

#REZ-2022-0044

BILL NO. Z-22-08-15

ZONING MAP ORDINANCE NO. Z-_____

**AN ORDINANCE amending the City of Fort Wayne
Zoning Map No. R-14 (Sec. 32 of St. Joseph 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:

The North 260.0 feet of the South 280.0 feet of Lots Numbered 5 and 6 in J.H. Feichter's
Garden View Addition to the City of Fort Wayne, Allen County, Indiana, as recorded in Plat
Record 7, page 3, except the West 40.0 feet of said Lot Number 5 dedicated for Hobson
Road right-of-way.

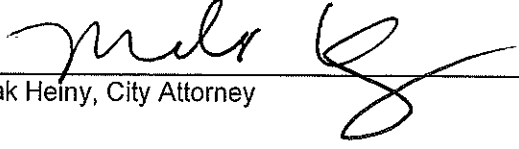
and the symbols of the City of Fort Wayne Zoning Map No. R-14 (Sec. 32 of St. Joseph
Township), as established by Section 157.082 of Title XV of the Code of the City of Fort
Wayne, Indiana is hereby changed accordingly.

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
7 
8 _____
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-2022-0044
Bill Number: Z-22-08-15
Council District: 1-Paul Ensley

Introduction Date: August 23, 2022

Plan Commission
Public Hearing Date: September 12, 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 1.74 acres from R3/Multiple Family Residential to C1/Professional Office and Personal Services.

Location: 3217 Lake Avenue

Reason for Request: To allow for the construction of a new medical office building.

Applicant: The Bowen Center

Property Owner: 3217 Lake Avenue LLC

Related Petitions: Primary Development Plan, The Bowen Center

Effect of Passage: Property will be rezoned to the C1/Professional Office and Personal Services zoning district, which will allow for the construction of a new medical office building.

Effect of Non-Passage: The property will remain zoned R3/Multiple Family, which would not permit a new commercial building without rezoning or a new Board of Zoning Appeals approval.

**Department of Planning Services
Rezoning Petition Application**

Applicant
Applicant The Otis R. Bowen Center for Human Services dba The Bowen Center
Address 2621 E. Jefferson St., PO Box 497
City Warsaw State Indiana Zip 46581-0497
Telephone (574)267-7169 E-mail _____

Contact Person
Contact Person Troy Wilcoxson
Address PO Box 534
City South Whitley State IN Zip 46787
Telephone 260-723-4747 E-mail troy@wjcarey.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 3217 Lake Avenue
Present Zoning R3 Proposed Zoning C1 Acreage to be rezoned 1.74
Proposed density _____ units per acre
Township name St. Joseph Township section # 32
Purpose of rezoning (attach additional page if necessary) The Applicant is requesting the change in zoning to accommodate the construction of a Medical Office building to be used for counselling and primary care offices.
Sewer provider City Utilities Water provider City Utilities

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 Ordinances 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 \$30.00 per Indiana code.

The Bowen Center [Signature] 8/1/22
(printed name of applicant) (signature of applicant) (date)
3217 Lake Avenue LLC [Signature] 7/29/22
(printed name of property owner) (signature of property owner) (date)

