

1 #REZ-2023-0060

2 BILL NO. Z-24-01-02

3
4 ZONING MAP ORDINANCE NO. Z- 4-24

5 AN ORDINANCE amending the City of Fort Wayne
6 Zoning Map No. L-03 (Sec. 11 of Wayne 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 UC (Urban
11 Corridor) District under the terms of Chapter 157 Title XV of the Code of the City of Fort
12 Wayne, Indiana:

13 **Affected Parcels:**

Parcel Number	Address	Legal Description
02-12-11-327-026.000-074	2030 FAIRFIELD AV	Lot 7 & S 1 1/4' Lot 6 Nindes 2nd Addition Ex W 2' for Alley
02-12-11-327-023.000-074	2018 FAIRFIELD AVE	Nindes 2nd Addition N 20.3' Lot 5 E x W 2' for Alley
02-12-11-327-025.000-074	2024 FAIRFIELD AV	S 1/2 Lot 6 Ex S1 1/4' Lot 6 Nindes 2nd Addition Ex W 2' for Alley
02-12-11-327-024.000-074	2020 FAIRFIELD AV	Lot 5 Ex N 20.3' & N 1/2 Lot 6 Nindes 2nd Addition Ex W 2' for Alley S 8 IN LOT 1 & LOTS 2 THRU 4 NINDES
02-12-11-327-022.000-074	2010 FAIRFIELD AVE	2ND ADD EX W 2 FT FOR ALLEY
02-12-11-327-021.000-074	2002 FAIRFIELD AV	EX S 8 IN LOT 1 NINDES 2ND ADD EX W 2 FT FOR ALLEY
02-12-11-179-012.000-074	1936 FAIRFIELD AVE	S 29.85FT LOT 20 & ALL LOT 21 STURGIS 2ND ADD

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22 and the symbols of the City of Fort Wayne Zoning Map No. L-03 (Sec. 11 of Wayne
23 Township), as established by Section 157.082 of Title XV of the Code of the City of Fort
24 Wayne, Indiana is hereby changed accordingly.

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26 SECTION 2. If a written commitment is a condition of the Plan Commission's
27 recommendation for the adoption of the rezoning, or if a written commitment is modified and
28 approved by the Common Council as part of the zone map amendment, that written
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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-2023-0060
Bill Number: Z-24-01-02
Council District: 5-Geoff Paddock

Introduction Date: January 9, 2024

Plan Commission
Public Hearing Date: January 8, 2024 (not heard by Council)

Next Council Action: Ordinance will return to Council after recommendation by the Plan Commission

Synopsis of Ordinance: To rezone approximately 1.27 acres from C3/General Commercial to UC/Urban Corridor

Location: Along Fairfield Avenue from 1936 to 2022 Fairfield Avenue (West Side – Lot immediately north of Taylor Street to Walnut Street)

Reason for Request: Proactive downzoning of parcels to align zoning with existing uses and to implement recommendations of the Packard 2030 Plan amendment to the Comprehensive Plan.

