

#REZ-2022-0034

BILL NO. Z-22-07-24

ZONING MAP ORDINANCE NO. Z-_____

**AN ORDINANCE amending the City of Fort Wayne
Zoning Map No. P-15 (Sec. 19 of Adams 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 C1
(Professional Office and Personal Services) District under the terms of Chapter 157 Title XV
of the Code of the City of Fort Wayne, Indiana:

DESCRIPTION OF TRACT II, remainder Parcel B

Part of Block 4 and a vacated cul-de-sac in Anthony Wayne Village Subdivision in
the City of Fort Wayne, Indiana, recorded in Plat Record 16, page 136 and 137 and
found in the Office of the Recorder of Allen County, Indiana, more particularly
described as follows:

Commencing at the intersection of the south right of way line of McKinnie Avenue
with the East line of Block 7 in said Anthony Wayne Village, said point being
located 5.00 feet South 00 degrees 52 minutes 30 seconds West of the Northeast
corner of said Block 7; thence South 87 degrees 21 minutes 03 seconds West
(bearing based on the State Plane Coordinate System (NAD83)(2011), Indiana East
zone), on said south right of way line, a distance of 1304.71 feet to the west right of
way line of Joshua Lane (described as Tract 4 in Document 2021022589 in said
Recorder's Office) and the POINT OF BEGINNING; thence South 02 degrees 38
minutes 57 seconds East, on said west right of way line, a distance of 120.83 feet;
thence South 47 degrees 38 minutes 57 seconds East, on said west right of way line,
a distance of 4.24 feet; thence South 02 degrees 38 minutes 57 seconds East, on said
west right of way line, a distance of 284.06 feet; thence South 42 degrees 21 minutes
03 seconds West, on said west right of way line, a distance of 23.11 feet to the south
line of said Block 4 and the north right of way line of Werling Drive; thence on a
non-tangent curve to the left, on said north right of way line, having a radius of
650.00 feet, a length of 210.12 feet and a chord of 209.31 feet bearing South 72
degrees 58 minutes 56 seconds West to a found 5/8 inch rebar capped
"STRUCTUREPOINT #0094" marking the southeast corner of a 2.013 acre parcel
of land described in Document 2017043544 in said Recorder's Office; thence North
02 degrees 41 minutes 11 seconds West on the east line of said parcel of land, a
distance of 120.15 feet; thence North 02 degrees 38 minutes 57 seconds West,
continuing on said east line, a distance of 356.03 feet to the northeast corner of said
parcel of land and the south right of way line of McKinnie Avenue; thence North 87

degrees 21 minutes 03 seconds East on said south right of way line, a distance of 216.08 feet to the point of beginning, containing 2.216 acres, more or less.

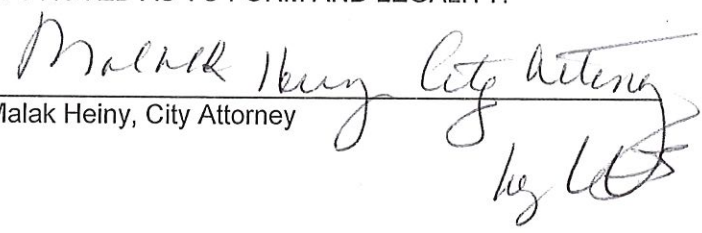
and the symbols of the City of Fort Wayne Zoning Map No. P-15 (Sec. 19 of Adams Township), as established by Section 157.082 of Title XV of the Code of the City of Fort Wayne, Indiana is hereby changed accordingly.

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

Department of Planning Services

Title of Ordinance: Zoning Map Amendment
Case Number: REZ-2022-0034
Bill Number: Z-22-07-24
Council District: 6-Sharon Tucker

Introduction Date: July 26, 2022

Plan Commission
Public Hearing Date: July 11, 2022 (not heard by Council)

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

Synopsis of Ordinance: To rezone approximately 2.2 acres from R3/Multiple Family Residential to C1/Professional Office and Personal Services.

Location: Southwest corner of McKinnie Avenue and Joshua Lane

Reason for Request: For approval of a childcare center, health provider and other office uses.

Applicant: House Investments

Property Owner: House Investments

Related Petitions: Primary Development Plan, Village Premier

Effect of Passage: Property will be rezoned to the C1/Professional Office and Personal Services, which will allow the currently vacant parcel to be developed with a neighborhood services for a new mixed-use development.

Effect of Non-Passage: The property will remain zoned partially zoned R3 and C1, and may develop as such. The proposed development requires additional C1 ground to provide the desired services.

Department of Planning Services
Rezoning Petition Application

Applicant House Investments (Village Premier Project)
Address 11590 N. Meridian St. Ste 550
City Indianapolis State IN Zip 46032
Telephone (317) 413-9430 E-mail mgadus@houseinvestments.com

Contact Person Andrew Boxberger
Address 301 W. Jefferson Ste. 200
City Fort Wayne State IN Zip 46802
Telephone (260) 423-9411 E-mail aboxberger@carsonllp.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 Plaza Dr. (See Survey)
Present Zoning C1 & R3 Proposed Zoning C1 & C2 Acreage to be rezoned See Attached
Proposed density See Attached Development Plan units per acre
Township name Adams Township section # 13
Purpose of rezoning (attach additional page if necessary) See Attached

Sewer provider City of Fort Wayne Water provider City of 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 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.