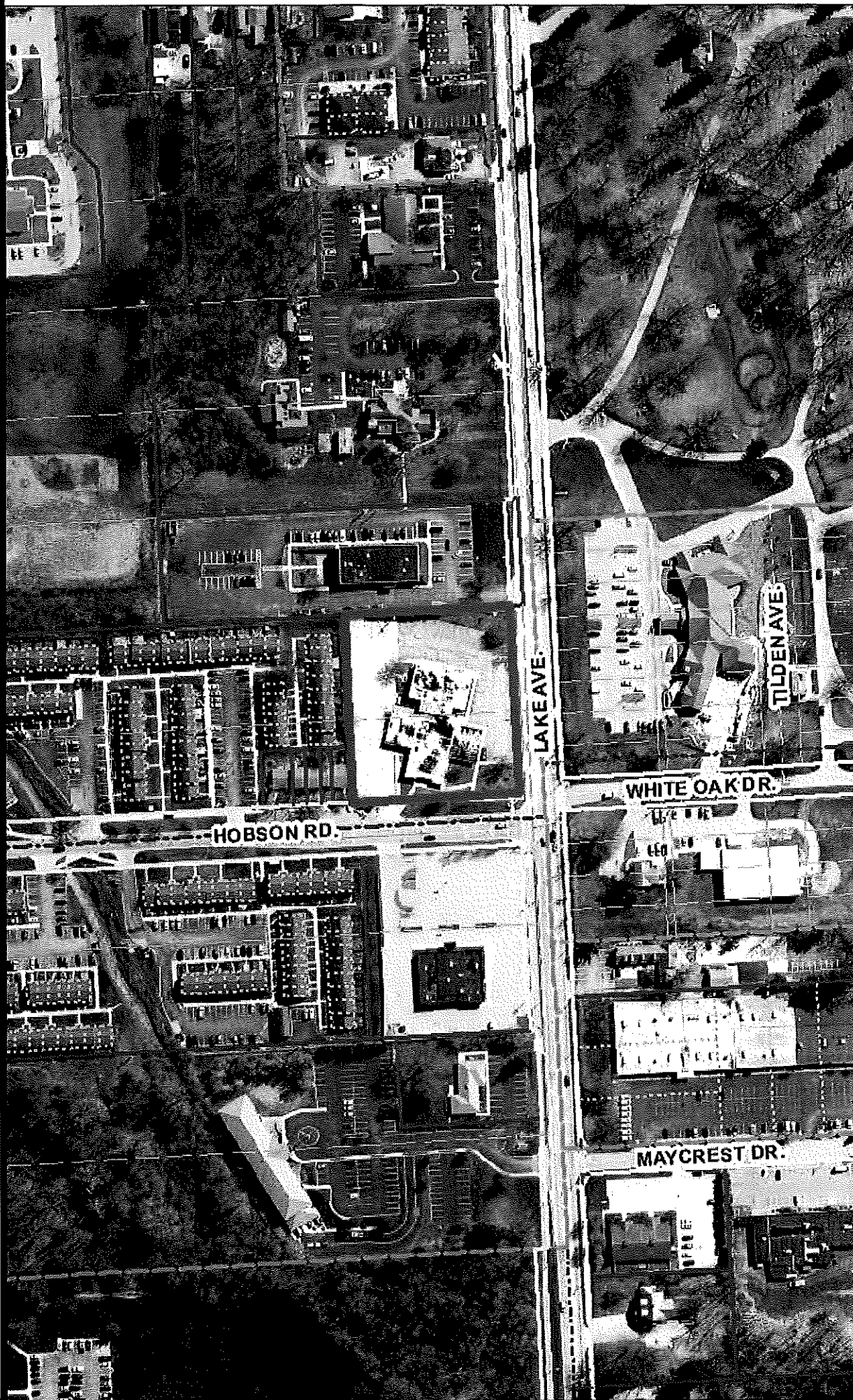
(printed name of property owner) (signature of property owner) (date)

(printed name of property owner) (signature of property owner) (date)

Received	Receipt No.	Hearing Date	Petition No.
8-1-22	141041	9-12-22	REZ-2022-0044



REZ-2022-0044 and PDP-2022-0028 - Bowen Center at 3217 Lake Avenue



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North American Datum 1983
State Plane Coordinate System, Indiana East
Phone and Geographic Survey 2009
Date: 8/17/2022

