

City of Fort Wayne Common Council

DIGEST SHEET

Department of Planning Services

Title of Ordinance: Zoning Map Amendment
Case Number: REZ-2022-0010
Bill Number: Z-22-03-07
Council District: 4-Jason Arp

Introduction Date: March 8, 2022

Plan Commission
Public Hearing Date: March 14, 2022 (not heard by Council)

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

Synopsis of Ordinance: To rezone approximately 5 acres from R1/Single Family Residential to C3/General Commercial.

Location: Lots 36-45 of The Polar Ridge Addition, at the southern end of Rewill Drive.

Reason for Request: To allow for a new Bob Rohrman dealership and an outlot for future commercial development.

Applicants: Rohrman Family Realty, LP, Menard, Inc., City of Fort Wayne
Redevelopment Commission and Board of Works

Property Owners: Rohrman Family Realty, LP, Menard, Inc., City of Fort Wayne
Redevelopment Commission and Board of Works

Related Petitions: Primary Development Plan, Rohrman New Toyota Dealership

Effect of Passage: Property will be rezoned to the C3/General Commercial zoning district which will allow for the expansion of the Rohrman auto dealership complex, and future commercial development.

Effect of Non-Passage: The property will remain zoned R1/Single Family Residential and will continue to be limited to single family residential uses.

#REZ-2022-0010

BILL NO. Z-22-03-07

ZONING MAP ORDINANCE NO. Z-_____

**AN ORDINANCE amending the City of Fort Wayne
Zoning Map No. D-06 (Sec. 6 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 C3 (General
Commercial) District under the terms of Chapter 157 Title XV of the Code of the City of Fort
Wayne, Indiana:

Lot Numbers 36 through 45 in Poplar Ridge Second Section Addition, according to
the plat thereof, recorded in Plat Record 22, Page 140, in the Office of the Recorder
of Allen County, Indiana.

Together with the right of way of Rewill Drive lying between lots 38–39, 42–43, and
44–45.

Together with the right of way deeded to the State of Indiana and proposed to be
vacated and further described in Bertsch – Frank & Associates survey project
number 20299.100 dated 02/02/2022.

All total containing 4.94 acres more or less.

and the symbols of the City of Fort Wayne Zoning Map No. D-06 (Sec. 6 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.

