

FACT SHEET

Case #REZ-2018-0003

Bill # Z-18-01-13

Project Start: 23 January 2018

APPLICANT:	Berengaria Development – Dan Sisel
REQUEST:	To rezone property from AR/Low Intensity Residential to R3/Multiple Family Residential; and approve a primary development plan for a new assisted living facility.
LOCATION:	The site lies on the east side of the 11400 block of Coldwater Road, to the south of Yellow Retirement of Coldwater Road and north of the Fire Station Number 16. The address of the subject property is 11430 Coldwater Road (Section 34 of Perry Township).
LAND AREA:	Approximately 3.3 acres
PRESENT ZONING:	AR/Low Intensity Residential
PROPOSED ZONING:	R3/Multiple Family Residential
COUNCIL DISTRICT:	2-Russ Jehl
ASSOCIATED PROJECTS:	Primary Development Plan, Brightstar Care Assisted Living
SPONSOR:	City of Fort Wayne Plan Commission

12 February 2018 Public Hearing

- Two citizens spoke at the hearing in favor.
- Two neighbors spoke at the hearing with concerns.
- Justin Shurley was absent.

19 February 2018 – Business Meeting

Plan Commission Recommendation: DO PASS

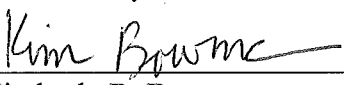
A motion was made by Paul Sauerteig and seconded by Don Schmidt to return the ordinance with a Do Pass recommendation to Common Council for their final decision.

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 petitioner requests a rezoning from AR/Low Intensity Residential to R3/Multiple Family Residential to permit construction of a new assisted living facility. The property is an unplatted metes and bounds parcel that has historically been utilized as single family residential. This rezoning proposal will allow the redevelopment of an approximately 3.3 acre parcel. The site lies directly south of Yellow Retirement of Coldwater Road, which was rezoned R3/Multiple Family Residential in 2011. The property lies along a major north/south arterial roadway and also has a public use to the south of it, Fire Station Number 16. The site is adjacent to Pine Valley Subdivision, but has no direct public right-of-way access to it. The proposal can be supported by the following goals and policies of the Comprehensive Plan:

LU3. Use land resources efficiently by encouraging new development, revitalization and redevelopment in areas already served by infrastructure;

LU5.D Encourage development proposals that provide housing, designed to allow adequate pedestrian and bicycle access, in close proximity to existing neighborhood commercial, civic, institutional and other similar uses.

LU6. Encourage carefully planned sustainable growth and coordinated development by encouraging mixed land uses.

LU6.C Encourage the conversion of vacant or underutilized properties into compatible mixed-use development areas.

LU6.D Support carefully planned, coordinated, compatible mixed-use development.

LU8. Use land resources efficiently by encouraging compact development alternatives in infill areas where utilities and other infrastructure currently exist.

The proposed site plan includes one two-story building consisting of approximately 19,100 square feet. The application states the structure proposes to house 42 units. The site plan proposes one access to Coldwater Road, along the south property line. It will swing around the south side of the building and provide access to parking on the east side of the site. A small shed and dumpster enclosure is proposed on the north side of the property. Improvements to Coldwater Road are shown as a southbound left turn lane into the site. A public sidewalk is planned along the frontage. The applicant proposes to keep a number of existing evergreen and deciduous trees along the Coldwater Road frontage. Additional shrubs and shade trees are proposed along the north and south property lines to meet the Code B2 buffer. Along the east property line and portions of the easterly north and south property lines the developer is proposing to leave existing wooded areas as the screen. Approximately a quarter of the site is proposed to be detention, so the structure is over 125 feet from the eastern property line. Signage is proposed along the site's frontage and the Zoning Ordinance allows an 8-foot tall, 50-square foot freestanding sign.

