

#REZ-2022-0062

BILL NO. Z-22-11-14

ZONING MAP ORDINANCE NO. Z-_____

**AN ORDINANCE amending the City of Fort Wayne
Zoning Map Nos. P-03, P-07, M-03, M-07, N-03, N-07, O-03, O-07 (Secs. 7 and 18 of
Adams Township and 11, 12, 13, and 14 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 an R2 (Two
Family Residential) District under the terms of Chapter 157 Title XV of the Code of the City
of Fort Wayne, Indiana:

Subdivision Name	Legal Description	Parcel Number
Industrial Park Addition	The north 16 feet of Lot 152 and Lot 151, excepting the north 34 feet of the east 87 feet	02-12-13-126-001.000-074
Industrial Park Addition	The south 24 feet of Lot 152 and the north 8 feet of Lot 153	02-12-13-126-002.000-074
Industrial Park Addition	The east 87 feet of the north 34 feet of Lot 151	02-12-13-126-014.000-074
Industrial Park Addition	Lots 149 and 150	02-12-13-126-015.000-074
Industrial Park Addition	The north 40 feet of Lot 50	02-12-13-128-016.000-074
Industrial Park Addition	The north 20 feet of Lot 49 and the south 10 feet of Lot 50	02-12-13-128-017.000-074
Industrial Park Addition	The north 10 feet of Lot 48 and the south 20 feet of Lot 49	02-12-13-128-018.000-074
Industrial Park Addition	The south 32 feet of Lot 153	02-12-13-126-003.000-074
Industrial Park Addition	Lot 148	02-12-13-126-018.000-074
Industrial Park Addition	Lot 98	02-12-13-127-021.000-074
Industrial Park Addition	The south 30 feet of Lot 48	02-12-13-128-019.000-074
Raus Subdivision	Lots 6 and 8	02-12-12-480-041.000-074

Subdivision Name	Legal Description	Parcel Number
Saunders and Metcalf Addition	Lot 14 and the north 15 feet of Lot 15	02-12-13-101-003.000-074
Schwiers 2nd Addition	The south 40 feet of Lot 57	02-12-13-203-017.000-074
Schwiers 2nd Addition	Lot 56 and the south 40 feet of Lot 58	02-12-13-203-018.000-074
Smart School Place	Lot 1	02-12-13-128-004.000-074

and the symbols of the City of Fort Wayne Zoning Map Nos. P-03, P-07, M-03, M-07, N-03, N-07, O-03, O-07 (Secs. 7 and 18 of Adams Township, and 11, 12, 13, and 14 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.

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

#REZ-2022-0062 as amended

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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-2022-0062
Bill Number: Z-22-11-14
Council District: 6-Sharon Tucker

Introduction Date: November 22, 2022

Plan Commission
Public Hearing Date: December 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 2.29 acres from C3/General Commercial and I1/Limited Industrial to R2/Two Family Residential.

Location: Parcels within the 300 to 1800 block of East Pontiac Street (Barr to Euclid Streets). See file for exact parcels.

Reason for Request: Proactive downzoning of parcels to align zoning with existing uses and to implement recommendations of the Southeast Strategy amendment to the Comprehensive Plan.

Applicant: Fort Wayne Plan Commission

Property Owners: Various; see project file.

Related Petitions: REZ-2022-0063 and REZ-2022-0064

Effect of Passage: Properties will be rezoned to the R2/Two Family Residential district, either bringing the existing use into compliance with the zoning ordinance or enhancing compatibility with surrounding uses. The proactive rezoning fulfills recommendation of the Southeast Strategy to help stabilize neighborhoods, encourage desired land uses and prevent the encroachment of incompatible zoning districts.

Effect of Non-Passage: Properties will remain zoned C3 or I1, zoning districts found to be ill-matched to the existing land use and/or incompatible with surrounding uses and the character of the corridor.

**Department of Planning Services
Rezoning Petition Application**

Applicant
Applicant Proactive Rezoning Work Group
Address 200 E. Berry St.
City Fort Wayne State IN Zip 46802
Telephone _____ E-mail _____

Contact Person
Contact Person Russell Garriott
Address 200 E. Berry St. Suite 320
City Fort Wayne State IN Zip 46802
Telephone 260-427-2138 E-mail russell.garriott@cityoffortwayne.org

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 300 block to 1800 block of East Pontiac Street (Barr to Euclid Streets)
Present Zoning C2,C3 Proposed Zoning R3 Acreage to be rezoned 3.61 acres
Proposed density _____ units per acre
Township name Wayne Township section # 11,12,13,
Purpose of rezoning (attach additional page if necessary) See attached

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 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.

