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and the symbols of the City of Fort Wayne Zoning Map No. J-62 (Sec. 31 of Perry 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-2023-0008
Bill Number: Z-23-02-40
Council District: 3 – Tom Didier

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

Synopsis of Ordinance: To rezone approximately 9.02 acres from AR/Low Intensity Residential
to R3/Multiple Family Residential

Location: North side of the 2400 block of West Dupont Road

Reason for Request: To develop the parcel with a 90-unit townhome complex.

Applicant: Lancia Properties, LLC

Property Owners: Lancia Properties, LLC

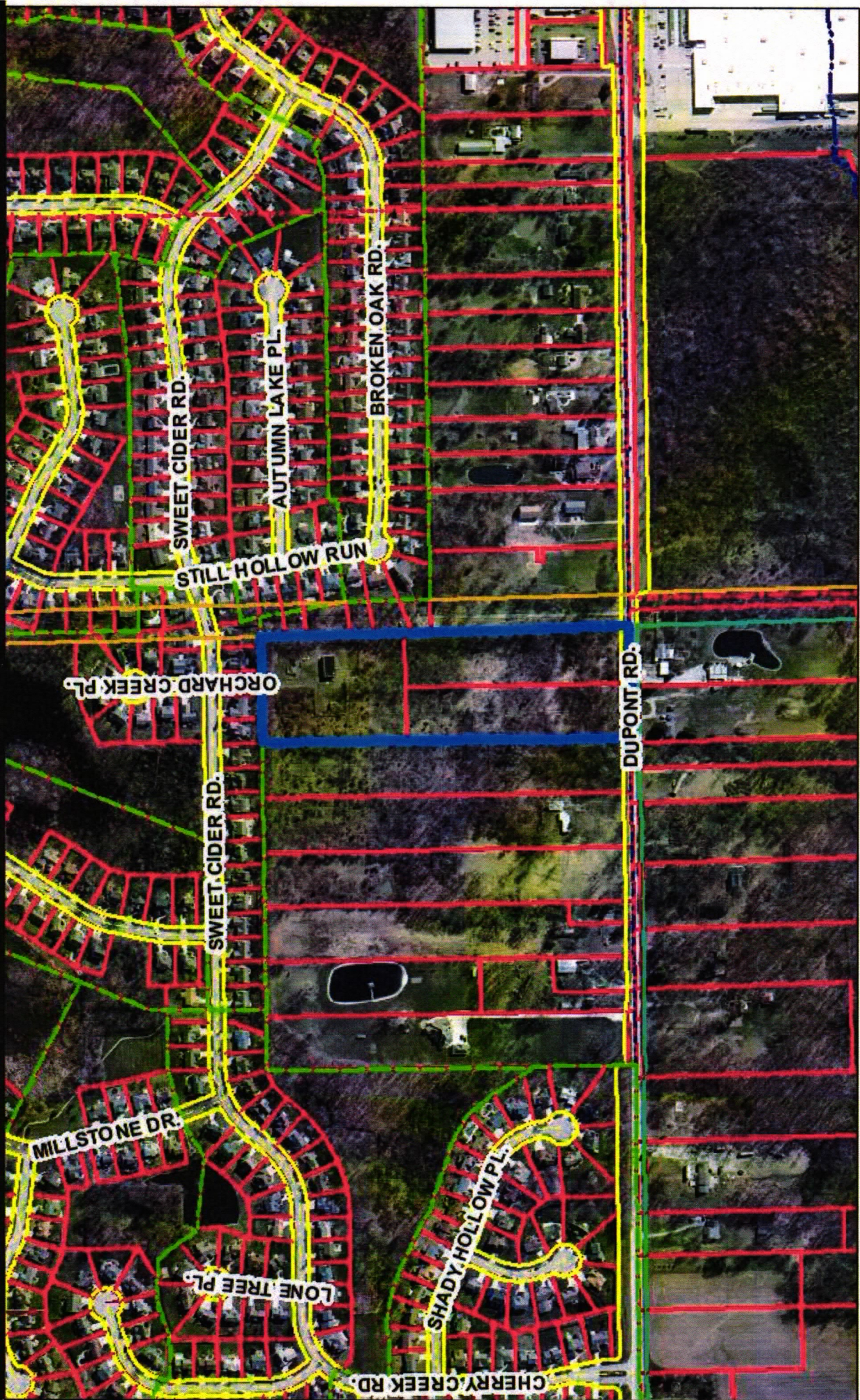
Related Petitions: PDP-2023-0008 – Odyssey Townhome Development

Effect of Passage: Property will be rezoned to the R3/Multiple Family Residential zoning
district, which will allow for the townhome complex.

Effect of Non-Passage: The property will remain zoned AR/Low Intensity Residential, which
supports single family development and low intensity agricultural uses.

