

1 **#REZ-2023-0006**

2 **BILL NO. Z-23-02-38**

3
4
5 **ZONING MAP ORDINANCE NO. Z-_____**

6 **AN ORDINANCE amending the City of Fort Wayne**
7 **Zoning Map No. E-07 (Sec. 18 of Wayne Township)**

8 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE,
9 INDIANA:

10 SECTION 1. That the area described as follows is hereby designated an R3
11 (Multiple Family Residential) District under the terms of Chapter 157 Title XV of the Code of
12 the City of Fort Wayne, Indiana:

13 Lots Numbered 43, 120, 121, 122, 123, and 124 in Country Club Hills, as recorded
14 in Plat record 12, Page 39, in the Office of the Recorder of Allen County, Indiana.

15
16 and the symbols of the City of Fort Wayne Zoning Map No. E-07 (Sec. 18 of Wayne
17 Township), as established by Section 157.082 of Title XV of the Code of the City of Fort
18 Wayne, Indiana is hereby changed accordingly.

19
20 SECTION 2. If a written commitment is a condition of the Plan Commission's
21 recommendation for the adoption of the rezoning, or if a written commitment is modified and
22 approved by the Common Council as part of the zone map amendment, that written
23 commitment is hereby approved and is hereby incorporated by reference.

24
25
26
27
28
29
30

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-2023-0006
Bill Number: Z-23-02-38
Council District: 4 – Jason Arp

Introduction Date: February 28, 2023

Plan Commission
Public Hearing Date: March 13, 2023 (not heard by Council)

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

Synopsis of Ordinance: To rezone approximately 1.56 acres from R1/Single Family Residential to R3/Multiple Family Residential

Location: North side of the 5500 block of South Bend Drive, at Northridge Road

Reason for Request: To develop the parcel with a 20-unit townhome complex.

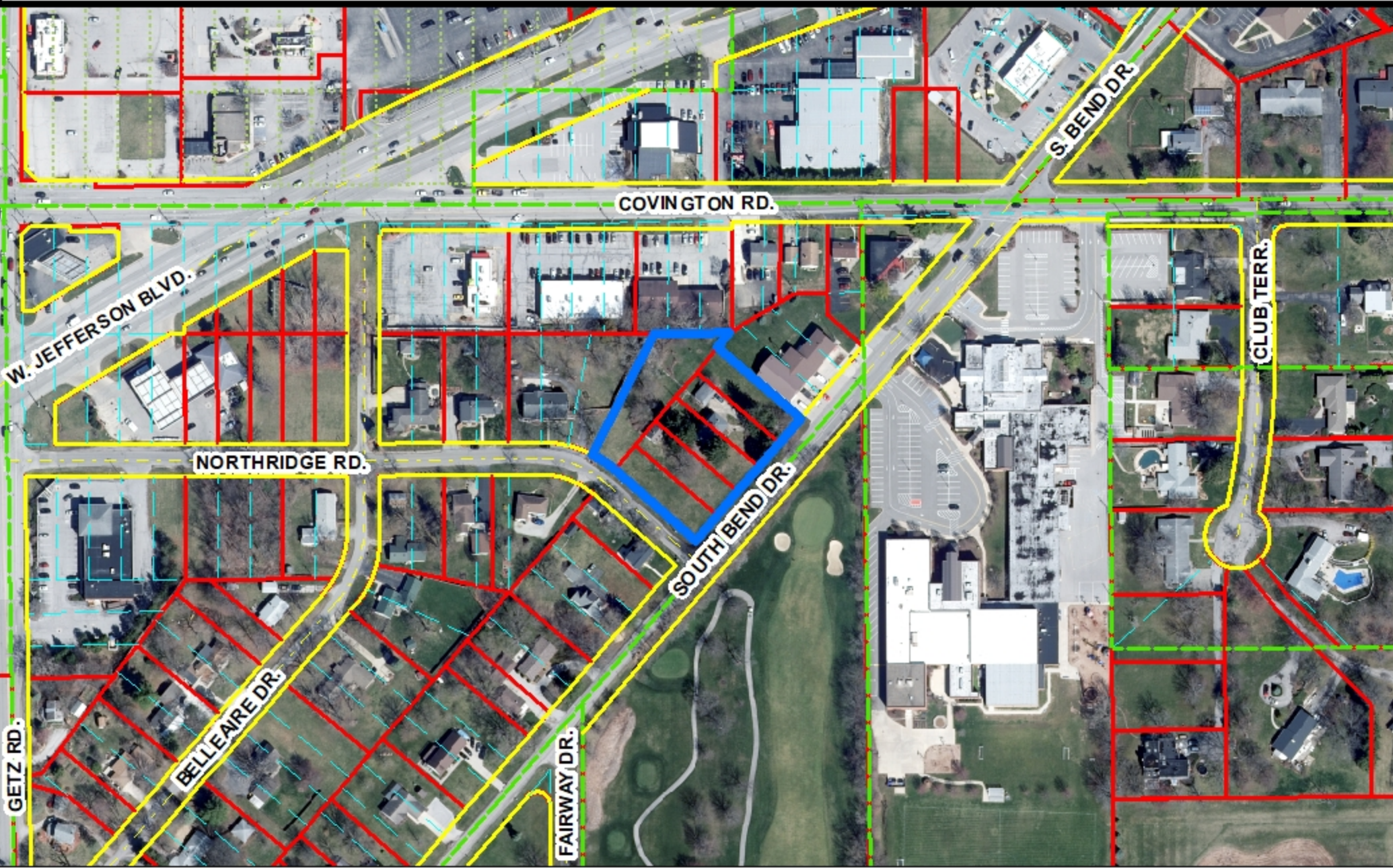
Applicant: Hummingbird Canterbury, LLC

Property Owners: Hummingbird Canterbury, LLC

Related Petitions: PDP-2023-0006 – Hummingbird Townhomes

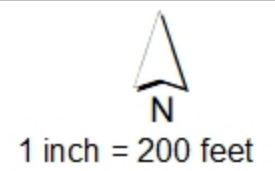
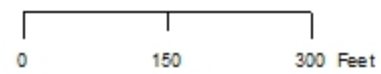
Effect of Passage: Property will be rezoned to the R3/Multiple Family Residential zoning district, which will allow for the townhome development.

