

#REZ-2022-0052

BILL NO. Z-22-10-05

ZONING MAP ORDINANCE NO. Z-_____

**AN ORDINANCE amending the City of Fort Wayne
Zoning Map No. D-07 (Sec. 18 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:

Document #201805944

PARCEL 1:

PART OF LOTS NUMBERED 3 AND 4, ROUSSEAU'S THIRD GARDEN
ADDITION TO THE CITY OF FORT WAYNE, ALLEN COUNTY, INDIANA,
MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A 3/8 INCH STEEL REBAR ON THE NORTH LINE OF
SAID LOT NUMBERED 3, SAID POINT BEING 89.0 FEET EAST OF THE
NORTHWEST CORNER OF SAID LOT NUMBERED 3, SAID POINT ALSO
BEING THE POINT OF INTERSECTION OF THE ORIGINAL
SOUTHEASTERLY RIGHT-OF-WAY LINE OF US. HIGHWAY NO. 24, AND
THE NORTH LINE OF SAID LOT NUMBERED 3; THENCE NORTH 89
DEGREES 51 MINUTES 15 SECONDS EAST (ASSUMED BEARING AND
BASIS OF BEARINGS TO FOLLOW), A DISTANCE OF 8.34 FEET ALONG
THE NORTH LINE OF SAID LOT NUMBERED 3 TO A 5/8 INCH STEEL
REBAR WITH A "MILLER FIRM #0095" IDENTIFICATION CAP FOUND ON
THE SOUTHEASTERLY LINE OF AN EXISTING TRACT DESCRIBED IN
DOCUMENT NUMBER 200072302 IN THE OFFICE OF THE RECORDER OF
ALLEN COUNTY, INDIANA; THENCE SOUTH 53 DEGREES 00 MINUTES 00
SECONDS WEST, A DISTANCE OF 89.37 FEET ALONG SAID
SOUTHEASTERLY LINE TO A 5/8 INCH STEEL REBAR WITH A "MILLER
FIRM #0095" IDENTIFICATION CAP SET AT THE POINT OF BEGINNING OF
THE HEREIN DESCRIBED TRACT; THENCE SOUTH 37 DEGREES 04
MINUTES 03 SECONDS EAST, A DISTANCE OF 255.00 FEET TO A 5/8 INCH
STEEL REBAR WITH A "MILLER FIRM #0095" IDENTIFICATION CAP SET;
THENCE SOUTH 52 DEGREES 44 MINUTES 35 SECONDS WEST, A
DISTANCE OF 121.00 FEET TO A 5/8 INCH STEEL REBAR WITH A "MILLER
FIRM #0095" IDENTIFICATION CAP SET ON THE SOUTHWESTERLY LINE

1 OF AN EXISTING TRACT DESCRIBED IN DOCUMENT NUMBER 2013051135
2 IN THE OFFICE OF THE RECORDER OF ALLEN COUNTY, INDIANA, ALSO
3 BEING ON THE NORTHEASTERLY LINE OF AN EXISTING TRACT
4 DESCRIBED IN DOCUMENT NUMBER 201002217 IN THE OFFICE OF THE
5 RECORDER OF ALLEN COUNTY, INDIANA; THENCE NORTH 40 DEGREES
6 25 MINUTES 36 SECONDS WEST, A DISTANCE OF 256.00 FEET ALONG
7 SAID SOUTHWESTERLY LINE AND SAID NORTHEASTERLY LINE TO A 5/8
8 INCH STEEL REBAR WITH A "MILER FIRM #0095" IDENTIFICATION CAP
9 FOUND ON THE SOUTHEASTERLY LINE OF SAID DOCUMENT NUMBER
10 200072302; THENCE NORTH 53 DEGREES 00 MINUTE 00 SECONDS EAST, A
11 DISTANCE OF 136.00 FEET ALONG SAID SOUTHEASTERLY LINE TO THE
12 POINT OF BEGINNING. CONTAINING 0.753 ACRES, MORE OR LESS.

13 TOGETHER WITH

14 Document #2013051135
15 PARCEL 1:

16 PART OF LOTS NUMBERED 1, 2, 3, AND 4, ROUSSEAU'S THIRD GARDEN
17 ADDITION TO THE CITY OF FORT WAYNE, ALLEN COUNTY, INDIANA,
18 MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT A
19 3/8 INCH STEEL REBAR ON THE NORTH LINE OF SAID LOT NUMBERED 3,
20 SAID POINT BEING 89.0 FEET EAST OF THE NORTHWEST CORNER OF
21 SAID LOT NUMBERED 3, SAID POINT ALSO BEING THE POINT OF
22 INTERSECTION OF THE ORIGINAL SOUTHEASTERLY RIGHT-OF-WAY
23 LINE OF U.S. HIGHWAY NO. 24, AND THE NORTH LINE OF SAID LOT
24 NUMBERED 3; THENCE NORTH 89 DEGREES 51 MINUTES 15 SECONDS
25 EAST (ASSUMED BEARING AND BASIS OF BEARINGS TO FOLLOW), A
26 DISTANCE OF 8.34 FEET ALONG THE NORTH LINE OF SAID LOT
27 NUMBERED 3 TO A 5/8 INCH STEEL REBAR WITH A "MILLER FIRM #0095"
28 IDENTIFICATION CAP SET ON THE EASTERLY LINE OF AN EXISTING
29 TRACT DESCRIBED IN DOCUMENT NUMBER 200072302 IN THE OFFICE OF
30 THE RECORDER OF ALLEN COUNTY, INDIANA, SAID POINT ALSO BEING
THE POINT OF BEGINNING OF THE HEREIN DESCRIBED TRACT; THENCE
CONTINUING NORTH 89 DEGREES 51 MINUTES 15 SECONDS EAST, A
DISTANCE OF 465.55 FEET ALONG THE NORTH LINE OF LOTS NUMBER 3
AND 2 TO THE CENTERLINE OF FLAUGH DITCH; THENCE SOUTH 14
DEGREES 21 MINUTES 27 SECONDS EAST, A DISTANCE OF 74.87 FEET
ALONG SAID CENTERLINE; THENCE SOUTH 08 DEGREES 09 MINUTES 49
SECONDS EAST, DISTANCE OF 152.40 FEET ALONG SAID CENTERLINE;
THENCE SOUTH 02 DEGREES 59 MINUTES 43 SECONDS EAST, A
DISTANCE OF 104.57 FEET ALONG SAID CENTERLINE; THENCE SOUTH 32
DEGREES 00 MINUTES 13 SECONDS WEST, A DISTANCE OF 238.92 FEET
ALONG SAID CENTERLINE; THENCE SOUTH 47 DEGREES 38 MINUTES 00
SECONDS WEST, A DISTANCE OF 99.47 FEET ALONG SAID CENTERLINE;
THENCE SOUTH 48 DEGREES 08 MINUTES 05 SECONDS WEST, A

