

1 #REZ-2023-0015

2 BILL NO. Z-23-04-15

3 ZONING MAP ORDINANCE NO. Z- 18-23

4 AN ORDINANCE amending the City of Fort Wayne  
5 Zoning Map No. T-26 (Sec. 28 of St. Joseph Township)

6 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE,  
7 INDIANA:

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

11 THE WEST 210 FEET OF THE NORTH 205 FEET OF LOT NUMBER 1, IN GUY R.  
12 BELL'S SUBDIVISION OF PART OF THE NORTHWEST 1/4 OF SECTION 28,  
13 TOWNSHIP 31 NORTH, RANGE 13 EAST, ACCORDING TO THE PLAT THEREOF,  
14 RECORDED IN PLAT RECORD 13, PAGE 82, IN THE OFFICE OF THE RECORDER  
OF ALLEN COUNTY, INDIANA

15 EXCEPTING THEREFROM,

16 A PART OF LOT 1 IN GUY R. BELL'S SUBDIVISION, A SUBDIVISION IN THE  
17 NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 28,  
18 TOWNSHIP 31 NORTH, RANGE 13 EAST, THE PLAT OF WHICH SUBDIVISION IS  
RECORDED IN PLAT RECORD 13, PAGE 82. IN THE OFFICE OF THE RECORDER  
OF ALLEN COUNTY, INDIANA, DESCRIBED AS FOLLOWS:

19 BEGINNING AT THE-NORTHWEST CORNER OF SAID LOT; THENCE NORTH 86  
20 DEGREES 58 MINUTES 41 SECONDS EAST 210.00 FEET ALONG THE NORTHERN  
21 LINE OF SAID LOT TO THE NORTHEAST CORNER OF THE WEST 210 FEET OF  
22 SAID LOT; THENCE SOUTH 2 DEGREES 17 MINUTES 30 SECONDS EAST 7.3 FEET  
23 ALONG THE EAST LINE OF THE WEST 210 FEET OF SAID LOT; THENCE SOUTH  
24 89 DEGREES 09 MINUTES 42 SECONDS WEST 186.74 FEET, THENCE SOUTH 21  
25 DEGREES 13 MINUTES 55 SECONDS WEST 45.85 FEET; THENCE SOUTH 2  
26 DEGREES 11 MINUTES 30 SECONDS EAST 163.07 FEET TO THE SOUTHERN LINE  
OF THE NORTH 205 FEET OF SAID LOT; THENCE SOUTH 86 DEGREES 58  
MINUTES 41 SECONDS WEST 5.00 FEET ALONG SAID SOUTHERN LINE TO THE  
WEST LINE OF SAID LOT; THENCE NORTH 2 DEGREES 17 MINUTES 40 SECONDS  
WEST 205.02 FEET ALONG SAID WEST LINE TO THE POINT OF BEGINNING AND  
CONTAINING 2,110 SQUARE FEET, MORE OR LESS.

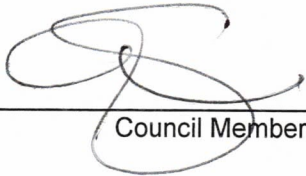
27 and the symbols of the City of Fort Wayne Zoning Map No. T-26 (Sec. 28 of St. Joseph  
28 Township), as established by Section 157.082 of Title XV of the Code of the City of Fort  
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Wayne, Indiana is hereby changed accordingly.

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-2023-0015  
Bill Number: Z-23-04-15  
Council District: 1-Paul Ensley

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Introduction Date: April 25, 2023  
Plan Commission  
Public Hearing Date: May 8, 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 1.0 acre from R1/Single Family Residential to R3/Multiple Residential  
Location: 4850 Stellhorn Road  
Reason for Request: To allow for the a 36-unit (single bedroom) apartment development.  
Applicant: RP Khatana Properties, LLC  
Property Owner: Robert Bastian

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Related Petitions: Primary Development Plan, Stellhorn Multi-Family

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Effect of Passage: Property will be rezoned to the R3/Multiple Family Residential zoning district, which permits single, two, and multiple family housing.  
Effect of Non-Passage: The property will remain zoned R1/Single Family Residential and may continue or redevelop with single family uses. Apartments are not permitted in the R1 district.

