

1 **#REZ-2023-0020**

2 **BILL NO. Z-23-06-03**

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

5 **AN ORDINANCE amending the City of Fort Wayne**
6 **Zoning Map No. J-27 (Sec. 27 of Wayne Township)**

7
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 RP
11 (Planned Residential) District under the terms of Chapter 157 Title XV of the Code of the
12 City of Fort Wayne, Indiana:

13 Lots numbered 137 and 138 in Elzey's Fourth Addition to the original Plat of Waynedale,
14 according to the plat thereof, recorded in Plat Record 11, page 75 in the Office of the
15 Recorder of Allen County, Indiana.

16 and the symbols of the City of Fort Wayne Zoning Map No. J-27 (Sec. 27 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 SECTION 2. If a written commitment is a condition of the Plan Commission's
20 recommendation for the adoption of the rezoning, or if a written commitment is modified and
21 approved by the Common Council as part of the zone map amendment, that written
22 commitment is hereby approved and is hereby incorporated by reference.

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2
3 SECTION 3. That this Ordinance shall be in full force and effect from and after its
4 passage and approval by the Mayor.
5

6 _____
Council Member

7 APPROVED AS TO FORM AND LEGALITY:
8

9 _____
Malak Heiny, City Attorney
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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-2023-0020
Bill Number: Z-23-06-03
Council District: 4-Jason Arp

Introduction Date: June 6, 2023

Plan Commission
Public Hearing Date: June 12, 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 0.55 acres from R1/Single Family to RP/Planned Residential.

Location: 6915 Koester Drive

Reason for Request: To allow for three 2-family residential structures.

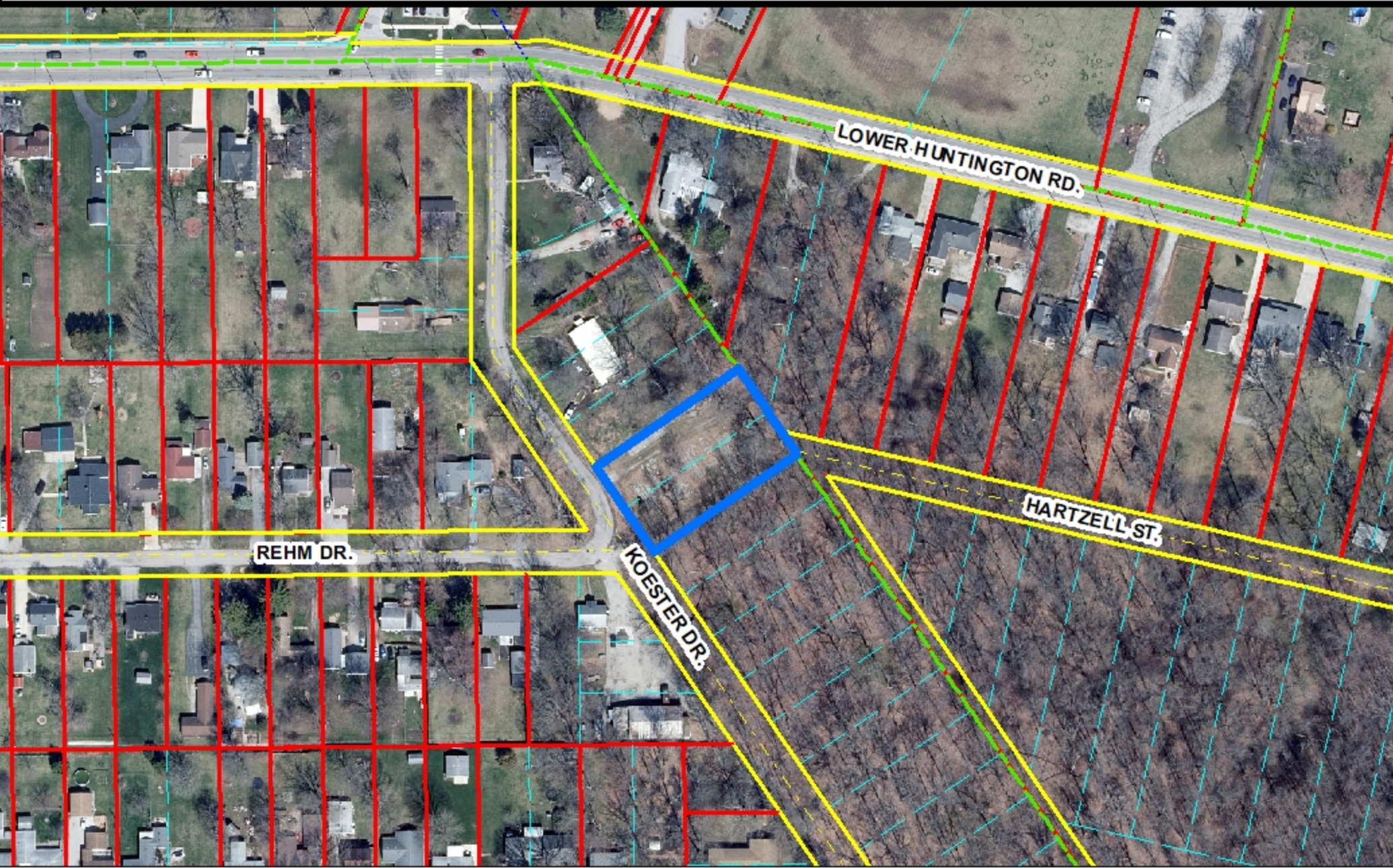
Applicant: 3 Rivers Property Management

Property Owner: Corey Bailey

Related Petitions: PDP-2023-0020 – The Reserves at Maplewood

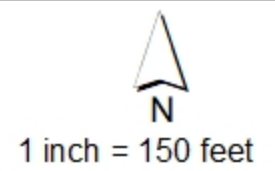
Effect of Passage: Property will be rezoned to the RP/Planned Residential zoning district, which allows for single, two-family, and multiple family residential development.

