

#REZ-2023-0023

BILL NO. Z-23-06-05

ZONING MAP ORDINANCE NO. Z-_____

**AN ORDINANCE amending the City of Fort Wayne
Zoning Map No. U-42 (Sec. 16 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 an R3
(Multiple Family Residential) District under the terms of Chapter 157 Title XV of the Code of
the City of Fort Wayne, Indiana:

Property 1:

The South 240 feet of the East Half of the South East Quarter of the North East
Quarter of Section 16, Township 31 North, Range 13 East, Allen County, Indiana,
containing 3.58 acres, more or less.

Excepting Therefrom:

A part of the East Half of the Southeast Quarter of the Northeast Quarter of Section
16, Township 31 North, Range 13 East, Allen County, Indiana, described as follows:

Beginning at the Southeast corner of said quarter section; thence North 89 degrees 34
minutes 33 seconds West, along the South line of said quarter section, 425.65 feet;
thence North 00 degrees 25 minutes 27 seconds East 25.00 feet to the North
boundary of Evard Rd.; thence North 81 degrees 56 minutes 08 seconds East 92.45
feet; thence North 64 degrees 03 minutes 59 seconds East 57.72 feet; thence North
55 degrees 02 minutes 45 seconds East 163.73 feet; thence North 70 degrees 37
minutes 08 seconds East 109.86 feet; thence North 00 degrees 14 minutes 15 seconds
East 43.76 feet to the North line of the owners' land; thence South 89 degrees 30
minutes 43 seconds East, along the North line of said owners' land, 45.00 feet to the
East line of said section; thence South 00 degrees 14 minutes 15 seconds West, along
said East line, 240.00 feet to the point of beginning and containing 1.141 acres, more
or less. The portion of the above-described real estate which is not already embraced
within public rights of way contains 0.773 acres, more or less.

Property 2:

The North 200 feet of the South 440 feet of the East Half of the Southeast Quarter
of the Northeast Quarter, Section 16, Township 31 North, Range 13 East, Allen
County, Indiana, containing 3.01 acres of land, more or less;

A part of the East Half of the Southeast Quarter of the Northeast Quarter of Section 16, Township 31 North, Range 13 East, Allen County, Indiana, described as follows:

Beginning on the East line of said Section, North 0°14'15" East 240.00 feet from the Southeast corner of said Quarter-Quarter Section, which Point of Beginning is the Southeast corner of the owners' land; thence North 89°30'43" West along the South line of the owners' land 45.00 feet; thence North 0°14'15" East 96.24 feet; thence North 89°45'45" West 15.00 feet; thence North 0°14'15" East 103.82 feet to the North line of the owners' land; thence South 89°30'43" East along said North line 60.00 feet to the East line of said Section; thence South 0°14'15" West along said East line 200.00 feet to the Point of Beginning and containing 0.242 acres, more or less.

and the symbols of the City of Fort Wayne Zoning Map No. U-42 (Sec. 16 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.

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-2023-0023
Bill Number: Z-23-06-05
Council District: 2-Russ Jehl

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 5.22 acres from R1/Single Family to R3/Multiple Family Residential.

Location: 6737 and 6749 Maplecrest Road

Reason for Request: To allow for a 46-unit apartment development.