PUBLIC HEARING SUMMARY:

Presenter: Mike Krucina, MK Construction, presented the proposal to the Plan Commission, providing information as outlined above. He stated that the owners have received no interest in redevelopment of the vacant lots with single family homes. The duplex units will be professionally maintained with landscaping and snow removal. The lots are 75 feet wide and 200 feet deep, which is more than sufficient for a duplex building.

Comments in Favor:

- Stephanie Zishka, operator of Brightstar Home Care - in favor.
- Mary Connor, current property owner - in favor.

Questions or Comments in Opposition:

- Kurt Gutman, President of Pine Valley – concerns over traffic on Coldwater, possible flooding from pond, lighting, and buffering.

- Karen Lime, Mardego Hills – concerned about traffic from Badiac onto coldwater and there is no stoplight there. Worried about playground across the street.

Rebuttal/Additional Information:

- Shan Gunawardena, Director of Public Works, stated that Coldwater Road was studied before and after the Union Chapel interchange work and traffic has actually been reduced. Additional reductions should occur after the Dupont Road project. There is a future Coldwater Road project but it is not an “active” project.
- The traffic from an assisted living facility is considered very low. None of the clients will be driving. There will be widening for a left turn lane and decal right turn lane.
- Stormwater that currently sheds towards the neighborhood will be captured and thus improved.
- The closest lighting is 140 feet from the property line, will have full cut-off fixtures and be 10 feet lower than the ordinance allowance.

FORT WAYNE PLAN COMMISSION • FINDINGS OF FACT

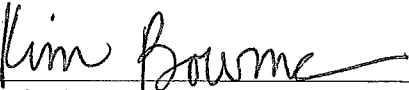
Rezoning Petition REZ-2018-0003

APPLICANT:	Berengaria Development – Dan Sisel
REQUEST:	To rezone property from AR/Low Intensity Residential to R3/Multiple Family Residential for a new assisted living facility.
LOCATION:	The site lies on the east side of the 11400 block of Coldwater Road, to the south of Yellow Retirement of Coldwater Road and north of the Fire Station Number 16. The address of the subject property is 11430 Coldwater Road (Section 34 of Perry Township).
LAND AREA:	Approximately 3.3 acres
PRESENT ZONING:	AR/Low Intensity Residential
PROPOSED ZONING:	R3/Multiple Family Residential

The Plan Commission recommends that Rezoning Petition REZ-2018-0003 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 R3/Multiple Family Residential zoning will continue the mix of residential densities in the Northwest quadrant of the City. This proposal will provide redevelopment using existing infrastructure. The proposal will allow for aging in place and provide a service which is in high demand.
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 and architectural review from the Plan Commission and staff will ensure a compatible development that complements the area. The structure is proposed at two stories, which is compatible with other two story development in the area.
3. Approval is consistent with the preservation of property values in the area. This proposal will allow reinvestment along Coldwater Road. Site design will provide for greater setbacks from the residential subdivision to the east.
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 the proposed uses and adequate infrastructure is available to service the site.

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



Kimberly R. Bowman, AICP
Executive Director
Secretary to the Commission

#REZ-2018-0003

BILL NO. Z-18-01-13

ZONING MAP ORDINANCE NO. Z-_____

**AN ORDINANCE amending the City of Fort Wayne
Zoning Map No. O-66 (Sec. 34 of Perry 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 R3
(Multiple Family Residential) District under the terms of Chapter 157 Title XV of the Code of
the City of Fort Wayne, Indiana:

Part of the South half of the Northwest Quarter of Section 34, Township 32 North,
Range 12 East, in Perry Township, Allen County, Indiana, more particularly
described as follows:

Commencing at the Northwest corner of South half of said Northwest Quarter, being
1327.35 feet South of the Northwest corner of said Section 34; thence North 88
degrees 31 minutes 45 seconds East, a distance of 498.23 feet to the West line of
Pine Valley Country Club Fourth Addition found in Plat Book 30 B, page 126 as
recorded in the Office of the Recorder of Allen County; thence South 02 degrees 24
minutes 17 seconds East on and along said West line, a distance of 283.45 feet;
thence South 88 degrees 28 minutes 05 seconds West, a distance of 503.63 feet to the
West line of said Northwest Quarter; thence North 01 degrees 18 minutes 52
seconds West on and along West line of said Northwest Quarter, a distance of 283.95
feet to the Point of Beginning, containing 3.262 acres more or less, being subject to
and/or together with all easements and rights-of-way of record.

and the symbols of the City of Fort Wayne Zoning Map No. O-66 (Sec. 34 of Perry
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.

