

#REZ-2022-0038

BILL NO. Z-22-07-22

ZONING MAP ORDINANCE NO. Z-_____

**AN ORDINANCE amending the City of Fort Wayne
Zoning Map No. L-23 (Sec. 26 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 C2 (General
Commercial) District under the terms of Chapter 157 Title XV of the Code of the City of Fort
Wayne, Indiana:

Record Description - Doc.# 70-8461

Lots Numbered 265, 266, 267, 268, 269, 270, and 271 in Fairfield Terrace Addition,
Section "B", and addition to the City of Fort Wayne, Allen County, Indiana, as
recorded in Plat Book 11, pages 52-53, EXCEPT that portion of Lot Numbered 265
conveyed to the City of Fort
Wayne as recorded in Deed Record 631, page 440 and by Dedication to the City of
Fort Wayne recorded as Document Number 70-8461

and the symbols of the City of Fort Wayne Zoning Map No. L-23 (Sec. 26 of Wayne
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 Council Member

5 APPROVED AS TO FORM AND LEGALITY:

6 *Malak Heiny, City Attorney*
7 Malak Heiny, City Attorney
8 *hyAES*
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**Department of Planning Services
Rezoning Petition Application**

Applicant
Applicant Humaidi Group LLC
Address 5805 Fairfield Ave
City Fort Wayne State IN Zip 46807
Telephone 260-343-8383 E-mail humaidim@gmail.com

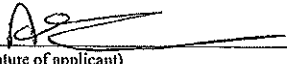
Contact Person
Contact Person Phillip A Troyer Inc
Address 6625 Sunny Lane
City Indianapolis State IN Zip 46220
Telephone 260-318-0926 E-mail phil@patroyer.com

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 5825 Fairfield Ave
Present Zoning R1 Proposed Zoning C2 Acreage to be rezoned 0.268
Proposed density NA units per acre
Township name _____ Township section # _____
Purpose of rezoning (attach additional page if necessary) _____
Redevelopment of the area with construction of a laundry
Sewer provider Fort Wayne 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 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.

<u>Ahmed Humaidi</u> (printed name of applicant)	<u></u> (signature of applicant)	<u>6-30-22</u> (date)
_____ (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 <u>July 1</u>	Receipt No. <u>140777</u>	Hearing Date <u>August 8</u>	Petition No. <u>REZ- 2022- 0038</u>
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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-2022-0038
Bill Number: Z-22-07-22
Council District: 5-Geoff Paddock

Introduction Date: July 26, 2022

Plan Commission
Public Hearing Date: August 8, 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 0.268 acres from R1/Single Family Residential to C2/Limited Commercial

Location: 5825 Fairfield Avenue, north of W. Cox Drive

Reason for Request: To allow a laundromat.

Applicant: Fairfield Laundromat

Property Owner: Humaidi Group LLC

Related Petitions: Primary Development Plan, Fairfield Laundromat

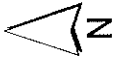
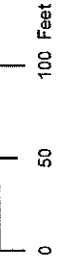
Effect of Passage: Property will be rezoned to the C2/Limited commercial district, which will allow development of a laundromat and other permitted C2 uses.

Effect of Non-Passage: The property will remain zoned R1, and development of the property would be unable to continue. The property may continue to be used for single family purposes.



Although strict accuracy standards have been employed in the compilation of this map, Allen County does not warrant or guarantee the accuracy of the information contained herein and disclaims any and all liability resulting from any error or omission in this map.