1 DISTANCE OF 75.15 FEET ALONG SAID CENTERLINE TO THE
2 SOUTHWESTERLY LINE OF AN EXISTING TRACT DESCRIBED IN
3 DOCUMENT NUMBER 200011470 IN THE OFFICE OF THE RECORDER OF
4 ALLEN COUNTY, INDIANA, ALSO BEING ON THE NORTHEASTERLY LINE
5 OF AN EXISTING TRACT DESCRIBED IN DOCUMENT NUMBER 201002217
6 IN THE OFFICE OF THE RECORDER OF ALLEN COUNTY, INDIANA;
7 THENCE NORTH 40 DEGREES 25 MINUTES 36 SECONDS WEST, A
8 DISTANCE OF 671.00 FEET ALONG SAID SOUTHWESTERLY LINE AND
9 SAID NORTHEASTERLY LINE TO A 5/8 INCH STEEL REBAR WITH A
10 "MILLER FIRM #0095" IDENTIFICATION CAP SET ON THE
11 SOUTHEASTERLY LINE OF SAID DOCUMENT NUMBER 200072302;
12 THENCE NORTH 53 DEGREES 00 MINUTES 00 SECONDS EAST, A
13 DISTANCE OF 225.37 FEET ALONG SAID SOUTHEASTERLY LINE TO THE
14 POINT OF BEGINNING. CONTAINING 6.501 ACRES, MORE OR LESS.

15 and the symbols of the City of Fort Wayne Zoning Map No. D-07 (Sec. 18 of Wayne
16 Township), as established by Section 157.082 of Title XV of the Code of the City of Fort
17 Wayne, Indiana is hereby changed accordingly.

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

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

24 _____
25 Council Member

26 APPROVED AS TO FORM AND LEGALITY:

27 _____
28 Malak Heiny, City Attorney
29
30

City of Fort Wayne Common Council

DIGEST SHEET

Department of Planning Services

Title of Ordinance: Zoning Map Amendment
Case Number: REZ-2022-0052
Bill Number: Z-22-10-05
Council District: 4-Jason Arp

Introduction Date: October 11, 2022

Plan Commission
Public Hearing Date: October 10, 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 0.75 acres from NC/Neighborhood Center to C3/General Commercial

Location: 6309 West Jefferson Boulevard

Reason for Request: To allow the construction of a new automobile washing and quick service facility.