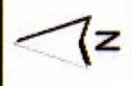
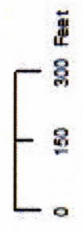


Rezoning Petition REZ-2023-0008 and Primary Development Plan PDP-2023-0008 - Odyssey



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 State Plane Coordinate System, Indiana East
 Photos and Contours: Spring 2009
 Date: 2/22/2023



1 inch = 400 feet

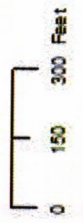


Rezoning Petition REZ-2023-0008 and Primary Development Plan PDP-2023-0008 - Odyssey



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1 inch = 400 feet

FACT SHEET

Case #	Bill #	Project Start:
REZ-2023-0008	Z-23-02-40	February 2023
PROPOSAL:	Rezoning Petition REZ-2023-0008 and Primary Development Plan PDP-2023-0008 - Odyssey	
APPLICANT:	Lancia Properties LLC	
REQUEST:	Rezone to R3/Multiple Family Residential for a new multiple family complex	
LOCATION:	2000 block of West Dupont Road, 2500 feet west of its intersection with SR 3 (Section 31 of Perry Township)	
LAND AREA:	9.02 acres	
PRESENT ZONING:	AR/Low Intensity Residential	
PROPOSED ZONING:	R3/Multiple Family Residential	
COUNCIL DISTRICT:	3 – Tom Didier	
SPONSOR:	Fort Wayne Plan Commission	

March 13, 2023 Public Hearing

- One resident spoke in opposition.
- Paul Sauerteig was absent.

March 20, 2022 Business Meeting

Plan Commission Recommendation: DO NOT PASS

A motion was made by Judi Wire and seconded by Rick Briley to return the Ordinance with a Do Not Pass recommendation to Common Council for their final decision.

7-1 MOTION PASSED

- Rachel Tobin-Smith was absent
- Ryan Neumeister voted nay

Fact Sheet Prepared by:
Michelle B. Wood, Senior Land Use Planner
April 5, 2023

PROJECT SUMMARY

- The site was used agriculturally but starting growing scrub since the 1986 aerial imagery.
- The site hosted an Aqua Indiana sewer filtration plant and is now owned by the City of Fort Wayne.

The petitioner is requesting Plan Commission approval to rezone the area in question from AR/Low-Intensity Residential to R3/Multiple Family residential. The purpose of the rezone is to permit construction of a multiple-family complex in a townhouse style layout. Historically, the site was undeveloped, but Aqua Indiana had a sewer filtration plant on the site which was decommissioned when the City of Fort Wayne took over the Aqua Indiana network. The south and west retain a low-intensity or undeveloped landscape, but subdivisions like Rapids of Keefer Creek are to the North. The Allen County jurisdiction is to the south and maintains A1/Agricultural zoning. Today, West Dupont Road is a two-lane road at the frontage of this site with an average daily traffic count of about 9600 motorists, which is a similar count to Crescent Avenue between State and Anthony.

Similar zoning to R3 can be found nearby in places like Avalon at Northbrook and Villas at Northbrook (zoned RP/Planned Residential) as well as the developing Dupont Meadows subdivision to the southeast of the site, which the Plan Commission approved in late 2021. The site is diagonal from Dupont Meadows but still surrounded by AR zoning. Overall, the area maintains a low-intensity feel but the development of the Lima corridor is moving westward. Subdivision entrances for Oak Glen and Seven Oaks are found to the west of the site, so the proposed development could be considered infill development. The applicant modified the plans since submission to reduce the number of units to make the development more cohesive with the surrounding built conditions.

The proposal can be supportive by the following goals and policies of the Comprehensive Plan:

- LU3.** Use land resources efficiently by encouraging new development, revitalization and redevelopment in areas already served by infrastructure;
- LU5.D** Encourage development proposals that provide housing, designed to allow adequate pedestrian and bicycle access, in close proximity to existing neighborhood commercial, civic, institutional and other similar uses.
- 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.

In association with the rezoning petition, a Primary Development Plan for an 88-unit multiple family complex is proposed for the site. Originally, the applicant submitted a development plan with 90 units with waivers to reduce building separation, but the overall area lends itself to less dense development, so the plan was revised to reduce the number of units, and now no waivers are being requested for the development plan. The multiple family complex is laid out in a townhouse style, where each unit has its own garage and share common walls, but the development is under one development site and will be under one owner.

Access is obtained with one entrance off West Dupont Road, which is accompanied by a new sidewalk along the frontage of the road. The site is outside of mapped floodplain or wetlands, which will be verified by the floodplain and stormwater managers. Notes on landscaping codes were provided on the site plan but following ordinance standards will require a fence where each building meets a property line. Since a fence requires maintenance, the Plan Commission may want to discuss a more feasible landscaping plan that provides adequate screening and buffering yet requires less maintenance. The eastern boundary is former

railroad right-of-way, and residents of the Rapids at Keefer Creek have since purchased the right-of-way for outlots, creating a bigger buffer between the proposed development and the closest neighbors. Furthermore, the west side is a metes and bounds house, and a lot with one residence extends the entire length of the western boundary. However, ordinance required landscaping (A shade tree every 40 feet and a continuous 6' fence) may be best suited for the north property line, where the site is closest to platted lots in Rapids at Keefer Creek.