Matthew S. Gadus

(printed name of applicant)

Matthew S. Gadus

(signature of applicant)

6/1/2022

(date)

JONATHAN LEIST

(printed name of property owner)

[Signature]

(signature of property owner)

6/7/22

(date)

(printed name of property owner)

(signature of property owner)

(date)

(printed name of property owner)

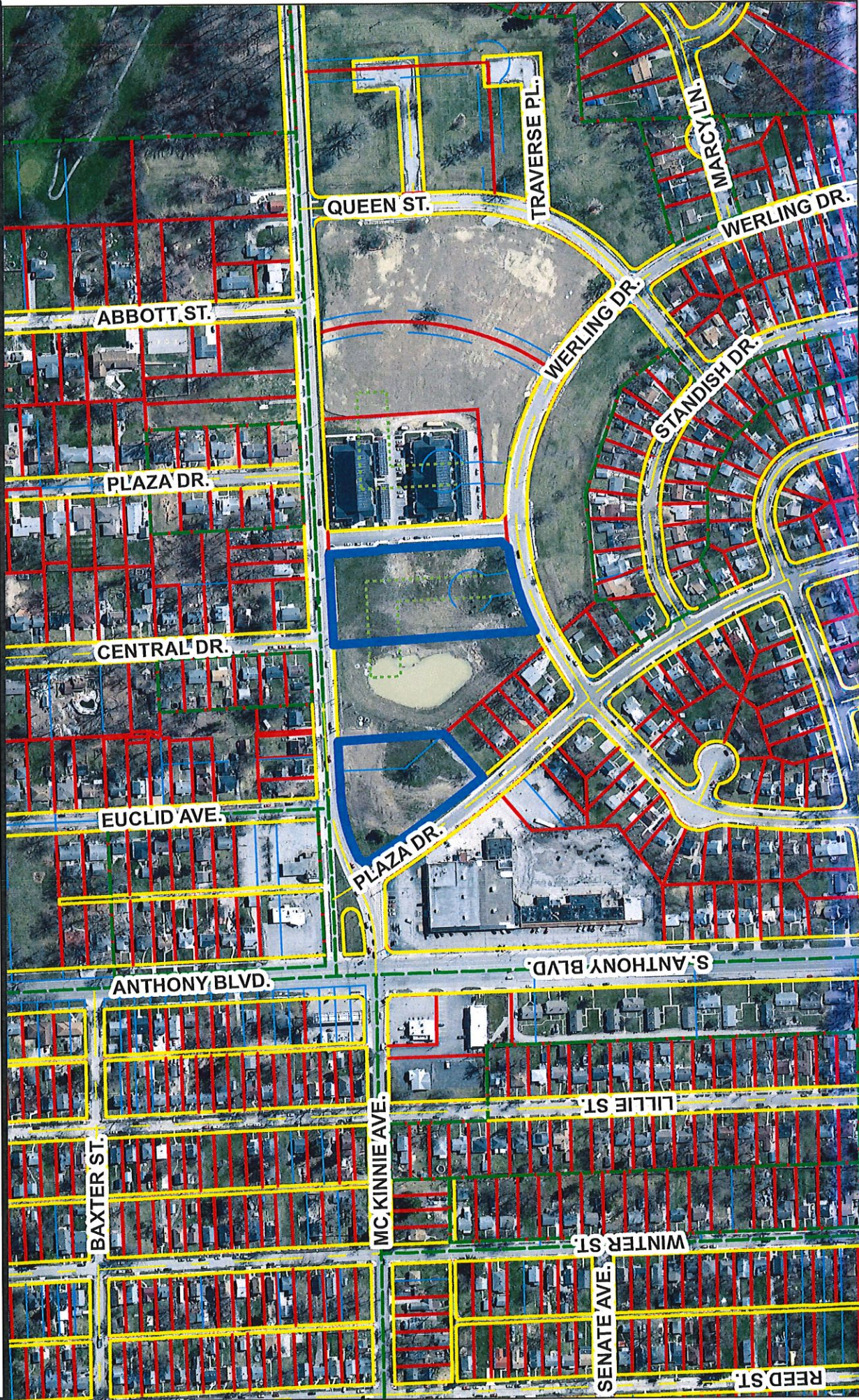
(signature of property owner)

(date)

Received	Receipt No.	Hearing Date	Petition No.
<u>6-7-22</u>	<u>140516</u>	<u>7-11-22</u>	<u>REZ-2022-0034</u>



Rezoning Petition REZ-2022-0034 and Primary Development Plan PDP-2022-0022 - Village Premier