Applicant: Fort Wayne Plan Commission

Property Owner: Various; see project file

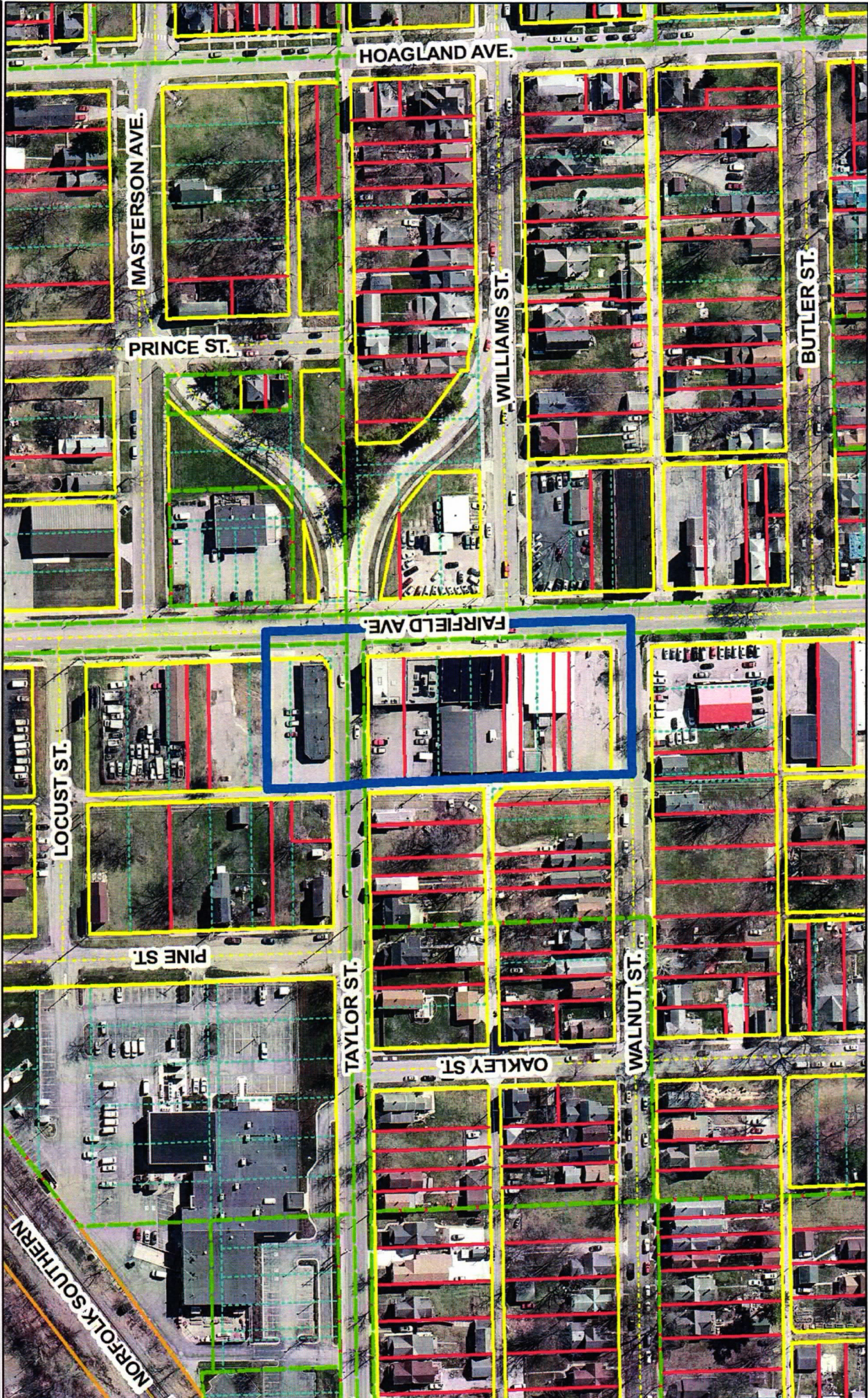
Related Petitions: none

Effect of Passage: Properties will be rezoned to the UC/Urban Corridor, either bringing the existing use into compliance with the zoning ordinance or enhancing compatibility with surrounding uses. The proactive rezoning fulfills recommendation of the Packard 2030 Plan to help stabilize neighborhoods, encourage desired land uses and prevent the encroachment of incompatible zoning districts.

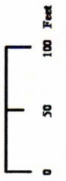
Effect of Non-Passage: Properties will remain zoned C3, a zoning district found to be ill matched to the existing land use and/or incompatible with surrounding uses and the character of the corridor.



