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#REZ-2023-0062

BILL NO. Z-24-01-04

ZONING MAP ORDINANCE NO. Z-Failed

AN ORDINANCE amending the City of Fort Wayne
Zoning Map No. U-42 (Sec. 16 of Saint Joseph 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 a R3 (Multiple
Family Residential) District under the terms of Chapter 157 Title XV of the Code of the City
of Fort Wayne, Indiana:

Doc.#890027043

A tract of ground situated in the Southeast Quarter of the Northeast Quarter of
Section 16, Township 31 North, Range 13 East, more particularly described as
follows: The North 200 feet of the South 640 feet of the East Half of the Southeast
Quarter of the Northeast Quarter of the aforesaid section.

EXCEPT THEREFROM

Doc.#960048662

A part of the East Half of the Southeast Quarter of the Northeast Quarter of Section
16, Township 31 North, Range 13 East, Allen County, Indiana, described as follows:
Beginning on the east line of said section, North 0 degrees 14 minutes 15 seconds
East, 440.00 feet from the southeast corner of said quarter-quarter section, which
point of beginning is the southeast corner of the owner's land: thence North 89
degrees 30 minutes 43 seconds West, along the
south line of the owner's land, 60.00 feet; thence North 0 degrees 14 minutes 15
seconds East 16.18 feet; thence South 89 degrees 45 minutes 45 seconds East 15.00
feet; thence North 0 degrees 14 minutes 15 seconds East 183.76 feet to the north line
of the owner's land; thence South 89 degrees 30 minutes 43 seconds East, along said
north line, 45.00 feet to the east line of said section; thence South 0 degrees 14
minutes 15 seconds West, along said east line, 200.00 feet to the point of beginning
and containing 0.212 acres, more or less. The portion of the above-described real
estate which is not already embraced within public rights of way contains 0.097
acres, more or less.

and the symbols of the City of Fort Wayne Zoning Map No. U-42 (Sec. 16 of Saint Joseph
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.

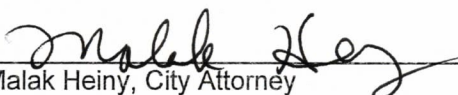
SECTION 2. If a written commitment is a condition of the Plan Commission's recommendation for the adoption of the rezoning, or if a written commitment is modified and approved by the Common Council as part of the zone map amendment, that written commitment is hereby approved and is hereby incorporated 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

Department of Planning Services

Title of Ordinance: Zoning Map Amendment
Case Number: REZ-2023-0062
Bill Number: Z-24-01-04
Council District: 2-Russ Jehl

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 2.86 acres from R1/Single Family Residential to R3/Multiple Family Residential
Location: 6863 Maplecrest Road, 440 feet north of its intersection with Evard Road
Reason for Request: To permit a multiple family development.
Applicant: Solid Rock Properties, LLC
Property Owner: Todd E. Wellman

Related Petitions: PDP-2023-0051 – Evard Place Apartments, Phase 3

Effect of Passage: Property will be rezoned to the R3/Multiple Family Residential zoning district, which allows for single, two-family, and multiple family residential development.

Effect of Non-Passage: The property will remain zoned R1/Single Family Residential, which may redevelop with single family residential uses.

**Department of Planning Services
Rezoning Petition Application**

Applicant
 Applicant Solid Rock Properties, LLC (Attn: Chad Keyser)
 Address 7205 Old Trail Rd
 City Fort Wayne State IN Zip 46809
 Telephone (260) 210-2905 E-mail chad@handarentals.com

Contact Person
 Contact Person Derek Simon, PE (MLS Engineering, LLC)
 Address 10060 Bent Creek Blvd
 City Fort Wayne State IN Zip 46825
 Telephone 260-489-8571 x2 E-mail derek@mlswebsite.us

All staff correspondence will be sent only to the designated contact person.
 Derek Simon: derek@mlswebsite.us Brett Miller: brett@mlswebsite.us

Request
 Allen County Planning Jurisdiction City of Fort Wayne Planning Jurisdiction
 Address of the property 6863 Maplecrest Rd, Fort Wayne, IN 46835
 Present Zoning R1 Proposed Zoning R3 Acreage to be rezoned 2.86 Ac
 Proposed density 35 Units / 2.86 Ac = 12.24 units per acre
 Township name St. Joseph Township section # 16
 Purpose of rezoning (attach additional page if necessary)
 This petition is requesting to rezone property from R1 (Single Family Residential) to
 R3 (Multi-Family Residential).
 Sewer provider City of Fort Wayne Water provider City of Fort Wayne

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.