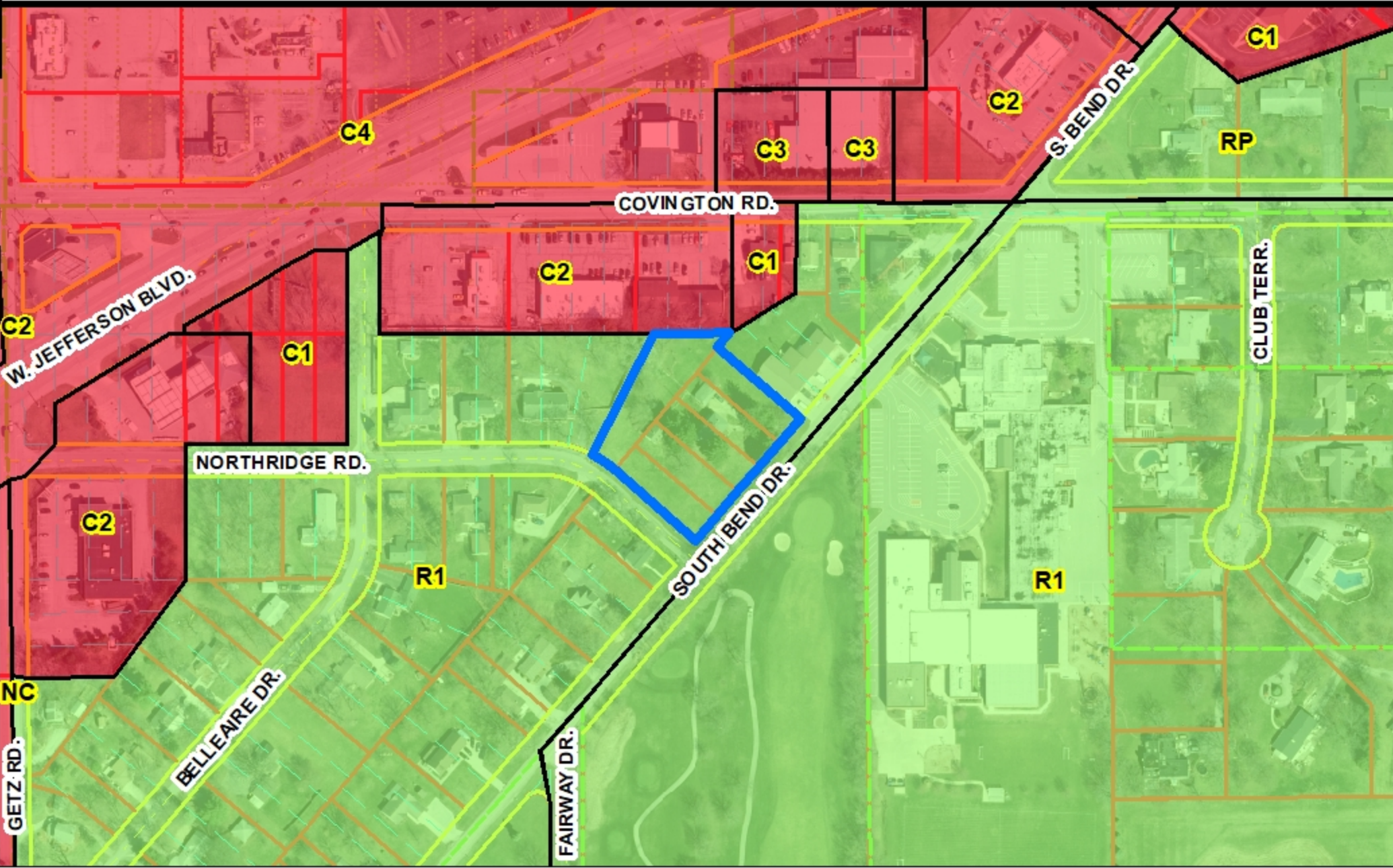
Effect of Non-Passage: The property will remain zoned R1/Single Family Residential, which supports the existing house.



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.

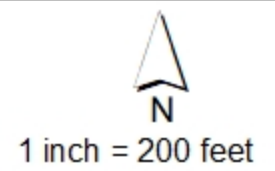
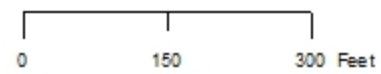
© 2004 Board of Commissioners of the County of Allen
North American Datum 1983
State Plane Coordinate System, Indiana East
Photos and Contours: Spring 2009
Date: 2/22/2023





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.

© 2004 Board of Commissioners of the County of Allen
North American Datum 1983
State Plane Coordinate System, Indiana East
Photos and Contours: Spring 2009
Date: 2/22/2023



Primary Development Plan For
Hummingbird Townhomes

5510 South Bend Drive
Fort Wayne, Indiana 46804

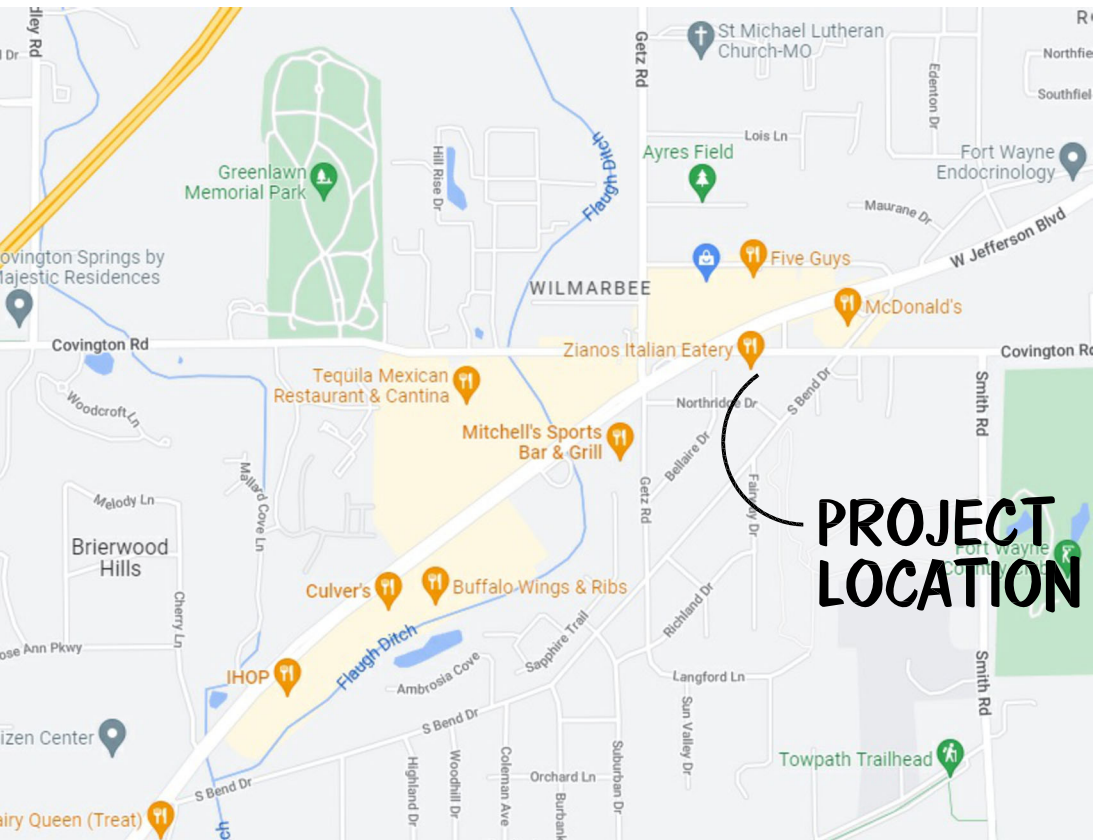
Project Civil Engineer/Land Surveyor:
ForeSight Consulting, LLC
1910 St. Joe Center Road, Suite 61
Fort Wayne, Indiana 46825
Phone: 260.484.9900
Fax: 260.484.9980

Property Owner/Developer:
Hummingbird Canterbury LLC
14821 Heron Lake Xing
Fort Wayne, Indiana 46814

