#REZ-2021-0022

BILL NO. Z-21-05-10

30

ZONING MAP ORDINANCE NO. Z-____

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. L-02 (Sec. 11 of Wayne 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 a UC (Urban Corridor) District under the terms of Chapter 157 Title XV of the Code of the City of Fort Wayne, Indiana:

Part of Ayres Addition to Fort Wayne (Deed Record Q, page 215), Chipman's Addition to the City of Fort Wayne (Deed Record N, page 475), and proposed vacated alleys and streets in the City of Fort Wayne, Allen County, Indiana, more particularly described as follows:

BEGINNING at the southwest corner of Lot 8 in Ayres Addition to Fort Wayne, being also the intersection of the east line of Union Street and the north right-of-way line of the CSX Railroad; thence North 01 degree 44 minutes 09 seconds West (bearing based on the State Plane Coordinate System (NAD82)(2011), Indiana East zone) on the east line of Union Street and the west line of Ayres Addition, a distance of 306.53 feet to a 5/8" rebar found marking the northwest corner of a parcel of land described in Document 2011009084 in the Office of the Recorder of Allen County; thence North 89 degrees 08 minutes 09 seconds East on the north line thereof, a distance of 85.15 feet to a 1/2" rebar found marking the northeast corner of said parcel of land; thence North 01 degree 04 minutes 39 seconds West 3.72 feet to a 5/8" rebar with Miller cap found marking the southwest corner of a parcel of land described in Document 2018003536 in said Recorder's Office; thence North 88 degrees 40 minutes 12 seconds East on the south line thereof, a distance of 87.12 feet to a 5/8" rebar with Miller cap found marking the southeast corner of said parcel of land and the west line of Jackson Street; thence North 11 degrees 59 minutes 03 seconds West on the east line of said parcel of land and the west line of Jackson Street, a distance of 91.03 feet to the northeast corner of said parcel of land and the northeast corner of Lot 1 in Ayres Addition; thence North 89 degrees 10 minutes 48 seconds East 50.04 feet to the east line of Jackson Street and the west line of Lot 10 in Chipman's Addition; thence North 12 degrees 20 minutes 39 seconds West on said east line of Jackson Street and the west line of said Lot 10, a distance of 26.04 feet to the Northwest corner of said Lot 10 and the south line of Lavina Street; thence North 89 degrees 24 minutes 18 seconds East on the north line of Chipman's

Addition, being also the south line of Lavina Street, a distance of 166.35 feet to the 1 northwest corner of Lot 11 in Chipman's Addition; thence South 11 degrees 41 minutes 46 seconds East on the westerly line of said Lot 11, a distance of 190.43 feet 2 to the easterly extension of the south line of a parcel of land described in Document 2016061973 in said Recorder's Office; thence South 89 degrees 19 minutes 32 3 seconds West on said extension and the south line thereof, a distance of 164.11 to the 4 southwest corner of said parcel of land and the east line of Jackson Street; thence South 12 degrees 20 minutes 39 seconds East on the east line of Jackson Street, a 5 distance of 194,37 feet to the southwest corner of Lot 3 in Chipman's Addition; thence North 89 degrees 49 minutes 00 seconds West on the westerly extension of 6 the south line of said Lot 3, a distance of 25.61 feet to the center line of Jackson 7 Street; thence South 12 degrees 20 minutes 39 seconds East 50.20 feet to the north right-of-way line of the CSX Railroad; thence South 89 degrees 18 minutes 22 8 seconds West on said north right-of-way line of the CSX Railroad, a distance of 255.98 feet to the point of beginning, containing 2.58 acres, more or less. 9 10 and the symbols of the City of Fort Wayne Zoning Map No. L-02 (Sec. 11 of Wayne 11 Township), as established by Section 157.082 of Title XV of the Code of the City of Fort 12 Wayne, Indiana is hereby changed accordingly. 13 14 SECTION 2. If a written commitment is a condition of the Plan Commission's 15 recommendation for the adoption of the rezoning, or if a written commitment is modified and 16 approved by the Common Council as part of the zone map amendment, that written 17 commitment is hereby approved and is hereby incorporated by reference. 18 19 SECTION 3. That this Ordinance shall be in full force and effect from and after its 20 passage and approval by the Mayor. 2122 23 Council Member 24 25 APPROVED AS TO FORM AND LEGALITY: 26 27 Carol T. Helton, City Attorney 28 29 30