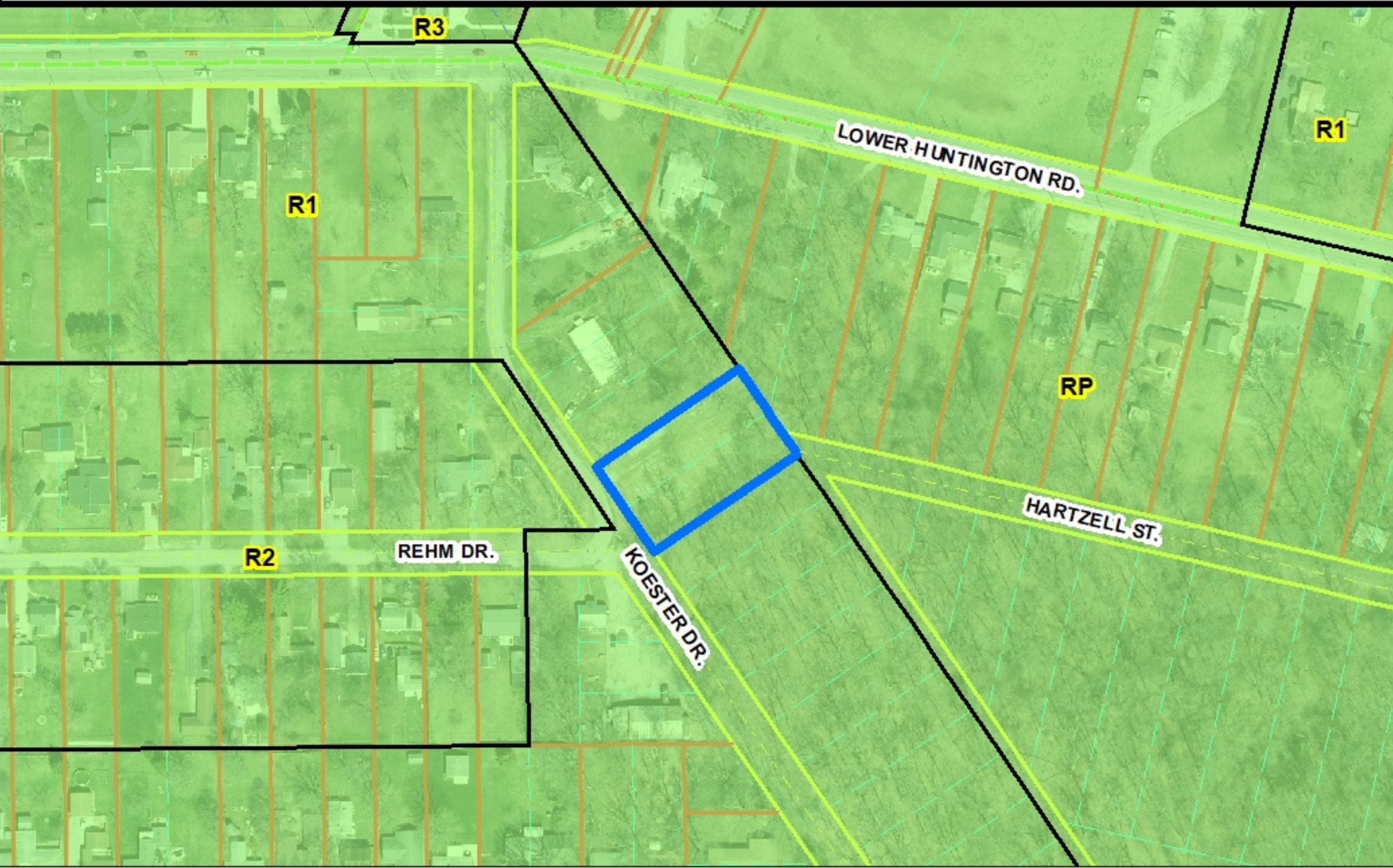
Effect of Non-Passage: The property will remain zoned R1/Single Family Residential, which may redevelop with single family residential uses.



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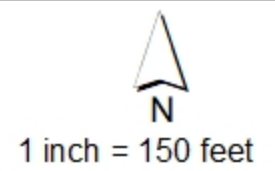
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Photos and Contours: Spring 2009
Date: 5/16/2023





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Department of Planning Services Rezoning Petition Application

Applicant

Applicant 3 Rivers Property Management
Address 6409 W. Hamilton Road S.
City Fort Wayne State Indiana Zip 46814
Telephone (310) 310-0929 E-mail cbo260@yahoo.com

Property Ownership

Property Owner 3 Rivers Property Management
Address 6409 W. Hamilton Road S.
City Fort Wayne State Indiana Zip 46814
Telephone (310) 310-0929 E-mail cbo260@yahoo.com

Contact Person

Contact Person Matthew G. Kelty, RA
Address 116 E. Berry Street, Suite 700
City Fort Wayne State Indiana Zip 46802
Telephone (260) 426-7770 E-mail matt@keltytappy.com

All staff correspondence will be sent only to the designated contact person.

Request

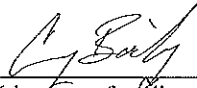
☐ Allen County Planning Jurisdiction ☒ City of Fort Wayne Planning Jurisdiction
Address of the property 6915 Koester Drive Township and Section Wayne 0273012
Present Zoning R1 Proposed Zoning RP Acreage to be rezoned 0.55
Purpose of rezoning (attach additional page if necessary) To allow construction of three (3) two (2) family residential structures.
Sewer provider City of Fort Wayne Water provider City of Fort Wayne

Filing Checklist

Applications will not be accepted unless the following filing requirements are submitted with this application.
☐ Filing fee \$1000.00
☐ Surveys showing area to be rezoned
☐ Legal Description of parcel to be rezoned
☐ Rezoning Criteria (see attached checklist)

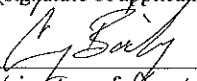
I/We understand and agree, upon execution and submission of this application, that I am/we are the owner(s) of more than 50 percent of the property described in this application; that I/we agree to abide by all provisions of the Allen County Zoning and Subdivision Control Ordinance as well as all procedures and policies of the Fort Wayne and Allen County Plan Commissions 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

Corey Bailey
(printed name of applicant)


(signature of applicant)

May 2, 2023
(date)

Corey Bailey
(printed name of property owner)


(signature of property owner)

May 2, 2023
(date)