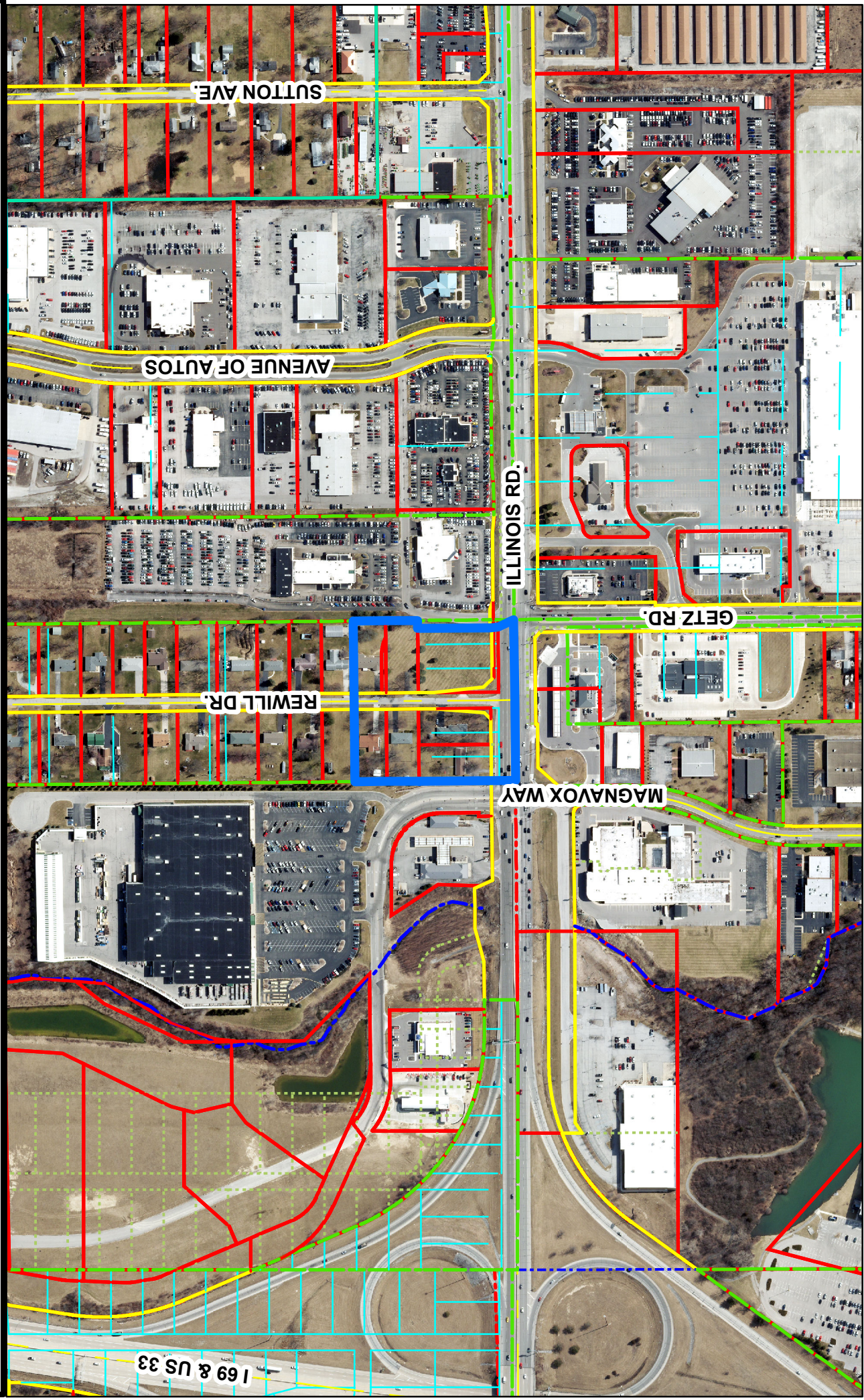
SECTION 3. That this Ordinance shall be in full force and effect from and after its
passage and approval by the Mayor.

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Council Member

APPROVED AS TO FORM AND LEGALITY:

Carol T. Helton, City Attorney

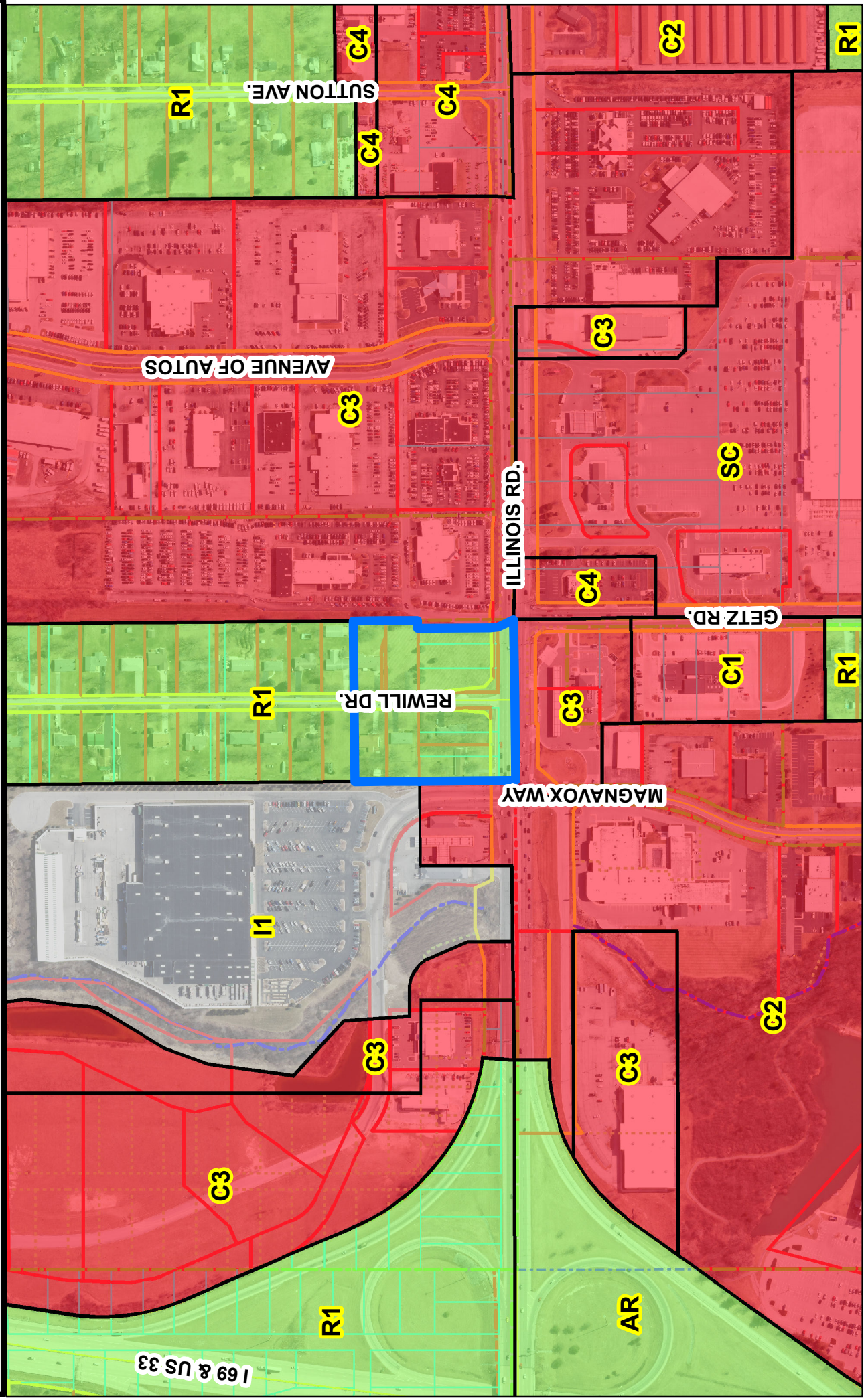


Although strict accuracy standards have been employed in the compilation of this map, Allen County does not warrant or guarantee the accuracy of the information contained herein and disclaims any and all liability resulting from any error or omission in this map.

© 2004 Board of Commissioners of the County of Allen
North American Datum 1983
State Plane Coordinate System, Indiana East
Photos and Contours: Spring 2009
Date: 2/28/2022

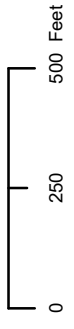


1 inch = 400 feet



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© 2004 Board of Commissioners of the County of Allen
North American Datum 1983
State Plane Coordinate System, Indiana East
Photos and Contours: Spring 2009
Date: 2/28/2022



1 inch = 400 feet

Department of Planning Services
Rezoning Petition Application

Applicant

Applicant

Rohrman Family Realty LP / Menard, Inc. / City of Fort Wayne

Address

See attached Exhibit A.

City

State

Zip

Telephone

E-mail

Contact Person

Contact Person

Mark H. Bains, Esq., Barrett McNagny, LLP

Address

215 E. Berry Street

City

Fort Wayne

State

IN

Zip

46802

Telephone

(260) 423-9551

E-mail

mhb@barrettlaw.com

All staff correspondence will be sent only to the designated contact person.

Request

Request

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

Address of the property

Rewill Drive

Present Zoning

R1

Proposed Zoning

C3

Acreage to be rezoned

Proposed density

units per acre

Township name

Wayne

Township section #

06

Purpose of rezoning (attach additional page if necessary)

See attached Exhibit B.

Sewer provider

City of Fort Wayne

Water provider

City of Fort Wayne

Filing Requirements

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.

See attached Exhibit C.

(printed name of applicant)

(signature of applicant)

(date)

See attached Exhibit C.

