

#REZ-2023-0026

BILL NO. Z-23-06-13

ZONING MAP ORDINANCE NO. Z-_____

**AN ORDINANCE amending the City of Fort Wayne
Zoning Map No. K-06 (Sec. 3 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
Rockhills 2nd Addition	W 34' Lot 157 & E 30' Lot 158	02-12-03-435-001.000-074
Rockhills 2nd Addition	W 20 FT LOT 158 & E 10 FT LOT 159	02-12-03-410-005.000-074
Rockhills 2nd Addition	E 53 FT OF W 168 & VAC ST LOT 239	02-12-03-434-001.000-074
Rockhills 2nd Addition	E 94.8 & VAC ST ADJ LOT 239	02-12-03-434-002.000-074

and the symbols of the City of Fort Wayne Zoning Map Nos. K-06 (Sec. 3 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.

1
2 SECTION 3. That this Ordinance shall be in full force and effect from and after its
3 passage and approval by the Mayor.

4
5 _____
6 Council Member

7 APPROVED AS TO FORM AND LEGALITY:

8 _____
9 Malak Heiny, City Attorney
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30

City of Fort Wayne Common Council

DIGEST SHEET

Department of Planning Services

Title of Ordinance: Zoning Map Amendment
Case Number: REZ-2023-0026
Bill Number: Z-23-06-13
Council District: 5-Geoff Paddock

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 .042 acres from I1/Limited Industrial to R2/Two Family Residential.

Location: 1214 to 1225 Boone Street.

Reason for Request: Proactive downzoning of parcels to align zoning with existing uses and to implement recommendations of the Nebraska Neighborhood Plan amendment to the Comprehensive Plan (approved by Council in 2010).

Applicant: Fort Wayne Plan Commission

Property Owners: Various; see project file.

Related Petitions: REZ-2023-0025

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

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



MEMO

To: Fort Wayne Plan Commission
From: Proactive Rezoning Work Group, City-CD, DPS
Date: 5/08/23
RE: West Main Street Rezoning
CC:
Paul Spoelhof, Director of Planning & Policy
Michelle Wood, Senior Planner, Department of Planning Services

The Proactive Rezoning Work Group has submitted two rezoning applications that are located within the Nebraska Neighborhood.

- **1131 to 1432 West Main Street (Camp Allen Drive to Osage St) and 602 to 632 Cherry Street** from I1/Limited Industrial and C3/General Commercial **to UC/Urban Corridor**; and
- **1214 to 1225 Boone Street** (a small residential area just north of West Main) from I1/Limited Industrial **to R2/Two Family Residential**.

The Fort Wayne Plan Commission is being requested to initiate the rezonings in accordance with the Nebraska Neighborhood Plan and All In Allen Comprehensive Plan.

The Nebraska Neighborhood Plan, adopted in 2010 by Common Council, includes recommendations to rezone these areas to a more appropriate zoning district that matches the actual land uses, and to encourage more compatible land uses and development patterns for the neighborhood.

In 2015, West Main Street from Osage west to Edgerton was rezoned to UC/Urban Corridor. The UC zoning district will allow for and encourage mixed uses with a focus on neighborhood and pedestrian oriented commercial and personal service uses.

The rezonings have been filed for the upcoming June 12th Plan Commission Public Hearing. Staff from the Proactive Rezoning Work Team will attend this meeting to present and answer any questions regarding this request.

**The Proactive Rezoning Work Group is a collaboration between the City of Fort Wayne Planning and Policy Department and the Allen County Department of Planning Services to actively rezone corridors and other areas identified as part of neighborhood and other community-based plans.*

Department of Planning Services
Rezoning Petition Application

Applicant	Applicant _____
	Address _____
	City _____ State _____ Zip _____
	Telephone _____ E-mail _____

Contact Person	Contact Person _____
	Address _____
	City _____ State _____ Zip _____
	Telephone _____ E-mail _____

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 _____
	Present Zoning _____ Proposed Zoning_____ Acreage to be rezoned_____
	Proposed density_____ units per acre
	Township name_____ Township section #_____
	Purpose of rezoning (attach additional page if necessary) _____

Sewer provider_____ Water provider_____	

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.