Rezoning Petition REZ-2023-0060 - Fairfield Proactive Rezoning



1 inch = 150 feet

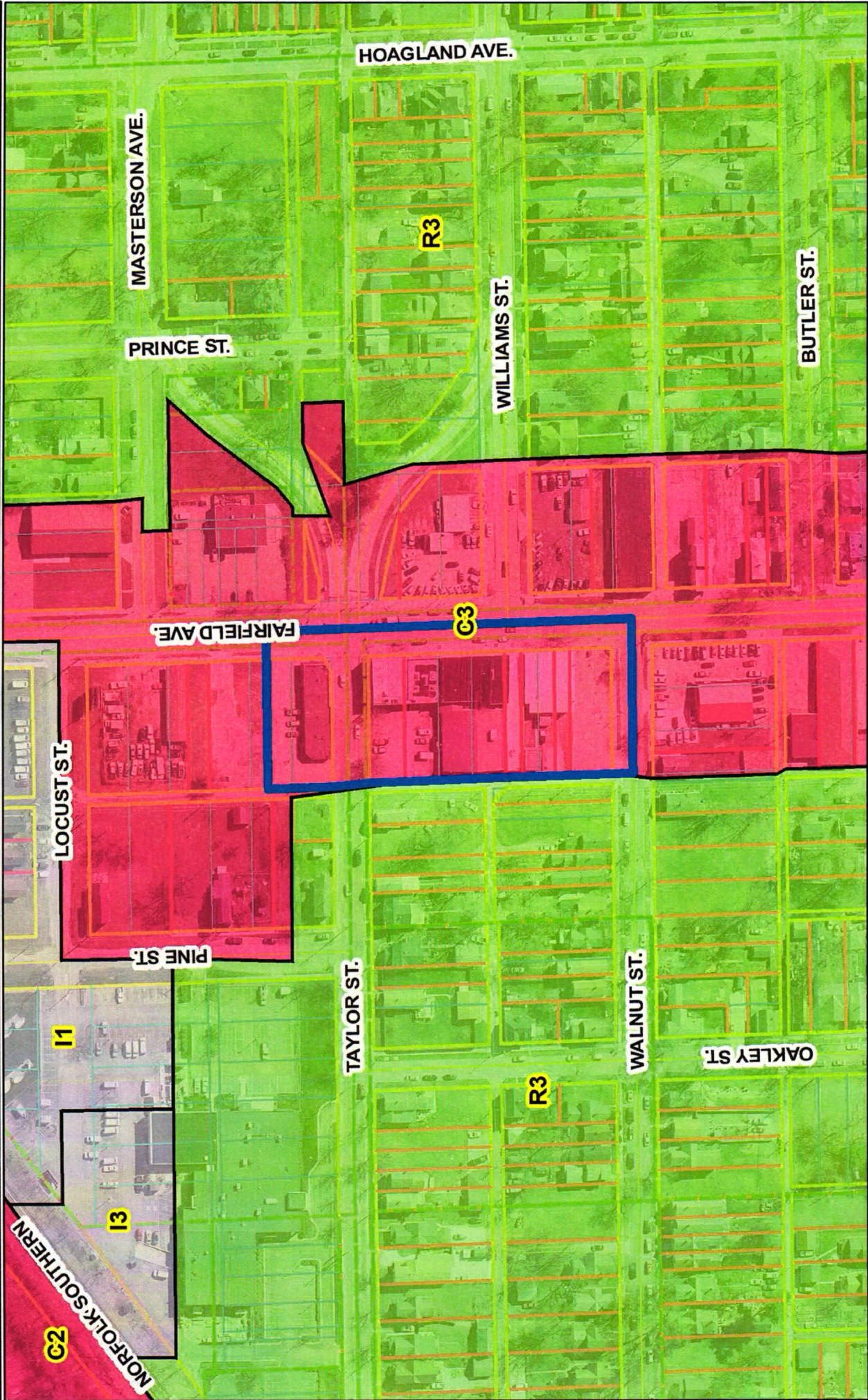


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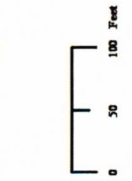
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Rezoning Petition REZ-2023-0060 - Fairfield Proactive Rezoning



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1 inch = 150 feet



Proactive Rezoning: Fairfield Phase 1
Proposed Zoning



01/10/24

Metro Real Estate Inc.

2042 Broadway

Fort Wayne, IN. 46802

Fort Wayne Plan Commission

Attention: Michelle Wood

200 E Berry St., Suite 150

Fort Wayne, IN. 46802

RE: Urban Corridor Zoning of the 2000 Block of Fairfield

Ladies and gentlemen,

As the owner of 7 storefronts on the West Side of the 2000 Block of Fairfield we wish to provide our strong support for the UC zoning change. This zoning is much more in line with the use and viability of these great historic buildings, which due to current zoning has forced the entire second floor apartments to remain vacant. By assisting us with the change you are making a positive impact on one of the few virtually fully intact blocks of vintage storefronts left in Fort Wayne.