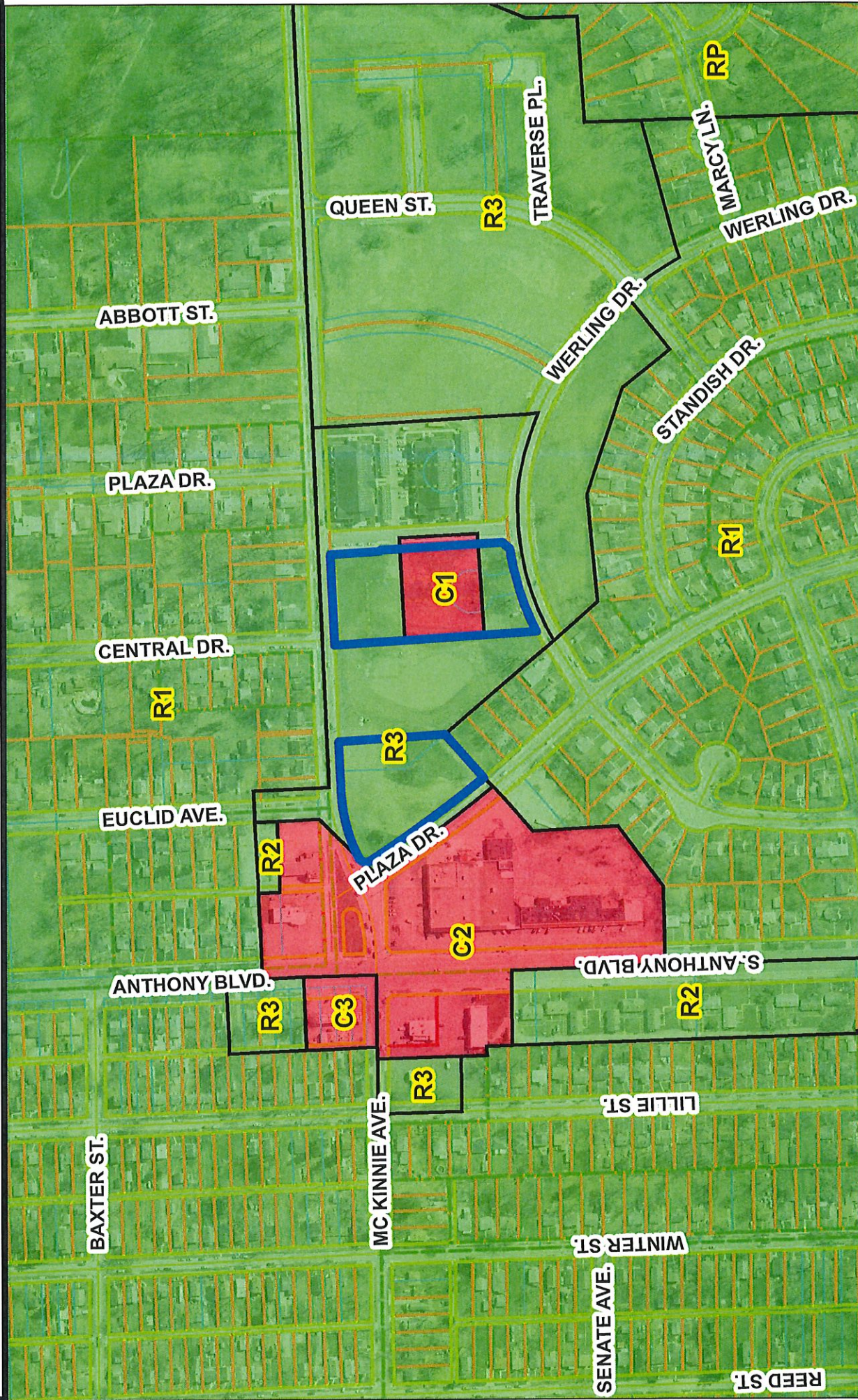
1 inch = 300 feet

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State Plane Coordinate System, Indiana East
Photos and Contours: Spring 2009
Date: 6/28/2022

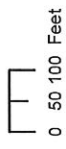


Rezoning Petition REZ-2022-0034 and Primary Development Plan PDP-2022-0022 - Village Premier



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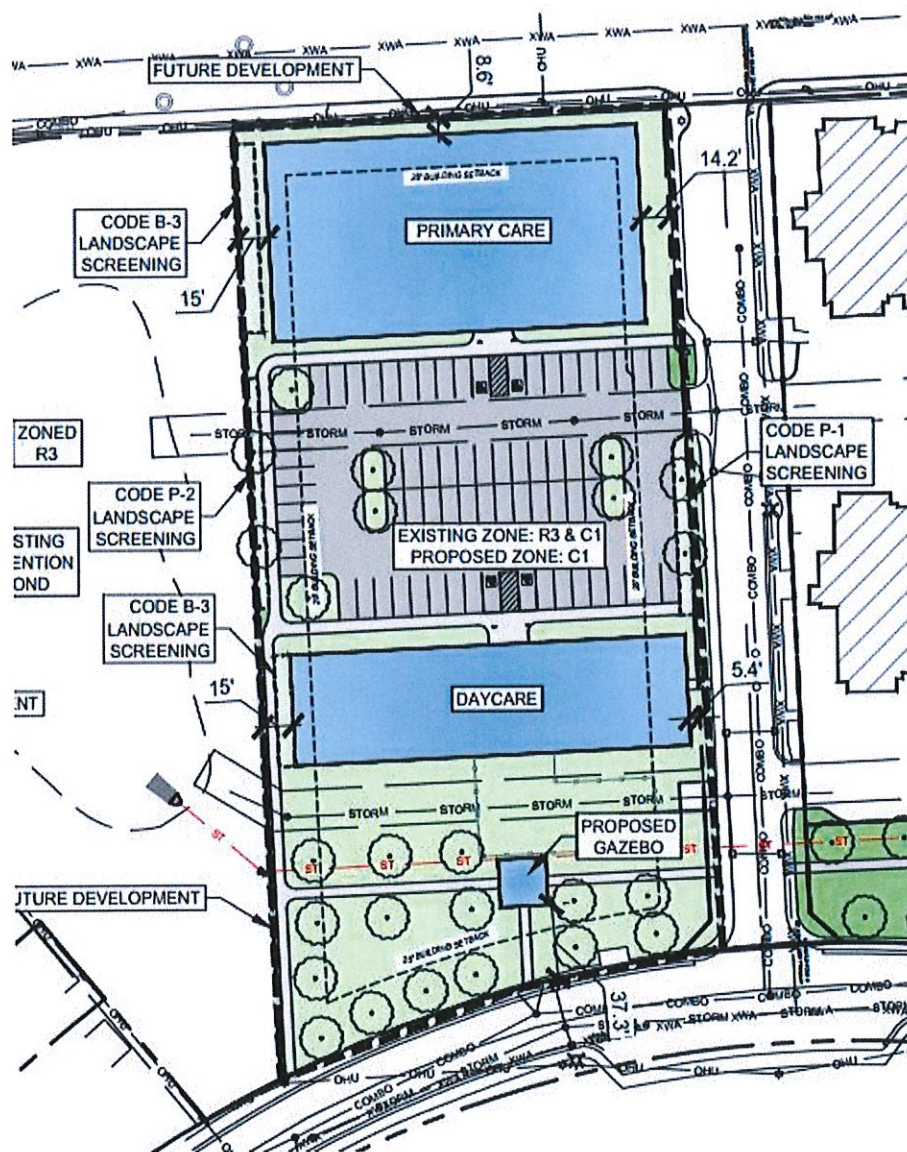


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Rezoning Petition Application

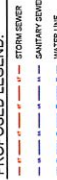
The purpose of the rezoning request is to facilitate the implementation of the attached development plan ("Development Plan") which is in conformance with the City's Southeast Strategy.

