

1 #REZ 2024 0045

2 BILL NO. Z-24-12-02

3
4 ZONING MAP ORDINANCE NO. Z- 1-25

5 AN ORDINANCE amending the City of Fort Wayne
6 Zoning Map No. N-26 (Sec. 25 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 C3 (General
10 Commercial) District under the terms of Chapter 157 Title XV of the Code of the City of Fort
11 Wayne, Indiana:

12 **LEGAL DESCRIPTION:**

13 **PARCEL I:**

14 Part of the West Half of the Northwest Quarter of Section 25, Township 31 North,
15 Range 12 East, Allen County, Indiana, together with parts of Lots Numbered 11 and
16 12 in Rudisill Heights Addition as recorded in Plat Book 10, page 78 in the Office of
17 the Recorder of Allen County, Indiana, also together with parts of Lots Numbered 1,
18 2, 3, 4 and the West 42.7 feet of Lot Number 5, all in Brudi's Second Addition as
19 recorded in Plat Book 13, page 138 in the Office of said Recorder, all together being
20 more particularly described as follows, to wit:

21 BEGINNING on the West line of Lot Number 1 in said Brudi's second Addition at a
22 point situated, by deed, 61.5 feet South 01 degree, 45 minutes, 20 seconds East
23 (bearings in this description are based on the Indiana Department of Highways
24 bearing for Coliseum Boulevard) from the North line of said Northwest Quarter, this
25 point being the point of intersection of the South right-of-way line of Coliseum
26 Boulevard as established by deed of conveyance to the State of Indiana in Document
27 Number 72-26819 in the Office of said Recorder with said West line; thence North
28 83 degrees, 46 minutes, 46 seconds East, on and along said South right-of-way line,
29 a distance of 130.83 feet; thence Easterly, continuing along said South right-of-way
30 line as defined by the arc of a regular curve to the right, not tangent to the last
course, having a radius of 6088.84 feet and situated 50.0 feet radially distant
Southerly of and concentric to the centerline (Line "A") of said Coliseum Boulevard
as established by "F" Project 724 (1) 1946, an arc distance of 375.27 feet, being
subtended by a long chord having a length of 375.21 feet and a bearing of South 86
degrees, 57 minutes East to the point of intersection of said South right-of-way line
with the East line of the West 42.7 feet of Lot Number 5 in said Brudi's Second
Addition; thence South 01 degree, 45 minutes, 20 seconds East, on and along said
East line, a distance of 307.3 feet to the Southeast corner of the West 42.7 feet of said
Lot Number 5; thence North 87 degrees, 51 minutes, 40 seconds East, on and along
the South line of said Brudi's Second Addition and the Easterly projection thereof, a

1 distance of 194.4 feet to a point on the East line of the West Half of said Northwest
2 Quarter; thence South 02 degrees, 13 minutes East, on and along said East line, a
3 distance of 95.4 feet to a point situated 9.95 feet South of the most Northerly corner
4 of Lot Number 11 in said Rudisill Heights Addition; thence south 55 degrees, 39
5 minutes East, a distance of 234.29 feet (recorded 235.44 feet) to a point on the
6 Northeasterly right-of-way line of Clinton Street.as established in Document Number
7 73-29163 in the Office of said Recorder; thence South 34 degrees, 47 minutes, 20
8 seconds West, on and along said Northwesterly right-of-way line, a distance of 20.0
9 feet; thence North 55 degrees, 39 minutes West, a distance of 10.0 feet to the most
10 Northerly corner of a 0.040 acre tract of land dedicated for Clinton Street right-of-
11 way in Document Number 90-46699 in the Office of said Recorder; thence South 34
12 degrees, 47 minutes, 20 seconds West, on and along the Northwesterly line of said
13 0.040 acre tract and the Northwesterly right-of-way line of said Clinton Street, a
14 distance of 112.0 feet to a point on the Southwesterly line of the Northeasterly 40
15 feet of Lot Number 12 in said Rudisill Heights Addition; thence North 55 degrees, 39
16 minutes West and parallel to the Northeasterly line of said Lot Number 12, a distance
17 of 143.5 feet; thence South 87 degrees, 42 minutes, 30 seconds West, a distance of
18 89.6 feet; thence South 01 degree, 39 minutes East, a distance of 4.2 feet; thence
19 South 87 degrees, 50 minutes West, a distance of 276.3 feet; thence North 01 degree,
20 45 minutes, 20 seconds West, a distance of 40.0 feet; thence South 87 degrees, 50
21 minutes West, a distance of 320.3 feet (recorded 320 feet) to a survey pin found;
22 thence North 01 degree, 45 minutes, 20 seconds West, on and along a line situated,
23 by deed, parallel to and 605.8 feet East of the West line of said Northwest Quarter,
24 on and along a line established by survey monuments found, a distance of 545.7 feet
25 to the point of beginning, containing 8.113 acres of land,

26 EXCEPTING therefrom the following described land:

27 Part of the West Half of the Northwest Quarter of Section 25, Township 31 North,
28 Range 12 East, Allen County, Indiana, together with parts of Lots Numbered 2, 3, 4
29 and the West 42.7 feet of Lot Number 5, all in Brudi's Second Addition as recorded
30 in Plat Book 13, page 138 in the Office of the Recorder of Allen County, Indiana, all
together being more particularly described as follows, to wit:

COMMENCING on the west line of Lot Number 1 in said Brudi's Second Addition
at a point situated, by deed, 61.5 feet South 01 degree, 45 minutes, 20 seconds East
(bearings in this description are based on the Indiana Department of Transportation
bearing for Coliseum Boulevard) from the North line of said Northwest Quarter, this
point being the point of intersection of the South right-of-way line of Coliseum
Boulevard as established by deed of conveyance to the State of Indiana in Document
Number 72-26819 in the Office of said Recorder with said West line; thence South
01 degree, 45 minutes, 20 seconds East, on and along said West line and the
Southerly projection thereof, a distance of 510.10 feet; thence North 88 degrees, 21
minutes, 23 seconds East, a distance of 202.68 feet to a-point on the Southerly
projection of the East wall face of an existing building, this point being the true point
of beginning; thence North 01 degree, 38 minutes, 37 seconds West, on and along
said Southerly projection and said East wall face, a distance of 202.5 feet; thence
North 88 degrees, 21 minutes, 23 seconds East, a distance of 261.83 feet; thence
South 01 degree, 38 minutes, 37 seconds East, a distance of 202.5 feet; thence South

1 88 degrees, 21 minutes, 23 seconds West, a distance of 261.83 feet to the true point
2 of beginning, containing 1.217 acres of land.

3 PARCEL II:

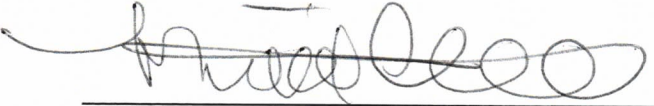
4 Part of the west Half of the Northwest Quarter of Section 25, Township 31 North,
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8 together being more particularly described as follows, to wit:

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16 01 degree, 45 minutes, 20 seconds East, on and along said West line and the
17 Southerly projection thereof, a distance of 510.10 feet; thence North 88 degrees, 21
18 minutes, 23 seconds East, a distance of 202.68 feet to a-point on the Southerly
19 projection of the East wall face of an existing building, this point being the true point
20 of beginning; thence North 01 degree, 38 minutes, 37 seconds West, on and along
21 said Southerly projection and said East wall face, a distance of 202.5 feet; thence
22 North 88 degrees, 21 minutes, 23 seconds East, a distance of 261.83 feet; thence
23 South 01 degree, 38 minutes, 37 seconds East, a distance of 202.5 feet; thence South
24 88 degrees, 21 minutes, 23 seconds West, a distance of 261.83 feet to the true point
25 of beginning, containing 1.217 acres of land.

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and the symbols of the City of Fort Wayne Zoning Map No. N-26 (Sec. 25 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.

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

3 
4 _____
5 Council Member

6 APPROVED AS TO FORM AND LEGALITY:

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8 _____
9 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-2024-0045
Bill Number: Z-24-12-02
Council District: 3 – Nathan Hartman

Introduction Date: November 26, 2024

Plan Commission
Public Hearing Date: December 9, 2024 (not heard by Council)

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

Synopsis of Ordinance: To rezone 8.113 acres from I1/Limited Industrial and C4/Intensive
Commercial to C3/General Commercial

Location: 614 E Coliseum Blvd (Section 25 of Washington Township)

Reason for Request: To permit a retail sporting goods store that includes gun and propane
sales, and to allow for uniform zoning.

Applicant: CASCO (Academy Sports and Outdoors)