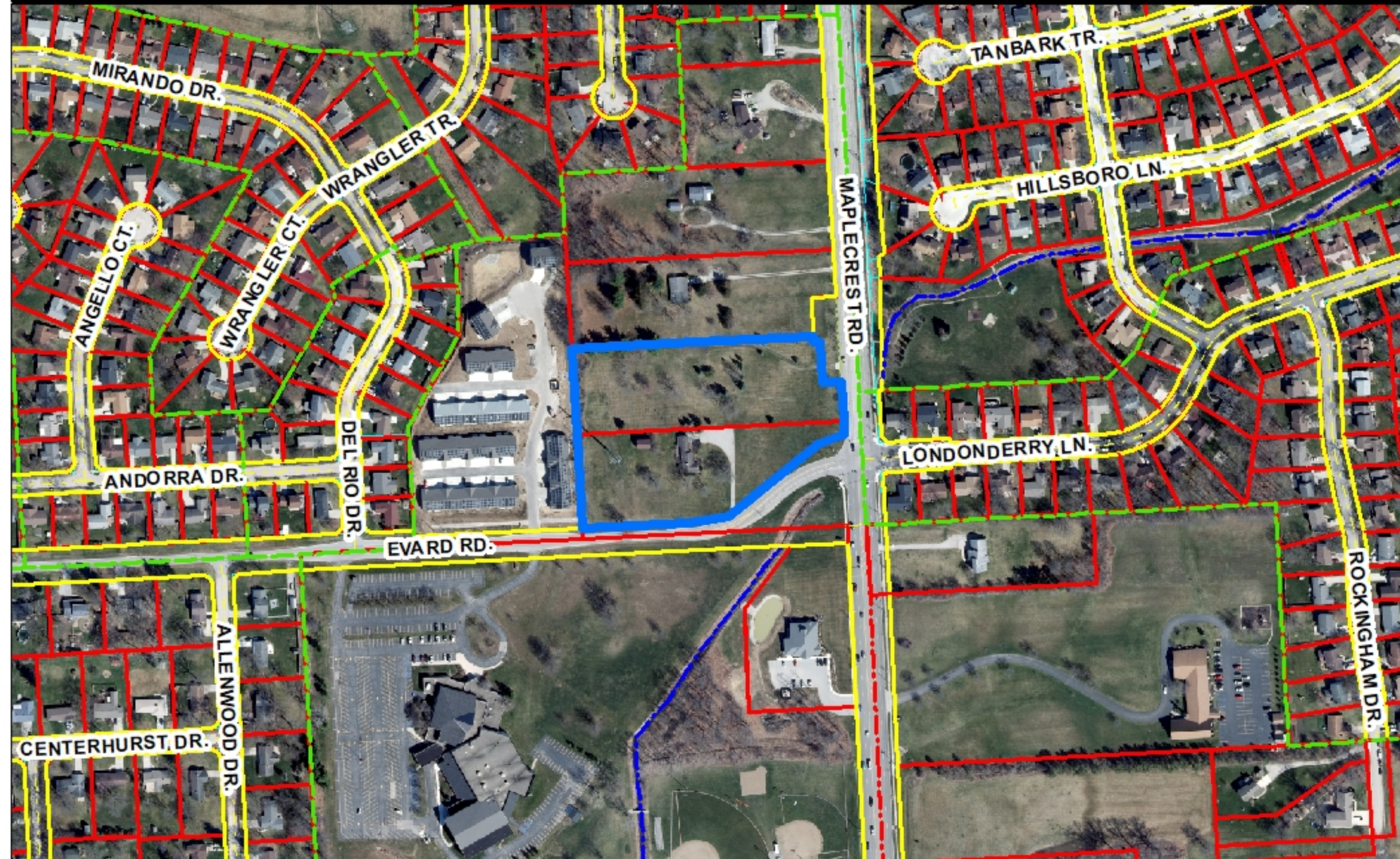
Applicant: Solid Rock Properties, LLC

Property Owner: Solid Rock Properties, LLC

Related Petitions: PDP-2023-0022 – Evard Place Apartments Extended

Effect of Passage: Property will be rezoned to the R3/Multiple Family 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.



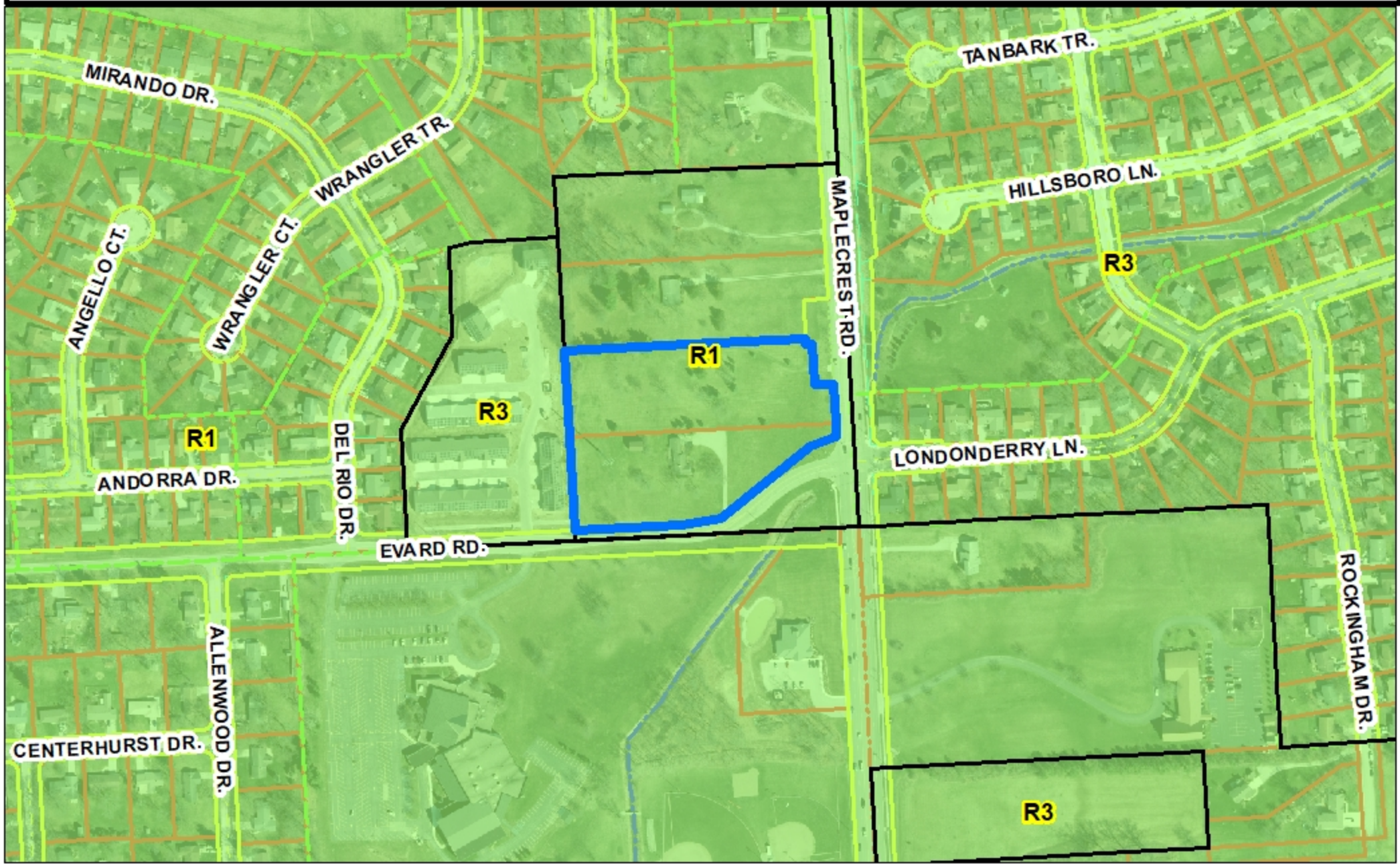
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**Department of Planning Services
Rezoning Petition Application**

Applicant
Applicant Solid Rock Properties, LLC (Attn: Chad Keysor)
Address 7205 Old Tail Rd
City Fort Wayne State IN Zip 46809
Telephone (260) 210-2905 E-mail chad@handarentals.com

