

1 #REZ 2024 0052

2 BILL NO. Z-25-01-03

3
4 ZONING MAP ORDINANCE NO. Z- 10-25

5 AN ORDINANCE amending the City of Fort Wayne
6 Zoning Map No. BB-11 (Sec. 15 of Aboite Township)

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

9 SECTION 1. That the area described as follows is hereby designated an R1 (Single
10 Family Residential) District under the terms of Chapter 157 Title XV of the Code of the City
11 of Fort Wayne, Indiana:

12 Part of the Southeast Quarter of Section 15, Township 30 North, Range 11 East,
13 Allen County, Indiana, being more particularly described as follows, to-wit:

14 Beginning at the Center of said Section 15, being marked by a stone, also being the
15 Northeast corner of The Coves at Westlakes, Section II, as recorded in Plat Cabinet
16 E, page 18, in the Office of the Recorder of Allen County, Indiana; thence South 00
17 degrees 25 minutes 03 seconds East (GPS grid bearing and basis of all bearings in
18 this description), on and along the West line of said Southeast Quarter and the East
19 line of said Coves at Westlakes, Section II, a distance of 430.77 feet to a #5 rebar at
20 the point of intersection of said West line with the North line of Aspen Village,
21 Section II, as recorded in Plat Record 39, pages 92-96, in the Office of said
22 Recorder; thence South 89 degrees 56 minutes 46 seconds East, on and along the
23 North line of said Aspen Village, Section II, a distance of 1042.09 feet to the
24 Northeast corner thereof, also being the Northwest corner of Aspen Village, Section
25 I, as recorded in Plat Record 39, pages 14-17, in the Office of said Recorder; thence
26 North 89 degrees 16 minutes 07 seconds East, on and along the North line of said
27 Aspen Village, Section I, a distance of 278.00 feet to a #5 rebar at the Northeast
28 corner thereof, being a point on the West line of Aboite Meadows, Section "C",
29 Block 5, as recorded in Plat Record 37, pages 85-87, in the Office of said Recorder;
30 thence North 00 degrees 10 minutes 46 seconds West, on and along said West line, a
distance of 425.36 feet to an iron rail post at the Northwest corner thereof, being
a South corner of Emerald Lake of Covington, as recorded in Plat Record 48, pages
155-157, in the Office of said Recorder; thence North 89 degrees 52 minutes 38
seconds West, on and along the South line of said Emerald Lake of Covington, a
distance of 1321.88 feet to the point of beginning, containing 13.027 acres of land,
and subject to all easements of record.

EXCEPTING THEREFROM:

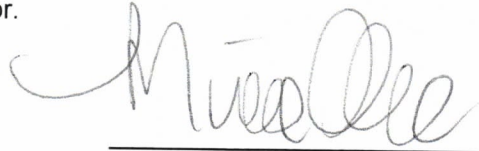
Part of the Southeast Quarter of Section 15, Township 30 North, Range 11 East, Allen County, Indiana, being more particularly described as follows, to-wit: Commencing at the Center of said Section 15, being marked by a stone, also being the Northeast corner of The Coves at Westlakes, Section II, as recorded in Plat Cabinet E, page 18, in the Office of the Recorder of Allen County, Indiana; thence South 00 degrees 25 minutes 03 seconds East (GPS grid bearing and basis of all bearings in this description), on and along the West line of said Southeast Quarter and the East line of said Coves at Westlakes, Section II, a distance of 430.77 feet to a #5 rebar at the point of intersection of said West line with the North line of Aspen Village, Section II, as recorded in Plat Record 39, pages 92-96, in the Office of said Recorder; thence South 89 degrees 56 minutes 46 seconds East, on and along the North line of said Aspen Village, Section II, a distance of 879.66 feet; thence North 00 degrees 28 minutes 50 seconds West, a distance of 166.80 feet to a #5 rebar at the true point of beginning; thence North 01 degrees 28 minutes 20 seconds West, a distance of 159.10 feet to a #5 rebar; thence North 88 degrees 37 minutes 12 seconds East, a distance of 67.31 feet to a #5 rebar; thence South 00 degrees 33 minutes 00 seconds East, a distance of 19.82 feet to a #5 rebar; thence South 89 degrees 34 minutes 57 seconds East, a distance of 145.32 feet to a #5 rebar; thence South 00 degrees 02 minutes 22 seconds West, a distance of 199.78 feet to a #5 rebar; thence North 89 degrees 33 minutes 37 seconds West, a distance of 50.00 feet to a #5 rebar; thence North 69 degrees 23 minutes 54 seconds West, a distance of 169.41 feet to the true point of beginning, containing 0.885 acres of land, and subject to all easements of record.

