

1 **#REZ-2024 -0039**

2 **BILL NO. Z-24-09-13**

3
4 **ZONING MAP ORDINANCE NO. Z-_____**

5 **AN ORDINANCE amending the City of Fort Wayne**
6 **Zoning Map No. F-02 (Sec. 8 of Wayne 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 a C3/General
10 Commercial District under the terms of Chapter 157 Title XV of the Code of the City of Fort
11 Wayne, Indiana:

12 **LEGAL DESCRIPTION:**

13 PARCEL 1:

14 THE EAST 185 FEET OF THE NORTH FIVE HUNDRED SEVENTY-FIVE (575) FEET, EXCEPT THE
15 SOUTH TWO HUNDRED FIFTY-SEVEN AND NINE-TENTHS (257.9) FEET HERETOFORE SOLD
16 OFF, OF LOT NUMBER TEN (10) IN SAMUEL EDSALL'S SUBDIVISION OF LAGRO RESERVE IN
17 SECTION EIGHT (8), TOWNSHIP THIRTY (30) NORTH, RANGE TWELVE (12) EAST, ALLEN
18 COUNTY, INDIANA.

19 PARCEL 2:

20 THE EAST 240 FEET OF THE NORTH 86.1 FEET OF THE SOUTH 257.9 FEET OF THE NORTH 575
21 FEET OF LOT NUMBER TEN (10) IN SAMUEL EDSALLS SUBDIVISION OF LAGRO RESERVE, IN
22 SECTION 8, TOWNSHIP 30 NORTH, RANGE 12 EAST, ALLEN COUNTY, INDIANA.

23 PARCEL 3:

24 THE EAST 240 FEET OF THE SOUTH 171.8 FEET, EXCEPT THE SOUTH 85.8 FEET OF THE
25 NORTH 575 FEET OF LOT NO. 10 IN SAMUEL EDSALLS SUBDIVISION OF LAGRO RESERVE IN
26 SECTION 8, TOWNSHIP 30 NORTH, RANGE 12 EAST, ALLEN COUNTY, INDIANA.

27 PARCEL 4:

28 THE EAST 240 FEET OF THE SOUTH 85.8 FEET OF THE SOUTH 257.9 FEET OF THE NORTH 575
29 FEET OF LOT NUMBER TEN (10) IN SAMUEL EDSALL'S SUBDIVISION OF LAGRO RESERVE, IN
30 SECTION 8, TOWNSHIP 30 NORTH, RANGE 12 EAST, ALLEN COUNTY, INDIANA.

1 ALSO INCLUDING:

2 THE NORTH 86.1 FEET OF THE SOUTH 257.9 FEET OF THE NORTH 575 FEET OF LOT NUMBER
3 TEN (10) IN SAMUEL EDSALL'S SUBDIVISION OF LAGRO RESERVATION IN TOWNSHIP 30
4 NORTH, RANGE 12 EAST IN ALLEN COUNTY, INDIANA, EXCEPT THE EAST 240 FEET THEREOF,
5 ACCORDING TO THE PLAT THEREOF, AS RECORDED IN DEED RECORD 30, PAGES 160-161.

6 and the symbols of the City of Fort Wayne Zoning Map No. F-02 (Sec. 8 of Wayne
7 Township), as established by Section 157.082 of Title XV of the Code of the City of Fort
8 Wayne, Indiana is hereby changed accordingly.

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

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

15
16 _____
Council Member

17
18 APPROVED AS TO FORM AND LEGALITY:

19
20 _____
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-2024-0039
Bill Number: Z-24-09-13
Council District: 4 – Dr. Scott Myers

Introduction Date: September 24, 2024

Plan Commission
Public Hearing Date: October 14, 2024 (not heard by Council)

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

Synopsis of Ordinance: To rezone 2.975 acres from R1/Single Family Residential and C2/Limited Commercial to C3/General Commercial

Location: 4809 Illinois Rd (Section 8 of Wayne Township)

Reason for Request: To permit an automobile washing facility.