Property Owner: Fort Wayne Coliseum Retail LLC

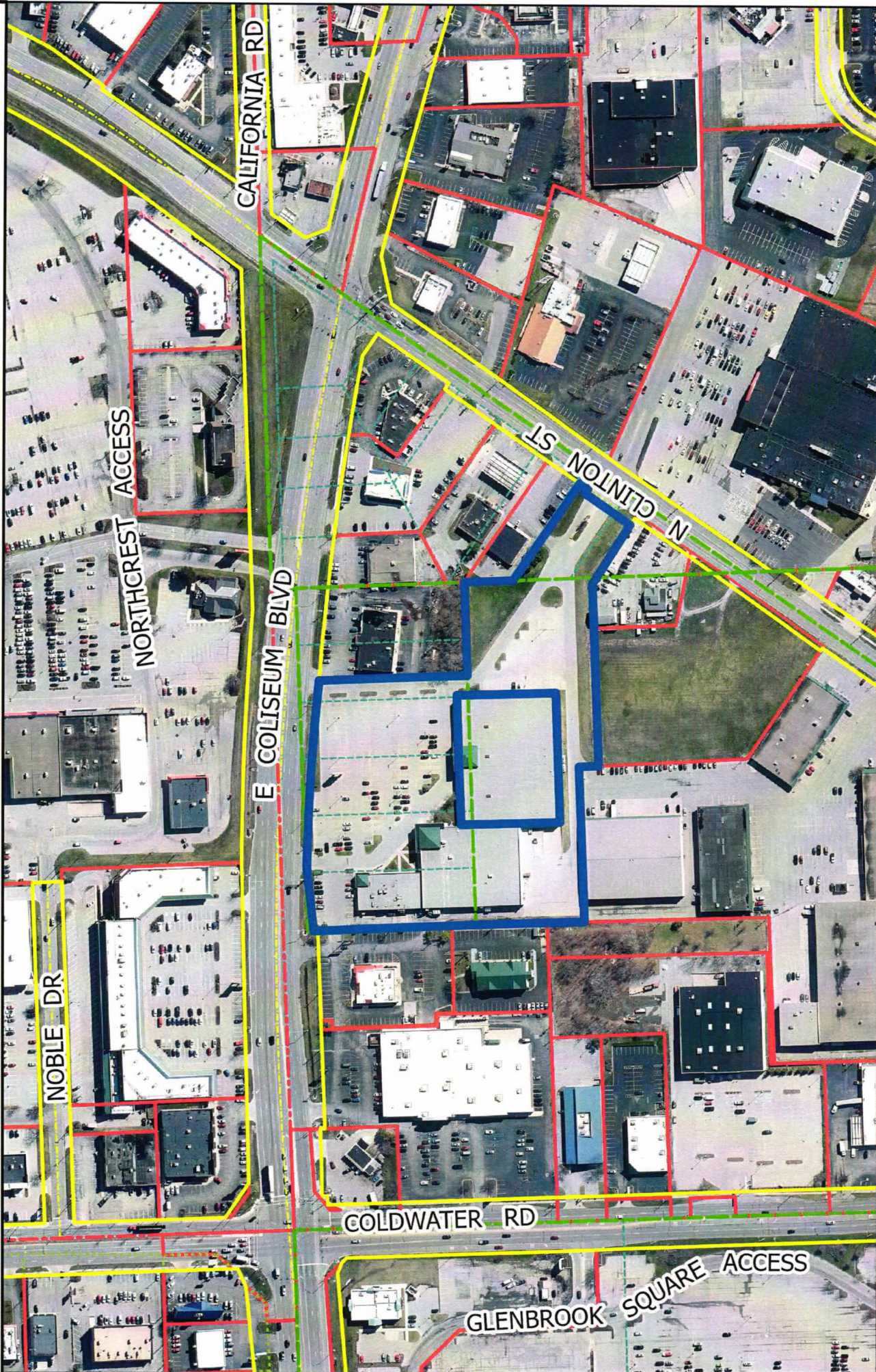
Related Petitions: None

Effect of Passage: Property will be rezoned to the C3/General Commercial zoning district,
which permits a retail sporting goods store that includes gun and
propane sales, and allows for a uniform zoning district for the entire
parcel.

Effect of Non-Passage: Property will remain partially zoned I1/Limited Industrial and
C4/Intensive Commercial, which does not permit a retail sporting goods
store that includes gun and propane sales, and will not allow for
uniform zoning. The site will continue with existing uses, and may be
redeveloped with intense commercial uses, and provide areas in which
goods are produced for direct consumption by consumers.



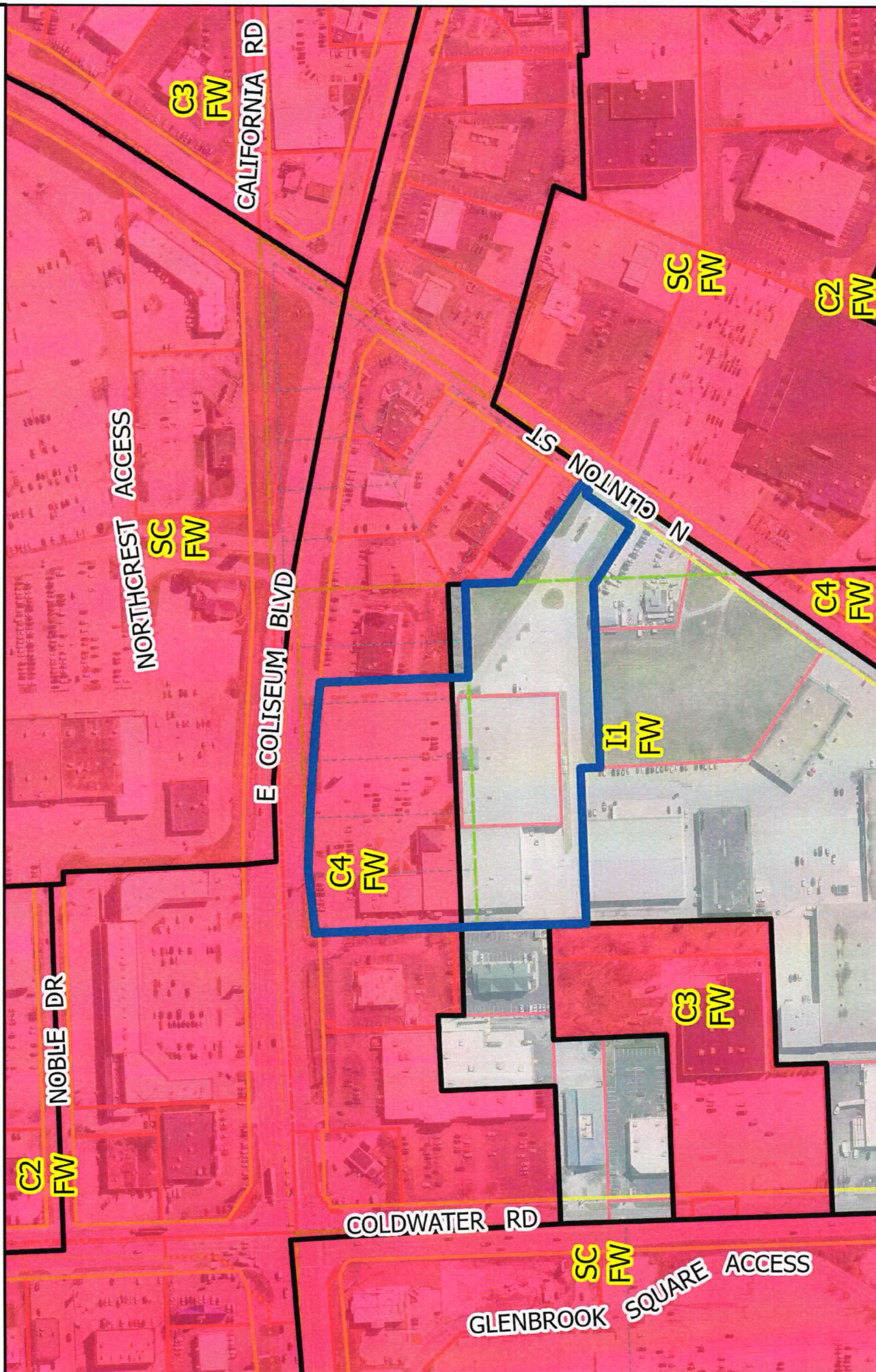
Rezoning Petition REZ-2024-0045 - Academy Sports and Outdoors