- Filing 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

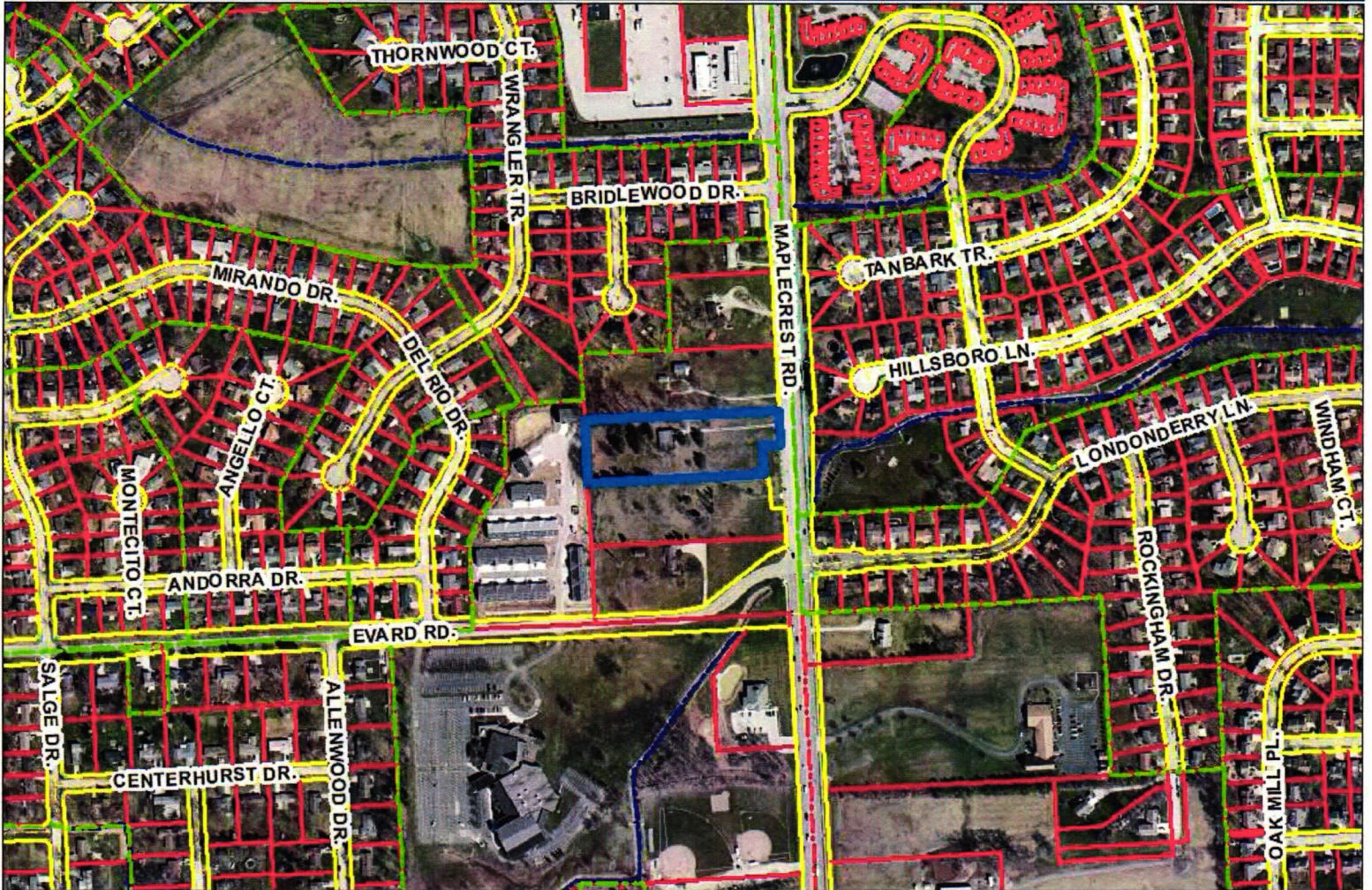
I/We understand and agree, upon execution and submission of this application, that I am/we are the owner(s) of more than 50 percent of the property described in this application; that I/we agree to abide by all provisions of the Allen County Zoning and Subdivision Control Ordinance as well as all procedures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

Chad Keyser (Solid Rock Properties, LLC) [Signature] 12/5/23
 (printed name of applicant) (signature of applicant) (date)
 Todd E. Wellman [Signature] 12/4/2023
 (printed name of property owner) (signature of property owner) (date)
 _____ (signature of property owner) _____ (date)
 _____ (signature of property owner) _____ (date)