and the symbols of the City of Fort Wayne Zoning Map No. BB-11 (Sec. 15 of Aboite 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.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30

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-2024-0052
Bill Number: Z-25-01-03
Council District: 4 – Scott Myers

Introduction Date: January 14, 2025

Plan Commission
Public Hearing Date: January 13, 2025 (not heard by Council)

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

Synopsis of Ordinance: To rezone 12.04 acres from AR/Low Intensity Residential to R1/Single
Family Intensity Residential

Location: 9800 block of Bronco Drive

Reason for Request: To allow for a 33-lot single family expansion of Aboite Meadows
subdivision.

Applicant: Springmill Woods Development, LLC

Property Owner: City of Fort Wayne

Related Petitions: Primary Plat – Aboite Meadows, Section D

Effect of Passage: Property will be rezoned to the R1/Single Family Residential zoning
district, which permits a platted subdivision.

Effect of Non-Passage: Property will remain zoned AR/Low Intensity Residential, which
permits housing, but does not allow platted subdivisions.

**Department of Planning Services
Rezoning Petition Application**

Applicant
 Applicant Springmill Woods Development, LLC
 Address 9430 Lima Road
 City Fort Wayne State IN Zip 46818
 Telephone 260-489-4433 E-mail 9430@lanciahomes.com

Contact Person
 Contact Person Jim Lancia
 Address _____
 City _____ State _____ Zip _____
 Telephone _____ E-mail _____

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 9800 Block of Bronco Drive
 Present Zoning AR Proposed Zoning R1 Acreage to be rezoned 12.036 acres
 Proposed density 2.7 units per acre
 Township name Aboite Township section # 15
 Purpose of rezoning (attach additional page if necessary) _____
To permit the platting of a 33 lot subdivision named Aboite Meadows, Section "D"
 Sewer provider Aqua Indiana Water provider City of 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