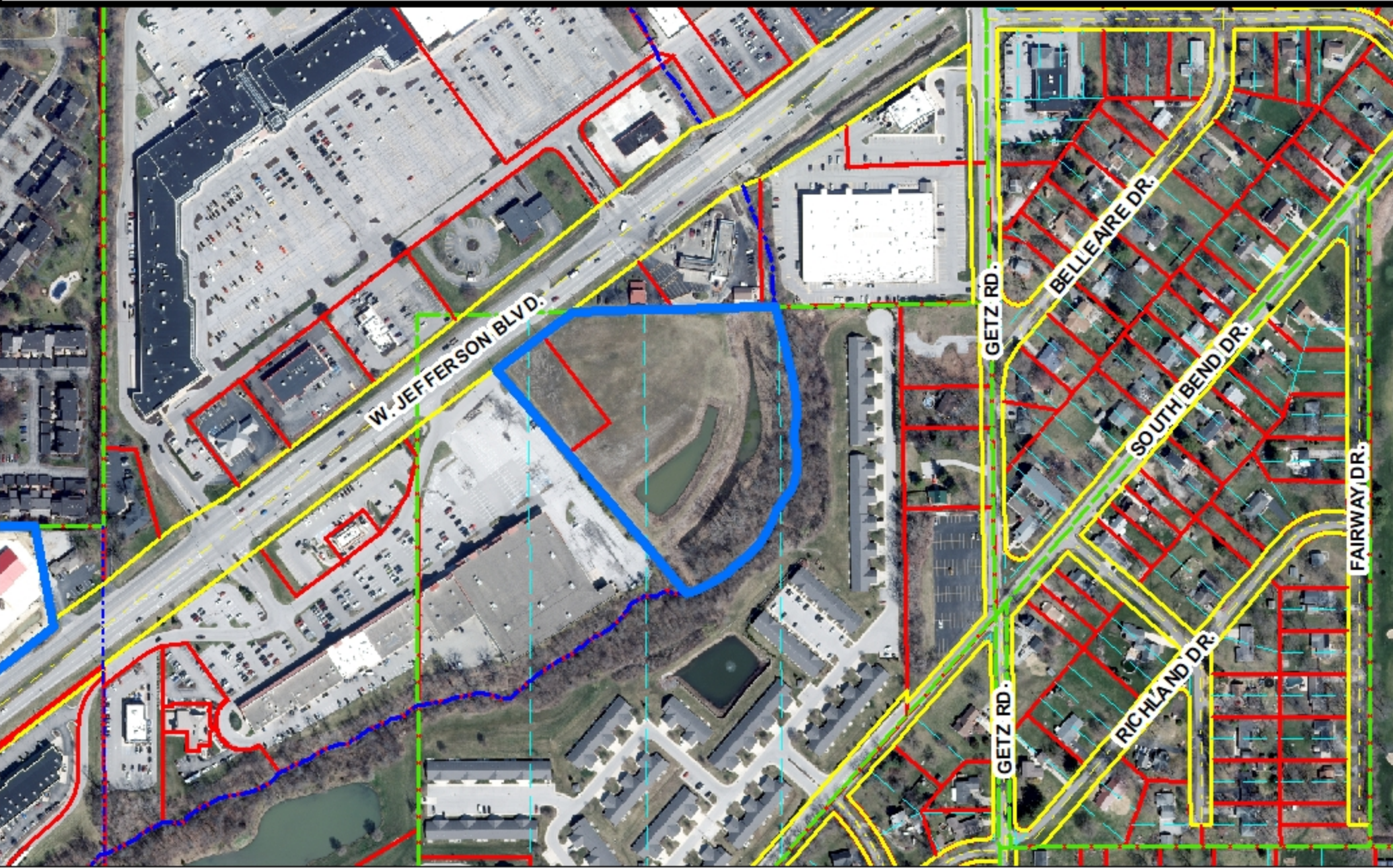
Applicant: Drive and Shine

Property Owner: Centier Bank

Related Petitions: Primary Development Plan, Drive and Shine

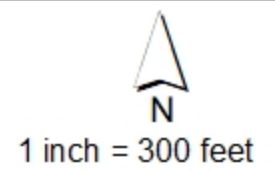
Effect of Passage: Property will be rezoned to the C3/General Commercial zoning district, which permits most automobile services.

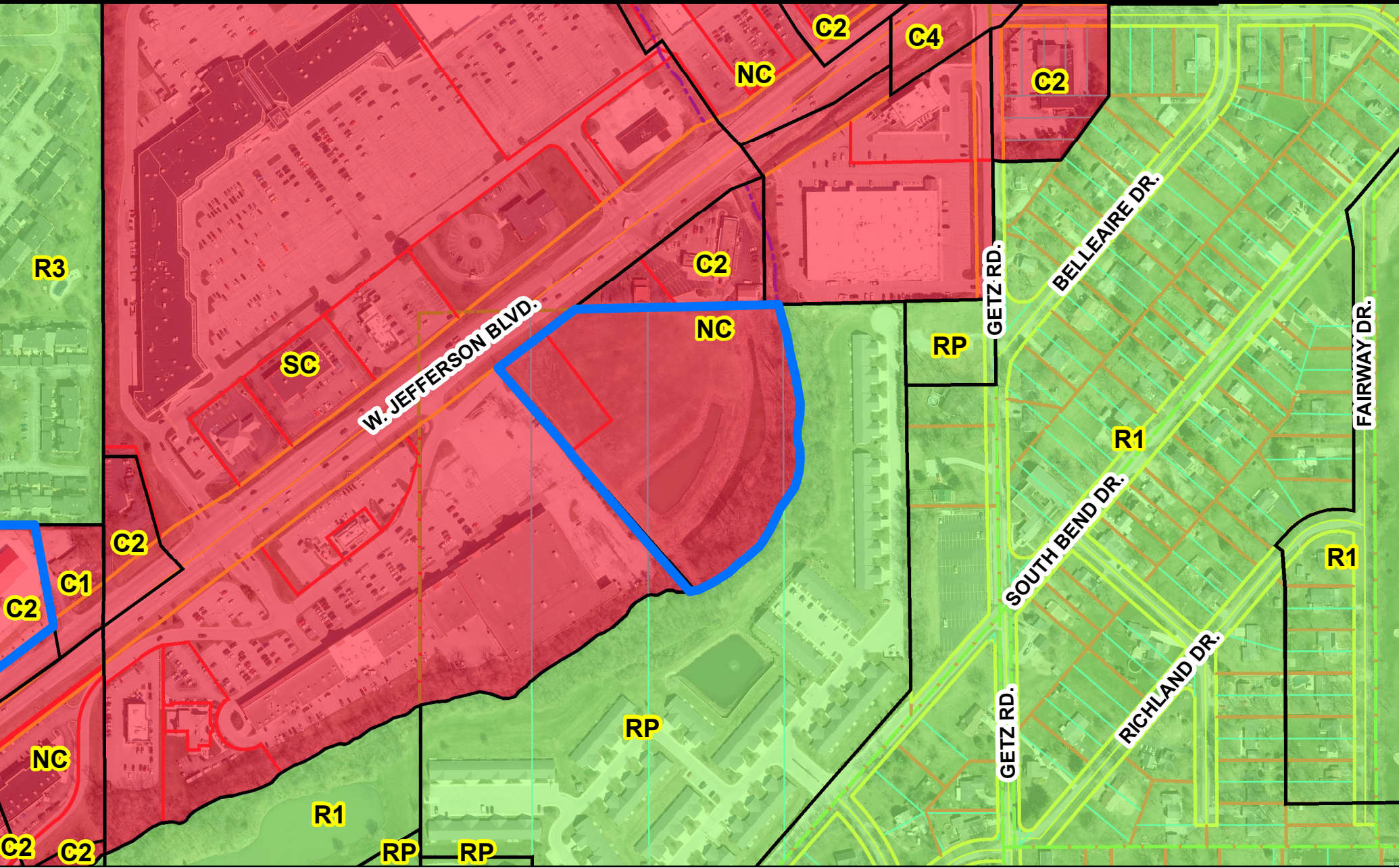
Effect of Non-Passage: The property will remain zoned NC/Neighborhood Center, which allows many retail uses, but not general automobile services.