_____	_____	_____
(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.
----------	-------------	--------------	--------------

Current Zoning



- R1 Single Family Residential
- R2 Two Family Residential
- R3 Multiple Family Residential
- C3 General Commercial
- DE Downtown Edge
- UC Urban Corridor
- I1 Limited Industrial
- I2 General Industrial

Proposed Zoning



- R2 Two Family Residential
- UC Urban Corridor

FACT SHEET

Case #REZ-2023-0026	Bill # Z-23-06-13	Project Start: June 2023
APPLICANT:	Proactive Rezoning Work Group	
REQUEST:	Rezone properties from I1/Limited Industrial to R2/Two Family Residential	
LOCATION:	1214 to 1225 Boone Street.	
LAND AREA:	0.42 acres	
PRESENT ZONING:	I1/Limited Industrial	
PROPOSED ZONING:	R2/Two Family Residential	
COUNCIL DISTRICT:	5-Geoff Paddock	
SPONSOR:	City of Fort Wayne Plan Commission	

September 11, 2023 Public Hearing

- One person spoke at the hearing in opposition.
- Three individuals raised concerns.
- Staff received one letter of opposition, one letter with concerns, and three letters of support.
- Tom Freistroffer, Ryan Neumeister, Karen Richards and Rachel Tobin-Smith were absent.

September 18, 2023 Business Meeting

Plan Commission Recommendation: DO PASS

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

8-0 MOTION PASSED

- Ryan Neumeister was absent.

Fact Sheet Prepared by:
Karen Couture, Associate Land Use Planner
September 20, 2023

PROJECT SUMMARY

SITE HISTORY

- The site is a corridor that has historically been a mix of commercial and residential uses.
- Currently there are several parcels that are developable due to demolition/loss of the previous structure.

DISCUSSION

In 2010, Fort Wayne Common Council adopted the goals and policies for the Nebraska Neighborhood Plan, now included and incorporated as part of the All in Allen Comprehensive Plan. The Nebraska Neighborhood Plan covered a range of topics including economic development, historic preservation, and housing. One goal in the Nebraska Neighborhood Plan is to encourage and maintain mixed use development in the Nebraska Neighborhood within appropriate areas. Specifically, this looks at the application of the CM5C District, now renamed to UC/Urban Corridor District, along historically mixed-use commercial corridors such as West Main Street.

As part of the implementation of the Nebraska Neighborhood Plan, the application of appropriate zoning along West Main was split into two phases. The neighborhood association and residents successfully carried forward a petition to rezone the western half of West Main in the Nebraska neighborhood from into UC in 2015. While it received broad community support, a petition of that scale takes significant time and effort on the part of the residents and neighborhood leaders. As such, the second phase covering the eastern half of West Main in the Nebraska neighborhood was never completed. The Proactive Rezoning Work Group was created to alleviate this time and effort on the part of the residents to enable these goals and policies to move forward. Through this request, the Proactive Rezoning Work Group aims to complete the implementation of UC along West Main.

This request proposes to rezone portions of West Main and Cherry St to UC/Urban Corridor and a portion of Boone St to R2/Two Family Residential. The current zoning for this area includes C3/General Commercial along West Main and I1/Limited Industrial along Cherry St and Boone St.

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. Precedent for UC zoning along the West Main corridor was set in 2015 with the first phase of implementation from the Nebraska Neighborhood Plan

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 is a property with use in this rezoning area that is not permitted in the UC/Urban Corridor District (Gensic Creative Metals), this user 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. Staff notes that this particular use is already non-conforming in the existing zoning district, so the proposed rezoning will not increase the non-conformity, but it will aid in compliance with development standards.

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 March 29, 2023, from 5:30-7:00 p.m. at the United Faith Presbyterian Church social hall. 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. Follow-up individual meetings were also held for any interested party who wished for further discussion. Since the petition was originally filed in May 2023, one property owner at the southeast corner of West Main and Mechanic Street expressed interest in removing their property from the petition, so these parcels were excluded and will remain C3/General Commercial. Staff also met with a team that is currently developing the Flats on Main and have plans to redevelop additional properties on Main Street. Following this discussion, staff received two support letters for the rezoning from the development team, and from the Nebraska Neighborhood.