- Rezoning 2.216 acres (Tract II Remainder Parcel B on Survey) currently zoned C1 and R3 to entirely C1 zoning for the development of two commercial buildings on the site as shown on the Development Plan.

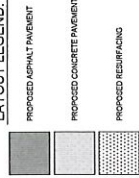




PROPOSED LEGEND:



LAYOUT | LEGEND:



LOCATION MAP



SCALE

FLOOD INSURANCE RATE MAP (FIRM):	
ALLEGHENY, INDIANAPOLIS AND RECONSTRUCTED MAPS	
10/20/2017/06	
PAID: 1311 \$ 40	
DATE: AUGUST 7, 2009	
ZONE: X	

DEVELOPER	
HOUSE ARCHITECTS	
1100 N. MICHIGAN ST. SUITE 550	
CHICAGO, IL 60610	
CONTACT: MATTHEW BAGDES	
PH: 312.552.5411	
EMAIL: mjb@housearchitects.com	

ARCHITECT	
MON ARCHITECTURE + DESIGN	
110 N. WAYNE ST. #602	
CHICAGO, IL 60602	
CONTACT: JEFFREY FERNHARDT	
PH: 312.425-0749	
EMAIL: jeff@monarchitect.com	

ENGINEER	
ENGINEERING RESOURCES, INC.	
1000 N. LAKE ST. SUITE 200	
CHICAGO, IL 60610	
CONTACT: JEFFREY FERNHARDT	
PH: 312.425-0749	
EMAIL: jeff@engrresources.com	

SURVEYOR	
GOLOGLIO, JORDAN SURVEYING AND DESIGN, INC.	
101 N. WAYNE IN 4602	
CHICAGO, IL 60610	
CONTACT: TODD JORDAN	
EMAIL: todd@gojordan.com	

LOT INFORMATION	
ZONING	R3
CURRENT USE	VACANT
PROPOSED USE	MULTIFAMILY RESIDENTIAL

FUTURE LOT INFORMATION	
EXISTING ZONING	R3 & C1
PROPOSED ZONING	C1
CURRENT USE	VACANT
PROPOSED USE	PRIMARY CARE & DAYCARE

FUTURE LOT INFORMATION	
EXISTING ZONING	R3
PROPOSED ZONING	C2
CURRENT USE	VACANT
PROPOSED USE	SENIOR LIVING & MIXED USE

PARKING SUMMARY	
BUILDING / USE	PROPOSED PARKING COUNT
MULTIFAMILY	
1 SPACE PER 1.25 RESIDUAL UNITS	
2 SPACES PER 3+ RESIDUAL UNITS	
301 SPACES	QUARTERTY - 48 SPACES
	ONITE - 228 SPACES
PRIMARY CARE & DAYCARE	
1 SPACE PER 400SF	
78 SPACES	78 SPACES
SENIOR LIVING & MIXED USE	
1 SPACE PER 3 SLEEPING ROOMS	
24 SPACES	24 SPACES

REZONING FACT SHEET

Petition #REZ-2022-0034 and 0037

Z-22-07-24 and 25

Project Start: June 2022

APPLICANT:	House Investments
REQUEST:	Request to rezone properties to C1/Professional Office and Personal Services and C2/Limited Commercial; and to approve a primary development plan for a mixed-use development with development standards waivers.
LOCATION:	Southeast corner of McKinnie Avenue and Plaza Drive (Section 19 of Adams Township)
LAND AREA:	24.1 acres total (2.2 acres for C1 zoning, 1.4 acres for C2 zoning)
PRESENT ZONING:	R3/Multiple Family Residential and C1/Professional Office and Personal Services
PROPOSED ZONING:	C1/Professional Office and Personal Services and C2/Limited Commercial
COUNCIL DISTRICT:	6-Sharon Tucker
ASSOCIATED PROJECT:	Primary Development Plan, Village Premiere
SPONSOR:	City of Fort Wayne Plan Commission

11 July 2022 Plan Commission Public Hearing:

- One resident had questions at the hearing.
- One resident spoke against the project at the hearing.
- Paul Sauerteig and Ryan Neumeister were absent.

18 July 2022 Plan Commission Business Meeting:

REZ-2022-0034 (Z-22-07-24)

Plan Commission Recommendation: Do Pass

- A motion was made by Paul Sauerteig and seconded by Patrick Zaharako to return the ordinance to Common Council with a DO PASS recommendation for their final decision.
- Ryan Neumeister was absent.
- **8-0 MOTION PASSED**

REZ-2022-0037 (Z-22-07-25)

Plan Commission Recommendation: Do Pass

- A motion was made by Paul Sauerteig and seconded by Rachel Tobin-Smith to return the ordinance to Common Council with a DO PASS recommendation for their final decision.
- Ryan Neumeister was absent.
- **8-0 MOTION PASSED**

Fact Sheet Prepared by:

Michelle B. Wood, Senior Land Use Planner

August 3, 2022

PROJECT SUMMARY

This rezoning and development plan request is part of an overall project planned to have multiple and single family housing, childcare, health services, retail services, and greenspace, over 24 acres. Village Premier will be constructed on both sides of the two existing apartment buildings, constructed in 2017 as Posterity Scholar House. The project site is the former McMillen Apartments and is currently owned by the City of Fort Wayne Redevelopment Commission. All of the McMillan structures have been removed and the City-owned property is currently vacant. The current phase includes 208 apartment units in 12 buildings, two commercial buildings including a daycare center and healthcare provider, and a mixed-use building (up to 100,000 square feet) that can contain a senior living facility, office and retail services. The overall master plan includes single and two-family homes for sale. The applicant intends to file this residential phase in August 2022.