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 Date: 11/30/2024



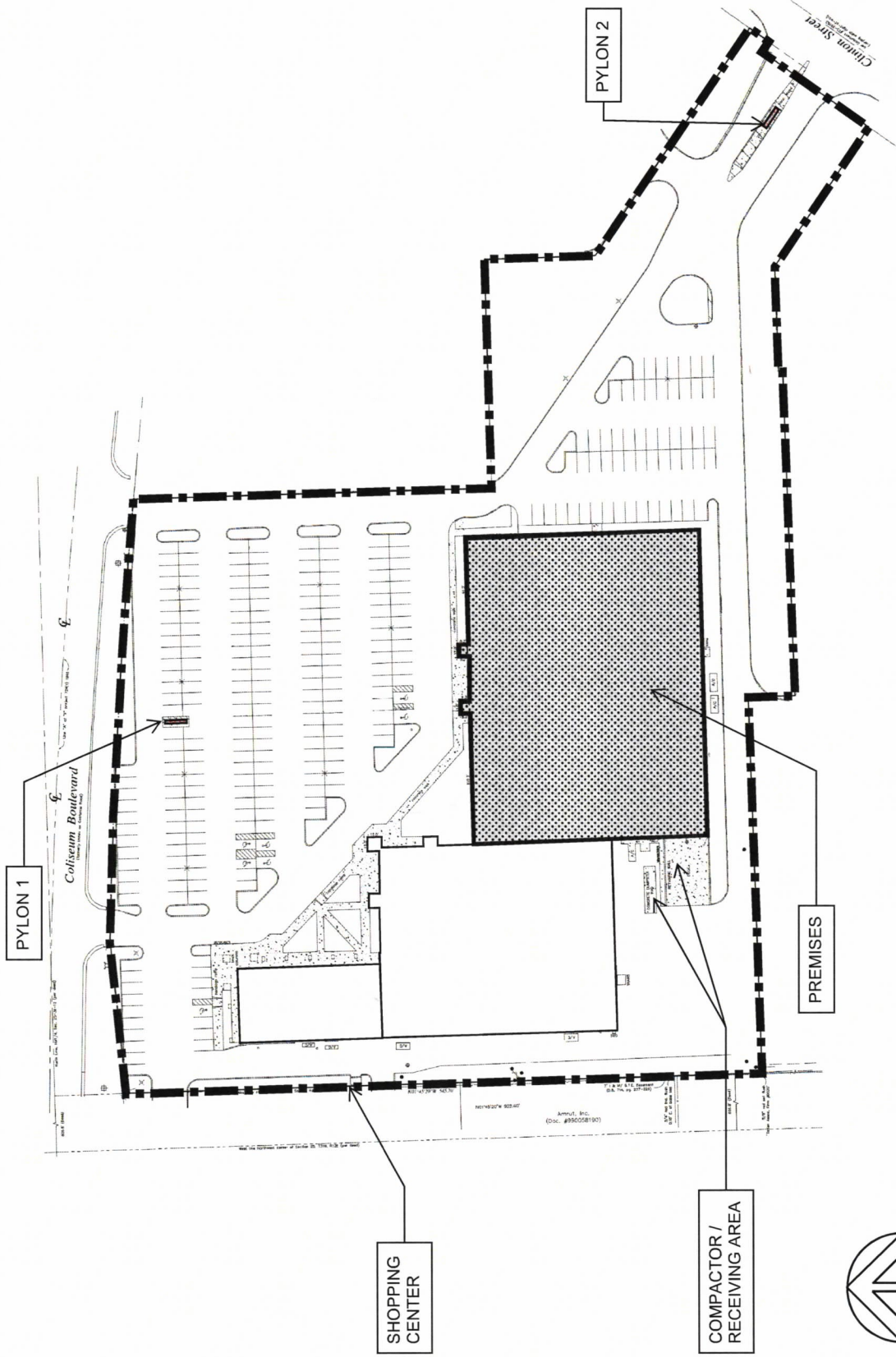
Rezoning Petition REZ-2024-0045 - Academy Sports and Outdoors



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Proposed Academy Sports + Outdoors at:
Fort Wayne, IN



SITE PLAN
(KITTLE'S SHOPPING CENTER)

VERSION DATE: 11/4/24

Department of Planning Services Rezoning Petition Application

Applicant
 Applicant CASCO (on behalf of Academy Sports + Outdoors)
 Address 12 Sunnen Drive, Suite #100
 City Saint Louis State Missouri Zip 63143
 Telephone 314.821.1100 ext. 186 E-mail academysports@thecdcompanies.com

