

**#REZ-2020-0047**

**BILL NO. Z-20-11-10**

**ZONING MAP ORDINANCE NO. Z-\_\_\_\_\_**

**AN ORDINANCE amending the City of Fort Wayne  
Zoning Map No. J-27 (Sec. 27 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 a C2 (Limited  
Commercial) District under the terms of Chapter 157 Title XV of the Code of the City of Fort  
Wayne, Indiana:

The South 180 feet of Lots 1 and 2, and all of Lot 3 of Elzeys 4<sup>th</sup> Addition to the City of Fort Wayne,  
as recorded in Deed Book 11B, Page 75 in the Office of the Recorder of Allen County, Indiana.

and the symbols of the City of Fort Wayne Zoning Map No. J-27 (Sec. 27 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.

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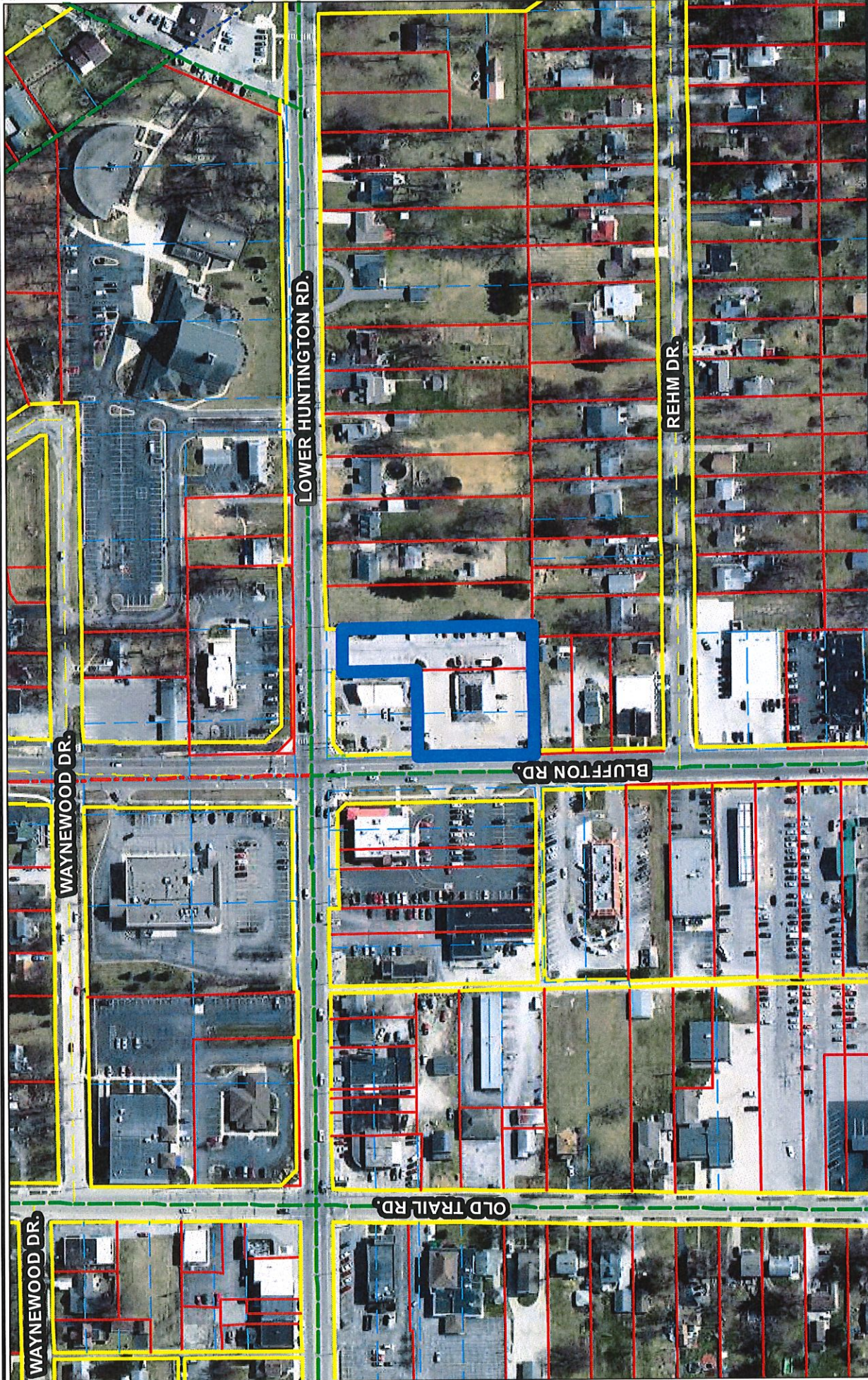
\_\_\_\_\_  
Council Member

APPROVED AS TO FORM AND LEGALITY:

  
\_\_\_\_\_  
Carol T. Helton, City Attorney



Rezoning Petition REZ-2020-0047 and Primary Development Plan PDP-2020-0035 - Pizza Hut - Waynedale