**Department of Planning Services  
Rezoning Petition Application**

**Applicant**  
 Applicant R P Khatana Properties, LLC  
 Address 2990 Bristoe Lane  
 City Fort Wayne State IN Zip 46804  
 Telephone \_\_\_\_\_ E-mail \_\_\_\_\_

**Contact Person**  
 Contact Person Robert C. Kruger  
 Address 200 E. Main Street, Suite 1000  
 City Fort Wayne State IN Zip 46802  
 Telephone 260-426-1300 E-mail rkruger@burtblee.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 4850 Stellhorn Road  
 Present Zoning R1 Proposed Zoning R3 Acreage to be rezoned Approx. 1  
 Proposed density 36 units per acre  
 Township name St. Joseph Township section # 28  
 Purpose of rezoning (attach additional page if necessary) to accomodate development of 36 unit apartment building  
 Sewer provider Fort Wayne Water provider Fort Wayne

**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

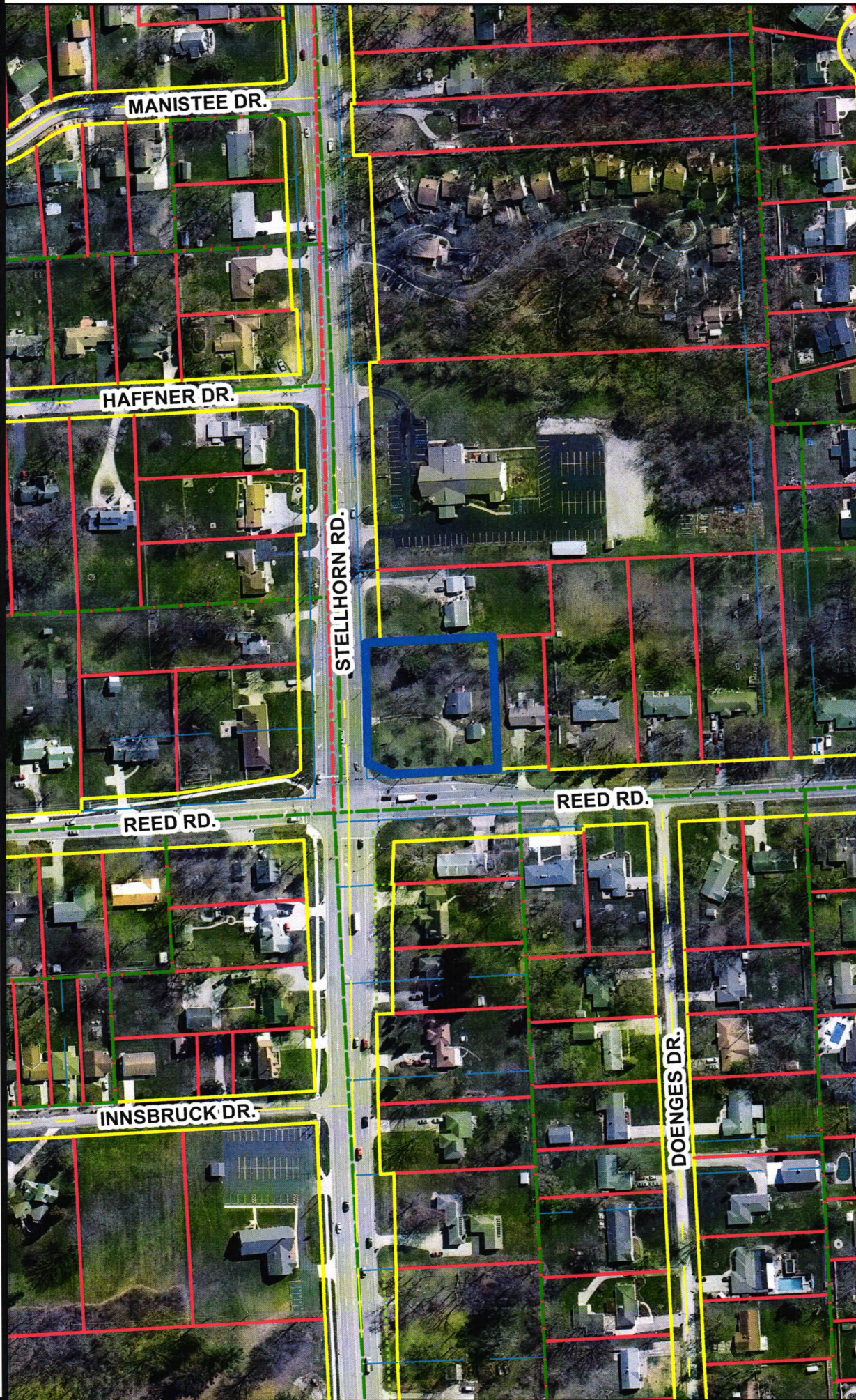
I/We understand and agree, upon execution and submission of this application, that I am/we are the owner(s) of more than 50 percent of the property described in this application; that I/we agree to abide by all provisions of the Allen County Zoning and Subdivision Control Ordinance as well as all procedures 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.

