

#REZ-2024-0036

BILL NO. Z-24-08-15

ZONING MAP ORDINANCE NO. Z- 26-24

**AN ORDINANCE amending the City of Fort Wayne
Zoning Map No. N-19 (Sec. 24 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 C3
(General Commercial) District under the terms of Chapter 157 Title XV of the Code of the
City of Fort Wayne, Indiana:

Subdivision Name	Legal Description	Parcel Number
South View Addition	Lot 96	02-12-24-356-003.000-074
South View Addition	Lot 87 and the East 30.5 feet of Lot 88	02-12-24-357-001.000-074
Philleys Homestead Addition	Lot 27	02-12-24-381-001.000-074
Philleys Homestead Addition	Lot 28	02-12-24-381-002.000-074
South View Addition	Lot 92	02-12-24-357-001.000-074
South View Addition	Lots 84 and 85	02-12-24-357-008.000-074
Griffiths Acre	South 5 feet of Lot 1, Lot 2 and the North 61.05 feet of Lot 3	02-12-24-305-001.000-074
South View Addition	Lot 97	02-12-24-356-002.000-074
South View Addition	Lots 89 and 90 and Lot 88 Ex South 30.5 feet	02-12-24-357-004.000-074
South View Addition	Lot 86	02-12-24-357-007.000-074
South View Addition	Lot 91	02-12-24-357-002.000-074
South View Addition	Lot 83 and ½ of vacated St	02-12-24-357-009.000-074
South View Addition	Lot 94	02-12-24-356-005.000-074
South View Addition	Lot 93	02-12-24-356-006.000-074
Wayne Twp	1 acre tract East of Decatur Rd in the SE ¼ of the SW ¼ South of Philleys Homestead Addition in Section 24	02-12-24-381-005.000-074

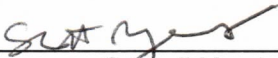
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Subdivision Name	Legal Description	Parcel Number
South View Addition	Lot 95	02-12-24-356-004.000-074

and the symbols of the City of Fort Wayne Zoning Map No. N-19 (Sec. 24 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.

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-2024-0036
Bill Number: Z-24-08-15
Council District: 6 – Rohli Booker

Introduction Date: August 27, 2024

Plan Commission
Public Hearing Date: September 9, 2024 (not heard by Council)

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

Synopsis of Ordinance: To rezone 4.22 acres from I1/Limited Industrial and C4/Intensive Commercial to C3/General Commercial

Location: Includes areas of Decatur Road between Lafayette and Paulding, and along Southview Avenue

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

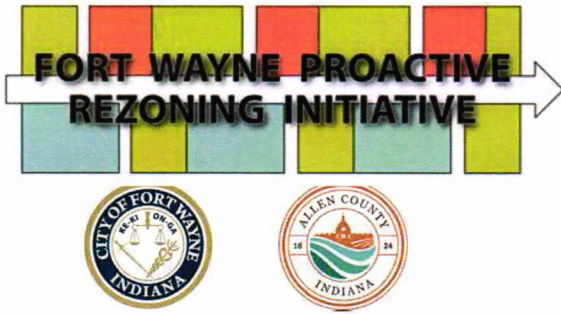
Applicant: Proactive Rezoning Work Group

Property Owners: Various – See File

Related Petitions: REZ-2024-0032, REZ-2024-0033, REZ-2024-0034 and REZ-2024-0035

Effect of Passage: Properties will be rezoned to the C3/General Commercial zoning district, either bringing the existing use into compliance with the zoning ordinance or enhancing compatibility with surrounding uses. The proactive rezoning fulfills recommendation of the Southeast Strategy to enhance and preserve existing neighborhood character, and encourage new urban scaled, pedestrian oriented land uses.

Effect of Non-Passage: Properties will remain zoned I1 or C4, zoning districts found to be ill-matched to the existing land use and/or incompatible with surrounding uses and the character of the corridor.



MEMO

To: Fort Wayne Plan Commission
From: Proactive Rezoning Work Group, City-CD, DPS
Date: 8/06/24
RE: Decatur Road Area Rezoning – Plan Commission Filing

CC:
Paul Spoelhof, Director of Planning & Policy
Michelle Wood, Senior Planner, Department of Planning Services

On July 15, 2024, the Fort Wayne Plan Commission initiated rezoning multiple parcels in the Decatur Road Area- bounded by Pettit Avenue, Paulding Road, Hanna Street, and South Calhoun. Based upon that action, the Proactive Rezoning Work Group is submitting the following five (5) rezoning applications for the September 9th Plan Commission Public Hearing.


