# **FACT SHEET**

Case #REZ-2018-0001 Bill # Z-18-01-12 Project Start: 23 January 2018

APPLICANT: JRM Realty, LLC – Jim Mutton

REQUEST: To rezone property from AR/Low Intensity Residential and R3/Multiple

Family Residential to R1/Single Family Residential; and approve a primary plat for a 22-lot single family residential villa subdivision.

LOCATION: The site lies on the south side of the 8600 block of West State Road 14

(Illinois Road), to the north and west of Centaur Acres (Section 11 of

Aboite Township).

LAND AREA: Approximately 7.8 acres

PRESENT ZONING: AR/Low Intensity Residential and R3/Multiple Family Residential

PROPOSED ZONING: R1/Single Family Residential

COUNCIL DISTRICT: 4-Jason Arp

ASSOCIATED PROJECTS: Primary Plat, Quail Commons

SPONSOR: City of Fort Wayne Plan Commission

## 12 February 2018 Public Hearing

- No one spoke at the hearing in favor.
- Four neighbors spoke at the hearing with concerns.
- Justin Shurley was absent.

## 19 February 2018 - Business Meeting

#### Plan Commission Recommendation: DO PASS

A motion was made by Judi Wire and seconded by Billy Davenport to return the ordinance with a Do Pass recommendation to Common Council for their final decision.

#### 7-0 MOTION PASSED

Rachel Tobin-Smith and Justin Shurley were absent.

Fact Sheet Prepared by:

Michelle B. Wood, Senior Land Use Planner

8 March 2018

Reviewed by:

Kimberly R. Bowman

**Executive Land Use Director** 

#### PROJECT SUMMARY

- The site was originally a metes and bounds residential property with one single family residence, with two accessory buildings.
- The structures remain but the majority of the site was rezoned to R3/Multiple Family Residential in 2014 for Blue Stone apartments.

The proposed rezoning parcel is located on the south side of West State Road 14 (Illinois Road), to the west of Inverness Center, and west and north of Centaur Acres subdivision. The adjacent parcels surrounding the site to the north, south, east, and west are developed with subdivisions or metes and bounds residential. The Plan Commission approved Blue Stone, a 24-unit duplex development on this property in 2014. The developer is now proposing a single-family subdivision, instead of a multiple family development plan. An additional 1.5 acres of property was purchased, at the southern end of the site and is still zoned AR/Low Intensity Residential. The request is to zone all the property to R1/Single Family Residential, which will allow the platting of a subdivision.

The proposed zoning district can be supported by the Comprehensive Plan in that it will offer infill development and investment in the area. The single family residential proposal will be compatible with surrounding land uses and provide additional living options within proximity to retail and services along the SR 14 corridor. The comprehensive plan supports this development through the following objectives:

- LU1. Encourage carefully planned growth by utilizing the conceptual development map as part of the community's land use decision-making process;
- LU3. Use land resources efficiently by encouraging new development, revitalization and redevelopment in areas already served by infrastructure;
- LU5. Encourage sustainable growth and quality development, revitalization and redevelopment by increasing and enhancing connectivity;
- **LU8.** Use land resources efficiently by encouraging compact development alternatives in infill areas where utilities and other infrastructure currently exist.

The newly proposed plat will completely replace the previously approved duplex rental proposal. The housing density will be slightly less than before. Access to the site will be from a new public road from SR 14, approximately in the location of the existing driveway. This drive ends in a cul-de-sac, and has a half-cul-de-sac about midway through the property. Building setbacks are 25-foot front yards, 25-foot rear yards and 5-foot side yards. Stormwater detention is proposed in two locations; along the western property line, and in the northeast corner, along the entrance. Per the Stormwater Engineering Department, the stormwater will discharge at an approved rate from the detention basins into a piped stormwater system along SR 14. The stormwater for the site is not proposed to be released into the Klaehn-Merritt Drain.

Sidewalks are proposed on both side of the public street, to connect to the existing trail on the south side of SR 14. No screening or buffering is required between single family land uses. There are no waivers of development standards requested for this project.

#### **PUBLIC HEARING SUMMARY:**

<u>Presenters:</u> Kevin McDermit and Jim Mutton presented the proposal to the Plan Commission, providing information as outlined above.

Comments in Favor:

None

## Questions or Comments in Opposition:

- Chad Neely, Goldspur Drive Lots are too small, wants a barrier between the two single family subdivisions and wants only single-story homes allowed along his property line.
- Matt Branning, Illinois Road concerned about number of access points onto SR 14/Illinois Road.
- Chris Klerner Goldspur Drive This development will be very congested. Lots are too small for single story homes. Concerned about sewer.
- Dale Borne, Goldspur Drive Purchased a large lot for privacy. This development is taking that away. Concerned about runoff.