By: Manveer Khatana, Member [Signature] 4/1/2023  
 (printed name of applicant) (signature of applicant) (date)  
 By: \_\_\_\_\_ (Member of RCB Realty, LLC) \_\_\_\_\_  
 (printed name of property owner) (signature of property owner) (date)  
 By: ROBERT BARTON [Signature] 4-1-2023  
 (printed name of property owner) (signature of property owner) (date)  
 \_\_\_\_\_  
 (printed name of property owner) (signature of property owner) (date)

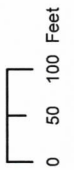
Received	Receipt No.	Hearing Date	Petition No.
4-4-23	142865	5-8-23	REZ-2023-0015



REZ-2023-0015 and PDP-2023-0017 - Stellhorn Multi-Family



1 inch = 200 feet

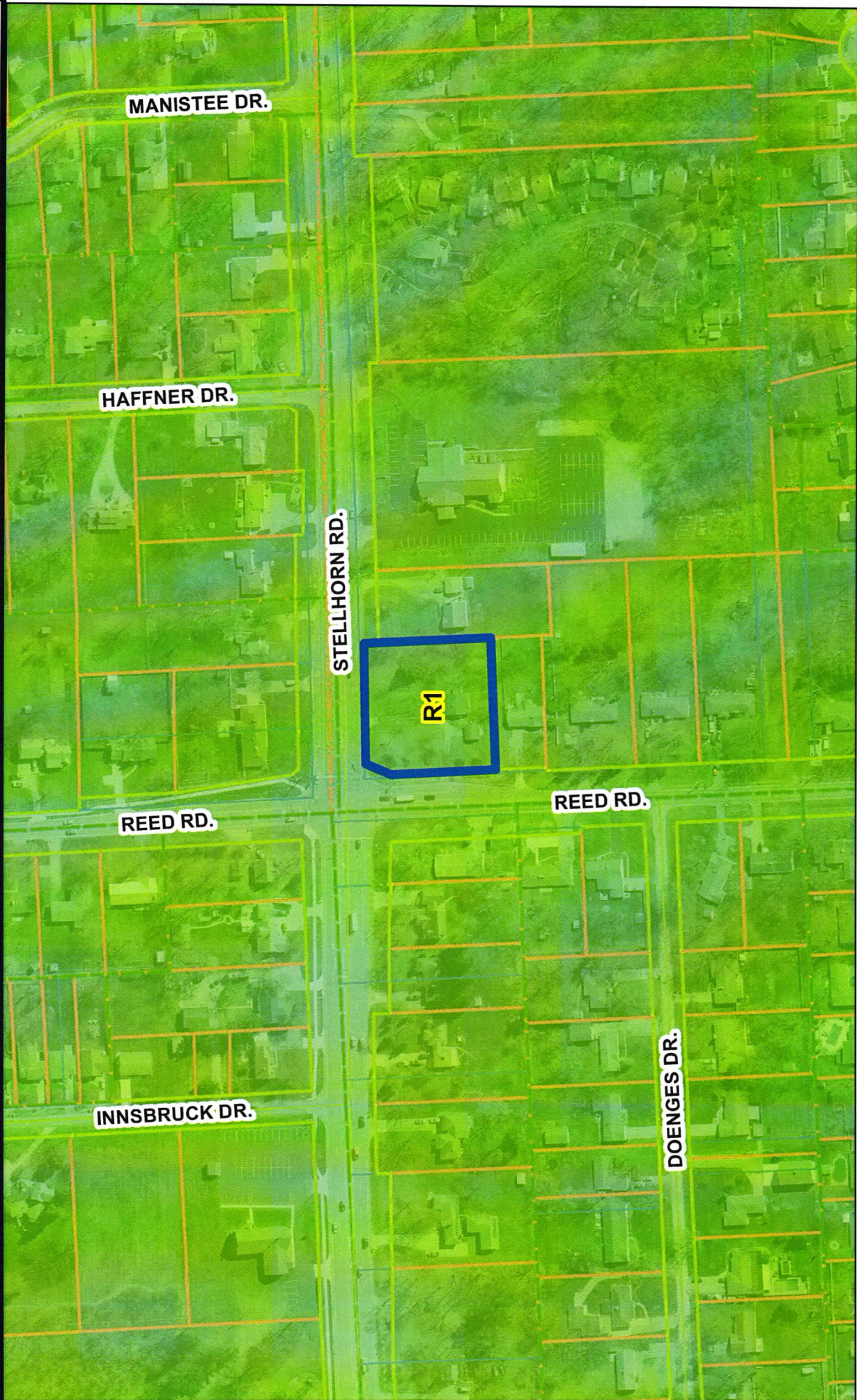


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North American Datum 1983  
State Plane Coordinate System, Indiana East  
Photos and Contours: Spring 2009  
Date: 4/12/2023

Although strict accuracy standards have been employed in the compilation 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.

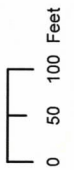


REZ-2023-0015 and PDP-2023-0017 - Stellhorn Multi-Family



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 North American Datum 1983  
 State Plane Coordinate System, Indiana East  
 Photos and Contours: Spring 2009  
 Date: 4/12/2023



1 inch = 200 feet

Property Owner/Developer:

Hamilton Lake Petroleum Corp  
 Manveer Khatriana  
 3955 East Bellefontaine Road  
 Hamilton Indiana 46742

