

#REZ 2024 0005

BILL NO. Z-24-02-13

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

**AN ORDINANCE amending the City of Fort Wayne  
Zoning Map No. O-26 (Sec. 25 of Washington 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:

LEGAL DESCRIPTION

Commencing at the northwest corner of the northeast one-quarter (1/4) of Section 25,  
Township 31 North, Range 12 east; thence south along the west line of said one-quarter (1/4)  
Section 25 a distance of 40 feet; thence east and parallel to the north line of said one-quarter  
(1/4) Section 25 a distance of 25 feet; said point being the southeast corner of the California  
Road and Parnell Avenue the point of beginning; thence east along the south right of way  
line of the California Road a distance of 436.06 feet; thence south and parallel to the west  
line of said one-quarter (1/4) of Section 25 a distance of 497.73 feet to a point in the north  
right of way line of U.S. Highway No. 30 west; thence in a northwesterly direction along the  
north right of way line of U.S. Highway No. 30 west, a distance of 269.26 feet; thence by a  
deflection angle of 28 degrees, 10 minutes to the right along the easterly line of Parnell  
Avenue a distance of 282.65 feet; thence by a deflection angle of 33 degrees 52 minutes to  
the right along the east line of Parnell Avenue a distance of  
167.56 feet to the point of beginning, said point being the southeast corner of California  
Road and Parnell Avenue, containing 3.68 acres.

and the symbols of the City of Fort Wayne Zoning Map No. O-26 (Sec. 25 of Washington  
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 SECTION 3. That this Ordinance shall be in full force and effect from and after its  
2 passage and approval by the Mayor.

3  
4 \_\_\_\_\_  
5 Council Member

6 APPROVED AS TO FORM AND LEGALITY:

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9 Malak Heiny, City Attorney  
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# 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-2024-0005  
Bill Number: Z-24-02-13  
Council District: 3 – Nathan Hartman

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Introduction Date: February 27, 2024

Plan Commission  
Public Hearing Date: March 11, 2024 (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 3.86 acres from R1/Single Family Residential and C1/Professional Office and Personal Services to C3/General Commercial

Location: 1103 E Coliseum Blvd, Northeast corner of Parnell Avenue and E Coliseum Blvd (Section 25 of Washington Township)

Reason for Request: To permit an automobile washing facility

Applicant: Drive and Shine, Inc.

Property Owner: Fort Wayne Board of Public Works

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Related Petitions: Primary Development Plan - Drive and Shine-Coliseum