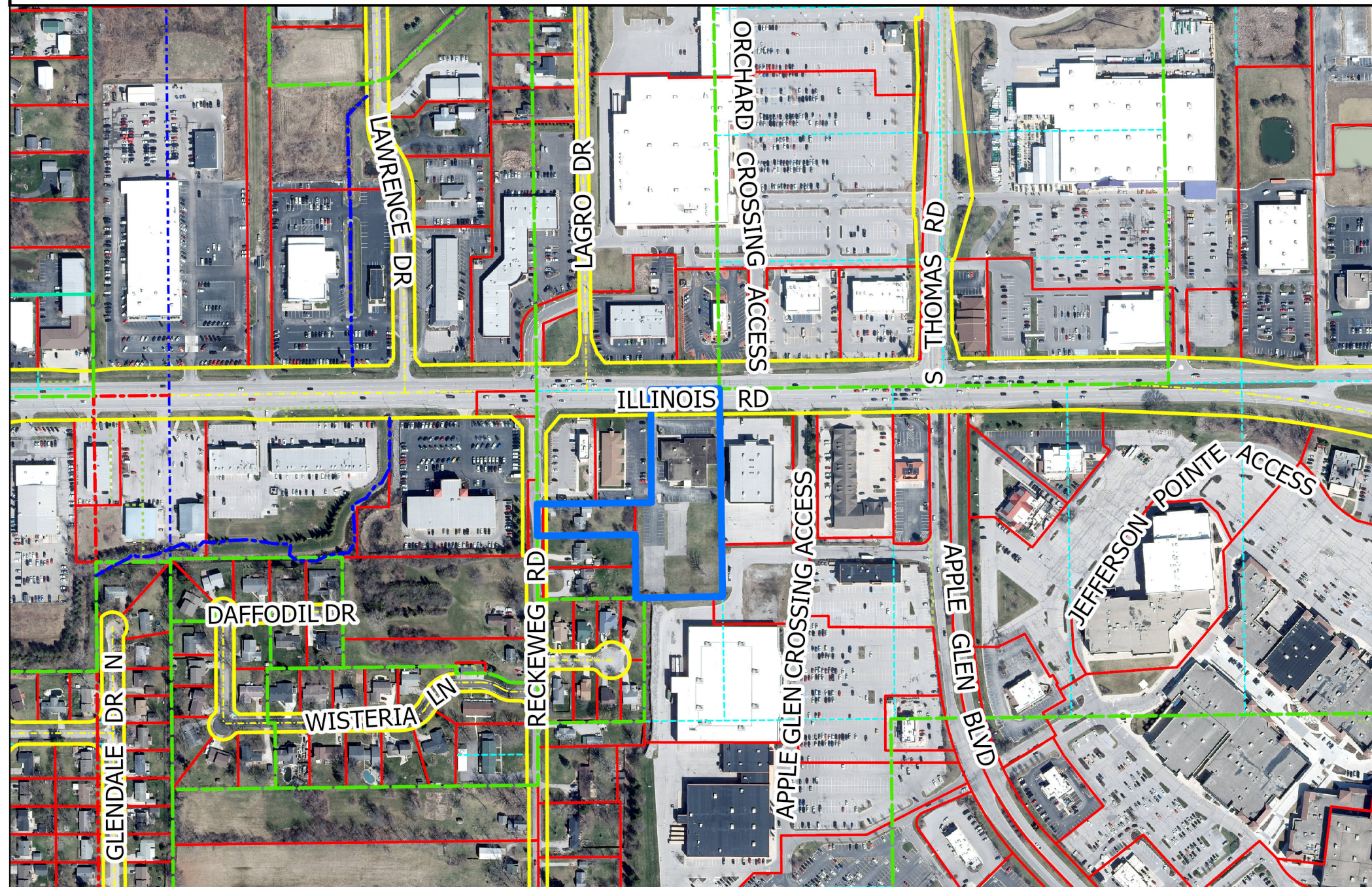
Applicant: Drive & Shine (Haji Tehrani)

Property Owner: CALI LLC (Kenny Nguyen)