0 50 100 Feet



1 inch = 200 feet



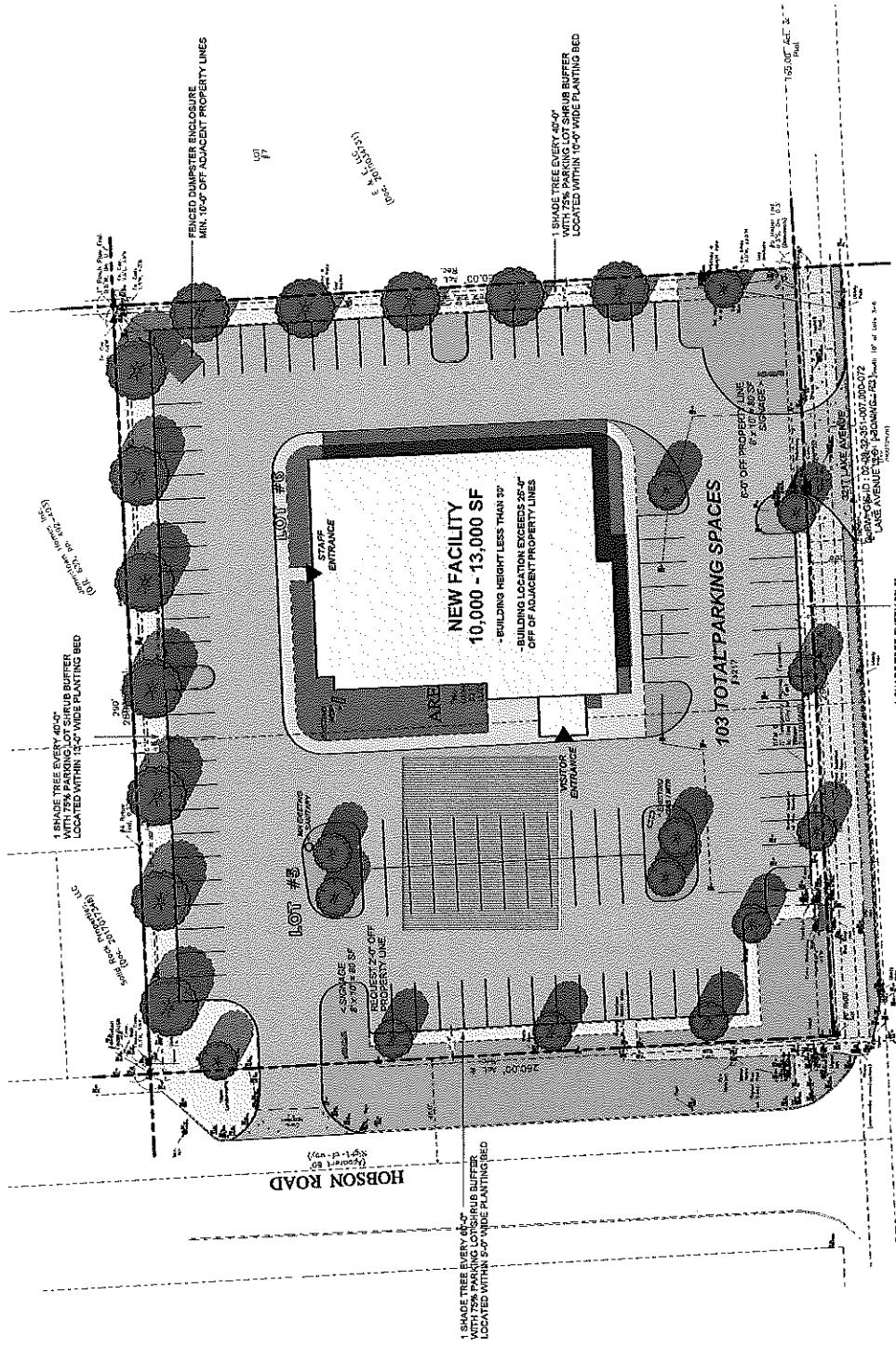
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State Plane Coordinate System, Indiana East
Photos and Contours: Spring 2009
Date: 8/17/2022





SCHEMATIC SITE / BLDG - PROPOSED



1" = 20'-0"



