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#REZ-2023-0006

BILL NO. Z-23-02-38

**ZONING MAP ORDINANCE NO. Z-Failed**

**AN ORDINANCE amending the City of Fort Wayne  
Zoning Map No. E-07 (Sec. 18 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 R3  
(Multiple Family Residential) District under the terms of Chapter 157 Title XV of the Code of  
the City of Fort Wayne, Indiana:

Lots Numbered 43, 120, 121, 122, 123, and 124 in Country Club Hills, as recorded  
in Plat record 12, Page 39, in the Office of the Recorder of Allen County, Indiana.

and the symbols of the City of Fort Wayne Zoning Map No. E-07 (Sec. 18 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.

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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-2023-0006  
Bill Number: Z-23-02-38  
Council District: 4 – Jason Arp

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Introduction Date: February 28, 2023  
Plan Commission  
Public Hearing Date: March 13, 2023 (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 1.56 acres from R1/Single Family Residential to  
R3/Multiple Family Residential  
Location: North side of the 5500 block of South Bend Drive, at Northridge Road  
Reason for Request: To develop the parcel with a 20-unit townhome complex.  
Applicant: Hummingbird Canterbury, LLC  
Property Owners: Hummingbird Canterbury, LLC

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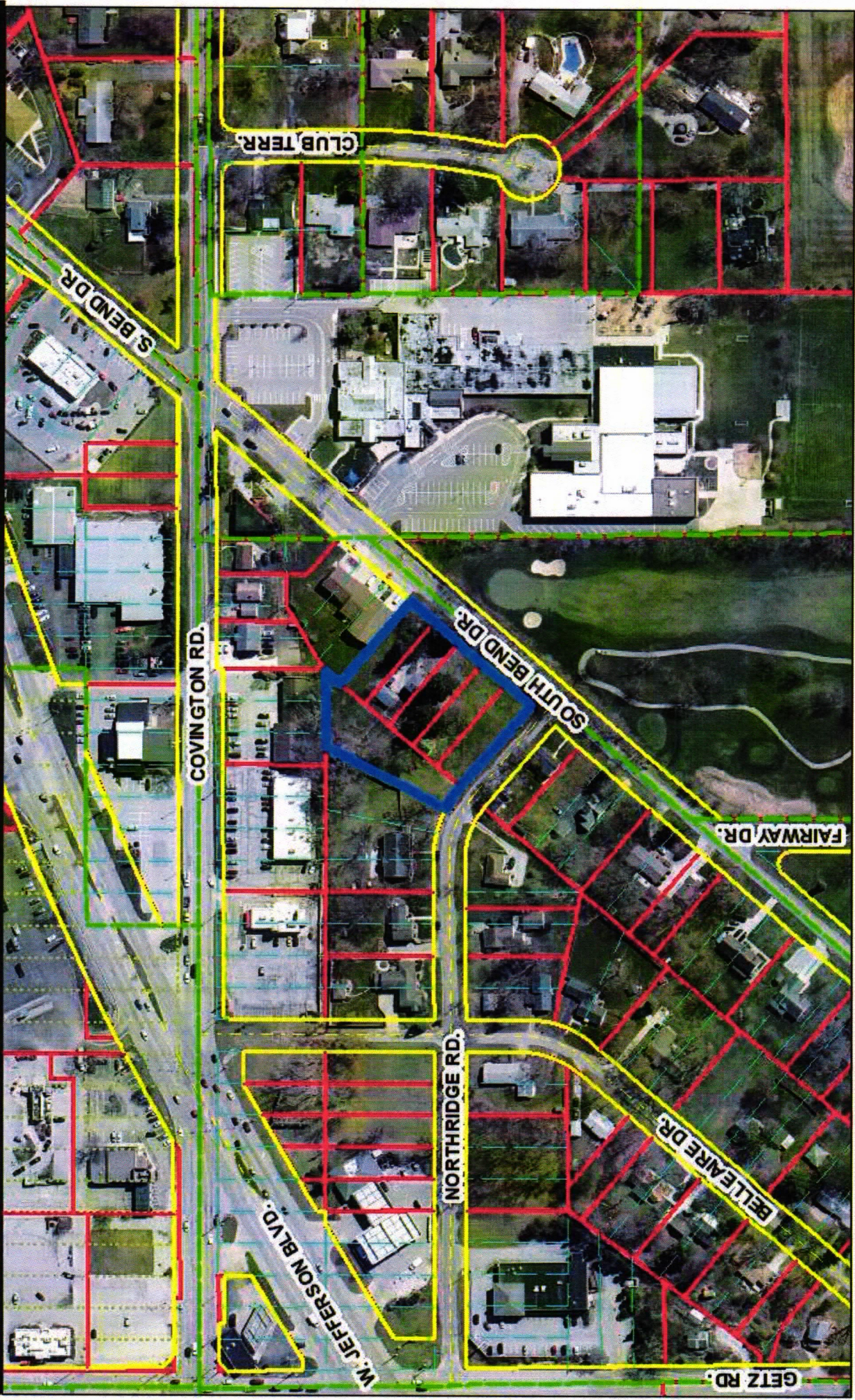
Related Petitions: PDP-2023-0006 – Hummingbird Townhomes

