

1 #REZ-2018-0026

2 BILL NO. Z-18-05-22

3  
4 ZONING MAP ORDINANCE NO. Z- 23-18

5 AN ORDINANCE amending the City of Fort Wayne  
6 Zoning Map No. K-14 (Sec. 34 of Washington 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 a C1  
11 (Professional Office and Personal Services) District under the terms of Chapter 157 Title XV  
12 of the Code of the City of Fort Wayne, Indiana:

13 Lot Number 2 and the East 16 feet of Lot Number 3 in Chase's Subdivision of Lots  
14 Numbered 41 and 42 in Archer's Addition, as recorded in Plat Record 6, page 76.

15 and the symbols of the City of Fort Wayne Zoning Map No. K-14 (Sec. 34 of Washington  
16 Township), as established by Section 157.082 of Title XV of the Code of the City of Fort  
17 Wayne, Indiana is hereby changed accordingly.

18  
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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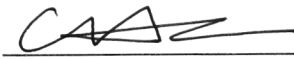
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1 SECTION 3. That this Ordinance shall be in full force and effect from and after its  
2 passage and approval by the Mayor.

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4   
5 \_\_\_\_\_  
6 Council Member

7 APPROVED AS TO FORM AND LEGALITY:

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9 \_\_\_\_\_  
10 Carol T. Helton, City Attorney

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**Department of Planning Services  
Rezoning Petition Application**

**Applicant**  
 Applicant KYLEE HAYS  
 Address 11303 TRAILS NORTH DRIVE  
 City FORT WAYNE State IN Zip 46845  
 Telephone 303-829-3056 E-mail Kylee.p.hays@gmail.com

**Contact Person**  
 Contact Person GREG CONKLING  
 Address 10808 LACABREAM LANE  
 City FORT WAYNE State IN Zip 46845  
 Telephone 260-750-4955 E-mail greg@northeasterngroupcr.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 1032 HUFFMAN STREET  
 Present Zoning R1 Proposed Zoning C1 Acreage to be rezoned 0.10  
 Proposed density ONE units per acre  
 Township name WAYNE Township section # 0034  
 Purpose of rezoning (attach additional page if necessary) TO ALLOW FOR CONTINUED LIGHT COMMERCIAL USE. APPLICANT DESIRES TO OPERATE A WELLNESS CENTER.  
 Sewer provider CITY OF FTW Water provider CITY OF FTW

**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 Rezonings 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.

<u>KYLEE HAYS</u> (printed name of applicant)	<u>Kylee Hays</u> (signature of applicant)	<u>4/17/18</u> (date)
<u>Joseph D Cochran</u> (printed name of property owner)	<u>Joseph D Cochran</u> (signature of property owner)	<u>4-10-18</u> (date)
<u>Dorothy M Cochran</u> (printed name of property owner)	<u>Dorothy M Cochran</u> (signature of property owner)	<u>4-10-18</u> (date)
_____ (printed name of property owner)	_____ (signature of property owner)	_____ (date)

Received <u>5-1-18</u>	Receipt No <u>126856</u>	Hearing Date <u>6-11-18</u>	Petition No. <u>PE2-2018-0026</u>
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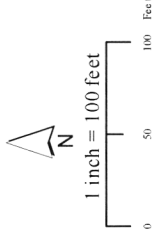


Rezoning Petition REZ-2018-0026 (1032 Huffman)



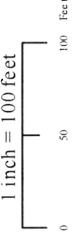
**Project Boundaries Represented with Bold Lines are for Representational Purposes Only**

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Date: 5/3/2018





Rezoning Petition REZ-2018-0026 (1032 Huffman)



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1032

## FORT WAYNE PLAN COMMISSION • FINDINGS OF FACT

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### Rezoning Petition REZ-2018-0026

APPLICANT: Kylee Hays  
REQUEST: To rezone property from R1/Single Family Residential to C1/Professional Offices and Personal Services to permit C1 uses on the site.  
LOCATION: The site is located on the north side of the 1000 block of Huffman Street, between Saint Mary's Avenue and Oakland Street. The address of the subject property is 1032 Huffman Street (Section 34 of Wayne Township).  
LAND AREA: Approximately 0.1 acres  
PRESENT ZONING: R1/Single Family Residential  
PROPOSED ZONING: C1/Professional Offices and Personal Services

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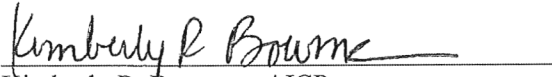
**The Plan Commission recommends that Rezoning Petition REZ-2018-0026 be returned to Council with a "Do Pass" recommendation after considering the following:**