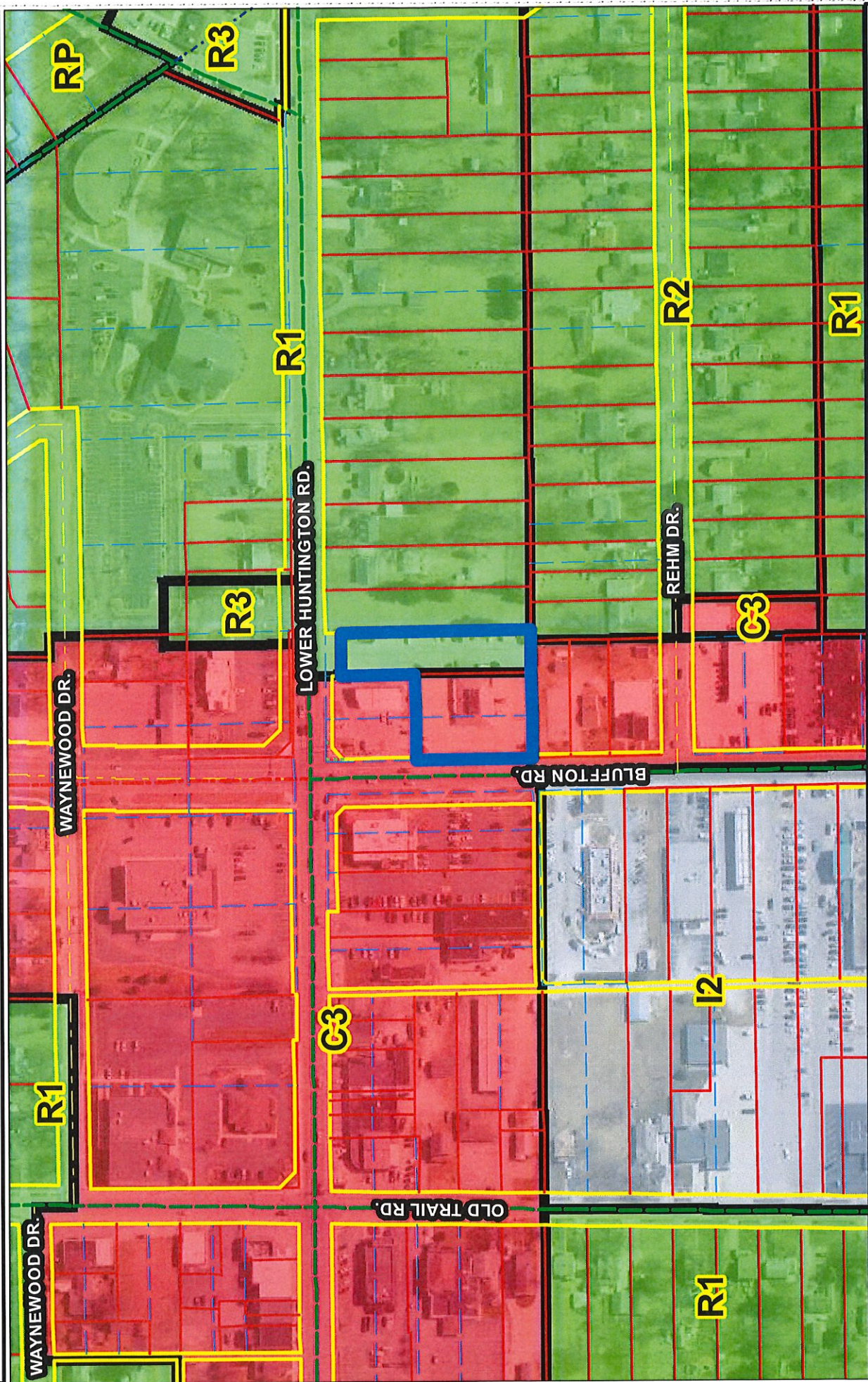


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State Plane Coordinate System, Indiana East  
Photos and Contour: Spring 2009  
Date: 11/16/2020



Rezoning Petition REZ-2020-0047 and Primary Development Plan PDP-2020-0035 - Pizza Hut - Waynedale



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Photos and Contours: Spring 2009  
Date: 11/16/2020



1 inch = 200 feet



Applicant Felderman Design Build  
Address 5620 Coventry Lane  
City Ft Wayne State IN Zip 46804  
Telephone (260) 434-4000 E-mail greg.deweese@felderman.com

|                   |                |                    |        |                            |
|-------------------|----------------|--------------------|--------|----------------------------|
| Contact<br>Person | Contact Person | Greg DeWeese       |        |                            |
|                   | Address        | 5620 Coventry Lane |        |                            |
|                   | City           | Ft Wayne           | State  | IN Zip 46804               |
|                   | Telephone      | (260) 434-4000     | E-mail | greg.deweese@felderman.com |

**Request**

☐ Allen County Planning Jurisdiction ☒ City of Fort Wayne Planning Jurisdiction

Address of the property 6809 Bluffton Rd

Present Zoning C3/R1 Proposed Zoning C2 Acreage to be rezoned .969a

Proposed density (1) units per acre

Township name Wayne Township section # 27

Purpose of rezoning (attach additional page if necessary) Down zone and combine from C3/R1 to C2 for restaurant use and to incorporate C2 building setbacks for new restaurant replacing existing restaurant structure.