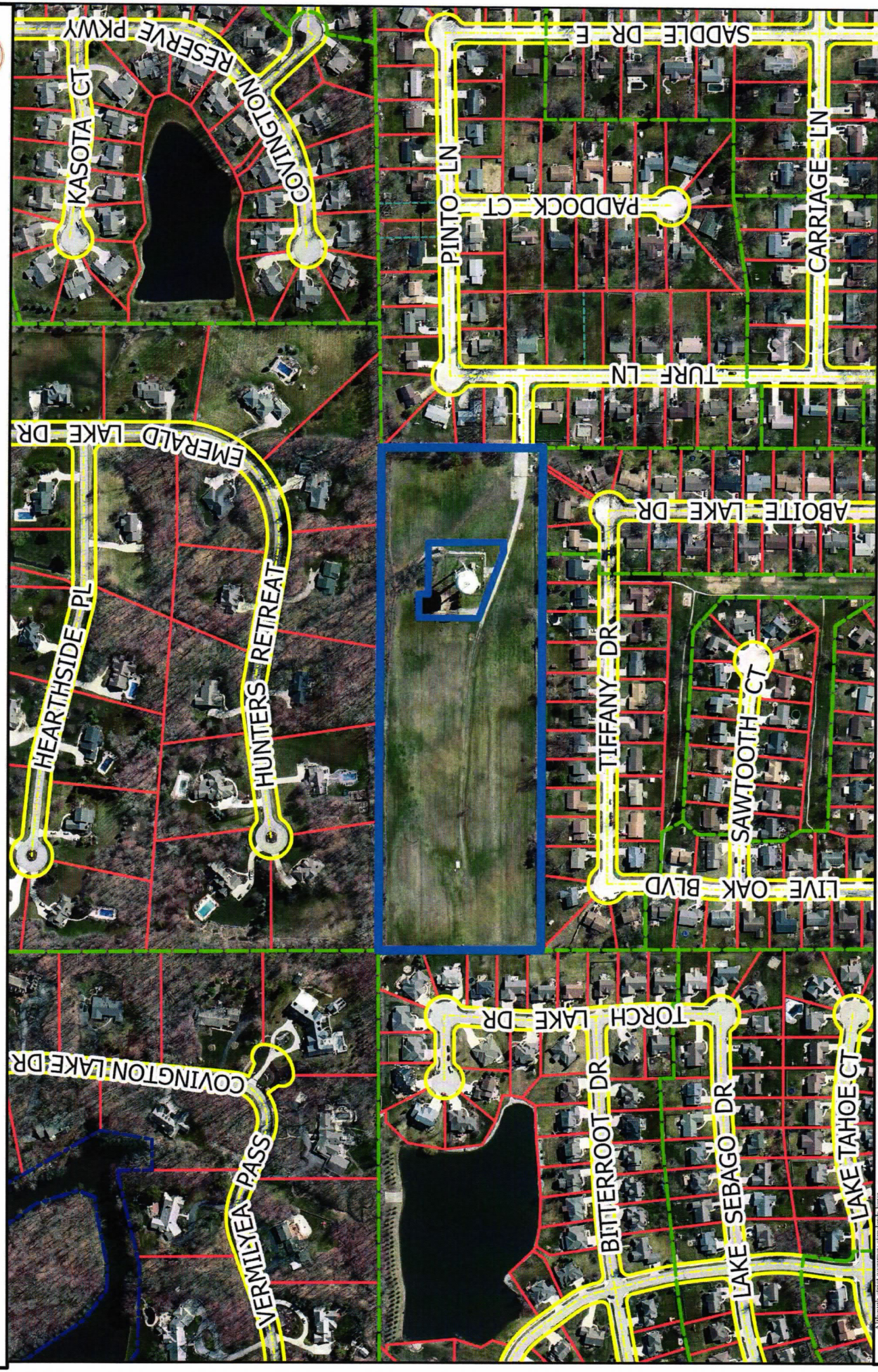
I/we understand and agree, upon execution and submission of this application, that I am/we are the owner(s) of more than 50 percent of the property described in this application; that I/we agree to abide by all provisions of the Allen County Zoning and Subdivision Control Ordinance as well as all procedures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

Springmill Woods Development, LLC [Signature] 12/2/24
 (printed name of applicant) (signature of applicant) (date)
City of Fort Wayne, Indiana [Signature] 12/9/24
 (printed name of property owner) (signature of property owner) (date)
 _____ (signature of property owner) _____ (date)
 _____ (signature of property owner) _____ (date)

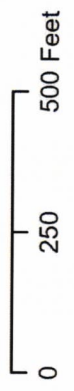
Received <u>12/3/24</u>	Receipt No. <u>146765</u>	Hearing Date <u>1/13/24</u>	Petition No. <u>REZ-2024-0052</u>
----------------------------	------------------------------	--------------------------------	--------------------------------------



Rezoning Petition REZ-2024-0052 and Primary Plat PP-2024-0013 - Aboite Meadows Section D