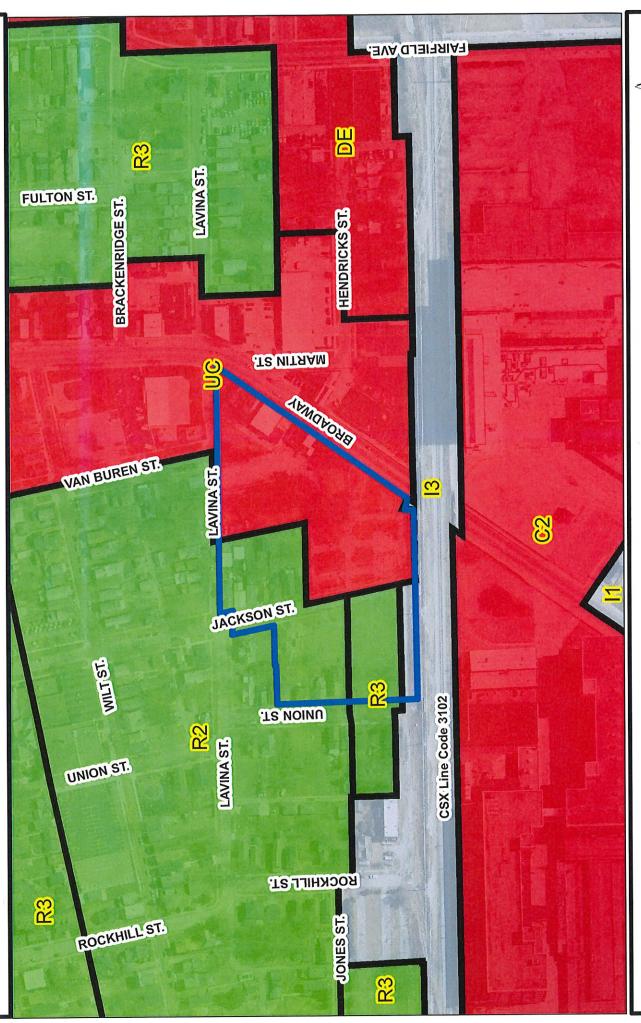
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State Plane Coordinate System, Indiana East
Photos and Contours: Spring 2009
Date: \$/18/2021

