" Steel Rebar Found (1/2" Dia History)
- I - 1/2" Steel Rebar Found (1/2" Dia History)
- J - 1/2" Steel Rebar Found (1/2" Dia History)
- K - 1/2" Steel Rebar Found (1/2" Dia History)
- L - No Monument Found of Set

**FENCE LEGEND**

- 100% Chain Link Fence
- 50% Chain Link Fence
- 100% Chain Link Gate
- Partial City Fence
- Citywide Fence

**CERTIFICATION**

For Fort Wayne Zoological Society, Inc.  
I hereby certify that to the best of my knowledge and belief this plat represents a survey conducted under my supervision in accordance with the laws of the State of Indiana.

Signature: *Bob A. Miller*  
Date: 02/20/2024

**LEGAL DESCRIPTIONS**  
See Attached

**SURVEYOR'S REPORT**  
See Attached

**Tract 1**  
7.811 ACRES  
Fort Wayne, Indiana  
Date: 02/20/2024

**Tract 2**  
2.773 ACRES  
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1.000 ACRES  
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Fort Wayne, Indiana  
Date: 02/20/2024

**Tract 5**  
1.000 ACRES  
Fort Wayne, Indiana  
Date: 02/20/2024

**Tract 6**  
1.000 ACRES  
Fort Wayne, Indiana  
Date: 02/20/2024

**Tract 7**  
1.000 ACRES  
Fort Wayne, Indiana  
Date: 02/20/2024

**Tract 8**  
1.000 ACRES  
Fort Wayne, Indiana  
Date: 02/20/2024

**Tract 9**  
1.000 ACRES  
Fort Wayne, Indiana  
Date: 02/20/2024



## Legal Descriptions

**Tract 1 - Document Number 2007052335:**

PART OF THE SOUTHWEST QUARTER OF SECTION 26, TOWNSHIP 31 NORTH, RANGE 12 EAST, ALLEN COUNTY, INDIANA, IN PARTICULAR DESCRIBED AS FOLLOWS, TO-WIT:

COMMENCING ON THE CENTERLINE OF THE PUBLIC HIGHWAY KNOWN AS WELLS STREET (BMA ROAD) AT A POINT SITUATED 276.06 FEET SOUTH OF THE POINT OF INTERSECTION OF SAID ROAD CENTERLINE BY THE NORTH LINE OF THE SAID QUARTER SECTION; THENCE SOUTH 1 DEGREE 28 MINUTES 41 SECONDS EAST (ASSUMED BEARINGS) ALONG THE SAID ROAD CENTERLINE, A DISTANCE OF 454.59 FEET TO THE NORTHEAST CORNER OF LOT "A" IN ROMY'S OUT LOTS AS SITUATED BY DEED 11 CHAINS SOUTH OF THE NORTH LINE OF SAID QUARTER SECTION; THENCE NORTH 89 DEGREES 58 MINUTES 16 SECONDS WEST ALONG THE NORTH LINE OF SAID LOT "A" AS ESTABLISHED, A DISTANCE OF 330.07 FEET (330 FEET, DEED) TO A #4 PIN IN PIPE FOUND ON AN EAST LINE OF A 21.91 ACRE TRACT DESCRIBED IN INSTRUMENT NUMBER 73-4746; THENCE NORTH 0 DEGREES 59 MINUTES 16 SECONDS WEST ALONG SAID EAST LINE AS ESTABLISHED BY FOUND ORIGINAL MONUMENTS, A DISTANCE OF 120.00 FEET TO A #4 PIN FOUND AT THE NORTHEAST CORNER OF SAID 21.91 ACRES; THENCE SOUTH 88 DEGREES 56 MINUTES 36 SECONDS WEST ALONG THE NORTH LINE OF SAID 21.91 ACRES AS ESTABLISHED BY FOUND ORIGINAL MONUMENTS, A DISTANCE OF 389.98 FEET TO A 1 INCH PINCHED PIPE FOUND AT THE SOUTHEAST CORNER OF A 2.70 ACRE TRACT DESCRIBED IN DEED RECORD 598, PAGE 113; THENCE NORTH 0 DEGREES 56 MINUTES 41 SECONDS WEST ALONG THE EAST LINE OF SAID 2.70 ACRES AS ESTABLISHED BY FOUND MONUMENTS SET BY A.K. HOFER IN 1953, A DISTANCE OF 490.98 FEET (491.1 FEET, DEED) TO A 1 INCH PINCHED PIPE FOUND AT THE NORTHEAST CORNER OF SAID 2.70 ACRES; THENCE NORTH 89 DEGREES 53 MINUTES 20 SECONDS EAST ALONG A LINE PARALLEL WITH AND 1.91 CHAINS SOUTH OF THE NORTH LINE OF SAID QUARTER SECTION BY DEED, A DISTANCE OF 394.30 FEET TO A #5 REBAR SET WITH HOFER AND DAVIS, INC. CAP AFFIXED, SAID POINT BEING THE FORMER POSITION OF A RAILROAD RAIL POST SINCE 1953 AND SITUATED 320 FEET WEST OF THE CENTERLINE OF SAID WELLS STREET AND THE NORTHWEST CORNER OF A 1.10 ACRE TRACT DESCRIBED IN INSTRUMENT NUMBER 86- 21820; THENCE SOUTH 1 DEGREE 34 MINUTES 36 SECONDS EAST ALONG THE WEST LINE OF THE TRACT AFORESAID, A DISTANCE OF 150.00 FEET TO A RAILROAD RAIL POST FOUND SINCE 1953 AT THE SOUTHWEST CORNER OF SAID 1.10 ACRES; THENCE SOUTH 89 DEGREES 57 MINUTES 20 SECONDS EAST ALONG THE SOUTH LINE OF THE TRACT AFORESAID, A DISTANCE OF 320.00 FEET TO THE SOUTHEAST CORNER THEREOF AS SITUATED ON THE AFORESAID CENTERLINE AND THE POINT OF BEGINNING, CONTAINING 7.8069 ACRES OF LAND, MORE OR LESS.

**Tract 2 - Document Number 2022027243:**

Part of the Southwest Quarter of Section 26, Township 31 North, Range 12 East, Allen County, Indiana, in particular described as follows, to-wit:

Commencing on the Northeasterly line of the public street known as Sherman Street as established on the Northeasterly border of Franke Park, and recorded in Plat Book 13, page 119, in the Office of the Recorder of said county, at a point situated 126.06 feet South of the North line of said quarter section; thence East and parallel to the aforesaid line 380.4 feet, more or less, to a point situated 714.3 feet West of the centerline of the public highway known as the Lima Road; thence South a distance of 491.1 feet to a point situated 719.4 feet West of the centerline of said Lima Road; thence Westward by a deflection right of 90 degrees, a distance of 175.3 feet to the East line of said Sherman Street; thence Northwesterly along the aforesaid street line, on the arc of a circular curve left, having



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Where We Draw the Line.

Brett R. Miller, PS, President  
Robert J. Marucci, PS

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Page 3 of 5

a radius of 1253.1 feet, a distance of 215.6 feet, more or less, to a point of compound curvature; thence continuing Northwestward along said street line, on the arc of a circular curve left, having a radius of 598.1 feet, a distance of 357 feet, more or less, to the Place of Beginning, containing 2.70 acres of land, more or less, in Allen County, Indiana.

Survey Job #15113349

Date: May 30, 2024

For: Fort Wayne Zoological Society, Inc.

Miller Land Surveying, Inc.

**Surveyor's Report**  
**Washington Twp. Sect.26,T31N,R12E**  
**Allen County, Indiana**

**PURPOSE OF SURVEY:**

The purpose of this survey was to retrace the survey parcels described in Document Number 2007052335 and Document Number 202202743 in the Office of the Recorder of Allen County, Indiana.

In accordance with Title 865, Article 1, Rule 12, Section 1 through 30 of the Indiana Administrative Code, the above theory of location was based up the following opinions and observations a result of uncertainties in lines and corners because of the following:

**A) AVAILABILITY AND CONDITION OF REFERENCE MONUMENTS**

The monuments found are shown on the survey and listed on the survey under monument legend.