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Effect of Passage: Property will be rezoned to the R3/Multiple Family Residential zoning  
district, which will allow for the townhome development.  
Effect of Non-Passage: The property will remain zoned R1/Single Family Residential, which  
supports the existing house.

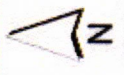


REZ-2023-0006 PDP-2023-0006 and VPLT-2023-0003 - Hummingbird



Although some accuracy standards have been employed in the preparation of this map, Allen County does not warrant or guarantee the accuracy of the information contained herein and disclaims any and all liability resulting from any error or omission in this map.

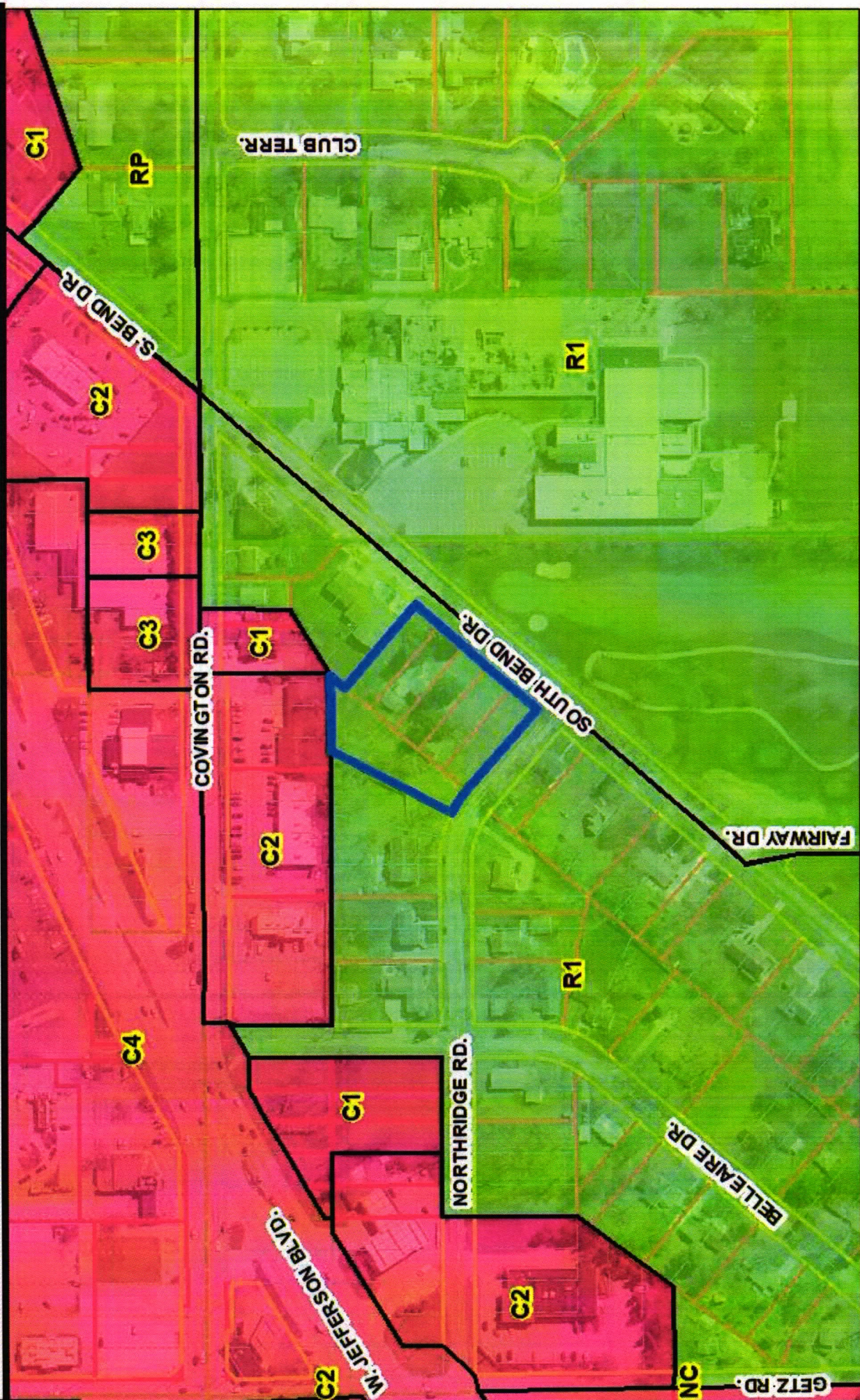
© 2004 Board of Commissioners of the County of Allen  
 North American Datum 1983  
 State Plane Coordinate System, Indiana East  
 Photos and Contours: Spring 2009  
 Date: 2/22/2023