Received	Receipt No.	Hearing Date	Petition No.
12-5-23	114562	1-8-23	REZ-2023-0062



REZ-2023-0062 and PDP-2023-0051 - Evard Place Apartments, Phase 3



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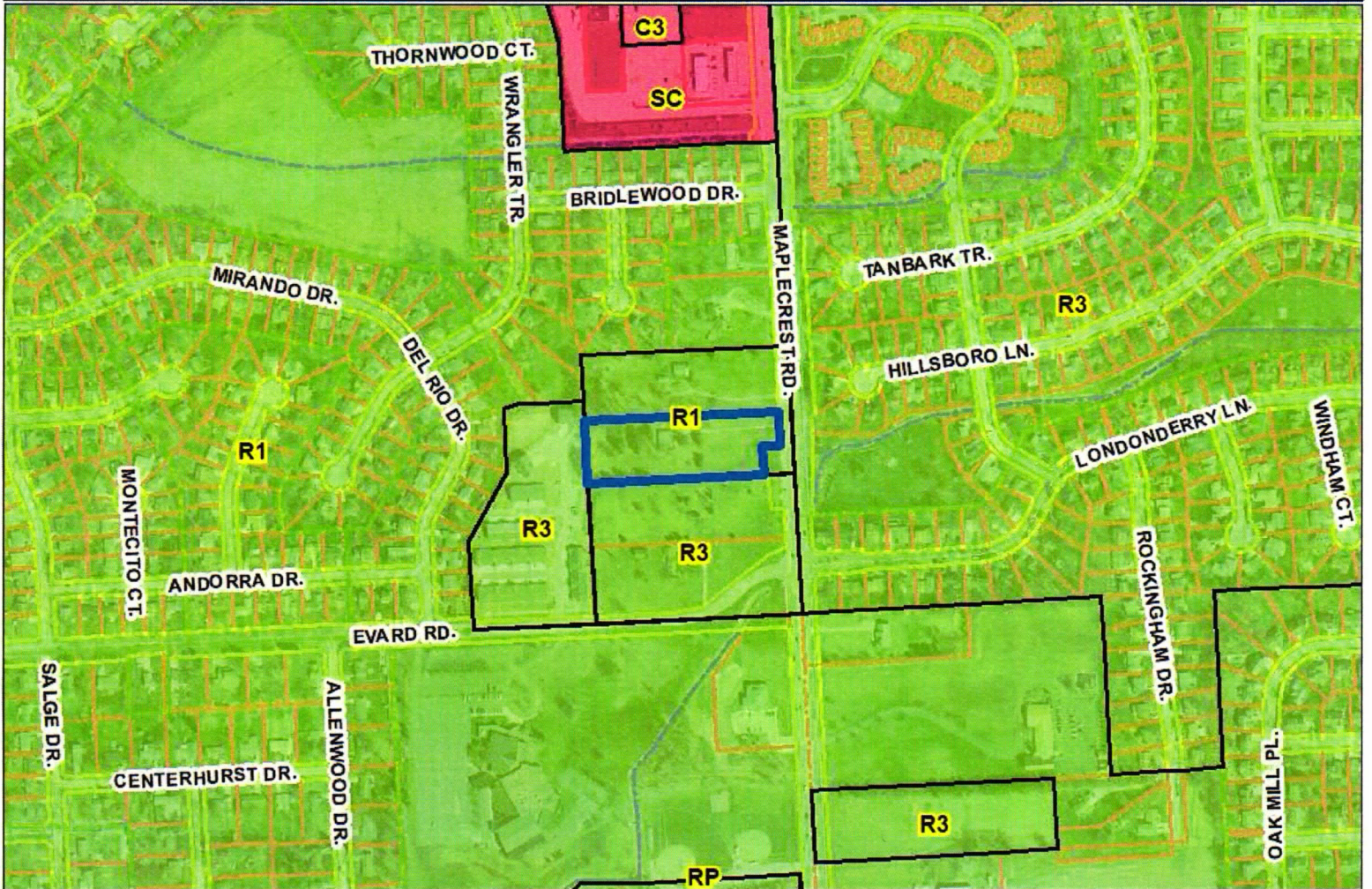
© 2014 Bound on CC reserves all the County of Allen North American Datum 1983 State Plane Central Meridian 510000, NAD83, 11.4 North and Eastward, Spring 2010. Date: 12/19/2023