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. The general area has seen a mixture of land developments from professional offices and retail development to single family residential land uses. This proposal will provide for the development of additional C1 zoned space without the need for new infrastructure improvements. This rezoning continues the trend of responsible mixed-used development. No undesirable precedent will occur due to the fact either retail or professional office uses have already occurred on the site for decades. The Comprehensive Plan supports this rezoning through the following objectives:  
**LU3.** Use land resources efficiently by encouraging new development, revitalization and redevelopment in areas already served by infrastructure;  
**LU5.** Encourage sustainable growth and quality development, revitalization and redevelopment by increasing and enhancing connectivity;  
**LU5.C** Encourage development proposals that provide neighborhood commercial, civic, institutional and other similar uses, designed to allow adequate access for pedestrians and bicycles, in close proximity to housing.  
**LU6.** Encourage carefully planned sustainable growth and coordinated development by encouraging mixed land uses.  
**LU6.C** Encourage the conversion of vacant or underutilized properties into compatible mixed-use development areas.  
**LU6.D** Support carefully planned, coordinated, compatible mixed-use development.  
**LU8.** Use land resources efficiently by encouraging compact development alternatives in infill areas where utilities and other infrastructure currently exist.
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. The property is completely developed with a quality-built structure that complements the adjacent structures. No changes are proposed to the building or site.
3. Approval is consistent with the preservation of property values in the area. This proposal allows for additional office and personal service uses to expand and provide services in the northwest quadrant of the urban core of Fort Wayne. No changes are proposed to the existing building. This proposal provides the owner with surety that the existing, approved building can be reconstructed in the case of a catastrophe. Having appropriate zoning assists lenders in appraising commercial properties correctly

and may aid in refinancing, if necessary.

4. Approval is consistent with responsible development and growth principles based on existing uses and infrastructure in the area. This proposal is not proposing extension of infrastructure. Public right-of-way with an improved street, and public utilities are presently adjacent to the site.

These findings approved by the Fort Wayne Plan Commission on June 18, 2018.

A handwritten signature in cursive script that reads "Kimberly R. Bowman". The signature is written in black ink and is positioned above a horizontal line.

Kimberly R. Bowman, AICP

Executive Director

Secretary to the Commission

Department of Planning Services  
Rezoning Petition Application

**Applicant**  
 Applicant KYLEE HAYS  
 Address 11303 TRAILS NORTH DRIVE  
 City FORT WAYNE State IN Zip 46845  
 Telephone 303-829-3056 E-mail Kylee.p.hays@gmail.com

**Contact Person**  
 Contact Person GREG CONKLING  
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 Sewer provider CITY OF FTW Water provider CITY OF FTW

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- Filing Requirements**
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_____ (printed name of property owner)	_____ (signature of property owner)	_____ (date)

Received	Receipt No	Hearing Date	Petition No.
5-1-18	126856	6-11-18	REZ-2018-0026



Rezoning Petition REZ-2018-0026 (1032 Huffman)



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1 inch = 100 feet

0 50 100 Feet



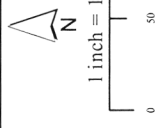
Rezoning Petition REZ-2018-0026 (1032 Huffman)