COMPREHENSIVE PLAN REVIEW

Future Growth and Development Map, Goals, and Strategies

- The project site is located within the Priority Investment Area; the following Goal and Strategies would be applicable:
LUD1 – Encourage compatible infill development and redevelopment in the Urban Infill and Priority Investment Areas
LUD1.3 – Encourage compatible higher density residential and mixed-use development in infill areas that are near public transit routes, employment centers, institutions, and other amenities.

Overall Land Use Policies

- The following Land Use Policies would be applicable and supportive of this request:
LUD Policy 1 – Support and promote a diversity of housing types within the applicable land use categories defined in this chapter.
LUD Policy 2 – Promote Complete neighborhoods through sustainable development, preservation, and growth by encouraging and enhancing mixed use neighborhood areas.
LUD Policy 4 – Nonresidential development which is adjacent to residential neighborhoods should be limited to lower intensity neighborhood commercial uses.
LUD Policy 5 – Enhance and preserve existing mixed urban commercial corridors through the application of Mixed Urban Corridor or other appropriate zoning classification.
LUD Policy 7 – Encourage compatible adaptive reuse of vacant, obsolete, or underutilized nonresidential buildings.

Generalized Future Land Use Map

- The project site is located within the Mixed Urban Commercial Corridor and Traditional Neighborhood designations.

Overall Land Use Related Action Steps

- Staff determined the following Action Step(s) would be applicable and supportive of this proposal:

HN1.1 – Promote the creation of complete neighborhood areas through compact development, increased density, and infill.

ED2.1.4 – 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.

Compatibility Matrix

- This proposed UC zoning would fall into the Mixed Urban Commercial Corridor and Traditional Neighborhood designations, as well as being adjacent to the same. UC is considered compatible in or adjacent to Mixed Urban Commercial Corridor and Traditional Neighborhood.
The R2 zoning would fall into the Traditional Neighborhood designation, as well as adjacent to the same. R2 is considered compatible in or adjacent to Traditional Neighborhood.

Other Applicable Plans - Nebraska Neighborhood Action Plan

- **Housing Goal 1, Policy D** – Encourage and support new residential development which is in conformance with the Fort Wayne Zoning Ordinance and compatible with adjacent structures and development and surrounding neighborhood character and development patterns in terms of height, scale, mass, setback, and proportion.
- **Housing Goal 4, Policy A** – Encourage mixed-use development along commercial corridors.
- **Zoning and Land Use Goal 1, Policy B** – Encourage development that is compatible with the character of existing and adjacent buildings and the surrounding neighborhood development patterns.
- **Zoning and Land Use Goal 1, Policy C** – Encourage neighborhood, pedestrian-oriented, and mixed uses along neighborhood commercial corridors, such as West Main Street.

PUBLIC HEARING SUMMARY:

Presenter:

Nathan Law, Community Development and Proactive Rezoning Work Group, presented the project as outlined above.

Public Comments:

Nark Nei, Main Street – Has no issues with the existing C3 zoning. Does not see any positive effects with corridors that have been zoned to Urban Corridor. The requirement of a second floor in the Urban Corridor district may make projects economically infeasible. Does not think that the urban corridor district will lead to responsible infill development.

Steve Cox, Elm Street – Concerned about condition of alleys, and limits of rezoning.

Michelle Heredia, Elm Street – Concerned about condition of alleys and safety for school-age children.

Jonathan Sauer, Camp Allen Drive – Concerned with conditions of alleys. Does not see the benefit to rezoning the corridor.

Closing Comments:

Russ Garriott, Community Development, PRWG – City proactively-zoned corridors have shown stabilization and new investment. Zoning sets the stage for responsible development and supports the historic fabric of the neighborhoods. Alley conditions are a concern that is ongoing, but the ordinance

encourages parking off alleys and new development can address conditions. The impetus for the zoning change is from the Nebraska Neighborhood Plan, which is adopted as part of the new All-in-Allen Comprehensive Plan. Rezoning is a tool outlined in the action-steps of the plans.

Staff Follow-up:

Following the public hearing, PRWG staff spoke with the group of neighbors with alley concerns, who were also concerned whether this rezoning affected their properties. None of their properties are within the rezoning area.