1 inch = 400 feet



REZ-2023-0062 and PDP-2023-0051 - Evard Place Apartments, Phase 3



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 North American Station 1983
 State Plane Coordinate System, Indiana State Plane and Contours, Spring 2009
 Date: 11-18-2023



1 inch = 400 feet

FACT SHEET

Case #REZ-2023-0062

Bill # Z-24-01-04

Project Start: December 2023

APPLICANT:	Solid Rock Properties, LLC
REQUEST:	To rezone property from R1/Single Family Residential to R3/Multiple Family Residential for a multiple family development.
LOCATION:	6863 Maplecrest Road, 440 feet north of its intersection with Evard Road (Section 16 of St. Joseph Township)
LAND AREA:	2.86 acres
PRESENT ZONING:	R1/Single Family Residential
PROPOSED ZONING:	R3/Multiple Family Residential
COUNCIL DISTRICT:	2-Russ Jehl
SPONSOR:	City of Fort Wayne Plan Commission

January 8, 2024 Public Hearing

- No one from the public spoke at the hearing.
- Two vacant Plan Commission positions. All other members present.

January 22, 2024 Business Meeting

Plan Commission Recommendation: DO PASS

A motion was made by Rachel Tobin-Smith and seconded by Pauerteig 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 site houses a single-family dwelling constructed between 1957 and 1964. Land west of the site was rezoned in 2019 for Phase 1, and land south of the site was rezoned in 2023 for Phase 2. There are no Board of Zoning Appeals approvals for the site.

The petitioner requests a rezoning from R1/Single Family Residential to R3/Multiple Family Residential for a 46-unit multiple family complex. As mentioned, the site is adjacent to land that was redeveloped in 2019 and 2023 for a multiple family complex by the same developer. Other adjacent uses include the Hillsboro subdivision and a single-family residence to the north. The zoning will be compatible with the existing conditions in the area, as the Maplecrest Road corridor has intensified over the years.

The proposed site plan includes three new buildings, all of which are one story. These three buildings can accommodate 35 units: two with 16 units each, and one building with 3 units. This differs from the first phase which contains a blend of one- and two-story buildings. The buildings are lined along a new street that interconnects to both Phase 1 and Phase 2. As a result, an existing residential curb cut onto the Maplecrest corridor will be eliminated. The apartments do not consist of more than 2 bedrooms, so parking is exceeded by providing both a garage space and a driveway. However, existing parking lots are installed at the east end of Phase 1 and more parking will be provided in Phase 2, so extra parking will be about 600 feet, at most, from the farthest units of Phase 3. Pedestrian circulation includes both sidewalks along the frontage of Maplecrest and designated striped walking areas on the driveways. Connecting the 8-foot wide trail to the internal sidewalks is encouraged. Like Phase 2, the site plan utilizes projection standards to build patios within the required 25-foot setback. These patios are permitted to be up to 8 feet deep. The applicant identifies areas where landscaping qualifies, including the cul-de-sac along the frontage of Evard Road and the north side, where the ordinance requirement of a fence with trees is proposed to be installed. Additionally, the applicant is showing B3 landscaping, which is a shade tree every 30 feet (up to 50% ornamental trees) with a 6' privacy fence. This landscaping code only applies to the north side of the site, adjacent to the Sheets property.

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

- Staff determined 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.
LUD Policy 6 - Transform key suburban corridors over time into mixed use areas with housing, neighborhood-oriented retail, public spaces, walkable public realms, and transit service.

Generalized Future Land Use Map

- The project site is located within the Mixed Residential classification. The mixed residential includes multiple family residential as a primary use in this district.

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 mixed residential.

Other applicable plans: none

PUBLIC HEARING SUMMARY:

Presenter:

Josh Padgett, representing the applicant, presented the request as outlined above.

Public Comments:

None

FORT WAYNE PLAN COMMISSION • FINDINGS OF FACT

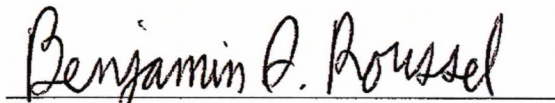
Rezoning Petition REZ-2023-0062

APPLICANT: Solid Rock Properties, LLC
REQUEST: To rezone property from R1/Single Family Residential to R3/Multiple Family Residential
LOCATION: 6863 Maplecrest Road, 440 feet north of its intersection with Evard Road (Section 16 of St. Joseph Township)
LAND AREA: 2.86 acres
PRESENT ZONING: R1/Single Family Residential
PROPOSED ZONING: R3/Multiple Family Residential