Related Petitions: Primary Development Plan – Drive & Shine-Illinois Road

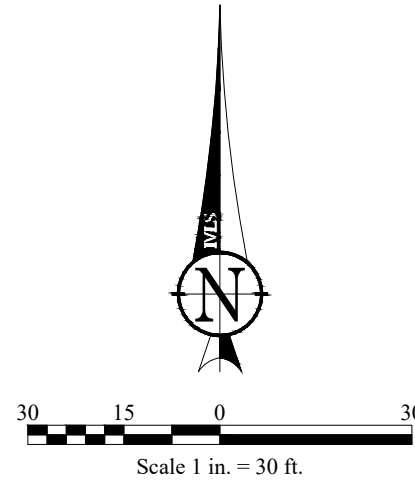
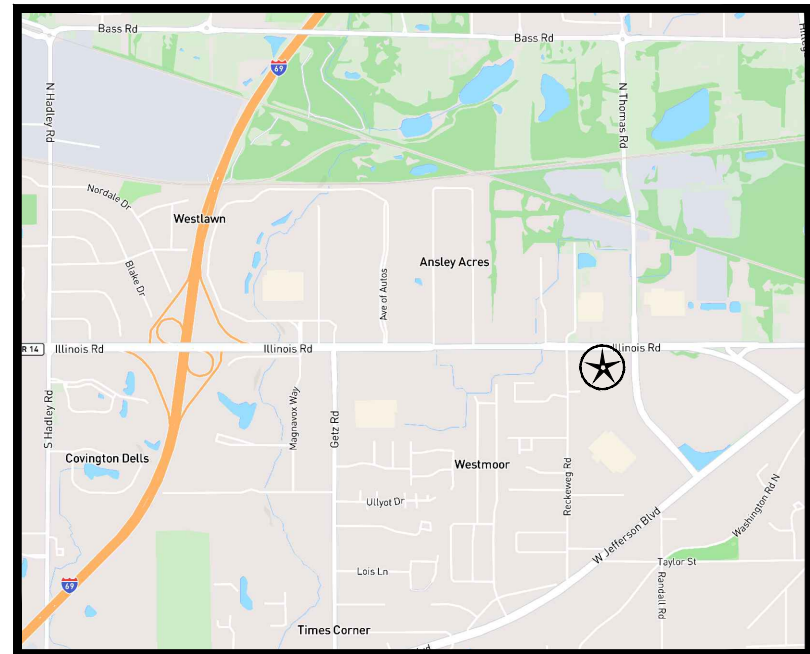
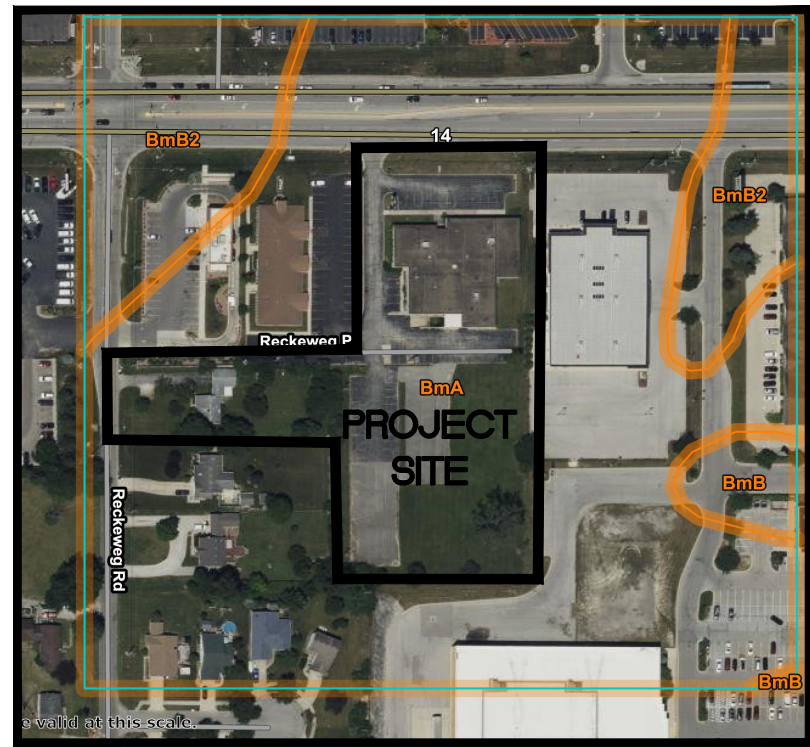
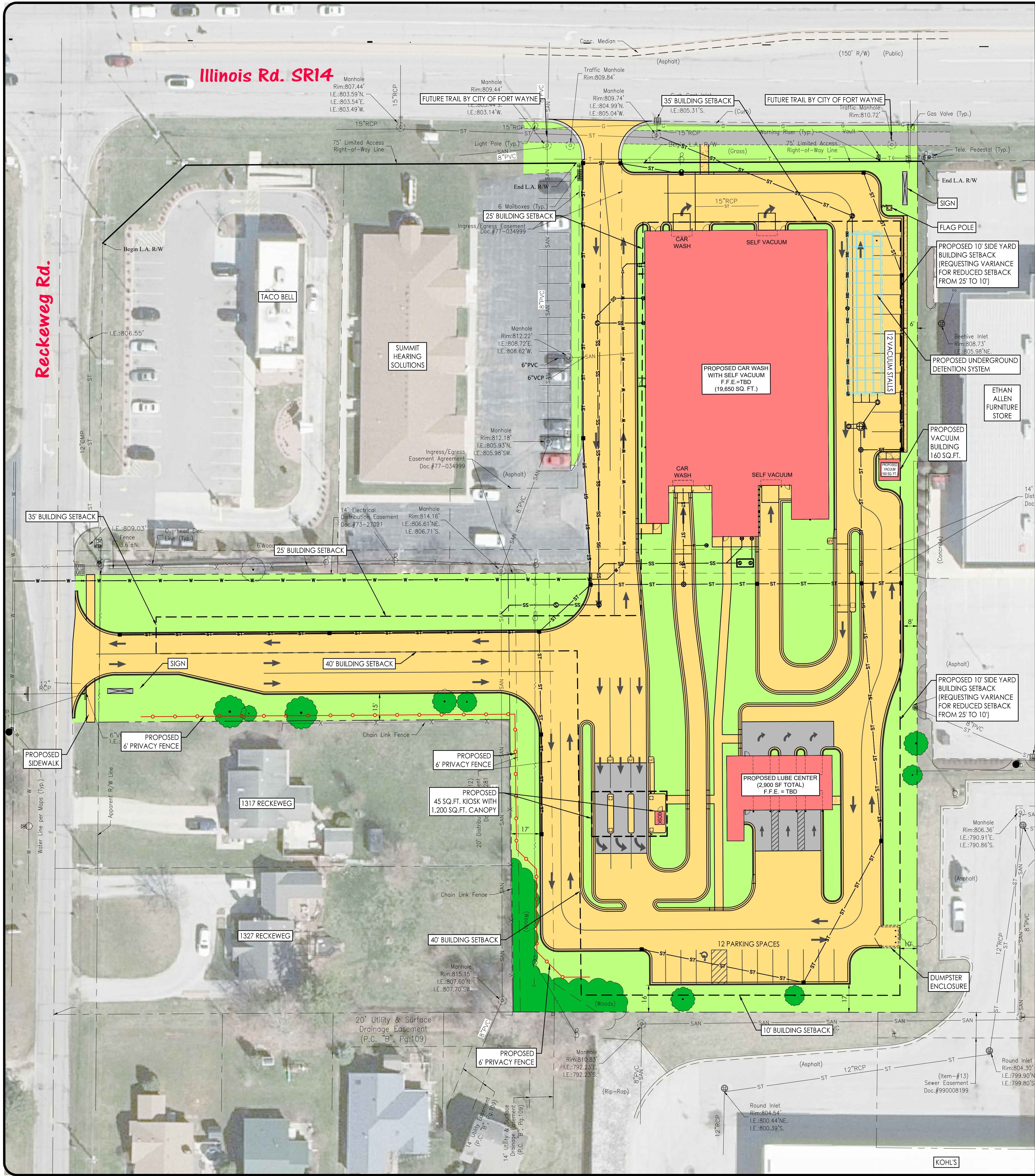
Effect of Passage: Property will be rezoned to the C3/General Commercial zoning district, which would permit an automobile washing facility.