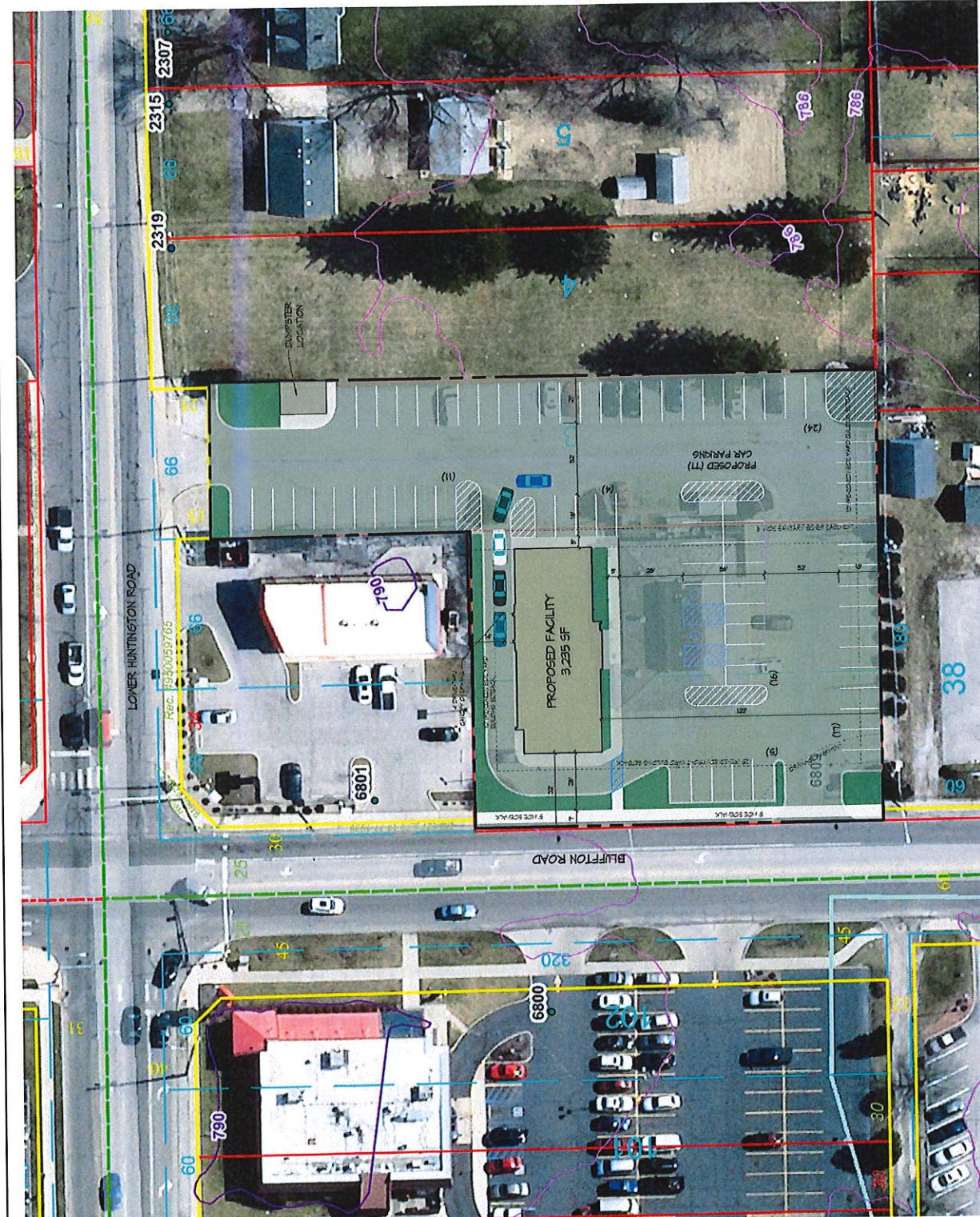
Sewer provider FW Water provider FW

**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 Rezoning Only

|                                  |                               |            |
|----------------------------------|-------------------------------|------------|
| Greg DeWeese                     |                               | 11-02-2020 |
| (printed name of applicant)      | (signature of applicant)      | (date)     |
|                                  |                               |            |
| (printed name of property owner) | (signature of property owner) | (date)     |
|                                  |                               |            |
| (printed name of property owner) | (signature of property owner) | (date)     |
|                                  |                               |            |
| (printed name of property owner) | (signature of property owner) | (date)     |

Department of Planning Services • 200 East Berry Street • Suite 150 • Fort Wayne, Indiana • 46802  
Phone (260) 449-7607 • Fax (260) 449-7682 • [www.allencounty.us/dps](http://www.allencounty.us/dps)



1 PROPOSED SITE STUDY (OPTION 3)  
SCALE: 1" = 200'

**CERTIFICATION:**

DESIGNED BY: [Signature]

DATE: [Date]

**PROPOSED PROJECT NAME:**

PIZZA HUT WAYNEPALE

**CUSTOMER ADDRESS:**

4400 BUFFINGTON RD.  
PORT WYOMING, RI 02891

**DESIGNER:**

**FELDERMAN**

DESIGN + BUILD

1000 STATE ST. SUITE 200  
PROVIDENCE, RI 02903

TEL: (401) 454-4000 FAX: (401) 454-4001

**REVISIONS:**

| NO. | DATE | DESCRIPTION |
|-----|------|-------------|
|     |      |             |
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**DATE:**

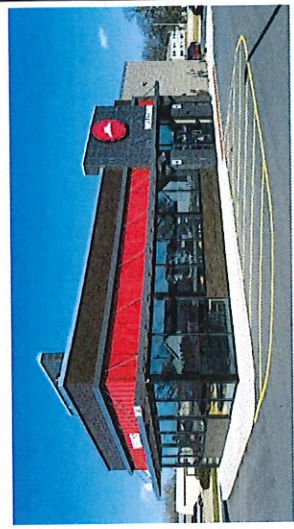
10/27/2020

**BY:**

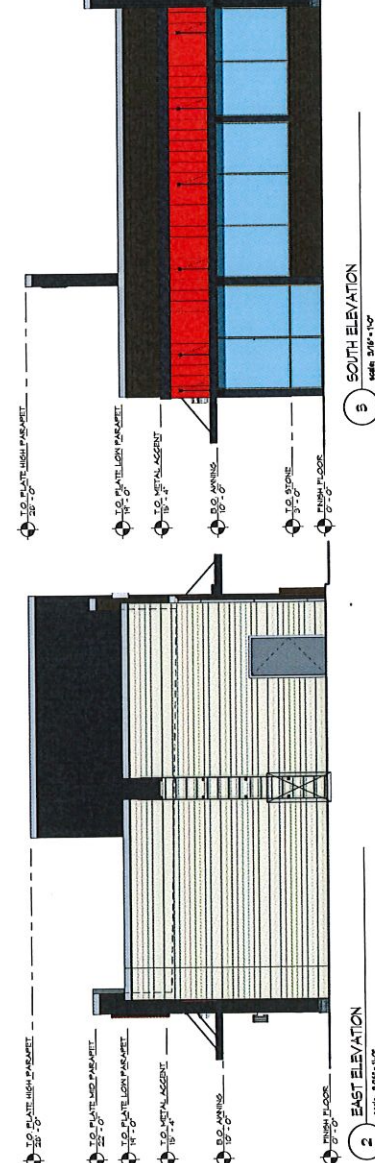
640

**SCALE:**

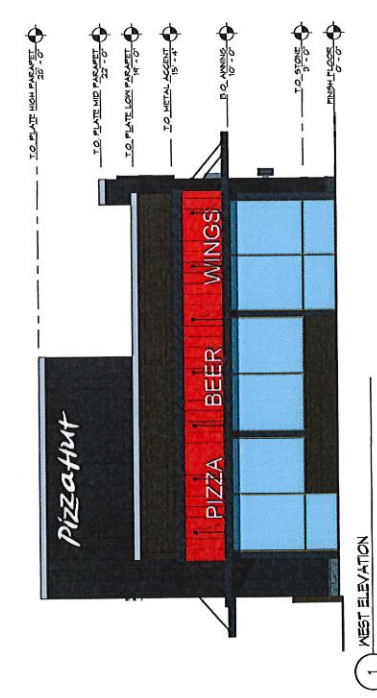
1" = 200'