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2 SECTION 3. That this Ordinance shall be in full force and effect from and after its
3 passage and approval by the Mayor.
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5 _____
6 Council Member

7 APPROVED AS TO FORM AND LEGALITY:

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9 Carol T. Helton, City Attorney
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Department of Planning Services
Rezoning Petition Application

Applicant Berengaria Development c/o Dan Sisel, AIA
Address 301 N. Broadway, Suite 300
City Milwaukee State WI Zip 53202
Telephone 414-585-8877 E-mail dan.sisel@berengariadevelopment.com

Contact Person T-E Incorporated c/o Justin Hoffman, P.E., P.S.
Address 8620 Bluffton Road
City Fort Wayne State IN Zip 46809
Telephone 260-489-5541 E-mail jhoffman@t-einc.com

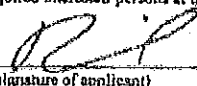
All staff correspondence will be sent only to the designated contact person.

☐ Allen County Planning Jurisdiction ☒ City of Fort Wayne Planning Jurisdiction
Address of the property 11430 Coldwater Road
Present Zoning AR Proposed Zoning R3 Acreage to be rezoned 3.25
Proposed density 12.3 units per acre
Township name Perry Township section # 34
Purpose of rezoning (attach additional page if necessary)
To align the property zoning with the proposed use of "Assisted Living Facility"
Sewer provider City of Fort Wayne Water provider City of Fort Wayne

Applications will not be accepted unless the following filing requirements are submitted with this application. Please refer to checklist for applicable filing fees and plan/survey submittal requirements.

- Filing Requirements
- ☒ Applicable filing fee
 - ☒ Applicable number of surveys showing area to be rezoned (plans must be folded)
 - ☒ Legal Description of parcel to be rezoned
 - ☒ Rezoning Questionnaire (original and 10 copies) County Rezoning Only