Effect of Non-Passage: Property will remain zoned R1/Single Family Residential and C2/Limited Commercial, neither of which permit an automobile washing facility. The site may continue with existing uses, and may be redeveloped with other R1 and/or C2 permitted uses.





0 260 520 Feet



PROPOSED FEATURES LEGEND

- CONCRETE SIDEWALK / PAVEMENT
- CONCRETE PAVEMENT SECTION (DYED DOUBLE BLACK PIGMENT WITH #4 FIBER REBAR @ 1' ON CENTER)
- BUILDING FOOTPRINT
- GRASS
- EXISTING WOODS

- EXISTING PROPERTY / RIGHT-OF-WAY LINE
- BUILDING SETBACK LINE
- STORM PIPE
- SANITARY PIPE
- WATER PIPE
- STORM / SANITARY CLEANOUT
- STORM CATCH BASIN / INLETS
- (D) DRAINAGE / (S) SANITARY STRUCTURE
- WATER VALVE / FIRE HYDRANT
- FLAG POLE
- 6' PRIVACY FENCE

PROJECT SUMMARY

PARCEL ADDRESS:	4809 ILLINOIS RD & 1305 RECKEWEG RD, FORT WAYNE, IN 46804
TOWNSHIP NAME:	WAYNE
TOWNSHIP SECTION:	8
ESTIMATED CONSTRUCTION START DATE:	MARCH 2025
ESTIMATED CONSTRUCTION END DATE:	DECEMBER 2025
CURRENT ZONING CLASSIFICATION:	R1 - SINGLE FAMILY RESIDENTIAL C2 - LIMITED COMMERCIAL
PROPOSED ZONING CLASSIFICATION:	C3 - GENERAL COMMERCIAL
CURRENT USE:	COMMERCIAL OFFICE / RESIDENTIAL
PROPOSED USE:	AUTOMOBILE WASHING FACILITY / SELF VACUUM AUTOMOBILE MAINTENANCE (QUICK LUBE SERVICE)
TOTAL LOT ACREAGE:	2.449 Ac + 0.526 Ac = 2.975 Ac
TOTAL LOT IMPERVIOUS SURFACE:	1.94 ACRES
TOTAL LOT COVERAGE:	1.94 Ac. / 2.93 Ac. * 100 = 66.2% LOT COVERAGE
TOTAL BUILDING FOOTPRINT:	23,910 SQ. FT.
TOTAL BUILDING HEIGHT ALLOWED:	40 FEET MAXIMUM
TOTAL BUILDING HEIGHT:	29.5 FEET
PARKING REQUIREMENTS:	1 SPACE PER EMPLOYEE AT LARGEST SHIFT 10 EMPLOYEES / 1 = 10 PARKING SPACES
PARKING PROVIDED:	TOTAL PARKING PROVIDED = 12 SPACES VACUUM STALLS PROVIDED = 12 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:	CITY OF FORT WAYNE STORM SEWER STRUCTURE F02 I58
AIRPORT OVERLAY DISTRICT:	FORT WAYNE AIRPORT - AREA 5