# Rebuttal/Additional Information:

- All drainage will be directed to stormwater detention ponds and away from Centaur Acres.
- There is no requirement for fencing and buffering between two single-family neighborhoods.
- There is no maximum density limit in the zoning ordinance.

## FORT WAYNE PLAN COMMISSION • FINDINGS OF FACT

## **Rezoning Petition REZ-2018-0001**

APPLICANT: JRM Realty, LLC – Jim Mutton

REQUEST: To rezone property from AR/Low Intensity Residential and R3/Multiple

Family Residential to R1/Single Family Residential for a 22-lot single family

residential villa subdivision.

LOCATION: The site lies on the south side of the 8600 block of West State Road 14

(Illinois Road), to the north and west of Centaur Acres (Section 11 of Aboite

Township).

LAND AREA:

Approximately 7.8 acres

PRESENT ZONING:

AR/Low Intensity Residential and R3/Multiple Family Residential

PROPOSED ZONING:

R1/Single Family Residential

The Plan Commission recommends that Rezoning Petition REZ-2018-0001 be returned to Council with a "Do Pass" recommendation for the following reasons:

- 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. The general area has seen a mixture of land developments including office, retail, metes and bounds residential, and single-family residential land uses. This proposal will provide infill development using existing infrastructure.
- 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. Site plan review from the Plan Commission, reviewing departments and staff will ensure a compatible development that complements the neighborhood. There is a mixture of residential uses in the area with multiple-family developments just east of this site on State Road 14.
- 3. Approval is consistent with the preservation of property values in the area. This proposal provides another housing choice for residents who choose to live in the southwest community, and may not desire to maintain property. While the units are attached, the density is compatible with surrounding developments that may have smaller subdivision lots; and multiple family residential complexes exist to the east along the West State Road 14 corridor.
- 4. Approval is consistent with responsible development and growth principles based on existing uses and infrastructure in the area. Review by City engineering departments indicates that the site can be developed for residential uses. State Road 14 was recently expanded to include two travel lanes in each direction, with a bi-directional center turn lane.

These findings approved by the Fort Wayne Plan Commission on February 19, 2018.

Kimberly R. Bowman, AICP

**Executive Director** 

Secretary to the Commission

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#REZ-2018-0001

BILL NO. Z-18-01-12

#### ZONING MAP ORDINANCE NO. Z-

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. A-02 (Sec. 11 of Aboite Township)

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

SECTION 1. That the area described as follows is hereby designated an R1 (Single Family Residential) District under the terms of Chapter 157 Title XV of the Code of the City of Fort Wayne, Indiana:

Part of the Northwest and Northeast Quarters of Section 11, Township 30 North, Range 11 East, Allen County, Indiana, described as follows:

Commencing at an Allen County Surveyor referenced Harrison Monument at the Northeast corner of the Northwest Quarter of said Section 11; thence North 89 degrees 32 minutes 24 seconds West, on the North line of said Northwest Quarter, 139.84 feet to the Northwest corner of a 6.50-acre parcel described in Document #2012026919 as found in the Office of the Recorder of Allen County, Indiana, said corner also being the Northeast corner of a 1.50-acre parcel described in Document #93-035665; thence South 00 degrees 54 minutes 00 seconds West, on the common line between said 6.50-acre and said 1.50-acre parcels, 63.69 feet to the Point of Beginning on the South right-of-way line of Illinois Road (Indiana State Road #14) as described in Document #207001066; thence South 89 degrees 53 minutes 34 seconds East, on said South right-of way line, 140.50 feet; thence continuing on said South right-of-way line, South 89 degrees 49 minutes 46 seconds East, 74.51 feet to a point on the West line of Centaur Acres, as recorded in Plat Book 24, page 101; thence South 00 degrees 54 minutes 00 seconds West, on said West line, also being the East line of the aforementioned 6.50-acre parcel, 897.71 feet to the Southeast corner of said 6.50-acre parcel, also being the Northeast corner of a 2.0-acre parcel described in Document #73-14411; thence continuing South 00 degrees 54 minutes 00 seconds West, on the West line of said Centaur Acres, also being the East line of said 2.00-acre parcel, 134.00 feet; thence South 79 degrees 22 minutes 47 seconds West, 244.92 feet; thence South 45 degrees 09 minutes 21 seconds West, 85.25 feet to a point on the South line of said 2.00-acre parcel, said point also being the Northwest corner of Lot 6 of said Centaur Acres; thence South 89 degrees 53 minutes 31 seconds West, on the South line of said 2.00-acre parcel, 65.52 feet to the Southwest corner of said 2.00-acre parcel; thence North 00 degrees 54 minutes 00 seconds East, on the West line of said 2.00-acre parcel, 238.70 feet to the Northwest corner thereof, also being the Southwest corner of the aforesaid 6.50-acre parcel also being the Northwest corner of said 2.0-acre parcel; thence continuing North 00 degrees 54 minutes 00 seconds East, on the West line of said 6.5-acre parcel, 526.85 feet to the Southwest corner of