The Decatur Road rezoning is a recommendation from the Southeast Strategy Update Plan, adopted in 2021 by Fort Wayne Common Council. The plan recommends rezoning portions of this area to a more appropriate zoning district for the actual land uses and to encourage more compatible land uses and development patterns for the surrounding area.

The request is to rezone portions of this area to RP /Planned Residential, C2 / Limited Commercial, C3 / General Commercial, NC / Neighborhood Center, and SC / Shopping Center. The current zoning for this area includes I1/Limited Industrial, C4 / Intensive Commercial, C3/General Commercial, C2/Limited Commercial.

A staff person from the Proactive Rezoning Work Group will attend the September 9th Plan Commission meeting to present and answer questions regarding this rezoning.

A map of the rezoning area and the rezoning applications are attached.

**The Proactive Rezoning Work Group is a collaboration between the City of Fort Wayne Planning and Policy Department and the Allen County Department of Planning Services to actively rezone corridors and other areas identified as part of neighborhood and other community-based plans.*



**Department of Planning Services
Rezoning Petition Application**

Applicant
 Applicant Proactive Rezoning Work Group
 Address 200 E. Berry St.
 City Fort Wayne State IN Zip 46802
 Telephone _____ E-mail _____

Contact Person
 Contact Person Russell Garriott
 Address 200 E. Berry St. Suite 320
 City Fort Wayne State IN Zip 46802
 Telephone 260-427-2138 E-mail russell.garriott@cityoffortwayne.org

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 420 E Paulding Rd,
 Present Zoning C2 Proposed Zoning RP Acreage to be rezoned 14.27672 acres
 Proposed density _____ units per acre
 Township name Wayne Township section # 25
 Purpose of rezoning (attach additional page if necessary) See attached
 Sewer provider City Utilities Water provider City Utilities

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 Rezonings Only

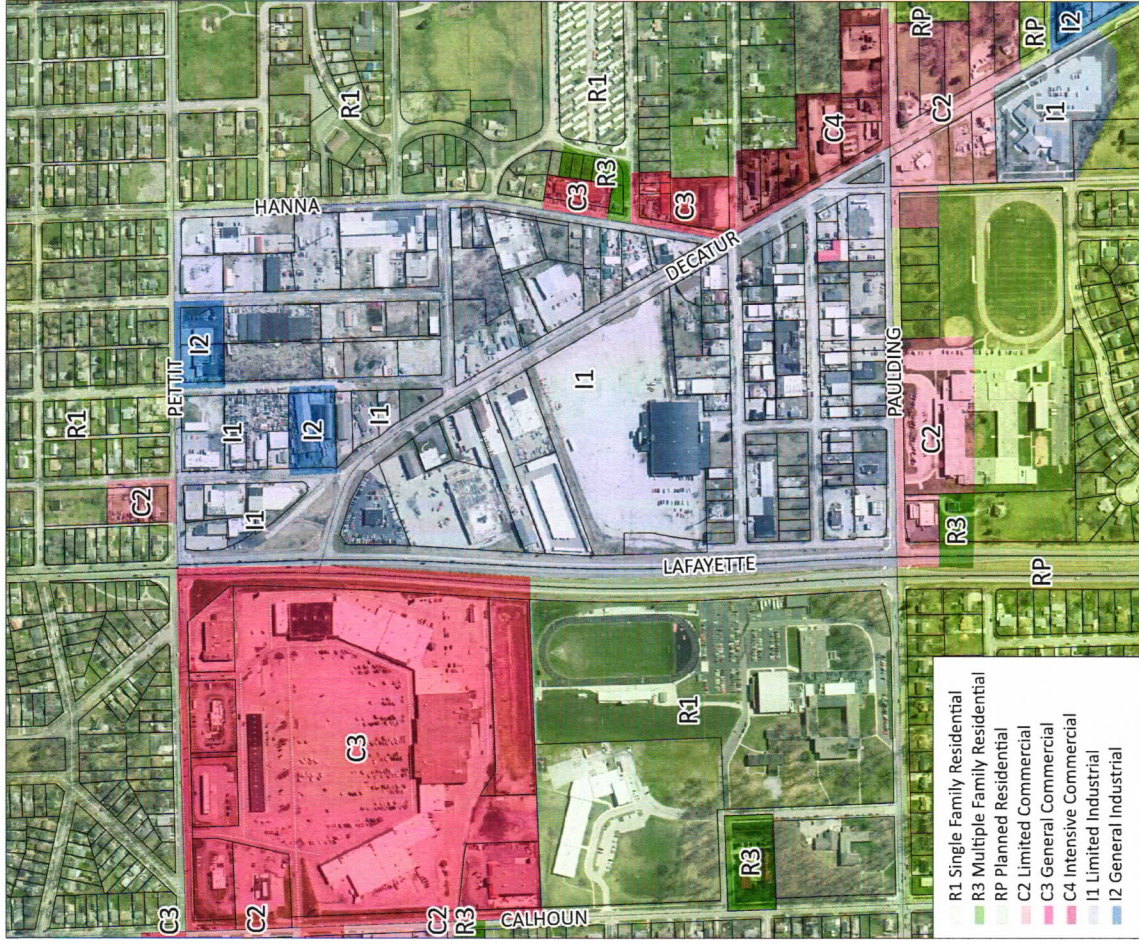
I/we understand and agree, upon execution and submission of this application, that I am/we are the owner(s) of more than 50 percent of the property described in this application; that I/we agree to abide by all provisions of the Allen County Zoning and Subdivision Control Ordinance as well as all procedures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