Contact Person
Contact Person Derek Simon, PE (MLS Engineering, LLC)
Address 10060 Bent Creek Blvd
City Fort Wayne State IN Zip 46825
Telephone 260-489-8571 x2 E-mail derek@mlswebsite.us

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

Derek Simon: derek@mlswebsite.us Brett Miller: brett@mlswebsite.us

Request
☐ Allen County Planning Jurisdiction ☒ City of Fort Wayne Planning Jurisdiction
Address of the property 6737 & 6749 Maplecrest Rd, Fort Wayne, IN 46835
Present Zoning R1 Proposed Zoning R3 Acreage to be rezoned 5.222 Ac
Proposed density 46 Units / 5.222 Ac = 8.81 units per acre
Township name St. Joseph Township section # 16
Purpose of rezoning (attach additional page if necessary) _____
This petition is requesting to rezone property from R1 (Single Family Residential) to
R3 (Multi-Family Residential).
Sewer provider City of Fort Wayne Water provider City of 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
N/A ☐ Rezoning Questionnaire (original and 10 copies) County Rezoning Only

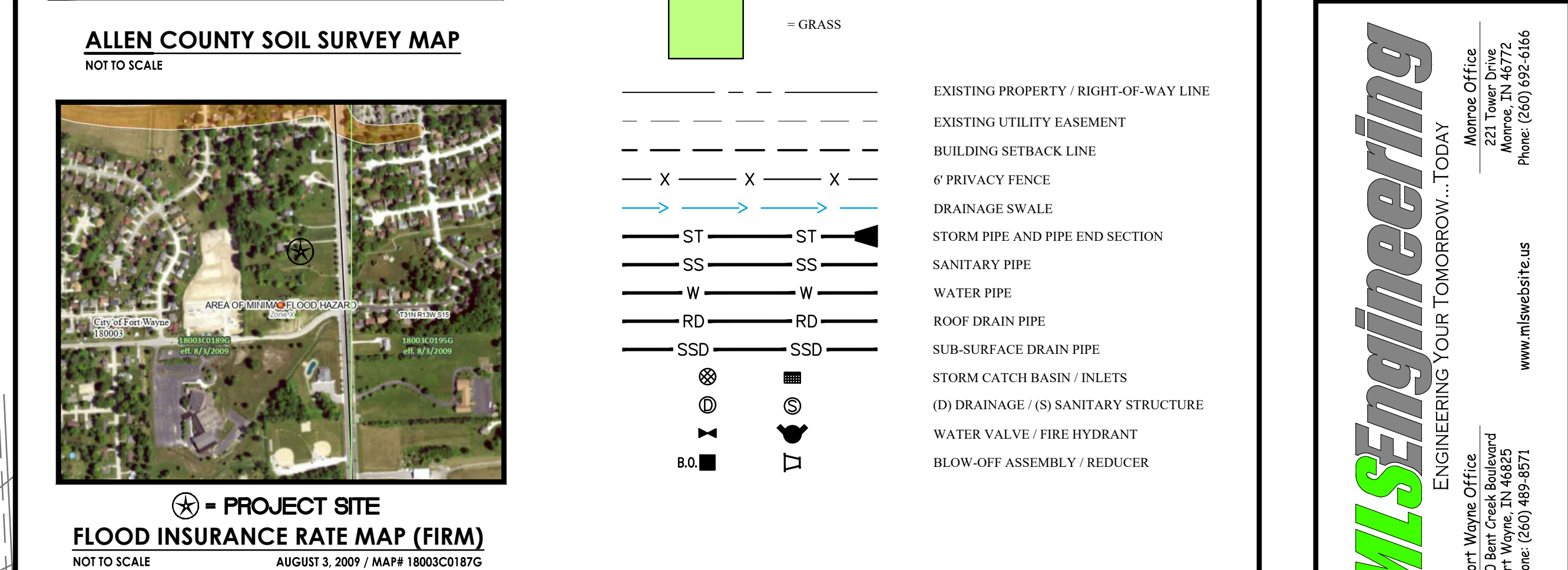
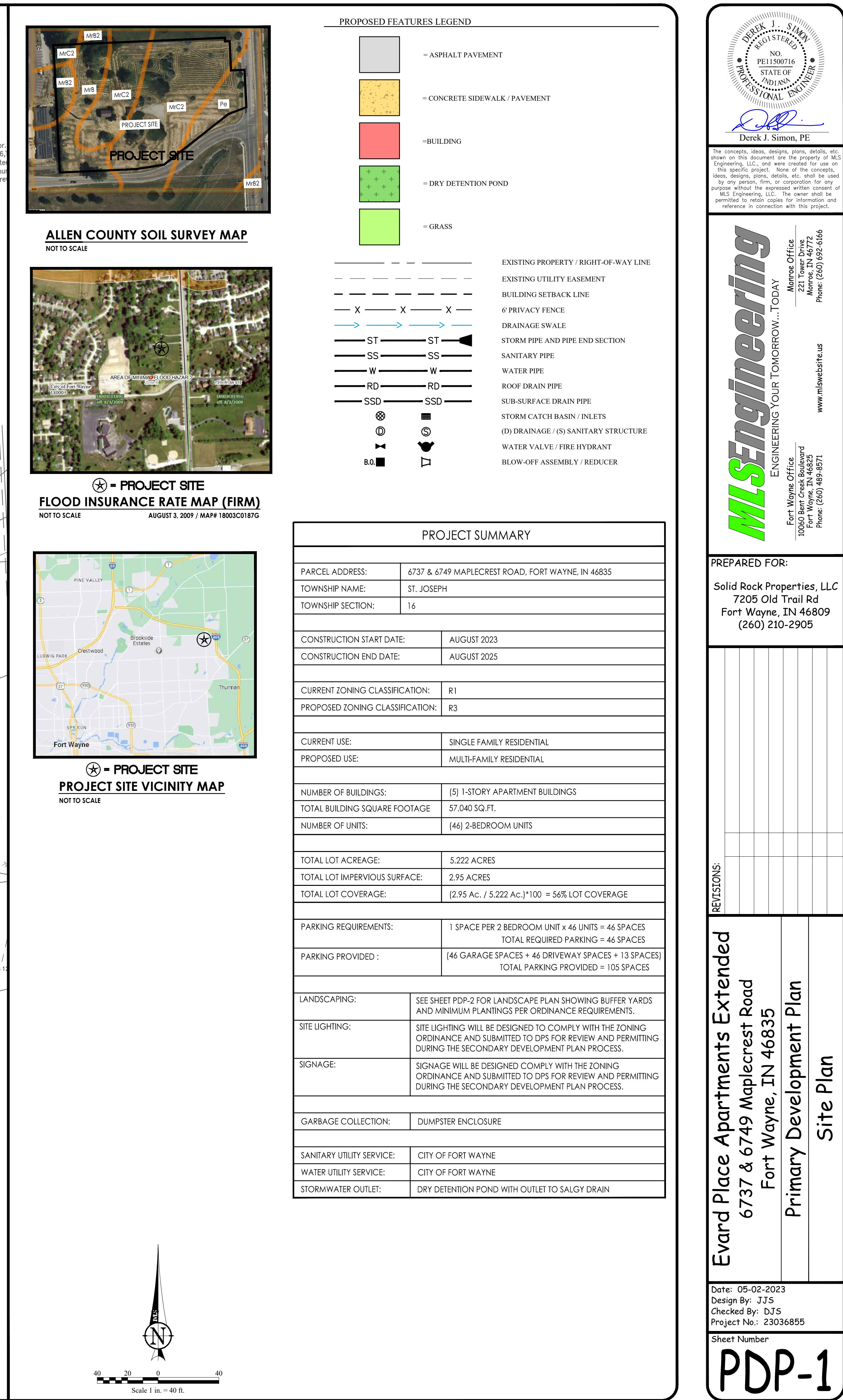
I/We understand and agree, upon execution and submission of this application, that I am/we are the owner(s) of more than 50 percent of the property described in this application; that I/we agree to abide by all provisions of the Allen County Zoning and Subdivision Control Ordinance as well as all procedures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