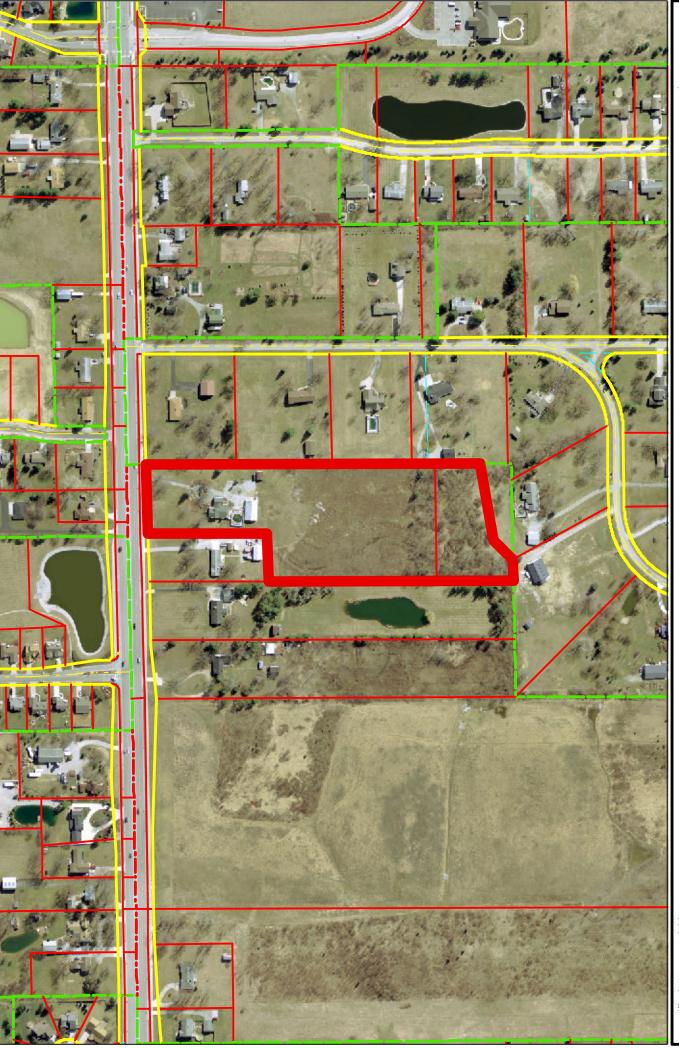
1	the aforementioned 1.5-acre parcel, also being a Northwest corner of said 6.50-acre parcel;			
2	thence along the common line between said 1.50-acre and said 6.50-acre parcels by the following two courses: South 89 degrees 47 minutes 00 seconds East, 150.00 feet; thence			
3	North 00 degrees 54 minutes 00 seconds East, 372.60 feet to the Point of Beginning, containing 7.751 acres, more or less, and subject to easements and rights of way of record.			
4	or record.			
5	and the symbols of the City of Fort Wayne Zoning Map No. A-02 (Sec. 11 of Aboite			
6	Township), as established by Section 157.082 of Title XV of the Code of the City of Fort			
7	Wayne, Indiana is hereby changed accordingly.			
8				
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				
14	SECTION 3. That this Ordinance shall be in full force and effect from and after its			
15	passage and approval by the Mayor.			
16				
17	Council Manch or			
18	Council Member			
19	APPROVED AS TO FORM AND LEGALITY:			
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21	Carol T. Helton, City Attorney			
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# **Department of Planning Services Rezoning Petition Application**