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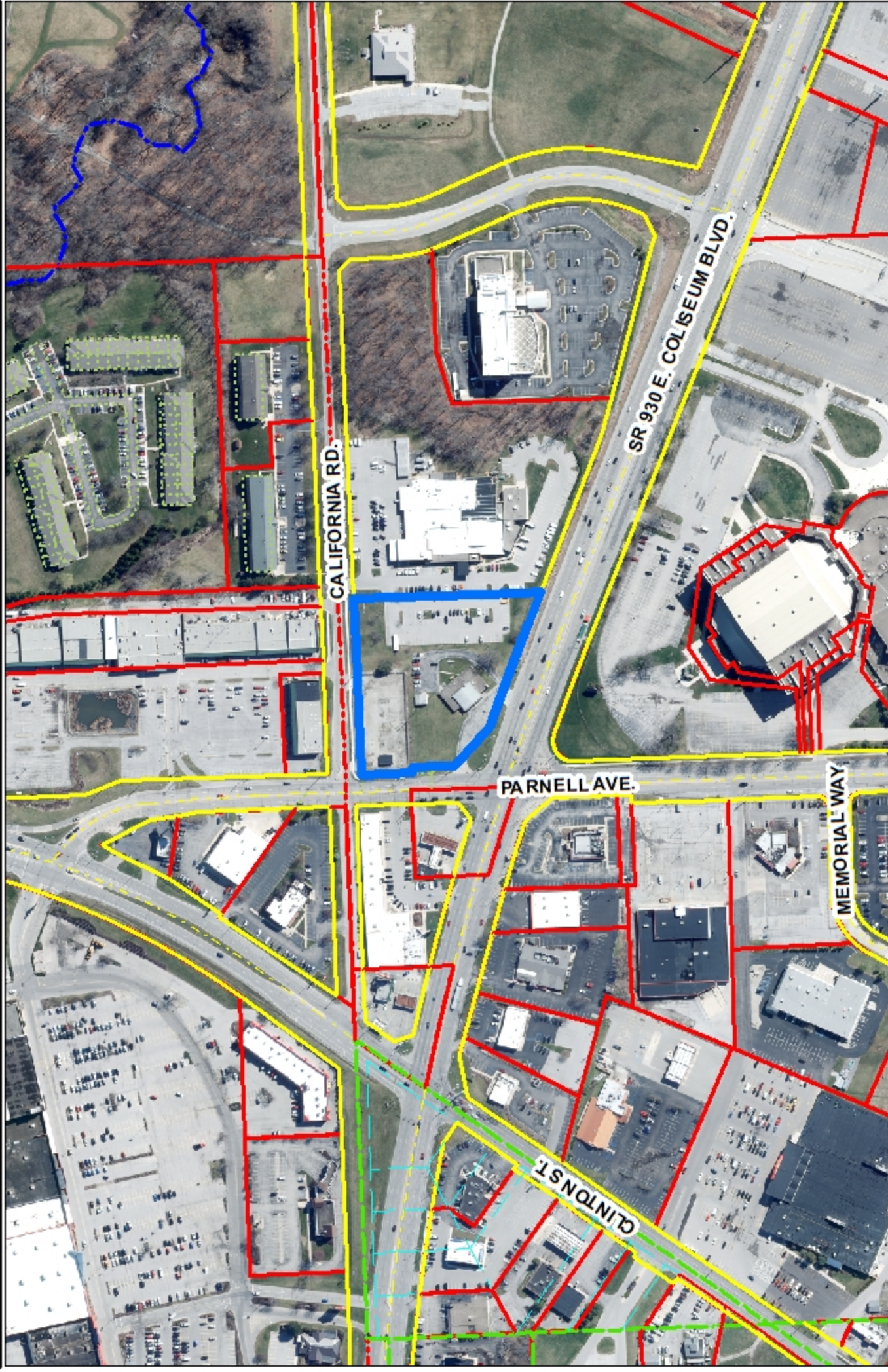
Effect of Passage: Property will be rezoned to the C3/General Commercial zoning district, which will allow for an automobile washing facility.

Effect of Non-Passage: The property will remain zoned R1/Single Family Residential and C1/Professional Office and Personal Services, which does not permit an automobile washing facility. The site will continue with existing uses, and may be redeveloped with both single family residential and professional office and personal services.



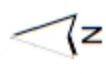


Rezoning Petition REZ-2024-0005 and Primary Development Plant PDP-2024-0005 - Drive and Shine Coliseum