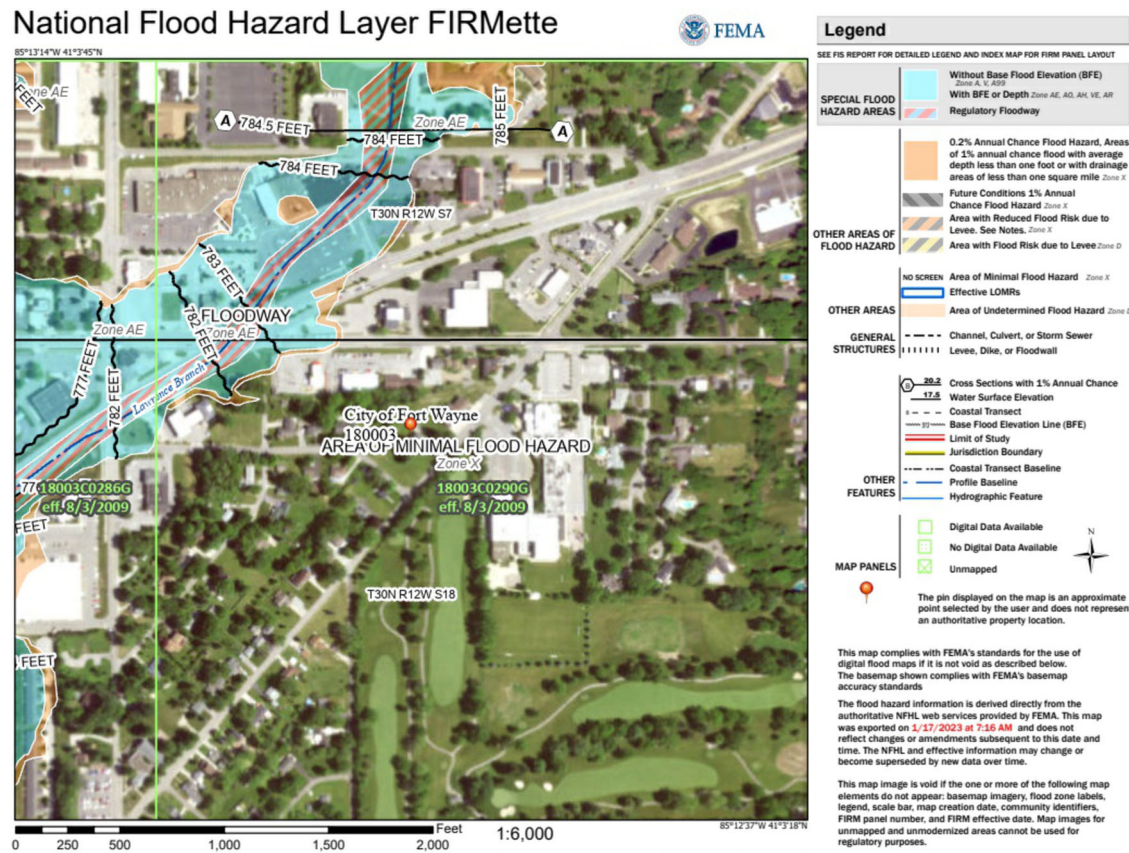
Development Statistics:
Project Area: 1.366 Acres
Number of Units: 20 Units with single car garage



Primary Development Plan
Scale: 1" = 30'



SITE LOCATION MAP
NOT TO SCALE



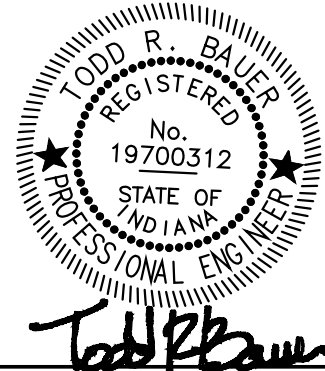
Flood Insurance Rate Map
SCALE: N.T.S.

Real Estate Description per Doc. No. 2022056094
LOT NUMBERED 43, 120, 121, 122, 123, AND 124 IN COUNTRY CLUB HILLS, AS RECORDED IN
PLAT RECORD 12, PAGE 31, IN THE OFFICE OF THE RECORDER OF ALLEN COUNTY,
INDIANA.

ForeSight Consulting, LLC
Professional Engineers & Surveyors
1910 St. Joe Center Road, Suite #61
Fort Wayne, Indiana 46825
260.484.9900 phone
260.484.9980 fax
www.4site.biz



Certification:



This is an original design created by ForeSight Consulting, LLC. The concepts, ideas, plans and details are the sole property of ForeSight Consulting, LLC. None of the concepts, ideas, plans or details shall be used by or disclosed to a person, firm or corporation for any purpose without the prior written permission of ForeSight Consulting, LLC. Written dimensions on these drawings shall have precedence over the scale dimensions. The contractor shall verify and be responsible for all dimensions and conditions on the job and ForeSight Consulting, LLC must be notified of variation from the dimensions and conditions shown on these drawings. Shop drawings shall be submitted to ForeSight Consulting, LLC for approval before construction.

Performed for:

Primary Development Plan For:
Hummingbird Townhomes
5510 South Bend Drive, Fort Wayne, Indiana 46804

Drawing Revisions

Commission Number
233530

Date
February 7th, 2023

Title
Primary Development Plan
Sheet Number

PD1



Primary Development Plan For
Homewood Apartments

5510 South Bend Drive
Fort Wayne, Indiana 46804

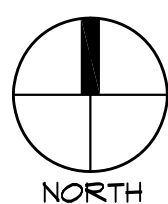
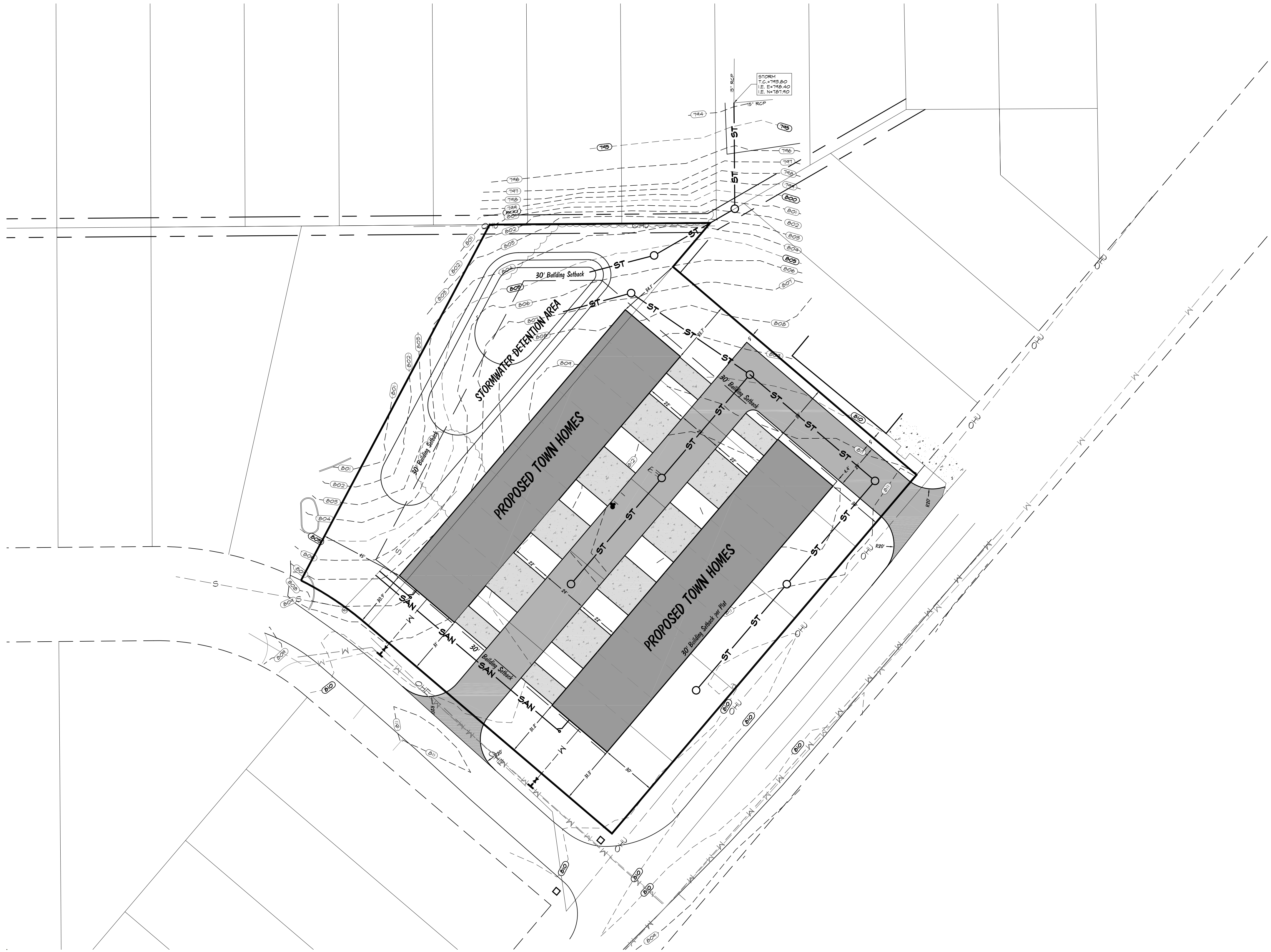
Project Civil Engineer/Land Surveyor:



ForeSight Consulting, LLC
1910 St. Joe Center Road, Suite 61
Fort Wayne, Indiana 46825
Phone: 260.484.9900
Fax: 260.484.9980

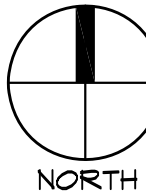
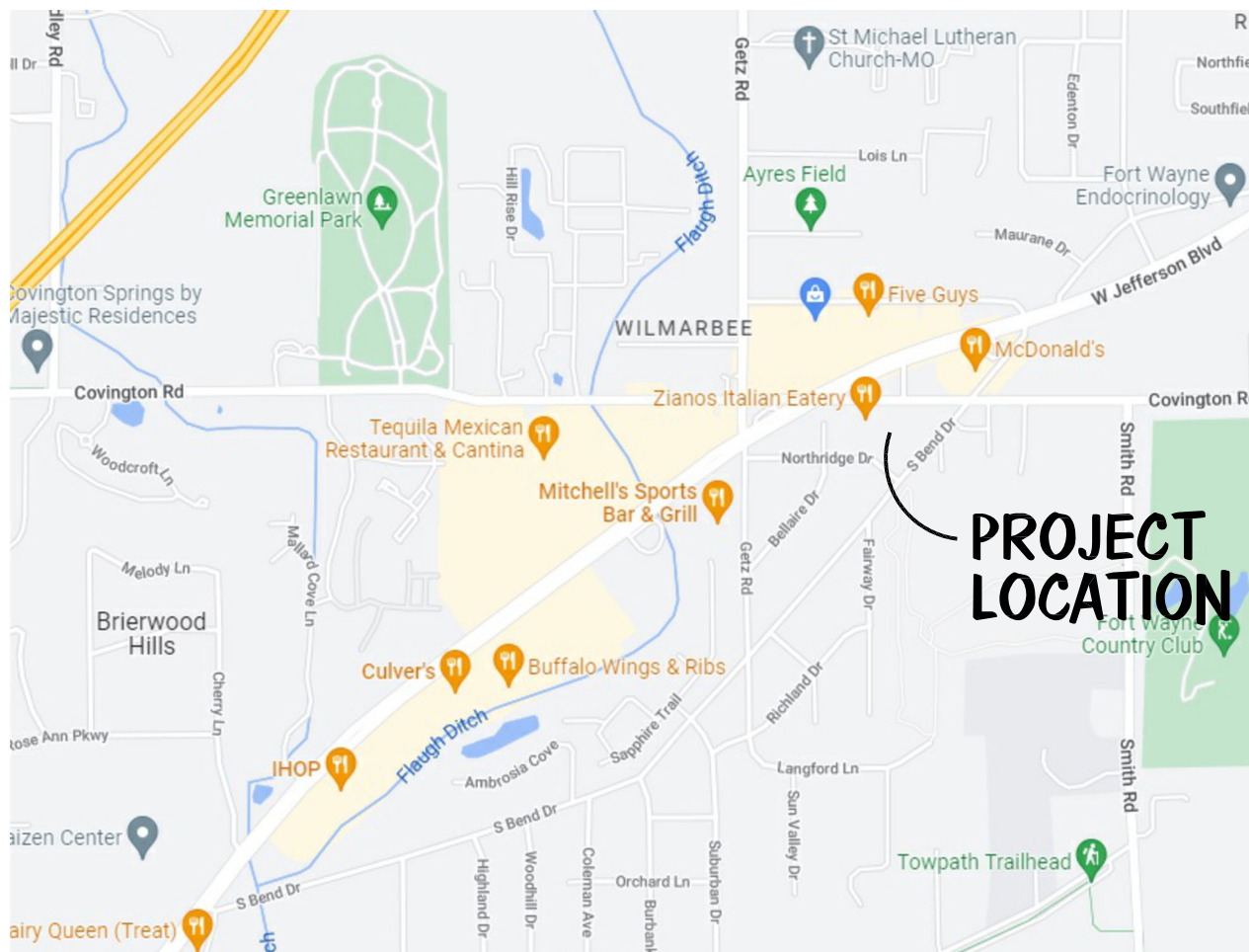
Property Owner/Developer:

Hummingbird Canterbury LLC
14821 Heron Lake Xing
Fort Wayne, Indiana 46814



Primary Development Plan

Scale: 1" = 30'



SITE LOCATION MAP
NOT TO SCALE

Existing Utility Provider Information

Water Service	City of Fort Wayne
Sanitary Sewer Service	City of Fort Wayne
Electric	American Electric Power
Gas	NIPSCO

Contact Information

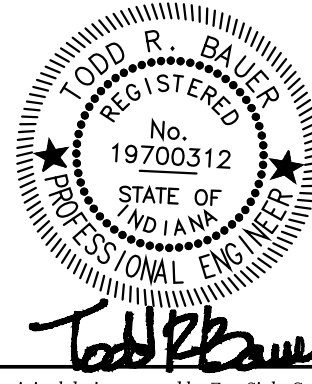
City of Fort Wayne Department of Land Use Management-Michelle Wood	260-427-1129
City of Fort Wayne Fire Department-Jeremy Elder	260-427-1168
City of Fort Wayne New Water and Sewer Engineering-Rick Seals	260-427-1161
City of Fort Wayne Sewer Engineering Department-Lisa Ramos	260-427-5064
City of Fort Wayne Stormwater Engineering Department-Patrick Joley	260-427-5064
City of Fort Wayne Water Engineering Department-Rick Seals	260-427-5064
City of Fort Wayne Traffic Engineering Department-Kyle Winling	260-427-1172
American Electric Power-Karen Palmer	260-408-1863
Verizon-Amy Heitzman	260-461-3325
NIPSCO-Mike Pruitt	260-439-1408
Comcast-Dawn Leonhardt	765-449-3811

ForeSight Consulting, LLC

Professional Engineers & Surveyors
1910 St. Joe Center Road, Suite #61
Fort Wayne, Indiana 46825
260-484-9900 phone
260-484-9980 fax
www.4site.biz



Certification:



This is an original design created by ForeSight Consulting, LLC. The concepts, ideas, plans and details are the sole property of ForeSight Consulting, LLC. None of the concepts, ideas, plans or details shall be used by or disclosed to an person, firm or corporation for any purpose without the prior written permission of ForeSight Consulting, LLC. Written dimensions on these drawings shall have precedence over the scale dimensions. The contractor shall verify and be responsible for all dimensions and conditions on the job and ForeSight Consulting, LLC must be notified of variation from the dimensions and conditions shown on these drawings. Shop drawings shall be submitted to ForeSight Consulting, LLC for approval before construction.