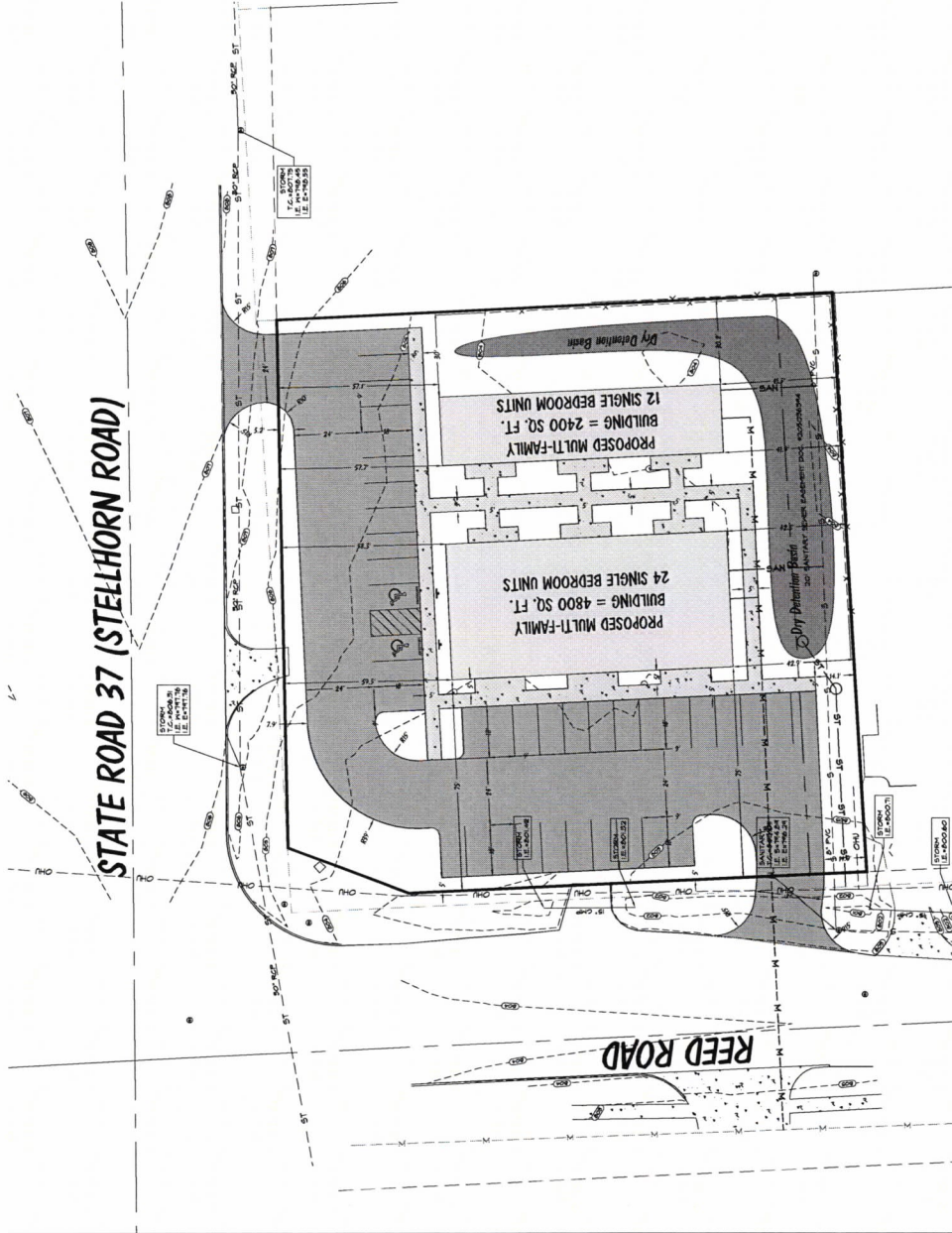
PROJECT CIVIL ENGINEER/LAND SURVEYOR:

**Foresight**  
 Foresight Consulting, LLC  
 1910 St. Joe Center Rd, Suite 61  
 Fort Wayne, Indiana 46825  
 260.484.9900 phone  
 260.484.9980 fax www.4stia.biz  
 lead@4stia.biz

Primary Development Plan For:

# Stellhorn Multi-Family

4850 Stellhorn Road, Fort Wayne, Indiana 46835



Primary Development Plan

Scale: 1" = 20'



Existing Utility Provider Information	
Water Service	City of Fort Wayne
Sewer Service	City of Fort Wayne
Electric	American Electric Power
Gas	INPS&D