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.

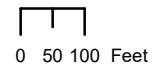
© 2004 Board of Commissioners of the County of Allen
North American Datum 1983
State Plane Coordinate System, Indiana East
Photos and Contours: Spring 2009
Date: 9/28/2022



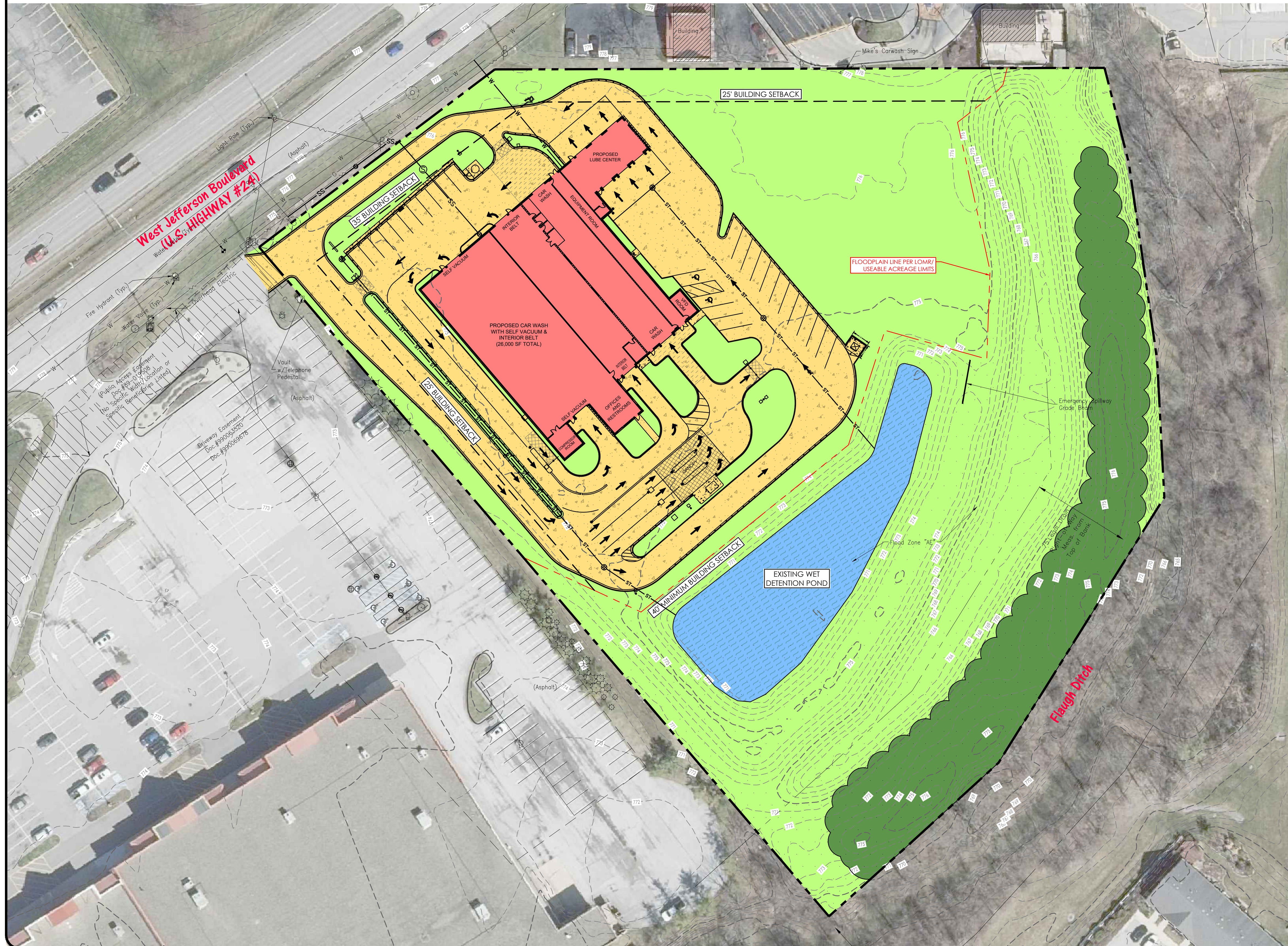
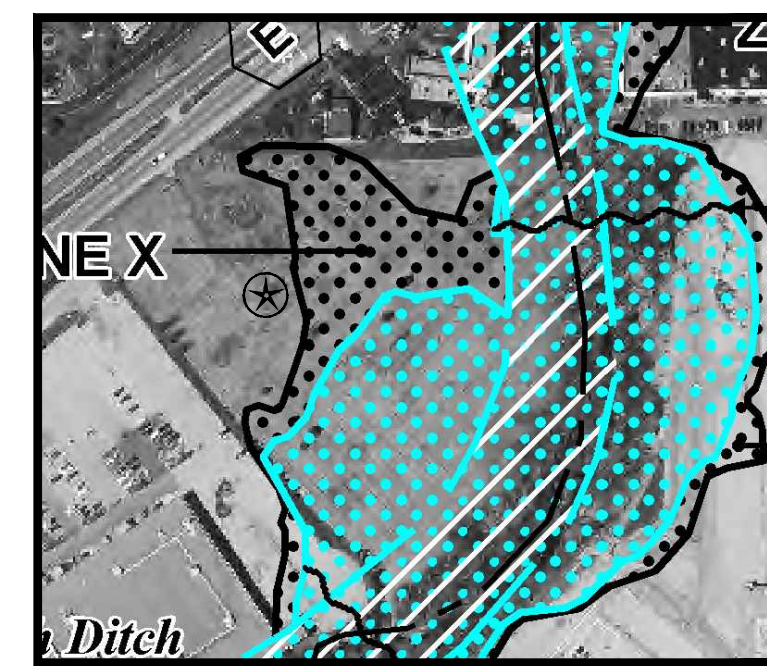
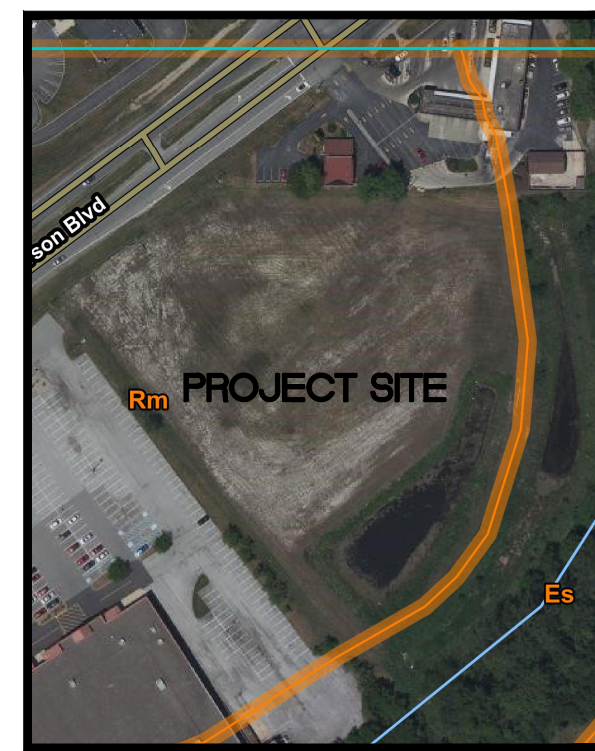
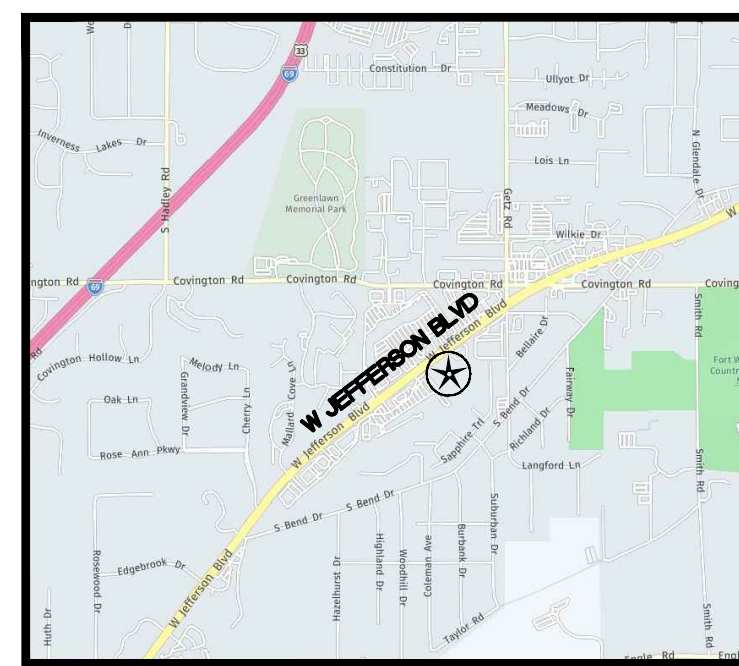