BOWEN CENTER - LAKE AVENUE

07/27/2022

REZONING FACT SHEET

Petition #REZ-2022-0044 Z-22-08-15 Project Start: August 2022

APPLICANT:	The Bowen Center
REQUEST:	To rezone property from R3/Multiple Family Residential to C1/Professional Office and Personal Services to allow a Medical Office building.
LOCATION:	3217 Lake Avenue, northeast corner of the intersection of Lake Avenue and Hobson Road (Section 32 of Saint Joseph Township)
LAND AREA:	1.74 acres
PRESENT ZONING:	R3/Multiple Family Residential
PROPOSED ZONING:	C1/Professional Office and Personal Services
COUNCIL DISTRICT:	1-Paul Ensley
ASSOCIATED PROJECT:	Primary Development Plan, Bowen Center
SPONSOR:	City of Fort Wayne Plan Commission

12 September 2022 Plan Commission Public Hearing

- No one spoke at the hearing.
- Ryan Neumeister and Paul Sauerteig were absent.

19 September 2022 Business Meeting

Plan Commission Recommendation: Do Pass

- A motion was made by Rachel Tobin-Smith and seconded by Rick Briley to return the ordinance to Common Council with a DO PASS recommendation for their final decision.
- **6-0 MOTION PASSED**
- Ryan Neumeister, Tom Freistroffer and Paul Sauerteig were absent.

Fact Sheet Prepared by:
Michelle B. Wood, Senior Land Use Planner
October 6, 2022

PROJECT SUMMARY

SITE HISTORY

The site hosted a two-story medical office constructed in the 1960's but was zoned residentially. The site was able to continue with medical uses, often with approval from the Board of Zoning Appeals. The building was demolished in late 2021.

STAFF DISCUSSION

The petitioner requests a rezoning from R3/Multiple Family Residential to C1/Professional Office and Personal Services to permit a newly constructed facility for the Bowen Center. Historically, the parcel hosted a two-floor medical office building consisting of several suites. The structure was not structurally sound and was demolished in 2021. In general, this stretch of Lake Avenue contains medical office buildings, but several of them are zoned R3 or RP. Recent investment has been undertaken along the Lake Avenue corridor, most notably the new Byron Health Clinic on Lake and Beacon, which is about a quarter of a mile west of the site as well as the Divine Mercy Funeral Home across the street of the site. Myriad multiple family complexes are north of the site along Hobson Road, stretching almost to State Boulevard. The south contains the Catholic Cemetery.

The Bowen Center offers health coaching, mental health services, and other services focused on health. These uses are permitted under C1 zoning district. While the zoning districts are patchworked between residential and commercial along Lake Avenue, the uses and development patterns are reasonably consistent to medical and professional uses, and this rezone should not interrupt the existing pattern of development. While an additional Board of Zoning Appeals could have been an option for the application, the rezoning petition will mitigate petitions to the BZA since the uses and zoning will be compatible.

The rezone satisfies the following goals and objectives 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 site is located out of any floodplain and overlay districts. The proposed site plan includes a 13,000 square foot building that has accessory features like parking, landscaping, etc. Specific uses include a clinic for both physical and mental health. Access will be provided with two existing access points that are , one off Lake and the other off Hobson. The landscaping plan indicates that the applicant will commit to the appropriate landscaping. Species can be discussed at the site routing level. The applicant revised the site plan to show sidewalks along both frontages of the street. To minimize impact to residential properties, the site plan routing will need to show no light emanating onto the residentially zoned properties. Ample parking is provided to the site, and it far exceeds the parking requirement in the zoning ordinance. The building meets all the C1 zoning district standards. The applicant did mention that the structure may be smaller, but the size of the building will be 13,000 square feet maximum.

The only development standard the applicant was not able to achieve was the location of one freestanding sign along Hobson Road, which they are proposing to be 2 feet from the right-of-way. The applicant submitted a waiver request to discuss the rationality of the waiver.