250 Feet 125

1 inch = 200 feet





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1 inch = 200 feet

250 Feet

125

Department of Planning Services Rezoning Petition Application

	Applicant RTM VENTUR	ES, LLC		
Applicant	Address c/o ANCORA, 70	01 WEST MAIN STREE		
	City DURHAM	State NORTH CAI	ROLINA Zip 27701	
	City DURHAM Telephone 919-201-2360	E-mail jparker@a	ncoraire	
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	MICHAELI	HOLEMAN EGO OF BE	EDO MAIN SEE STATE OF THE SECOND SECO	
	Contact Person MICHAEL J	HOFFMAN, ESQ. OF BE	ERS MALLERS BACKS & S	ALIN, LLP
tact	Address 170 WEST BER	RY STREET, SUITE 1	100	
Contact Person	Address 110 WEST BER City FORT WAYNE Telephone 260-426-9706	State_INDIANA	Zip 46802	
	Telephone 260-426-9706	E-mail mjhoffman	Dbeersmallers.com	
AND OF ANO	NICOLE BROGNANO MORRILL CORA; TELEPHONE: 202-558-88	., SENIOR VICE PRESIDEN 865; E-MAIL: nmortll@ancor	Г, DEVELOPMENT & CONSTR a.re	UCTION
	☐ Allen County Planning J	furisdiction City of Fo	ort Wayne Planning Jurisdict	lon
	Address of the property NOR	T OF BROADWAY, SOUTH OF LA' TH OF THE RAILROAD TRACKS	ort Wayne Planning Jurisdict VINA STREET, EAST OF UNION STRE	EET AND
	Present Zoning R2 / R3 Pr	oposed Zoning UC	_ Acreage to be rezoned 2.58	3
ts.	Proposed density N/A			
Regnest	Township name WAYNE		Township section # 11	
Ř	Purpose of rezoning (attach a	dditional page if necessary	TO PROVIDE FOR DEVEL	OPMENT
	OF A PARKING GARAGE, IN	TEGRATED WITH AN APAR	TMENT COMPLEX, TO ALSO	INCLUDE
	A FITNESS CENTER, R	ETAIL, CHILDCARE C	ENTER AND PLAYGRO	UND
	Sewer provider CITY OF FO	ORT WAYNE Water	provider CITY OF FORT V	VAYNE
Ŋ	Applications will not be accepted	unless the following filing requ	rements are submitted with this ap	pplication.
Filing Requirements	Please refer to checklist for applic	caole Juing Jees and plan/survey	submittal requirements.	
iren i	Applicable filing fee	wirana ali annila anni a d		
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×	Rezoning Questionnaire (original and 10 copies) County Rea	onings Only	
We under	rstand and agree, upon execution and su	binission of this application, that I	am/we are the owner(s) of more than	50 percent of il-
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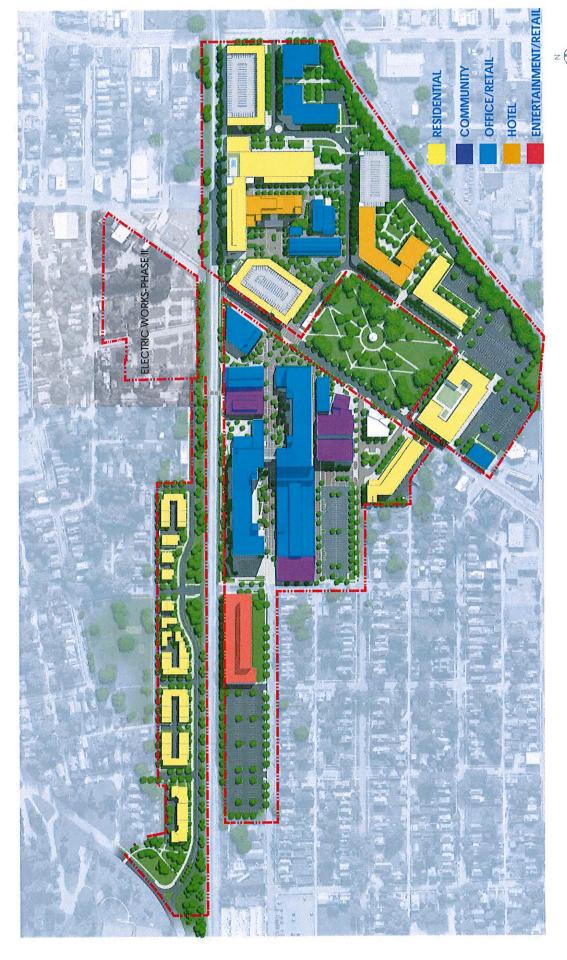
REZONING PETITION APPLICATION cont.

PROPERTY OWNERS

	BROADWAY REDEVELOPMENT PARTNERS, LL
Date: 4/29/2021	By: Kevan Biggs Title: MEMBER
Date: 4 29 2021	UNION PARKING COMPANY, LLC By:

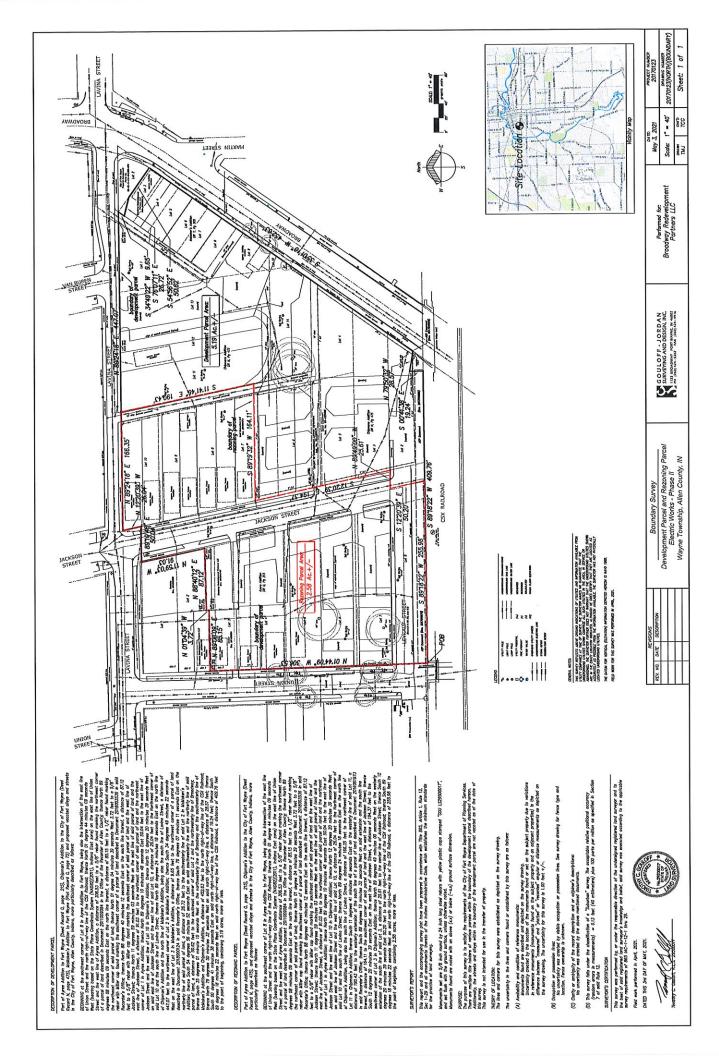
Date:		
	Scott Greider	
Date: 4-30-21	Hallisten	
•	Hallie Greider	

	THISTLETHWAITE PROPERTIES LLC
Date: 4/30/2021	Printed Name: Ston This Hellwarde
	Title: premble
Date: 4/3/2021	William P. M. Wrolf William Murray
Date: May 3, 2021	Roxana Murray
Date: 4/29/21	Gordon Osborne
Date: 1/29/2021	Deborah Lopresti
Date: 4/29/202/	Kay Jones Kay Jones
Date: 4/29/201	Stephen Vallely



MASTER PLAN

m20257 - 1205,40 (2000-5999)/Projecta (5.500-5399)/5368-Eketire Works N Development Sile/Drowings/Projecta (5.000-5999)



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

Department of Planning Services

Title of Ordinance:

Zoning Map Amendment

Case Number: Bill Number:

REZ-2021-0022 Z-21-05-10

Council District:

5 – Geoff Paddock

Introduction Date:

May 25, 2021

Plan Commission

Public Hearing Date:

June 7, 2021 (not heard by Council)

Next Council Action:

Ordinance will return to Council after recommendation by the

Plan Commission

Synopsis of Ordinance:

To rezone 2.58 acres from R2/Two Family Residential, R3/Multiple

Family Residential, and I3/Intensive Industrial to UC/Urban Corridor

Location:

West of Broadway, south of Lavina, east of Union, and north of the

railroad tracks and the Electric Works West property.

Reason for Request:

To allow for a mixed-use development to support Electric Works,

including a parking garage, residential units, childcare, fitness center

and playground.

Applicant:

RTM Ventures, LLC

Property Owners:

Broadway Redevelopment Partners LLC, Union Parking Company

LLC, Scott and Hallie Greider, Thistlewaite Properties LLC

Related Petitions:

Primary Development Plan, Electric Works, Phase II

Effect of Passage:

Property will be rezoned to the UC/Urban Corridor zoning district,

which will support a mixture of uses, compatible with the historic

pattern of the area.

Effect of Non-Passage:

The property will remain zoned for residential uses and may redevelop

as such. The industrial zoning is over road and railroad right-of-way

and not large enough to develop.