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Date: 7/19/2022



1 inch = 100 feet



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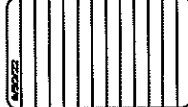
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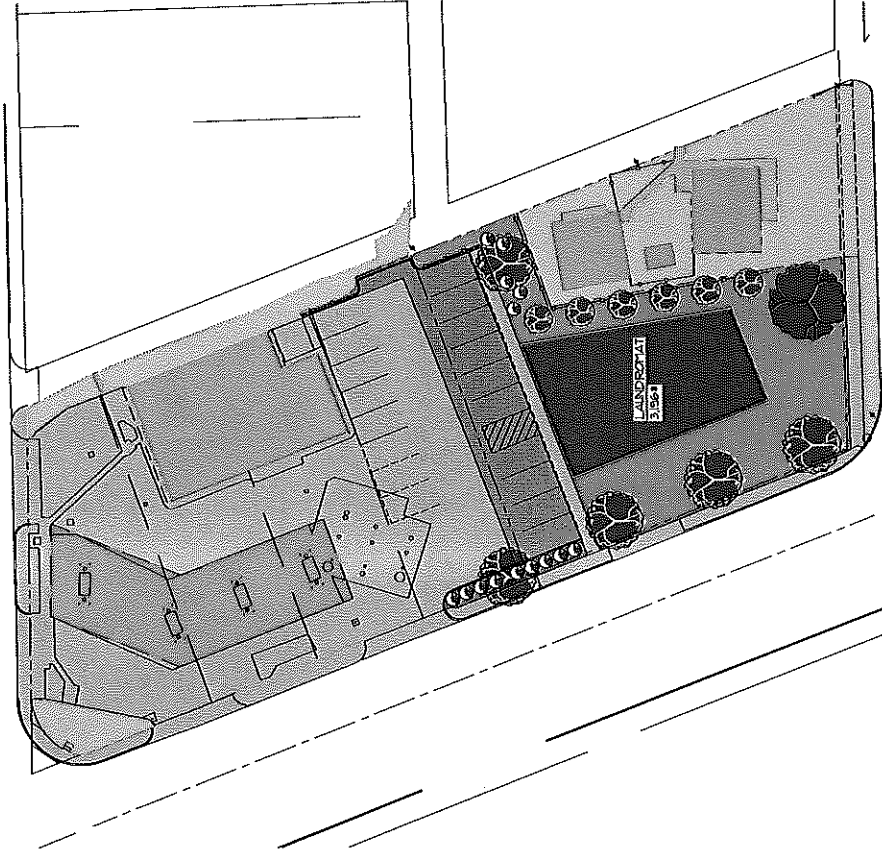
1 inch = 100 feet



P. A. TROYER INC
CONSTRUCTION
INDIANAPOLIS, IN 46220
DEVELOPMENT
6625 SUNNY LANE
ARCHITECTURE
PHIL@PATROYER.COM
C. 260-318-0926