1 inch = 200 feet

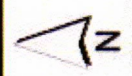
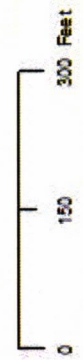


REZ-2023-0006 PDP-2023-0006 and VPLT-2023-0003 - Hummingbird



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© 2004 Board of Commissioners of the County of Allen  
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1 inch = 200 feet



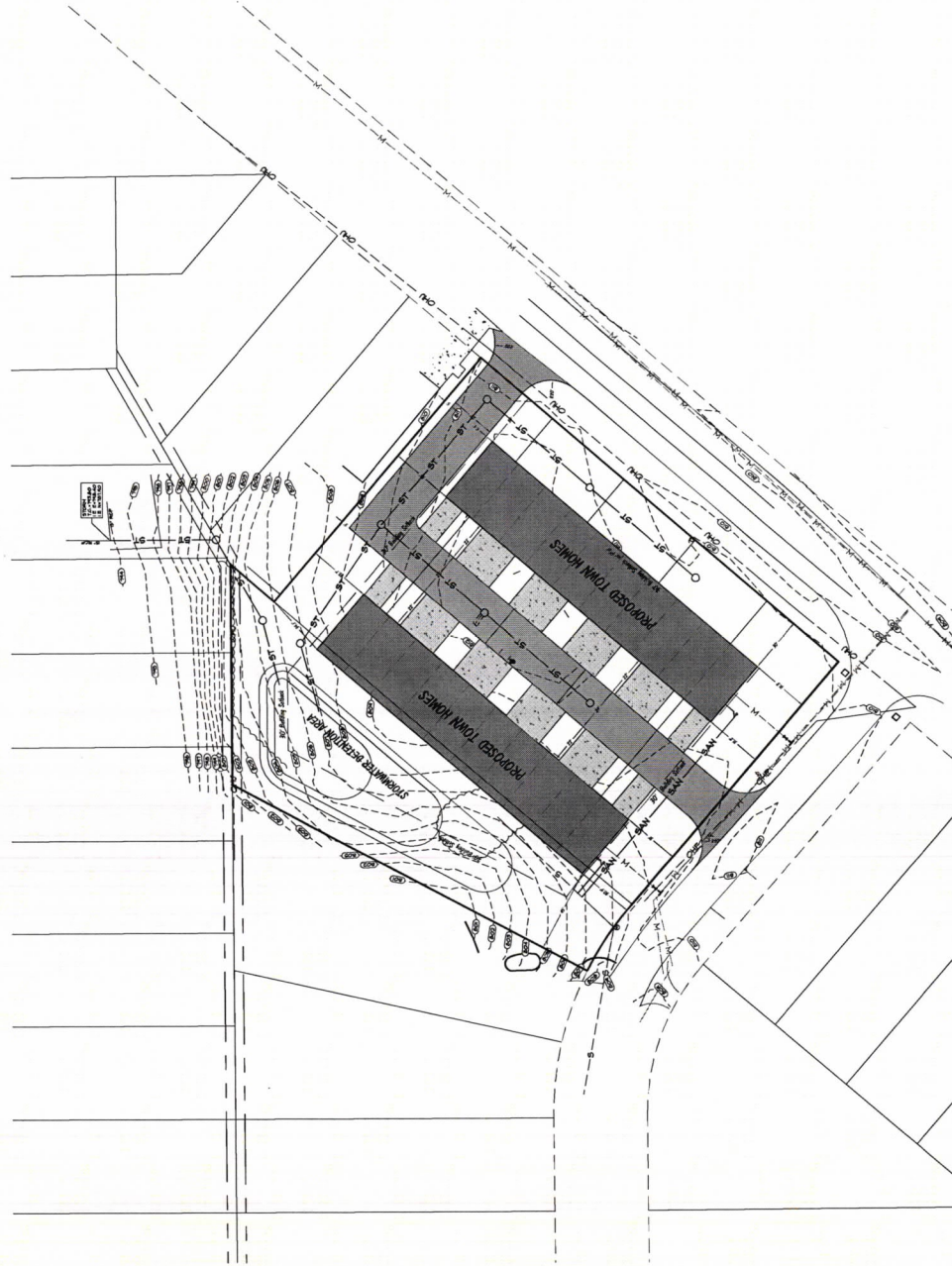
# Primary Development Plan For Homewood Apartments