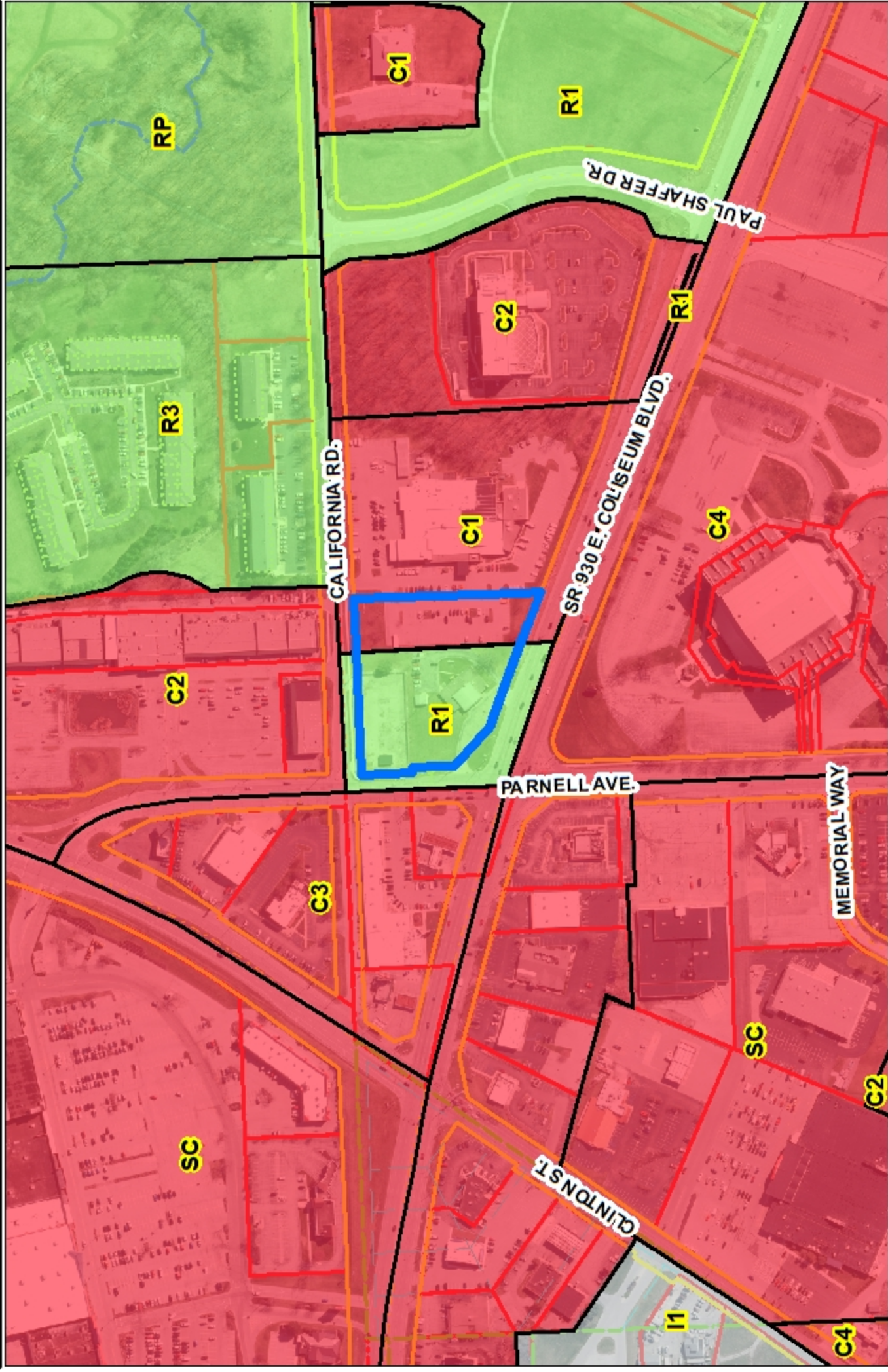
Although every accuracy standard has been followed, the City of Ellettsburg, Iowa, does not warrant the accuracy of the information contained herein and disclaims any and all liability resulting from any error or omission in this map.

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North American Datum 1983  
State Plane, Cordoba Systems, Indiana East  
Photos and Contours: Spring 2009  
Date: 2/14/2024



1 inch = 300 feet





Although every effort has been made to ensure the accuracy of the information contained herein, the City of Allen, Indiana, and its Board of Zoning Appeals, assume no responsibility for any errors or omissions in this map. No warranty is made by the City of Allen, Indiana, or its Board of Zoning Appeals, for the accuracy of the information contained herein, and no liability shall be incurred by the City of Allen, Indiana, or its Board of Zoning Appeals, for any errors or omissions in this map.

North American Datum 1983  
State Plane, Central Indiana System, Indiana East  
Photos and Contours: Spring 2009  
Date: 2/14/2024



1 inch = 300 feet



**Department of Planning Services  
Rezoning Petition Application**

**Applicant**  
Applicant Drive & Shine, Inc.  
Address 16915 Cleveland Road  
City Granger State IN Zip 46530  
Telephone 574-277-8877 E-mail haji@driveandshine.com

**Property Ownership**  
Property Owner Fort Wayne Board of Public Works  
Address 200 E. Berry St., Ste. 470  
City Fort Wayne State IN Zip 46802  
Telephone 260-427-1112 E-mail Christopher.Carmichael@cityoffortwayne.org

**Contact Person**  
Contact Person Susan E. Trent, Rothberg Law Firm  
Address 505 East Washington Boulevard  
City Fort Wayne State IN Zip 46802  
Telephone 260-422-9454 E-mail strent@rothberg.com

*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 1103 Coliseum Blvd Township and Section Washington 25  
Present Zoning R1/C1 Proposed Zoning C-3 Acreage to be rezoned 3.68  
Purpose of rezoning (attach additional page if necessary)  
Automobile Washing, Facility/Automobile Maintenance (Quick Service)/Detailing  
Sewer provider Fort Wayne Water provider Fort Wayne

**Filing Checklist**  
*Applications will not be accepted unless the following filing requirements are submitted with this application.*  
☒ Filing fee \$1000.00  
☒ Surveys showing area to be rezoned  
☒ Legal Description of parcel to be rezoned  
☒ Rezoning Criteria (see attached checklist)

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 Fort Wayne and Allen County Plan Commissions 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

Drive & Shine, Inc.  
(printed name of applicant)