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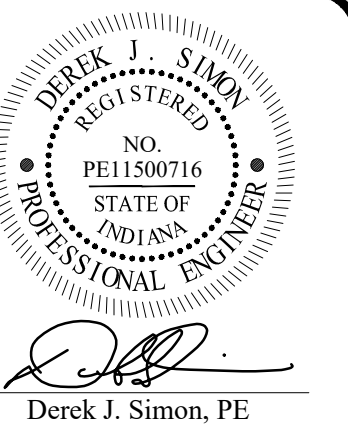
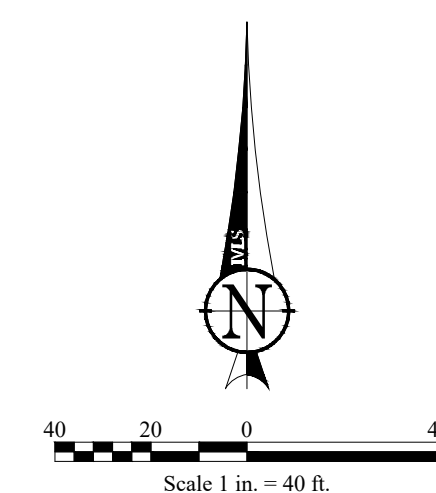
1 inch = 300 feet



LEGEND

	= PROPOSED BUILDING
	= PROPOSED CONCRETE SIDEWALK / PAVEMENT
	= EXISTING WET DETENTION POND
	= GRASS
	= EXISTING WOODS
	EXISTING PROPERTY / RIGHT-OF-WAY LINE
	BUILDING SETBACK LINE
	STORM PIPE AND END SECTION
	SANITARY PIPE
	WATER PIPE
	CLEANOUT
	STORM INLET
	(D) DRAINAGE STRUCTURE
	(S) SANITARY STRUCTURE