5510 South Bend Drive  
Fort Wayne, Indiana 46804

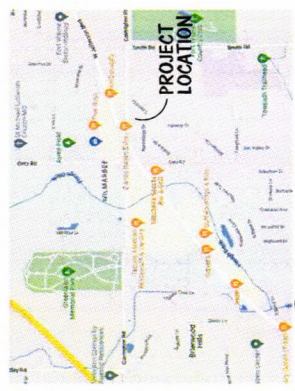
**Project Civil Engineer/Land Surveyor:**  
ForeSight Consulting, LLC  
1910 St. Joe Center Road, Suite 61  
Fort Wayne, Indiana 46825  
Phone: 260.484.9900  
Fax: 260.484.9980



**Property Owner/Developer:**  
Hummingbird Canterbury LLC  
14821 Haven Lake Xing  
Fort Wayne, Indiana 46814



**Primary Development Plan**  
Scale: 1" = 30'



**SITE LOCATION MAP**  
NOT TO SCALE

Existing Utility Provider Information	
Water Service	City of Fort Wayne
Sewer Service	City of Fort Wayne
Electric	American Electric Power
Gas	NPSCO

Contact Information	
City of Fort Wayne Department of Land Use Management-Michael Wood	260-427-1119
City of Fort Wayne Fire Department-Jenny Elder	260-427-1118
City of Fort Wayne Water Meter and Sewer Engineering-Rick Sacks	260-427-1151
City of Fort Wayne Sewer Engineering Department-Lisa Brown	260-427-2004
City of Fort Wayne Stormwater Engineering Department-Fred-John	260-427-2004
City of Fort Wayne Water Engineering Department-Rick Sacks	260-427-1172
City of Fort Wayne Traffic Engineering Department-Erik Wilking	260-408-1863
American Electric Power-Karen Dehar	260-441-3925
Verizon-Wy Williams	260-439-1408
NPSCO-Mike Pavell	260-439-3811
Consent-Power Lookout!	

**ForeSight Consulting, LLC**  
Professional Engineers & Surveyors  
1910 St. Joe Center Road, Suite #61  
Fort Wayne, Indiana 46825  
260.484.9900 Phone  
260.484.9980 Fax  
www.4s1re.biz



Certification:



This is an independent professional seal. It is not a seal of approval for any product or service. It is a seal of approval for the professional's qualifications and the quality of their work. It is not a seal of approval for the project or the client. It is a seal of approval for the professional's integrity and ethics. It is a seal of approval for the professional's commitment to the public good. It is a seal of approval for the professional's dedication to the highest standards of the profession. It is a seal of approval for the professional's commitment to the highest standards of the profession. It is a seal of approval for the professional's commitment to the highest standards of the profession.