4 NORTH ELEVATION  
Scale: 3/16" = 1'-0"



2 EAST ELEVATION



1  
WEST ELEVATION  
Scale: 5/16" = 1'-0"

| EXTerior Finish Schedule |                                                       |                                      |                    |                                                        |
|--------------------------|-------------------------------------------------------|--------------------------------------|--------------------|--------------------------------------------------------|
| MARK                     | MATERIAL                                              | STYLE & COLOR                        | MANUFACTURER       | NOTES                                                  |
| 1                        | PRE-FINISHED METAL SIDING                             | WHITE BLACK                          | PRE-FINISHED METAL | ANNEK                                                  |
| 2                        | WOOD SIDING, 8"X4" LAP W/ 1/2" REVEAL                 | TWO-TONE BRAND SIDING                | UPP                |                                                        |
| 3                        | WOOD SIDING, 8"X4" LAP W/ 1/2" REVEAL                 | SHORE                                | UPP                |                                                        |
| 4                        | SHORE T & WOOD (TIGHT) W/ 1/16" SPACING AND NO REVEAL | PERSONVILLE FORDLAND                 |                    | ALL OTHERS CONTEND TO BEGAIN ATTORNEY BOARDE QUINCE    |
| 5                        | PERSONLAND TILL STAGGED BOND                          | CLIFFSTONE COLOR "BARKLEY" BRONZE    | SHORE              | SHORELAND CANALS ALL TENDERS TILL TO SHANTLES IN BLACK |
| 6                        | STONE VENEER                                          | THE FORDAGE STONE                    |                    |                                                        |
| 7                        | STANDING BOOM METAL SIDING                            | SHREYAN WILLIAMS                     | ONE                |                                                        |
| 8                        | PRE-FINISHED ROOF LATHING                             | PAINTED "MUSH" IN                    |                    |                                                        |
| 9                        | PRE-FINISHED ROOF LATHING                             | PAINTED "MUSH" IN FOR TYPE           |                    |                                                        |
| 10                       | PARANET LAM                                           | PRE-FINISHED CLEAR ANODIZED          | DRAG-MAID          |                                                        |
| 11                       | DOWNPOUTS W/ SUPPERS                                  | PAINTED "MUSH" IN                    |                    |                                                        |
| 12                       | SILL                                                  | PAINTED "MUSH" IN PARACOT TILL COLOR |                    |                                                        |
| 13                       | RECEIVED PARANET LID UNDER                            | "COASTAL SAND"                       |                    | ONITE SUPPLIED                                         |
| 14                       | MOSE DOB                                              |                                      |                    |                                                        |

NOTE: ALL CHANGES FROM LIGHT SONG TO DARK SONG OR VICE VERSA SHALL TRANSITION AT INSECT CONCORDS

**CERTIFICATION:**

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[illegible]

**FELDERMAN**  
DESIGN - BUILD

5530 GOWNEY LANE, FORT MYERS, FLORIDA 33901  
TEL: (260) 454-4000 FAX: (260) 454-4001  
WWW.FELDERMAN.COM

PROPOSED PROJECT FOR:  
PIZZA HUT WAYNE DALE  
1000 BLUFFTON RD.  
PORT MYRTLE, IN 46304

CUSTOMER APPROVED: \_\_\_\_\_

|      |                |            |            |
|------|----------------|------------|------------|
| NAME | PROJECT NUMBER | GROUP NAME | DATE       |
|      | 1-30-5711      | N.B.       | 10/10/2020 |
|      |                | DATE GROUP | 6-10       |
|      |                | DATE GROUP |            |
|      |                | DATE GROUP |            |

A2.0

# 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-2020-0047  
Bill Number: Z-20-11-10  
Council District: 4-Jason Arp

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Introduction Date: November 24, 2020

Plan Commission  
Public Hearing Date: December 7, 2020 (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 and C3/General Commercial to C2/Limited Commercial.

Location: 6809 Bluffton Road

Reason for Request: To allow the rebuilding of an existing Pizza Hut restaurant in Waynedale.

Applicant: Greg DeWeese

Property Owner: Realty Income Properties 27, LLC

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Related Petitions: Primary Development Plan, Pizza Hut - Waynedale

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Effect of Passage: Property will be rezoned to the C2/Limited Commercial zoning district, which will allow a new Pizza Hut restaurant and parking on the entirety of the property.

Effect of Non-Passage: The property is currently zoned two different districts, with a Board of Zoning Appeals approval on the residential portion to allow for the existing parking lot. Pizza Hut will not be able to rebuild as desired under the current zoning configuration.

## FACT SHEET

| Case #REZ-2020-0047      Bill # Z-20-11-10      Project Start: November 2020 |                                                                                                                                                                                |
|------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| APPLICANT:                                                                   | Felderman Design Build                                                                                                                                                         |
| REQUEST:                                                                     | To rezone property from R1/Single Family Residential and C3/General Commercial to C2/Limited Commercial; and approve a primary development plan for a new Pizza Hut structure. |
| LOCATION:                                                                    | The address of the subject property is 6809 Bluffton Road (Section 27 of Wayne Township).                                                                                      |
| LAND AREA:                                                                   | Approximately 1 acre                                                                                                                                                           |
| PRESENT ZONING:                                                              | R1/Single Family Residential and C3/ General Commercial                                                                                                                        |
| PROPOSED ZONING:                                                             | C2/Limited Commercial                                                                                                                                                          |
| COUNCIL DISTRICT:                                                            | 4-Jason Arp                                                                                                                                                                    |
| ASSOCIATED PROJECT:                                                          | Primary Development Plan, Pizza Hut Waynedale                                                                                                                                  |
| SPONSOR:                                                                     | City of Fort Wayne Plan Commission                                                                                                                                             |

### **January 13, 2020 Public Hearing**

- One property owner spoke at the hearing with concerns.
- One property owner spoke at the hearing with questions.
- Tom Freistroffer, Justin Shurley and Rachel Tobin-Smith were absent.