Thank you,



Brian Schaper, president

Metro Real Estate Inc.



Garage53, LLC

7801 Baer Rd
Fort Wayne, IN 46809
EIN: 47-2914129

December 13, 2023

Fort Wayne Plan Commission
Attn: Michelle Wood
200 E. Berry Street, Suite 150
Fort Wayne, IN 46802

RE: 2018-2034 Fairfield Ave.—UC Zoning

Dear Ladies & Gentlemen of the Plan Commission:

I am the owner of Garage 53, LLC, and Garage 53 owns the properties from 2018 Fairfield south to 2034 Fairfield (at the northwest corner of Fairfield and Walnut Street).

I fully support the Plan Commission initiative to re-zone the 2000 block of Fairfield as "Urban Corridor" or "UC." The UC Zoning classification is appropriate, and will be a benefit to this entire historic commercial block from Taylor Street south to Walnut Street.

The area is in the midst of re-branding as Irishtown, and it is one of the more walkable neighborhoods in Fort Wayne. The pedestrian emphasis of the UC classification will be a benefit as the area develops. It will also be a benefit for reactivation of second floor apartments that are now vacant.

Thank you for your consideration of this important change in zoning classification.

Sincerely,

A handwritten signature in black ink, appearing to read "Creager Smith". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Creager Smith
Garage 53, LLC

FACT SHEET

Case #REZ-2023-0060

Bill # Z-24-01-02

Project Start: December 2023

PROPOSAL:	Rezoning Petition REZ-2023-0060
APPLICANT:	Proactive Rezoning Workgroup
REQUEST:	To rezone parcel from C3/General Commercial to UC/Urban Corridor
LOCATION:	Along Fairfield Avenue from 1936 to 2022 Fairfield Avenue, West Side – Lot immediately north of Taylor Street to Walnut Street (Section 11 of Wayne Township)
LAND AREA:	1.27 acres
PRESENT ZONING:	C3/General Commercial
PROPOSED ZONING:	UC/Urban Corridor
COUNCIL DISTRICT:	5 – Geoff Paddock
SPONSOR:	Fort Wayne Plan Commission

January 8, 2024 Public Hearing

- One person spoke in support.
- No one spoke in opposition.
- Three letters and one email were received in support.
- Two vacant Plan Commission positions. All other members present.

January 22, 2024 Business Meeting

Plan Commission Recommendation: DO PASS

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

7-0 MOTION PASSED

- Two vacant Plan Commission positions. All other members present.

Fact Sheet Prepared by:
Karen Couture, Associate Land Use Planner
January 24, 2024

PROJECT SUMMARY

The area is along a neighborhood commercial corridor that has historically been a mix of commercial and residential uses. The site to be rezoned primarily consists of single and multi-story commercial buildings with a zero setback.

In May 2023, Fort Wayne Common Council adopted the goals and policies of the Packard 2030 Neighborhood Plan as an amendment to the All in Allen Comprehensive Plan. The Packard plan focuses on a range of topics including economic development, historic preservation, and zoning. The plan specifically recommends promoting mixed-use property development along the Fairfield corridor.

The previous Packard neighborhood plan completed in 2005, Packard Area Planning Alliance (PAPA) Community Development Area Plan, also supported mixed-use development along the Fairfield corridor. In 2019, an area of Fairfield Avenue between Packard and Nuttman Avenues was rezoned to UC/Urban Corridor through a petition to Plan Commission submitted by neighborhood associations and property owners in the Packard area.

The current rezoning request is presented by the Proactive Rezoning Work Group. The Work Group is a collaboration 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.

This request implements a first phase of the Fairfield corridor zoning recommendations as identified in the Packard 2030 Neighborhood Plan. This request proposes to rezone Fairfield Avenue from 1936 to 2022 Fairfield Avenue (West Side – Lot immediately north of Taylor Street to Walnut Street) from C3/General Commercial to UC/Urban Corridor.