FORT WAYNE PLAN COMMISSION • FINDINGS OF FACT

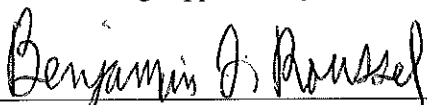
Rezoning Petition REZ-2023-0026

APPLICANT:	Proactive Rezoning Work Group
REQUEST:	Rezone properties from I1/Limited Industrial to R2/Two Family Residential
LOCATION:	1214 to 1225 Boone Street.
LAND AREA:	0.42 acres
PRESENT ZONING:	I1/Limited Industrial
PROPOSED ZONING:	R2/Two Family Residential

The Plan Commission recommends that Rezoning Petition REZ-2023-0026 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. UC/Urban Corridor and R2/Two Family Residential will continue the precedent of the mixed-use urban corridor along West Main and the residential character of the surrounding neighborhood.
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. Future development under the UC/Urban Corridor and R2/Two Family Residential will closely match the existing pattern of development and uses within the area.
3. Approval is consistent with the preservation of property values in the area. Most of the surrounding area is currently developed, and portions of the site are also currently developed. The application of UC/Urban Corridor and R2/Two Family Residential will allow for more appropriate development on currently developable parcels within the site.
4. Approval is consistent with responsible development and growth principles based on existing uses and infrastructure in the area. The site was fully developed in the past, and encouraging compatible development consistent with the historical form would be consistent with the historical use of infrastructure in the area.

These findings approved by the Fort Wayne Plan Commission on September 18, 2023.



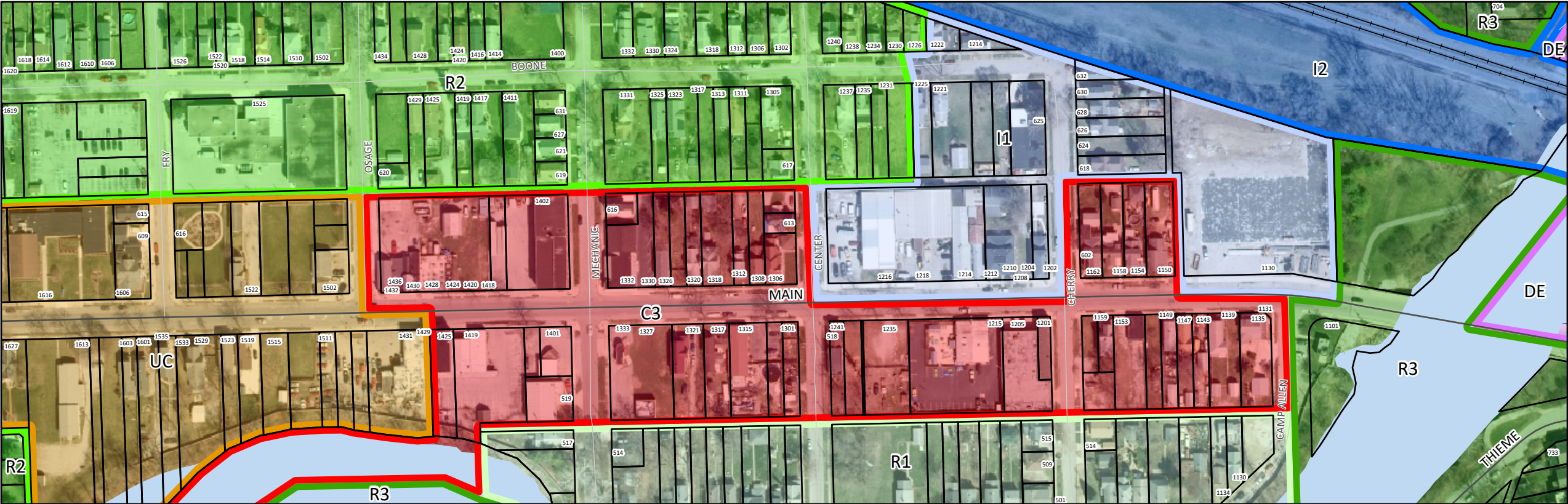
Benjamin J. Roussel
Executive Director
Secretary to the Commission