Derek J. Simon, PE
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ENGINEERING YOUR TOMORROW... TODAY
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Phone: (260) 459-8571
www.mslawsonsite.us

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

REVISIONS:

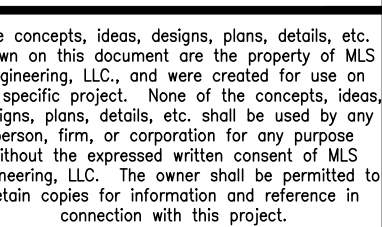
Drive & Shine, Inc.
Car Wash, Oil Change, and Auto Detailing Facility (H2x)
4809 Illinois Rd & 1305 Reckeweg Rd, Fort Wayne, IN 46804
Site Development Plan
Site Plan

Date: 2024-09-03
Design By: CW
Checked By: DS
Project No.: 2407502

Sheet Number
PDP-1

<u>Corporate Office</u> 221 Tower Drive Monroe, IN 46772 Phone: (260) 692-6166	Miller Land Surveying, Inc. Brett R. Miller, PS No.LS20300059 Robert J. Manucci, PS No.LS20400028 www.mlswebsite.us		<u>Fort Wayne Office</u> 10060 Bent Creek Blvd. Fort Wayne, IN 46825 Phone: (260) 489-8571
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Precision and Professionalism is where we draw the line.



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Manroe, LA 70563
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www.mlsweb site.us

PREPARED FOR:
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2.975 Acres
 Illinois Rd., Fort Wayne, Indiana. 46804
 10 - Samuel Edsall's Subdivision of
 LaGro Reserve, Allen Co., IN
 ALTA/NSPS Land Title
 & Topographic Survey

Date: 08/23/2024
 Drawn By: JRM/JJB
 Checked By: BRM
 Project No.: 24077502
 Sheet Number

1 of 2

51 Regular Marked Parking Spaces
1 Handicap Marked Parking Spaces
<u>52 Total Parking Spaces</u>

This property is within Zone "X" (areas determined to be outside the 0.2% annual chance floodplain) as defined by the FIRM (Flood Insurance Rate Map) for City of Fort Wayne, Community No.180003, Panel No.0280G, dated August 03, 2009.

No zoning report or letter provided to the surveyor by the client

A = 5/8" Steel Rebar w/"D&A" id. Cap Found (Flush/Per Ref. Surveys)
 B = 5/8" Steel Rebar w/"D&A" id. Cap Found (Flush/Per Ref. Surveys)
 C = 5/8" Steel Rebar w/"T-E" id. Cap Found (Flush/Per T-E Survey)
 & 5/8" Steel Rebar Found 0.77W. of Actual, On-line (Flush/Per T-E Survey)
 D = 5/8" Steel Rebar w/"D&A" id. Cap Found (Flush/Per Ref. Surveys)
 E = Mag Spike w/"T-E" id. Ring Found (Flush/Per T-E Survey)
 F = 1" Steel Pinched Pipe Found (Flush/Per Ref. Surveys)
 G = 5/8" Steel Rebar w/"T-E" id. Cap Found (Flush/Per T-E Survey)
 & 5/8" Steel Rebar w/"Traverse Point" id. Cap Found 1.57N. of Actual, On-line (Flush/Per T-E Survey)
 H = 1/2" Steel Rebar w/"Dickmeyer" id. Cap Found 0.33N. of Actual, On-line (+0.2/Per T-E Survey)
 I = 5/8" Steel Rebar w/"Russell" id. Cap Found (+0.1/Per T-E Survey)
 J = Mag Nail w/"Sauer" id. Ring Found (Flush/Sauer Survey)
 K = 5/8" Steel Rebar w/"Russell" id. Cap Found (+0.1/Per T-E Survey)
 L = 5/8" Steel Rebar w/"Russell" id. Cap Found (Flush/Per T-E Survey)
 M = 1/2" Steel Rebar w/"Russell" id. Cap Found 24.13E. of Actual, On-line (+0.1/Per T-E Survey)
 N = 1/2" Steel Rebar Found 24.34E. of Actual, On-line, Bent (Flush/Per T-E Survey)
 O = 1" Steel Pipe Found 22.94E. of Actual, On-line (Flush/Per Ref. Surveys)
 P = 5/8" Steel Rebar w/aluminum id. Cap Found 0.59N. & 17.36E. of Actual (+0.5)
 Q = Concrete R/W Marker Found 0.7NE. of Actual, On-line, Leaning (Per Concrete Survey & INDOT Plans)
 R = Concrete R/W Marker Found 0.7NE. of Actual, On-line, Leaning (Per Concrete Survey & INDOT Plans)
 S = Mag Nail w/"Anderson" id. Ring Found (Flush/Per Ref. Surveys)
 T = Mag Nail w/"Anderson" id. Ring Found (Flush/Per Ref. Surveys)
 U = 5/8" Steel Rebar w/"Foresting" id. Cap Found (Flush/Per T-E Survey)