Contact Information	
City of Fort Wayne Department of Land Use Management-Markus Wood	260-427-1199
City of Fort Wayne Fire Department-Jerry Elder	260-427-1168
City of Fort Wayne New Water and Sewer Engineering-Rick Soth	260-427-1161
City of Fort Wayne Sewer Engineering Department-Lisa Ruman	260-427-5064
City of Fort Wayne Stormwater Engineering Department-Patrick Jolley	260-427-5064
City of Fort Wayne Water Engineering Department-Rick Soth	260-427-1172
City of Fort Wayne Traffic Engineering Department-Kyle Welling	260-406-1863
Water-Amy Halzeman	260-466-3325
American Electric Power-Karen Pinner	260-499-1408
INPS&D-Mike Pratt	765-449-3811
Consult-Deen Leubsdorf	

**Foresight**  
 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.4stia.biz

Certification:  
  
 This is a digital image created by Foresight Consulting, LLC. It is not a physical seal. The seal is a reproduction of the original seal and is not intended to be used as a substitute for the original seal. The seal is a reproduction of the original seal and is not intended to be used as a substitute for the original seal.

Primary Development Plan For:  
**Stellhorn Multi-Family**  
 4850 Stellhorn Road, Fort Wayne, Indiana 46835

Drawing Revisions  
 Commission Number: 233567  
 Date: April 4th, 2023  
 Title: Primary Development Plan  
 Sheet Number: PD2

**811**  
 Know what's below.  
 Call before you dig.



## FACT SHEET

Case #REZ-2023-0015	Bill # Z-23-04-15	Project Start: May 2023
APPLICANT: REQUEST:	R P Khatana Properties, LLC Rezone parcel from R1/Single Family Residential to R3/Multiple Family Residential to approve a primary development plan for a 2-building 36-unit multiple family development and to vacate build line along Reed and Stellhorn.	
LOCATION:	4850 Stellhorn Road southeast corner of the intersection of Stellhorn Road and Reed Road (Section 28 of St. Joseph Township)	
LAND AREA:	0.96 acre	
PRESENT ZONING:	R1/Single Family Residential	
PROPOSED ZONING:	R3/Multiple Family Residential	
COUNCIL DISTRICT:	1-Paul Ensley	
SPONSOR:	Fort Wayne Plan Commission	

### **May 8, 2023 Public Hearing**

- Two residents spoke at the hearing with concerns.
- A letter of support with 5 property owner signatures was submitted.
- Paul Sauerteig was absent.

### **May 15, 2023 Business Meeting**

#### **Plan Commission Recommendation: DO PASS**

A motion was made by Patrick Zaharako and seconded by Rick Briley to return the Ordinance with a Do Pass recommendation to Common Council for their final decision.

#### **7-0 MOTION PASSED**

- Tom Freistroffer and Paul Sauerteig were absent.

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

## PROJECT SUMMARY

### Site History:

- This site was platted as the Guy R. Bell's subdivision in 1928.
- A single-family home was constructed between 1938 and 1957. There is no Board of Zoning Appeals or Plan Commission history associated with the site.

### Background:

The petitioner requests a rezoning from R1/Single Family Residential to R3/Multiple Family Residential to permit a multiple family development. Despite the zoning, the area is a highly traveled corridor, seeing 8,800 motorists a day from Reed and 20,100 motorists from Stellhorn Road. Stellhorn is an arterial street and would not be able to be platted directly on if developed today. Reed Road is a collector road. In general, the area has different uses that go beyond the permitted uses in R1, including churches, professional businesses under the auspice of Board of Zoning Appeals, and a condominium complex. Further west, several established multiple family complexes are nearby, alongside the Purdue Fort Wayne campus. A 50-foot building line was established on the Guy R. Bell subdivision, which the applicant can meet with the associated development.