**B) OCCUPATION OR POSSESSION LINES**

- \* There is an asphalt drive along the South boundary line that encroaches 1.0' +/- at its maximum distance
- \* There is concrete along the Northeasterly boundary lines that encroaches 4.5' +/- South and 8.0' +/- at the Maximum distance

**C) CLARITY OR AMBIGUITY OF DESCRIPTIONS**

There were no ambiguities found within the descriptions used for the survey. Documents used include:

- 1) Document Number 2007052335
- 2) Document Number 2022027243
- 3) Document Number 2009045838
- 4) Document Number 200033226
- 5) Document Number 0218513
- 6) Miller Land Surveying, Inc., Survey Number 08010630, January 16, 2008

**D) RELATIVE POSITIONAL ACCURACY OF THE MEASUREMENTS**

Based on the use of the property (commercial property, industrial property, condominiums, townhouses, apartments, multiunit developments-- single family residential subdivision lots--real estate lying in rural areas) the acceptable relative positional accuracy is rural survey 0.26 feet (79 millimeters) plus 200 ppm.

**THEORY OF LOCATION:**

Tract 1: The East line (454.59 feet) was established as being 25 feet East of the monuments found and labeled "H" and "I". The South line (330.07 feet) was established by deed distances and verified by monuments "J" and "I". The West (120.00 feet) and South (389.98 feet) lines were established by deed distances and found monuments "B" and "J". The West (494.01 feet) and North (394.13 feet) lines were established by deed called for monuments ("B", "E" and "F"). The North line (394.13 feet) was established by monuments "G" and "H".

Tract 2:

The East line (491.01 feet) was established by deed called for monuments "B" and "E". The South line (174.68 feet) was established by found monuments labeled "B" and "A". The North line (388.47 feet) was established by found monument "E" and the adjoining deed distance of 251.50 feet measured Westerly from found monument "D"



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Where We Draw the Line.

Brett R. Miller, PS, President  
Robert J. Marucci, PS

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Page 5 of 5

to establish the Northwest corner of the subject parcel. The Westerly lines (214.34 feet and 348.47 feet) were established by deed radii and based on found monuments "A", "C" and the above mentioned Northwest corner of the subject parcel.

This survey is valid only with original signature and seal, full payment of invoice, and complete with all pages of survey. The information shown on the survey documents is intended for this transaction only as dated on said survey documents. Any reuse without written verification and adaptation by the land surveyor for the specific purpose intended will be at the users' sole risk and without liability or legal exposure to the land surveyor.

Since the last date of field work of this survey, conditions beyond the knowledge or control of Miller Land Surveying, Inc. may have altered the validity and circumstances shown or noted hereon.

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law, Brett R. Miller.

The commitment for title insurance was not provided at the time of this report, nor did the surveyor perform a title search. An abstract or title search may reveal additional information affecting the property.

Survey Job #15113349

Date: May 30, 2024

For: Fort Wayne Zoological Society, Inc.

Miller Land Surveying, Inc.

LandAmerica  
Lawyers Title

750700968 jh 1  
02-07-26-326-003-000-073  
02-07-26-326-002-000-073  
02-07-26-301-005-000-073  
02-07-26-301-004-000-073

Mail tax bills to:  
3411 Sherman Boulevard  
Fort Wayne, IN 46808

*Wash*

**TRUSTEE'S DEED**



2007052335

RECORDED ON  
09/17/2007 11:16:17AM  
JOHN MCGAULEY  
ALLEN COUNTY RECORDER  
FORT WAYNE, IN

REC FEE: 24.00  
TRANS # 8322

THIS INDENTURE WITNESSETH, That LAKE CITY BANK, as Successor Trustee of the Lynn A. Koehlinger Credit Trust ("Grantor") of Allen County in the State of Indiana, CONVEYS TO Fort Wayne Zoological Society Inc. ("Grantee") of Allen County, in the State of Indiana, in consideration of Ten and no/100 Dollars (\$10.00) and other valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the following described real estate in Allen County, Indiana, in the State of Indiana:

See attached Exhibit "A" for legal description of real estate being conveyed herein.

Subject to all covenants, easements, restrictions, assessments, limitations, reservations, and conditions and rights-of-way of record.

DEED RECITAL

Grantor herein, as Successor Trustee, affirms that said Successor Trustee has the continuing, unlimited and unrestricted power and authority in its discretion to sell, convey, lease, and mortgage as Successor Trustee, the real estate herein conveyed and to thereby convey and/or encumber the fee simple title thereto, and with no lesser powers than if it were the beneficial and fee simple owner thereof, and any conveyances, mortgage, and/or other contracts whatsoever affecting said real estate executed by the said Successor Trustee under this Deed, as well as the terms and conditions of any such sales, conveyances, mortgages or other instruments are hereby authorized by the Trust and no purchasers, mortgagees, or other persons dealing with the Successor Trustee shall be required or obligated to look to the application of any purchase money or mortgage proceeds, or otherwise to the purposes of this trust, and that the trust has not been revoked, and is still in full force and effect.

This Deed is executed by virtue of and pursuant to the authority vested in said Successor Trustee in and by said Trust Agreement.

**FILED**

SEP 14 2007

SALES DISCLOSURE  
FORM

AUDITOR'S OFFICE  
Duty entered for taxation. Subject  
to final acceptance for transfer.

SEP 14 2007

38080

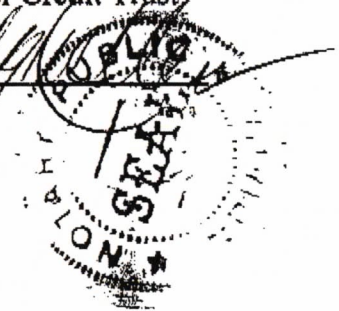
*Elizabeth A. Glover*  
AUDITOR OF ALLEN COUNTY

24

Dated this 13<sup>th</sup> day of September, 2007.

LAKE CITY BANK, as Successor Trustee  
of the Lynn A. Koehlinger Credit Trust

By: [Signature]  
Lawrence O. Moeller



STATE OF INDIANA     )  
  ) SS:  
COUNTY OF ALLEN     )

Before me, the undersigned, a Notary Public in and for said County and State, this 13<sup>th</sup> day of September, 2007, personally appeared Lawrence O. Moeller, Vice President and Senior Trust Officer of Lake City Bank, as Successor Trustee of the Lynn A. Koehlinger Credit Trust, who acknowledged the execution of the foregoing deed.

In witness whereof, I have hereunto subscribed my name and affixed my official seal.

My Commission Expires:  
10-12-07

Signature: [Signature]  
Printed: RONALD KENT GEHRING, Notary Public  
Resident of Allen County, Indiana

*I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law.*  
Ronald K. Gehring

This instrument prepared by Ronald K. Gehring, Attorney at Law, 202 W. Berry Street, Ste. 321, Fort Wayne, Indiana 46802. Phone: (260) 422-6912. Attorney No. 7088-02

**EXHIBIT "A"**

**PARCEL I:**

**PART OF THE SOUTHWEST QUARTER OF SECTION 26, TOWNSHIP 31 NORTH, RANGE 12 EAST, ALLEN COUNTY, INDIANA, IN PARTICULAR DESCRIBED AS FOLLOWS:**

COMMENCING ON THE CENTERLINE OF THE PUBLIC HIGHWAY KNOWN AS THE LIMA ROAD A/K/A WELLS STREET AT A POINT SITUATED 276.06 FEET SOUTH OF THE POINT OF THE INTERSECTION ON SAID ROAD CENTERLINE BY THE NORTH LINE OF SAID QUARTER SECTION; THENCE RUNNING SOUTH ALONG THE SAID ROAD CENTERLINE, A DISTANCE OF 129.6 FEET; THENCE WEST, A DISTANCE OF 425 FEET TO A POINT SITUATED 406.26 FEET SOUTH OF THE NORTH LINE OF SAID QUARTER SECTION; THENCE SOUTH ON A LINE PARALLEL TO THE CENTERLINE OF SAID WELLS STREET, A DISTANCE OF 200 FEET TO A POINT SITUATED 425 FEET WEST OF THE CENTERLINE OF SAID WELLS STREET; THENCE WEST, A DISTANCE OF 319.4 FEET TO A POINT SITUATED 617.16 FEET SOUTH OF THE NORTH LINE OF SAID QUARTER SECTION; THENCE NORTH 491.1 FEET TO A POINT SITUATED 126.06 FEET SOUTH OF THE NORTH LINE OF SAID QUARTER SECTION AND 714.3 FEET WEST OF THE CENTERLINE OF SAID WELLS STREET; THENCE EAST AND PARALLEL TO THE NORTH LINE OF SAID QUARTER SECTION, A DISTANCE OF 394.3 FEET TO A POINT SITUATED 320 FEET WEST OF THE CENTERLINE OF SAID WELLS STREET; THENCE SOUTH AND PARALLEL TO THE CENTERLINE OF SAID WELLS STREET 150 FEET; THENCE EAST, A DISTANCE OF 320 FEET TO THE PLACE OF BEGINNING, CONTAINING 4.93 ACRES OF LAND.