This request will utilize the existing R3/Multiple Family zoning for the 12-building apartment complex portion of the development. The existing C1/Professional Office and Personal Services portion is proposed to be expanded to 2.2 acres for the childcare and healthcare portion of the development. And finally, the western corner parcel will be zoned to C2/Limited Commercial to accommodate the mixed-use senior living/retail building. The general area is a mixture of residential (mostly single family) and retail/commercial. Immediately north and south are single family neighborhoods. There is commercial zoning to the west, at the intersection of McKinnie and South Anthony. The rezoning request will allow all proposed uses to be within walking distance of the new and existing housing products. The proposed apartments will provide a modern, affordable housing type that will help fulfill the Plan-it Allen Comprehensive Plan objective of providing a variety of housing types and densities. The proposal also helps fulfill objectives in the Housing and Neighborhoods section of the Comprehensive Plan by promoting attractive neighborhoods, building on the assets and stabilizing existing neighborhoods, and providing housing choices within neighborhoods (Objectives, H2, H3 and H4).

As stated above, the proposal includes a variety of neighborhood uses that will support the existing and new residents in the development and nearby. The apartment complex will add to the affordable multiple family housing stock in the neighborhood. 208 units will be contained in 12 buildings, located on the eastern portion of the property, east of the two existing apartment buildings. Sidewalks connect all buildings and extend to the public streets to provide a walkable neighborhood. Dry stormwater detention is provided at the extreme eastern boundary, with significant greenspace, and trees proposed to create a park-like setting. The RP/Multiple Family zoning district requires a solid privacy fence between the apartments and adjacent residential uses. The developer requests a more open, inclusive setting and this pattern of landscaping would better match the existing apartments. The Comprehensive Plan encourages pedestrian-oriented development that is compact and urbanized. Parking is proposed between the apartment buildings. Street trees are proposed along the existing and new public streets, as well as throughout the greenspace within the development.

The western portion of the development site contains the two distinct rezoning requests: one for an expanded C1/Professional Office and Personal Services area, and one for a new C2/Limited Commercial development. The C1 zoning parcel is located just west of the two existing apartments and is proposed to contain a childcare center and a healthcare provider as the primary services, with additional available office space. Parking will be provided between the two buildings and the applicant is requesting a waiver reduction of eight spaces. As the services are provided for residents within the development, it is anticipated that the required number of parking spaces is not needed. There will be greenspace and a gazebo gathering area on the south side of the childcare center. Sidewalks extend through the C1 site to connect from the residential portion to the east to the commercial portion to the west.

Finally, the extreme western end of the property includes a proposal for a C2 zoned, mixed use building of up to 100,000 square feet within multiple floors. The C2 zoning has size limitations but seemed the most appropriate district regarding permitted uses. Maximum building square footage is 22,000, which this proposal greatly exceeds. There is also a height limitation of 40 feet, where this proposal requests 75 feet.

Approval of the height waiver will allow a significantly taller presence than the existing surrounding structures, but the applicant contends that the height is necessary to achieve the desired density and urban feel. Location and layout of the building has been designed to limit impacts on any residential neighbors. This corner parcel is adjacent to other C2 and C3 zoning districts and surrounding uses include a shopping center, gas station, restaurants and social services. As the final make-up of this building is yet to be determined and at least a portion is intended for senior living, the amount of parking needed is undetermined. The final design item needing Plan Commission attention is the request for a signage waiver for three freestanding signs (two on McKinnie), due to the scope of the project. Staff does not see a conflict with the intent of the ordinance in granting this waiver.

Approval of the proposed development plans will aid in making these parcels more suitable for redevelopment and filling in gaps in the residential fabric of this neighborhood. The proposed apartments and accessory buildings will be a unique housing type that will help fulfill the Plan-it Allen Comprehensive Plan objective of providing a variety of housing types and densities. The proposal also helps fulfill objectives in the Housing and Neighborhoods section of the Comprehensive Plan by promoting attractive neighborhoods, building on the assets and stabilizing existing neighborhoods, and providing housing choices within neighborhoods (Objectives, H2, H3 and H4). The requested waivers can be justified by the attempt to fit the proposed buildings into the existing fabric and development patterns of the neighborhood. Overall, the applicant shared that the intent for this development is to feel more like a traditional walkable, urban neighborhood and less like a typical apartment complex. The use of new public right-of-way, with sidewalks and reduced front yards is specifically intended to create a neighborhood feel, versus a private complex.

PUBLIC HEARING SUMMARY:

Presenter: Andy Boxberger, representing House Investments, presented the project to the Plan Commission, as outlined above. Mr. Boxberger stated that this will be a \$55 to \$60 million investment, and the area is located within an Economic Development Area.

Public Hearing Comments:

Sheryl Williams was not opposed but questioned how this will be different from the former project (McMillan Apartments).

Lucy Davis is against the project. She cited water problems in the area, Section 8 vouchers and also feels that there is no community anymore.

Closing Comments:

50% of the housing will be workforce housing. The intent of the development is to invest in and activate the site, with neighborhood amenities to bring back the community. The project also helps provide much-needed housing stock. A single family, ownership product will be added to the development at the next Plan Commission hearing.