Property Ownership
 Property Owner Fort Wayne Coliseum Retail LLC
 Address 5623 Coventry Lane
 City Fort Wayne State IN Zip 46804
 Telephone 260-421-1943 E-mail pknapke@bnd.net

Contact Person
 Contact Person Allyson Justmann, Project Manager - CASCO
 Address 12 Sunnen Drive, Suite #100
 City Saint Louis State Missouri Zip 63143
 Telephone 314.504.8343 E-mail academysports@thecdcompanies.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 614 E Coliseum Blvd Township and Section Township 31N - Range 12E
 Present Zoning 11 & C4 Proposed Zoning C3 Acreage to be rezoned 4.22 AC 8.113
 Purpose of rezoning (attach additional page if necessary) KC Interior remodel project with a change in the KC retail tenant. There are no footprint / structure changes proposed. Academy Sports + Outdoors will be selling firearms, ammunition, and propane tanks which is why
 Sewer provider City of Fort Wayne Utilities Water provider City of Fort Wayne Utilities

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

Ally Justmann  11.05.2024
 (printed name of applicant) (signature of applicant) (date)

Patrick J. Pearson Patrick J Pearson 11/5/2024
 (printed name of property owner) (signature of property owner) (date)



Received	Receipt No.	Hearing Date	Petition No.
11-6-24	146668	12-9-24	REZ-2024-0045

Department of Planning Services • 200 East Berry Suite 150 • Fort Wayne, Indiana • 46802
 Phone (260) 449-7607 • Fax (260) 449-7682 • www.allencounty.us • www.cityoffortwayne.org



Department of Planning Services Rezoning Questionnaire

When making recommendations on rezoning requests, the Plan Commission shall pay reasonable regard to the following items. Please describe how this petition satisfies the following:

- (1) The Comprehensive Plan;

This proposed remodel and change in user accommodates Fort Wayne's market demand within the designated Priority Investment Area.

- (2) Current conditions and the character of current structures and uses in the district;

The existing shopping center has a zoning district division along the north side of Academy Sport's proposed unit; with the building (and tax parcel limits) under I1 zoning and the northern parking field under C4. The goal is to have the entire property zoned ~~C4~~ C3
KC

- (3) The most desirable use for which the land in the district is adapted;

Retail / Commercial: Sporting Goods Sales

- (4) The conservation of property values throughout the jurisdiction;

The proposed exterior improvements (that do not affect the overall site) will visually enhance the building and therefore increase the property value, maintain marketability, and strengthen Fort Wayne's commercial activity.

- (5) Responsible development and growth.

The proposed project utilizes the existing built environment.

COMPLETE FILING TO INCLUDE:

- Filing Fee
- Complete application signed by property owner*
- Legal description (in Word document format)*
- Boundary/Utility Survey*
- Rezoning Criteria *
- Written Commitment (if applicable)*

**All documents may be digital*



FACT SHEET

Case #REZ-2024-0045 Bill # Z-24-12-02 Project Start: November 2024

PROPOSAL:	Rezoning Petition REZ-2024-0045 – Academy Sports + Outdoors
APPLICANT:	Fort Wayne Coliseum Retail LLC
REQUEST:	To rezone 8.12 acres from I1/Limited Industrial and C4/Intensive Commercial to C3/General Commercial to permit a retail sporting goods store that includes gun and propane sales, and allow uniform zoning
LOCATION:	614 E Coliseum Blvd (Section 25 of Washington Township)
LAND AREA:	8.113 acres
PRESENT ZONING:	C4/Intensive Commercial and I1/Limited Industrial
PROPOSED ZONING:	C3/General Commercial
COUNCIL DISTRICT:	3 – Nathan Hartman
SPONSOR:	Fort Wayne Plan Commission

December 9, 2024 Public Hearing

- No one spoke in support or with concerns.
- Rachel Tobin-Smith, Paul Sauerteig, and Amos Norman were absent.

December 16, 2024 Business Meeting
Plan Commission Recommendation: DO PASS,
A motion was made by Paul Sauerteig and seconded by Patrick Zaharako to return the ordinance with a Do Pass recommendation to Common Council for their final decision.
9-0 MOTION PASSED

Fact Sheet Prepared by:
Michelle Wood, Senior Land Use Planner
January 10, 2025

PROJECT SUMMARY

DISCUSSION:

The applicant is applying to rezone property from I1/Limited Industrial and C4/Intensive Commercial to C3/General Commercial for a firearms, ammunition and propane sales business. The site is located approximately 625 feet east of its intersection with Coldwater Road. Historically the site has been a multitenant commercial development with uses including furniture sales, electronic sales, and a restaurant. The applicant is currently not proposing any major exterior changes to the site which is why a development plan was not included with this proposal. The site is surrounded by commercial developments in all directions and is along one of the busiest commercial corridors in Fort Wayne. The proposed rezone will lower the potential intensity of the site by eliminating industrial zoning as well as lowering the commercial district from C4/Intensive Commercial to C3/General Commercial.

COMPREHENSIVE PLAN REVIEW

Future Growth and Development Map, Goals, and Strategies

The project site is located within the Priority Investment Area.

- The following Goal and Strategy would be applicable:
LUD1 - Encourage compatible infill development and redevelopment in the Urban Infill and Priority Investment Areas.