Performed for:

Primary Development Plan For:

Hummingbird Townhomes

5510 South Bend Drive, Fort Wayne, Indiana 46804

Drawing Revisions

Commission Number
233530

Date
February 7th, 2023

Title

Primary
Development Plan
Sheet Number

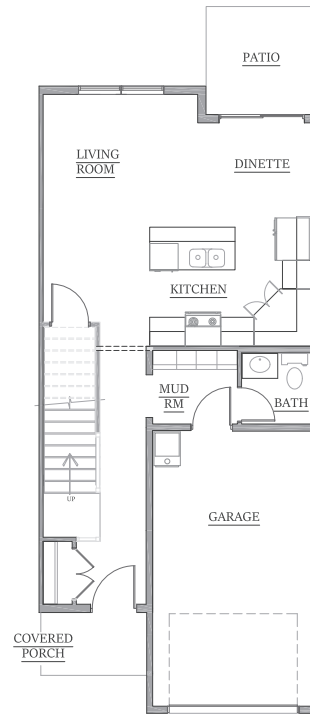
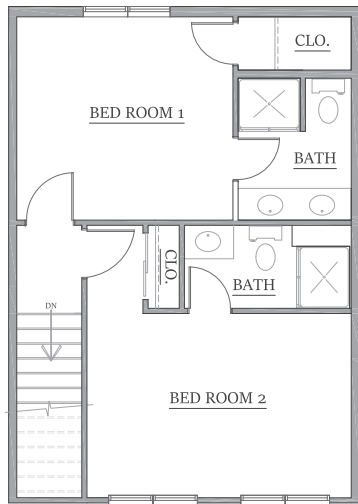
PD2



Know what's below.
Call before you dig.

Proposed Townhomes - Fort Wayne - Indiana

The Hummingbird Townhomes:
-20 Unit Siteplan 1,225 sq. ft.
-2 Bedrooms - 2.5 baths
-1 Car Garage



FACT SHEET

Case #REZ-2023-0006	Bill # Z-23-02-38	Project Start: February 2023
APPLICANT:	Hummingbird Canterbury, LLC	
REQUEST:	Rezone property to R3/Multiple Family Residential to permit a 10-unit townhouse style multiple family complex with accessory garage units and vacate 6 lots of County Club Hills addition.	
LOCATION:	5520 South Bend Drive, northeast corner of its intersection with Northridge Road (Section 18 of Wayne Township)	
LAND AREA:	1.57 acres	
PRESENT ZONING:	R1/Single Family Residential	
PROPOSED ZONING:	R3/Multiple-Family Residential	
COUNCIL DISTRICT:	4 – Jason Arp	
SPONSOR:	Fort Wayne Plan Commission	

April 10, 2023 Public Hearing

- Six residents spoke in opposition or with concern.
- Tom Freistroffer was absent.

April 17, 2023 Business Meeting

Plan Commission Recommendation: DO NOT PASS

A motion was made by Rachel Tobin Smith and seconded by Karen Richards to return the Ordinance with a Do Not Pass recommendation to Common Council for their final decision.

6-3 MOTION PASSED

- Tom Freistroffer, Ryan Neumeister and Patrick Zaharako voted nay (on the Do not Pass)

Fact Sheet Prepared by:
Michelle B. Wood, Senior Land Use Planner
May 2, 2023

PROJECT SUMMARY

- The property was platted in the County Club Hills Subdivision in 1926. The site has historically been 6 separate parcels with 2 homes and the rest unimproved vacant lots. The plat has a front yard build line and a utility easement that limit the size of potential development of the parcels.
- For the April hearing, staff sent new courtesy notices to surrounding property owners and re-advertised the project in the newspaper, per State law.

The petitioner requests a rezoning from R1/Single Family Residential to R3/Multiple Family Residential to permit a multiple family development. The property is located on the north side of the intersection of Northridge Road and South Bend Drive. The property to be rezoned currently consists of 2 homes and a detached garage among 6 parcels. The property is adjacent to R1/Single Family Residential zoning to the east, south, and west. A single-family subdivision is located to the west and southwest, a golf course to the south, and a fire station directly to the east. The property to the north is zoned C2/Limited Commercial with multi-tenant buildings along Covington Road.

At the March 2023 Business Meeting the Plan Commission remanded the petitions back to a public hearing for the applicant to submit an updated site plan showing fewer units, more parking and more green space. The applicant reduced the proposal from 20 two-bedroom units to 10 three-bedroom units. The plan also includes parking spaces in front of each unit as well as two garage structures for increased parking. The new plan has a decreased building footprint and increased green space. The parking will meet the Fort Wayne Zoning Ordinance requirement of two spaces per every three-bedroom unit. Each unit will exceed the minimum when considering the detached accessory garages and the drives in front them. A private drive bisects the site and connects Northridge Road and South Bend Drive. Stormwater is shown on the north side of the site. Ordinance required landscaping is shown surrounding the site as well as required sidewalks along Northridge Road and South Bend Drive. A 30-foot setback is required for two-story multiple family residential structures and is shown to be met.

PUBLIC HEARING SUMMARY:

Presenter: Scott Federoff, representing the applicant, presented the request as outlined above.

Public Comments:

Jeff Jacobs, South Bend Drive – Concerns include traffic, no play area, parking, removal of trees, too large of a development.

Becky Clendenan for Sonja Mettler, Northridge Drive – Concerns include density, parking, service vehicles, losing greenspace.

Bob Hughes, Burbank Blvd – Concerned about vacant lots being redeveloped as multiple-family.

Doug Call, Burbank Blvd – Concerns include sidewalks to nowhere, traffic, children's safety.

Lynn Scrogam, Bellaire Drive – Concerned about detention pond.

John Hoffman, Westwood Fairway VP – Concerned about curb appeal, green space, and play area.

A petition was submitted with 129 signatures in opposition.

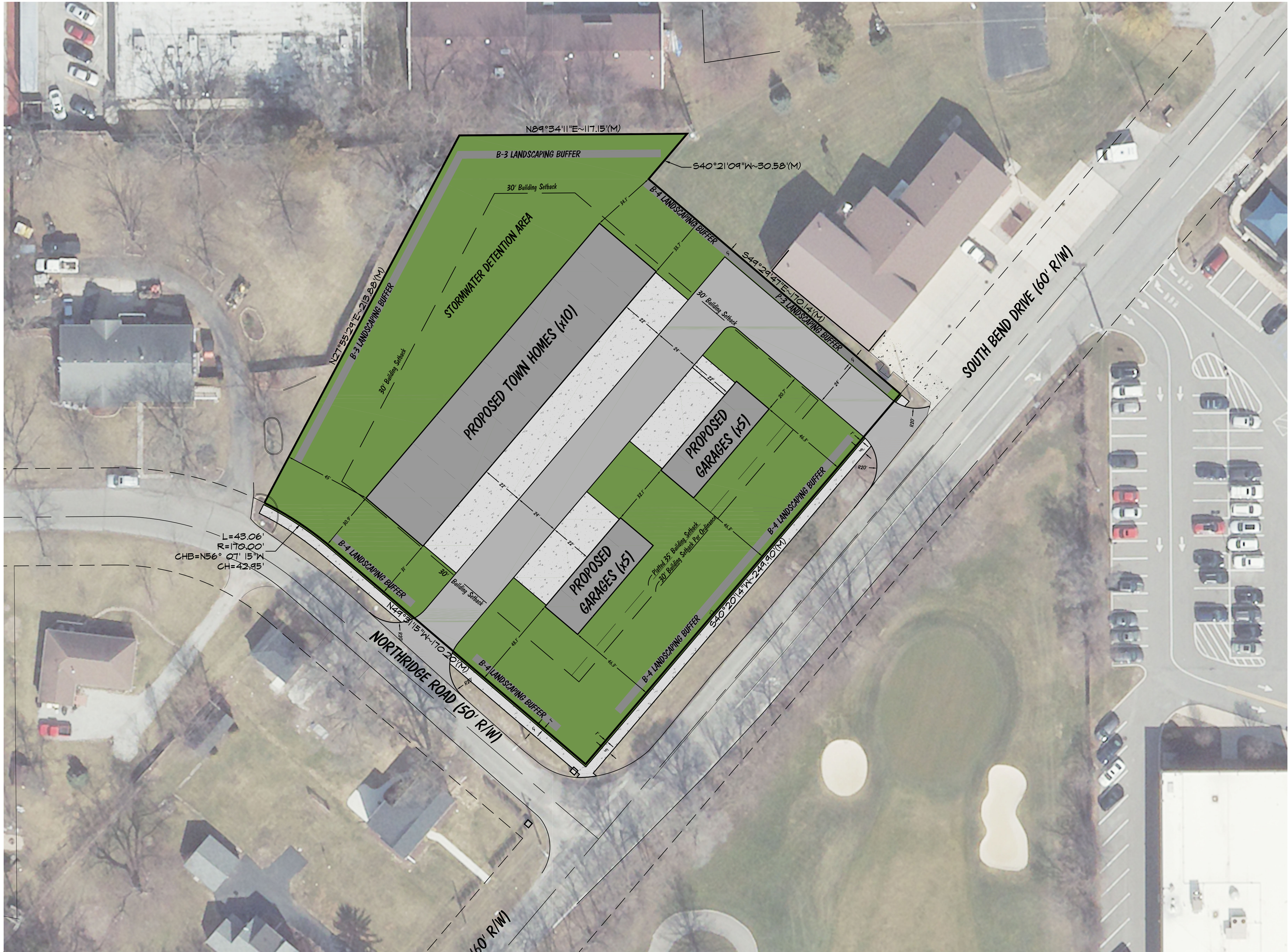
Primary Development Plan For
Hummingbird Townhomes