FORT WAYNE PLAN COMMISSION • FINDINGS OF FACT

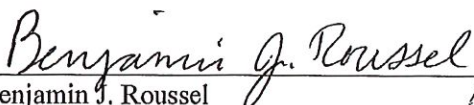
Rezoning Petition REZ-2022-0034

APPLICANT:	Village Premier
REQUEST:	Request to rezone properties to C1/Professional Office and Personal Services for a primary development plan for a mixed-use development.
LOCATION:	Southeast corner of McKinnie Avenue and Plaza Drive (Section 19 of Adams Township)
LAND AREA:	2.2 acres
PRESENT ZONING:	R3/Multiple Family Residential and C1/Professional Office and Personal Services
PROPOSED ZONING:	C1/Professional Office and Personal Services

The Site Committee recommends that Rezoning Petition REZ-2022-0034, be returned to Council with a "Do Pass" recommendation after considering the following:

1. Approval of the request will be in compliance with City of Fort Wayne Comprehensive Plan, and should not establish an undesirable precedent in the area. The proposed zoning fits within the recommendations of the Plan-it Allen Comprehensive Plan and the Southeast Strategy.
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. Approval of the request will provide necessary services to the residents in the area within walking distance and along public transportation routes.
3. Approval is consistent with the preservation of property values in the area. The proposed district encourages the uses existing in the area currently. The proposed development will provide infill development and increase quality housing choices in the neighborhood.
4. Approval is consistent with responsible development and growth principles based on existing uses and infrastructure in the area.

These findings approved by the Fort Wayne Plan Commission on July 18, 2022.


Benjamin J. Roussel
Executive Director
Secretary to the Commission

by MBW

FORT WAYNE PLAN COMMISSION • FINDINGS OF FACT

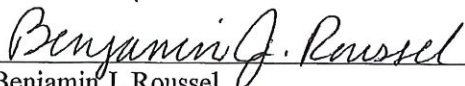
Rezoning Petition REZ-2022-0037

APPLICANT:	Village Premier
REQUEST:	Request to rezone property to C2/Limited Commercial for a primary development plan for a mixed-use development.
LOCATION:	Southeast corner of McKinnie Avenue and Plaza Drive (Section 19 of Adams Township)
LAND AREA:	1.4 acres
PRESENT ZONING:	R3/Multiple Family Residential and C1/Professional Office and Personal Services
PROPOSED ZONING:	C2/Limited Commercial

The Site Committee recommends that Rezoning Petition REZ-2022-0037, be returned to Council with a "Do Pass" recommendation after considering the following:

1. Approval of the request will be in compliance with City of Fort Wayne Comprehensive Plan, and should not establish an undesirable precedent in the area. The proposed zoning is consistent with adjacent development and will offer additional opportunities for services to support the neighborhood.
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. Approval of the request will provide necessary services to the residents in the area within walking distance and along public transportation routes.
3. Approval is consistent with the preservation of property values in the area. The proposed district encourages the uses existing in the area currently. The proposed development will provide infill reinvestment, and housing choices that aren't currently available in the area.
4. Approval is consistent with responsible development and growth principles based on existing uses and infrastructure in the area.

These findings approved by the Fort Wayne Plan Commission on July 18, 2022.


Benjamin J. Roussel
Executive Director
Secretary to the Commission

by MBW



Rezoning Petition REZ-2022-0034 and Primary Development Plan PDP-2022-0022 - Village Premier