The Plan Commission recommends that Rezoning Petition REZ-2023-0062 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 district complies with the “Mixed Residential” generalized land use category, bringing single-family attached residential uses to the northeast quadrant of Fort Wayne. The proposal maintains the ongoing development of multiple family residential on the northeast corner of Evard and Maplecrest Roads.
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 current character consists of 1 story multiple family units, attached side-by-side. This proposal will continue the character and proper buffering standards can maintain compatibility to adjacent properties.
3. Approval is consistent with the preservation of property values in the area. The R3 zoning district is established to the west and south and should not have a substantial impact on the make-up of the Evard Road and Maplecrest Road corridors.
4. Approval is consistent with responsible development and growth principles based on existing uses in the area. The development is considered infill growth, with the general area experiencing steady growth since the 1970’s. Reviewing agencies will verify that impacts are mitigated prior to construction.

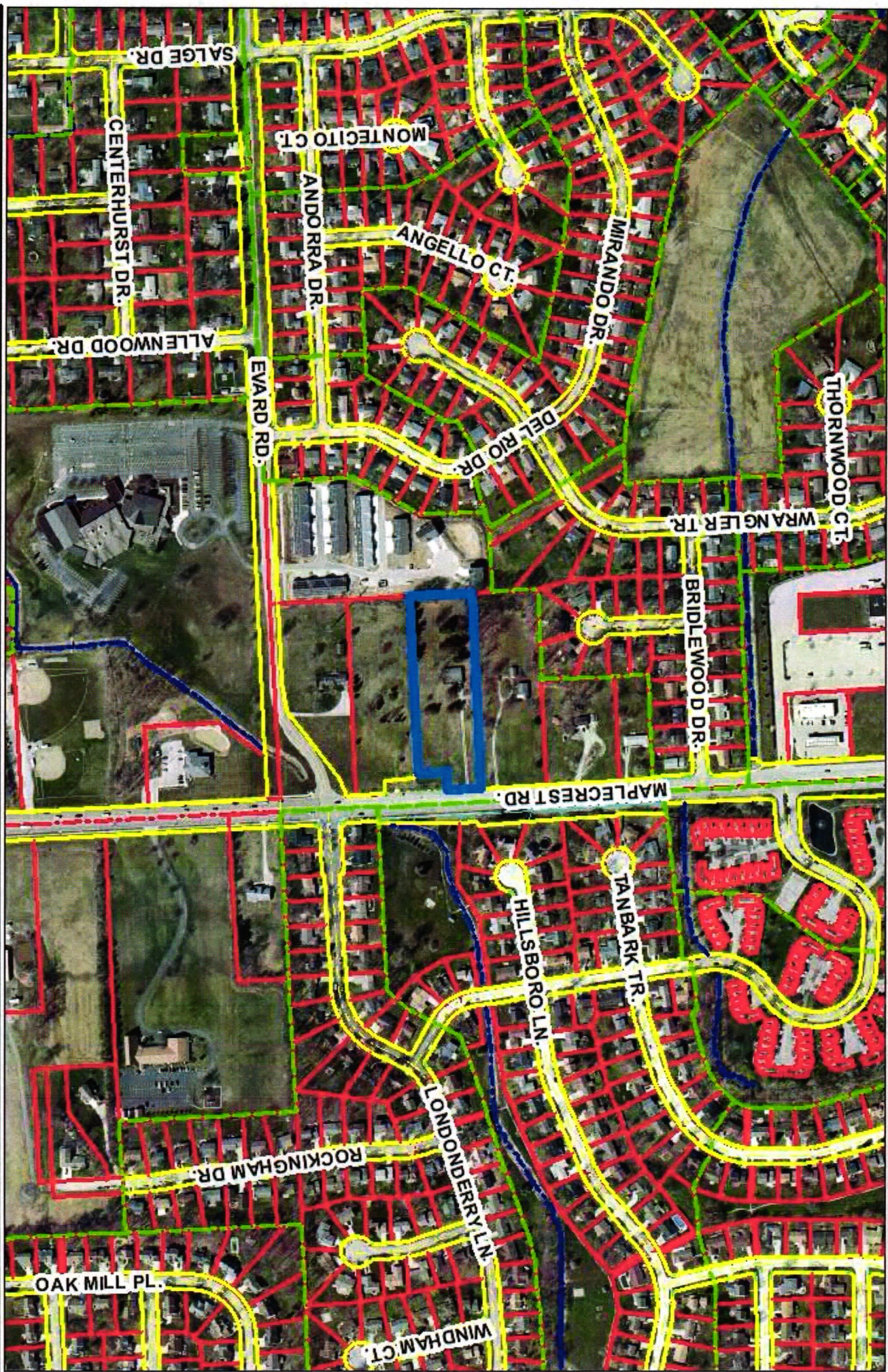
These findings approved by the Fort Wayne Plan Commission on January 22, 2024.