### **January 13, 2020 – Business Meeting**

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

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

#### **6-0 MOTION PASSED**

- Tom Freistroffer, Justin Shurley and Rachel Tobin-Smith were absent.

Fact Sheet Prepared by:  
Michelle B. Wood, Senior Land Use Planner  
January 19, 2021

## **PROJECT SUMMARY**

### **SITE HISTORY:**

- In 1980 the current Pizza Hut was constructed.
- In 1990 the parking lot was expanded to the east with a Board of Zoning Appeals approval.

### **STAFF DISCUSSION:**

The petitioner requests a rezoning from C3/General Commercial and R1/Single Family Residential to C2/Limited Commercial to allow the reconstruction of a 3,235 square foot Pizza Hut. No new parking is being proposed with this development request.

The proposed rezoning parcel is the location of the existing Pizza Hut and parking lot. In 1980 the Pizza Hut developed on the C3/General Commercial property. In 1990 the parking lot was expanded to the east which included access to Lower Huntington Road through a Board of Zoning Appeals approval. The proposed use is not expanding beyond the existing development boundaries. The rezoning will downzone the Pizza Hut building parcel from C3 to C2 and will bring the parking lot on the east side of the development into full compliance with the Ordinance.

The property is bordered to the north by a Verizon Store (C3), to the east by a vacant R1 parcel (owned by the applicant), to the south by an office building (C3) and to the west by the former Big Boy (C3). Bluffton Road and Lower Huntington Road in this area both commercial corridors. Other uses in the immediate vicinity include a Kroger to the southwest and Walgreens to the northwest.

The proposed zoning district can be supported by the Comprehensive Plan in that it will allow for the reconstruction of an existing use and provide for additional investment in the area. The commercial proposal will continue to provide for diversity in retail goods and services. While the rezoning isn't necessary to redevelop the property, the applicant feels by downzoning the C3 zoned property to C2 and rezoning the R1 parking lot the existing development can be modernized and improved, while protecting adjacent land uses. The comprehensive plan supports this development through the following objectives:

- LU1.** Encourage carefully planned growth by utilizing the conceptual development map as part of the community's land use decision-making process;
- LU3.** Use land resources efficiently by encouraging new development, revitalization and redevelopment in areas already served by infrastructure;
- LU5.** Encourage sustainable growth and quality development, revitalization and redevelopment by increasing and enhancing connectivity;
- LU8.** Use land resources efficiently by encouraging compact development alternatives in infill areas where utilities and other infrastructure currently exist.

This petition is to allow the redevelopment of a 3,235 square foot Pizza Hut. The new Pizza Hut will be constructed on the north side of the site adjacent to the existing Pizza Hut. During construction services are intended to still be offered. Upon completion of the new building the old building will be removed, and parking will be modified to accommodate the new building. With the reduction in the square footage of the Pizza Hut there should be no additional impact on adjacent land uses. No changes are being proposed to the parking lot on the R1 zoned property. Access will remain on Bluffton Road and Lower Huntington Road in approximately the same locations.

Sidewalks will be reconstructed as necessary along the Bluffton Road frontage and a sidewalk will be provided to the building. After discussion with the adjacent neighbor at the public hearing, the applicant agreed to work with staff on installing a 6-foot fence along the east property line to buffer the neighbor's property and keep trash out of her yard. All other landscaping will be installed where required and will comply with the standards of the Ordinance.

**PUBLIC HEARING SUMMARY:**

Presenter: Greg DeWeese, Felderman Design-Build, representing Pizza Hut of Fort Wayne, presented the proposal as outlined above.

Public Comments:

Tanya Irving, 2315 Lower Huntington Road (renter), would like to see fencing along her property line.  
Ralph Skaggs, 6917 Bluffton Road, just curious about the proposal, not opposed.

## FORT WAYNE PLAN COMMISSION • FINDINGS OF FACT

### Rezoning Petition REZ-2020-0047

|                  |                                                                                                                                        |
|------------------|----------------------------------------------------------------------------------------------------------------------------------------|
| APPLICANT:       | Felderman Design Build                                                                                                                 |
| REQUEST:         | To rezone property from R1/Single Family Residential and C3/General Commercial to C2/Limited Commercial for a new Pizza Hut structure. |
| LOCATION:        | The address of the subject property is 6809 Bluffton Road (Section 27 of Wayne Township).                                              |
| LAND AREA:       | Approximately 1 acre                                                                                                                   |
| PRESENT ZONING:  | R1/Single Family Residential and C3/ General Commercial                                                                                |
| PROPOSED ZONING: | C2/Limited Commercial                                                                                                                  |

**The Plan Commission recommends that Rezoning Petition REZ-2020-0047 be returned to Council with a "Do Pass" recommendation, after considering the following:**