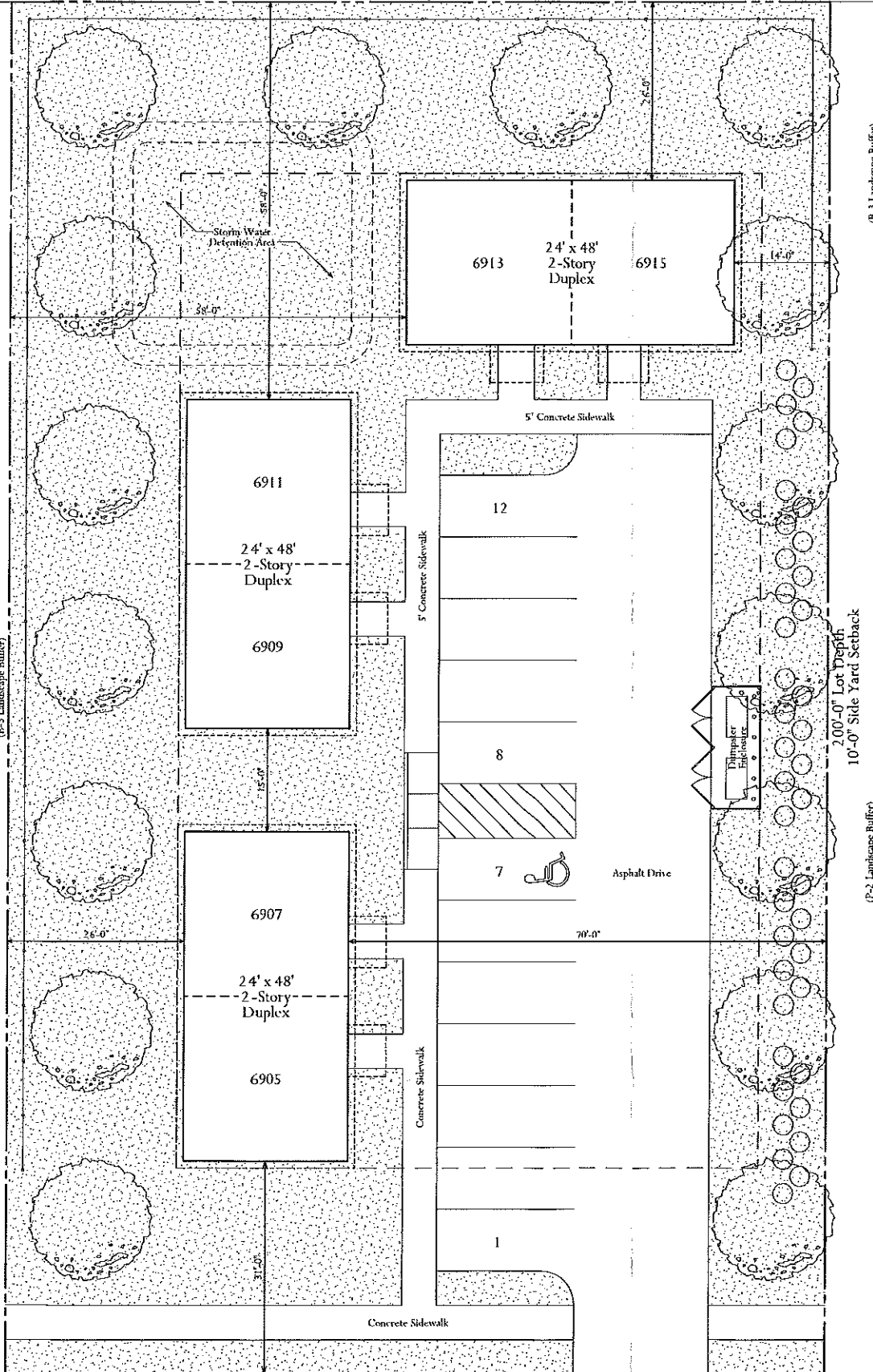
Received	Receipt No.	Hearing Date	Petition No.
S-2-23	143117	6-12-23	REZ-2023-0020

Department of Planning Services • 200 East Berry Suite 150 • Fort Wayne, Indiana • 46802
Phone (260) 449-7607 • Fax (260) 449-7682 • www.allencounty.us • www.cityoffortwayne.org



25'-0" Side Yard Setback
(R-3 Landscape Buffer)

25'-0" Rear Yard Setback
(R-3 Landscape Buffer)



(R-3 Landscape Buffer)

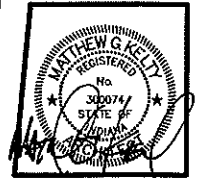
(R-2 Landscape Buffer)

KELTY TAPPY DESIGN, INC.
ARCHITECTURE • PLANNING • URBAN DESIGN
www.KeltyTappy.com
Lincoln Tower Sct. 700
116 East Berry Street
Fort Wayne Indiana 46802
Fax: 260-426-7772
Phone: 260-426-7770

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The Reserves at Maplewood
6915 Koester Drive
Fort Wayne, IN 46819
PRIMARY DEVELOPMENT PLAN

NOTED DIMENSIONS ON THE BOUNDARY OF THE PROJECT SHALL BE USED AS THE BASIS FOR ALL DIMENSIONS AND CONSTRUCTION OF THE PROJECT. ANY DIMENSIONS OR CONSTRUCTION SHALL BE SUBMITTED TO KELTY TAPPY DESIGN, INC. FOR REVIEW AND APPROVAL PRIOR TO CONSTRUCTION.



REVISIONS:

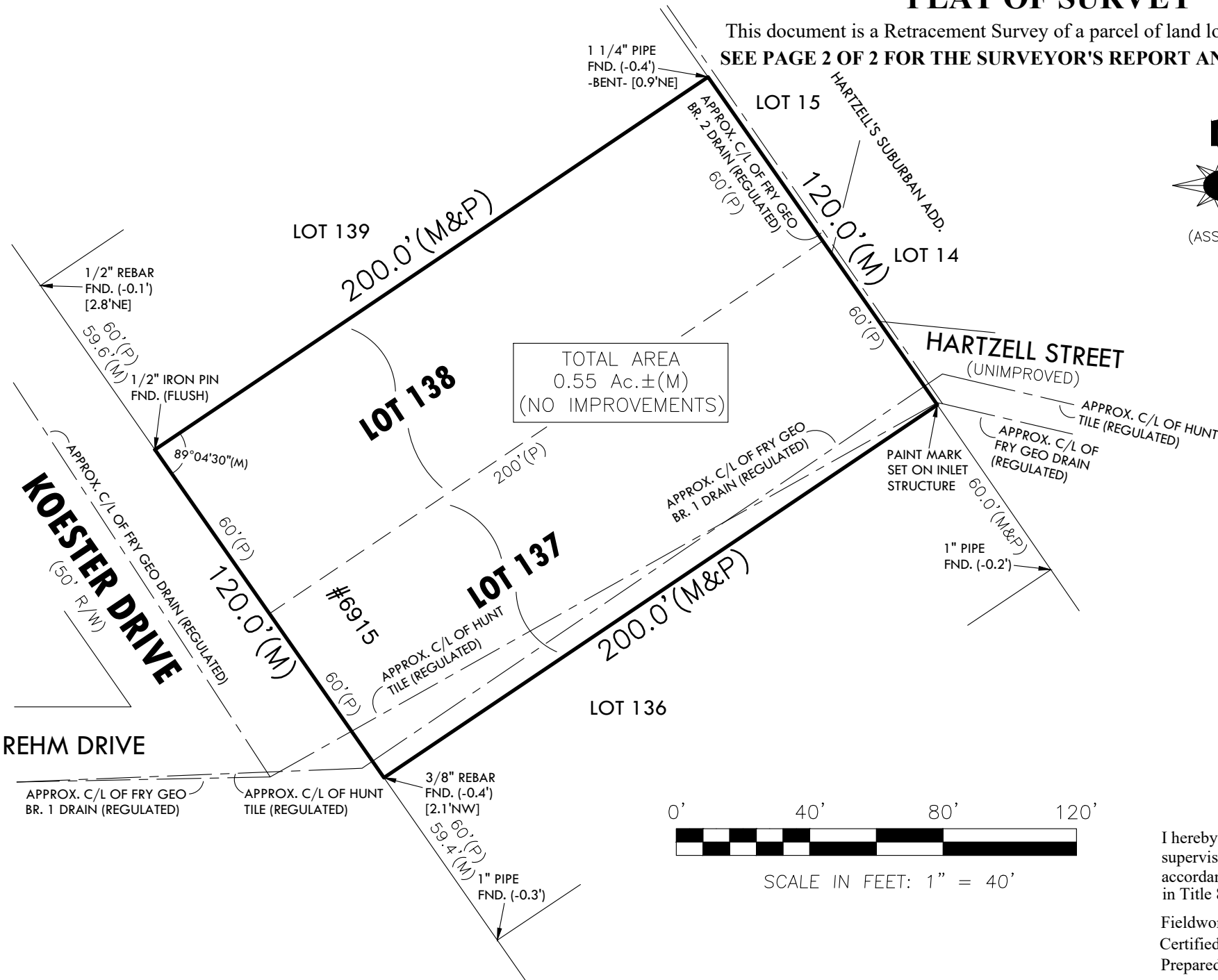
May 2, 2023

23023

A1.1

PLAT OF SURVEY (Page 1 of 2)

This document is a Retracement Survey of a parcel of land located in Allen County, Indiana.
SEE PAGE 2 OF 2 FOR THE SURVEYOR'S REPORT AND LEGAL DESCRIPTION.

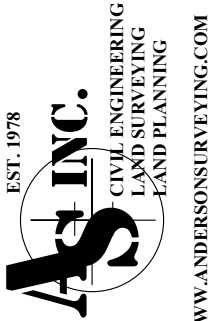


(FEBRUARY 2022 / 22-01-125)

ANDERSON SURVEYING, INC.
Registered Professional Engineers and Land Surveyors
Indiana Land Surveying Firm Identification Number: 29A

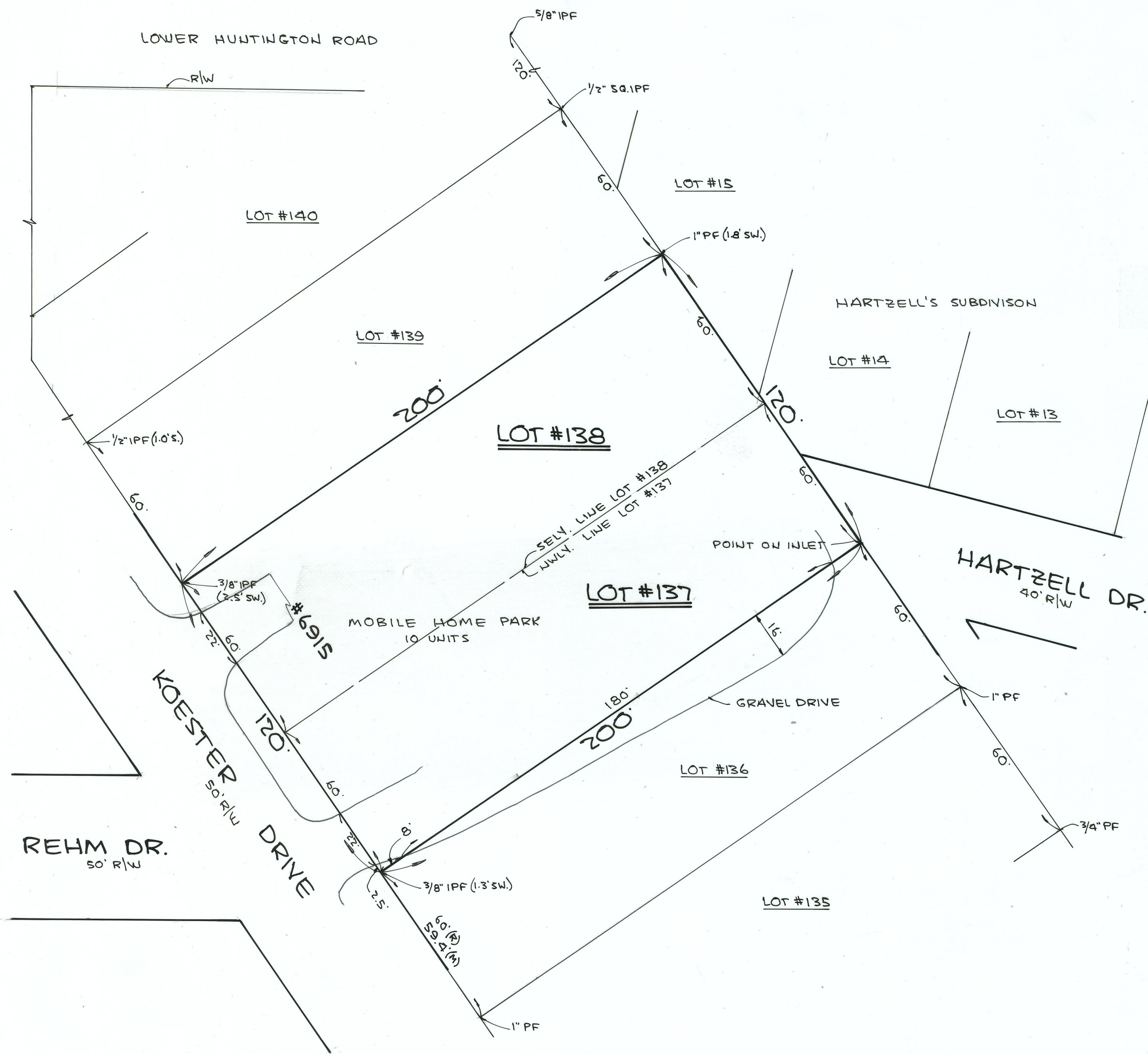
1324 Henry Avenue
Fort Wayne, IN 46808
Phone: (260) 483-1724
Fax: (260) 482-6855
Toll Free: (888) 483-1724