**EXCEPT:**

**PART OF THE SOUTHWEST QUARTER OF SECTION 26, TOWNSHIP 31 NORTH, RANGE 12 EAST, IN ALLEN COUNTY, INDIANA, IN PARTICULAR DESCRIBED AS FOLLOWS, TO-WIT:**

COMMENCING ON THE CENTERLINE OF THE PUBLIC HIGHWAY KNOWN AS LIMA ROAD A/K/A WELLS STREET AT A POINT SITUATED 405.66 FEET SOUTH OF THE POINT OF THE INTERSECTION OF SAID ROAD CENTERLINE BY THE NORTH LINE OF SAID QUARTER SECTION; THENCE WEST, A DISTANCE OF 425 FEET TO A POINT SITUATED 406.26 FEET SOUTH OF THE NORTH LINE OF SAID QUARTER SECTION FOR THE POINT OF BEGINNING; THENCE WEST AND PARALLEL TO THE NORTH LINE OF SAID QUARTER SECTION, A DISTANCE OF 319.4 FEET; THENCE SOUTH 200 FEET; THENCE EAST PARALLEL TO THE NORTH LINE OF SAID QUARTER SECTION 319.4 FEET; THENCE NORTH 200 FEET TO THE PLACE OF BEGINNING.

**PARCEL II:**

**PART OF THE SOUTHWEST QUARTER OF SECTION 26, TOWNSHIP 31 NORTH, RANGE 12 EAST,**

MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE CENTERLINE OF THE LIMA ROAD, SAID POINT BEING 11.00 CHAINS SOUTH OF THE NORTH LINE OF SAID SOUTHWEST QUARTER; THENCE WEST, 330 FEET; THENCE NORTH, 120.12 FEET; THENCE EAST, 330 FEET; THENCE SOUTH, 120.12 FEET TO THE PLACE OF BEGINNING, CONTAINING .91 ACRES.

PARCEL III:

PART OF THE SOUTHWEST QUARTER OF SECTION 26, TOWNSHIP 31 NORTH, RANGE 12 EAST, IN ALLEN COUNTY, INDIANA, IN PARTICULAR DESCRIBED AS FOLLOWS, TO-WIT:

COMMENCING ON THE CENTERLINE OF THE PUBLIC HIGHWAY KNOWN AS THE LIMA ROAD A/K/A WELLS STREET, AT A POINT SITUATED 405.66 FEET SOUTH OF THE POINT OF THE INTERSECTION OF SAID ROAD CENTERLINE BY THE NORTH LINE OF SAID QUARTER SECTION; THENCE RUNNING SOUTH ALONG THE SAID ROAD CENTERLINE, A DISTANCE OF 200 FEET; THENCE WEST, A DISTANCE OF 425 FEET TO A POINT SITUATED 606.26 FEET SOUTH OF THE NORTH LINE OF SAID QUARTER SECTION; THENCE NORTH ON A LINE PARALLEL TO THE CENTERLINE OF SAID WELLS STREET, A DISTANCE OF 200 FEET; THENCE EAST, 425 FEET TO THE PLACE OF BEGINNING, CONTAINING 1.95 ACRES OF LAND.

PARCEL IV:

PART OF THE SOUTHWEST QUARTER OF SECTION 26, TOWNSHIP 31 NORTH, RANGE 12 EAST, IN ALLEN COUNTY, INDIANA, IN PARTICULAR DESCRIBED AS FOLLOWS, TO-WIT:

COMMENCING ON THE CENTERLINE OF THE PUBLIC HIGHWAY KNOWN AS LIMA ROAD A/K/A WELLS STREET AT A POINT SITUATED 405.66 FEET SOUTH OF THE POINT OF THE INTERSECTION OF SAID ROAD CENTERLINE BY THE NORTH LINE OF SAID QUARTER SECTION; THENCE WEST, A DISTANCE OF 425 FEET TO A POINT SITUATED 406.26 FEET SOUTH OF THE NORTH LINE OF SAID QUARTER SECTION FOR THE POINT OF BEGINNING; THENCE WEST AND PARALLEL TO THE NORTH LINE OF SAID QUARTER SECTION, A DISTANCE OF 319.4 FEET; THENCE SOUTH 200 FEET; THENCE EAST PARALLEL TO THE NORTH LINE OF SAID QUARTER SECTION, 319.4 FEET; THENCE NORTH 200 FEET TO THE PLACE OF BEGINNING.

ALSO DESCRIBED ON A SURVEY COMPLETED BY MICHAEL WILLIAM DAVIS OF HOFER AND DAVIS, INC., LAND SURVEYORS, DATED SEPTEMBER 22, 2003, TO-WIT:

PART OF THE SOUTHWEST QUARTER OF SECTION 26, TOWNSHIP 31 NORTH, RANGE 12 EAST, ALLEN COUNTY, INDIANA, IN PARTICULAR DESCRIBED AS FOLLOWS, TO-WIT:

COMMENCING ON THE CENTERLINE OF THE PUBLIC HIGHWAY KNOWN AS WELLS STREET (LIMA ROAD) AT A POINT SITUATED 276.06 FEET SOUTH OF THE POINT OF INTERSECTION OF SAID ROAD CENTERLINE BY THE NORTH LINE OF THE SAID QUARTER SECTION; THENCE SOUTH 1 DEGREE 28 MINUTES 41 SECONDS EAST (ASSUMED BEARINGS) ALONG THE SAID ROAD CENTERLINE, A DISTANCE OF 454.59 FEET TO THE NORTHEAST CORNER OF LOT "A" IN ROMY'S OUT LOTS AS SITUATED BY DEED 11 CHAINS SOUTH OF THE NORTH LINE OF SAID QUARTER SECTION; THENCE NORTH 89 DEGREES 58 MINUTES 16 SECONDS WEST ALONG