Performed for:

**Hummingbird Townhomes**  
Primary Development Plan For:  
5510 South Bend Drive, Fort Wayne, Indiana 46804

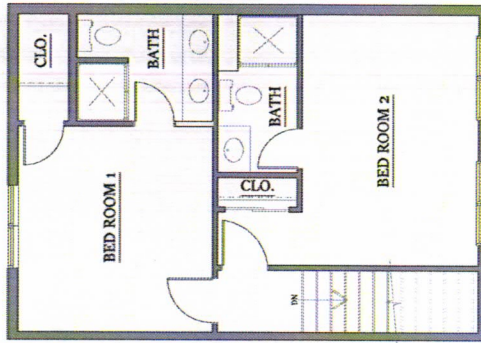
Drawing Revisions:

Commission Number  
239530  
Date  
February 7th, 2023  
Title  
Primary Development Plan  
Sheet Number  
**PD2**

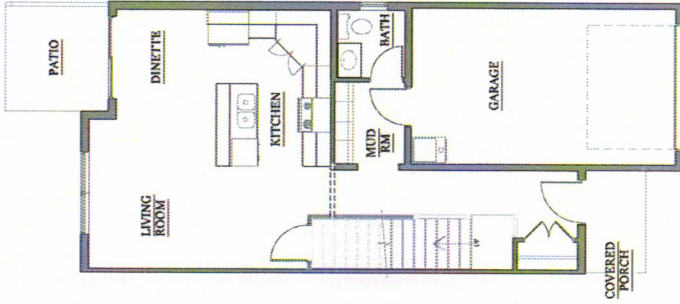


# Proposed Townhomes - Fort Wayne - Indiana

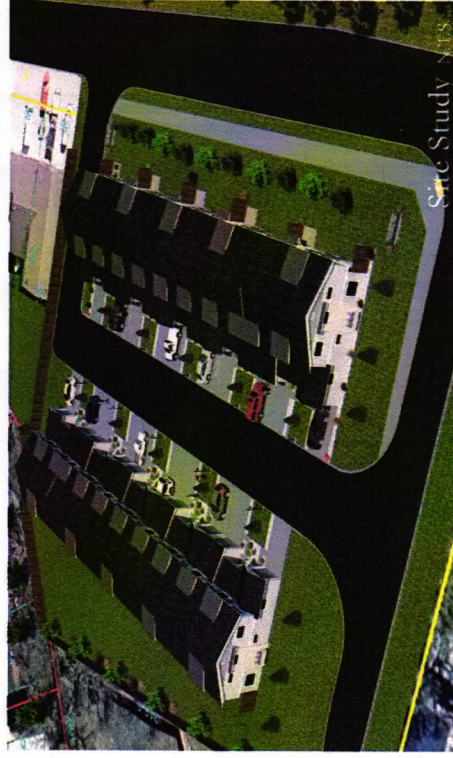
The Hummingbird Townhomes:  
 -20 Unit Siteplan 1,225 sq. ft.  
 -2 Bedrooms - 2.5 baths  
 -1 Car Garage



Upper Level Floor Plan N.T.S. ①



Main Level Floor Plan N.T.S. ①



## FACT SHEET

Case #REZ-2023-0006	Bill # Z-23-02-38	Project Start: February 2023
APPLICANT:	Hummingbird Canterbury, LLC	
REQUEST:	Rezone property to R3/Multiple Family Residential to permit a 10-unit townhouse style multiple family complex with accessory garage units and vacate 6 lots of County Club Hills addition.	
LOCATION:	5520 South Bend Drive, northeast corner of its intersection with Northridge Road (Section 18 of Wayne Township)	
LAND AREA:	1.57 acres	
PRESENT ZONING:	R1/Single Family Residential	
PROPOSED ZONING:	R3/Multiple-Family Residential	
COUNCIL DISTRICT:	4 – Jason Arp	
SPONSOR:	Fort Wayne Plan Commission	

### **April 10, 2023 Public Hearing**

- Six residents spoke in opposition or with concern.
- Tom Freistroffer was absent.

### **April 17, 2023 Business Meeting**

#### **Plan Commission Recommendation: DO NOT PASS**

A motion was made by Rachel Tobin Smith and seconded by Karen Richards to return the Ordinance with a Do Not Pass recommendation to Common Council for their final decision.

#### **6-3 MOTION PASSED**

- Tom Freistroffer, Ryan Neumeister and Patrick Zaharako voted nay (on the Do not Pass)

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

## PROJECT SUMMARY

- The property was platted in the County Club Hills Subdivision in 1926. The site has historically been 6 separate parcels with 2 homes and the rest unimproved vacant lots. The plat has a front yard build line and a utility easement that limit the size of potential development of the parcels.
- For the April hearing, staff sent new courtesy notices to surrounding property owners and re-advertised the project in the newspaper, per State law.