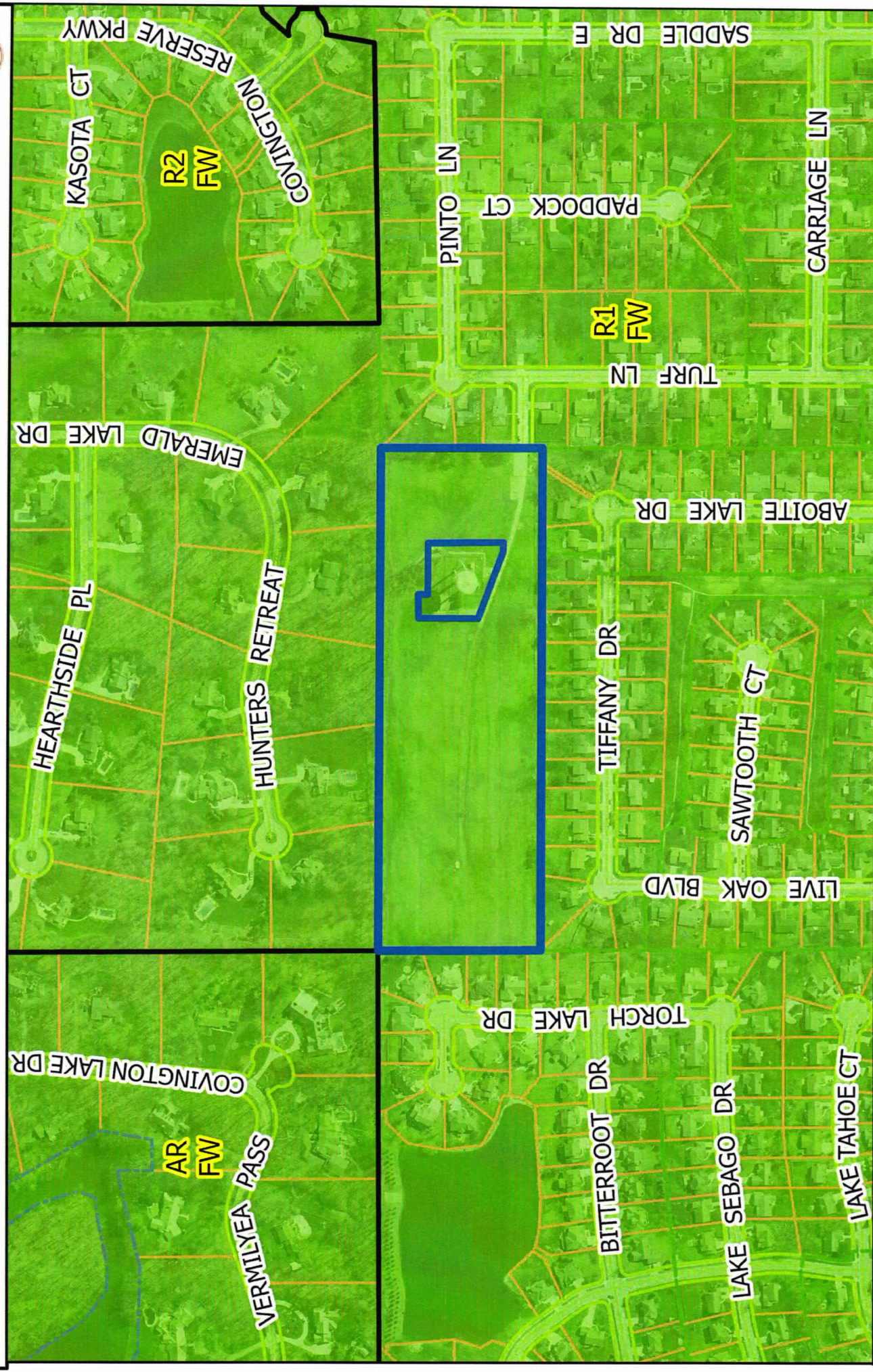


Although strict accuracy standards have been employed in the compilation of this map, Allen County does not warrant or guarantee the accuracy of the information contained herein and disclaims any and all liability resulting from any error or omission in this map.
© 2004 Board of Commissioners of the County of Allen
North American Datum 1983
State Plane Coordinate System, Indiana East
Photos and Contours: Spring 2009
File: 14162024





Rezoning Petition REZ-2024-0052 and Primary Plat PP-2024-0013 - Aboite Meadows Section D



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.
 © 2004 Board of Commissioners of the County of Allen
 North American Datum 1983
 State Plane Coordinate System, Indiana East
 Photo Date: 08/25/2009
 Date: 12/16/2024

FACT SHEET

Case #REZ-2024-0052

Bill # Z-25-01-03

Project Start: January 2025

APPLICANT:	Springmill Woods Development, LLC
REQUEST:	To rezone property from AR/Low Intensity Residential to R1/Single Family Residential and to approve a 33-lot primary plat.
LOCATION:	9800 Bronco Drive, 170 feet west of its intersection with Turf Lane (Section 15 of Aboite Township)
LAND AREA:	12.036 acres
PRESENT ZONING:	AR/Low Intensity Residential
PROPOSED ZONING:	R1/Single Family Residential
COUNCIL DISTRICT:	4 – Scott Myers
SPONSOR:	Fort Wayne Plan Commission

January 13, 2025 Public Hearing

- 17 residents spoke in opposition or with concerns.
- All members were present.