1 inch = 300 feet

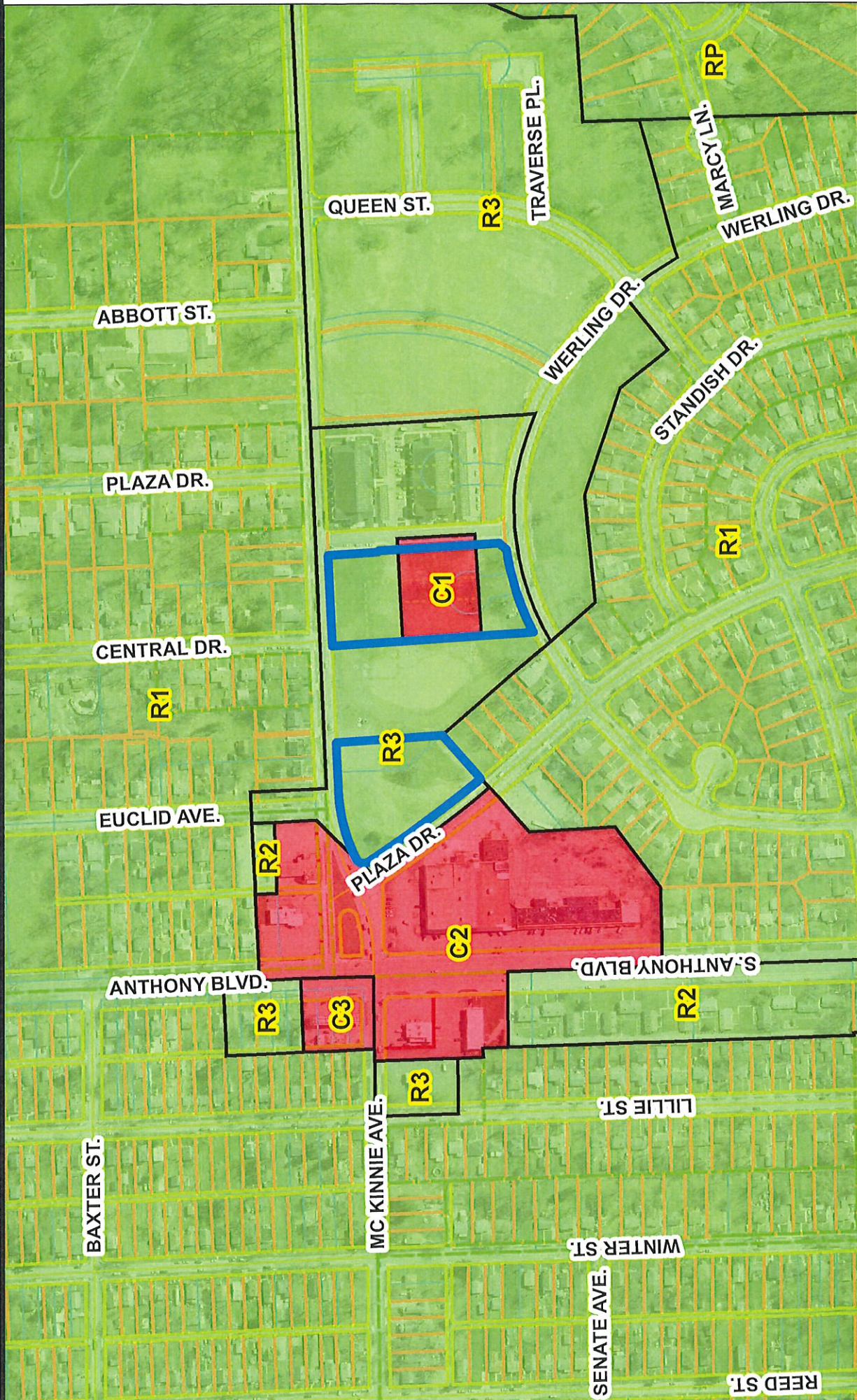


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State Plane Coordinate System, Indiana East
Photos and Contours: Spring 2009
Date: 6/28/2022



Rezoning Petition REZ-2022-0034 and Primary Development Plan PDP-2022-0022 - Village Premier



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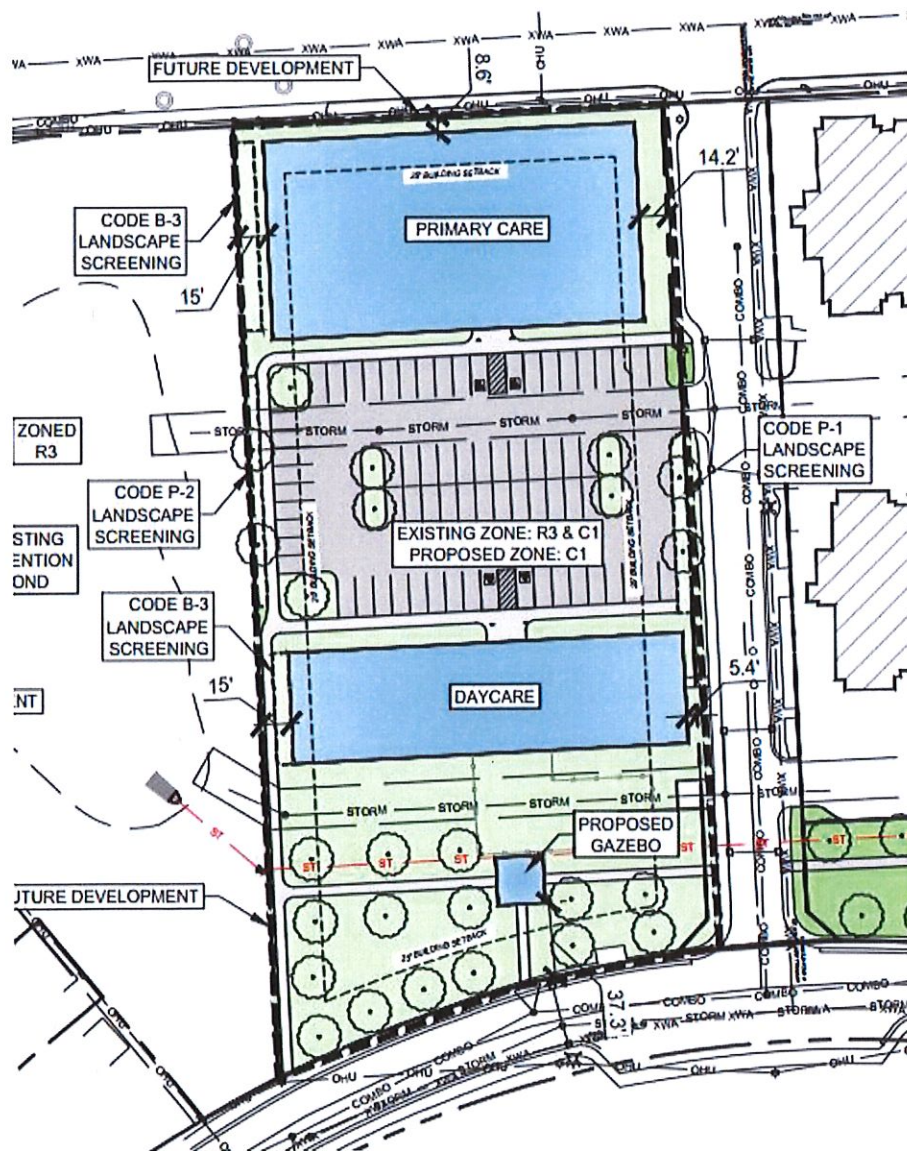