FACT SHEET

Case #REZ-2021-0022 Bill # Z-21-05-10 Project Start: May 2021

APPLICANT: RTM Ventures, LLC c/o Ancora

REQUEST: To rezone a portion of property from R2/Two Family Residential, R3/Multiple

Family Residential, and I3/Intensive Industrial to UC/Urban Corridor for a

mixed-use development with a parking garage.

LOCATION: The site is generally along the west side of Broadway, north of the railroad

tracks, south of Lavina Street, and east of Union Street (see file for area)

(Section 11 of Wayne Township).

LAND AREA: Approximately 2.6 acres for rezoning

Approximately 5.2 acres for total development

PRESENT ZONING: R2/Two Family Residential, R3/Multiple Family Residential, I3/Intensive

Industrial and UC/Urban Corridor

PROPOSED ZONING: COUNCIL DISTRICT: UC/Urban Corridor 5-Geoff Paddock

ASSOCIATED PROJECT:

Primary Development Plan, Electric Works, Phase II

SPONSOR:

City of Fort Wayne Plan Commission

June 14, 2021 Public Hearing

- Three residents spoke in favor at the hearing.
- Three residents spoke at the hearing with concerns/questions.
- Ryan Neumeister and Justin Shurley were absent.

June 21, 2021 Business Meeting

Plan Commission Recommendation: DO PASS

A motion was made by Tom Freistroffer and seconded by Patrick Zaharako to return the ordinance with a Do Pass recommendation to Common Council for their final decision.

6-1-0 MOTION PASSED

Ryan Neumeister and Justin Shurley were absent. Connie Haas Zuber recused herself.

Fact Sheet Prepared by:

Michelle B. Wood, Senior Land Use Planner

July 2, 2021

PROJECT SUMMARY

SITE HISTORY

- Site has historically been vacant and unplatted.
- A Primary Development Plan was submitted and approved for an eight-unit residential development for CASS Housing, Inc. (PDP-2020-0017). This amended petition will consider amending the southern portion from residential to a light industrial use for CASS Housing's workforce.

The petitioner requests a rezoning of approximately 2.6 acres of residential land to UC/Urban Corridor, as part of a 5.2 acre mixed use development. Called Electric Works, Phase II, this proposal will take place on the north side of the railroad tracks and the west side of Broadway, immediately north of the main Electric Works West campus. The development will occur within two separate buildings: the main building will house a parking garage, wrapped by residential units and a daycare; the secondary building, facing Broadway, will also have residential units, plus a fitness facility, retail and restaurant uses. Currently the property is the site of a bar and commercial buildings on Broadway, with about 15 to 20 houses between Broadway and Union, and vacant ground closer to the railroad tracks.

A portion of the site is zoned UC/Urban Corridor, resulting from a large-scale 2013 rezoning along the Broadway business corridor. The remainder is zoned R2/Two Family, R3/Multiple Family, and a sliver of I3/Intensive Industrial along the tracks. The UC zoning district will be compatible with adjacent zoning, as well as more appropriate as a transition from the more intensive commercial nature of Electric Works, and the surrounding residential neighborhood. The UC zoning district allows a variety of residential densities and housing types, along with commercial and retail uses that support a neighborhood. The residential portion will help serve the Do-It-Best headquarters relocation to the Electric Works campus, which is currently underway, in the form of remodeling and site improvements.

The proposal can be supported by the following goals and policies of the Plan:

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

LU5.B Encourage development proposals that enhance area connectivity.

LU5.C Encourage development proposals that provide neighborhood commercial, civic, institutional and other similar uses, designed to allow adequate access for pedestrians and bicycles, in close proximity to housing.

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.

LU10.C Encourage infill or redevelopment of existing nonresidential single-use developments with compatible housing and retail uses where appropriate.

LU10.E Encourage infill development and redevelopment which is compatible with the character of existing development, including historic features.

As stated above, there are two new, mixed-use buildings proposed for this development. The 6-story parking garage is wrapped on three sides with residential units, and includes a roof courtyard and pool, and attached daycare center. This building is located centrally on the property, with main pedestrian access facing Union Street, and Jackson Street. The southern portion of Jackson Street is proposed to be vacated, for placement of the parking garage, but will turn west and continue as a private drive to connect to Union Street. Entrances to the parking garage will be located along a private extension of Van Buren Street, and along the railroad right-

of way. As part of this proposal, an abandoned tunnel under the railroad will be salvaged and redesigned as a welcoming pedestrian connection between the new mixed-use development and the Electric Works West campus.