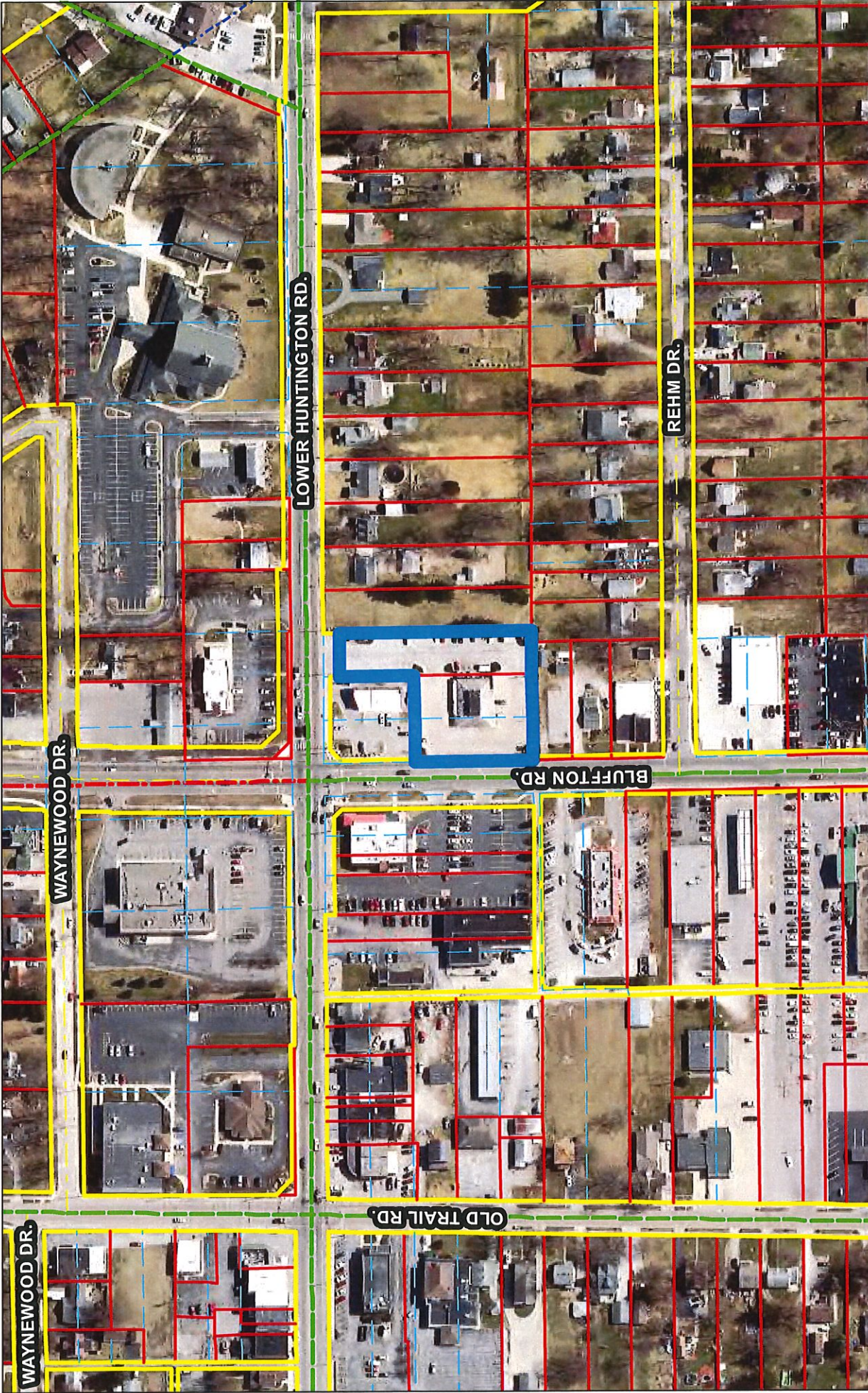
1. Approval of the rezoning request will be in substantial compliance with the City of Fort Wayne Comprehensive Plan, and should not establish an undesirable precedent in the area. The general area has seen the development of a diverse mixture commercial land uses. This proposal will allow the Pizza Hut to modernize and bring the current parking lot use into full compliance with the Ordinance.
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. Site plan and architectural review from the Plan Commission and staff will ensure a compatible development that complements the commercial development in the area.
3. Approval is consistent with the preservation of property values in the area. This proposal will allow the existing restaurant to redevelop and expand to provide a more modern building and a diverse product offering including a drive thru, with improved circulation.
4. Approval is consistent with responsible development and growth principles based on existing uses and infrastructure in the area. Review by City engineering departments indicates that the site can be developed for commercial uses and adequate infrastructure is available to service the proposed addition.

These findings approved by the Fort Wayne Plan Commission on January 13, 2021.

  
Kimberly R. Bowman, AICP  
Executive Director  
Secretary to the Commission



Rezoning Petition REZ-2020-0047 and Primary Development Plan PDP-2020-0035 - Pizza Hut - Waynedale

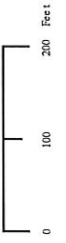


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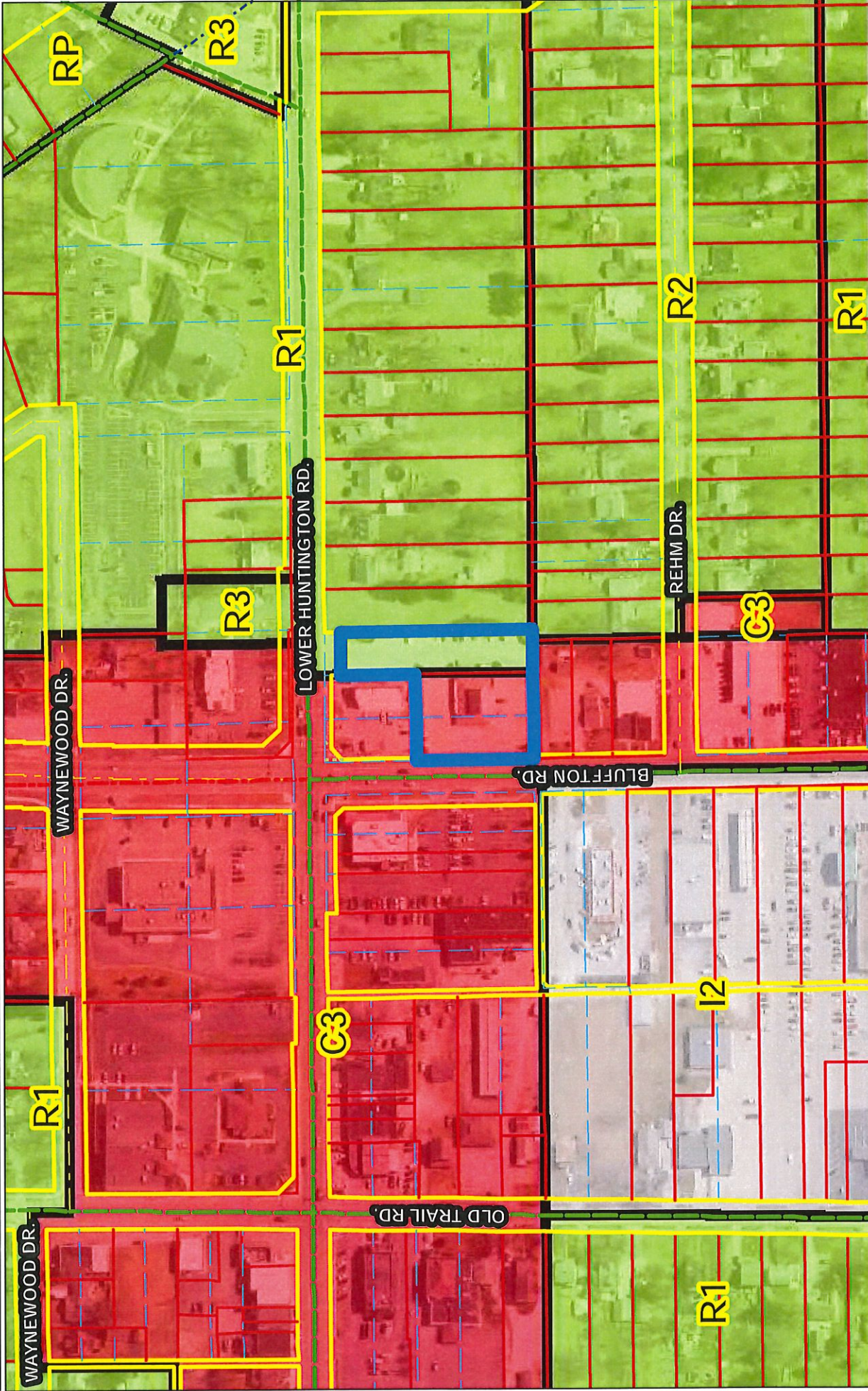