LAUNDROMAT
FAIRFIELD AVE. @ PAULding RD.
FORT WAYNE, INDIANA 46807

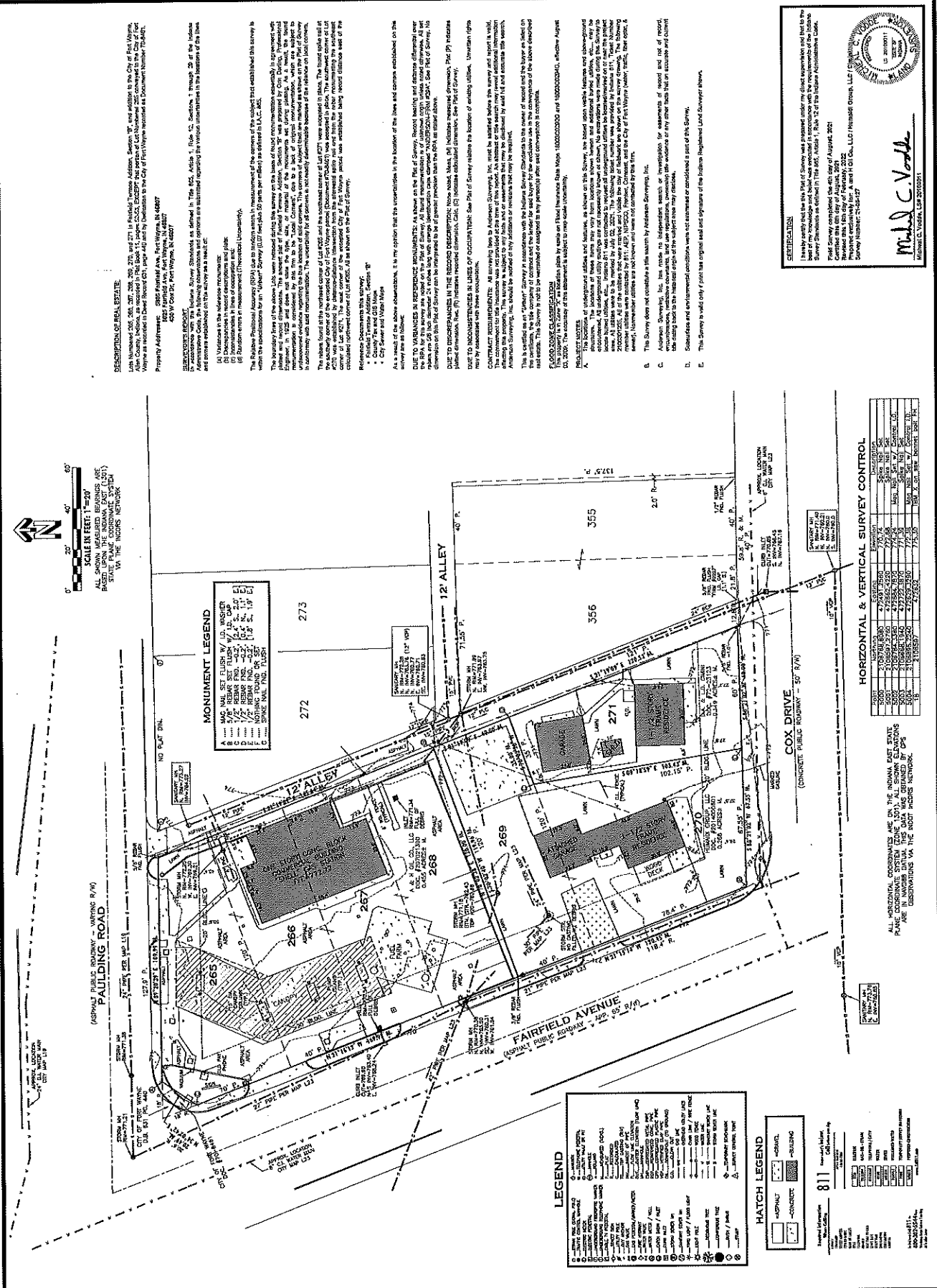


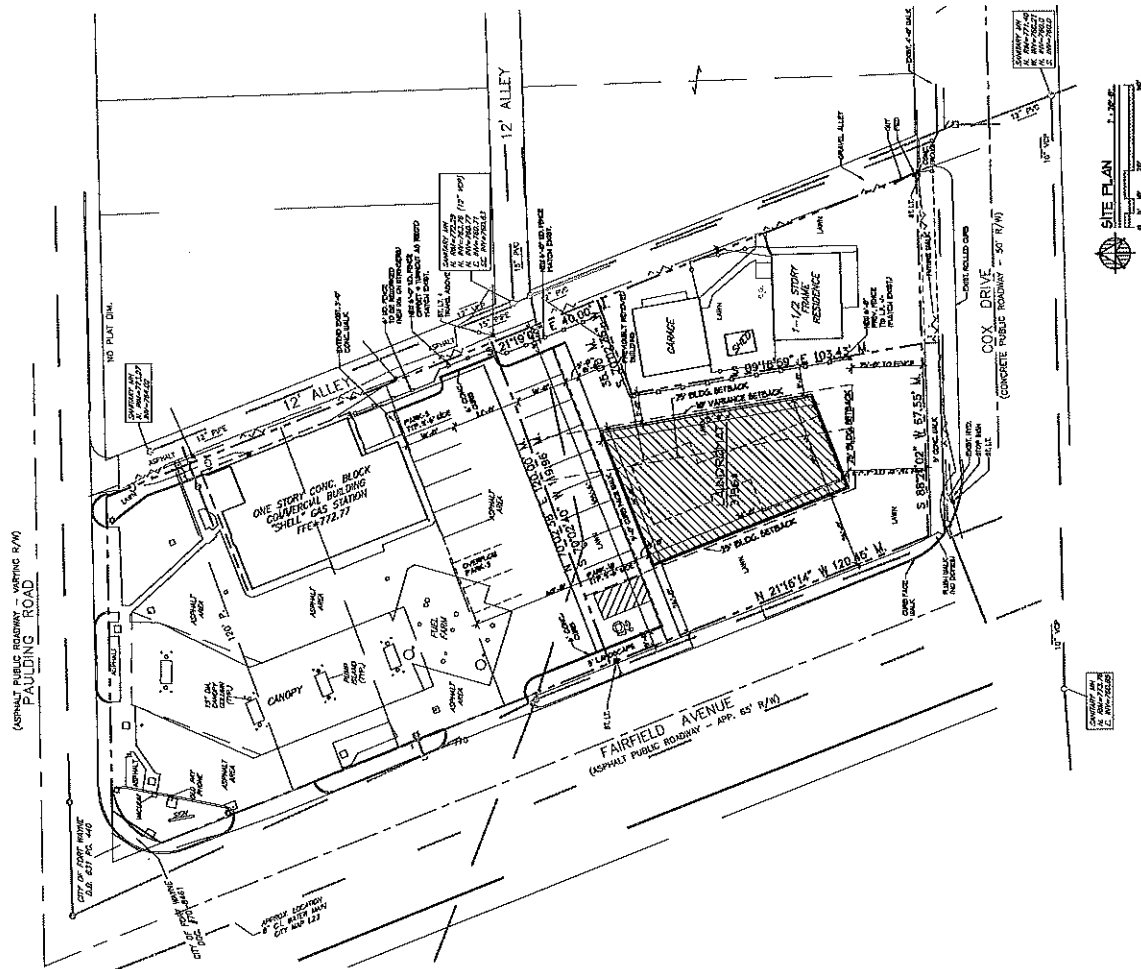
DATE	2/14/72	NAME	LUCKIE AUGUSTUS MARSHALL
AGE		SEX	M

ANDERSON SURVEYING, INC.
Registered Professional Engineers and Land Surveyors
11211 Herring Avenue
Brentwood, TN 37027-4122
Phone (615) 476-1722
Fax (615) 476-1755
www.andersonsurveying.com

1011 Park (414) 425-1724
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Briarcliff, NJ 07008
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Briarcliff, NJ 07008

AS INC.
1987





REZONING FACT SHEET

Petition #REZ-2022-0038 Z-22-07-22 Project Start: July 2022

PROPOSAL:	Rezoning Petition REZ-2022-0038 and Primary Development Plan Fairfield Laundromat
APPLICANT:	Humaidi Group LLC
REQUEST:	To rezone approximately 0.27 acres from R1/Single Family Residential to C2/Limited Commercial.
LOCATION:	5825 Fairfield Avenue, north of W. Cox Drive.
LAND AREA:	0.27 acres
PRESENT ZONING:	R1/Single Family Residential
PROPOSED ZONING:	C2/Limited Commercial
COUNCIL DISTRICT:	5-Geoff Paddock
ASSOCIATED PROJECT:	Primary Development Plan, Fairfield Laundromat
SPONSOR:	City of Fort Wayne Plan Commission

8 August 2022 Plan Commission Public Hearing

- Two residents spoke in support at the hearing.
- One letter of support was received.
- Three residents spoke in opposition at the hearing.
- Connie Haas Zuber, Tom Freistroffer, Rachel Tobin-Smith and Ryan Neumeister were absent.

15 August 2022 Business Meeting

Plan Commission Recommendation: Do Pass

- A motion was made by Ryan Neumeister and seconded by Tom Freistroffer to return the ordinance to Common Council with a DO PASS recommendation for their final decision.
- **7-0 MOTION PASSED**
- Connie Haas Zuber and Rachel Tobin-Smith were absent.

Fact Sheet Prepared by:
Michelle B. Wood, Senior Land Use Planner
September 15, 2022

PROJECT SUMMARY