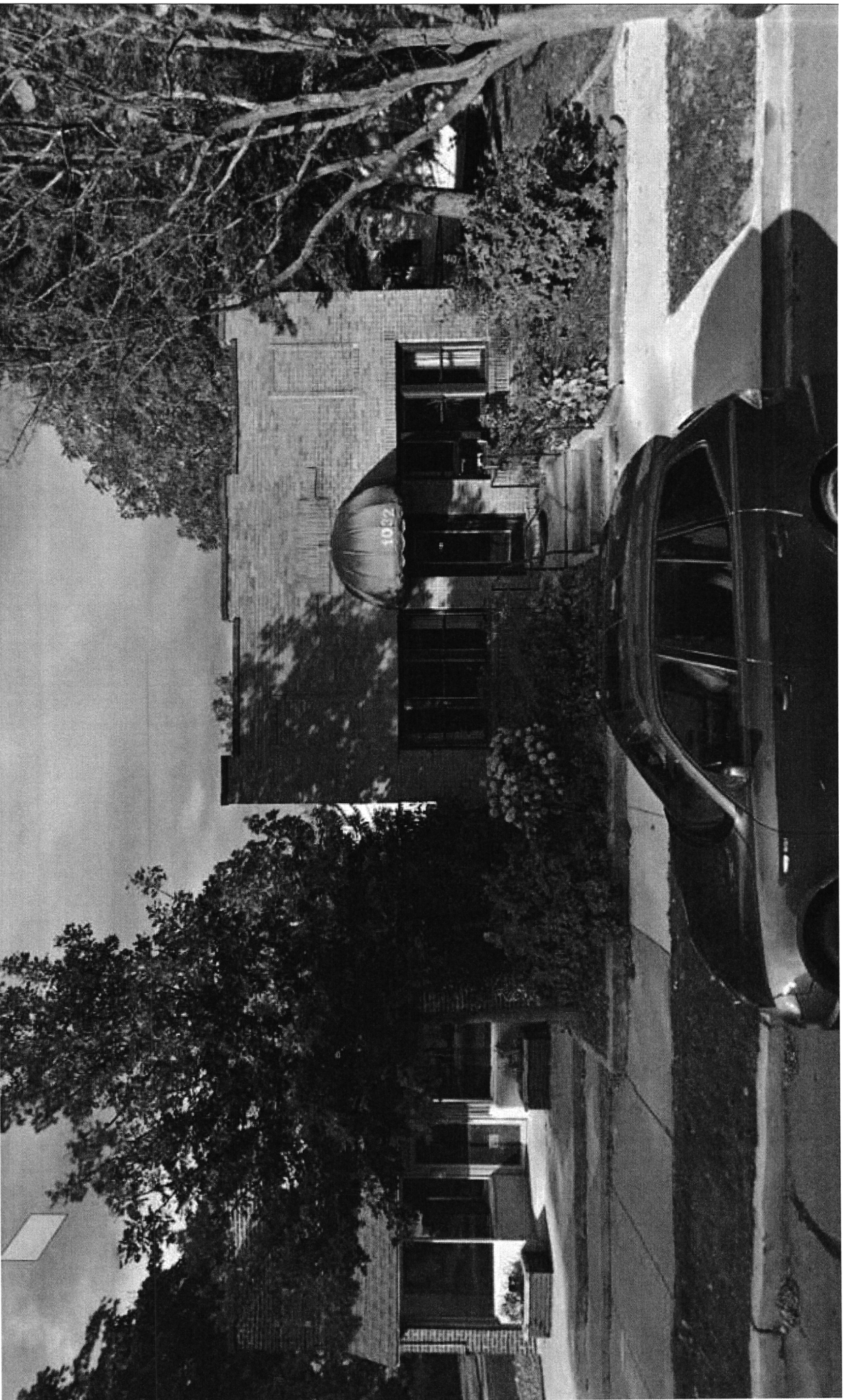


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City of Fort Wayne Common Council  
**DIGEST SHEET**

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**Department of Planning Services**

Title of Ordinance:       Zoning Map Amendment  
Case Number:            REZ-2018-0026  
Bill Number:             Z-18-05-22  
Council District:         3-Tom Didier

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Introduction Date:        May 22, 2018  
  
Plan Commission  
Public Hearing Date:      June 11, 2018 (not heard by Council)  
  
Next Council Action:     Ordinance will return to Council after recommendation by the  
Plan Commission

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Synopsis of Ordinance:    To rezone approximately 0.100 acres of property from R2/Two Family  
Residential to C1/Professional Office and Personal Services  
  
Location:                 1032 Huffman Street  
  
Reason for Request:      To establish the appropriate zoning for a wellness center.  
  
Applicant:                Kylee Hays  
  
Property Owner:         Kylee Hays

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Related Petitions:        none

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Effect of Passage:        Property will be rezoned to the C1/Professional Office and Personal  
Services district which will allow the reuse of an existing office structure  
as a personal service use, under the appropriate zoning jurisdiction.

Effect of Non-Passage:    The property will remain zoned R1/Single Family Residential and may be  
used for single family uses. The office structure and property was  
previously approved as a photo studio through the Board of Zoning  
Appeals. This 1987 approval would not permit the change to a wellness  
center.

## FACT SHEET

Case #REZ-2018-0026      Bill # Z-18-05-22      Project Start: 22 May 2018	
PROPOSAL:	Rezoning Petition REZ-2018-0026
APPLICANT:	Kylee Hays
REQUEST:	To rezone property from R1/Single Family Residential to C1/Professional Offices and Personal Services to permit C1 uses on the site.
LOCATION:	The site is located on the north side of the 1000 block of Huffman Street, between Saint Mary's Avenue and Oakland Street. The address of the subject property is 1032 Huffman Street (Section 34 of Wayne Township).
LAND AREA:	Approximately 0.1 acres
PRESENT ZONING:	R1/Single Family Residential
PROPOSED ZONING:	C1/Professional Offices and Personal Services
COUNCIL DISTRICT:	3-Tom Didier
ASSOCIATED PROJECTS:	none
SPONSOR:	City of Fort Wayne Plan Commission

### 11 June 2018 Public Hearing

- No one spoke at the hearing, in favor or in opposition.
- Connie Haas Zuber and Justin Shurley were absent.