The petitioner requests a rezoning from R1/Single Family Residential to R3/Multiple Family Residential to permit a multiple family development. The property is located on the north side of the intersection of Northridge Road and South Bend Drive. The property to be rezoned currently consists of 2 homes and a detached garage among 6 parcels. The property is adjacent to R1/Single Family Residential zoning to the east, south, and west. A single-family subdivision is located to the west and southwest, a golf course to the south, and a fire station directly to the east. The property to the north is zoned C2/Limited Commercial with multi-tenant buildings along Covington Road.

At the March 2023 Business Meeting the Plan Commission remanded the petitions back to a public hearing for the applicant to submit an updated site plan showing fewer units, more parking and more green space. The applicant reduced the proposal from 20 two-bedroom units to 10 three-bedroom units. The plan also includes parking spaces in front of each unit as well as two garage structures for increased parking. The new plan has a decreased building footprint and increased green space. The parking will meet the Fort Wayne Zoning Ordinance requirement of two spaces per every three-bedroom unit. Each unit will exceed the minimum when considering the detached accessory garages and the drives in front them. A private drive bisects the site and connects Northridge Road and South Bend Drive. Stormwater is shown on the north side of the site. Ordinance required landscaping is shown surrounding the site as well as required sidewalks along Northridge Road and South Bend Drive. A 30-foot setback is required for two-story multiple family residential structures and is shown to be met.

### **PUBLIC HEARING SUMMARY:**

Presenter: Scott Federoff, representing the applicant, presented the request as outlined above.

#### Public Comments:

Jeff Jacobs, South Bend Drive – Concerns include traffic, no play area, parking, removal of trees, too large of a development.

Becky Clendenan for Sonja Mettler, Northridge Drive – Concerns include density, parking, service vehicles, losing greenspace.

Bob Hughes, Burbank Blvd – Concerned about vacant lots being redeveloped as multiple-family.

Doug Call, Burbank Blvd – Concerns include sidewalks to nowhere, traffic, children's safety.

Lynn Scrogam, Bellaire Drive – Concerned about detention pond.

John Hoffman, Westwood Fairway VP – Concerned about curb appeal, green space, and play area.

A petition was submitted with 129 signatures in opposition.

# Primary Development Plan For Hummingbird Townhomes

5510 South Bend Drive  
Fort Wayne, Indiana 46804

**Project Civil Engineer/Land Surveyor:**  
ForeSight Consulting, LLC  
1910 St. Joe Center Road, Suite 61  
Fort Wayne, Indiana 46825  
Phone: 260-484-9900  
Fax: 260-484-9980

**Property Owner/Developer:**  
Hummingbird Canterbury LLC  
14821 Herra Lake Way  
Fort Wayne, Indiana 46814

**Development Statistics:**  
**Project Area:** 1,366 Acres/59,500 Sq. Ft.  
**Total Green Space:** 24,400 Sq. Ft. (41% Green Space)  
**Number of Units:** 10 Residential Units with 10 garage units



**Primary Development Plan**  
Scale: 1" = 30'



Real Estate Description per Doc. No. 2022056094  
PLA RECORDED & PAGE 34 IN THE OFFICE OF THE RECORDER OF ALLEN COUNTY,  
INDIANA.



**ForeSight Consulting, LLC**  
Professional Engineers & Surveyors  
1910 St. Joe Center Road, Suite #61  
Fort Wayne, Indiana 46825  
260-484-9900 phone  
260-484-9980 fax  
www.fsic.biz

**EXPERIENCE. INNOVATION. RESULTS.**

**CERTIFICATION:**

**PERFORMED FOR:**

Hummingbird Townhomes  
5510 South Bend Drive, Fort Wayne, Indiana 46804

**Primary Development Plan For:**  
*Hummingbird Townhomes*  
5510 South Bend Drive, Fort Wayne, Indiana 46804

**Drawing Revisions**  
3/7/23/2023 - Building Revisions  
3/7/23/2023 - Building Revisions

**Commission Number:** 2335530  
**Date:** February 7th, 2023  
**Title:**  
**Primary Development Plan**  
**Sheet Number:**  
**PD1**