1 inch = 200 feet





Rezoning Petition REZ-2020-0047 and Primary Development Plan PDP-2020-0035 - Pizza Hut - Waynedale



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Address 5620 Coventry Lane  
City Ft Wayne State IN Zip 46804  
Telephone (260) 434-4000 E-mail greg.deweese@felderman.com

|                   |                                                                          |                 |                  |
|-------------------|--------------------------------------------------------------------------|-----------------|------------------|
| Contact<br>Person | Contact Person <u>Greg DeWeese</u>                                       |                 |                  |
|                   | Address <u>5620 Coventry Lane</u>                                        |                 |                  |
|                   | City <u>Ft Wayne</u>                                                     | State <u>IN</u> | Zip <u>46804</u> |
|                   | Telephone <u>(260) 434-4000</u> E-mail <u>greg.deweese@felderman.com</u> |                 |                  |

**Request**

☐ Allen County Planning Jurisdiction    ☒ City of Fort Wayne Planning Jurisdiction

Address of the property 6809 Bluffton Rd

Present Zoning C3/R1    Proposed Zoning C2    Acreage to be rezoned .969a

Proposed density (1) \_\_\_\_\_ units per acre

Township name Wayne    Township section # 27

Purpose of rezoning (attach additional page if necessary) Down zone and combine from C3/R1 to C2 for restaurant use and to incorporate C2 building setbacks for new restaurant replacing existing restaurant structure.