Chad Keysor (Solid Rock Properties, LLC) [Signature] 7/24/23
(printed name of applicant) (signature of applicant) (date)
Chad Keysor (Solid Rock Properties, LLC) [Signature] 7/24/23
(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.
<u>May 2, 2023</u>	<u>143/23</u>	<u>6-12-23</u>	<u>RE2-2023-0023</u>

[illegible]

FACT SHEET

Case #REZ-2023-0023		Bill # Z-23-06-05	Project Start: June 2023
APPLICANT:	Solid Rock Properties, LLC		
REQUEST:	Rezone from R1/Single Family Residential to R3/Multiple Family Residential and to approve a primary development plan for a 46-unit multiple family complex.		
LOCATION:	6737 Maplecrest Road, northwest corner of its intersection with Evard Road (Section 16 of St. Joseph Township)		
LAND AREA:	5.22 acres		
PRESENT ZONING:	R1/Single Family Residential		
PROPOSED ZONING:	R3/Multiple Family Residential		
COUNCIL DISTRICT:	2-Russ Jehl		
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: DO PASS

A motion was made by Paul Sauerteig and seconded by Rick Briley to return the Ordinance with a Do Pass recommendation to Common Council for their final decision.

8-0 MOTION PASSED

- Tom Freistroffer was absent.

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

PROJECT SUMMARY

- A single-family home was constructed on the site between 1938 and 1957.
- No Board of Zoning Appeals history was identified on the site.

The petitioner requests a rezoning from R1/Single Family Residential to R3/Multiple Family Residential for a 46-unit multiple family complex. The property is between the Solid Rock Apartments approved by the Fort Wayne Plan Commission in October 2019 and the Hillsboro subdivision across Maplecrest Road. The property to the south is Brookside Church.

The proposed site plan includes five (5) new buildings, all of which are one story. This differs from the first phase which contains a blend of one- and two-story buildings. These buildings are arranged off two new streets stemming from the existing multiple family complex, which was completed around late 2022. In other words, no new access points will be provided from the public streets. Parking is provided with garages, driveways, and 13 guest spaces under the electric lines, which exceeds the ordinance minimum requirement. Landscaping will meet the requirements of the ordinance, and sidewalk connections will be made to the public walks on Evard and Maplecrest.

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

- 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.
LUD Policy 6 - Transform key suburban corridors over time into mixed use areas with housing, neighborhood-oriented retail, public spaces, walkable public realms, and transit service.

Generalized Future Land Use Map

- The project site is located within the Mixed Residential classification. The mixed residential includes multiple family residential as a primary use in this district.

Land Use Related Action Steps

- The following Action Steps would be applicable and supportive of this proposal:
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.

Compatibility Matrix

- This proposed use would fall into R3/Multiple Family Residential which is considered compatible with mixed residential.

PUBLIC HEARING SUMMARY:

Presenter: Derek Simon, project engineer and contact presented the request as outlined above.

Public Comments:

Eric Gemmer: Concerns about drainage from Hillsboro subdivision.

Alan Swim: Concerns include sidewalks, ADA ramps, traffic sign, line of sight, brush needs cleared out.

Amanda Weimer: Concerns with traffic, stormwater.