Proactive Rezoning Initiative: Nebraska Neighborhood Plan

DRAFT

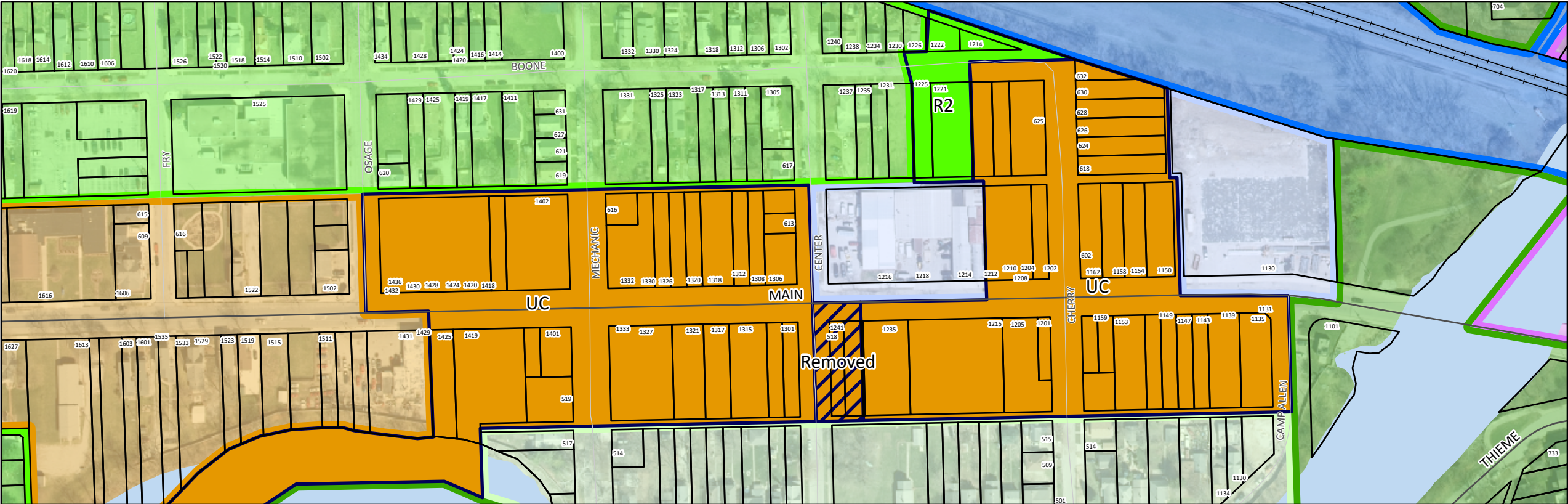
West Main Street

Current Zoning



- R1 Single Family Residential
- R2 Two Family Residential
- R3 Multiple Family Residential
- C3 General Commercial
- DE Downtown Edge
- UC Urban Corridor
- I1 Limited Industrial
- I2 General Industrial

Proposed Zoning



- R2 Two Family Residential
- UC Urban Corridor
- Removed From Proposal After Application

Draft Date: 8/7/2023

TO:

Department of Planning Services

200 East Berry Street, Suite 150 Citizen Square

Fort Wayne, IN 46802

Subject: Concerns Regarding Proposed Zoning Changes from C3 to UC along West Main Street Corridor.

To whom it may concern,

We are writing to express our support regarding the proposed rezoning of the properties we currently control along the Main Street corridor (listed below). As discussed in our July 14th meeting with the City's planning staff, we acknowledge that the change from the current C3 zoning to the proposed UC zoning offers a scenario that better aligns with the vision we have defined for our proposed redevelopment project(s).

While every effort has been made to align our development project with existing zoning regulations, it is recognized that no zoning classification, including Urban Commercial (UC) zoning, can perfectly accommodate every unique project. Given the specific nature and design requirements of our development, we anticipate that some variances may still be necessary to achieve our desired outcome.

However, we appreciate the City's commitment to enhancing our urban corridors and trust that they will continue to work with local investors to understand how they can most effectively improve the quality of life within our existing neighborhoods. We look forward to working with the City as, together, our mutual goals to enhance our community brings about a positive change to the West Main corridor.

Thank you for your support and commitment to engaging with us in this matter.