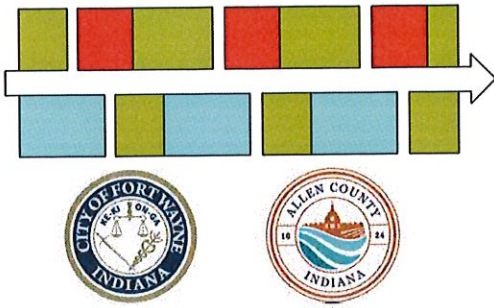
Russell A. Garriott [Signature] 11/1/22
(printed name of applicant) (signature of applicant) (date)

(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	Receipt No.	Hearing Date	Petition No.
11-1-22		12-12-22	RE2-2022-0062



MEMO

To: Fort Wayne Plan Commission
From: Proactive Rezoning Work Group, City-CD, DPS
Date: 10/10/22
RE: Pontiac Street Rezoning

CC:
Paul Spoelhof, Director of Planning & Policy
Michelle Wood, Senior Planner, Department of Planning Services

On **October 17, 2022**, the Proactive Rezoning Work Group will be making a request to the Fort Wayne Plan Commission to initiate a rezoning for the 300 to 2600 blocks of Pontiac Street from Barr Street east to Anthony Boulevard.

The Proactive Rezoning Work Group is a collaborative effort between the City of Fort Wayne Planning and Policy Department and the Allen County Department of Planning Services to proactively rezone corridors and other areas identified as part of neighborhood and other community-based plans. Often these plans include recommendations to rezone areas to a more appropriate zoning district for the actual land uses, or to encourage more compatible land uses and development patterns for the neighborhood.

The Pontiac Street rezoning was a recommendation of the Southeast Strategy Update, adopted in 2021 by Common Council.

The request is to rezone portions of Pontiac Street to UC /Urban Corridor, R2/Two Family Residential, and R3/Multiple Family Residential. The UC district will allow for and encourage mixed uses with a focus on neighborhood and pedestrian oriented commercial and personal service uses. The current zoning for this area includes I1/Limited Industrial, C3/General Commercial, C2/Limited Commercial, and C1/Professional Office and Personal Services.

A staff person from the Proactive Rezoning Work Team will attend the October 17 Plan Commission meeting to answer any questions you may have regarding this request.

Current Zoning



Jane St to Holton Ave



Smith St to Euclid Ave

Proposed Zoning



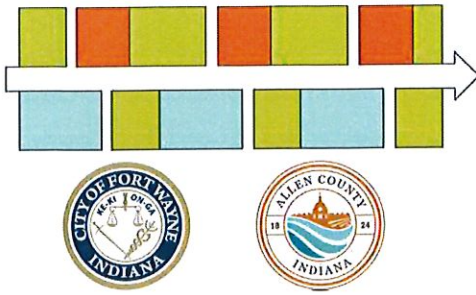
Jane St to Holton Ave



Smith St to Euclid Ave

- R1 Single Family Residential
- R2 Two Family Residential
- R3 Multiple Family Residential
- C1 Professional Office and Personal Services
- C2 Limited Commercial
- C3 General Commercial
- UC Urban Corridor
- I1 Limited Industrial

- R2 Two Family Residential
- R3 Multiple Family Residential
- UC Urban Corridor



MEMO

To: Common Council
From: Michelle Wood, Proactive Rezoning Work Group, City-CD, DPS
Date: 1/5/23
RE: Pontiac Street Rezoning – Amendment to Ordinance Z-22-11-14

Hello,

Attached is an amendment to one of the rezoning petitions involved in the Pontiac Rezoning Initiative. During public outreach, staff met with Pastor Jesse Beasley of Living Word of God Ministries. After hearing the future plans for the church and accessory uses, it was decided that the UC/Urban Corridor district may be more appropriate than the R2/Two Family Residential district, as originally proposed. To keep this project moving forward, staff removed the church parcels from the proposal, to be handled in the months ahead. Staff respectfully requests to amend the ordinance at the table on January 10, 2023, during discussion, so that these parcels can be removed and the project can move forward. We will come back to Council to rezone the church parcels at a later date.

If you have any questions, please call me at 449-7607.

Thank you!