The site has been historically been zoned residentially but has history of commercial uses including a barber shop approved by The Board of Zoning Appeals. The petitioner requests a rezoning from R1/Single Family Residential to C2/Limited Commercial to permit a laundromat. The property consists of a single-family home facing Fairfield Avenue and is on the northeast corner of West Cox Drive and Fairfield Avenue. The surrounding properties are residential in use to the east and south with an office building that is zoned R3/Multiple Family Residential to the west. The property directly north is a gas station that is zoned C3/General Commercial.

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;

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 a 3,196 square foot building to replace the existing structure on site. Parking is included on the north side of the parcel. Access is shared through the gas station to the north, but also is showing access to the alley to the east. Landscaping is proposed primarily along the east and west sides of the property. A privacy fence is also proposed along the east side of the property adjacent to the residential home. The proposed site plan includes two waiver requests. The applicant originally requested to reduce the landscape buffer from 20 feet to 10 feet as well as reduce the east setback from 25 feet to 10 feet. At staff's suggestion, the applicant shifted to the request to reduce the west (Fairfield) setback, to allow for a greater distance between the building and the neighboring property to the east.

PUBLIC HEARING SUMMARY:

Presenter: Phil Troyer, representing the applicant, presented the project to the Plan Commission, as outlined above.

Public Hearing Comments:

Steve Spreng, 325 West Cox Drive, former President of Fairfield Terrace – in favor of the project.

Greg Toam, Dunbar Lane – Frequents the gas station, Mr. Humaidi runs a good store with no crime reported, thinks this will be good for the neighborhood.

Carla Davis – submitted letter of support.

Dave Cimin, owner and landlord of adjacent house – He is opposed to the setback waiver and does not want the alley used behind the house.

Sandy Thieme, President Fairfield Terrace – Feels the neighborhood does not need a laundromat. Concerned about parking. They should put it on the other side of the gas station.

Yvonne Jackson, 215 Pursely Drive – Doesn't see a need for a laundromat.