FORT WAYNE PLAN COMMISSION • FINDINGS OF FACT

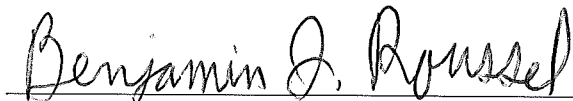
Rezoning Petition REZ-2023-0023

PROPOSAL: Rezoning Petition REZ-2023-0023– Evard Place Apartments, Extended
APPLICANT: Solid Rock Properties, LLC
REQUEST: Rezone from R1/Single Family Residential to R3/Multiple Family Residential
LOCATION: 6737 Maplecrest Road, northwest corner of its intersection with Evard Road (Section 16 of St. Joseph Township)
LAND AREA: 5.22 acres
PRESENT ZONING: R1/Single Family Residential
PROPOSED ZONING: R3/Multiple Family Residential

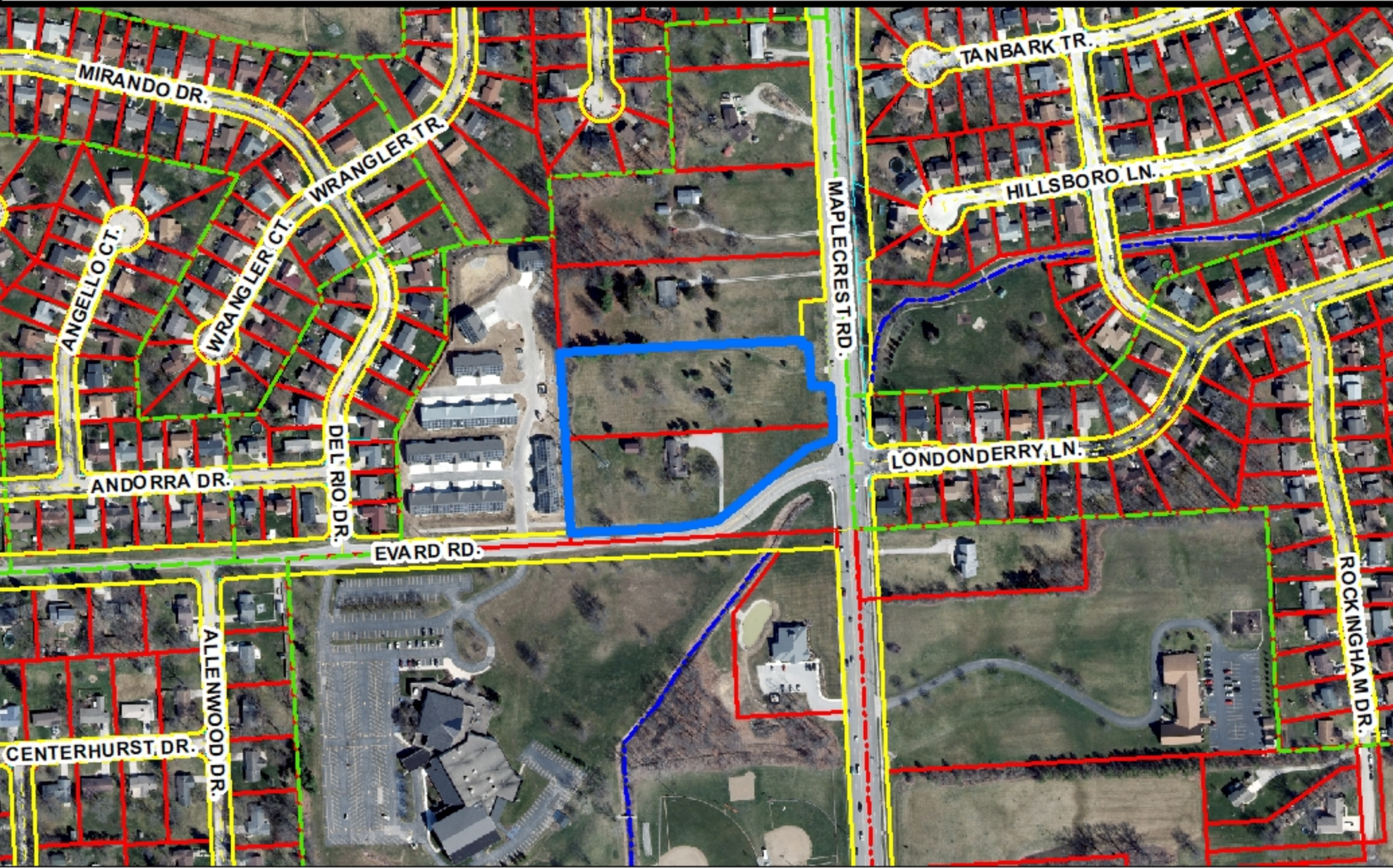
The Plan Commission recommends that Rezoning Petition REZ-2023-0023 be returned to Council, with a “Do Pass” recommendation after considering the following:

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 R3/ Multiple Family Residential zoning will continue the precedent of residential development in the northeast quadrant of the City. This proposal will continue adjacent, existing R3 zoning to the west.
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. Development will be routed to applicable agencies to mitigate impact on the current conditions in the area. Storm drainage and regulated drain requirements will be reviewed by City of Fort Wayne Stormwater Engineering as well as the Allen County Surveyor’s Office.
3. Approval is consistent with the preservation of property values in the area. This proposal will allow investment into a currently vacant property.
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. The Comprehensive Plan identifies this area as urban infill area, and the land use map identifies the site as mixed residential, making this a compatible site for the subject rezoning petition.

These findings approved by the Fort Wayne Plan Commission on June 26, 2023.