January 27, 2025 Business Meeting

Plan Commission Recommendation: DO PASS,

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

6-1 MOTION PASSED

- Ryan Neumeister and Patrick Zaharako were absent.
- Scott Myers voted nay

Fact Sheet Prepared by:
Michelle Wood, Senior Land Use Planner
February 5, 2025

PROJECT SUMMARY

The applicant is requesting to rezone 12.036 acres from AR/Low Intensity Residential to R1/Single-Family Residential and to approve a primary plat for a 33-lot single family subdivision. The site today is a grass field with a Fort Wayne water tower and associated infrastructure. The property is surrounded by single family subdivisions in all directions and are all zoned R1/Single Family Residential. The property is currently owned by City of Fort Wayne, but is proposed to be sold to the applicant for this development. The water tower and associated infrastructure will be carved out and be its own parcel with direct access to the proposed public street.

The submitted primary plat shows 33 lots off the Bronco Drive Stub Street to the east. The site features 3 cul-de-sacs, a detention pond on the northeast portion of the site, and 2 blocks of common area. The proposed plat is compatible in size to the subdivisions of Aspen Village (south) and Aboite Meadows (east). The proposed plat is an example of infill development that the comprehensive plan supports. The plat is located within Area 4 of the airport overlay district. This requires a special use approval by the Board of Zoning Appeals. The applicant has been notified of this requirement and will need this approval prior to secondary submittal.

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:
LUD 1 - Encourage compatible infill development and redevelopment in the Urban Infill and Priority Investment Areas

Overall Land Use Policies

- The following Land Use Policy 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.

Generalized Future Land Use Map

- The project site is located within the Utility land use category. The R1/Single Family Residential zoning district is considered compatible with the comprehensive plan. Adjacent properties are all Suburban Neighborhood and are fully developed.

Land Use Related Action Steps

- HN. 1 .1.2 Encourage smart growth development practices to support efficient use of land and resources.

Compatibility Matrix

- This proposed use would fall into R1/Single Family Residential which is considered compatible with Suburban Neighborhood.

Other applicable plans: none

PUBLIC HEARING SUMMARY:

Presenter: Jamie Lancia, Springmill Woods Development, LLC, presented the request as outlined above.

Public Comments:

Diane Current, 4016 Turf Lane – Concern about increased traffic, lack of sidewalks, size of lots, maintenance of stormwater system.

Gerald Davis, 9915 Hunters Retreat – Overflow of drainage goes over his lot, concern about increased overflow.

Nick Knappenberg, 10033 Hunters Retreat - Opposed

Ian Dick, 3223 Emerald Lake Drive – Ponds are expensive to maintain.

Brian Laipple, 9927 Hunters Retreat – Concern about ponds and safety.

Marcia Presser, 10017 Hunters Retreat – Concern about time for neighbors to learn their rights, more info may alleviate concerns.

Michael Parrot, 10333 Vermilyea Pass – Covington Lakes President, the average depth of their pond has decreased from silting.

Richard Smith, 9548 Carriage Lane – Concern over and children playing in streets.

Eric George, 9720 Pinto Lane – Access to Aboite Center Road is dangerous.

Robert Homan, 3903 Live Oak Boulevard – Concern over stormwater.

Jason Combs, 9549 Carriage Lane – Concern over traffic at Aboite Center Road

Michael Arata, 2838 Little Turtle Trail – Concerned over stormwater.

Elizabeth Lothamer, 9916 Quachita Court – President of Aspen Village, opposed.

Adam Henderson, 9928 Tiffany Drive – Fences aren't allowed in their subdivision.

Gordon Londini, 9920 Tiffany Drive – Concern over lack of notification by developer.

Hermina Van Helfteren, 4823 Oak Mast Trail – The neighbors may have wanted to buy the land and save it.

Mark Shull, Hunters Retreat – Concern over how the property was appraised and sold.

Closing Comments:

The proposal will provide quality, affordable workforce housing, at \$300,000 to \$400,000 price point. The density is comparable to the typical single-family subdivision in Allen County. There will be an association to handle stormwater maintenance. The new stormwater system will detain the water currently allowed to sheetflow into other neighborhoods. They have to meet water quality and water quantity requirements and inspections by the Fort Wayne Development Services.

