

1 #REZ-2022-0063

2 BILL NO. Z-22-11-15

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4 ZONING MAP ORDINANCE NO. Z- 2-23

5 AN ORDINANCE amending the City of Fort Wayne  
6 Zoning Map Nos. P-03, P-07, M-03, M-07, N-03, N-07, O-03, O-07 (Secs. 7 and 18 of  
7 Adams Township and 11, 12, 13, and 14 of Wayne Township)

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

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

Subdivision Name	Legal Description	Parcel Number
Barbours Subdivision Addition	Lots 7, 8, and 9	02-12-12-376-052.000-074
Dewald Addition	Lot 2	02-12-12-354-036.000-074
Dewald Addition	The west 25 feet of the south 86 feet of Lot 1	02-12-12-354-037.000-074
Dewald Addition	The east 25 feet of the south 86 feet of Lot 1	02-12-12-354-038.000-074
East Creighton Ave Addition	Lot 68	02-12-12-456-010.000-074
Forbings 2nd Subdivision of North Half of Lot 14 Hannas Outlots	Lot 12	02-12-12-378-074.000-074
Forbings Subdivision of South Half of Lot 14 Hannas Outlots	Lot 3	02-12-12-378-075.000-074
Forbings Subdivision of South Half of Lot 14 Hannas Outlots	Lot 2	02-12-12-378-076.000-074
Hamiltons 4th Addition	The west 30 feet of Lot 468 and the west 30 feet of the north 22 feet of Lot 469	02-12-11-484-006.000-074

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<b>Subdivision Name</b>	<b>Legal Description</b>	<b>Parcel Number</b>
Hamiltons 4th Addition	The east 32 feet of the west 62 feet of Lot 468 and the east 32 feet of the west 62 feet of the north 22 feet of Lot 469	02-12-11-484-007.000-074
Hamiltons 4th Addition	The east 30 feet of the west 92 feet of Lot 468 and the east 30 feet of the west 92 feet of the north 22 feet of Lot 469	02-12-11-484-008.000-074
Hamiltons 4th Addition	The east 61.9 feet of the Lot 468 and the east 61.9 feet of the north 22 feet of Lot 469	02-12-11-484-009.000-074
Lasalles Addition	The south 29.33 feet of Lot 224	02-12-12-353-014.000-074
Lasalles Addition	The south half of Lot 223 and the north 30 feet of Lot 224	02-12-12-353-012.000-074
Magees Subdivision	Lot 1, together with:	02-12-13-105-001.000-074
Petzingers Subdivision	Lot 1 and the west 20 feet of Lot 2 of Petzingers Subdivision	
Magees Subdivision	Lot 2	02-12-13-105-003.000-074
Magees Subdivision	Lot 3	02-12-13-105-004.000-074
Owen E. Hills Addition	The south half of Lot 20	02-12-12-358-013.000-074
Owen E. Hills Addition	The south half of Lot 19	02-12-12-358-014.000-074
Owen E. Hills Addition	The south half except the east 34.5 feet of Lot 17 and the south half of Lot 18	02-12-12-358-015.000-074
Owen E. Hills Addition	The west 5.5 feet of the south half of Lot 16 and the east 34.5 feet of the south half of Lot 17	02-12-12-358-016.000-074
Owen E. Hills Addition	The west 2 feet of the south half of Lot 15 and the east 31.5 feet of the south half Lot of lot 16	02-12-12-358-017.000-074
Owen E. Hills Addition	The east 35 feet of the south half of Lot 15	02-12-12-358-018.000-074

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Subdivision Name	Legal Description	Parcel Number
Owen E. Hills Addition	The south half of Lot 14	02-12-12-358-019.000-074
Owen E. Hills Addition	The south half of Lot 13	02-12-12-358-020.000-074
Petzingers Subdivision	Lot 5, together with:	02-12-13-105-005.000-074
Walkers Addition	Lot 1	
Saunders & Metcalf Subdivision	Lot 2	02-12-13-101-020.000-074
Saunders & Metcalf Subdivision	Lot 1	02-12-13-101-021.000-074
Skidders Addition	Lot 51	02-12-12-381-011.000-074
Skidders Addition	The north 33 feet of Lot 54	02-12-12-453-011.000-074

and the symbols of the City of Fort Wayne Zoning Map Nos. P-03, P-07, M-03, M-07, N-03, N-07, O-03, O-07 (Secs. 7 and 18 of Adams Township, and 11, 12, 13, and 14 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.