5510 South Bend Drive
Fort Wayne, Indiana 46804

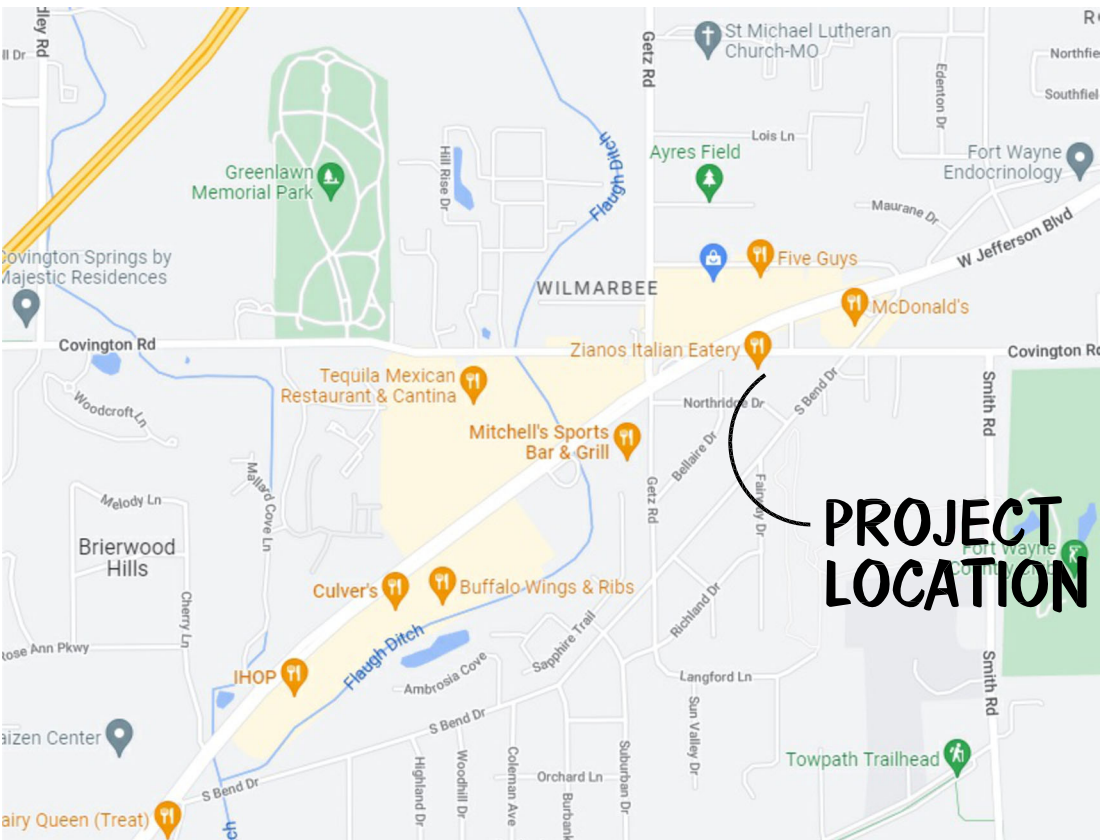
Project Civil Engineer/Land Surveyor:
ForeSight Consulting, LLC
1910 St. Joe Center Road, Suite 61
Fort Wayne, Indiana 46825
Phone: 260.484.9900
Fax: 260.484.9980

Property Owner/Developer:
Hummingbird Canterbury LLC
14821 Heron Lake Xing
Fort Wayne, Indiana 46814

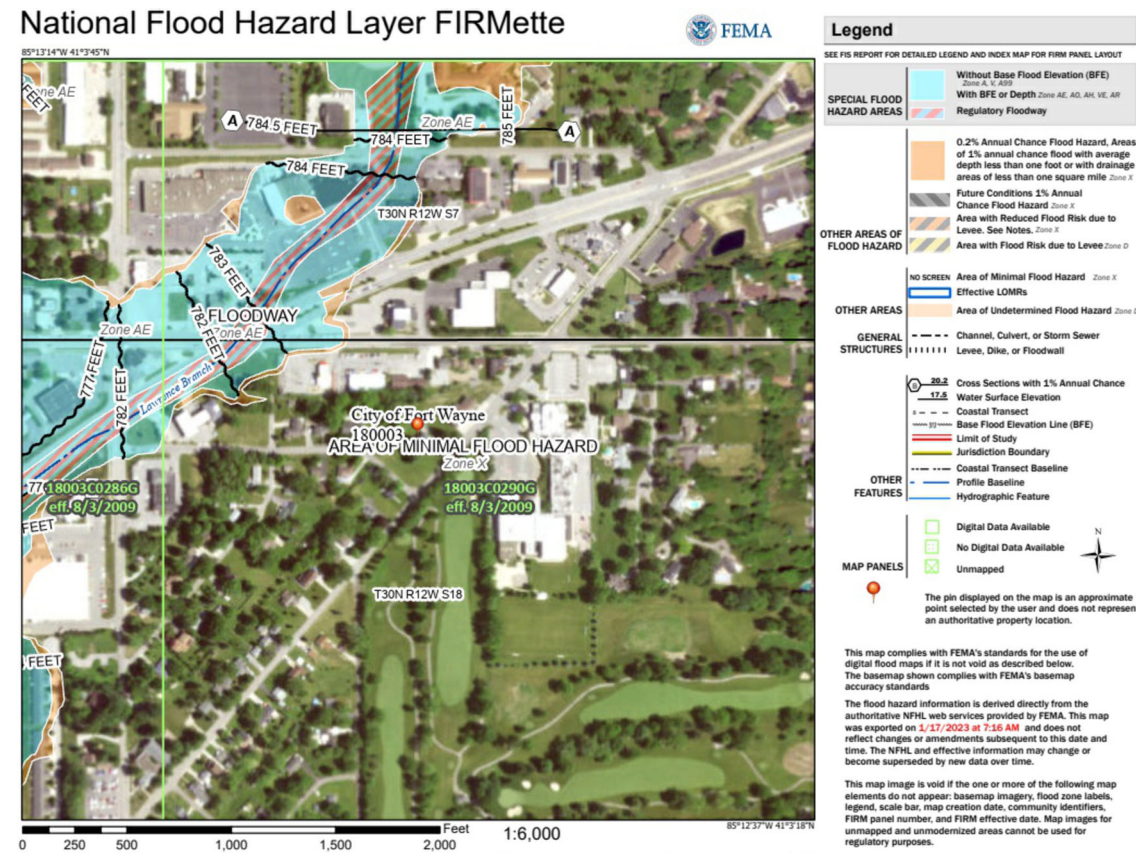
Development Statistics:
Project Area: 1.366 Acres/59,500 Sq. Ft.
Total Green Space 24,400 Sq. Ft. (41% Green Space)
Number of Units: 10 Residential Units with 10 garage units



Primary Development Plan
Scale: 1" = 30'



SITE LOCATION MAP
NOT TO SCALE



Flood Insurance Rate Map
SCALE: N.T.S.