The UC/Urban Corridor district is intended to recognize that certain urban commercial areas have special importance to the community because of their historic character, urban development patterns, relationship to the surrounding neighborhood, pedestrian oriented streetscapes, and distinct urban architecture and form. The UC district will allow for and encourage mixed uses with a focus on neighborhood and pedestrian oriented commercial and personal service uses.

The proposed rezoning will have no adverse impact on the current conditions in the area or the character of current structures and uses in the area. The new UC/Urban Corridor district will not create non-conforming uses within this requested rezoning area.

This rezoning area includes a small number of property owners who have communicated to Staff their support for this rezoning.

COMPREHENSIVE PLAN REVIEW

Future Growth and Development Map, Goals, and Strategies

- The project site is located within the Priority Investment Area; the following Goal and Strategies would be applicable:
LOUD1 – Encourage compatible infill development and redevelopment in the Urban Infill and Priority Investment Areas

LUD1.3 – Encourage compatible higher density residential and mixed-use development in infill areas that are near public transit routes, employment centers, institutions, and other amenities.

Overall Land Use Policies

- Staff determined the following Land Use Policies would be applicable and supportive of this request:

LUD Policy 1 – Support and promote a diversity of housing types within the applicable land use categories defined in this chapter.

LUD Policy 2 – Promote Complete neighborhoods through sustainable development, preservation, and growth by encouraging and enhancing mixed use neighborhood areas.

LUD Policy 4 – Nonresidential development which is adjacent to residential neighborhoods should be limited to lower intensity neighborhood commercial uses.

LUD Policy 5 – Enhance and preserve existing mixed urban commercial corridors through the application of Mixed Urban Corridor or other appropriate zoning classification.

LUD Policy 7 – Encourage compatible adaptive reuse of vacant, obsolete, or underutilized nonresidential buildings.

Generalized Future Land Use Map

- The project site is located within the Mixed Urban Commercial Corridor and Traditional Neighborhood designations.

Overall Land Use Related Action Steps

- Staff determined the following Action Step(s) would be applicable and supportive of this proposal:

HN1.1 – Promote the creation of complete neighborhood areas through compact development, increased density, and infill.

ED2.1.4 – Encourage additional investment in mixed-use and urban residential development in and around downtown Fort Wayne, along urban corridors leading to and from downtown, and in Town Centers.

Compatibility Matrix

- This proposed UC zoning would fall into the Mixed Urban Commercial Corridor and Traditional Neighborhood designations. UC is considered compatible in or adjacent to Mixed Urban Commercial Corridor and Traditional Neighborhood.

Other Applicable Plans

- Packard 2030 Neighborhood Plan

Corridors Goal 3 Enhance Neighborhood Commercial Corridors to Improve Neighborhood Identity and Support Neighborhood Businesses

Zoning Goal 4, Policy 4.1 – Encourage the application of Urban Corridor (UC) designation to specific locations along commercial corridors to enhance and preserve existing urban scaled, pedestrian-oriented, mixed-use corridors.

PUBLIC HEARING SUMMARY:

Presenter: Russ Garriott, representing the applicant, presented the request as outlined above.

Public Comments:

Arline Nation (425 W Williams) – Supports project.

FORT WAYNE PLAN COMMISSION • FINDINGS OF FACT

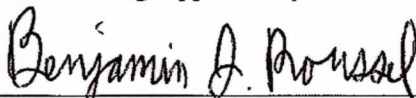
Rezoning Petition REZ-2024-0060 - Fairfield Avenue (Phase I) Proactive Rezone

APPLICANT: Proactive Rezoning Work Group
REQUEST: Rezone properties from C3/General Commercial to UC/Urban Corridor
LOCATION: Along Fairfield Avenue from 1936 to 2022 Fairfield Avenue (West Side – Lot immediately north of Taylor Street to Walnut Street)
LAND AREA: Approximately 1.27 acres
PRESENT ZONING: C3/General Commercial
PROPOSED ZONING: UC/Urban Corridor