Overall Land Use Policies

The following Land Use Policy would be applicable and supportive of this request:

- **LUD Policy 5** - Enhance and preserve existing mixed urban commercial corridors through the application of Mixed Urban Corridor or other appropriate zoning classification.

Generalized Future Land Use Map

- The project site is located within the Regional Commercial generalized land use category.
- Primary Land Uses in this category are Moderate to Large Format, Multiple-User Business, Service, and Retail.
- Properties to the north, south, east, and west are also categorized as Regional Commercial.

Land Use Related Action Steps

Staff determined the following Action Step would be applicable and supportive of this proposal:

- **ED.1.1.1.** - Strategically identify and prepare land and redevelopment areas for development-ready employment sites in alignment with the Future Growth and Development map, the Generalized Future Land Use map, and the Allen County Together Economic Development Action Plan.

Compatibility Matrix

- This proposed rezoning to C3/General Commercial is compatible and encouraged in the Regional Commercial Land Use category of the comprehensive plan.

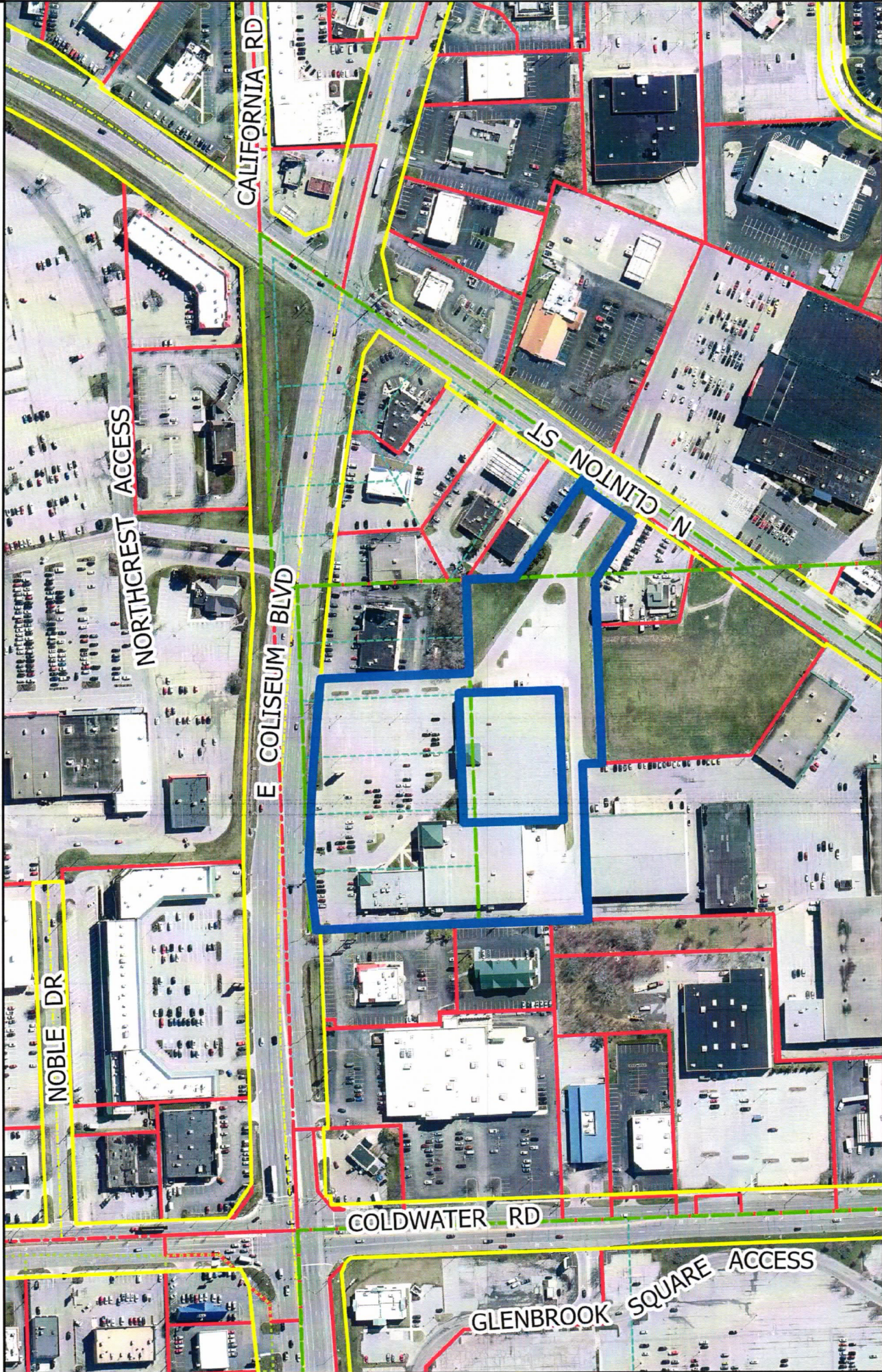
Other applicable plans: none

PUBLIC HEARING SUMMARY:

Presenter: Jon Bomberger, representing the property owner, presented the request as outlined above.