Real Estate Description per Doc. No. 2022056094
LOT NUMBERED 43, 120, 121, 122, 123, AND 124 IN COUNTRY CLUB HILLS, AS RECORDED IN PLAT RECORD 12, PAGE 31, IN THE OFFICE OF THE RECORDER OF ALLEN COUNTY, INDIANA.

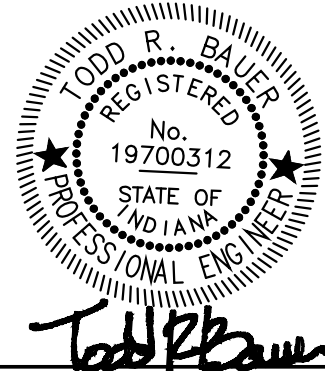


Know what's below.
Call before you dig.

ForeSight Consulting, LLC
Professional Engineers & Surveyors
1910 St. Joe Center Road, Suite #61
Fort Wayne, Indiana 46825
260.484.9900 phone
260.484.9980 fax
www.4site.biz



Certification:



This is an original design created by ForeSight Consulting, LLC. The concepts, ideas, plans and details are the sole property of ForeSight Consulting, LLC. None of the concepts, ideas, plans or details shall be used by or disclosed to a person, firm or corporation for any purpose without the prior written permission of ForeSight Consulting, LLC. Written dimensions on these drawings shall have precedence over the scale dimensions. The contractor shall verify and be responsible for all dimensions and conditions on the job and ForeSight Consulting, LLC must be notified of variation from the dimensions and conditions shown on these drawings. Shop drawings shall be submitted to ForeSight Consulting, LLC for approval before construction.

Performed for:

Primary Development Plan For:
Hummingbird Townhomes
5510 South Bend Drive, Fort Wayne, Indiana 46804

Drawing Revisions
2/28/2023 - Setback Correction
3/22/2023 - Building Revisions

Commission Number
233530

Date
February 7th, 2023

Title
Primary Development Plan
Sheet Number

PD1

Primary Development Plan For
Hummingbird Townhomes

5510 South Bend Drive
Fort Wayne, Indiana 46804

Project Civil Engineer/Land Surveyor:

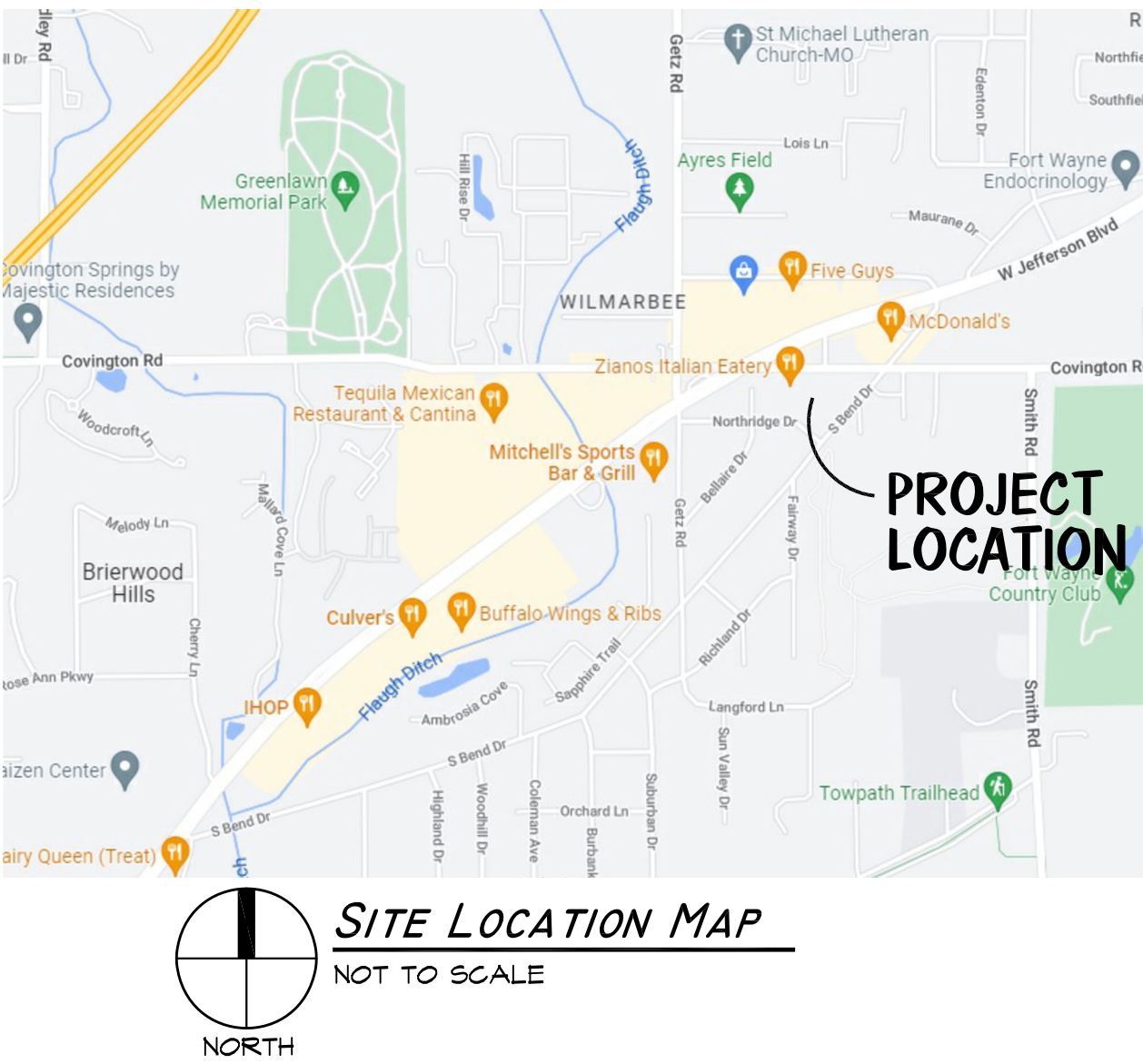
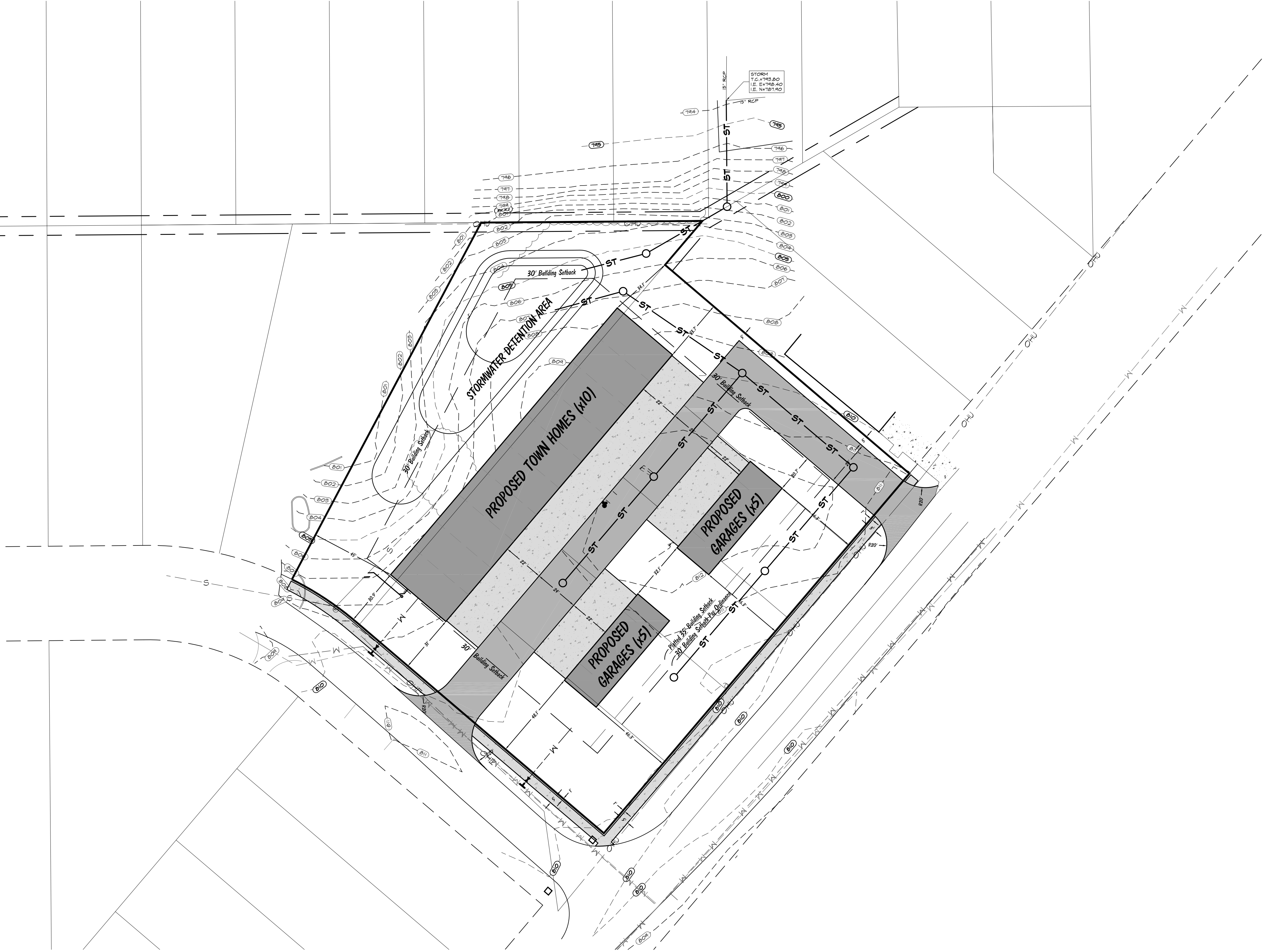