Garages and driveways provide the adequate number of parking spaces for parking requirements, but the applicant tucked small parking areas for overflow parking. A turnaround area is also provided, but the development is laid out in two blocks. Each of the surrounding lots are developed, so no interconnection is required. Since the development is a mélange of one- and two-story structures, different setbacks apply for each area. The larger footprint units are one story, and 25-foot setbacks apply. The smaller footprint units are two story and require a 30' setbacks. The applicant meets those requirements. Finally, the building separation in the ordinance is 25' which the applicant originally proposed to waive to 10'. Since the general area still maintains a low-intensity pattern of development, the applicant agreed to meet the ordinance standard of 25', compromising only two units in the process.

PUBLIC HEARING SUMMARY:

Presenter: Jamie Lancia, developer, presented the request as outlined above. Mr. Lancia stated that his company will build all the townhomes and own and manage the property. There will be a mix of two-story and one-story units, with rents ranging from \$1,500 to \$2,000 a month. He also stated that there is a strong need for this product in the Northwest Allen County School District.

Public Comments:

Robert Hine, Stillhollow Run – Not opposed to project, but is requesting a fence along the east property line. Feels the area is congested and worried that people will cut through their properties.

FORT WAYNE PLAN COMMISSION • FINDINGS OF FACT

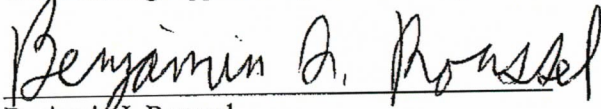
Rezoning Petition REZ-2023-0008

APPLICANT: Lancia Properties LLC
REQUEST: Rezone to R3/Multiple Family Residential for a new multiple family complex
LOCATION: 2000 block of West Dupont Road, 2500 feet west of its intersection with SR 3
(Section 31 of Perry Township)
LAND AREA: 9.02 acres
PRESENT ZONING: AR/Low Intensity Residential
PROPOSED ZONING: R3/Multiple Family Residential

The Plan Commission recommends that Rezoning Petition REZ-2023-0008 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. Existing R3 zoning to the south was developed with consideration of existing development patterns.

These findings approved by the Fort Wayne Plan Commission on March 20, 2023.



Benjamin J. Roussel
Executive Director
Secretary to the Commission

BILL NO. Z-23-02-40

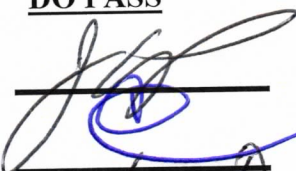



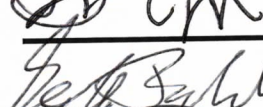


REPORT OF COMMITTEE ON REGULATIONS
April 11, 2023

Tom Freistroffer Chair
Sharon Tucker Co-Chair
All Council Members

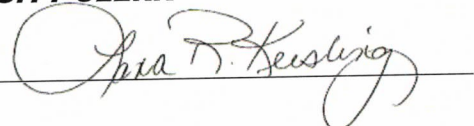
An Ordinance amending the City of Fort Wayne Zoning Map No. J-62 (Sec. 31 of Perry Township)

To rezone approximately 9.02 acres from AR/Low Intensity Residential to R3/Multiple Family Residential at the north side of the 2400 block of West Dupont 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>
ARP			
CHAMBERS			
DIDIER			
ENSLEY			
FREISTROFFER			
HINES			
JEHL			
PADDOCK			
TUCKER			

LANA R. KEESLING
CITY CLERK



Public Hearing Date: N/A

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

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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
FREISTROFFER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
HINES	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input 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"/>
TUCKER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>


DATED: April 11, 2023



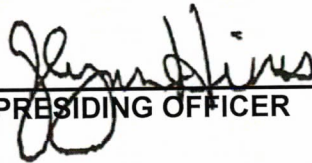
 LANA R. KEESLING, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as
 General Ordinance No. Z-23-02-40 on the 11th day of April, 2023

ATTEST:



 LANA R. KEESLING
 CITY CLERK



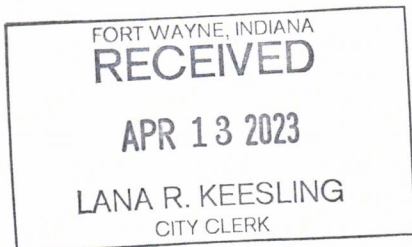
 PRESIDING OFFICER

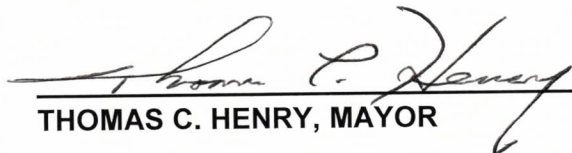
Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th
 of April 2023, at the hour of 11:05 o'clock A.M. E.S.T.



 LANA R. KEESLING, CITY CLERK

Approved and signed by me this 13TH day of APRIL 2023, at the
 hour of 11:00 o'clock A.M. E.S.T.





 THOMAS C. HENRY, MAYOR