(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)

Received	Receipt No.	Hearing Date	Petition No.
2-1-22	139354	3-14-22	REZ-2022-0010

EXHIBIT A
REZONING APPLICATION PETITION
APPLICANT NAME AND ADDRESS

Rohrman Family Realty, LP
3900 South Street
Lafayette, IN 47905

Menard, Inc.
4777 Menard Drive
Eau Claire, WI 54703

City of Fort Wayne Redevelopment Commission
200 East Berry Street
Suite 320
Fort Wayne, IN 46802

City of Fort Wayne by and through its Board of Public Works
200 East Berry Street
Suite 210
Fort Wayne, IN 46802

EXHIBIT B
REZONING PETITION
PURPOSE FOR PROPOSED VACATION

To allow for commercial development of the lots owned by Rohrman and Menard and in connection with the construction of a new roadway running east and west connecting Grand National Drive to another newly constructed roadway that is believed to be named Getz Road Extended.

EXHIBIT C
REZONING APPLICATION
SIGNATURE PAGE

"APPLICANT & PROPERTY OWNER"

ROHRMAN FAMILY REALTY, LP

By: 

Name: Robert J. Rohrman Jr.

Its: Member

EXHIBIT C
REZONING APPLICATION
SIGNATURE PAGE

"APPLICANT & PROPERTY OWNER"

MENARD, INC.

By: 

Name: Theron J. Berg

Its: Real Estate Manager

EXHIBIT C
REZONING APPLICATION
SIGNATURE PAGE

“APPLICANT & PROPERTY OWNER”

CITY OF FORT WAYNE
REDEVELOPMENT COMMISSION


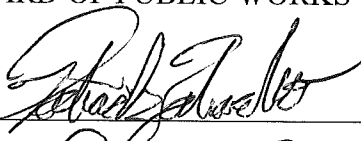
By: _____
Jonathan Leist, Director

EXHIBIT C
REZONING APPLICATION
SIGNATURE PAGE

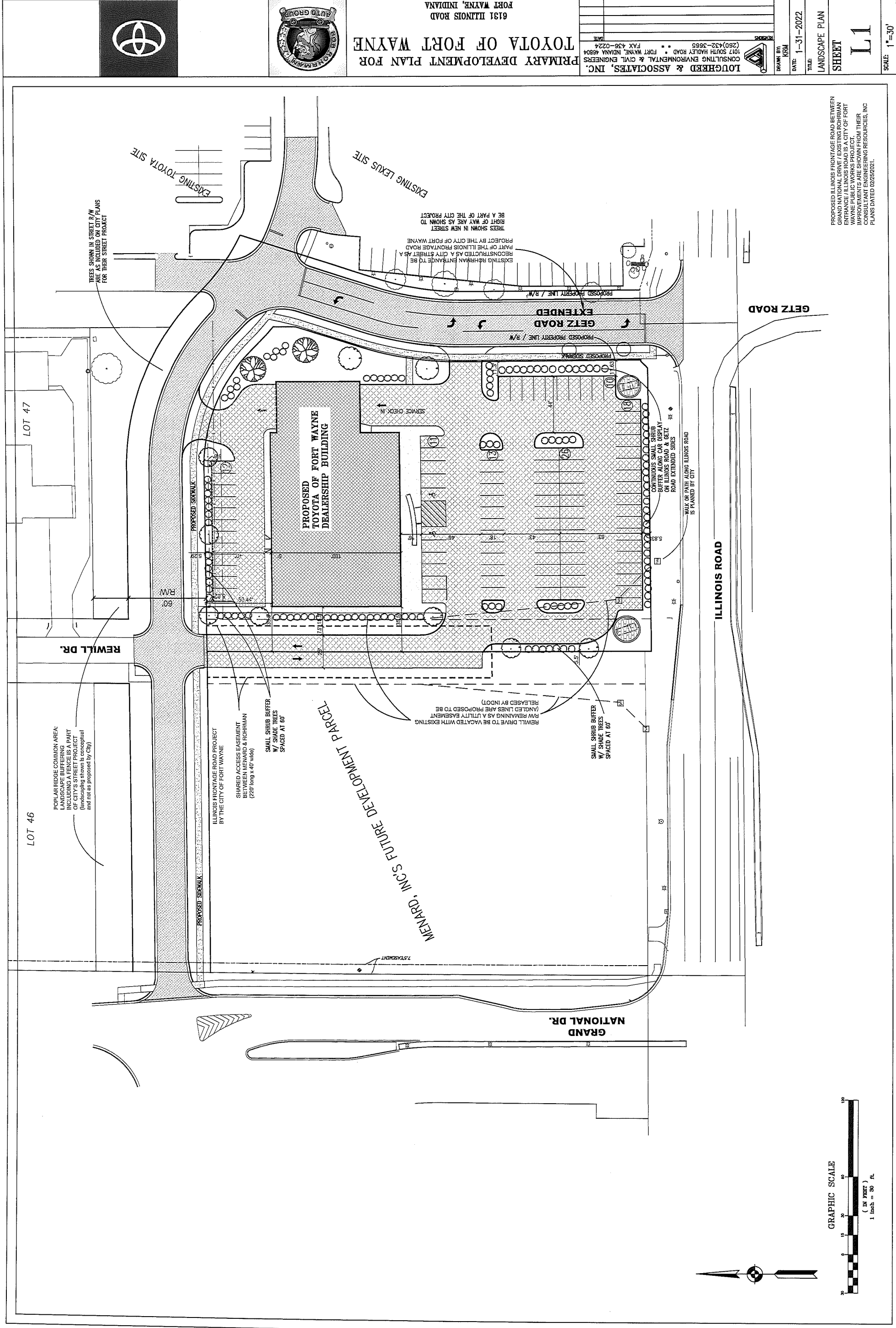
“APPLICANT & PROPERTY OWNER”