Number	North	East	Elevation	Description
CP#9510	181354.39	744905.01	812.00'	5/8"Steel Rebar w/Miller #0995 Control Point' id. Cap
CP#9511	181127.43	744897.21	805.53'	MagNail In Curb Gutter Line
CP#9512	181310.93	745153.84	806.54'	MagNail In Curb Gutter Line
CP#9513	181740.47	744812.96	809.33'	MagNail In Concrete Median
CP#9514	181749.13	745083.28	810.21'	MagNail In Concrete Median

The Above Elevations are Based on North American Vertical Datum (NAVD88)

T-E Incorporated
Survey No. 21161-A
Date: January 25, 2022

T-E Incorporated
Survey No. 21161
Date: December 16, 2002

Anderson Surveying, Inc.
Survey No. 11-11-131
Date: January 13, 2014

Dickmeyer & Associates
Engineers-Surveyors, Inc.
Survey No. 26357
Date: June 12, 2006

Sauer Land Surveying, Inc.
Survey No. RSC-001
Date: February 1, 2022

Government Survey
William Brookfield L.S.
Date: May, 1829

X Ground Shot	Finish Floor	Mailbox	Temporary Bench Mark
Air Conditioning Unit	Round Inlet	Manhole	Telephone Pedestal
Guy Anchor	Electric Box	Post	Warning Riser
Drain	Electric Meter	Boundary Mon. - Pipe	Water Valve
Beehive Inlet	Electric Panel	Power Pole	Vault
Downspout	Electric Pedestal	Sign	Water Curb Stop
Control Point	Fire Hydrant	Mag Nail	Well
Bollard	Handicap	Gas Meter	Yard Light
Clean-Out	Curb Cast Inlet	Tree	Light Pole
Iron Pin			Overhead Electric
			Overhead Telephone
Underground Electric			Water Line
Fence			Right-of-Way Line
Gas Line			Center Line
Major Contour			Sanitary Line
Minor Contour			Storm Line
Stone			Concrete
Pavement			L.A. R/W Line