1947 E. Schug Road
Columbia City, IN 46725
Phone: (260) 691-3425
Fax: (260) 482-6855



I hereby certify that the above Plat of Survey was prepared under my direct supervision and that to the best of my knowledge and belief was executed in accordance with the requirements of the Indiana Survey Standards as defined in Title 865, Article 1, Rule 12 of the Indiana Administrative Code.

Fieldwork completed on the 7th day of FEBRUARY, 20 22.
Certified this 10th day of FEBRUARY, 20 22.
Prepared exclusively for: HANNOVER LENDING LLC / GILRUTH
Survey Number: 22-01-125



LEGAL DESCRIPTION:

Lots numbered 137 and 138 in Elzey's Fourth Addition to the original Plat of Waynedale, according to the plat thereof, recorded in Plat Record 11, page 75 in the Office of the Recorder of Allen County, Indiana.

This is to certify that this map or plat and the survey on which it is based were made in accordance with "Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys," jointly established and adopted by ALTA, ACSM and NSPS in 1999, and includes items #1, #3 and #4 of Table A thereof. Pursuant to the Accuracy Standards as adopted by ALTA, NSPS, and ACSM and in effect on the date of this certification, undersigned further certifies that the survey measurements were made in accordance with the "Minimum Angle, Distance, and Closure Requirements for Survey Measurements Which Control Land Boundaries for ALTA/ACSM Land Title Surveys."

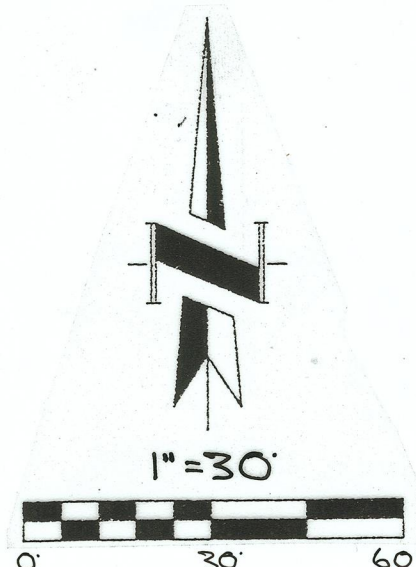
I further certify that this survey was completed under my direct supervision and to the best of my knowledge and belief, was executed according to the survey requirements set forth in 865 IAC 1-12.

LEGEND

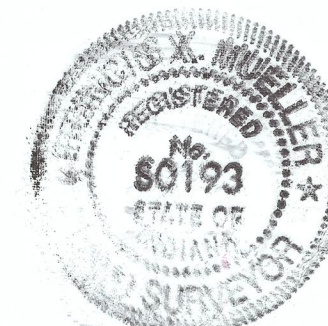
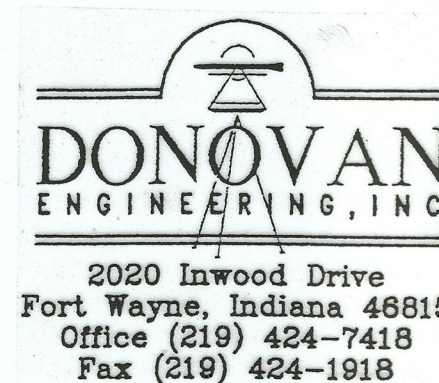
- IPF Iron Pin Found
- PF Iron Pipe Found
- IPS 5/8" re-bar set (with cap stamped FIRM #0027)
- PK P.K. Nail
- (M) Measured
- (R) Recorded
- (C) Calculated

All monuments are at grade except as noted.
All property line distances are recorded dimensions, except as noted.
Monuments found have no documented history except as noted.

Job No. 137ELZ
Date of Field Work: 2-7-02



NOTE: According to the Flood Insurance Rate Map (FIRM) numbered 18003C0270 E, dated Feb. 16, 1995, the herein described real estate is located in Zone "X" and is not within the 100 year flood hazard area. The accuracy of this flood hazard statement is subject to map scale uncertainty.



Francis X. Mueller
FRANCIS X. MUELLER P.E. #80193

CERTIFICATE OF SURVEY

#6915 KOESTER DR. FORT WAYNE, INDIANA	1" = 30'	DR. BY: CSR 2-8-02
PETERSEN PROP. - SARRAZIN		

m-352

FACT SHEET

Case #	REZ-2023-0020	Bill #	Z-23-06-03	Project Start:	June 2023
APPLICANT:	3 Rivers Property Management				
REQUEST:	Rezone property from R1/Single Family Residential to RP/Planned Residential and to approve a primary development plan to build a 4-unit duplex development.				
LOCATION:	6915 Koester Drive, east of its intersection with Rehm Drive (Section 27 of Wayne Township)				
LAND AREA:	0.55 acre				
PRESENT ZONING:	R1/Single Family Residential				
PROPOSED ZONING:	RP/Planned Residential				
COUNCIL DISTRICT:	4-Jason Arp				
SPONSOR:	Fort Wayne Plan Commission				

June 12, 2023 Public Hearing

- Three residents spoke in opposition or with concern.
- All Plan Commission members were present.