FACT SHEET

Cases #REZ-2022-0062, 0063 and 0064
Bills # Z-22-11-14, Z-22-11-15 and Z-22-11-16

APPLICANT:	Proactive Rezoning Work Group: A Cooperation between City of Fort Wayne and the Allen County Department of Planning Services
REQUEST:	To rezone the property from multiple zoning districts to UC/Urban Corridor, R2/Two Family Residential, and R3/Multiple Family Residential in accordance with the adopted Southeast Strategy plan and the current built environment
LOCATION:	In general, the site stretches between the north and south sides of the 300 block to 1800 block of East Pontiac Street (Barr to Euclid Streets)
LAND AREA:	28.46 acres
PRESENT ZONING:	I1/Limited Industrial, C3/General Commercial, C2/Limited Commercial, C1/Professional Office and Personal Services, R3/Multiple Family Residential, R2/Two-Family Residential, R1/Single Family Residential
PROPOSED ZONING:	UC/Urban Corridor, R2/Two Family Residential and R3/Multiple Family Residential
COUNCIL DISTRICT:	6-Sharon Tucker
SPONSOR:	City of Fort Wayne Plan Commission

December 12, 2022 Public Hearing

- One resident spoke at the public hearing in support.
- Ryan Neumeister was absent.

December 19, 2022 Business Meeting – REZ-2022-0062 (R2 Zoning)

- Plan Commission Recommendation: **DO PASS**
- A motion was made by Paul Sauerteig and seconded by Judi Wire to return the ordinance with a Do Pass recommendation to Common Council for their final decision.
- **7-0 MOTION PASSED**
- Tom Freistroffer and Rachel Tobin Smith were absent.

December 19, 2022 Business Meeting – REZ-2022-0063 (R3 Zoning)

- Plan Commission Recommendation: **DO PASS**
- A motion was made by Patrick Zaharako and seconded by Paul Sauerteig to return the ordinance with a Do Pass recommendation to Common Council for their final decision.
- **7-0 MOTION PASSED**
- Tom Freistroffer and Rachel Tobin Smith were absent.

December 19, 2022 Business Meeting – REZ-2022-0064 (UC Zoning)

- Plan Commission Recommendation: **DO PASS**
- A motion was made by Judi Wire and seconded by Patrick Zaharako to return the ordinance with a Do Pass recommendation to Common Council for their final decision.
- **7-0 MOTION PASSED**
- Tom Freistroffer and Rachel Tobin Smith were absent.

PROJECT SUMMARY

In 2021, Fort Wayne Common Council adopted the guiding principles and policy recommendations for the Southeast Strategy Update. The Southeast Strategy Update is an update to the Southeast Area Development Strategy which was adopted in 2007. The update focused on reinvestment in Fort Wayne's southeast quadrant of the city. The plan recommends proactively rezoning areas to zoning districts more appropriate to existing development types to help stabilize these areas, encourage desired land uses and prevent the encroachment of incompatible industrial or higher intensity commercial uses. It also recommends rezoning certain neighborhood commercial corridors to UC/Urban Corridor District to enhance and preserve existing and encourage new urban scaled, pedestrian oriented land uses. The Pontiac Street corridor was one of several corridors specifically recommended for rezoning.

This request proposes to rezone portions of Pontiac Street to **UC/Urban Corridor**, **R2/Two Family Residential**, and **R3/Multiple Family Residential**. The current zoning for this area includes I1/Limited Industrial, C3/General Commercial, C2/Limited Commercial, and C1/Professional Office and Personal Services.

The UC/Urban Corridor district is intended to recognize that certain urban commercial areas have special importance to the community because of their historic character, urban development patterns, relationship to the surrounding neighborhood, pedestrian oriented streetscapes, and distinct urban architecture and form. The UC district will allow for and encourage mixed uses with a focus on neighborhood and pedestrian oriented commercial and personal service uses. A portion of Pontiac Street between Reed Street and Anthony Boulevard was rezoned to UC in 2011.

Some residential areas along Pontiac are proposed to be rezoned to R2/Two Family Residential and R3/Multiple Family Residential from C2 and C3 to better conform and support existing residential uses.

The proposed rezoning should have little impact on the current conditions in the area or the character of current structures and uses in the area. Although there are a few properties with uses in this rezoning area that are not permitted in the UC/Urban Corridor District, these users will be permitted to continue to exist and expand under the nonconforming use provisions. They would also be permitted to sell to another similar user.