Closing Comments:

Parking will be provided on the north side of the building – 10 additional spaces, plus 8 new stiped spaces for the gas station. The setback waiver will be shifted to the other side of the property to move the building away from the east neighbor. A privacy fence will be installed along the entire east property line, prohibiting access to the alley from the laundromat property.

FORT WAYNE PLAN COMMISSION • FINDINGS OF FACT

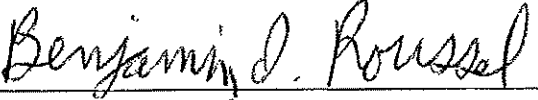
Rezoning Petition REZ-2022-0038

PROPOSAL:	Rezoning Petition REZ-2022-0038
APPLICANT:	Fairfield Laundromat
REQUEST:	To rezone property from R1/Single Family Residential to C2/Limited.
LOCATION:	5825 Fairfield Avenue, northeast corner of its intersection with W Cox Drive (Section 26 of Wayne Township)
LAND AREA:	0.268 acre
PRESENT ZONING:	R1/Single Family Residential
PROPOSED ZONING:	C2/Limited Commercial

The Plan Commission recommends that Rezoning Petition REZ-2022-0038 be returned to Council with a “Do Pass” recommendation after considering the following:

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 site is near commercial development and the proposal will provide an additional amenity for the surrounding neighborhoods. This proposal will provide infill development using existing infrastructure. The proposal could 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;
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.
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 neighborhood.
3. Approval is consistent with the preservation of property values in the area. This proposal will provide redevelopment in the neighborhood with a market to serve the area residents, and provide a substantial investment into the community.
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.

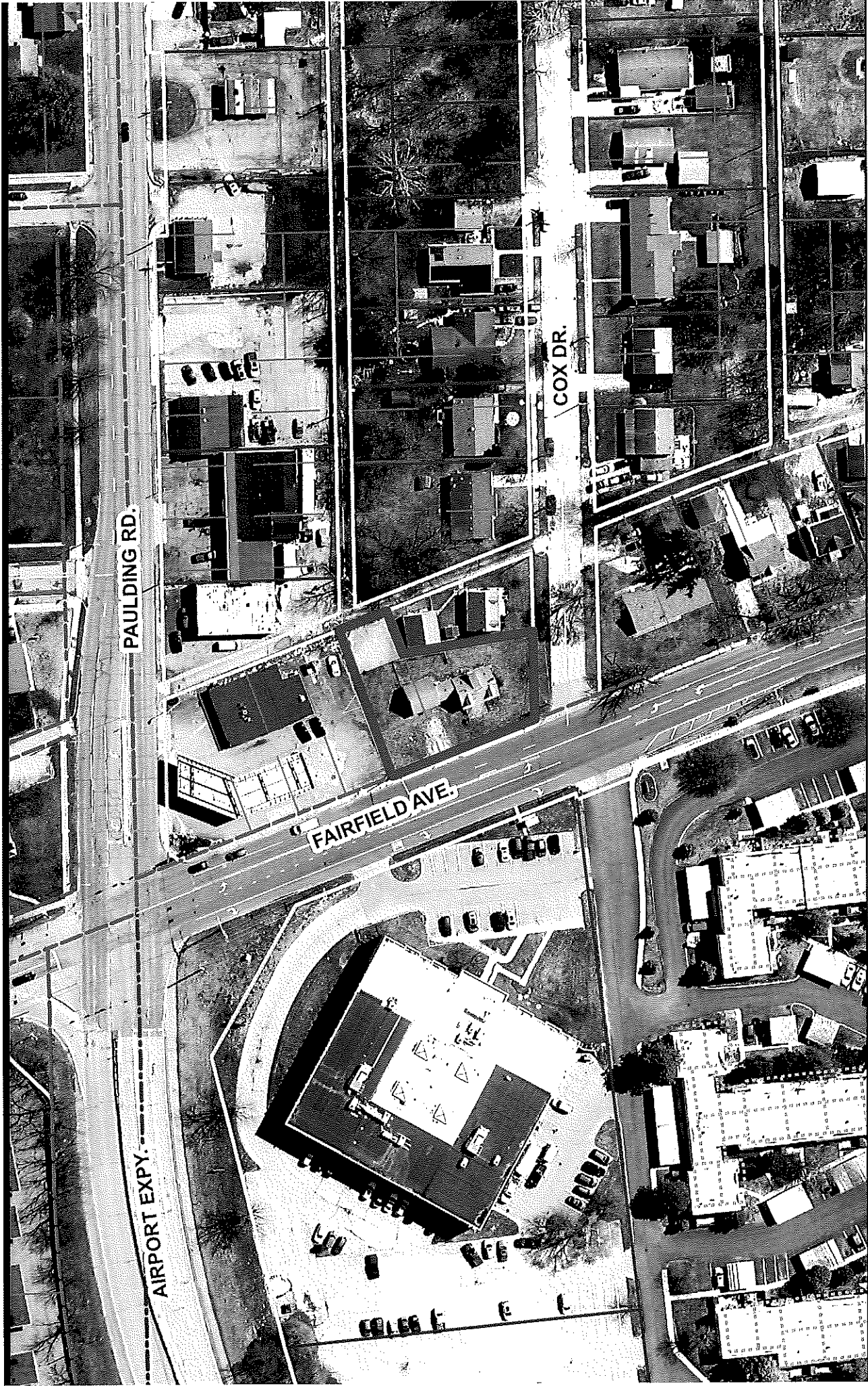
These findings approved by the Fort Wayne Plan Commission on August 15, 2022.