PROJECT SUMMARY	
PARCEL ADDRESS:	WEST JEFFERSON BLVD / (U.S. #24), FORT WAYNE, IN 46804
TOWNSHIP NAME:	WAYNE
TOWNSHIP SECTION:	18
ESTIMATED CONSTRUCTION START DATE:	NOVEMBER 2022
ESTIMATED CONSTRUCTION END DATE:	SEPTEMBER 2023
CURRENT ZONING CLASSIFICATION:	NC - NEIGHBORHOOD CENTER
PROPOSED ZONING CLASSIFICATION:	C3 - GENERAL COMMERCIAL
CURRENT USE:	UNDEVELOPED LAWN
PROPOSED USE:	AUTOMOBILE WASHING FACILITY / AUTOMOBILE MAINTENANCE (QUICK SERVICE)
TOTAL LOT ACREAGE:	6.50 ACRES
TOTAL LOT IMPERVIOUS SURFACE:	2.43 ACRES (105,851 SQ.FT.)
TOTAL LOT COVERAGE:	(2.43 Ac. / 6.50 Ac.) x 100 = 37.4% LOT COVERAGE
TOTAL BUILDING FOOTPRINT:	26,000 S.F.
TOTAL BUILDING HEIGHT ALLOWED:	40 FEET
TOTAL BUILDING HEIGHT:	29 FEET
PARKING REQUIREMENTS:	1 SPACE PER EMPLOYEE AT LARGEST SHIFT 16 EMPLOYEES / 1 = 16 PARKING SPACES
PARKING PROVIDED :	TOTAL PARKING PROVIDED = 16 SPACES
LANDSCAPING:	SEE SHEET PDP-2 FOR LANDSCAPE PLAN SHOWING BUFFER YARDS AND MINIMUM PLANTINGS PER ORDINANCE REQUIREMENTS.
SITE LIGHTING:	SITE LIGHTING WILL BE DESIGNED TO COMPLY WITH THE ZONING ORDINANCE AND SUBMITTED TO DPS FOR REVIEW AND PERMITTING DURING THE SECONDARY DEVELOPMENT PLAN PROCESS.
SIGNAGE:	SIGNAGE WILL BE DESIGNED COMPLY WITH THE ZONING ORDINANCE AND SUBMITTED TO DPS FOR REVIEW AND PERMITTING DURING THE SECONDARY DEVELOPMENT PLAN PROCESS.
SANITARY UTILITY SERVICE:	CITY OF FORT WAYNE
WATER UTILITY SERVICE:	CITY OF FORT WAYNE
STORMWATER OUTLET:	EXISTING WET DETENTION POND TO THE FLAUGH DITCH
AIRPORT OVERLAY DISTRICT:	FWA AREA 5



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 Phone: (260) 489-8971

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 221 Tower Drive
 Monroeville, IN 46782
 Phone: (260) 692-5166

www.mlsewebsite.us

REPAIRED FOR:

Drive & Shine, Inc.
16915 Cleveland Rd
Granger, IN 46530
(574) 277-8877

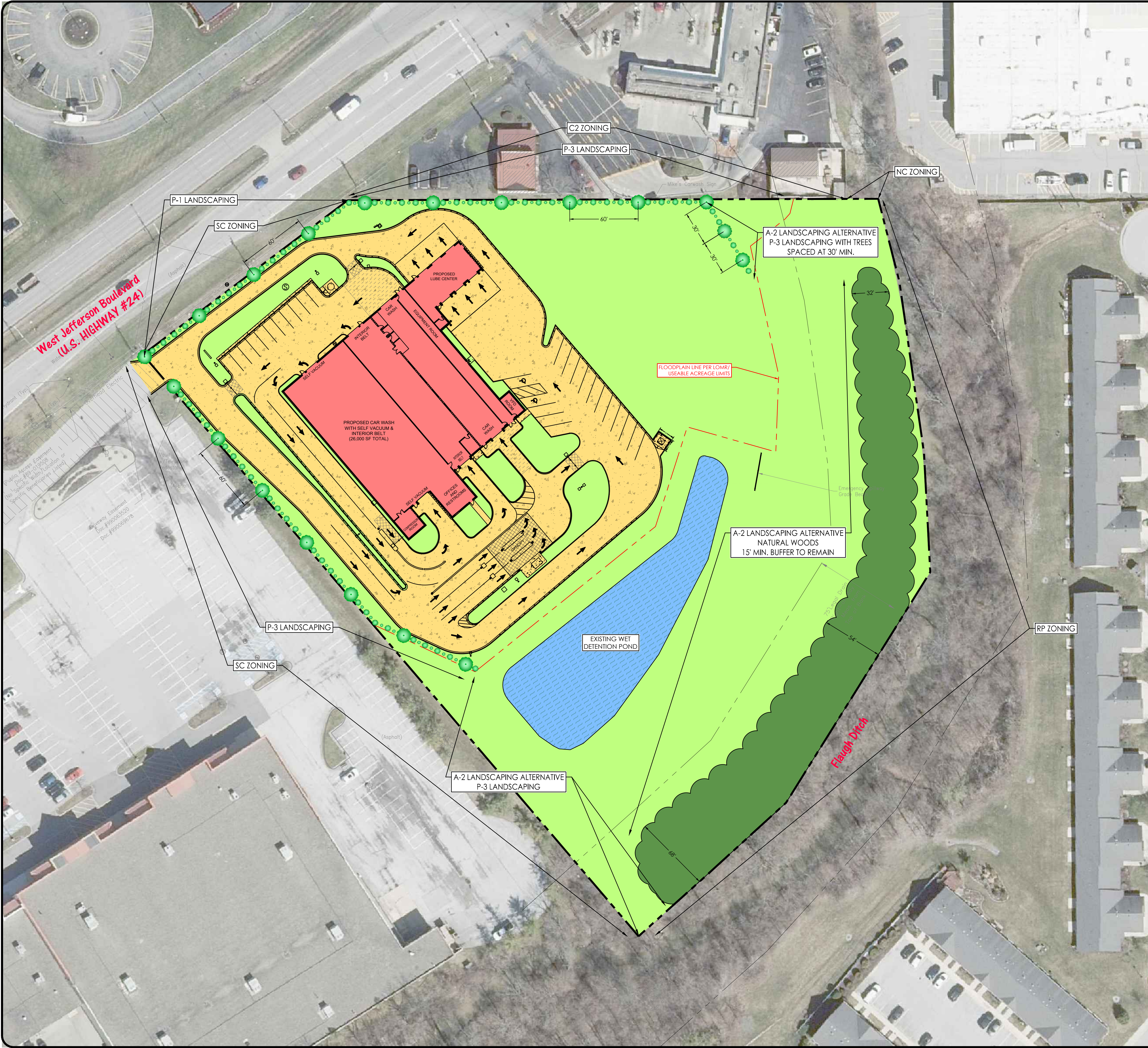
Drive & Shine, Inc.
Car Wash Facility (H13) - Mirrored
West Jefferson Blvd / (U.S. 24), Fort Wayne, IN 46804