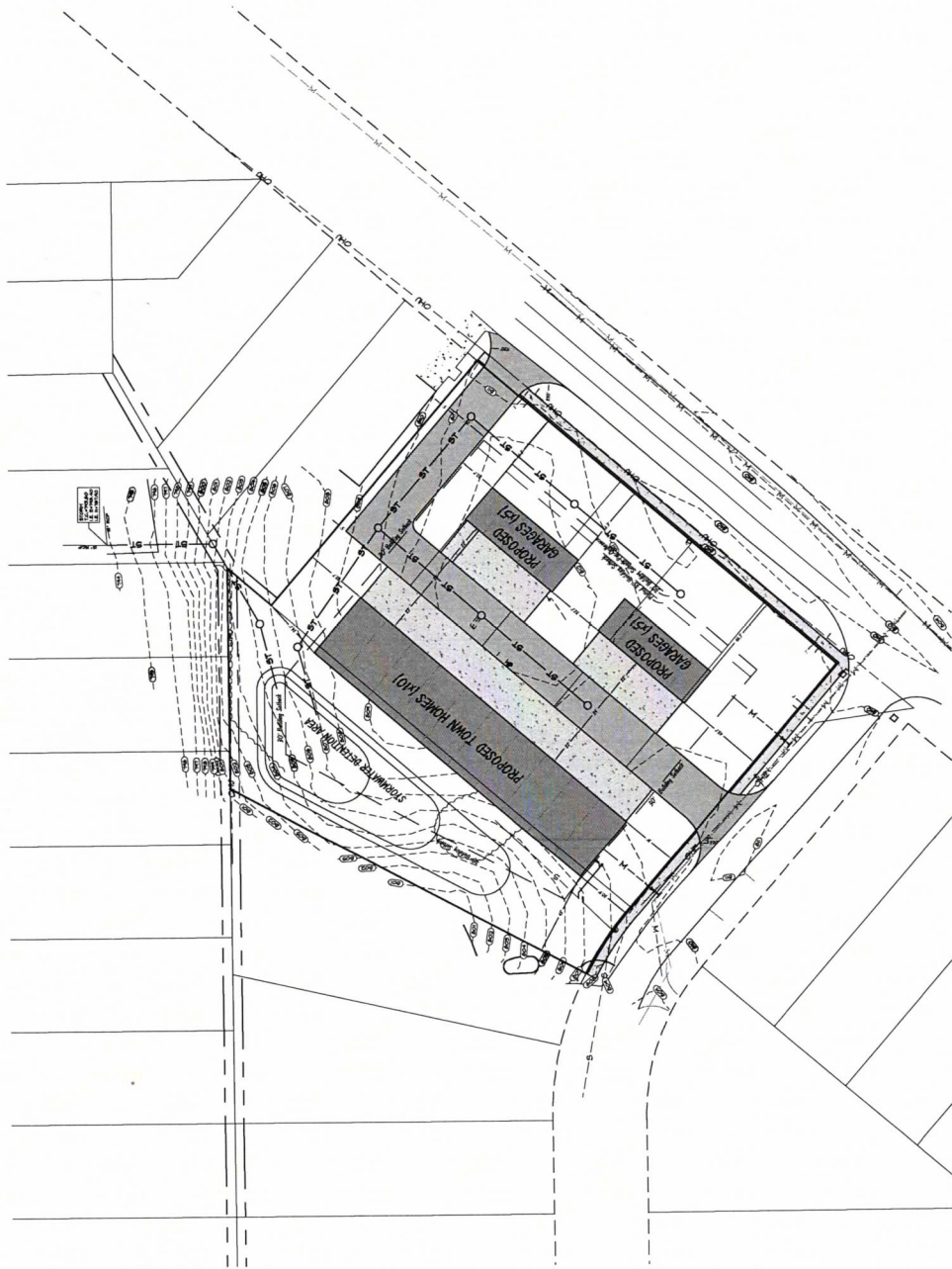
# Primary Development Plan For Hummingbird Townhomes

5510 South Bend Drive  
Fort Wayne, Indiana 46804

**Project Civil Engineer/Land Surveyor:**  
Foresight Consulting, LLC  
1910 St. Joe Center Road, Suite 61  
Fort Wayne, Indiana 46825  
Phone: 260.484.9900  
Fax: 260.484.9980



**Property Owner/Developer:**  
Hummingbird Century LLC  
14821 Heron Lake Xing  
Fort Wayne, Indiana 46814



**Primary Development Plan**  
Scale: 1" = 30'  
NORTH



Existing Utility Provider Information	
Water Service	City of Fort Wayne
Sewer Service	City of Fort Wayne
Electric	American Electric Power
Gas	NPSCO