THE NORTH LINE OF SAID LOT "A" AS ESTABLISHED, A DISTANCE OF 330.07 FEET (330 FEET, DEED) TO A #4 PIN IN PIPE FOUND ON AN EAST LINE OF A 21.91 ACRE TRACT DESCRIBED IN INSTRUMENT NUMBER 73-4746; THENCE NORTH 0 DEGREES 59 MINUTES 16 SECONDS WEST ALONG SAID EAST LINE AS ESTABLISHED BY FOUND ORIGINAL MONUMENTS, A DISTANCE OF 120.00 FEET TO A #4 PIN FOUND AT THE NORTHEAST CORNER OF SAID 21.91 ACRES; THENCE SOUTH 88 DEGREES 56 MINUTES 36 SECONDS WEST ALONG THE NORTH LINE OF SAID 21.91 ACRES AS ESTABLISHED BY FOUND ORIGINAL MONUMENTS, A DISTANCE OF 389.98 FEET TO A 1 INCH PINCHED PIPE FOUND AT THE SOUTHEAST CORNER OF A 2.70 ACRE TRACT DESCRIBED IN DEED RECORD 598, PAGE 113; THENCE NORTH 0 DEGREES 56 MINUTES 41 SECONDS WEST ALONG THE EAST LINE OF SAID 2.70 ACRES AS ESTABLISHED BY FOUND MONUMENTS SET BY A.K.HOFER IN 1953, A DISTANCE OF 490.98 FEET (491.1 FEET, DEED) TO A 1 INCH PINCHED PIPE FOUND AT THE NORTHEAST CORNER OF SAID 2.70 ACRES; THENCE NORTH 89 DEGREES 53 MINUTES 20 SECONDS EAST ALONG A LINE PARALLEL WITH AND 1.91 CHAINS SOUTH OF THE NORTH LINE OF SAID QUARTER SECTION BY DEED, A DISTANCE OF 394.30 FEET TO A #5 REBAR SET WITH HOFER AND DAVIS, INC. CAP AFFIXED, SAID POINT BEING THE FORMER POSITION OF A RAILROAD RAIL POST SINCE 1953 AND SITUATED 320 FEET WEST OF THE CENTERLINE OF SAID WELLS STREET AND THE NORTHWEST CORNER OF A 1.10 ACRE TRACT DESCRIBED IN INSTRUMENT NUMBER 86-21820; THENCE SOUTH 1 DEGREE 34 MINUTES 36 SECONDS EAST ALONG THE WEST LINE OF THE TRACT AFORESAID, A DISTANCE OF 150.00 FEET TO A RAILROAD RAIL POST FOUND SINCE 1953 AT THE SOUTHWEST CORNER OF SAID 1.10 ACRES; THENCE SOUTH 89 DEGREES 57 MINUTES 20 SECONDS EAST ALONG THE SOUTH LINE OF THE TRACT AFORESAID, A DISTANCE OF 320.00 FEET TO THE SOUTHEAST CORNER THEREOF AS SITUATED ON THE AFORESAID CENTERLINE AND THE POINT OF BEGINNING, CONTAINING 7.8069 ACRES OF LAND, MORE OR LESS.

Property                    3675 Wells St., Fort Wayne, IN  
Address:

**2022027243**

**RECORDED: 05/18/2022 10:52:29 AM**

**ANITA MATHER**

**ALLEN COUNTY RECORDER**

**FORT WAYNE, IN**

**Washington  
Zoo-Devries**

**WARRANTY DEED**

THIS INDENTURE WITNESSETH THAT MATTHEW D. DEVRIES and SAMANTHA R. DEVRIES, husband and wife, each over the age of eighteen (18) years, of Allen County in the State of Indiana, CONVEY AND WARRANT TO FORT WAYNE ZOOLOGICAL SOCIETY, INC., an Indiana Nonprofit Corporation, doing business in Allen County in the State of Indiana, for and in consideration of Two Dollars (\$2.00) and other good and valuable consideration the receipt whereof is hereby acknowledged, the following Real Estate in Allen County in the State of Indiana, to-wit:

Part of the Southwest Quarter of Section 26, Township 31 North, Range 12 East, Allen County, Indiana, in particular described as follows, to-wit: Commencing on the Northeasterly line of the public street known as Sherman Street as established on the Northeasterly border of Franke Park, and recorded in Plat Book 13, page 119, in the Office of the Recorder of said county, at a point situated 126.06 feet South of the North line of said quarter section; thence East and parallel to the aforesaid line 380.4 feet, more or less, to a point situated 714.3 feet West of the centerline of the public highway known as the Lima Road; thence South a distance of 491.1 feet to a point situated 719.4 feet West of the centerline of said Lima Road; thence Westward by a deflection right of 90 degrees, a distance of 175.3 feet to the East line of said Sherman Street; thence Northwesterly along the aforesaid street line, on the arc of a circular curve left, having a radius of 1253.1 feet, a distance of 215.6 feet, more or less, to a point of compound curvature; thence continuing Northwestward along said street line, on the arc of a circular curve left, having a radius of 598.1 feet, a distance of 357 feet, more or less, to the Place of Beginning, containing 2.70 acres of land, more or less, in Allen County, Indiana.

Commonly known as 3706 Sherman Boulevard, Fort Wayne, Indiana, 46808; Tax Pin: 02-07-26-301-003.000-073.

**SUBJECT** to all real estate taxes due and payable.

DULY ENTERED FOR TAXATION  
SUBJECT TO FINAL ACCEPTANCE FOR TRANSFER

May 18 2022 CP

NICHOLAS D. JORDAN  
ALLEN COUNTY AUDITOR

**SUBJECT** to all conditions, easements, restrictions and limitations of record, as well as all applicable zoning ordinances.

**DATED** this 16th day of May, 2022.

  
MATTHEW D. DEVRIES

  
SAMANTHA R. DEVRIES

STATE OF INDIANA     )  
                                  ) SS:  
COUNTY OF ALLEN     )



KATHRYN L. WALKER, Notary Public  
A resident of Allen County, Indiana  
My Commission Expires September 14, 2025

Before me the undersigned Notary Public in and for said County and State, this 16th day of May, 2022, personally appeared MATTHEW D. DEVRIES and SAMANTHA R. DEVRIES, husband and wife, each over the age of eighteen (18) years, and acknowledged execution of the above and foregoing Deed. In witness whereof, I have hereunto subscribed my name and affixed my official seal.

My Commission Expires:  
September 14, 2025  
Resident of Allen County, Indiana.

  
KATHRYN L. WALKER, Notary Public

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law. A. DALE BLOOM

This instrument prepared by A. Dale Bloom, Attorney at Law, 200 East Main Street, Suite 1000, Fort Wayne, Indiana, 46802, Telephone: (260) 426-1300.

ATG21592

The mailing address to which tax statements should be mailed under IC 6-1.1-22-8.1, and Grantee's mailing address is: 3411 Sherman Boulevard, Fort Wayne, Indiana, 46808.

Exhibit B  
Rezoning Petition Application  
Rezoning Questionnaire

1. The Comprehensive Plan.

The Comprehensive Plan identifies various goals for Economic Development within Allen County. One goal is to invest in Fort Wayne and outlying communities to improve the quality of place. One category of investment is to identify and enhance key community, sports, and tourism assets (Economic Development Item 2.2), with the category specifically highlighting the Fort Wayne Children's Zoo as one of the assets in the community that "define local community identity and support arts, culture, and entertainment." Additionally, the Parks & Environment section of the Comprehensive Plan highlights the need to prioritize the maintenance and improvement of existing parks, including the Zoo, which is specifically mentioned.

An approval of the rezoning petition will allow the Fort Wayne Children's Zoo to improve itself. The requested rezoning is necessary to allow for the replacement of the dated African Veldt Barn with the new African Veldt Barn. By constructing the new African Veldt Barn on the land subject to the rezoning request, after the demolition of the old barn, the Zoo will be able to add additional public facing exhibits in the African Veldt area. This sort of improvement and advancement of the Zoo is exactly what the Comprehensive Plan desires.

2. Current Conditions and Character of Current Structures and Uses in the District.

Consistent with the goals of the Comprehensive Plan, the Fort Wayne Children's Zoo continues to grow and improve. This growth is only possible with some expansion of the Zoo's footprint. Anticipating the same, the Zoo has purchased the two properties subject to this rezoning application, the Wells Property in 2007 and the Sherman property in 2022. Through careful planning, including, significant natural screening and an access point coming off of the busier Wells Street, the Zoo's growth is being done in a nature that will be current with the current conditions of the area, without any increase in traffic on Sherman, protecting the residential development north of the zoo, while minimal, if any increase in traffic along Sherman, as no immediate increase in employment is anticipated to result from the construction of the new African Veldt Barn.

3. The Most Desirable Use for which the Land in the District is Adapted.

Again, consistent with the vision established in the Comprehensive Plan, enhancing and improving key community and tourism assets like the Zoo is a positive for Fort Wayne, Allen County, and beyond. This sort of improvement of place, especially when done responsibly, with a site plan that removes any downside to the surrounding area, is the most desirable use of the land.

4. The Conservation of Property Values Throughout the Jurisdiction.

A thriving Zoo will result in an increase in the surrounding property values, not just the conservation of them. And given the buffers contemplated in the site plan as well as the access to the new African Veldt Barn coming from Wells Street, with no real increase in traffic and a related decrease in traffic on Franke Park Drive, as employees will be entering the Zoo off of Wells Street, great care is being taken by the Fort Wayne Children's Zoo to minimize any adverse impact on property values throughout the jurisdiction.