Public Comments: None

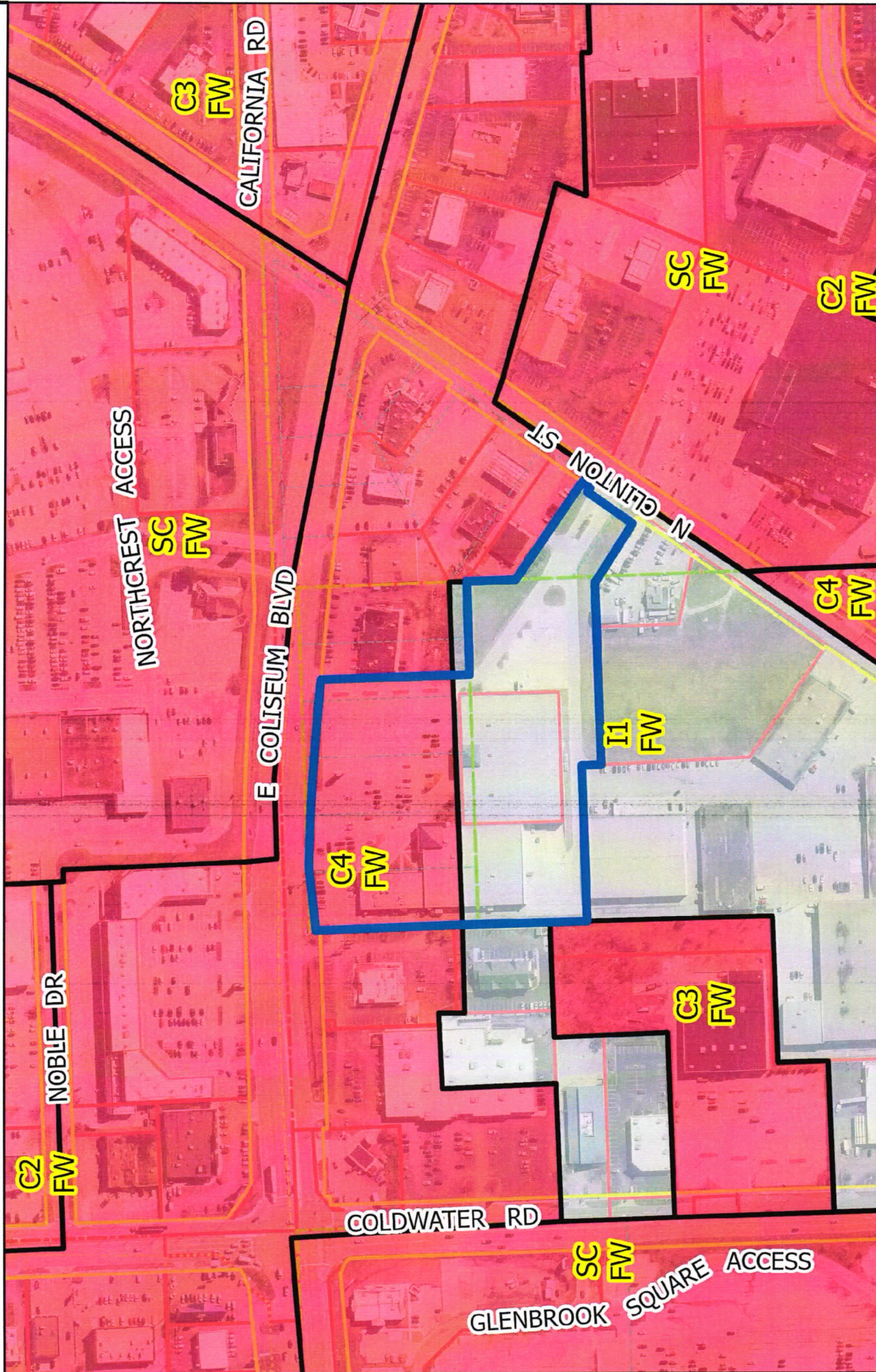
Rezoning Petition REZ-2024-0045 - Academy Sports and Outdoors