Contract Information	
City of Fort Wayne Department of Land Use Management-Michalek Wood	260-427-1129
City of Fort Wayne Fire Department-Jimmy Elder	260-427-1168
City of Fort Wayne New Water and Sewer Engineering-Rick Soles	260-427-5161
City of Fort Wayne Sewer Engineering Department-Lisa Preece	260-427-5044
City of Fort Wayne Stormwater Engineering Department-Patrick Jolley	260-427-5044
City of Fort Wayne Water Engineering Department-Rick Soles	260-427-5044
City of Fort Wayne Traffic Engineering Department-Kyle Whiting	260-408-1663
American Electric Power-Karen Pinner	260-441-3225
Venue-Map Hardware	260-439-1408
NPSCO-Miles Trill	765-489-2881
Comstar-Daren Luskheid	

**Foresight Consulting, LLC**  
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Fort Wayne, Indiana 46825  
260.484.9900 Phone  
260.484.9980 Fax  
www.foresight.biz

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**CERTIFICATION:**

The undersigned hereby certifies that the work shown on the attached drawings, plans, specifications, reports, and other documents was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer in the State of Indiana. I am duly Licensed in the State of Indiana under License No. 10720-023. I am duly Licensed in the State of Indiana under License No. 10720-023. I am duly Licensed in the State of Indiana under License No. 10720-023.

Primary Development Plan For:  
**Hummingbird Townhomes**  
5510 South Bend Drive, Fort Wayne, Indiana 46804

Design: Peiffer  
3/18/2023 - Schema Connection  
3/22/2023 - Building Revisions

Commission Number: 233530  
Date: February 7th, 2023  
Title: Primary Development Plan  
Sheet Number: PDZ

## FORT WAYNE PLAN COMMISSION • FINDINGS OF FACT

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### Rezoning Petition REZ-2023-0006

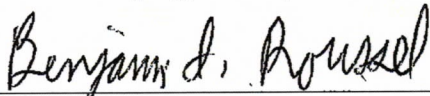
PROPOSAL: REZ-2023-0006– Hummingbird Canterbury, LLC  
APPLICANT: Hummingbird Canterbury, LLC  
REQUEST: Rezone property to R3/Multiple Family Residential  
LOCATION: 5520 South Bend Drive, northeast corner of its intersection with Northridge Road (Section 18 of Wayne Township)  
LAND AREA: 1.57 acres  
PRESENT ZONING: R1/Single Family Residential  
PROPOSED ZONING: R3/Multiple-Family Residential

---

**The Plan Commission recommends that Rezoning Petition REZ-2023-0006 be returned to Council, with a “Do Not Pass” recommendation after considering the following:**

1. Approval of the rezoning request will not be in substantial compliance with the City of Fort Wayne Comprehensive Plan, and could establish an undesirable precedent in the area. The existing residential development in the general area maintains a lower intensity pattern of development, and current ongoing development in the area is different in character.
2. Approval of the request could have an adverse impact on the current conditions in the area, or the character of current structures and uses in the area. The site is among large lot single family residences and adjacent to a single family subdivision. R3 zoning with the proposed development may be considered too intensive to be compatible.

These findings approved by the Fort Wayne Plan Commission on April 17, 2023.



---

Benjamin J. Roussel  
Executive Director  
Secretary to the Commission

**BILL NO. Z-23-02-38**

**REPORT OF COMMITTEE ON REGULATIONS  
May 9, 2023**

**Tom Freistroffer Chair**








**Sharon Tucker Co-Chair**

**All Council Members**

An Ordinance amending the City of Fort Wayne Zoning Map No. E-07 (Sec. 18 of Wayne Township)

*To rezone approximately 1.56 acres from R1/Single Family Residential to R3/Multiple Family Residential at the north side of the 5500 block of South Bend Drive, at Northridge Road*

**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>
<u>ARP</u>	_____	_____	_____
<u>CHAMBERS</u>	_____		_____
<u>DIDIER</u>	_____	_____	_____
<u>ENSLEY</u>	_____		_____
<u>FREISTROFFER</u>	_____		_____
<u>HINES</u>	_____		_____
<u>JEHL</u>		_____	_____
<u>PADDOCK</u>	_____		_____
<u>TUCKER</u>	_____		_____

**LANA R. KEESLING  
CITY CLERK**