The Plan Commission recommends that Rezoning Petition REZ-2024-0060 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 UC/Urban Corridor zoning will provide the opportunity to invest in the property while providing additional commercial options just north of downtown. The Comprehensive Plan categorizes this property as Mixed Residential.
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 adjacent to UC/Urban Corridor zoning directly to the south and east. 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. Furthermore, the rezoning is a recommendation of the Packard 2030 Neighborhood Plan which was adopted as an amendment to the Comprehensive Plan in 2023.
3. 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. Future development under the UC/Urban Corridor will conform to the existing pattern of development within the area.
4. Approval is consistent with the preservation of property values in the area. The application of UC/Urban Corridor supports current commercial uses within the site and will allow new investment that is consistent with the ongoing reinvestment along Fairfield; fulfilling economic and land use development policies outlined in the comprehensive plan.
5. Approval is consistent with responsible development and growth principles based on existing uses and infrastructure in the area. This site is primarily developed in its historical form. The rezoning would be consistent with the historical form and use of infrastructure in the area and encouraging compatible development.

These findings approved by the Fort Wayne Plan Commission on January 22, 2024.



Benjamin J. Roussel
Executive Director
Secretary to the Commission

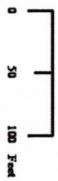


Rezoning Petition REZ-2023-0060 - Fairfield Proactive Rezoning



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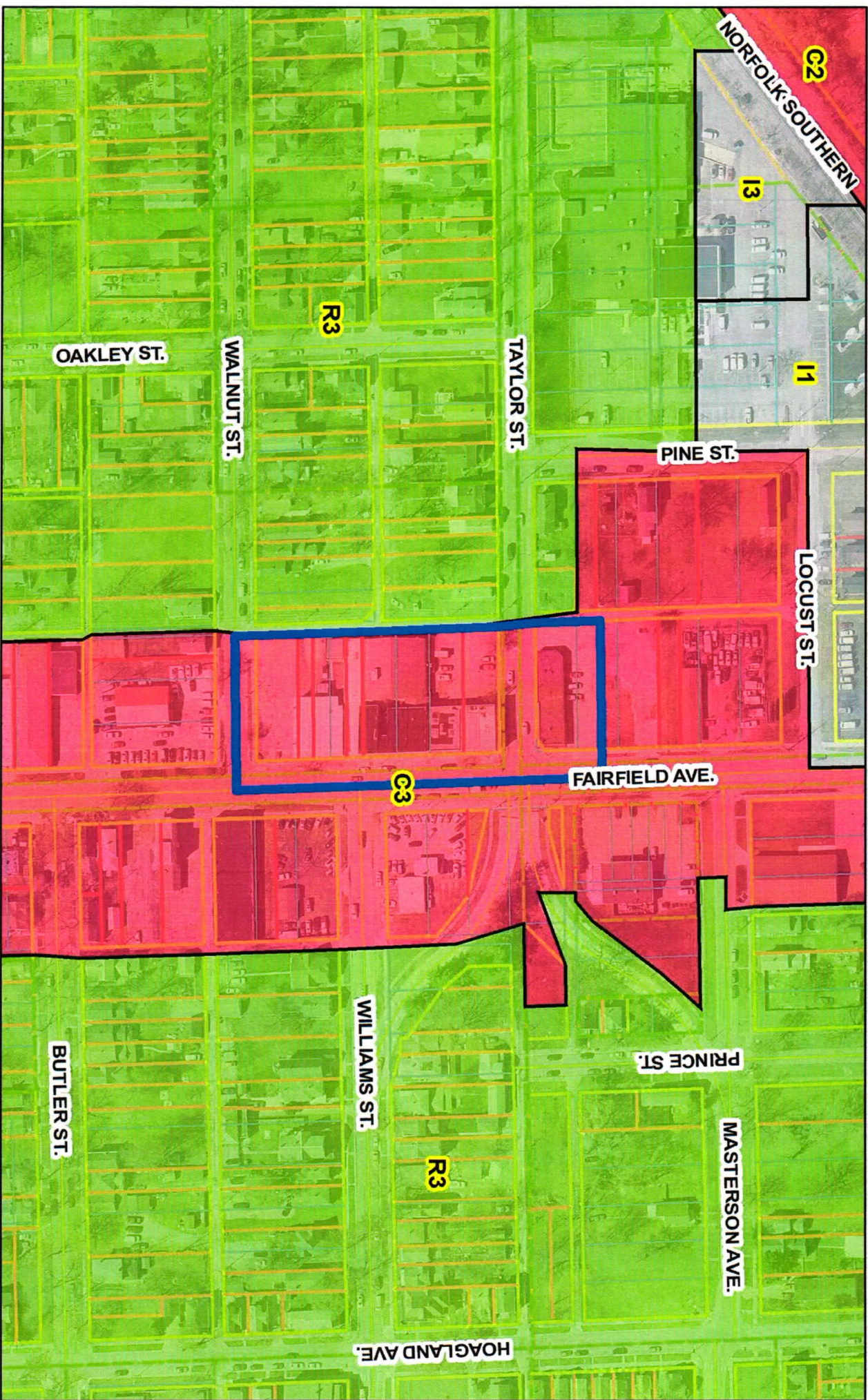
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 Vertical and Contour: Spacing 2009
 Date: 12/18/2023