A handwritten signature in black ink, reading "Benjamin J. Roussel". The signature is written in a cursive style with a horizontal line underneath it.

Benjamin J. Roussel

Executive Director

Secretary to the Commission



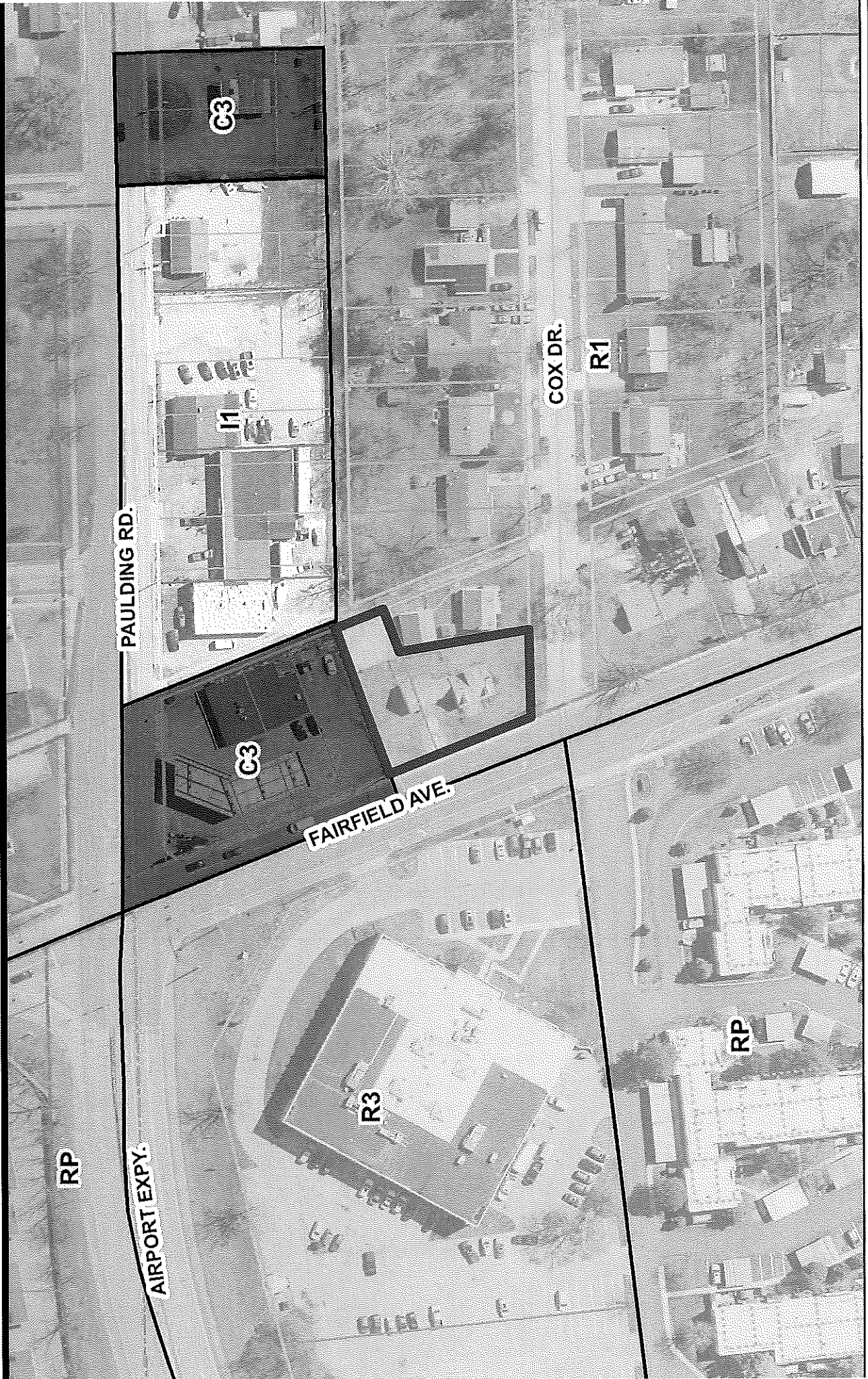
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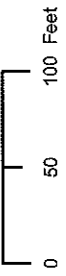
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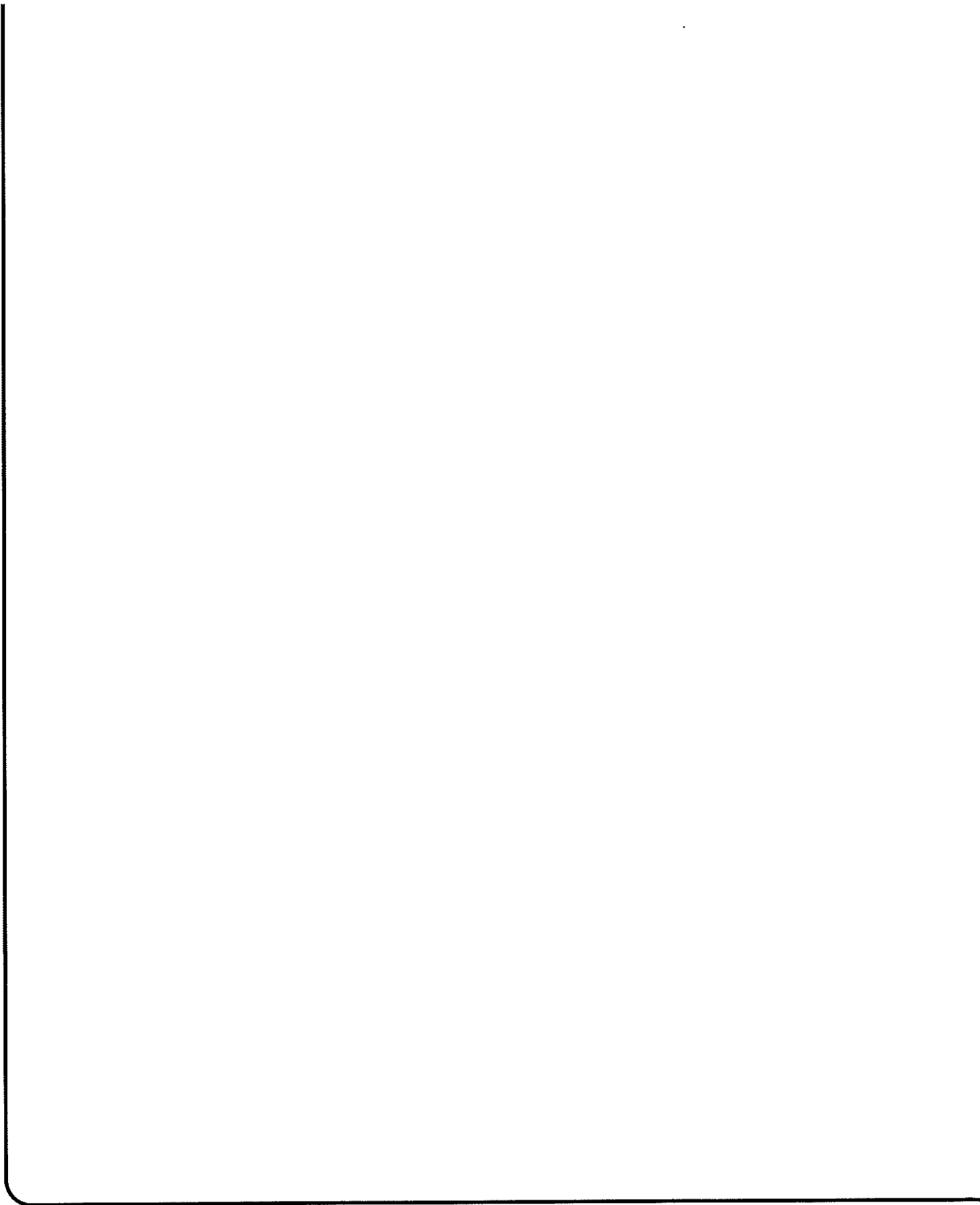