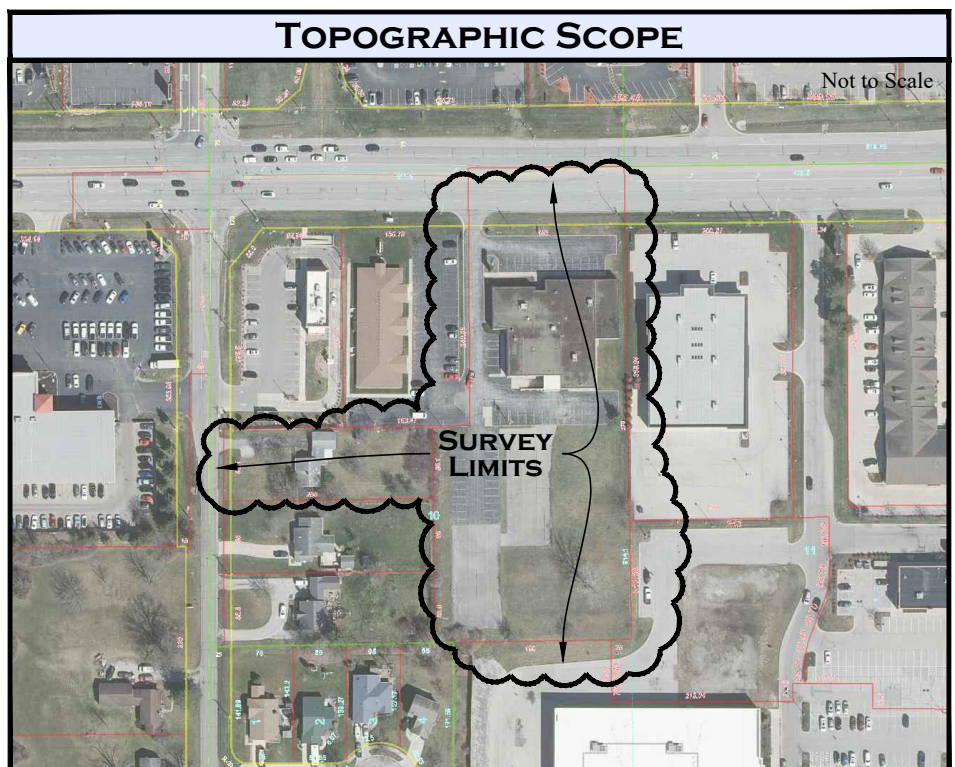
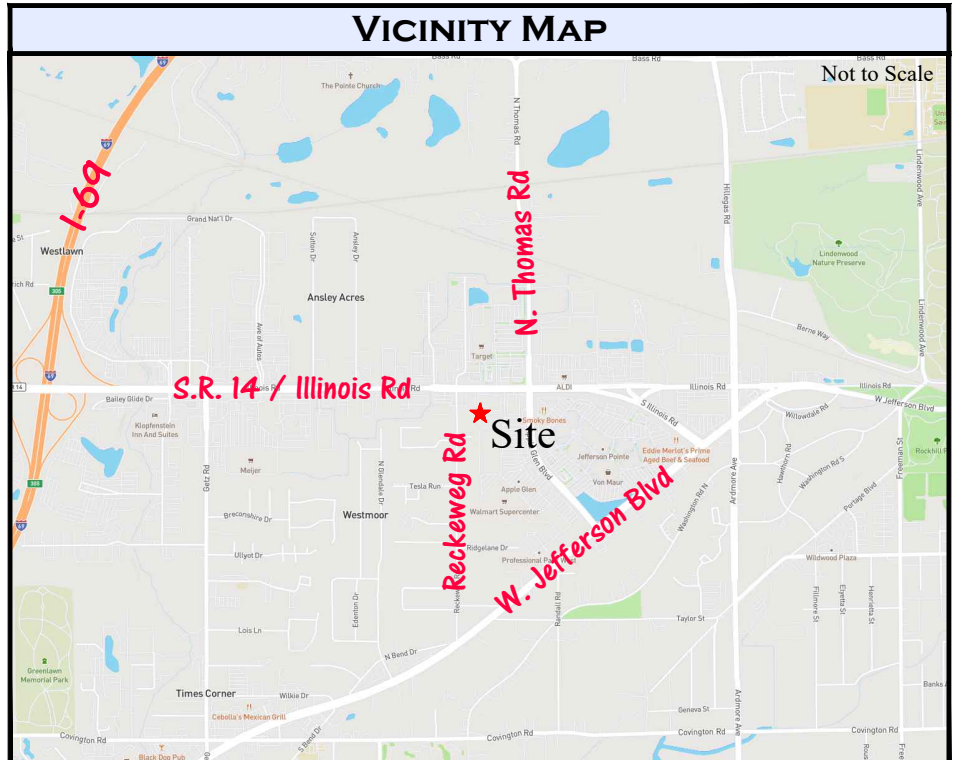
Location and sizes of underground utilities are shown from best available record drawings and/or field markings. Utility lines shown herein are approximate in location and intended for reference only. Call Indiana Underground Plant Protection Services (IUPPS) at 1-800-382-5544 for field marked location of utilities prior to any excavation.

- Indiana Underground Plant Protection Services (IUPPS) Locate Number For This Project: 2408084719

Elevations are based upon a INCORS (Indiana Continuously Operating Reference Station Network) Indiana East. Datum = North American Vertical Datum (NAVD88).

The locations and dimensions of all building structures on the face of the survey (if applicable) are not intended for structural design.

No evidence of earth moving work
No observed evidence of site used as solid waste dump, sump or sanitary land fill
No proposed changes in street r/w info available from the controlling jurisdiction made available to the surveyor
No recent street or sidewalk construction



SURVEY COMPLETED BY:

Corporate Office

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

Miller Land Surveying, Inc.

Brett R. Miller, PS No.LS20300059
Robert J. Marucci, PS No.LS20400028

www.mlswebsite.us

Precision and Professionalism is where we draw the line.

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10060 Bent Creek Blvd.
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Brett R. Miller
Brett R. Miller P.S.

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SURVEYOR'S REPORT

PURPOSE OF SURVEY:

The purpose of this survey was to retrace four existing tracts described in Document Number 2018039567 and an existing tract described in Document Number 2010013054, both in the Office of the Recorder of Allen County, Indiana. Located at 4890 Illinois Road & 1305 Reckeweg Road, Fort Wayne, Indiana, 46804

In accordance with Title 865, Article 1, Rule 12, Section 1 through 30 of the Indiana Administrative Code, the below theory of location was based up the following opinions and observations a result of uncertainties in lines and corners because of the following:

A) AVAILABILITY AND CONDITION OF REFERENCE MONUMENTS

The monuments found are shown on the survey and listed on the survey under monument legend.

The existing monuments of the Public Land Survey corners were held as controlling corners and were used as the basis for this survey. The corners of the subject tract are marked and labeled as shown on the survey drawing. Uncertainties based on existing monuments are not readily determinable due to the use of said local corners. The following monuments were accepted as the location of the Public Land Survey corners.