<u>Russell A. Garriott</u> (printed name of applicant)	<u>Russell Garriott</u> (signature of applicant)	<u>8/06/24</u> (date)
_____ (printed name of property owner)	_____ (signature of property owner)	_____ (date)
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Received <u>8-5-24</u>	Receipt No.	Hearing Date <u>9-9-24</u>	Petition No. <u>REZ-2024-0032</u>
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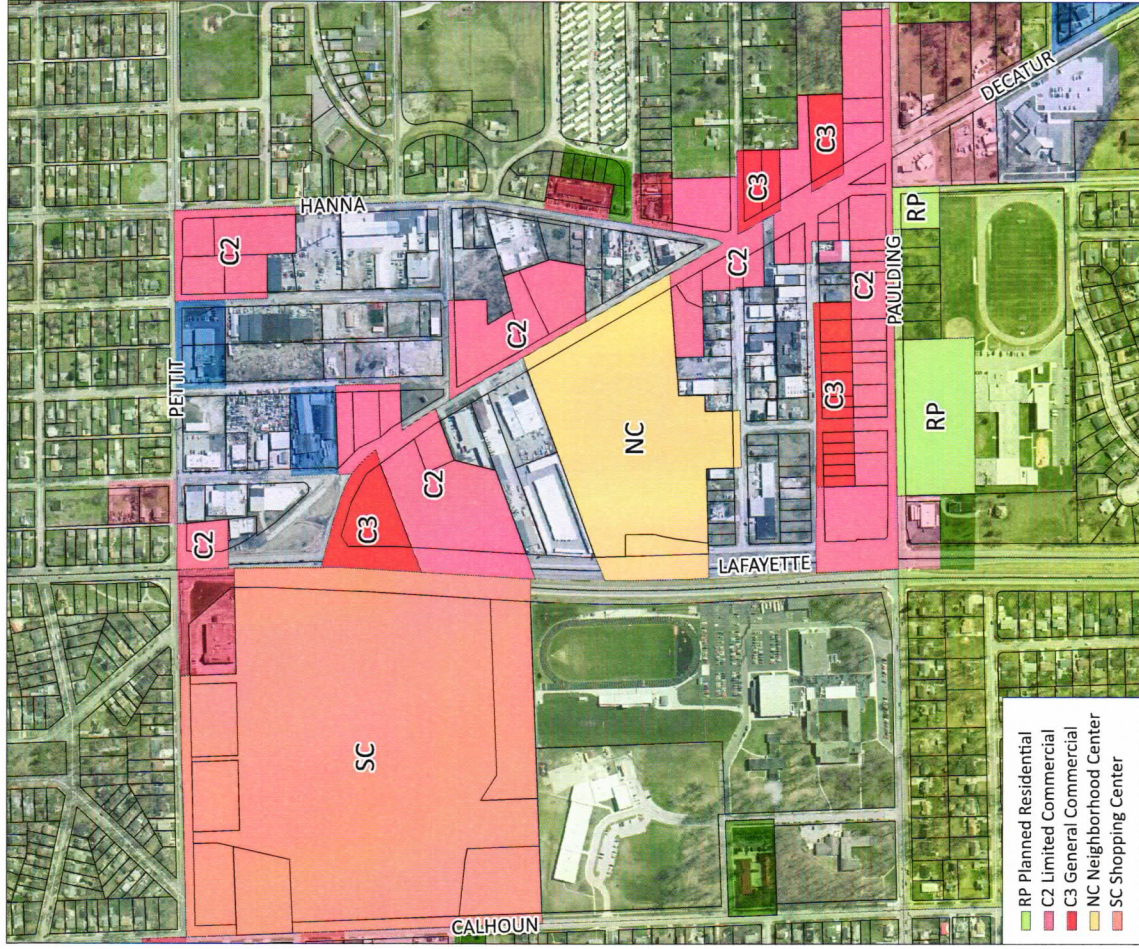
Proactive Rezoning Initiative: Southeast Strategy