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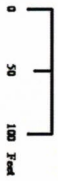


Rezoning Petition REZ-2023-0060 - Fairfield Proactive Rezoning



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 North American Datum, 1983
 State Plane Coordinate System, Indiana East
 Release and Cancellation: Spring 2009
 Date: 12/18/2013



Proactive Rezoning: Fairfield Phase 1
Proposed Zoning



PACKARD 2030 PLAN TIMELINE

<u>Date</u>	<u>Item</u>	<u>Staff Role/Attendance</u>
FEB 13	Courtesy Memo to FW Plan Commission	Provided by CD
FEB 16	Receive Site Committee Recommendation to Initiate	DPS/CD
FEB 20	FW Plan Commission Initiates the PACKARD 2030 Plan	DPS/CD
MAR 7	Submit Proposal to DPS staff (cover letter and plan)	CD
MAR 14	DPS Staff introduces Plan to City Council	DPS/No attendance necessary
MAR 24	Legal Notice complete	DPS/CD
MAR 31	Legal Notices are published in newspaper	DPS
MAR 31	Staff Report provided to DPS (and support letters)	CD
APR 3	Staff Reports are completed/posted	DPS
APR 10	FW Plan Commission public hearing 5:30 Rm 35	CD staff to present
APR 13	Site Committee meeting	CD staff available
APR 17	FW Plan Commission business meeting 5:30 Rm 30	DPS staff at table/CD staff available
MAY 2	Possible Council discussion	CD/DPS
MAY 9	Possible Council discussion/final passage	CD/DPS (if discussed May 2, no need to attend)



Department of Planning Services
Attn: Michelle Wood
200 E Berry St Suite 150
Fort Wayne, IN 46802
1/4/24

Dear Plan Commissioners,

The Packard Area Planning Alliance, a coalition representing 18 member neighborhoods, would like to submit this letter offering our support for the rezoning of properties along Fairfield Avenue from C3/ General Commercial to UC Urban Corridor. We feel a UC classification aligns with the Packard 2030 Comprehensive Plan and is more in-line with the use of the buildings overall. We look forward to seeing more of the corridor rezoned to this classification in the future.

Thank you for your time and consideration in this matter.

Sincerely,

Holly Muñoz

Holly Muñoz, President
Packard Area Planning Alliance

01/10/24

Metro Real Estate Inc.

2042 Broadway

Fort Wayne, IN. 46802

Fort Wayne Plan Commission

Attention: Michelle Wood

200 E Berry St., Suite 150

Fort Wayne, IN. 46802

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Thank you,



Brian Schaper, president

Metro Real Estate Inc.



Garage53, LLC
7801 Baer Rd
Fort Wayne, IN 46809
EIN: 47-2914129

December 13, 2023

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Creager Smith
Garage 53, LLC

Karen Couture

From: Arline Nation <arline.nation@gmail.com>
Sent: Monday, December 11, 2023 3:31 PM
To: Michelle Wood; Nathan W. Schall
Subject: Fairfield Rezoning

Follow Up Flag: Follow up
Flag Status: Completed

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Michelle and Nathan,

I see a rezoning request for the west side of the 1900-2200 blocks of Fairfield Ave from C3 to UC.