### 18 June 2018 – Business Meeting

#### Plan Commission Recommendation: DO PASS

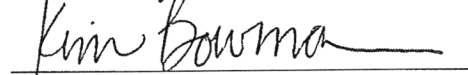
A motion was made by Paul Sauerteig and seconded by Don Schmidt to return the ordinance with a Do Pass recommendation to Common Council for their final decision.

#### 9-0 MOTION PASSED

- All members were present.

Fact Sheet Prepared by:  
Michelle B. Wood, Senior Land Use Planner  
27 June 2018

Reviewed by:



Kimberly R. Bowman  
Executive Land Use Director

## PROJECT SUMMARY

### SITE HISTORY:

- The site has received Board of Zoning Appeals approvals for commercial uses, including a photo studio in 1987 and a professional office in 1996. A financial planning office has been operating recently at the site.

### STAFF DISCUSSION:

The petitioner is requesting a rezone the property to C1/Professional Office and Personal Services from R1/Single Family Residential. The rezoning area includes the parcel at 1032 Huffman Street, which is just to the east of the intersection of Huffman Street and Saint Mary's Avenue. The property has been utilized for a number of various commercial or office uses, despite its residential zoning. Most recently, a professional office was approved by the Board of Zoning Appeals, which is the current use of the site. The rezoning proposal would allow for the property to be used for professional office and personal services type uses, without the need for each proposed use to go to the Board of Zoning Appeals for approval. The most recent proposal within the structure is a wellness center.

As mentioned, there is no development plan associated with this request and there are no structures proposed for this site at this time.

### PUBLIC HEARING SUMMARY:

Presenter: Greg Conkling, representing the property owner, presented the proposal to the Plan Commission, as outlined above.

### Public Comments:

None

**BILL NO. Z-18-05-22**

**REPORT OF COMMITTEE ON REGULATIONS**

**July 10, 2018**

***Paul Ensley Chair***

***Thomas Didier Co-Chair***

***All Council Members***

An Ordinance amending the City of Fort Wayne Zoning Map No. K-14 (Sec. 34 of Washington Township)

*Rezone approximately 0.100 acres of property from R2/Two Family Residential to C1/Professional Office and Personal Services to establish the appropriate zoning for a wellness center*

*1032 Huffman Street*

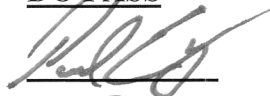



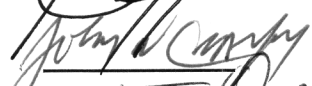
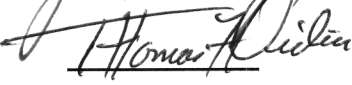
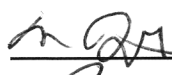

**COMMITTEE ON REGULATIONS HAVE HAD SAID Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance**

DO PASS

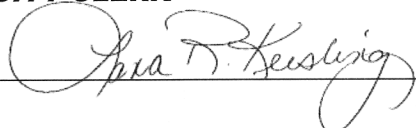
DO NOT PASS

ABSTAIN

NO REC

	_____	_____	_____
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**LANA R. KEESLING  
CITY CLERK**



Public Hearing Date: 06-11-2018


Read the first time in full and on motion by Councilman Didier.

Read the second time by title and referred to the Regulations Committee.

Read the third time in full and on motion by Councilman Ensley, placed on passage by the following vote:


<u>TOTAL VOTES</u>	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
ARP	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
BARRANDA	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
CRAWFORD	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
DIDIER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ENSLEY	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
FREISTROFFER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
HINES	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
JEHL	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
PADDOCK	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

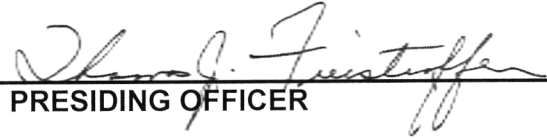
DATED: July 10, 2018

  
 \_\_\_\_\_  
 LANA R. KEESLING, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as  
 Zoning Ordinance No. Z-18-05-22 on the 10th day of July, 2018

ATTEST:


  
 \_\_\_\_\_  
 LANA R. KEESLING  
 CITY CLERK

  
 \_\_\_\_\_  
 PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th  
 of July 2018, at the hour of 9:45 o'clock A.M. E.S.T.

  
 \_\_\_\_\_  
 LANA R. KEESLING, CITY CLERK

Approved and signed by me this 16<sup>th</sup> day of JULY  
 2018, at the hour of 10:30 O'clock AM . E.S.T.

  
 \_\_\_\_\_  
 THOMAS C. HENRY, MAYOR