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**

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**Department of Planning Services**

Title of Ordinance: Zoning Map Amendment  
Case Number: REZ-2022-0063  
Bill Number: Z-22-11-15  
Council District: 6-Sharon Tucker

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Introduction Date: November 22, 2022

Plan Commission  
Public Hearing Date: December 12, 2022 (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 3.61 acres from C2/Limited Commercial and C3/General Commercial to R3/Multiple Family Residential.

Location: Parcels within the 300 to 1800 block of East Pontiac Street (Barr to Euclid Streets). See file for exact parcels.

Reason for Request: Proactive downzoning of parcels to align zoning with existing uses and to implement recommendations of the Southeast Strategy amendment to the Comprehensive Plan.

Applicant: Fort Wayne Plan Commission

Property Owners: Various; see project file.

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Related Petitions: REZ-2022-0062 and REZ-2022-0064

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Effect of Passage: Properties will be rezoned to the R3/Multiple Family Residential district, either bringing the existing use into compliance with the zoning ordinance or enhancing compatibility with surrounding uses. The proactive rezoning fulfills recommendation of the Southeast Strategy to help stabilize neighborhoods, encourage desired land uses and prevent the encroachment of incompatible zoning districts.

Effect of Non-Passage: Properties will remain zoned C2 or C3, zoning districts found to be ill-matched to the existing land use and/or incompatible with surrounding uses and the character of the corridor.

**Department of Planning Services  
Rezoning Petition Application**

**Applicant**  
 Applicant Proactive Rezoning Work Group  
 Address 200 E. Berry St.  
 City Fort Wayne State IN Zip 46802  
 Telephone \_\_\_\_\_ E-mail \_\_\_\_\_

**Contact Person**  
 Contact Person Russell Garriott  
 Address 200 E. Berry St. Suite 320  
 City Fort Wayne State IN Zip 46802  
 Telephone 260-427-2138 E-mail russell.garriott@cityoffortwayne.org

*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 300 block to 1800 block of East Pontiac Street (Barr to Euclid Streets)  
 Present Zoning C3, I1 Proposed Zoning R2 Acreage to be rezoned 2.29 acres  
 Proposed density \_\_\_\_\_ units per acre  
 Township name Wayne Township section # 12,13  
 Purpose of rezoning (attach additional page if necessary) See attached  
 Sewer provider City Utilities Water provider City Utilities

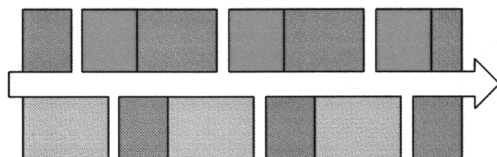
**Filing Requirements**  
*Applications will not be accepted unless the following filing requirements are submitted with this application. Please refer to checklist for applicable filing fees and plan/survey submittal requirements.*

- 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.

Russell A Garriott Russell A Garriott 11/1/22  
 (printed name of applicant) (signature of applicant) (date)  
 \_\_\_\_\_ (signature of property owner) \_\_\_\_\_ (date)  
 \_\_\_\_\_ (signature of property owner) \_\_\_\_\_ (date)  
 \_\_\_\_\_ (signature of property owner) \_\_\_\_\_ (date)

Received	Receipt No.	Hearing Date	Petition No.
11-1-22		12-12-22	REZ-2022-0063



## MEMO

**To:** Fort Wayne Plan Commission  
**From:** Proactive Rezoning Work Group, City-CD, DPS  
**Date:** 10/10/22  
**RE:** Pontiac Street Rezoning

**CC:**  
Paul Spoelhof, Director of Planning & Policy  
Michelle Wood, Senior Planner, Department of Planning Services

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On **October 17, 2022**, the Proactive Rezoning Work Group will be making a request to the Fort Wayne Plan Commission to initiate a rezoning for the 300 to 2600 blocks of Pontiac Street from Barr Street east to Anthony Boulevard.