	Applicant Jim Mutton - JRM Realty LLC				
ant	Address 5612 Illinois Road				
Applicant		_ <sub>State</sub> IN	Zip 46804		
Αŗ	City Fort Wayne Telephone 260-432-9438	E-mail jim@muttor			
Contact Person	Contact Person Kevin McDerr Address 1017 S HAdley Roa City Fort Wayne Telephone 260-432-3665  All staff correspon	ad _ <sub>State</sub>	Zip_46804		
	☐ Allen County Planning Jurisdiction ☐ City of Fort Wayne Planning Jurisdiction  Address of the property 8633 Illinois Road				
Request			Acreage to be rezoned 6.246+1.505=7.751		
	Proposed density 2.84 units / a		units per acre		
	Township name Aboite		Township section # 11		
	Purpose of rezoning (attach additional page if necessary) For the development of a				
	single family residential villa-minium subdivision				
	Sewer provider Aqua Indiana	Water	provider_FORT WAYNE		
Filing Requirements	Applications will not be accepted unless the following filing requirements are submitted with this application.  Please refer to checklist for applicable filing fees and plan/survey submittal requirements.  Applicable filing fee Applicable number of surveys showing area to be rezoned (plans must be folded) Legal Description of parcel to be rezoned Rezoning Questionnaire (original and 10 copies) County Rezonings Only				
property de Ordinance to the hand I/we agree	escribed in this application; that I/we agre as well as all procedures and policies of the ling and disposition of this application; that	te to abide by all provisions of Allen County Plan Commission the above information is true	am/we are the owner(s) of more than 50 percent of the of the Allen County Zoning and Subdivision Control on as those provisions, procedures and policies related and accurate to the best of my/our knowledge; and that it the rate of \$0.85 per notice and a public notice fee of		
Jim Mutton		1 Mutho	/2.26.17 (date)		
(printed name of applicant)		(signature of applicant)			
John Tite (printed name of property owner)		(signature of property own	rer)		
Susan Tite		Signature of purposty own	12-29.17		
(printed name of property owner)		(signature of property own	***************************************		
(printed name of property owner)			(signature of property owner) (date)		
	Peived 125911 No.	Hearing Date <b>Z/12/18</b>	Petition No.  RE7 - 2018 - 6001		



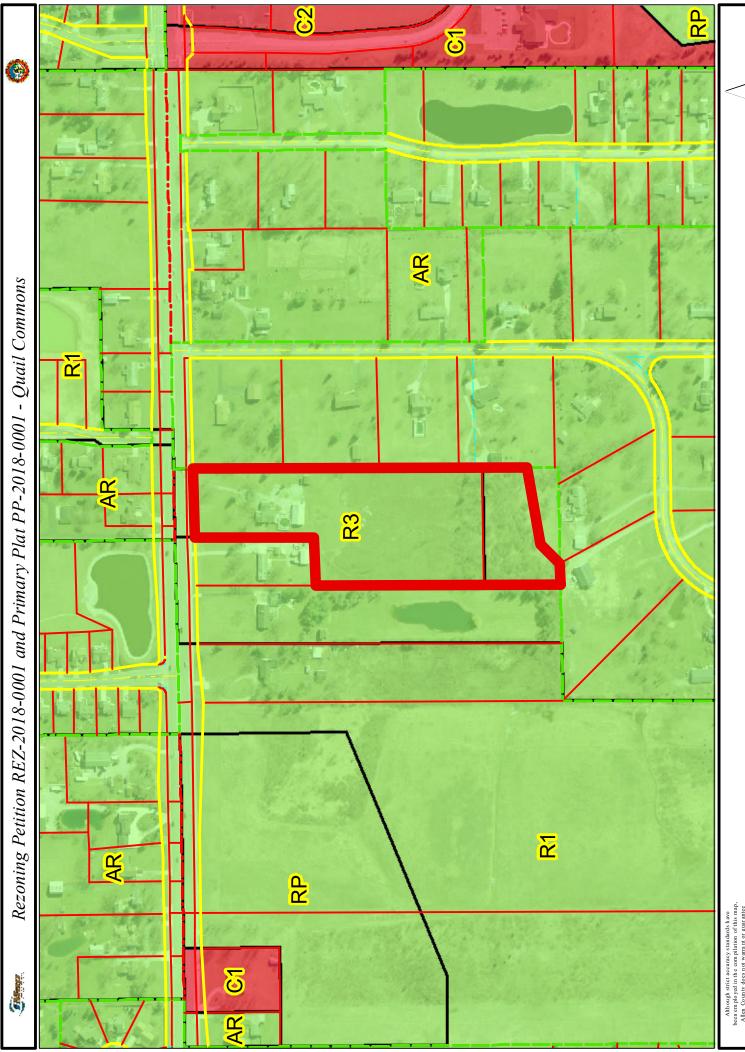




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North American Datum 1935

1 inch = 300 feet



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Date: 1/16/2018

1 inch = 300 feet