June 26, 2023 Business Meeting

Plan Commission Recommendation: Defer action until July

A motion was made by Paul Sauerteig and seconded by Rachel Tobin-Smith to defer action for an updated plan that meets the ordinance.

8-0 MOTION PASSED

- Tom Freistroffer was absent.

July 17, 2023 Business Meeting

Plan Commission Recommendation: DO PASS

A motion was made by Rachel Tobin-Smith and seconded by Karen Richards to return the Ordinance with a Do Pass recommendation to Common Council for their final decision.

8-0 MOTION PASSED

- Ryan Neumeister and Patrick Zaharako were absent.

Fact Sheet Prepared by:
Michelle B. Wood, Senior Land Use Planner
July 17, 2023

PROJECT SUMMARY

- This site was platted as lots numbered 137 and 138 in Elzey's Fourth Addition to the Original Plat of Waynedale in 1925.
- This site was historically a manufactured home park from the mid-1960s to approximately 2006 according to historical imagery.
- The Board of Zoning Appeals approved a Special Use in 2022 for a single Type II classified manufactured home.

The applicant originally petitioned to develop a six-unit multiple family complex on the 0.55-acre parcel. This was later reduced to two duplexes, following comments from the public hearing and Plan Commission recommendations. The petition includes rezoning this site from R1/Single Family Residential to RP/Planned Residential to permit the proposed use. The property has a historical use of a Manufactured Home Park until around 2006, but has since been and is currently vacant. The property is primarily surrounded by single family residential homes to the north, west and east, with a wooded area to the south.

The proposed development plan includes two two-story structures, containing four three-bedroom units total. Associated with the plan are the required parking spaces and a landscaping plan including a 6-foot fence to the north, south, and east where residential uses are adjacent to the site. The plan shows a stormwater detention area on the northeast corner of the site. This site is within a Pedestrian Generating Area, as identified by NIRCC, and five-foot sidewalks are shown providing connection to all primary buildings and along the entire street frontage.

The original proposal included setback waivers, but these were later abandoned and the plan now meets the ordinance requirement for all setbacks and landscaping, and includes patios and added greenspace.

COMPREHENSIVE PLAN REVIEW:

Future Growth and Development Map, Goals, and Strategies

- The project site is located within the Urban Infill Area.
- The following Goal would be applicable:
LUD1 - Encourage compatible infill development and redevelopment in the Urban Infill and Priority Investment Areas.

Overall Land Use Policies

- Staff determined the following Land Use Policies would be applicable and supportive of this request:
LUD Policy 2 - Promote complete neighborhoods through sustainable development, preservation, and growth by encouraging and enhancing mixed use neighborhood areas.

Generalized Future Land Use Map

- The project site is located within the Traditional Neighborhood generalized land use category. The primary use is Single Family Detached Residential. Secondary uses include Multiple Family Residential. Adjacent properties are also in the Traditional Neighborhood category.

Land Use Related Action Steps

- The following Action Steps would be applicable and supportive of this proposal:
HN.1.1.2. Encourage smart growth development practices to support efficient use of land and resources.
HN.1.1.3. Encourage the development of an integrated network of sidewalks, trails, and bike routes within existing and new neighborhoods that will provide safe access to community amenities.
HN.1.1.4. Promote residential development with compact block structure, a mix of uses and housing types, and active transportation access to nearby jobs, recreation, fresh and nutritious food, and schools as well as connections to nearby neighborhoods.
TM.2.1.3. Identify and prioritize active transportation gaps and encourage improved connectivity in new developments in addition to expanding transit service areas.

Compatibility Matrix

- This proposed use would fall into RP/Planned Residential which is considered compatible with the surrounding Traditional Neighborhoods.

Other applicable plans: none

Based on review of the Comprehensive Plan, the proposal would be compatible with adjacent development. The site is adjacent to like zoning and the Comprehensive Plan encourages a mixture of densities and housing types within neighborhoods.

The applicant submitted the following responses to the rezoning criteria set forth in state code:

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: *Per the Comprehensive Plan, this parcel falls within the "Preferred Growth Approach: Infill and Targeted Outward Growth Areas."*
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: *Generally, the condition and character of current structures and uses in the district are well maintained single and multi-family dwellings and this parcel is adjacent to property owned by the FWCS district (Maplewood Elementary School).*
3. Approval is consistent with the most desirable use for which the land in the district is adapted: *This parcel was the site for a mobile home park and lays in the middle of a largely single and multi-family residential area. The parcels to the west of this parcel are zoned R2 and the parcels to the north and east are zoned RP. The parcels to the south and east are owned by FWCS and will likely not be developed further.*
4. Approval is consistent with the preservation of property values in the area: *The construction of the three proposed 2-story family dwellings should prove to maintain the value of this area if not increase the value since there will be new housing units provided on a currently vacant lot.*
5. Approval is consistent with responsible development and growth principles based on existing uses and infrastructure in the area. *This parcel is the last parcel in the area that has not been developed into residential units that is not owned by FWCS. The development of the duplex structure on this parcel would be the highest and best use of the parcel.*

PUBLIC HEARING SUMMARY:

Presenter: Matt Kelty, architect representing the developer, presented the request as outlined above.