The Proactive Rezoning 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. Often these plans include recommendations to rezone areas to a more appropriate zoning district for the actual land uses, or to encourage more compatible land uses and development patterns for the neighborhood.

The Pontiac Street rezoning was a recommendation of the Southeast Strategy Update, adopted in 2021 by Common Council.

The request is to rezone portions of Pontiac Street to UC /Urban Corridor, R2/Two Family Residential, and R3/Multiple Family Residential. The UC district will allow for and encourage mixed uses with a focus on neighborhood and pedestrian oriented commercial and personal service uses. The current zoning for this area includes I1/Limited Industrial, C3/General Commercial, C2/Limited Commercial, and C1/Professional Office and Personal Services.

A staff person from the Proactive Rezoning Work Team will attend the October 17 Plan Commission meeting to answer any questions you may have regarding this request.



**BILL NO. Z-22-11-15**

**REPORT OF COMMITTEE ON REGULATIONS  
January 10, 2023**

***Tom Freistroffer Chair***

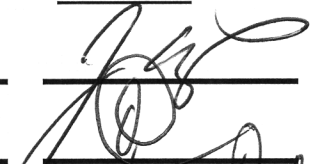
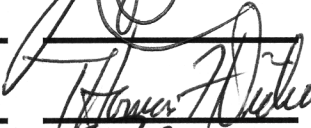
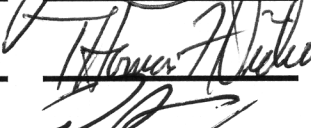
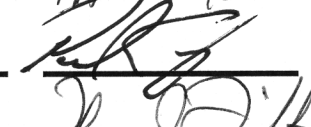

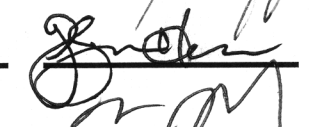



***Sharon Tucker Co-Chair***

***All Council Members***

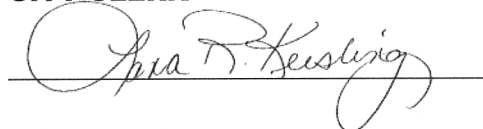
An Ordinance amending the City of Fort Wayne Zoning Map Nos. P-03, P-07, M-03, M-07, N-03, N-07, O-03, O-07 (Secs. 7 and 18 of Adams Township and 11, 12, 13, and 14 of Wayne Township)

*To rezone approximately 3.61 acres from C2/Limited Commercial and C3/General Commercial to R3/Multiple Family Residential - parcels within the 300 to 1800 blocks of East Pontiac. See file for exact parcels*

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

<u>COUNCIL MEMBER</u>	<u>DO PASS</u>	<u>DO NOT PASS</u>	<u>ABSTAIN</u>
ARP			
CHAMBERS			
DIDIER			
ENSLEY			
FREISTROFFER			
HINES			
JEHL			
PADDOCK			
TUCKER			

**LANA R. KEESLING  
CITY CLERK**



Public Hearing Date: December 12, 2022

Read the first time in full and on motion by Councilperson Ensley.

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

Read the third time in full and on motion by Councilperson Freistroffer, 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"/>
CHAMBERS	<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"/>
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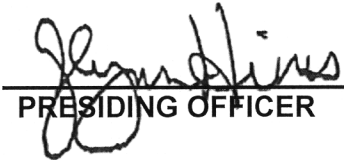
DATED: January 10, 2023

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


Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Zoning Ordinance No. Z-22-11-15 on the 10th day of January, 2023

ATTEST:

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

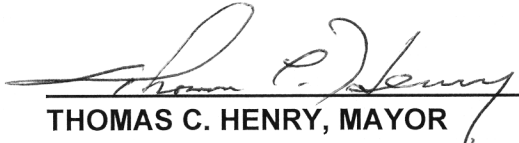
  
 \_\_\_\_\_  
 PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th of January 2023, at the hour of 2:40 o'clock P.M. E.S.T.

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

Approved and signed by me this 12<sup>th</sup> day of JANUARY 2023, at the hour of 8:00 o'clock AM E.S.T.

FORT WAYNE, INDIANA  
**RECEIVED**  
 JAN 12 2023  
 LANA R. KEESLING  
 CITY CLERK

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