Current Zoning



DRAFT 06/03/2024

Proposed Zoning



**Department of Planning Services
Rezoning Petition Application**

Applicant
 Applicant Proactive Rezoning Work Group
 Address 200 E. Berry St.
 City Fort Wayne State IN Zip 46802
 Telephone _____ E-mail _____

Contact Person
 Contact Person Russell Garriott
 Address 200 E. Berry St. Suite 320
 City Fort Wayne State IN Zip 46802
 Telephone 260-427-2138 E-mail russell.garriott@cityoffortwayne.org

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 Various locations, see attached address list and map
 Present Zoning I1, C4 Proposed Zoning C3 Acreage to be rezoned 4.221495 acres
 Proposed density _____ units per acre
 Township name Wayne Township section # 24
 Purpose of rezoning (attach additional page if necessary) See attached

 Sewer provider City Utilities Water provider City Utilities

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.
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Received <u>8-5-24</u>	Receipt No.	Hearing Date <u>9-9-24</u>	Petition No. <u>REZ-2024-0036</u>
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Decatur Road Area Rezoning

Parcels Proposed to Rezoned to C3

5000 DECATUR RD, 5611 Decatur Rd, 5617 Decatur Rd, 5703 Decatur Rd, 420 Southview Ave, 422 Southview Ave, 424 Southview Ave, 432 Southview Ave, 434 Southview Ave, 502 Southview Ave, 504 Southview Ave, 520 Southview Ave, 522 Southview Ave, 526 Southview Ave, 530 Southview Ave, 534 Southview Ave

BILL NO. Z-24-08-15

**REPORT OF COMMITTEE ON REGULATIONS
October 1, 2024**

Scott Myers Chair





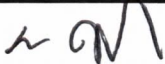

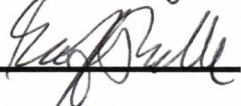
Michelle Chambers Co-Chair

All Council Members

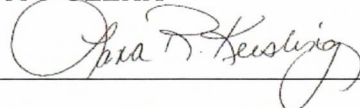
An Ordinance amending the City of Fort Wayne Zoning Map No. N-19 (Sec. 24 of Wayne Township)

For Proactive downzoning of parcels to align zoning with existing uses and to implement recommendations of the Southeast Strategy 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>
BENDER			
BOOKER			
CHAMBERS			
ENSLEY			
FREISTROFFER			
HARTMAN			
JEHL			
MYERS			
PADDOCK			

**LANA R. KEESLING
CITY CLERK**



Public Hearing Date: N/A

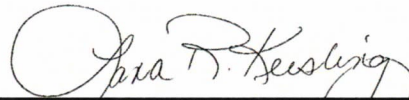
Read the first time in full and on motion by Councilperson Myers.

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"/>
BOOKER	<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"/>
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"/>

DATED: October 8, 2024



LANA R. KEESLING, CITY CLERK

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

Zoning Ordinance No. Z-24-08-15AA on the 8th day of October, 2024

ATTEST:



LANA R. KEESLING
CITY CLERK



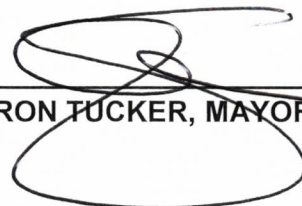
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 9th of October 2024, at the hour of 9:20 o'clock A.M. E.S.T.



LANA R. KEESLING, CITY CLERK

Approved and signed by me this 9th day of October 2024, at the hour of 2:39 o'clock P.M. E.S.T.



SHARON TUCKER, MAYOR