FORT WAYNE PLAN COMMISSION • FINDINGS OF FACT

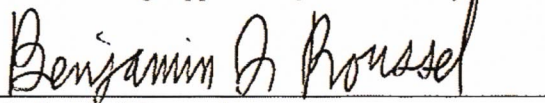
Rezoning Petition REZ-2024-0052 – Aboite Meadows Section D

APPLICANT: Springmill Woods Development, LLC
REQUEST: To rezone property from AR/Low Intensity Residential to R1/Single Family Residential and to approve a 33-lot primary plat.
LOCATION: 9800 Bronco Drive, 170 feet west of its intersection with Turf Lane (Section 15 of Aboite Township)
LAND AREA: 12.036 acres
PRESENT ZONING: AR/Low Intensity Residential
PROPOSED ZONING: R1/Single Family Residential

The Plan Commission recommends that Rezoning Petition REZ-2024-0052 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 R1/Single Family Residential zoning will provide the opportunity for infill development while providing additional residential options in the southwest quadrant of Fort Wayne. The Comprehensive Plan supports development within the Urban Infill Area.
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 residential zoning directly to the north, south, east, and west. The rezoning is consistent with existing residential zoning in all directions. The surrounding area consists of fully developed subdivisions of various sizes.
3. Approval is consistent with the preservation of property values in the area. This proposal will allow reinvestment into the area and is adjacent to developed residential property. The new zoning gives the property owner flexibility to invest in the property residentially.
4. Approval is consistent with responsible development and growth principles based on existing uses and infrastructure in the area. The site is completely surrounded by fully developed subdivisions. The Comprehensive Plan encourages adjacent development in areas already served by infrastructure.

These findings approved by the Fort Wayne Plan Commission on January 27, 2025.



Benjamin J. Roussel
Executive Director
Secretary to the Commission

BILL NO. Z-25-01-03

**REPORT OF COMMITTEE ON REGULATIONS
February 11, 2025**

Michelle Chambers Chair

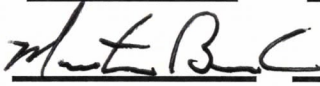
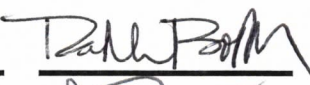
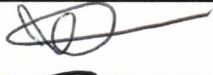






Thomas Freistroffer Co-Chair

All Council Members

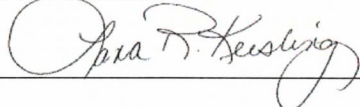
An Ordinance amending the City of Fort Wayne Zoning Map No. BB-11 (Sec. 15 of Aboite Township)

Rezone 12.04 acres from AR/Low Intensity Residential to R1/Single Family Intensity Residential at the 9800 block of Bronco Drive to allow for a 33-lot single family expansion of Aboite Meadows subdivision

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>BOOKER</u>			
<u>CHAMBERS</u>			
<u>ENSLEY</u>			
<u>FREISTROFFER</u>			
<u>HARTMAN</u>			
<u>JEHL</u>			
<u>MYERS</u>			
<u>PADDOCK</u>			

**LANA R. KEESLING
CITY CLERK**



Public Hearing Date: N/A

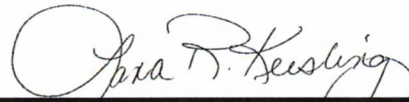
Read the first time in full and on motion by Councilperson Chambers.

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

Read the third time in full and on motion by Councilperson Chambers, 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"/>
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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
PADDOCK	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

DATED: February 11, 2025



LANA R. KEESLING, CITY CLERK

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

Zoning Ordinance No. Z-25-01-03 on the 11th day of February, 2025

ATTEST:



LANA R. KEESLING
CITY CLERK



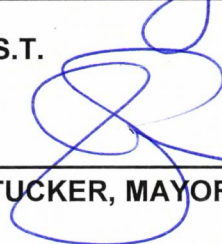
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th of February 2025, at the hour of 11:05 o'clock P.M. E.S.T.



LANA R. KEESLING, CITY CLERK

Approved and signed by me this 12th day of February 2025, at the hour of 5:15 o'clock p.m. E.S.T.



SHARON TUCKER, MAYOR