Benjamin J. Roussel
Executive Director
Secretary to the Commission

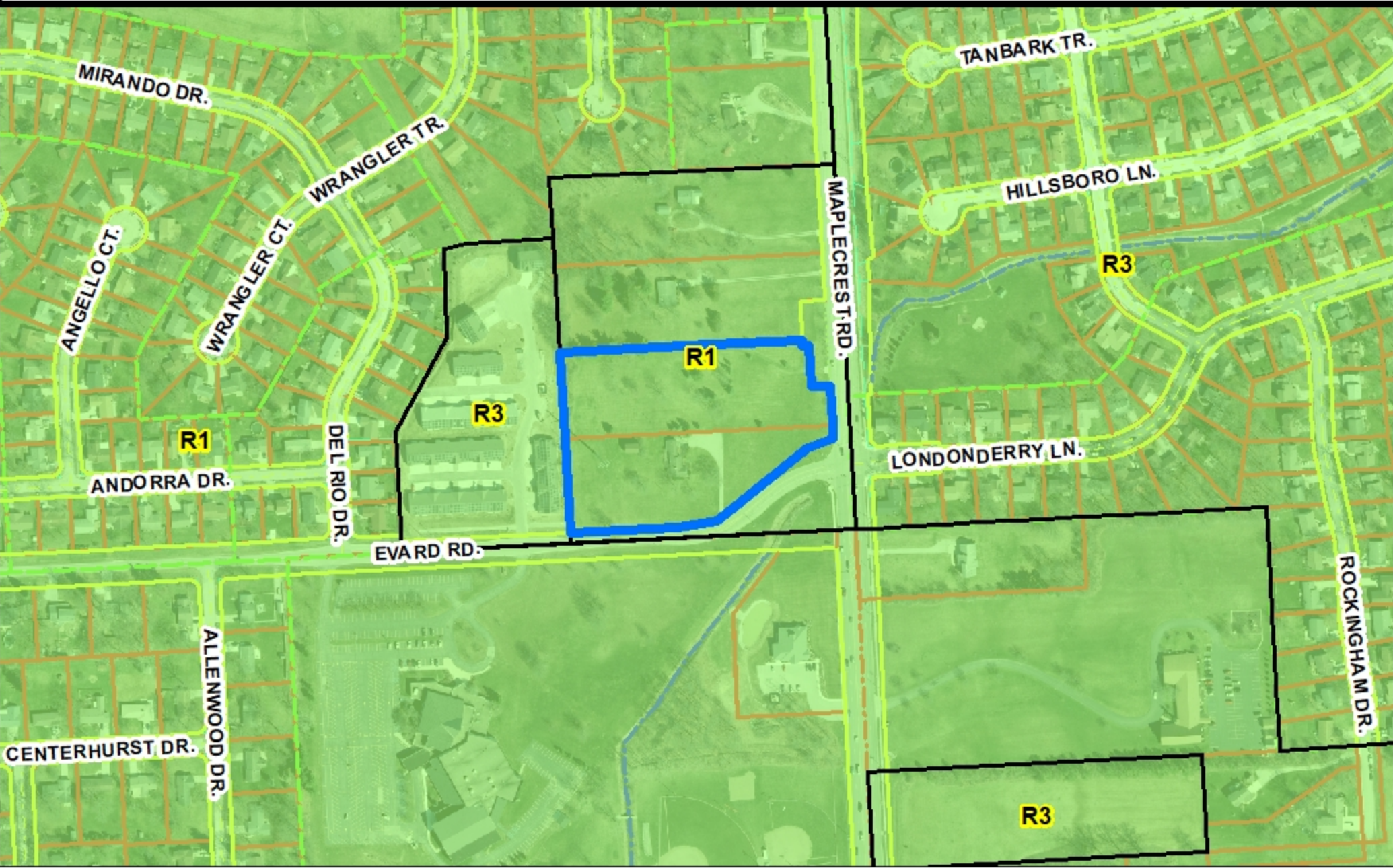


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