One of the benefits of the UC/Urban Corridor districts is that the setbacks mimic more historic development patterns of placing buildings tight to the street, eliminating or hiding parking to the interior of the property, and allowing a mixture of commercial and residential uses. It is sometimes not feasible, however, to meet every reduced setback with new development. With the proposed vacation of Jackson street, and the creation of a new private street, the northwest corner of the main building will be further from the new property line than allowed in the district, but if the street remained public, the resulting setback from the road would effectively meet the ordinance, so the impact is negligible. On the northeast corner, there is a notch in the building that would create a small triangle greater than 20 feet from the property line. On the southwest corner, there is also a notch in the building to allow for utilities and a more effective entrance location. On the southeast corner, the parking garage is set back an extra 8 feet because of the location of the new private drive. The southern face of the parking garage is 35 feet from the property line along the railroad right-of-way, which meets the ordinance requirement. Staff feels that the overall layout of the buildings and the development pattern makes the best use of the property and effectively addresses the adjacent streetscapes.

PUBLIC HEARING SUMMARY:

Presenter: Michael Hoffman, attorney representing the applicants, presented the proposal as outlined above.

Public Comments:

Branon Steffan, President of West Central Neighborhood – Supports the development and rezoning. Expressed concerns regarding traffic, parking and the scale of the buildings shading the homes across the street.

Janet Bell, owner of 1305, 1307 and 1309 Broadway – Supports the development but also has concerns over traffic on Broadway and Lavina.

Tom Smothers, 908 Lavina – Supports the development but also has concerns over traffic and parking. Suggests the City use a parking permit system on the streets around the development to ensure that residents have a dedicated parking spot.

Diane Groenert, West Central – Concerns include parking and loss of homes. Would like to see better Citi-Link service, a pedestrian bridge, expansion of Moody Park, and local hiring practices.

Jason Henkle, 1201 Wall Street – Concerned about on-street parking.

Ted Kucinsky, 1302 Jackson Street - Concerned about building height.

Rebuttal:

A traffic study was performed with direction from the City of Fort Wayne. Recommendations were made for widening, lane improvements and a signal at Lavina and Broadway.

Extra parking spaces are being provided in the parking garage for public parking.





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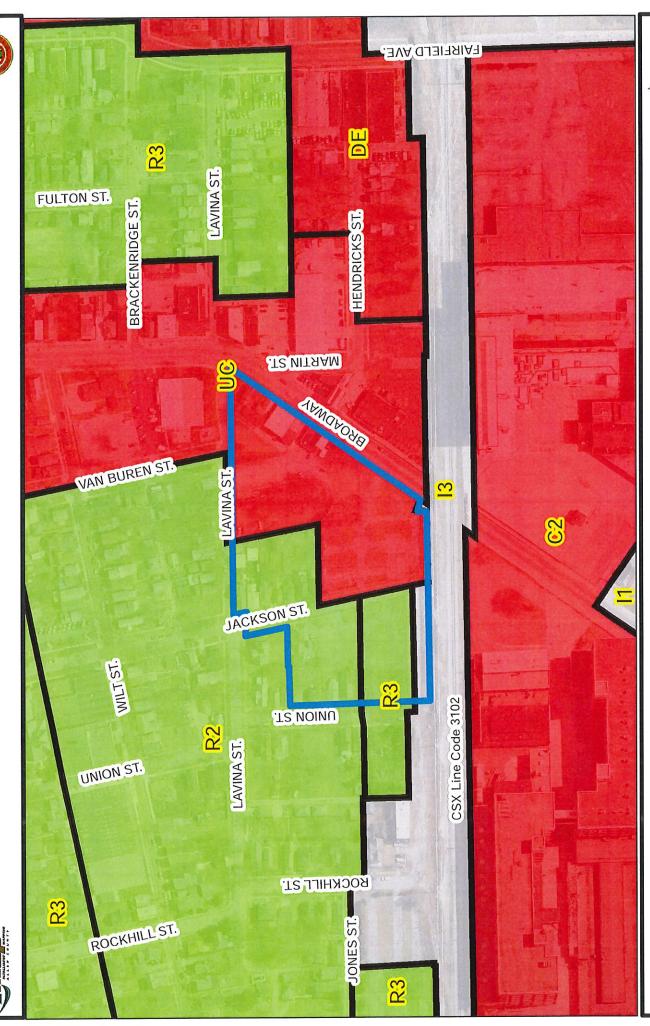
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125