I have some questions.

1. Does DPS have information about the eligibility of the structures for National Register designation? I can forward the DOE if you don't have it.
2. Is it true that under the current C3 zoning it would be "illegal" to renovate and occupy the upper 2 stories as dwellings without a variance?
3. Are you able to email to me in a file the allowable uses for UC zoning? I can see them online, and I can print them, but I would like to be able to email the info to those neighbors who use email.

I will be at the hearing on January 8 to speak on behalf of my personal homestead parcel and the parcels owned by my company, HoMa RE, LLC.

Sincerely,

Arline Nation

--

Note that this letter and attachments are issued without prejudice and nothing mentioned in this letter or its attachments is to be deemed binding upon us. This letter does not waive or restrict any and all our rights and contentions as well as any recourse available under law and/or otherwise, including our right to initiate or continue appropriate legal steps to protect our interests

BILL NO. Z-24-01-02

**REPORT OF COMMITTEE ON REGULATIONS
February 13, 2024**

Michelle Chambers Chair

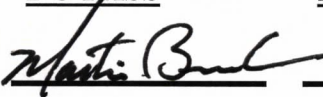
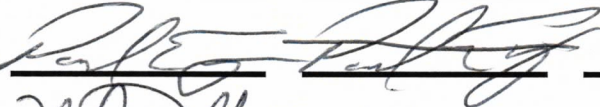

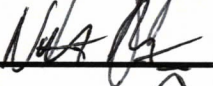
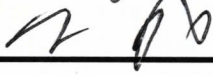
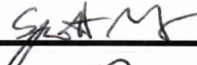


Scott Myers Co-Chair

All Council Members

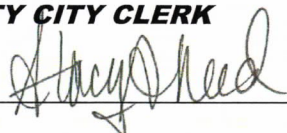
An Ordinance amending the City of Fort Wayne Zoning Map No. L-03 (Sec. 11 of Wayne Township)

To rezone approximately 1.27 acres from C3/General Commercial to UC/Urban Corridor along Fairfield Avenue from 1936 to 2022 Fairfield Avenue to align zoning with existing uses and to implement recommendations of the Packard 2030 Plan amendment to the Comprehensive Plan

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>BENDER</u>			
<u>CHAMBERS</u>			
<u>ENSLEY</u>			
<u>FREISTROFFER</u>			
<u>HARTMAN</u>			
<u>JEHL</u>			
<u>MYERS</u>			
<u>PADDOCK</u>			
<u>TUCKER</u>			

**STACY REED
DEPUTY CITY CLERK**



Public Hearing Date: N/A

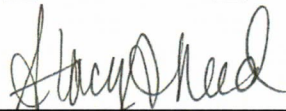
Read the first time in full and on motion by Councilperson Chambers.

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

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

<u>TOTAL VOTES</u>	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
BENDER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
CHAMBERS	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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"/>
HARTMAN	<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"/>
MYERS	<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: February 13, 2024

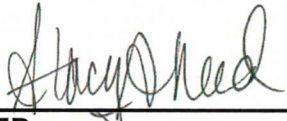


STACY REED, DEPUTY CITY CLERK

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

Resolution No. Z-24-01-02 on the 13th day of February, 2024

ATTEST:

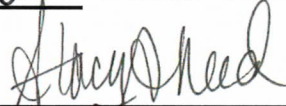


STACY REED
DEPUTY CITY CLERK



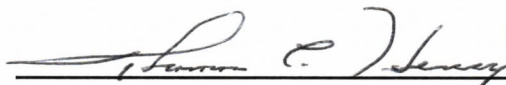
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th of February 2024, at the hour of 9:00 o'clock A.M. E.S.T.



STACY REED, DEPUTY CITY CLERK

Approved and signed by me this 15th day of February 2024, at the hour of 4:30 o'clock PM E.S.T.



THOMAS C. HENRY, MAYOR