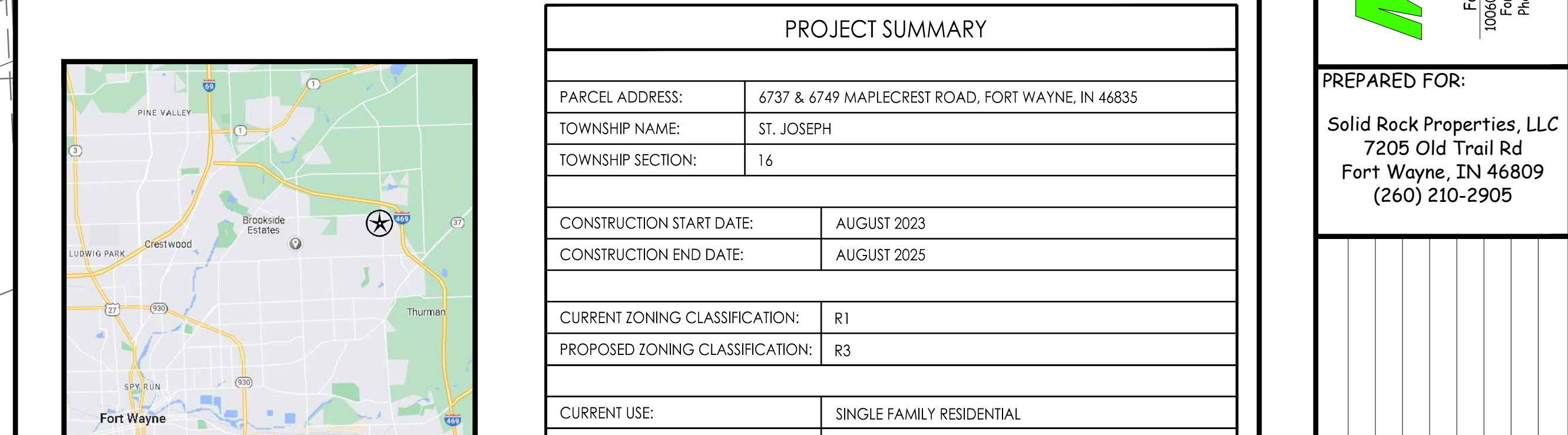
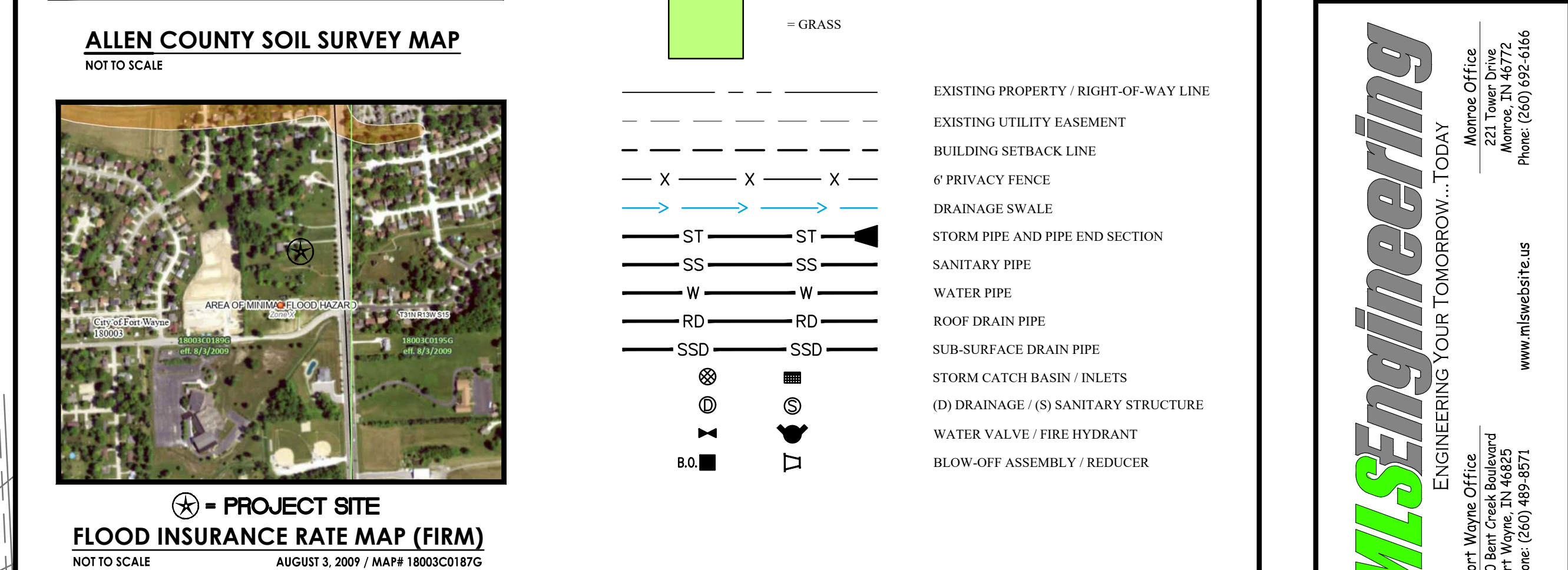
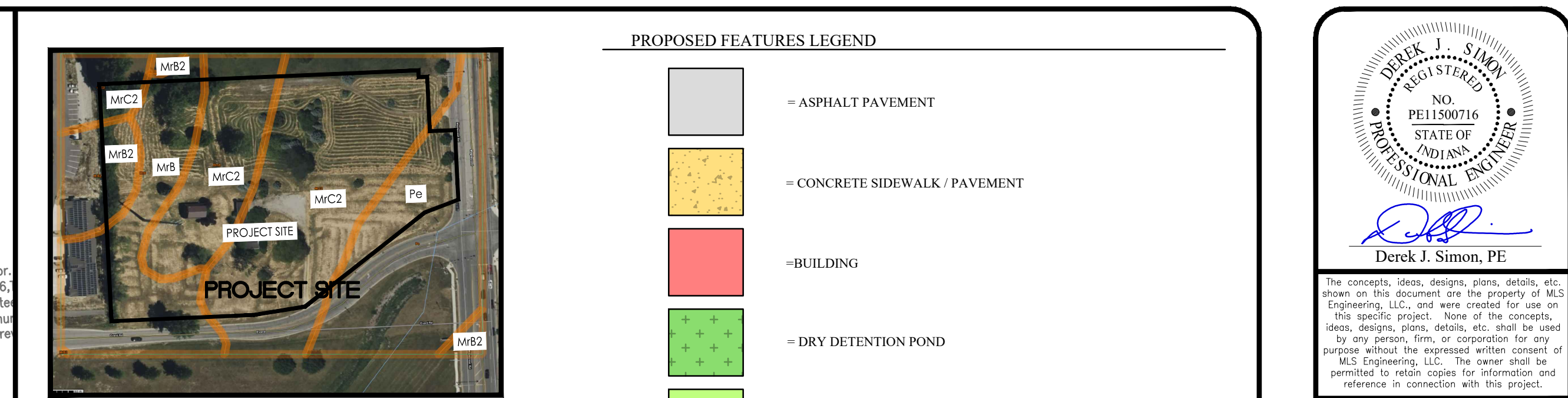
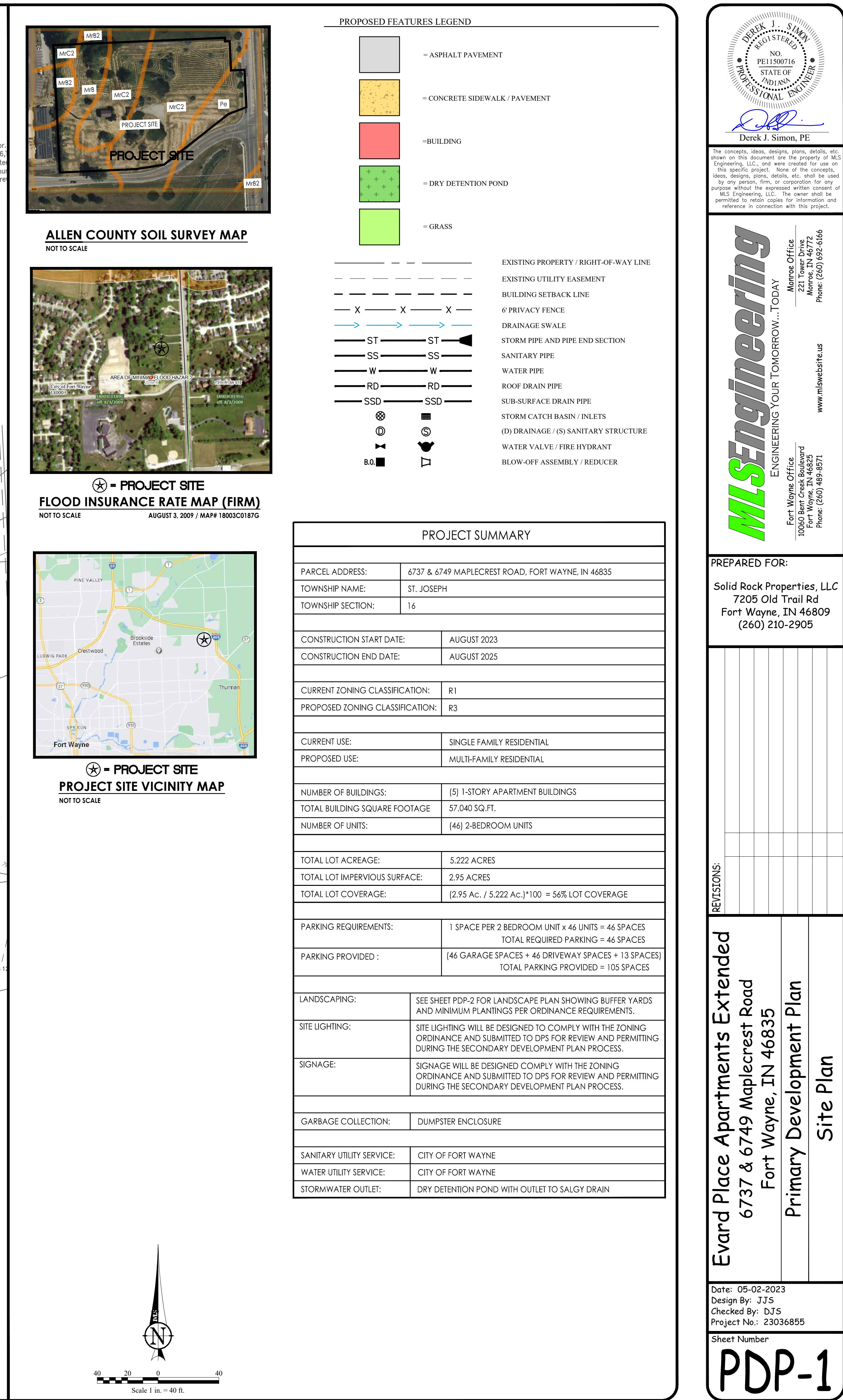