Yours sincerely,

John-Thomas Roseberry

Owner: Clean Cut Kid, LLC

jtroseberry@gmail.com

260.273.5092

From: [Mike Anderson](#)
To: [Nathan W. Schall](#); [JohnThomas Roseberry](#); [Aaron McCormick](#); [kentblazier@gmail.com](#)
Cc: [ZBenedict@mkmdesign.com](#); [Michelle Wood](#); [Sherese Fortriede](#); [Russell Garriott](#); [Nathan Law](#)
Subject: Re: Reminder - Commentary on West Main
Date: Wednesday, August 9, 2023 6:37:47 PM

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Hi Nathan,

My partners have informed me that they have found a newfound spirit of cooperativeness from the City and that everything has been solved for the greater good as it applies to not only my property, but the overall project as a whole.

Please withdraw my opposition to the new proposed zoning.

Thank you sir!

I am truly pleased that this all worked out, and I thank you for that.

Mike

From: Nathan W. Schall <Nathan.Schall@co.allen.in.us>
Sent: Wednesday, August 2, 2023 4:46 PM
To: Mike Anderson <anderson1170@msn.com>; JohnThomas Roseberry <jtroseberry@gmail.com>; Aaron McCormick <aaron.m.mccormick@gmail.com>; kentblazier@gmail.com <kentblazier@gmail.com>; Mark Nei (neionly1mc@yahoo.com) <neionly1mc@yahoo.com>
Cc: ZBenedict@mkmdesign.com <ZBenedict@mkmdesign.com>; Michelle Wood <Michelle.Wood@co.allen.in.us>; Sherese Fortriede <Sherese.Fortriede@cityoffortwayne.org>; Russell Garriott <Russell.Garriott@cityoffortwayne.org>; Nathan Law <Nathan.Law@cityoffortwayne.org>
Subject: RE: Reminder - Commentary on West Main

Thank you, Mike. We are noting your comments for consideration. Have a great evening!

From: Mike Anderson <anderson1170@msn.com>
Sent: Wednesday, August 2, 2023 4:39 PM
To: Nathan W. Schall <Nathan.Schall@co.allen.in.us>; JohnThomas Roseberry <jtroseberry@gmail.com>; Aaron McCormick <aaron.m.mccormick@gmail.com>; kentblazier@gmail.com; Mark Nei (neionly1mc@yahoo.com) <neionly1mc@yahoo.com>
Cc: ZBenedict@mkmdesign.com; Michelle Wood <Michelle.Wood@co.allen.in.us>; Sherese Fortriede <Sherese.Fortriede@cityoffortwayne.org>; Russell Garriott <Russell.Garriott@cityoffortwayne.org>; Nathan Law <Nathan.Law@cityoffortwayne.org>
Subject: Re: Reminder - Commentary on West Main

Nathan W. Schall

From: Danny Walchle <dwalchle@yahoo.com>
Sent: Monday, September 11, 2023 12:11 PM
To: Nathan W. Schall
Subject: Re: West Main Meeting Reminder - West Main Street

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

The Nebraska neighborhood has several great businesses. Momper's, Power Components, The Redwood Inn, and O'Sullivan's have been here for what seems to be forever. Other newer ones like Paint The Town Graphics, Paula's, Junk Ditch Alley, and Earth Adventures have added to our enjoyment of the neighborhood.

They all have one thing in common. They are small businesses. The Nebraska Neighborhood Association supports the rezoning of West Main Street.

On Monday, September 11, 2023 at 09:57:21 AM EDT, Nathan W. Schall <nathan.schall@co.allen.in.us> wrote:

Good morning, Danny,

Thank you for your phone call this morning. As a reminder, we will be convening this evening at the Fort Wayne Public Hearing tonight at 5:30 here in Citizens Square. West Main is second on the agenda, and so you should be in and out in around 30 to 40 minutes if the first petition goes smoothly.

If you are unable to attend, may you please send in a letter of support on behalf of the Nebraska Neighborhood Association? That would be a big asset for the Plan Commission members and how they formulate their recommendation to City Council. If you could get that to us by about 4pm today that would be great.

Thank you, Danny!