THE CITY OF FORT WAYNE
BY AND THROUGH ITS
BOARD OF PUBLIC WORKS

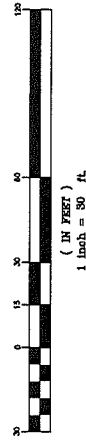
By: 

Name: PATRICK ZAHARANO

Its: CITY ENGINEER



GRAPHIC SCALE



SCALE: 1"=30'

SHEET
L1

LANDSCAPE PLAN

DATE: 1-31-2022

DRAWN BY: KRM



LOUGHREY & ASSOCIATES, INC.
CONSULTING ENVIRONMENTAL & CIVIL ENGINEERS
1017 SOUTH HADLEY ROAD • FORT WAYNE, INDIANA 46804
(260) 432-3665 FAX 436-0224

PRIMARY DEVELOPMENT PLAN FOR
TOYOTA OF FORT WAYNE

6131 ILLINOIS ROAD
FORT WAYNE, INDIANA





BarrettMcNagny
ATTORNEYS AT LAW

Mark H. Bains
(260) 423-8902
mhb@barrettlaw.com

February 1, 2022

Via Hand Delivery

Allen County Department of Planning Services
Attn: Michelle Wood, Senior Planner
Suite 150 Citizen Square
200 E. Berry Street
Fort Wayne, IN 46802

Re: Poplar Ridge // Rewill Drive // Rohrman Family Realty, L.P. // Menard, Inc.

Dear Michelle:

As you are aware, Barrett McNagny, LLP serves as legal counsel to Rohrman Family Realty, L.P. ("Rohrman") with respect to a project involving real estate owned by Rohrman as well as additional, adjoining real estate owned by Menard, Inc. ("Menard"), the City of Fort Wayne Redevelopment Commission ("Redevelopment"), and the City of Fort Wayne (the "City"). The enclosed applications are being filed on behalf of Rohrman, Menard, Redevelopment, and the City by its Board of Public Works ("Public Works").