5. Responsible Development and Growth.

Again, consistent with the vision established in the Comprehensive Plan, enhancing and improving key community and tourism assets like the Zoo is a positive for Fort Wayne, Allen County, and beyond. The work of MSKTD on the site plan and the care to minimize any adverse impact on the surrounding area evidence how the Zoo can grow while being responsible with its development and growth.

## FACT SHEET

Case #REZ-2024-0028

Bill # Z-24-06-17

Project Start: June 2024

PROPOSAL:	Rezoning Petition REZ-2024-0028– Fort Wayne Children’s Zoo Veldt Barn Replacement
APPLICANT:	Fort Wayne Zoological Society, Inc.
REQUEST:	To rezone from I1/Limited Industrial, R1/Single Family Residential, and RP/Planned Residential to I1/Limited Industrial to create uniform zoning and development standards and permit expansion of existing zoo.
LOCATION:	3706 Sherman Blvd and 3675 Wells Street (Section 26 of Washington Township)
LAND AREA:	10.583 acres
PRESENT ZONING:	I1/Limited Industrial, R1/Single Family Residential, and RP/Planned Residential
PROPOSED ZONING:	I1/Limited Industrial
COUNCIL DISTRICT:	3 – Nathan Hartman
SPONSOR:	Fort Wayne Plan Commission

### **July 8, 2024 Public Hearing**

- No one spoke in support or with concerns.
- Scott Myers was absent.

### **July 15, 2024 Business Meeting**

#### **Plan Commission Recommendation: DO PASS**

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

#### **7-0 MOTION PASSED**

- Scott Myers and Ryan Neumeister were absent.

Fact Sheet Prepared by:  
Karen Couture, Associate Land Use Planner  
July 17, 2024

## PROJECT SUMMARY

The petitioner is requesting to rezone a portion of property owned by the Fort Wayne Zoological Society to I1/Limited Industrial for an expansion of the African Journey. The site is between residential areas off Sherman Boulevard, the Fort Wayne Children's Zoo, and some lighter industrial uses off Wells Street (the site has double frontage on both Sherman and Wells). While a zoo is not conventionally an industrial use, it is permitted, and with most of the Wells Corridor zoned as I1. The rezoning petition will create one nonconformity, as the existing home at 3706 Sherman will remain in the immediate future. However, the applicant mentioned the zoo may need that land to expand in the future. The submitted development plan shows an accessory structure for animals in the African Journey. This plan comes with two waivers: one for a reduced setback of fencing, and the other is use of a gravel driveway. The new access point is north of the existing structure with the address 3675 Wells Street, across from the shopping center housing 2 Toms Brewery. Sidewalks are exempt in the I1 district, so no sidewalks will be needed with this development. The applicant verified that the height of the structure will conform to the height standards. Accessory structures include an animal waste collection bunker about 200' from the rental house and additional turnaround lanes for service vehicles. Landscaping is provided between the frontage of Sherman and the new development – trees spaced every 40' may be a good addition to screen the existing rental house from the development (1 shade tree every 40' is the requirement for a driveway adjacent to a residential district). To best adhere to national standards for zoos, the applicant applied for two waivers, those being: (1) Decrease setback of a front yard fence from 25' to 15' and (2) Use of gravel driveways instead of concrete. The fence surrounding the site will match the existing setback, for which there is a waiver below. The fence will be 8' to comply with national standards. The waiver request will also allow the zoo to match the existing, nonconforming setback of the fence around the African Journey. Regarding the gravel, the applicant identified that the driveway is away from residential properties along Sherman Blvd and provides more flexibility for the zoo expansion.

### COMPREHENSIVE PLAN REVIEW

#### Future Growth and Development Map, Goals, and Strategies

- The project site is located within the Priority Investment Area.
- The following Goal would be applicable and supportive of this request:  
**LUD1** – Encourage compatible infill development and redevelopment in the Urban Infill and Priority Investment Areas

#### Overall Land Use Policies

- The following Land Use Policies would be applicable and supportive of this request:  
**LUD Policy 4** – Nonresidential development which is adjacent to residential neighborhoods should be limited to lower intensity neighborhood commercial uses. While a zoo is more regional in nature, the built environment may be more compatible with residential neighborhoods than other industrial uses.

#### Generalized Future Land Use Map

- The project site is located within the Open Space generalized land use category. Primary uses include parks and open space as well as recreational facilities.
- Community Commercial, Traditional Neighborhood, Production Center, and Open Space are additional surrounding land use categories.

#### Overall Land Use Related Action Steps

- **LUD Goal 1** Encourage compatible infill development and redevelopment in the Urban Infill and Priority Investment Areas.

**Compatibility Matrix**

- An I1 petition with designated open space in the comprehensive plan is considered “potentially compatible” – A zoo is not permitted in residential districts, where open space is considered “compatible.” With that said, the applicant can still explain how this rezoning petition and primary development plan will not affect surrounding residential parcels, including future development.

**PUBLIC HEARING SUMMARY:**

Presenter: Mark Bains, representing the applicant, presented the request as outlined above.

Public Comments: None

## FORT WAYNE PLAN COMMISSION • FINDINGS OF FACT

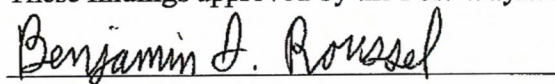
### Rezoning Petition REZ-2024-0028 – Fort Wayne Children’s Zoo

APPLICANT: Fort Wayne Zoological Society, Inc.  
REQUEST: To rezone property from RP, R1, and I1 to I1/Limited Industrial for approval of a new Veldt barn.  
LOCATION: Immediately south of 3706 Sherman Boulevard, adjacent to the Fort Wayne Children’s Zoo  
LAND AREA: 10.583 acres  
PRESENT ZONING: R1/Planned Residential, R1/Single-Family Residential, and I1/Limited Industrial  
PROPOSED ZONING: I1/Limited Industrial

**The Plan Commission recommends that Rezoning Petition REZ-2024-0028 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. A zoo is not permitted in residential districts, necessitating this rezoning proposal. However, the zoo has been a longstanding neighbor for decades. Annexing additional land will allow for investment and a better civic experience visiting the zoo.
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. The associated development keeps primary access through Wells Street, maintaining the parklike atmosphere along Sherman Blvd.
3. Approval is consistent with the preservation of property values in the area. The I1 district’s intent is to provide adequate transition area between residential districts and more intensive industrial districts.
4. Approval is consistent with responsible development and growth principles based on existing uses in the area. The zoo has been an existing institution for nearly 60 years, with the surrounding Franke Park serving the area nearly 100 years. This rezoning proposal allows the zoo to expand its boundaries.
5. The rezoning is consistent with the mandate for responsible growth and development. The site is in a priority investment area, and little improvement to the infrastructure is necessary to achieve the project. Review from City agencies will assure that impacts from the development are mitigated.