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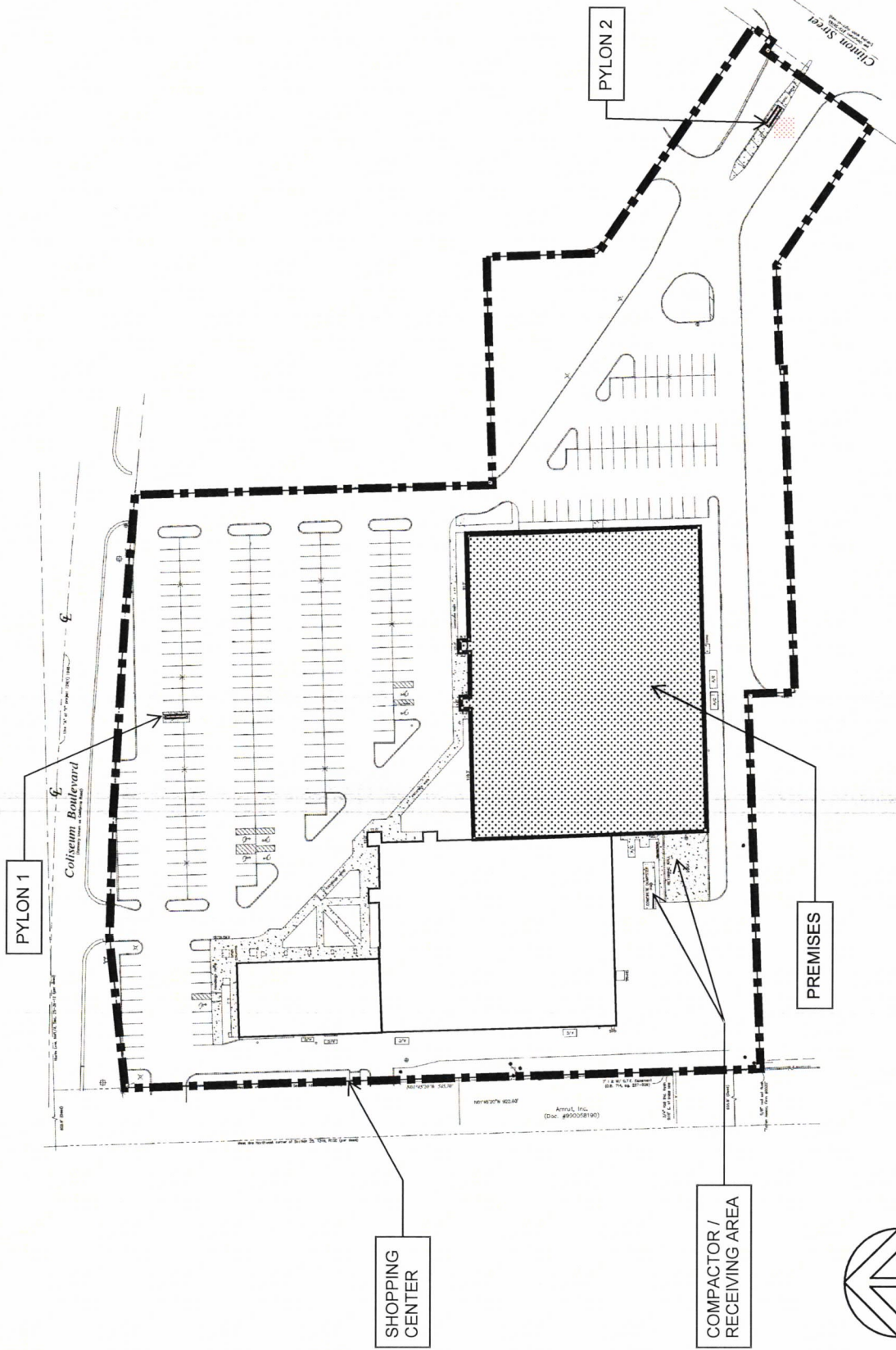
Rezoning Petition REZ-2024-0045 - Academy Sports and Outdoors



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Proposed Academy Sports + Outdoors at:
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SITE PLAN

(KITTLE'S SHOPPING CENTER)



VERSION DATE: 11/4/24

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KC

- (3) The most desirable use for which the land in the district is adapted;

Retail / Commercial: Sporting Goods Sales

- (4) The conservation of property values throughout the jurisdiction;

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COMPLETE FILING TO INCLUDE:

- Filing Fee
- Complete application signed by property owner*
- Legal description (in Word document format)*
- Boundary/Utility Survey*
- Rezoning Criteria *
- Written Commitment (if applicable)*

**All documents may be digital*



BILL NO. Z-24-12-02

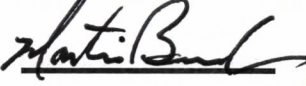


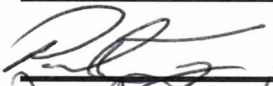

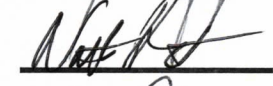
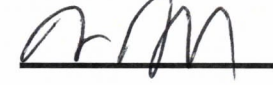
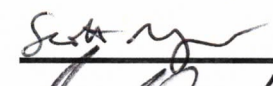

**REPORT OF COMMITTEE ON REGULATIONS
January 14, 2025**

Michelle Chambers Chair
Thomas Freistroffer Co-Chair
All Council Members

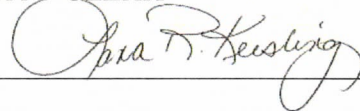
An Ordinance amending the City of Fort Wayne Zoning Map No. N-26 (Sec. 25 of Washington Township)

To rezone 8.113 acres from I1/Limited Industrial and C4/Intensive Commercial to C3/General Commercial at 614 E Coliseum Blvd to permit a retail sporting goods store that includes gun and propane sales, and to allow for uniform zoning

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

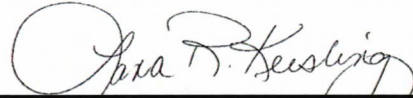
Read the first time in full and on motion by Councilperson Chambers.

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

Read the third time in full and on motion by Councilperson Chambers, 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
HARTMAN	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
JEHL	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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: January 14, 2025

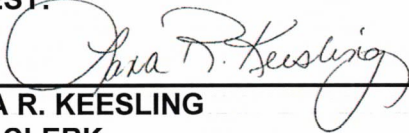


LANA R. KEESLING, CITY CLERK

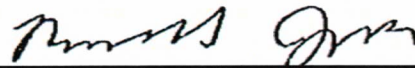
Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as

General Ordinance No. Z-24-12-02 on the 14th day of January, 2025

ATTEST:



LANA R. KEESLING
CITY CLERK



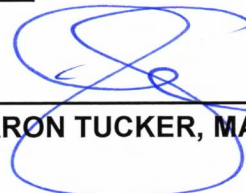
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th of January 2025, at the hour of 2:10 o'clock P.M. E.S.T.



LANA R. KEESLING, CITY CLERK

Approved and signed by me this 15th day of January 2025, at the hour of 4:35 o'clock p.m. E.S.T.



SHARON TUCKER, MAYOR