PUBLIC HEARING SUMMARY:

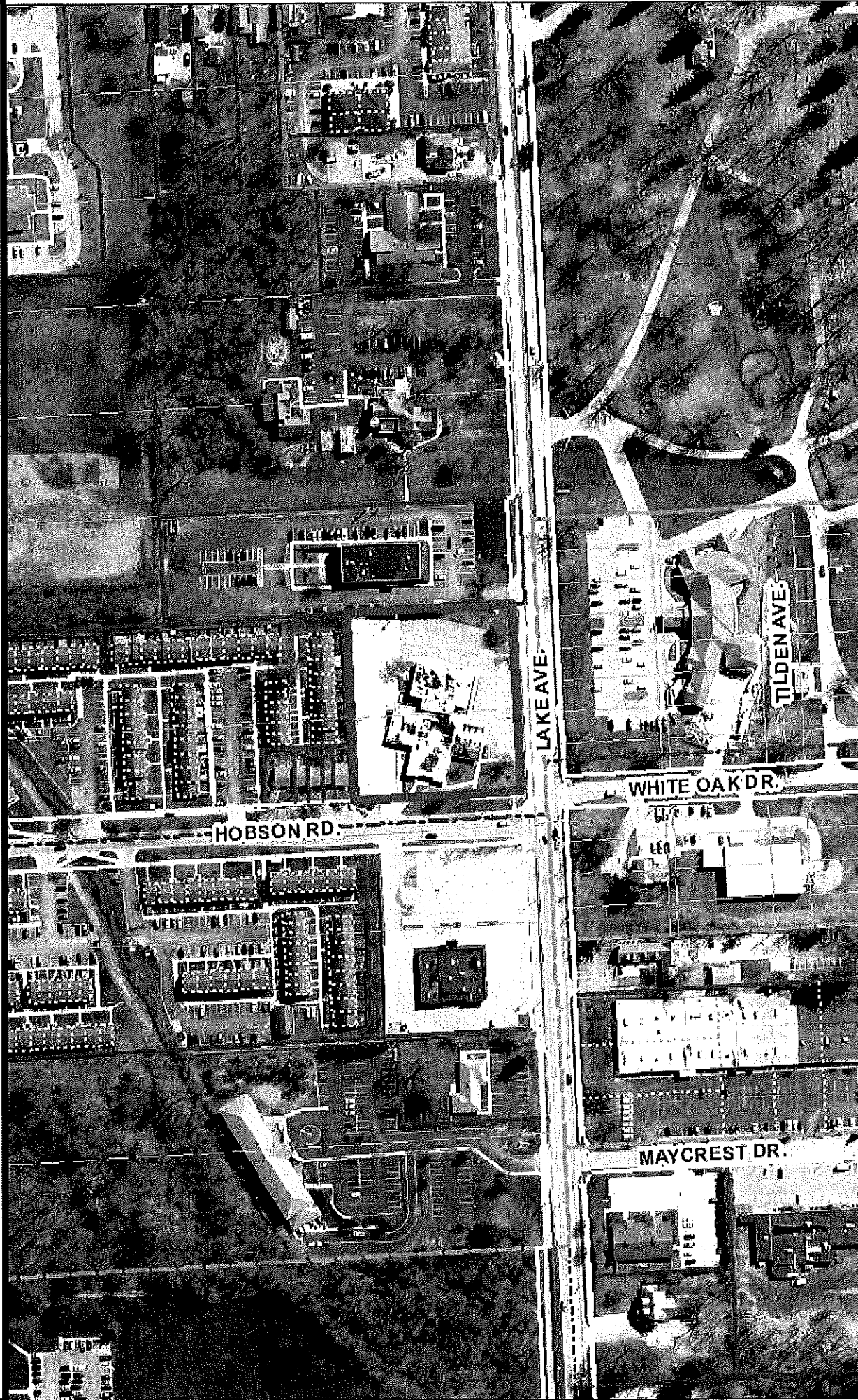
Presenter: Randy Kammeyer, representing the applicant, presented the project to the Plan Commission, as outlined above.