Enclosed please find the following:

1. Vacation Petition Application (vacating Lots 36-45 from the Poplar Ridge Second Addition Plat recorded on December 14, 1955 at Plat Record 22, Page 140 in the Allen County Recorder's Office, including the platted easements located within said portion of the Poplar Ridge Plat, the Declaration of Restrictive Covenants & Dedication of Public Frontage Road recorded on March 13, 1990 as Document Number 90-009633 (the "Poplar Ridge Restrictive Covenants");
2. Rezoning Petition Application the real estate currently known as Lots 36-45 of Poplar Ridge from R1 to C3;
3. Development Plan and Plat Application for the Rohrman property;
4. The various surveys, plans, legal descriptions, etc. required for each of the above-referenced Applications; and
5. Filing Fees totaling \$2,500.00.

The project giving rise to the enclosed applications began with an agreement dating back to August 3, 2021 (the "Development Agreement") entered into by Rohrman, Menard, Redevelopment, and Public Works, and NEI Rentals, LLC, which previously owned Lot 45 in Poplar Ridge. If the necessary approvals are obtained, the project will result in a new roadway constructed through what is now Lot 44 and Lot 45 of Poplar Ridge, connecting Grand National Drive and what will



be known as Getz Extended (which is currently a private entrance drive east of the Rohrman parcel). The result of the project will leave Rohrman and Menard parcels available for commercial development and will address the safety concerns with the Rewill Drive access cut by providing the residents of Poplar Ridge with access to two traffic signal-controlled intersections – one at Grand National and Illinois and another at Getz Extended and Illinois.

For its development parcel, Rohrman is submitting a primary development plan for a new Toyota of Fort Wayne dealership. The dealership, if approved, will be 16,178 square feet, containing a showroom, offices, and service check in bays. Vehicles being serviced will be taken the separate service area in the current Toyota facility that is northeast of the Rohrman parcel.

Rohrman, Menard, and the City have had extensive discussions about the project with the Board of the Poplar Ridge HOA (the "Poplar Ridge Board"). The Poplar Ridge Board has been consulted with by the City concerning the design of the new roadways and the buffer north of the same and with Rohrman with respect to its site plan. Rohrman hosted a neighborhood meeting with the Poplar Ridge HOA and other Poplar Ridge lot owners and has had numerous discussions with the Poplar Ridge Board about the project and its site design. Additionally, the Poplar Ridge Board has shared its thoughts on incompatible commercial uses with Rohrman and Menard. The result of the same is Rohrman and Menard's agreement to a written commitment that will be submitted in advance of the public hearing restricting some commercial uses and also addressing concerns by the City about delivery truck parking on the new roadways (which will be prohibited in the written commitment). Finally, Rohrman and Menard have cooperated with the Poplar Ridge Board by providing votes in favor of an amendment to the Poplar Ridge Restrictive Covenants aimed at preventing any future commercial development north of the new roadway and the buffer to the north of the same.

Also being filed with the City of Fort Wayne contemporaneously with the filing of the enclosed applications is a Vacation Petition seeking the vacation of a portion of Rewill Drive (south of the new roadway running east and west between that roadway and Illinois Road) along with the several platted easements contained within Lots 36-45. The only platted easement that will remain following the vacation will be a platted easement running along the west of the Menard parcel, which contains utility improvements within the same. Replacing Rewill Drive, if its vacation is approved, will be a private access drive owned by Rohrman and Menard, which will be the subject of a mutual access easement agreement. All of this is consistent with the terms of the Development Agreement entered into by Rohrman, Menard, Redevelopment, and Public Works.

Should you have any questions or concerns regarding the foregoing or need anything further from me with respect to the enclosed applications, please contact me. Additionally, should your department see the need for any additional filings with respect to the development, please do not hesitate to contact me.

Sincerely,

BARRETT McNAGNY, LLP

A handwritten signature in black ink, appearing to read 'M H Bains', written in a cursive style.

Mark H. Bains

MHB:kec:3158263 (54779-01)

Enclosures

cc: Thomas M. Niezer
Rick Rohrman
Mark Battista
Kevin McDermit
Patrick Zaharako
Theron Berg
Timothy Enyeart
Andy Eckert
Lawrence Shine