[Signature]  
(signature of applicant)

2-5-24  
(date)

Fort Wayne Board of Public Works  
(printed name of property owner)

[Signature] - Prop Mgr  
(signature of property owner)

2/5/24  
(date)



|               |               |                |                      |
|---------------|---------------|----------------|----------------------|
| Received      | Receipt No.   | Hearing Date   | Petition No.         |
| <u>2-5-24</u> | <u>144790</u> | <u>3-11-24</u> | <u>REZ-2024-0005</u> |

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

















### **Legal Description**

Commencing at the northwest corner of the northeast one-quarter (1/4) of Section 25, Township 31 North, Range 12 east; thence south along the west line of said one-quarter (1/4) Section 25 a distance of 40 feet; thence east and parallel to the north line of said one-quarter (1/4) Section 25 a distance of 25 feet; said point being the southeast corner of the California Road and Parnell Avenue the point of beginning; thence east along the south right of way line of the California Road a distance of 436.06 feet; thence south and parallel to the west line of said one-quarter (1/4) of Section 25 a distance of 497.73 feet to a point in the north right of way line of U.S. Highway No. 30 west; thence in a northwesterly direction along the north right of way line of U.S. Highway No. 30 west, a distance of 269.26 feet; thence by a deflection angle of 28 degrees, 10 minutes to the right along the easterly line of Parnell Avenue a distance of 282.65 feet; thence by a deflection angle of 33 degrees 52 minutes to the right along the east line of Parnell Avenue a distance of 167.56 feet to the point of beginning, said point being the southeast corner of California Road and Parnell Avenue, containing 3.68 acres.



## **Attachment to Rezoning Petition Application**

### **(1) The Comprehensive Plan**

The proposed rezoning is consistent with the *All in Allen Plan* in that it clearly fits within the following goals:

- Land Use & Development Goal 1: namely, it encourages compatible infill development within areas that are primarily built out (pg. 228) and supports the following strategies
  - The proposed new zoning is consistent with compatible infill development and redevelopment in the area.
  - The proposed development is compatible with the area and near significant transit routes, employment centers, institutions and other amenities.
  - The proposed development is slated for use consistent with Generalized Future Land Uses in the area including “Community Commercial” and “Regional Commercial” (pg. 67).
- Economic Development Goal: supports efforts to create welcoming, business-friendly, and inclusive community that fosters entrepreneurship, innovation, and business growth.

### **(2) Current conditions and the character of structures and uses in the district;**

1103 Coliseum Blvd. is directly North of the Allen County War Memorial Coliseum, and adjacent to a strip mall, gas station, a Take 5 Express automatic car wash facility, and the American Red Cross along Coliseum Blvd. There are numerous commercial establishments in the area. To the East, there is a hotel, the Plex North, and Purdue Fort Wayne. Coliseum Blvd. is approximately eight (8) lanes across in front of the subject development, including turn lanes. The area is very decidedly commercial with consistent, heavy traffic and appropriately signalized intersections along Coliseum. Coliseum Blvd. is one of the most heavily trafficked corridors in the City. The property was utilized as an emergency station for emergency services and call center. To the rear of the building, is additional large strip mall. Northcrest Shopping Center is within walking distance.

### **(3) The most desirable use for which the land in the district is adapted;**

The most desirable use, in fact the only reasonable use of the property, is very clearly commercial/retail. Commercial and retail uses are entrenched along this span of Coliseum Blvd. Adequate utilities and traffic signals are already available on site. Residential use would be impracticable.

### **(4) The conservation of property values throughout the jurisdiction;**

All Drive & Shine sites reflect attention to detail, well-maintained landscaping, and thoughtful development planning. As mentioned, this corner is not conducive to anything but a commercial enterprise. Both residential and heavy industrial uses are inappropriate for this property. Residents, employees, and visitors to the community will appreciate the amenities offered at this location. Significant traffic volumes and existing automotive services along Coliseum Blvd make



the existence of an automobile washing facility with easy access off of westbound Coliseum Blvd desirable and convenient for the area.

**(5) The rezoning from R1/C1 to C-3 promotes responsible development and growth.**

The automobile washing facility will not be open late at night and does not seek to impose a use that is immoral or otherwise offensive to the community as a whole or to customers of other local businesses along this corridor. There is ample parking, traffic signalization and curb cuts already in place. In addition, the project will reutilize and reinvigorate real estate that has not been in commercial use for a period of time and has outlived its useful life as an emergency station.