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PROJECT SUMMARY	
PARCEL ADDRESS:	6737 & 6749 MAPLECREST ROAD, FORT WAYNE, IN 46835
TOWNSHIP NAME:	ST. JOSEPH
TOWNSHIP SECTION:	16
CONSTRUCTION START DATE:	AUGUST 2023
CONSTRUCTION END DATE:	AUGUST 2025
CURRENT ZONING CLASSIFICATION:	R1
PROPOSED ZONING CLASSIFICATION:	R3
CURRENT USE:	SINGLE FAMILY RESIDENTIAL
PROPOSED USE:	MULTI-FAMILY RESIDENTIAL
NUMBER OF BUILDINGS:	(5) 1-STORY APARTMENT BUILDINGS
TOTAL BUILDING SQUARE FOOTAGE	57,040 SQ.FT.
NUMBER OF UNITS:	(46) 2-BEDROOM UNITS
TOTAL LOT ACREAGE:	5.222 ACRES
TOTAL LOT IMPERVIOUS SURFACE:	2.95 ACRES
TOTAL LOT COVERAGE:	(2.95 Ac. / 5.222 Ac.)*100 = 56% LOT COVERAGE
PARKING REQUIREMENTS:	1 SPACE PER 2 BEDROOM UNIT x 46 UNITS = 46 SPACES TOTAL REQUIRED PARKING = 46 SPACES
PARKING PROVIDED :	(46 GARAGE SPACES + 46 DRIVEWAY SPACES + 13 SPACES) TOTAL PARKING PROVIDED = 105 SPACES
LANDSCAPING:	SEE SHEET PDP-2 FOR LANDSCAPE PLAN SHOWING BUFFER YARDS AND MINIMUM PLANTINGS PER ORDINANCE REQUIREMENTS.
SITE LIGHTING:	SITE LIGHTING WILL BE DESIGNED TO COMPLY WITH THE ZONING ORDINANCE AND SUBMITTED TO DPS FOR REVIEW AND PERMITTING DURING THE SECONDARY DEVELOPMENT PLAN PROCESS.
SIGNAGE:	SIGNAGE WILL BE DESIGNED COMPLY WITH THE ZONING ORDINANCE AND SUBMITTED TO DPS FOR REVIEW AND PERMITTING DURING THE SECONDARY DEVELOPMENT PLAN PROCESS.
GARBAGE COLLECTION:	DUMPSTER ENCLOSURE
SANITARY UTILITY SERVICE:	CITY OF FORT WAYNE
WATER UTILITY SERVICE:	CITY OF FORT WAYNE
STORMWATER OUTLET:	DRY DETENTION POND WITH OUTLET TO SALGY DRAIN