Public Hearing Comments:

None



REZ-2022-0044 and PDP-2022-0028 - Bowen Center at 3217 Lake Avenue



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local employer in the completion of this map.
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Projected Coordinates: Spring 2024
Date: 8/17/2024

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1 inch = 200 feet



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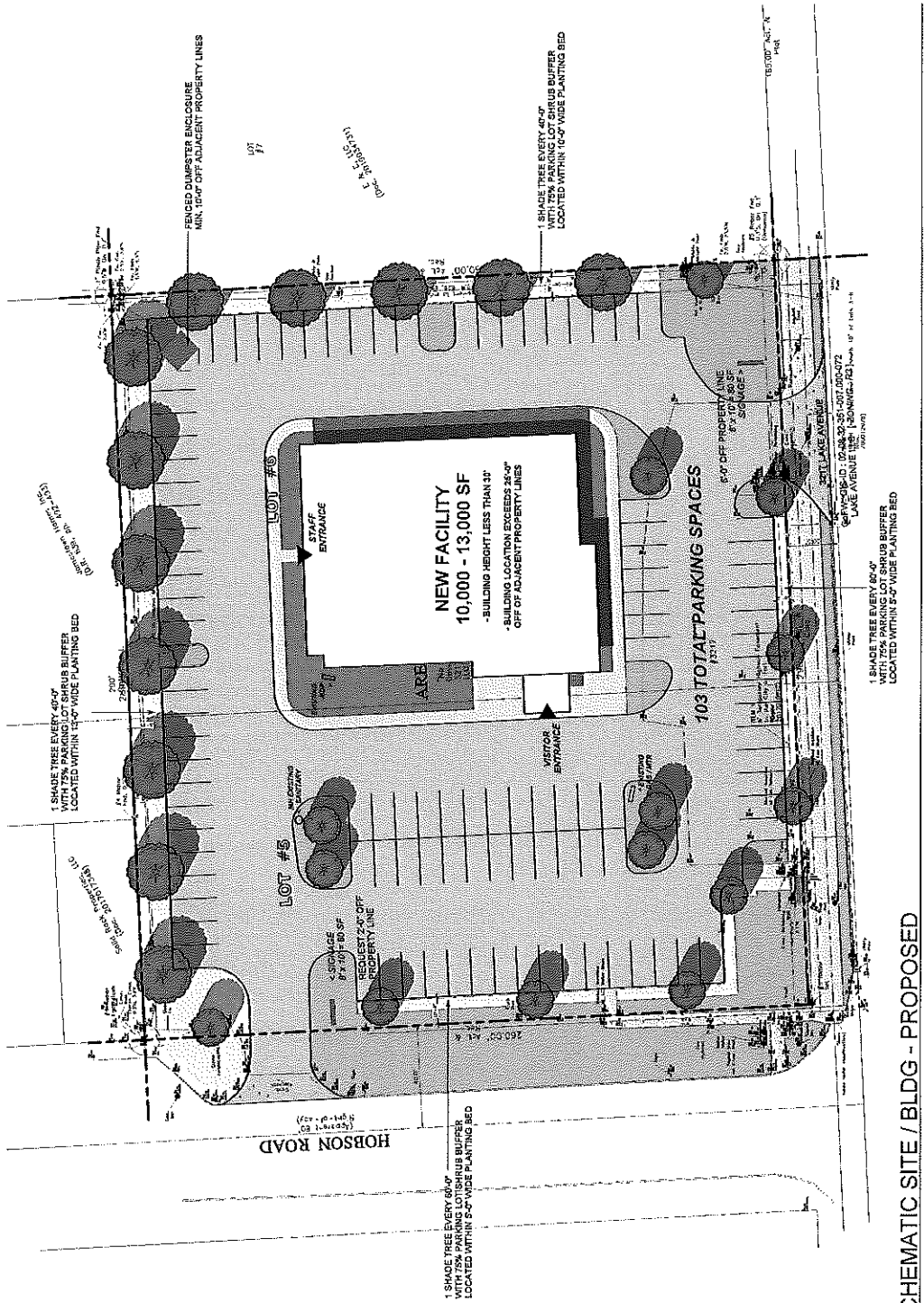


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BOWEN CENTER - LAKE AVENUE

07/27/2022



44-38861-1A PENDING