Date: 08-19-2022
 Design By: CW
 Checked By: DJS
 Project No.: 13042297.22

Sheet Number

PDP-1

S:\MIS Engineering\Projects\Tehran, Hajj - Drive & Shine Car Wash - 13042297\210.0 Design\3.1 Drawings (Xref & Plans)\Landscape\LANDSCAPE PLAN.dwg, 8/24/2022 4:35:15 PM

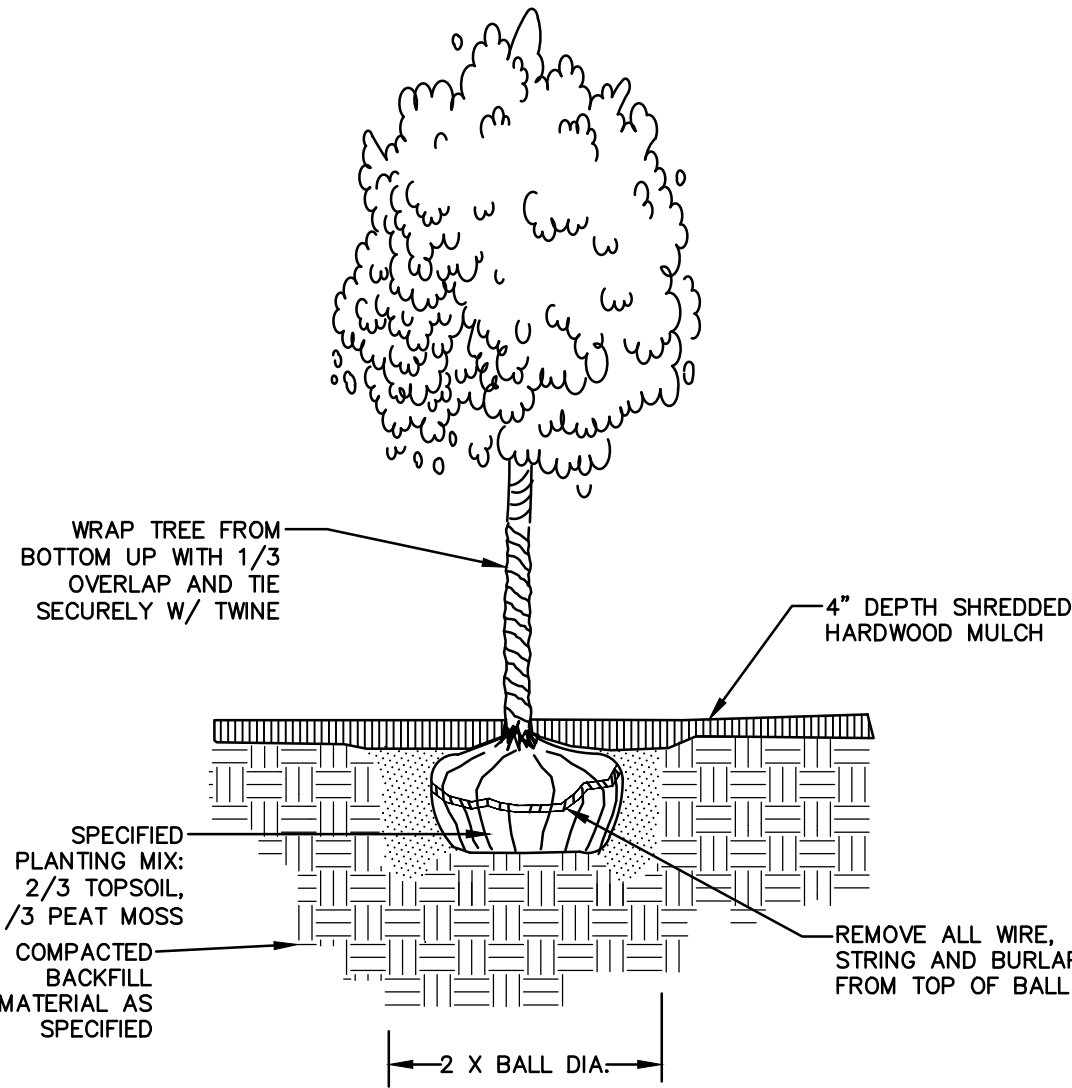


PROPOSED FEATURE LEGEND

- = PROPOSED BUILDING
- = CONCRETE SIDEWALK / PAVEMENT
- = EXISTING WET DETENTION POND
- = GRASS
- = NATURAL WOODS
- (19) AMERICAN SWEETGUM OR APPROVED EQUAL @ 60' ON CENTER OR AS SHOWN
- (65) - AMERICAN ARBORVITAE (GOLDEN GLOBE) OR APPROVED EQUAL
- (64) - CHOKEBERRY (BLACK) OR APPROVED EQUAL