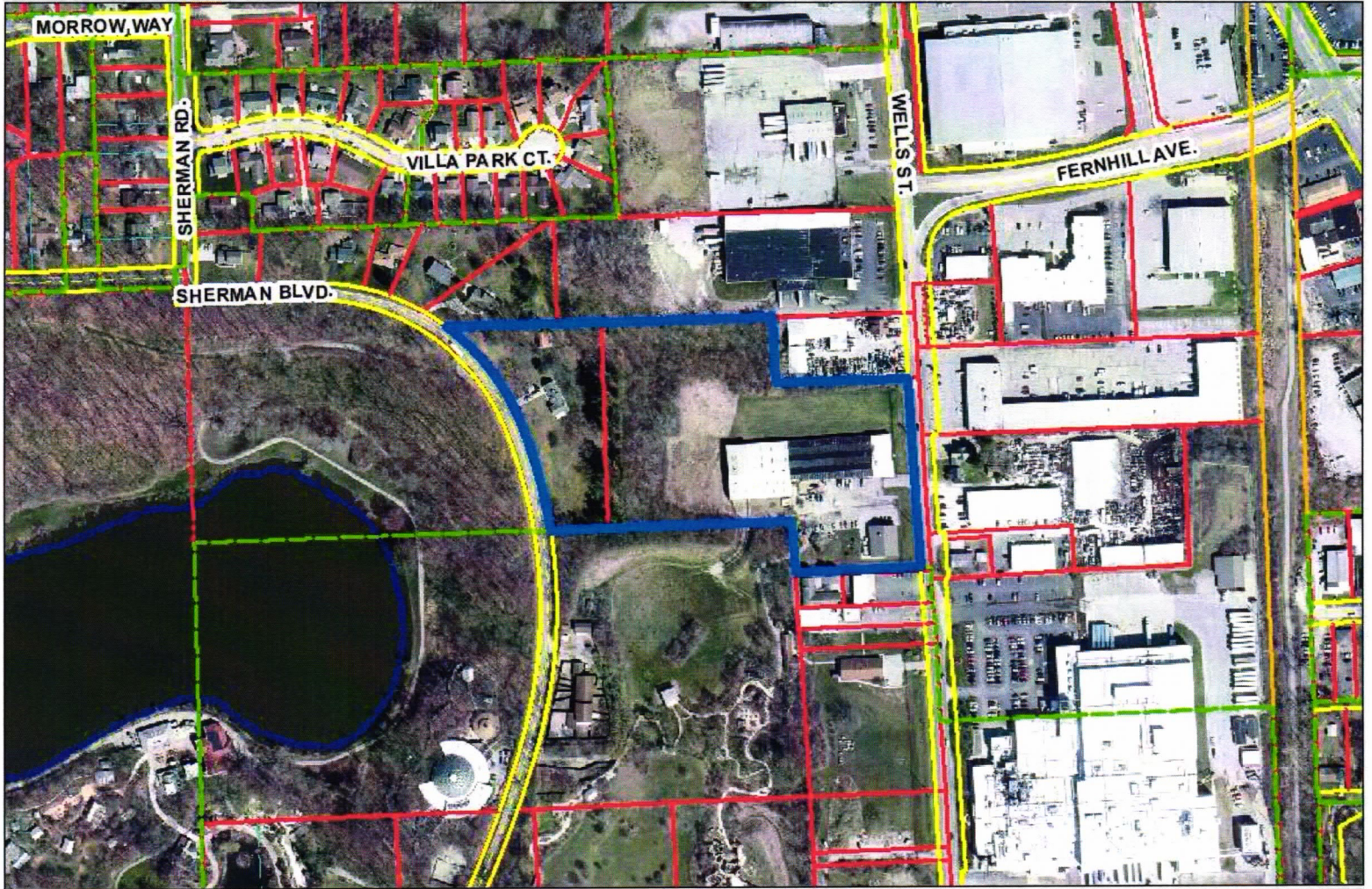
These findings approved by the Fort Wayne Plan Commission on July 15, 2024.



Benjamin J. Roussel  
Executive Director  
Secretary to the Commission



REZ-2024-0028 and PDP-2024-0036 - Fort Wayne Children's Zoo Veldt Barn Replacement



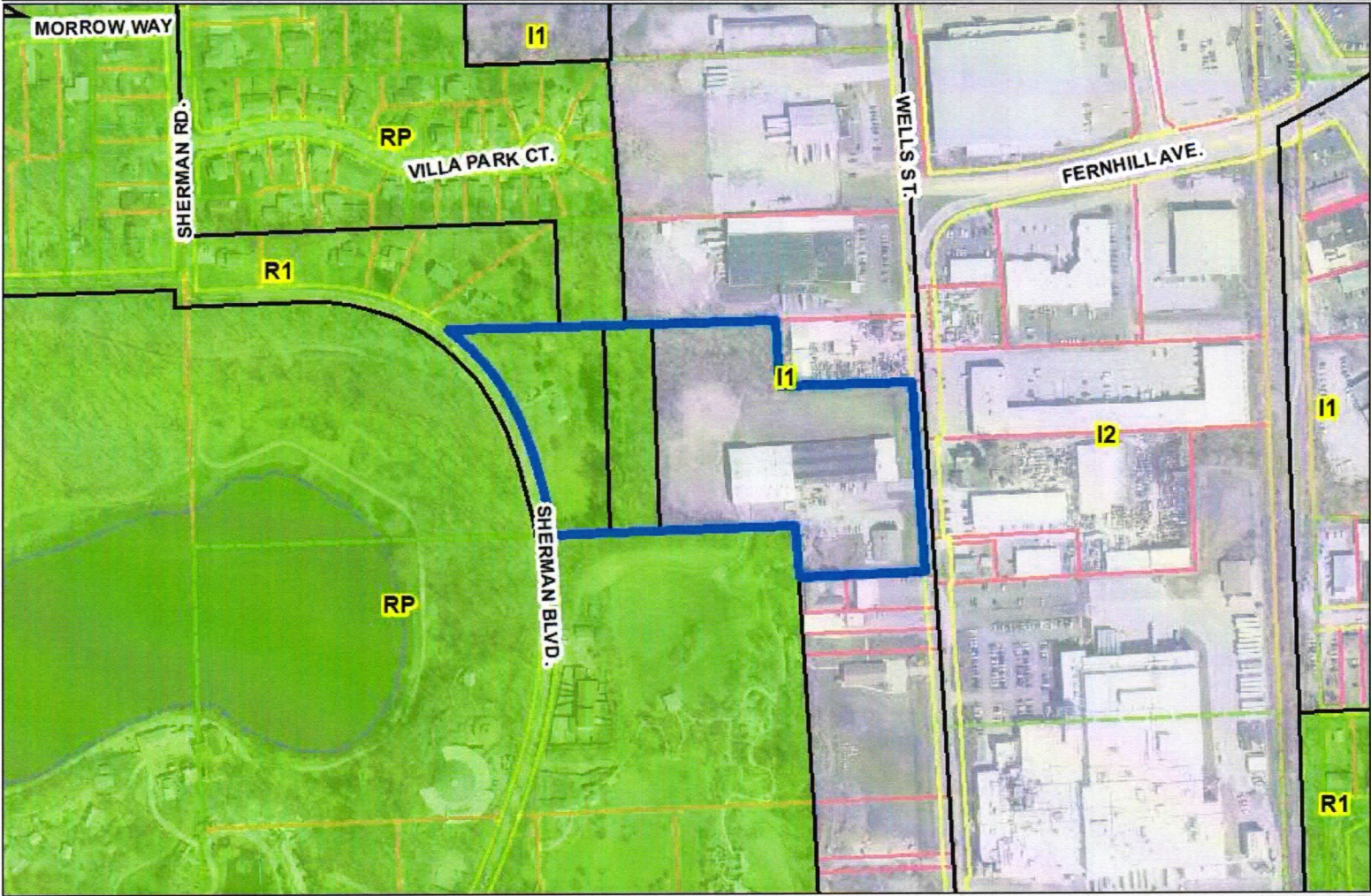
Although street accuracy standards have been applied in the compilation of this map, Allen County does not warrant or guarantee the accuracy of the information contained herein and disclaims any and all liability resulting therefrom. Attention is drawn to the fact that this map is based on data from the County of Allen, North American Datum 1983, State Plane Coordinate System, Indiana East Reference Datum, Spring 2009. Date: 6/17/2024