This rezoning request has been developed by the Proactive Rezoning Work Group. The work group is a collaborative effort between the City of Fort Wayne Planning and Policy Department and the Allen County Department of Planning Services to proactively rezone corridors and other areas identified as part of neighborhood and other community-based plans. As part of this request, the staff team reviewed and researched existing and proposed land uses and development forms along the corridor to determine the proposed zoning classifications.

As part of the public outreach for this request the Work Group hosted an open house on October 6, 2022 from 5:30-7:00 p.m. at the Allen County Public Library Pontiac Branch. Post cards were sent to the property owners impacted by the rezoning in advance of the open house. Staff provided information to property owners and answered questions. The post card also directed property owners to a web page created for the rezoning which contained maps and additional information regarding the request.

COMPREHENSIVE PLAN REVIEW:

Plan It Allen

The rezoning request satisfies the following goals and objectives of the City-County Comprehensive Plan – Plan It Allen:

The properties identified in this rezoning are located in the Fort Wayne Urban Area for which the Guiding Principles of the Comprehensive Plan (Plan-it Allen) states the following: 1.) Neighborhoods and downtown areas should be compact, pedestrian friendly, and mixed-use. 2.) Mixed-use commercial centers and neighborhoods should be the preferred pattern of development and districts of single use should be the exception.

The Comprehensive Plan's Land Use objectives support the use of mixed-use zoning and state the following:

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

LU6.B Develop and adopt updated regulations and other tools to encourage compatible mixed land uses.

OBJECTIVE: H.6. Promote mixed uses along with proximity of uses.

All In Allen

The All In Allen Comprehensive Plan is proposed to be effective mid-March 2023. Review of this new City-County Comprehensive Plan identifies the following goals and strategies that support this rezoning:

LAND USE Goal 1. Encourage compatible infill development and redevelopment in the Urban Infill and Priority Investment Areas.

Strategy 1.3 Encourage compatible higher density residential and mixed-use development in infill areas that are near public transit routes, employment centers, institutions, and other amenities.

HOUSING & NEIGHBORHOODS Goal 1. Support and Strengthen Complete Neighborhoods

Strategy 1.1 Promote the creation of complete neighborhood areas through compact development, increased density, and infill

ECONOMIC DEVELOPMENT Goal 2. Continue to invest in Fort Wayne and outlying communities to improve the quality of place

Strategy 2.1.4. Encourage additional investment in mixed-use and urban residential development in and around downtown Fort Wayne, along urban corridors leading to and from downtown, and in Town Centers.

SOUTHEAST STRATEGY UPDATE:

The rezoning request satisfies the following guiding principles and policies of the Southeast Strategy Update:

The physical environment should have a consistent, high quality visual character

- Zoning classifications should be compatible with existing land uses and development patterns in developed areas.
- Enhance and preserve existing urban scaled, pedestrian oriented, mixed use corridors through application of urban corridor (UC) zoning.
- Lower intensity neighborhood oriented commercial zoning districts should be used as a buffer between residential uses and higher intensity commercial and industrial uses.

PUBLIC HEARING SUMMARY:

Presenter: Sherese Fortriede, Community Development and team member of the Proactive Rezoning Work Group, presented the request to Plan Commission as outlined above. She also informed the Commission that there is a modification to the proposed parcels to be rezoned to R2/Two Family Residential. As a part of the public outreach, staff spoke with Pastor Jesse Beasley, of Living Word of God Ministries at the southeast intersection of Hanna and Pontiac. We discussed future plans for the church and accessory uses and it was decided that UC/Urban Corridor may be a better fit than the proposed R2 zoning. Rather than interrupting this corridor zoning, staff opted to pull the church parcels from the proposal and revisit them in the coming months.

Public Comments:

Cornelia Schulz, Wunderkammer – Spoke in support of the proposal. She is appreciative that neighbors do not have to get signatures to have an area rezoned, and supports the staff/Board initiated process.

Current Zoning



Jane St to Holton Ave

- R1 Single Family Residential
- R2 Two Family Residential
- R3 Multiple Family Residential
- C1 Professional Office and Personal Services
- C2 Limited Commercial
- C3 General Commercial
- UC Urban Corridor
- I1 Limited Industrial



Smith St to Euclid Ave

Proposed Zoning



Jane St to Holton Ave

- R1 Single Family Residential
- R2 Two Family Residential
- R3 Multiple Family Residential
- UC Urban Corridor
- Removed From Proposal After Application



Smith St to Euclid Ave