The proposed development plan is two structures, containing 36 one-bedroom units total. Associated with the plan are 38 parking spaces and a landscaping plan including a 6-foot fence to the east and south, where residential uses are adjacent to the site. The structures will need to be at least 25 feet apart internally, but the plan does show compliance with the 30-foot perimeter setback, the requirement for two story structures. Two access points are provided, one each from Reed and Stellhorn. An 8-foot trail, coordinated by the Greenways division, is included in the site plan. Internal access is provided in between the two buildings. The plan shows dry detention on the south and east side of the site, within the required setback and landscaping code. While it is not shown on the plan, 5-foot sidewalks will also be required on the west side of the development plan, since the development is over 25 units. The applicant should discuss how these units will compare to the character of the neighborhood and how potential neighborhood concerns on density will be mitigated. No waivers were requested as a part of this proposal.

### Comprehensive Plan Review:

#### Future Growth and Development Map, Goals, and Strategies

- The project site is located within the Urban Infill Area.
- The following Goal would be applicable:  
**LUD1** - Encourage compatible infill development and redevelopment in the Urban Infill and Priority Investment Areas

#### Overall Land Use Policies

- The following Land Use Policies would be applicable and supportive of this request:  
**LUD Policy 2** - Promote complete neighborhoods through sustainable development, preservation, and growth by encouraging and enhancing mixed use neighborhood areas.

#### Generalized Future Land Use Map

- The project site is located within the Suburban Neighborhood generalized land use category. The primary use is Single Family Detached Residential. Secondary uses include Single Family Attached Residential. Adjacent properties are a mixture of Suburban and Traditional Neighborhoods.

#### Land Use Related Action Steps

- The following Action Step would be applicable and supportive of this proposal:  
**HN 1.1.3.** Encourage the development of an integrated network of sidewalks, trails, and bike routes within existing and new neighborhoods that will provide safe access to community amenities.

**HN.1.1.4.** Promote residential development with compact block structure, a mix of uses and housing types, and active transportation access to nearby jobs, recreation, fresh and nutritious food, and schools as well as connections to nearby neighborhoods.

Compatibility Matrix

- This proposed use would fall into R3/Multiple Family Residential which is considered compatible with Traditional Neighborhoods and potentially compatible with Suburban Neighborhoods, considering impact mitigation efforts.

Other applicable plans: none

**PUBLIC HEARING SUMMARY:**

Presenter: Rob Kruger, representing the developer, presented the request as outlined above. The immediate neighbors were contacted as there is no active association. Mr. Kruger referenced the 2021 Housing Study and met with City Neighborhood Planning and Activation staff and the Northeast Area Partnership. Mr. Kruger presented architectural renderings and a plan with a courtyard and 40% greenspace. Their market is primarily nurses and students. An eight-foot wide trail will be installed along Stelhorn increasing connectivity.

Public Comments:

Larry Osten, Stelhorn Road – Concerns include traffic, size of lot and no need for apartments.

Sue Holm, Dentist Drive – Concerns include traffic, property values and police protection.

Closing Comments:

City Transportation Engineering has approved the plans. Multiple family residential is “residential” and the proposed density is the same as Greystone, approved nearby.

## FORT WAYNE PLAN COMMISSION • FINDINGS OF FACT

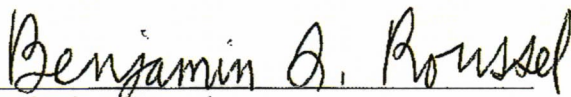
### Rezoning Petition REZ-2023-0015

APPLICANT: R P Khatana Properties, LLC  
REQUEST: Rezone parcel from R1/Single Family Residential to R3/Multiple Family Residential for two-building 36-unit multiple family development.  
LOCATION: 4850 Stellhorn Road southeast corner of the intersection of Stellhorn Road and Reed Road (Section 28 of St. Joseph Township)  
LAND AREA: 0.96 acre  
PRESENT ZONING: R1/Single Family Residential  
PROPOSED ZONING: R3/Multiple Family Residential