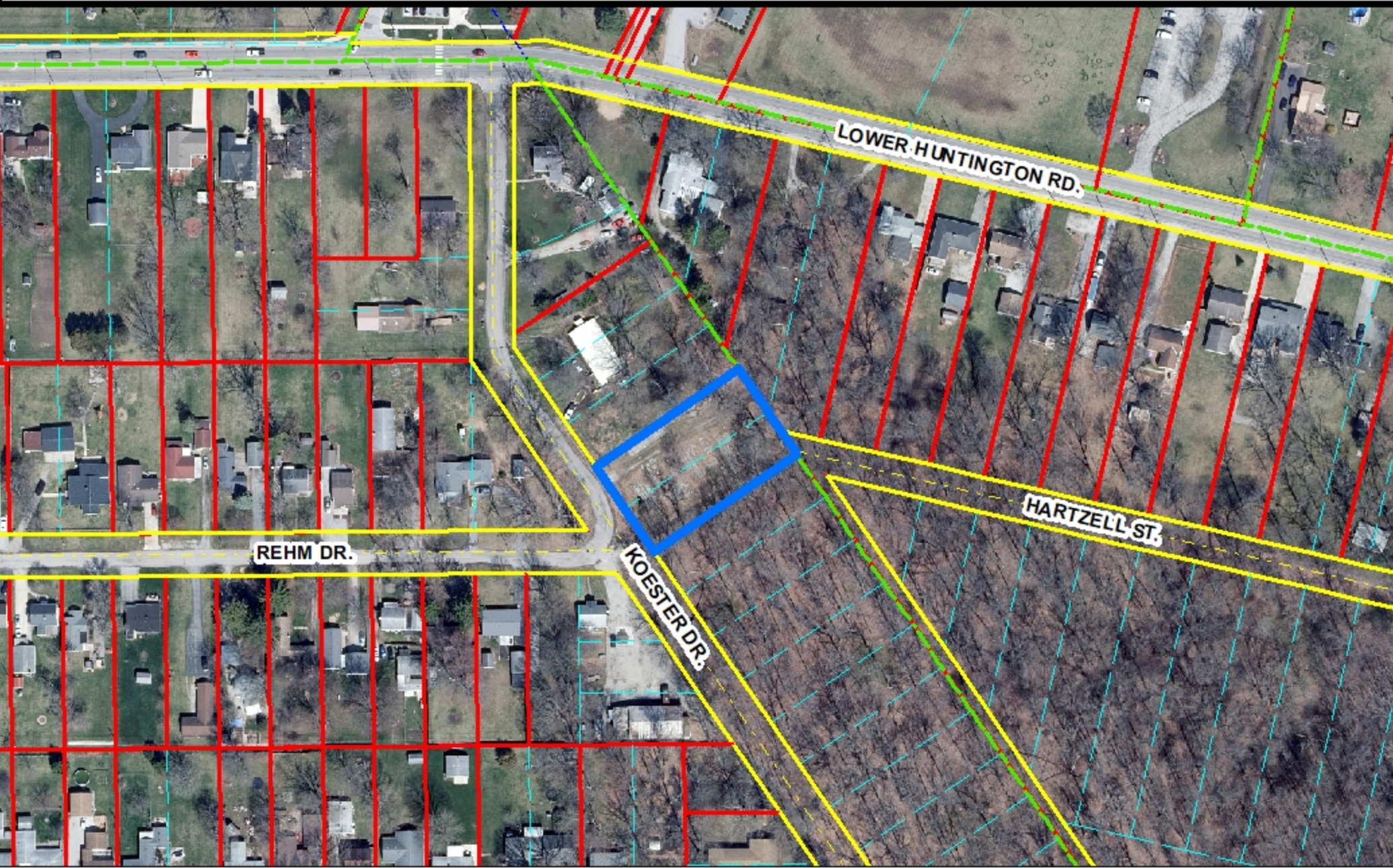
Public Comments:

Lori Leas, 6901 Koester Drive – Concerns include size of site, request for waivers and lack of greenspace (in original plan)

Bill Reynolds, Rehm Drive - He is aware of Property X apartments in Wayndedale and stated they have issues with tenants.

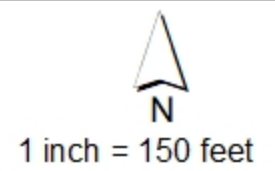
Christian Keim, Rehm Drive – Concerned about traffic, too many units and lack of sidewalks.

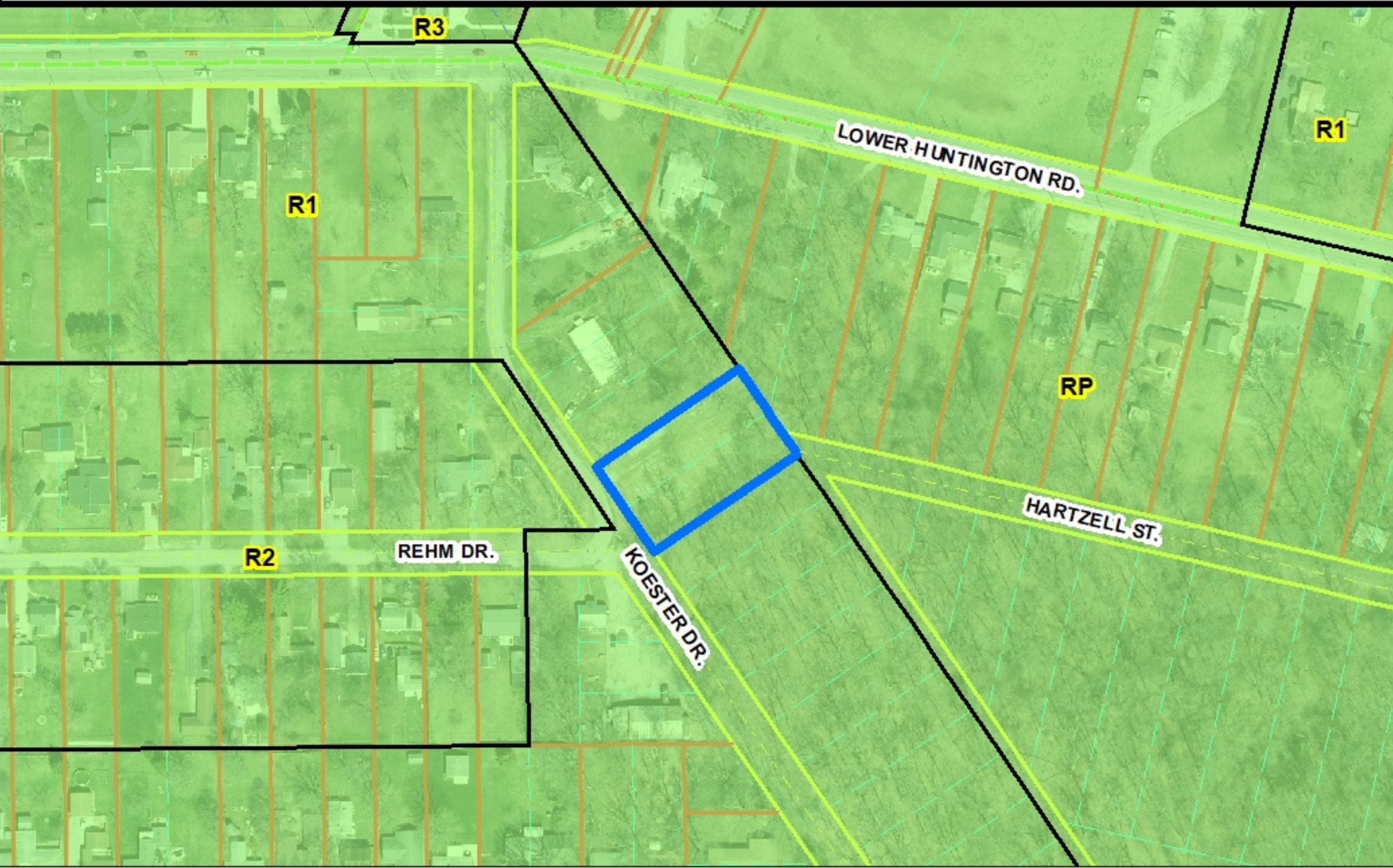
Eric Grimmer, Tanbark Trail – Concerned about number of parking spaces for guests.