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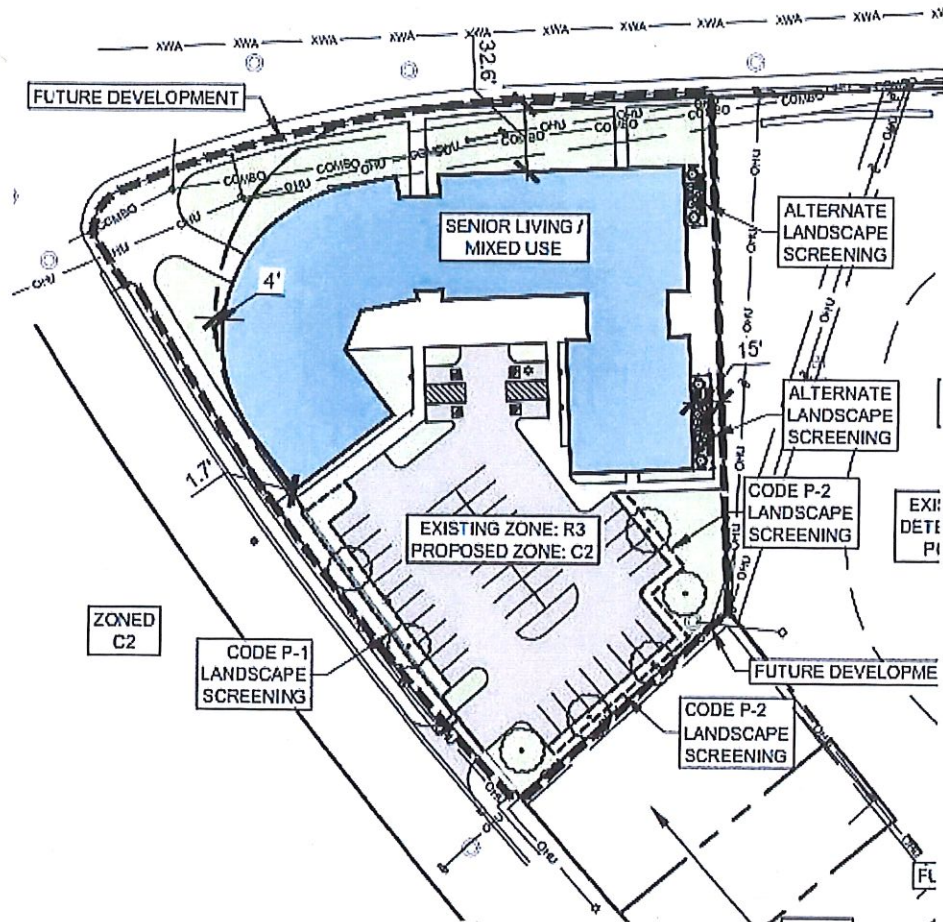
Rezoning Petition Application

The purpose of the rezoning request is to facilitate the implementation of the attached development plan ("Development Plan") which is in conformance with the City's Southeast Strategy.

- Rezoning 2.216 acres (Tract II Remainder Parcel B on Survey) currently zoned C1 and R3 to entirely C1 zoning for the development of two commercial buildings on the site as shown on the Development Plan.



- Rezoning 1.410 acres (Tract II Remainder Parcel C on Survey) currently zoned R3 to entirely C2 zoning for the development of a mixed-use building on the site as shown on the Development Plan.





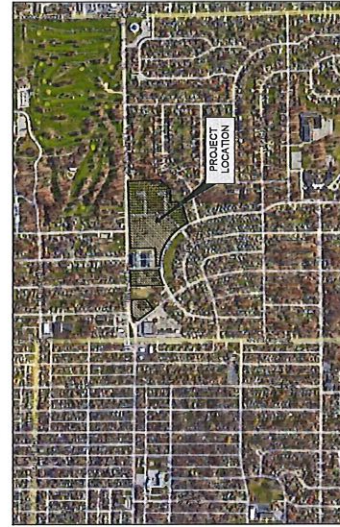
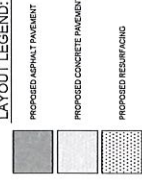
PRIMARY DEVELOPMENT PLAN



PROPOSED LEGEND:



LAYOUT LEGEND:



LOCATION MAP



SCALE: NOT TO SCALE

BUILDING INFORMATION		
PROPOSED BUILDING TYPE-1	24.68 SF	47 YR.
PROPOSED BUILDING TYPE-2	24.68 SF	47 YR.
PROPOSED BUILDING TYPE-3	11,006 SF	36 YR.
PROPOSED BUILDING TYPE-4	15,880 SF	36 YR.
PROPOSED BUILDING TYPE-5	21,380 SF	47 YR.
PROPOSED CLUBHOUSE	3,693 SF	29 YR.
PROPOSED MAINTENANCE BUILDING	565 SF	29 YR.
FUTURE EMPLOYEE	12,880 SF	26 YR.
FUTURE PRIMARY CARE	11,998 SF	29 YR.
FUTURE SENIOR WINGS	10,880 SF	79 YR.

LOT INFORMATION	
ZONING	R3
CURRENT USE	VACANT

FUTURE LOT INFORMATION	
EXISTING ZONING	R3 & C1
PROPOSED ZONING	C1
CURRENT USE	VACANT
PROPOSED USE	PRIMARY CARE & DAYCARE

FUTURE LOT INFORMATION	
EXISTING ZONING	R3
PROPOSED ZONING	C2
CURRENT USE	VACANT
PROPOSED USE	SENIOR LIVING / MIXED USE

PARKING SUMMARY		
BUILDING / USE	TOTAL PARKING REQUIRED	PROPOSED PARKING COUNT
MULTIFAMILY 1 SPACE PER 1.2 BEDROOM UNITS 3 SPACES PER 3+ BEDROOM UNITS	262 SPACES	ON-STREET - 40 SPACES UNDERGROUND - 222 SPACES
PRINCEY CARLE & DAYCARE 1 SPACE PER 400SF	76 SPACES	76 SPACES
SENIOR LIVING & MIXED USE 1 SPACE PER 3 SLEEPING ROOMS	24 SPACES	45 SPACES

FLOOD INSURANCE RATE MAP (FIRM):

FLOOD INSURANCE RATE MAP (FIRM)
ALLEN COUNTY, INDIANA AND INCORPORATED AREAS
FIRM MAP NUMBER: 16003C0315G
PANELS 315 OF 495
DATED AUGUST 3, 2009

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