Nathan Schall, AICP

Principal Planner | Plan Commission Staff

nathanschall@allencounty.us | 260.449.7607

Subject: Support for Development on Main Street

Berry & Blazier, LLC

Department of Planning Services
200 East Berry Street Suite 150 Citizen Square
Fort Wayne, IN 46802

I am writing to express my support for the ongoing development on Main Street and to encourage business growth in our neighborhood. As the owner of Berry & Blazier, LLC, and the property at 1306 W Main Street, I am personally invested in the success of our community.

I am excited to see investments like Flats on Main and other development plans coming to our neighborhood. These projects, along with the individuals behind them, have shown a commitment to enhancing our community.

However, I have concerns about the proposed changes in zoning on Main Street and the potential limitations that may be imposed. I believe these changes could discourage the progress and growth we are currently experiencing.

By introducing unnecessary restrictions, we risk hindering the revitalization that is happening on Main Street. Instead, we should create an environment that supports and encourages business expansion, attracting more investments and fostering economic vitality.

It is important to strike a balance between preserving our neighborhood's character and embracing opportunities for progress. I believe that by working together, we can develop a zoning framework that allows responsible and sustainable development, ensuring a vibrant Main Street for both present and future generations. However, I fear that the limitations and restrictions imposed by a new UC zoning would actually limit the growth and interest on Main Street by the investors currently working to bring new life to the neighborhood.

Thank you for considering my perspective. I urge you to carefully assess the impact of the proposed zoning changes on our community's development progress and growth, particularly by those looking to invest time, funds, and infrastructure to the West Main corridor. Let us continue to foster a business-friendly environment that attracts investments and development, while also cultivating a thriving neighborhood.

Yours sincerely,

Kent Blazier
Berry & Blazier, LLC
Owner: 1306 W Main Street.
Phone: (812) 341-5317

06/03/06

Good afternoon,

My name is Mark Nei. I own several properties on W Main Street, and I also have nearly half a million dollars invested in other properties, not under my personal name, on W Main Street. I invested in these properties based on the zoning I currently have, and I am not interested in losing the benefits of the zoning I purchased by changing to a new zoning designation. I disagree with this attempt to rezone W Main Street personally because the average person or investor will have no interest in most of the specific permitted uses of these properties in a new zoning.

In our current historic zoning, there are roughly 325 commercial uses that have been established for the common neighborhood person or investor to create their business. Now more than ever before, Nebraska neighbors are able and looking to bring back the businesses that the Nebraska neighborhood has lost in the past, to revitalize this historic neighborhood as it was for the past 150 years. In the past, there were bars and restaurants, corner stores, auto sales and repair shops, ice cream shops, and many other small neighborhood go-to places, not just on Main Street but also on the neighborhood side streets. People worked and lived within blocks of these businesses.

The new zoning needlessly limits the type of businesses allowed along Main Street and restricts the type of construction or building to be developed, which in turn increases building costs. All of this decreases interest in bringing new businesses to our historic corridor from other investors. I don't see any other corridors that have undergone zoning changes to UC thriving to date. The neighborhoods in the rezoned UC areas, like what you're wanting for W Main Street, aren't working as you or the neighborhood were expecting, and I believe the changes in zoning to West Main Street will limit growth in the same way.

Currently, out of the 325 listed uses, only roughly 39 are being used. In fact, in my 57 years in this Nebraska neighborhood, approximately 286 of the permitted uses have never been sought after or used. In my opinion, further limiting the permitted uses of these properties will only continue to reduce the interest of investors in bringing new businesses to Main Street. Many property owners on W Main Street have never seen the permitted uses currently allowed, nor are they aware of what they will lose in the proposed new zoning. I am 100% sure that if every current owner on Main Street matched their current usage for their property with the allowed uses in the proposed new zoning and saw what they were losing, you would not get any to agree with the changes in the new zoning at all.

In my 57 years in this Nebraska neighborhood, I believe it's best to let property owners of their historic neighborhood decide what they believe should be there. If it's permitted now, then it should be okay to build without the restrictions (and extra investment and cost) set in place by the new zoning uses and building requirements. For example, I personally don't want a second residential floor added to any of my properties in order for me to build a new business. However, your new zoning would require just that. This is restrictive and cost-prohibitive to development.

Because I invested in my properties for the zoning I have now, I request that my properties and the ones I have invested in not be added to your new zoning.

Thank you for your time.

Mark Nei
260-466-9008