**The Plan Commission recommends that Rezoning Petition REZ-2023-0015 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 site is too intensive for R1 today, and the site will be continued to be used for residential purposes.
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 area has been historically residential and follows other multiple family complexes within the area. The associated development plan fits within the existing 50-foot platted building lines along both Reed and Stellhorn Roads.
3. Approval is consistent with the preservation of property values in the area. This proposal will allow reinvestment within the northeast quadrant of Fort Wayne. Development under the existing zoning classification is impractical. Landscape and buffering can mitigate density concerns for adjacent properties.
4. Approval is consistent with responsible development and growth principles based on existing uses and infrastructure in the area. Review by City engineering departments will ensure the required infrastructure is provided to the site.

These findings approved by the Fort Wayne Plan Commission on May 15, 2023.

  
Benjamin J. Roussel  
Executive Director  
Secretary to the Commission









**BILL NO. Z-23-04-15**

**REPORT OF COMMITTEE ON REGULATIONS  
June 6, 2023**

**Tom Freistroffer Chair**

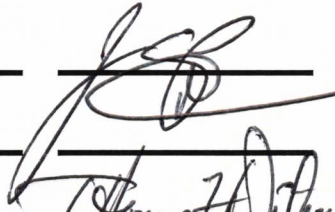
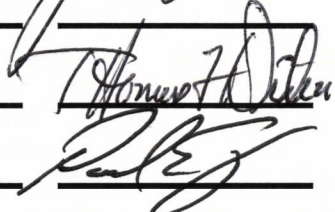
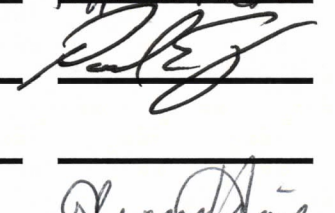
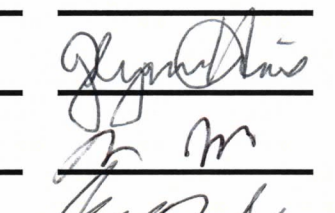
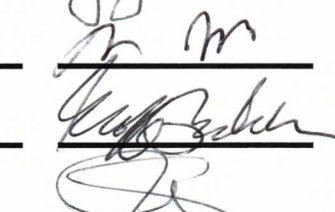


**Sharon Tucker Co-Chair**

**All Council Members**

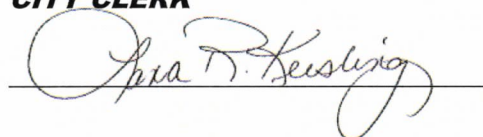
An Ordinance amending the City of Fort Wayne Zoning Map No. T-26 (Sec. 28 of St. Joseph Township)

*To rezone approximately 1.0 acre from R1/Single Family Residential to R3/Multiple Residential at 4850 Stellhorn Road to allow for the a 36-unit (single bedroom) apartment development*

**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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
FREISTROFFER	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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: June 6, 2023

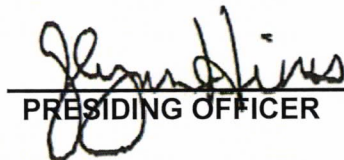
  
 \_\_\_\_\_  
 LANA R. KEESLING, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as

General Ordinance No. Z-23-04-15 on the 6th day of June, 2023

ATTEST:

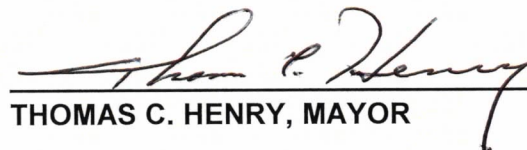
  
 \_\_\_\_\_  
 LANA R. KEESLING  
 CITY CLERK

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

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 7th of June 2023, at the hour of 10:00 o'clock A.M. E.S.T.

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

Approved and signed by me this 9<sup>TH</sup> day of June 2023, at the hour of 10:00 o'clock AM E.S.T.

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