Benjamin J. Roussel
Executive Director
Secretary to the Commission



REZ-2023-0062 and PDP-2023-0051 - Eward Place Apartments, Phase 3

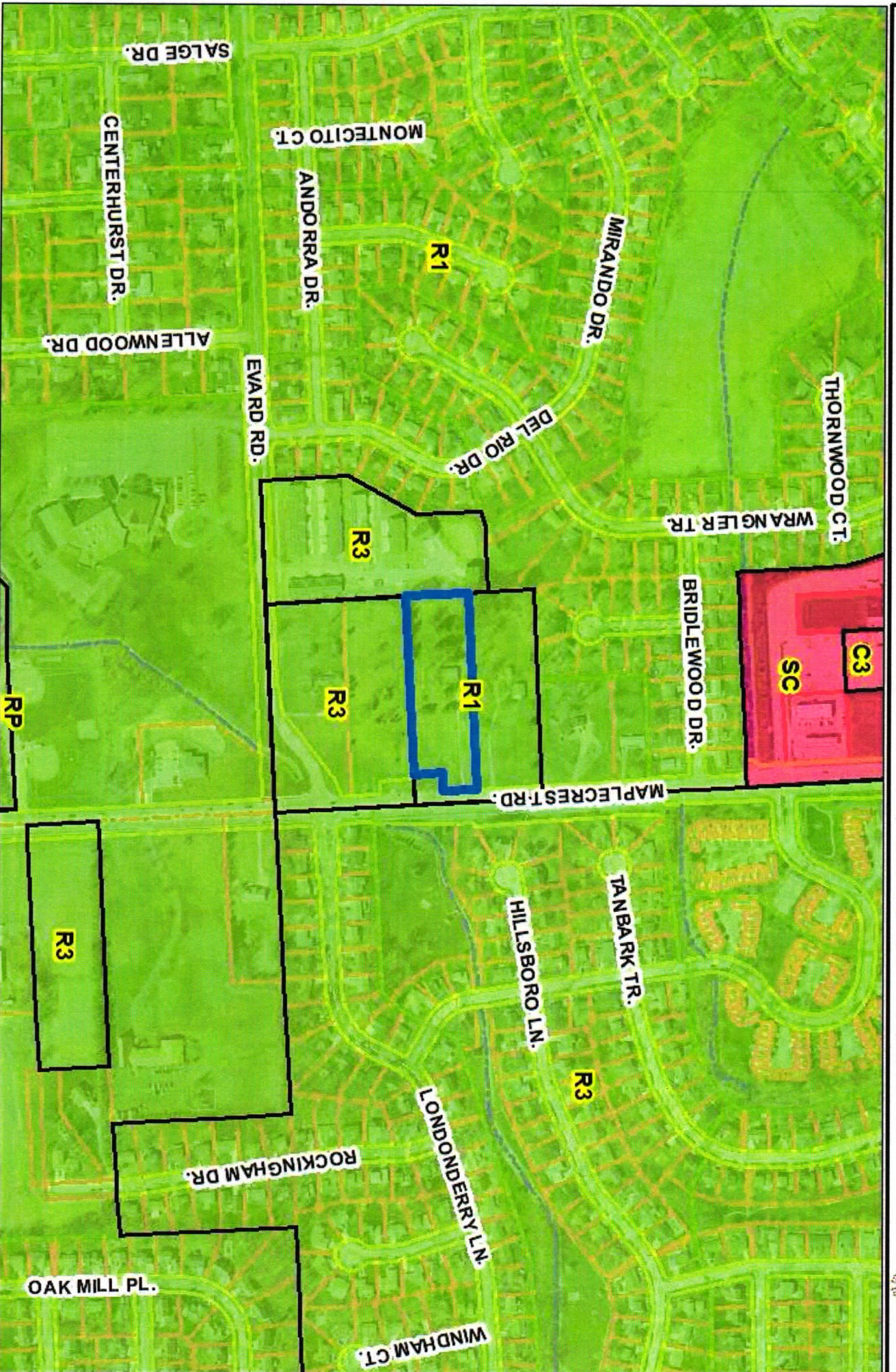


Although strict accuracy standards have been attempted in the compilation of this map, Alcon County does not warrant or guarantee the accuracy of the information contained herein and disclaims any and all liability resulting from any error or omission in this map.