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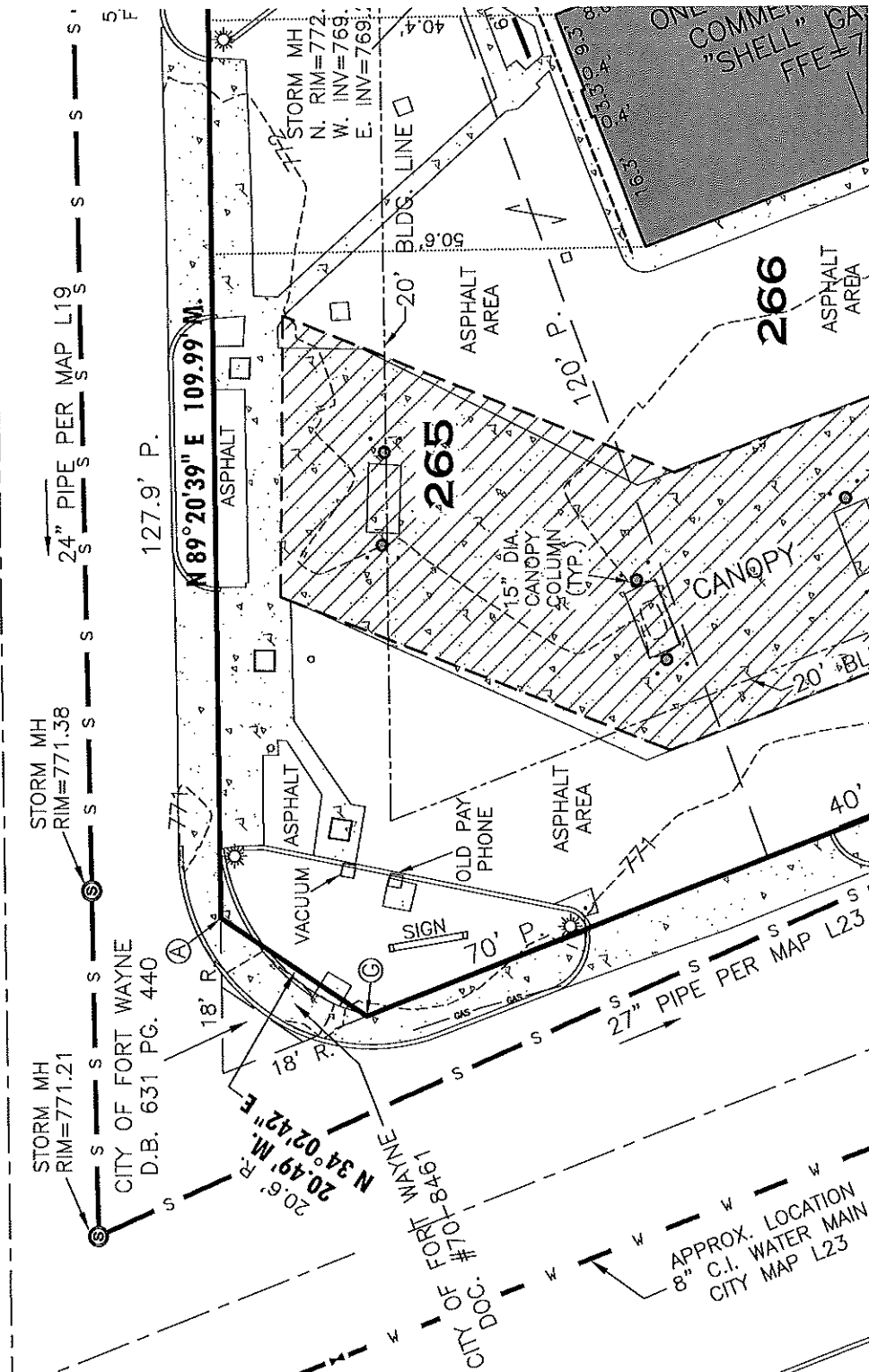
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APPROX. LOCATION
- 8" C.I. WATER MAIN
CITY MAP L23

(ASPHALT PUBLIC ROADWAY – VARYING R/W)
PAULDING ROAD



August 8, 2022

TO : City of Fort Wayne

Re: 5825 Fairfield Rezoning

As a home owner @ 322 W. Cox Drive, we approve the rezoning for a Laundromat. The property has sat empty for a while and this seems to be a good solution.

Carla A Davis
322 W. Cox Drive
Fort Wayne, IN 46807