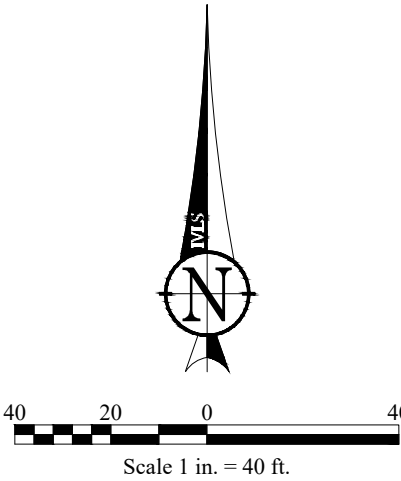
GENERAL LANDSCAPE NOTES:

- LOCATE ALL UTILITIES PRIOR TO CONSTRUCTION. CONTRACTOR IS RESPONSIBLE FOR REPAIRING ANY DAMAGE DONE TO UTILITIES AND SHALL CALL 811 FOR UTILITY LOCATIONS TWO DAYS PRIOR TO DIGGING.
- APPLY PRE-EMERGENT HERBICIDE TO ALL MULCH AREAS.
- CONDUCT SOIL TEST TO VERIFY FERTILITY OF TOPSOIL. AMEND SOIL IF PH IS LESS THAN 5.0 OR GREATER THAN 8.0. MAKE OTHER ADJUSTMENTS AS SOIL ANALYSIS INDICATE.
- PLANTING MIX TO BE A 18" MINIMUM DEPTH IN ALL PLANTING BEDS. TOPSOIL TO BE CLEAN FRIABLE LOAM FROM LOCAL SOURCE, FREE FROM STONES OR DEBRIS OVER 3" IN DIA., AND FREE FROM HERBICIDE OR OTHER TOXINS.
- PLANT TREES SO THAT TOP OF ROOTBALL IS EVEN WITH THE FINISHED GRADE. FOR BACKFILL AREAS, PLANT BALL UP TO 3" HIGH TO ALLOW FOR SETTLING.
- ALL TREE WRAP/TWINE ETC. TO BE REMOVED FROM TREE IN ONE YEAR AS PART OF MAINTENANCE.
- ALL GRASS AREAS TO RECEIVE MIN. 4" TOPSOIL AND BE HYDROSEEDDED. ANY OTHER AREAS DISTURBED DURING CONSTRUCTION TO BE RESTORED.
- LANDSCAPE CONTRACTOR SHALL PROVIDE MINIMUM 1 YEAR WARRANTY ON ALL PLANTINGS. IF PLANTINGS DO NOT SURVIVE 1 YEAR PAST THE DATE OF SUBSTANTIAL COMPLETION, THEN PLANTINGS SHALL BE REPLACED AT NO COST TO THE OWNER.



TREE/SHRUB PLANTING SECTION

—NOT TO SCALE—



Derek J. Simon, PE

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Fort Wayne, IN 46825
Phone: (260) 489-8971
www.mlsewebsite.us

Monroe Office
221 Tower Drive
Monroe, IN 46772
Phone: (260) 692-6166

PREPARED FOR:

Drive & Shine, Inc.
16915 Cleveland Rd
Granger, IN 46530
(574) 277-8877

REVISIONS:

NO.	DESCRIPTION	DATE

Drive & Shine, Inc.
Drive & Shine H10 - REV2
West Jefferson Blvd / (U.S. #24), Fort Wayne, IN 46804

Primary Development Plan

Landscape Plan

Date: 08-22-2022
Design By: CW
Checked By: DJS
Project No.: 13042297.22

Sheet Number

PDP-2

**Department of Planning Services
Rezoning Petition Application**

Applicant
Applicant Drive & Shine (Haji Tehrani)
Address 16915 Cleveland Road
City Granger State IN Zip 46530
Telephone (574) 277-8877 E-mail haji@driveandshine.com

Contact Person
Contact Person Cody Ward (MLS Engineering, LLC)
Address 10060 Bent Creek Boulevard
City Fort Wayne State IN Zip 46825
Telephone (260) 489-8571 E-mail cody@mlswebsite.us

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 W Jefferson Blvd, Fort Wayne, IN 46804
Present Zoning NC Proposed Zoning C3 Acreage to be rezoned 5.75
Proposed density 1 units per acre
Township name Wayne Township section # 18
Purpose of rezoning (attach additional page if necessary) Rezone NC property
to C3 for a new Automobile Washing Facility / Automobile Maintenance (quick service).
Sewer provider City of Fort Wayne 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.

Drive & Shine (Haji Tehrani)

(printed name of applicant)

(signature of applicant)

(date)

Summit Realty Partners, LLC (Brad Sturges)

(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.
<u>8-29-22</u>	<u>141297</u>	<u>10-10-22</u>	<u>REZ-2022-0052</u>