ForeSight Consulting, LLC
1910 St. Joe Center Road, Suite 61
Fort Wayne, Indiana 46825
Phone: 260.484.9900
Fax: 260.484.9980

Property Owner/Developer:

Hummingbird Canterbury LLC
14821 Heron Lake Xing
Fort Wayne, Indiana 46814

Primary Development Plan
Scale: 1" = 30'

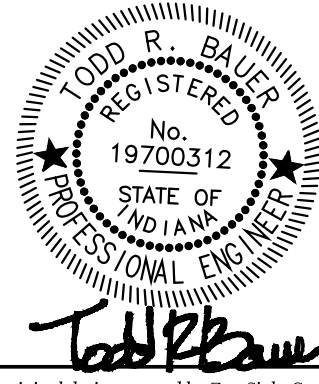


Existing Utility Provider Information	
Water Service	City of Fort Wayne
Sanitary Sewer Service	City of Fort Wayne
Electric	American Electric Power
Gas	NIPSCO
Contact Information	
City of Fort Wayne Department of Land Use Management-Michelle Wood	260-427-1129
City of Fort Wayne Fire Department-Jeremy Elder	260-427-1168
City of Fort Wayne New Water and Sewer Engineering-Rick Seals	260-427-1161
City of Fort Wayne Sewer Engineering Department-Lisa Ramos	260-427-5064
City of Fort Wayne Stormwater Engineering Department-Patrick Joley	260-427-5064
City of Fort Wayne Water Engineering Department-Rick Seals	260-427-5064
City of Fort Wayne Traffic Engineering Department-Kyle Winling	260-427-1172
American Electric Power-Karen Palmer	260-408-1863
Verizon-Amy Heitzman	260-461-3325
NIPSCO-Mike Pruitt	260-439-1408
Comcast-Dawn Leonhardt	765-449-3811

ForeSight Consulting, LLC
Professional Engineers & Surveyors
1910 St. Joe Center Road, Suite #61
Fort Wayne, Indiana 46825
260-484-9900 phone
260-484-9980 fax
www.4site.biz



Certification:



This is an original design created by ForeSight Consulting, LLC. The concepts, ideas, plans and details are the sole property of ForeSight Consulting, LLC. None of the concepts, ideas, plans or details shall be used by or disclosed to an person, firm or corporation for any purpose without the prior written permission of ForeSight Consulting, LLC. Written dimensions on these drawings shall have precedence over the scale dimensions. The contractor shall verify and be responsible for all dimensions and conditions on the job and ForeSight Consulting, LLC must be notified of variation from the dimensions and conditions shown on these drawings. Shop drawings shall be submitted to ForeSight Consulting, LLC for approval before construction.

Performed for:

Primary Development Plan For:
Hummingbird Townhomes
5510 South Bend Drive, Fort Wayne, Indiana 46804

Drawing Revisions
2/28/2023 - Setback Correction
3/22/2023 - Building Revisions

Commission Number
233530
Date
February 7th, 2023
Title
Primary Development Plan
Sheet Number

PD2



Know what's below.
Call before you dig.

FORT WAYNE PLAN COMMISSION • FINDINGS OF FACT

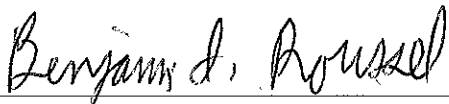
Rezoning Petition REZ-2023-0006

PROPOSAL:	REZ-2023-0006– Hummingbird Canterbury, LLC
APPLICANT:	Hummingbird Canterbury, LLC
REQUEST:	Rezone property to R3/Multiple Family Residential
LOCATION:	5520 South Bend Drive, northeast corner of its intersection with Northridge Road (Section 18 of Wayne Township)
LAND AREA:	1.57 acres
PRESENT ZONING:	R1/Single Family Residential
PROPOSED ZONING:	R3/Multiple-Family Residential

The Plan Commission recommends that Rezoning Petition REZ-2023-0006 be returned to Council, with a “Do Not Pass” recommendation after considering the following:

1. Approval of the rezoning request will not be in substantial compliance with the City of Fort Wayne Comprehensive Plan, and could establish an undesirable precedent in the area. The existing residential development in the general area maintains a lower intensity pattern of development, and current ongoing development in the area is different in character.
2. Approval of the request could have an adverse impact on the current conditions in the area, or the character of current structures and uses in the area. The site is among large lot single family residences and adjacent to a single family subdivision. R3 zoning with the proposed development may be considered too intensive to be compatible.

These findings approved by the Fort Wayne Plan Commission on April 17, 2023.



Benjamin J. Roussel
Executive Director
Secretary to the Commission