250 Feet





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Date: 5/18/2021

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Department of Planning Services Rezoning Petition Application

	Applie	Int RTM VENTURE	S, LLC		
pplicant	Address	c/o ANCORA, 701	WEST MAIN STRE	ET #200	
эрцс	City D	URHAM	State NORTH CA	ROLINA Zin 2	7701
Αp	Telepho	one 919-201-2360	State NORTH CA E-mail Jparker@a	ancora,re	
				•	
	Contact	Person MICHAEL J. H	HOFFMAN, ESQ. OF B	EERS MALLERS	BACKS & SALIN, LLP
Contact	Address	110 WEST BERR	Y STREET, SUITE 1	100	
	City FO	ORT WAYNE	State INDIANA	Zip 4	6802
Ų ~	Telepho	ne 260-426-9706	Y STREET, SUITE 1State INDIANAB-mati mjhoffman	@beersmallers	s.com
AND OF ANO	NICOLE B	ROGNANO MORRILL. 8	SENIOR VICE PRESIDEN	IT DEVELOPMEN	IT & CONSTRUCTION
Ol Aire	-		5; E-MAIL: nmorrill@anco		
	☐ Alle	n County Planning Jun	risdiction 📮 City of F OF BROADWAY, SOUTH OF LA OF THE RAILROAD TRACKS	ort Wayne Plann	ing Jurisdiction
	Address	of the property NORTH	OF THE RAILROAD TRACKS	VINA STREET, EAST	OF UNION STREET AND
	Present !	Zoning R2/R3 Prop	oosed Zoning UC	_ Acreage to be	rezoned 2.58
\$	Propose	d density N/A			
Request	Townshi	p name WAYNE		_ Township sect	lon #_11
ø	Purpose	of rezoning (attach add	litional page if necessary	TO PROVIDE	FOR DEVELOPMENT
	OF A PA	RKING GARAGE, INTE	GRATED WITH AN APA	RTMENT COMPLI	EX, TO ALSO INCLUDE
	A FITN	ESS CENTER, RE	TAIL, CHILDCARE (ENTER AND	PLAYGROUND
	Sewer pr	ovider CITY OF FOR	RT WAYNE Wate	r provider CITY	OF FORT WAYNE
æ	Application	ns will not be accepted un	less the following filing requivelently filing fees and plan/surve	ilrements are submi	tted with this application.
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Filing quireme	☐ Appl	icable filing fee	eys showing area to be re		
equ F	Lega Lega	l Description of parcel	to be rezoned		pe torden)
æ	☐ Rezo	ning Questionnaire (orig	ginal and 10 copies) County Re	zonings Only	
We under	stand and ag	ee, upon execution and subm	ission of this application, that	am/we are the owner	(s) of more than 50 percent of the
rdinanco	na woli as all	procedures and noticies of the	to to golde by all provisions	of the Allen County	Zoning and Subdivision Control
Wo agree (to pay Allen	County the cost of notifying t			s, procedures and policies related st of my/our knowledge; and tha r notice and a public notice fee of
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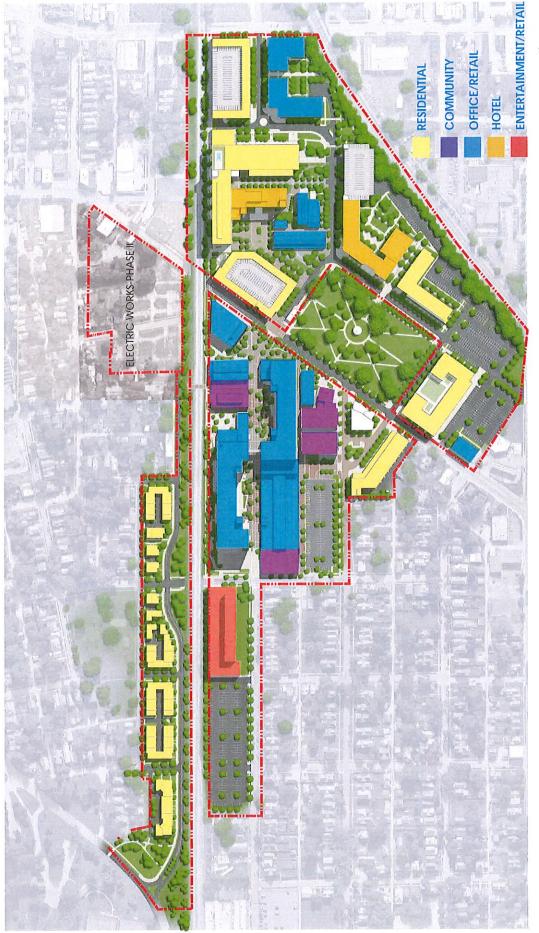
REZONING PETITION APPLICATION cont.