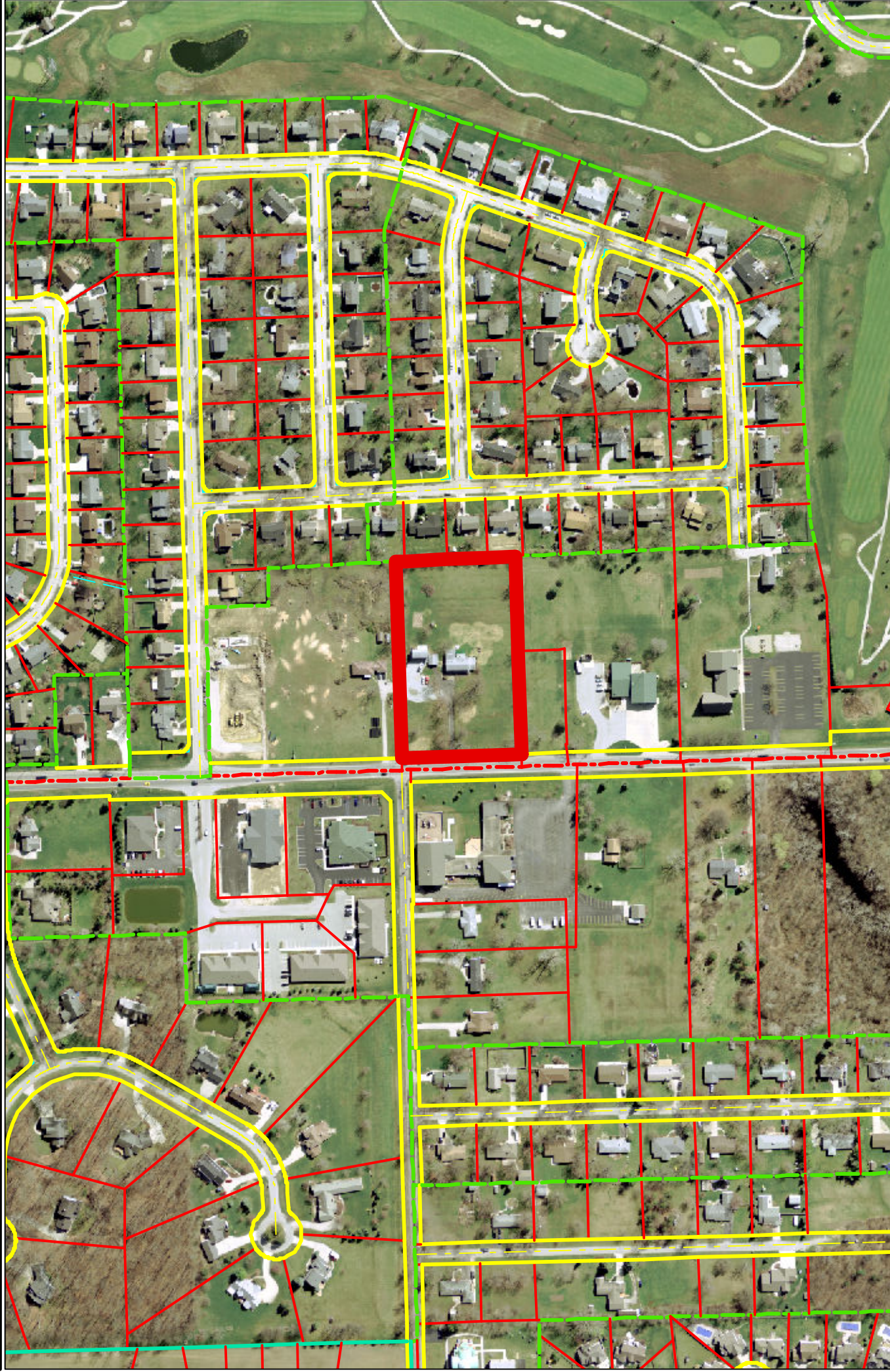
I/We understand and agree, upon execution and submission of this application, that I am/we are the owner(s) of more than 50 percent of the property described in this application; that I/we agree to abide by all provisions of the Allen County Zoning and Subdivision Control Ordinance as well as all procedures and policies of the Allen County Plan Commission as those provisions, procedures and policies related to the handling and disposition of this application; that the above information is true and accurate to the best of my/our knowledge; and that I/we agree to pay Allen County the cost of notifying the required interested persons at the rate of \$0.85 per notice and a public notice fee of \$50.00 per Indiana code.

Dan Sisel		12-14-17
(printed name of applicant)	(signature of applicant)	(date)
MARY A. CONNER	Mary A Conner	12/14/2017
(printed name of property owner)	(signature of property owner)	(date)
(printed name of property owner)	(signature of property owner)	(date)
(printed name of property owner)	(signature of property owner)	(date)

Received	Receipt No.	Hearing Date	Petition No.
1/2/18	125902	2/12/18	PER-2018-0003

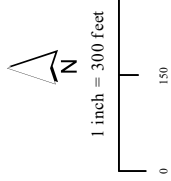


Rezoning Petition REZ-2018-0003 and Primary Development Plan PDP-2018-0003 - Brightstar Care