©2004 Standard & Commercial of the County of Alcon
 State of Georgia, Department of Transportation
 Planning and Design Division
 1000 Peachtree Street, N.W., Suite 2000
 Atlanta, GA 30309
 Date: 12/18/2023



1 inch = 400 feet



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State of California, Department of Public Health
 Health and Human Services
 Division of Public Health
 Date: 12/18/2023





PDP-3

Evard Place Apartments Phase 3
 6863 Maplecrest Road
 Fort Wayne, IN 46835
 Primary Development Plan
 Site Plan

REVISIONS

NO.	DATE	DESCRIPTION

PREPARED FOR:
 Solid Rock Properties, LLC
 7205 Old Trail Rd
 Fort Wayne, IN 46809
 (260) 210-2505

MLS Engineering
 ENGINEERING YOUR TOMORROW... TODAY

Fort Wayne Office
 10060 West Creek Boulevard
 Fort Wayne, IN 46825
 Phone: (260) 489-8571

Marion Office
 211 Tower Drive
 Marion, IN 46872
 Phone: (260) 690-6166

www.mlsengr.com

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Record Description

Doc.#890027043

A tract of ground situated in the Southeast Quarter of the Northeast Quarter of Section 16, Township 31 North, Range 13 East, more particularly described as follows: The North 200 feet of the South 640 feet of the East Half of the Southeast Quarter of the Northeast Quarter of the aforesaid section.

EXCEPT THEREFROM

Doc.#960048662

A part of the East Half of the Southeast Quarter of the Northeast Quarter of Section 16, Township 31 North, Range 13 East, Allen County, Indiana, described as follows: Beginning on the east line of said section, North 0 degrees 14 minutes 15 seconds East, 440.00 feet from the southeast corner of said quarter-quarter section, which point of beginning is the southeast corner of the owner's land: thence North 89 degrees 30 minutes 43 seconds West, along the south line of the owner's land, 60.00 feet; thence North 0 degrees 14 minutes 15 seconds East 16.18 feet; thence South 89 degrees 45 minutes 45 seconds East 15.00 feet; thence North 0 degrees 14 minutes 15 seconds East 183.76 feet to the north line of the owner's land; thence South 89 degrees 30 minutes 43 seconds East, along said north line, 45.00 feet to the east line of said section; thence South 0 degrees 14 minutes 15 seconds West, along said east line, 200.00 feet to the point of beginning and containing 0.212 acres, more or less. The portion of the above-described real estate which is not already embraced within public rights of way contains 0.097 acres, more or less.

January 4, 2024

Department of Planning Services
200 E. Berry St., Suite 150
Fort Wayne, Indiana 46802

Evard Place Apartments were constructed as a forty (40) unit complex with a single entrance/exit off of Evard Road. It is now proposed to increase traffic on this single exit by the construction of forty-six (46) apartments in phase 2 and thirty-five (35) apartments in phase 3. Unlike neighboring developments the apartments' exit does not have acceleration, deceleration and bypass lanes. Construction of such lanes would seem to improve ease of access and line of site visibility for the safety of the tenants and all citizens traveling Evard Road. Please see attached pictures.

On the issue of visibility, brush and dirt interfere with line of site vision between drivers exiting Solid Road Drive and drivers traveling west of Evard Road. Acceleration and deceleration lanes would remove this problem, but so would a lower grade in this area. Please see the same pictures.

Section 3 proposes an additional storm water retention basin adjacent to heavily traveled Maplecrest Road. Installation of highway guard rails would help keep vehicles out of this excavation. The same could be applied to the basin planned for Section 2.

I much appreciate the Plan Commission's efforts to make the new sidewalk trails to be installed next to the apartments accessible to the tenants. The new asphalt would be much more useful if connected to existing sidewalks across from Evard and Maplecrest Roads that lead to restaurants, pharmacies, a grocery store and a school. To make this crossing safer would require ADA ramps, pedestrian traffic signals and pavement markings. The applicant should be encouraged to work with the appropriate city departments so these are installed at the same time as the apartments and not years later.