Sewer provider FW    Water provider FW

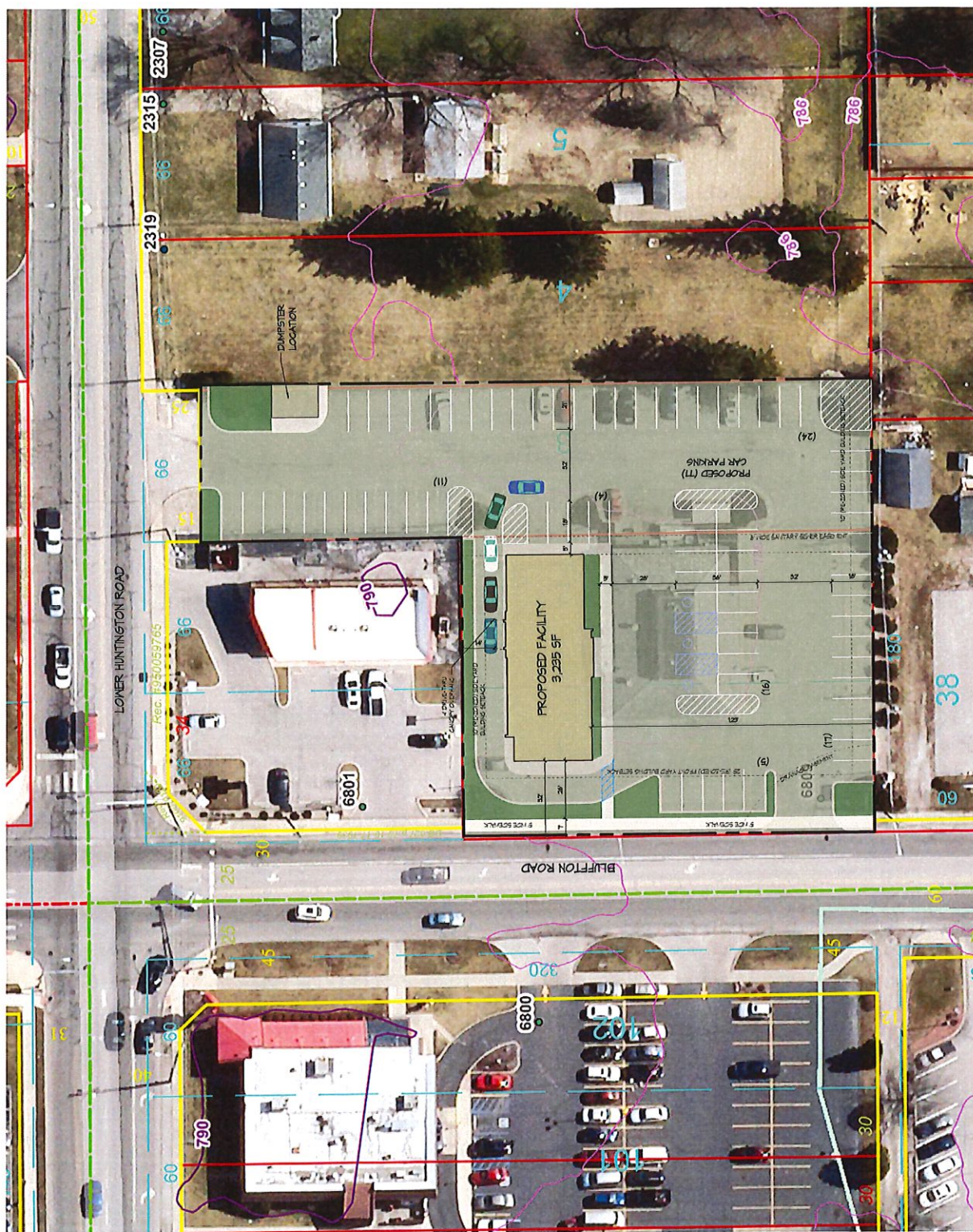
**Filing Requirements**

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

|                                  |                               |            |
|----------------------------------|-------------------------------|------------|
| Greg DeWeese                     |                               | 11-02-2020 |
| (printed name of applicant)      | (signature of applicant)      | (date)     |
|                                  |                               |            |
| (printed name of property owner) | (signature of property owner) | (date)     |
|                                  |                               |            |
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|                                  |                               |            |
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Phone (260) 449-7607 • Fax (260) 449-7682 • [www.allencounty.us/dps](http://www.allencounty.us/dps)



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**FELDERMAN** DESIGN - BUILD

PIZZA HUT WAYNEDALE

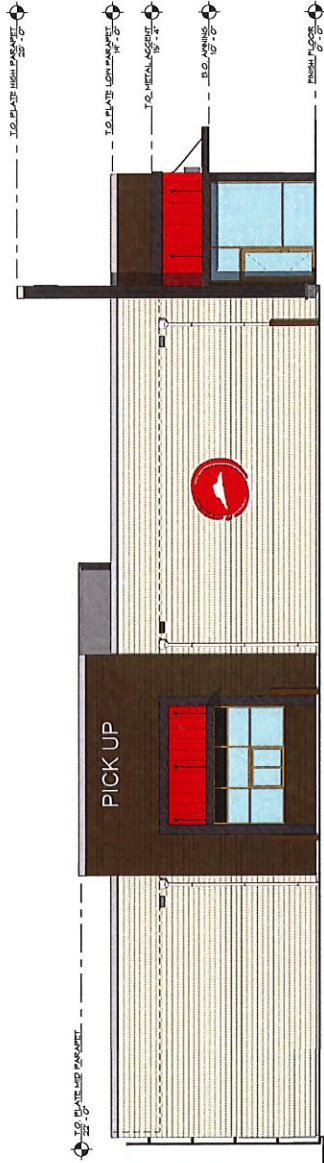
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PORT WYATT, IN 46604

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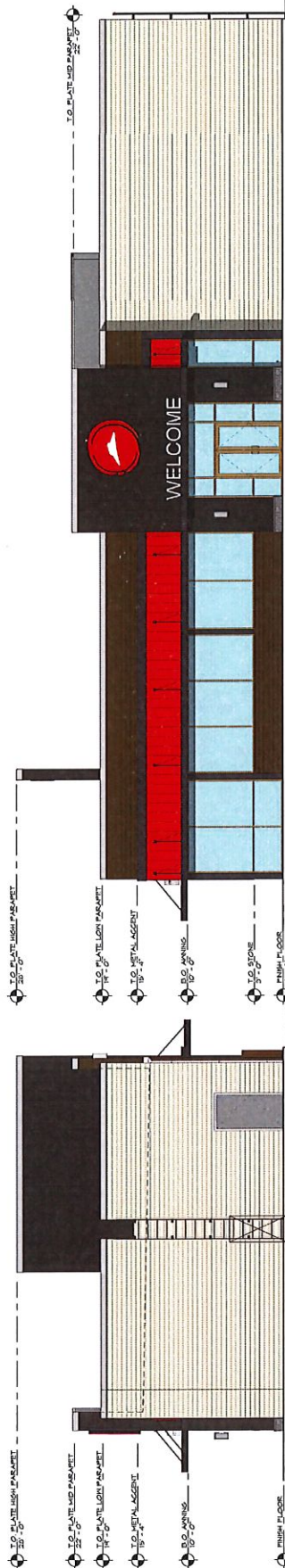
**CUSTOMER APPROVED:**

|          |            |          |            |
|----------|------------|----------|------------|
| DATE     | 10/30/2020 | DATE     | 10/30/2020 |
| TIME     | 1:30-5:11  | TIME     | 1:30-5:11  |
| LOCATION | 11000      | LOCATION | 11000      |
| OFFICER  | 11000      | OFFICER  | 11000      |

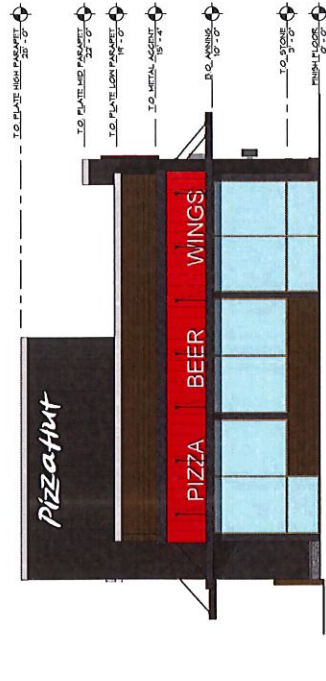
**A2.0.**



4 NORTH ELEVATION  
scale: 3/16" = 1'-0"



2 EAST ELEVATION  
Scale: 3/16" = 1'-0"



1 WEST ELEVATION

[illegible]

NOTE: ALL CHANGES FROM LIGHT SONG TO DARK SONG OR  
VICE VERSA SHALL TRANSITION AT INSIDE CORNERS