1 inch = 300 feet

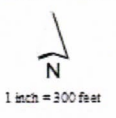


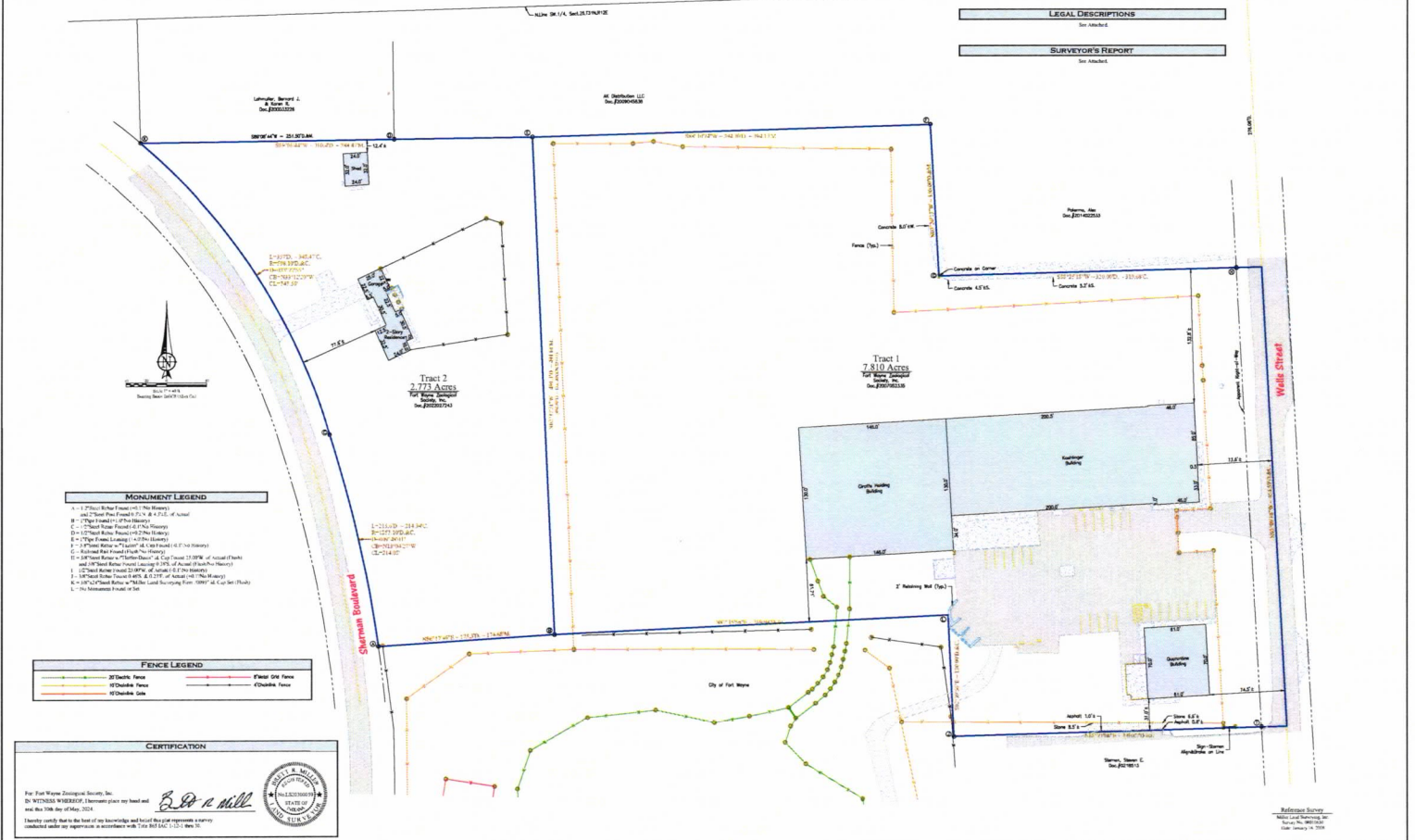
REZ-2024-0028 and PDP-2024-0036 - Fort Wayne Children's Zoo Veldt Barn Replacement



Although strict accuracy standards have been applied 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 therefrom. Any errors or omissions are the user's responsibility.

© 2009 Board of Commissioners of the County of Allen, North American Edition 1985  
State Plane, Central to the 31st meridian, Indiana East  
Projections and Coordinates, Spring 2009  
Date: 6/17/2024







**MSKTD & Associates**

Architecture | Engineering | Survey Design  
1715 Margaret Alley, Suite 100 North  
Fort Wayne, IN 46804 | Phone: 317.432.3333 | www.msktd.com



Valdt Barn Replacement for:  
**Fort Wayne Children's Zoo**  
3675 Wells Street  
Fort Wayne, Indiana 46808

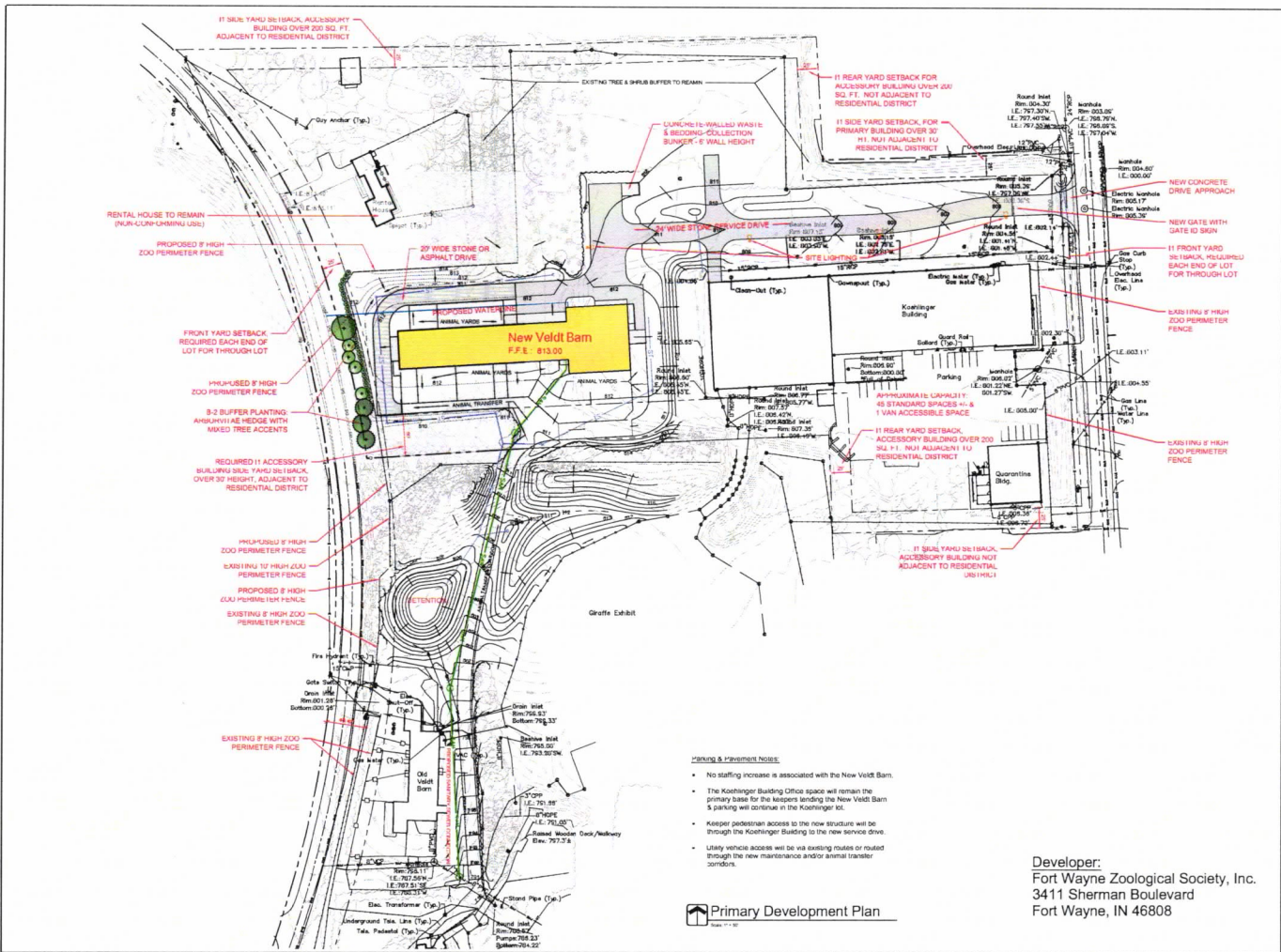
PROJECT NO. 8063 DATE 06-04-2024

SHEET DESCRIPTION

SHEET TITLE  
Primary Development Plan

SHEET NUMBER

L0-1



- TRAINING & PARKING NOTES**
- No staffing increase is associated with the New Valdt Barn.
  - The Koehlinger Building Office space will remain the primary base for the keepers serving the New Valdt Barn & parking will continue in the Koehlinger lot.
  - Keeper pedestrian access to the new structure will be through the Koehlinger Building to the new service drive.
  - Utility vehicle access will be via existing routes or routed through the new maintenance and/or animal transfer corridors.