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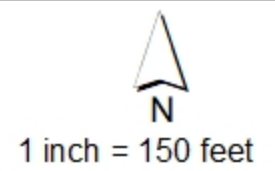
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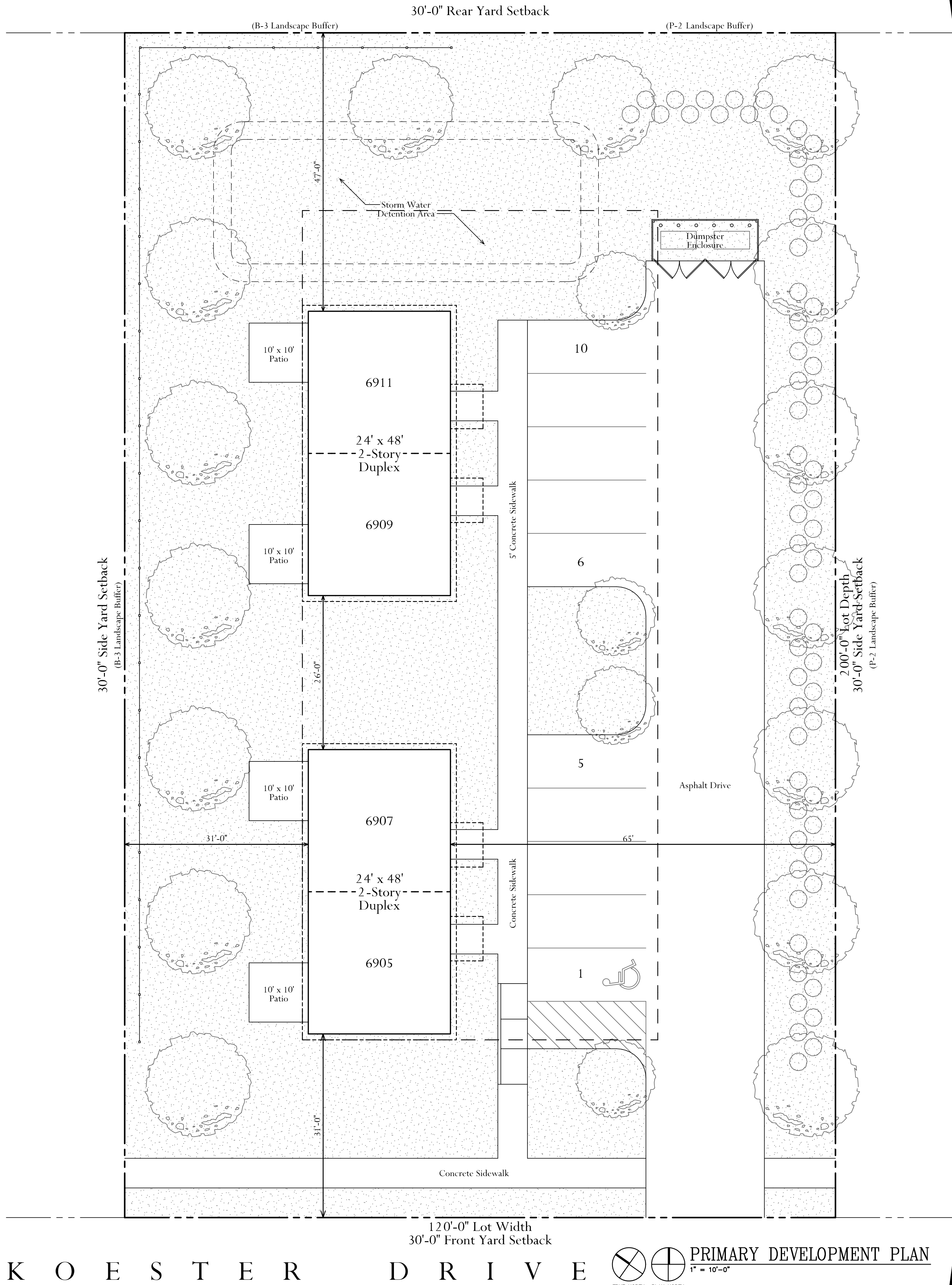




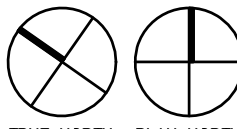
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K O E S T E R D R I V E



PRIMARY DEVELOPMENT PLAN
1" = 10'-0"

KELTY TAPPY DESIGN, INC.
ARCHITECTURE ♦ PLANNING ♦ URBAN DESIGN
www.KeltyTappy.com
Lincoln Tower Ste. 700
116 East Berry Street
Fort Wayne Indiana 46802
fax: 260 . 426 . 7772
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The Reserves at Maplewood
Fort Wayne, IN 46819
6915 Koester Driev
PRIMARY DEVELOPMENT PLAN

WRITTEN DIMENSIONS ON THE DRAWINGS HAVE PRECEDENCE OVER SCALED DIMENSIONS. CONTRACTORS WILL VERIFY AND BE RESPONSIBLE FOR ALL DIMENSIONS AND CONDITIONS ON THE JOB. CONTRACTOR WILL NOTIFY KELTY TAPPY DESIGN, INC. OF ANY VARIATION FROM THE DIMENSIONS AND CONDITIONS SHOWN IN THESE DRAWINGS. SHOP DRAWINGS WILL BE SUBMITTED TO KELTY TAPPY DESIGN, INC. FOR REVIEW BEFORE PROCEEDING WITH FABRICATION AND INSTALLATION.



REVISIONS:

July 5, 2023

23023

A1.1