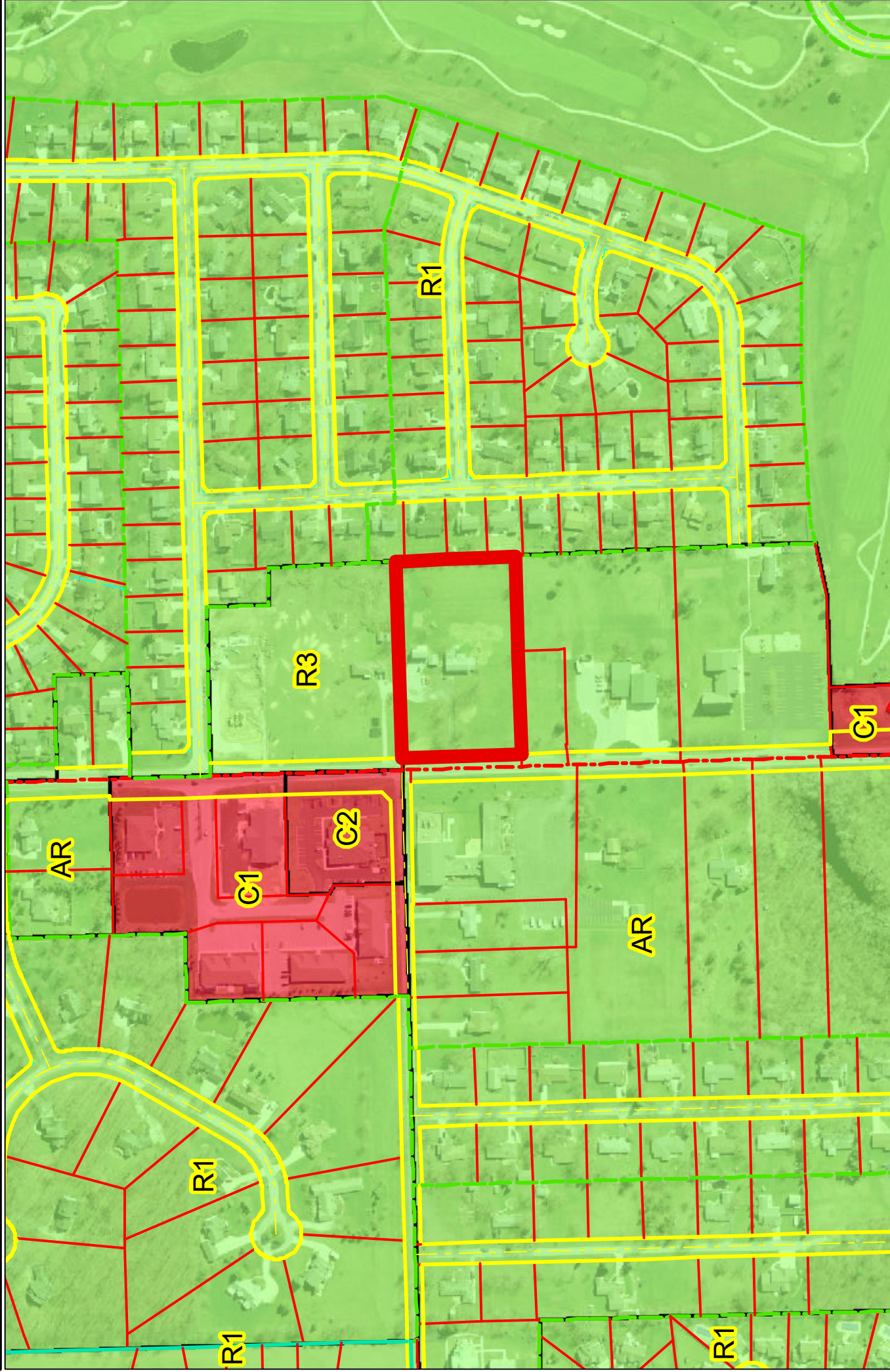
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Photos and Contours: Spring 2009
Date: 1/16/2018





Rezoning Petition REZ-2018-0003 and Primary Development Plan PDP-2018-0003 - Brightstar Care



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1 inch = 300 feet