Thank you for your attention,

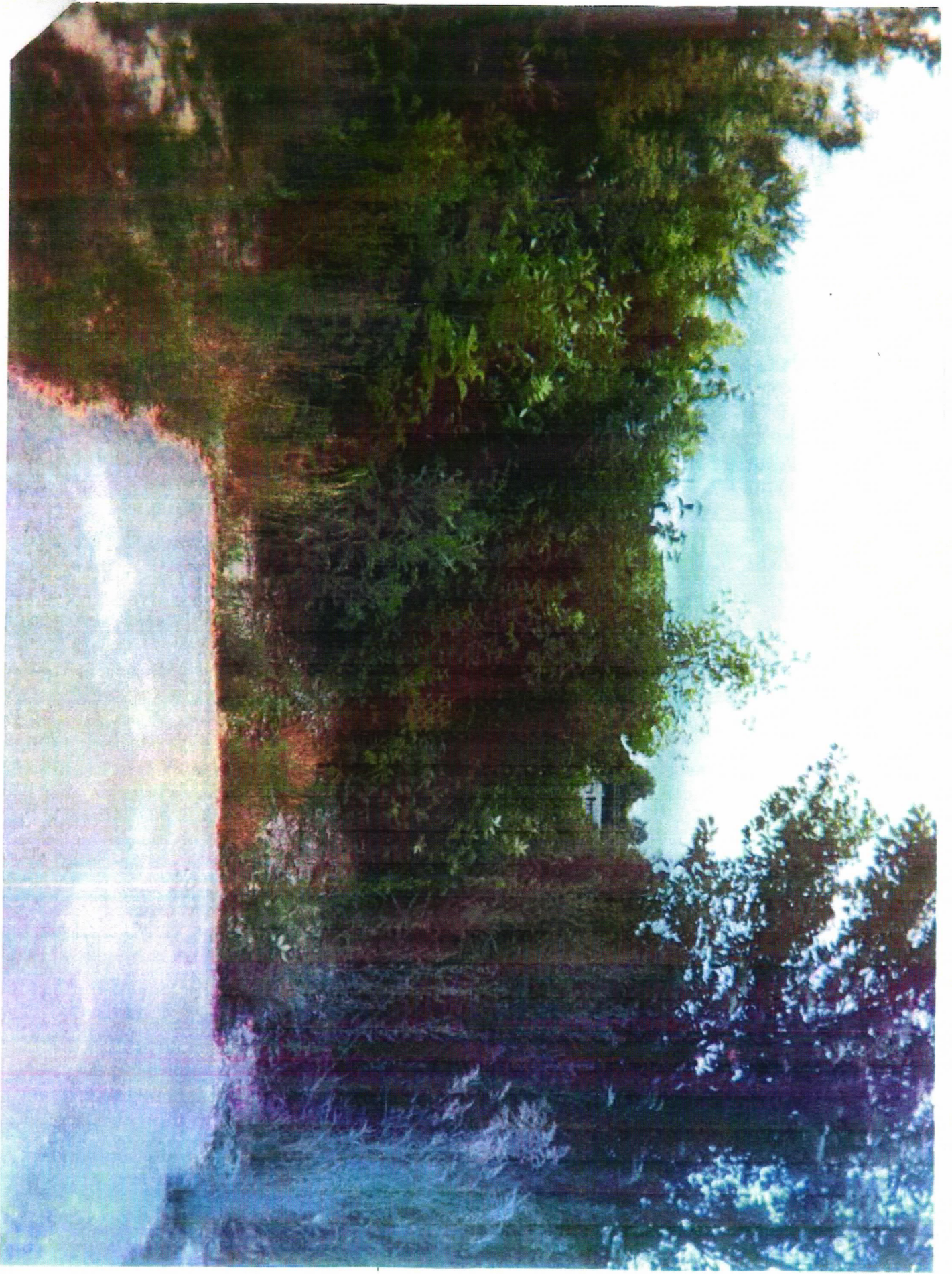


Alan D. Swim
6816 Wrangler Court
Fort Wayne, IN 46835
(260) 486-3552
a_swim@msn.com

Attachments 3







Public Hearing Date: N/A

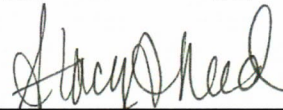
Read the first time in full and on motion by Councilperson Chambers.

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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
CHAMBERS	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ENSLEY	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
FREISTROFFER	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
HARTMAN	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
JEHL	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
MYERS	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
PADDOCK	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
TUCKER	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

DATED: February 13, 2024

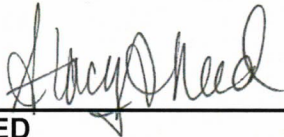


STACY REED, DEPUTY CITY CLERK

Not passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as

Resolution No. Z-24-01-04 on the 13th day of February, 2024

ATTEST:



STACY REED
DEPUTY CITY CLERK



PRESIDING OFFICER