PROPERTY OWNERS

	BROADWAY REDEVELOPMENT PARTNERS, LLC
Date: 4/29/2021	By: Kevan Biggs Title: MEMBER
Date: 4 29 2021	UNION PARKING COMPANY, LLC By: Logg Printed Name: Levan Biggs Title: MEMBER

**	
Scott Greider	
Hallia Graidar	
	Scott Greider Hallie Greider

	THISTLETHWAITE PROPERTIES LLC
Date: 4/30/2021	Ву:
-	Printed Name: In This tellwant
	Title: Member
Date: 4/3/2021	William Murray
Date: May 3, 2021	Roxana Murray
Date: 4/29/21	Gordon Osborne
Date: 4/29/2021	Deborah Lopresti
Date: 4/29/202/	Kay Jones
Date: 4/29/201	Stephen Vallely

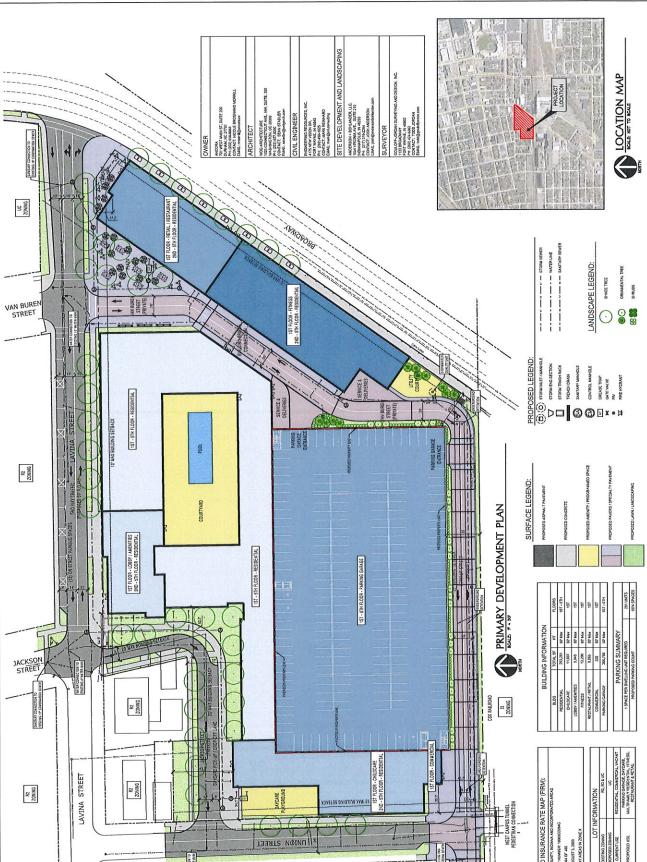


DEVELOPMENT APPLICATION SUBMISSION





MASTER PLAN



R2 ZONING