**Primary Development Plan**

Developer:  
Fort Wayne Zoological Society, Inc.  
3411 Sherman Boulevard  
Fort Wayne, IN 46808



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Brett R. Miller, PS, President  
Robert J. Marucci, PS

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## Legal Descriptions

### Tract 1 - Document Number 2007052335:

PART OF THE SOUTHWEST QUARTER OF SECTION 26, TOWNSHIP 31 NORTH, RANGE 12 EAST, ALLEN COUNTY, INDIANA, IN PARTICULAR DESCRIBED AS FOLLOWS, TO-WIT:

COMMENCING ON THE CENTERLINE OF THE PUBLIC HIGHWAY KNOWN AS WELLS STREET (BMA ROAD) AT A POINT SITUATED 276.06 FEET SOUTH OF THE POINT OF INTERSECTION OF SAID ROAD CENTERLINE BY THE NORTH LINE OF THE SAID QUARTER SECTION; THENCE SOUTH 1 DEGREE 28 MINUTES 41 SECONDS EAST (ASSUMED BEARINGS) ALONG THE SAID ROAD CENTERLINE, A DISTANCE OF 454.59 FEET TO THE NORTHEAST CORNER OF LOT "A" IN ROMY'S OUT LOTS AS SITUATED BY DEED 11 CHAINS SOUTH OF THE NORTH LINE OF SAID QUARTER SECTION; THENCE NORTH 89 DEGREES 58 MINUTES 16 SECONDS WEST ALONG THE NORTH LINE OF SAID LOT "A" AS ESTABLISHED, A DISTANCE OF 330.07 FEET (330 FEET, DEED) TO A #4 PIN IN PIPE FOUND ON AN EAST LINE OF A 21.91 ACRE TRACT DESCRIBED IN INSTRUMENT NUMBER 73-4746; THENCE NORTH 0 DEGREES 59 MINUTES 16 SECONDS WEST ALONG SAID EAST LINE AS ESTABLISHED BY FOUND ORIGINAL MONUMENTS, A DISTANCE OF 120.00 FEET TO A #4 PIN FOUND AT THE NORTHEAST CORNER OF SAID 21.91 ACRES; THENCE SOUTH 88 DEGREES 56 MINUTES 36 SECONDS WEST ALONG THE NORTH LINE OF SAID 21.91 ACRES AS ESTABLISHED BY FOUND ORIGINAL MONUMENTS, A DISTANCE OF 389.98 FEET TO A 1 INCH PINCHED PIPE FOUND AT THE SOUTHEAST CORNER OF A 2.70 ACRE TRACT DESCRIBED IN DEED RECORD 598, PAGE 113; THENCE NORTH 0 DEGREES 56 MINUTES 41 SECONDS WEST ALONG THE EAST LINE OF SAID 2.70 ACRES AS ESTABLISHED BY FOUND MONUMENTS SET BY A.K. HOFER IN 1953, A DISTANCE OF 490.98 FEET (491.1 FEET, DEED) TO A 1 INCH PINCHED PIPE FOUND AT THE NORTHEAST CORNER OF SAID 2.70 ACRES; THENCE NORTH 89 DEGREES 53 MINUTES 20 SECONDS EAST ALONG A LINE PARALLEL WITH AND 1.91 CHAINS SOUTH OF THE NORTH LINE OF SAID QUARTER SECTION BY DEED, A DISTANCE OF 394.30 FEET TO A #5 REBAR SET WITH HOFER AND DAVIS, INC. CAP AFFIXED, SAID POINT BEING THE FORMER POSITION OF A RAILROAD RAIL POST SINCE 1953 AND SITUATED 320 FEET WEST OF THE CENTERLINE OF SAID WELLS STREET AND THE NORTHWEST CORNER OF A 1.10 ACRE TRACT DESCRIBED IN INSTRUMENT NUMBER 86- 21820; THENCE SOUTH 1 DEGREE 34 MINUTES 36 SECONDS EAST ALONG THE WEST LINE OF THE TRACT AFORESAID, A DISTANCE OF 150.00 FEET TO A RAILROAD RAIL POST FOUND SINCE 1953 AT THE SOUTHWEST CORNER OF SAID 1.10 ACRES; THENCE SOUTH 89 DEGREES 57 MINUTES 20 SECONDS EAST ALONG THE SOUTH LINE OF THE TRACT AFORESAID, A DISTANCE OF 320.00 FEET TO THE SOUTHEAST CORNER THEREOF AS SITUATED ON THE AFORESAID CENTERLINE AND THE POINT OF BEGINNING, CONTAINING 7.8069 ACRES OF LAND, MORE OR LESS.

### Tract 2 - Document Number 2022027243:

Part of the Southwest Quarter of Section 26, Township 31 North, Range 12 East, Allen County, Indiana, in particular described as follows, to-wit:

Commencing on the Northeasterly line of the public street known as Sherman Street as established on the Northeasterly border of Franke Park, and recorded in Plat Book 13, page 119, in the Office of the Recorder of said county, at a point situated 126.06 feet South of the North line of said quarter section; thence East and parallel to the aforesaid line 380.4 feet, more or less, to a point situated 714.3 feet West of the centerline of the public highway known as the Lima Road; thence South a distance of 491.1 feet to a point situated 719.4 feet West of the centerline of said Lima Road; thence Westward by a deflection right of 90 degrees, a distance of 175.3 feet to the East line of said Sherman Street; thence Northwesterly along the aforesaid street line, on the arc of a circular curve left, having



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a radius of 1253.1 feet, a distance of 215.6 feet, more or less, to a point of compound curvature; thence continuing Northwestward along said street line, on the arc of a circular curve left, having a radius of 598.1 feet, a distance of 357 feet, more or less, to the Place of Beginning, containing 2.70 acres of land, more or less, in Allen County, Indiana.

Survey Job #15113349

Date: May 30, 2024

For: Fort Wayne Zoological Society, Inc.

Miller Land Surveying, Inc.

**BILL NO. Z-24-06-17**

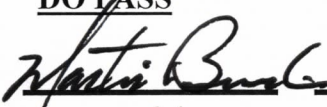
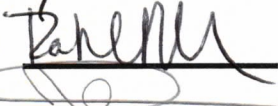

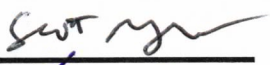

**REPORT OF COMMITTEE ON REGULATIONS**  
**July 23, 2024**

**Scott Myers Chair**  
**Michelle Chambers Co-Chair**  
**All Council Members**

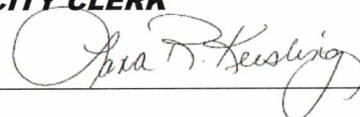
An Ordinance amending the City of Fort Wayne Zoning Map No. L-22 (Sec. 26 of Washington Township)

*To rezone 10.583 acres from I1/Limited Industrial, R1/Single Family Residential, and RP/Planned Residential to I1/Limited Industrial at 3706 Sherman Blvd and 3675 Wells Street, immediately south of existing house at 3706 Sherman Blvd (Section 26 of Washington Township) to create uniform zoning and development standards and permit expansion of existing zoo*

**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>BENDER</u>			
<u>BOOKER</u>			
<u>CHAMBERS</u>			
<u>ENSLEY</u>			
<u>FREISTROFFER</u>			
<u>HARTMAN</u>			
<u>JEHL</u>			
<u>MYERS</u>			
<u>PADDOCK</u>			

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



Public Hearing Date: N/A

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

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

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


<u>TOTAL VOTES</u>	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
BENDER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
BOOKER	<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"/>
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"/>
HARTMAN	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
JEHL	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
MYERS	<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: July 23, 2024

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

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as  
 Zoning Ordinance No. Z-24-06-17 on the 23rd day of July, 2024

ATTEST:

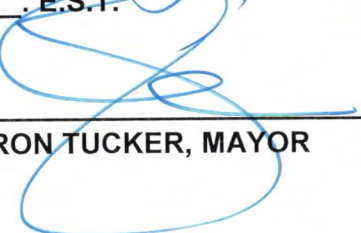
  
 \_\_\_\_\_  
 LANA R. KEESLING  
 CITY CLERK

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

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th  
 of July 2024, at the hour of 9:00 o'clock A.M. E.S.T.

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

Approved and signed by me this 30th day of July 2024, at the  
 hour of 8:04 o'clock am. E.S.T.

  
 \_\_\_\_\_  
 SHARON TUCKER, MAYOR