- Northwest corner Northwest Quarter, Section 8, T30N, R12E; Harrison Marker (-0.0') Per County Witness)
 - This corner is witnessed in the Allen County Surveyor's Office, and therefore was held this survey.
- The existing monuments of the corners of LaGro Reserve were held as controlling corners and were also used as the basis for this survey. The following monuments were accepted as the corners of LaGro Reserve.
 - Intersection of West Line of LaGro Reserve and North line of Sect.8, T30N, R12E; Harrison Marker (-0.0') Per County Witness)
 - This corner is witnessed in the Allen County Surveyor's Office, and therefore was held this survey.
 - Northeast corner Lot 11 in Samuel Edsall's Subdivision of Lagro Reserve, T30N, R12E; Mag Spike w/"T-E" id. Ring Found (Flush/Per T-E Survey)
 - This corner is not witnessed in the Allen County Surveyor's Office, however this Mag Spike was established and shown on the below referenced T-E Incorporated surveys, and therefore was held this survey.
 - The centerline of Illinois Road (State Road #14) was established per Line "C" as shown in the below referenced INDOT Highway Plans, which was established between the above referenced Harrison Marker found at the intersection of the West line of LaGro Reserve and the North line of Section 8, T30N, R18E and the Mag Spike w/"T-E" id. Ring found at the Northeast corner of Lot 11 in Samuel Edsall's Subdivision of LaGro Reserve, all as shown in the below referenced T-E Incorporated survey and verified by found monuments labeled "A", "B", "S" and "R" which were all located 75.00 feet Southerly of said Line "C".

The centerline of Reckeweg Road was established at a calculated deed distance of 166.53 feet Westerly of the Northeast corner of Document Number 201500367 along the Southerly 75.00 feet right-of-way line of Illinois Road (State Road #14) as shown in the below referenced Anderson Surveying, Inc., survey and between found monument labeled "J" at the Northeast corner of Document Number 2018020706 (Reckeweg Senior Community LLC) as shown in the below referenced Sauer Land Surveying, Inc., survey.

B) OCCUPATION OR POSSESSION LINES

There were uncertainties based on visual inspection of occupation or possession lines.

-A landscaping area extends 2.0 feet, more or less, West of the East (500.00 feet) line of the subject tract

C) CLARITY OR AMBIGUITY OF DESCRIPTIONS

There were no ambiguities found within the descriptions used for the survey. Documents used include:

- Document Number 2018039567
- Document Number 2010013054
- Document Number 2022007206
- Document Number 207002504
- Document Number 2017007359
- Document Number 2015000367
- Document Number 2013034903
- Document Number 2022038757
- Document Number 2011016581
- Document Number 2018020706
- Plat of Samuel Edsall's Subdivision of LaGro Reserve (Plat Book 30, Pg.160)
- Plat of Reckeweg Place (Plat Cabinet B, Pg.109)
- Government Survey by William Brookfield, dated May, 1829
- Survey completed by T-E Incorporated, as Survey Number 21161-A, dated January 25, 2022.
- Survey completed by T-E Incorporated as Survey Number 21161, dated December 16, 2021.
- Survey completed by Anderson Surveying, Inc., as Survey Number 11-11-131, dated January 13, 2014.
- Survey completed by Dickmeyer & Associates Engineers-Surveyors, Inc. as Survey Number 26357, dated June 12, 2006.
- Survey completed by Sauer Land Surveying, Inc., as Survey Number RSC-001, dated February 1, 2022.
- INDOT Highway Plans Project No. S-387(4), dated 1963.

D) THEORETICAL UNCERTAINTY OF THE MEASUREMENTS

Based on the use of the property (commercial property, industrial property, condominiums, townhouses, apartments, multiunit developments-- single family residential subdivision lots--real estate lying in rural areas) the acceptable relative positional accuracy is rural survey 0.26 feet (79 millimeters) plus 200 ppm.

THEORY OF LOCATION:

The North (186.14 feet) line of the subject tract was established per the Southerly right-of-way line of Illinois Road (State Road #14), which was established parallel with and 75.00 feet Southerly of the above established Line "C" and verified by found monuments labeled "A", "B", "S" and "R". The East (500.00 feet) line of the subject tract was established per the monumented West line of Lot 10 in Samuel Edsall's Subdivision of LaGro Reserve, which was established between found monuments labeled "B", "C" and "F", as shown in the above referenced T-E Incorporated and Dickmeyer & Associates survey. The South (237.13 feet) line of the subject tract was established along a line of found monuments labeled "I", "G" and "I", as shown in the above referenced T-E Incorporated survey. The West (171.96 feet) line of the subject tract was established per the East lines of the existing tracts described in Document Number 2022038757 and Document Number 2013034903, which were established along a line of found monuments labeled "I", "K", "L" and "U", as shown in the above referenced T-E Incorporated survey. The South (266.58 feet) line of the subject tract was established per the South line of the existing tract described in Document Number 2010013054, which was established between found monuments labeled "L" and "M", as shown in the above referenced T-E Incorporated survey. The West (86.77 feet) line of the subject tract was established per the calculated centerline of Reckeweg Road, as established in Part A above. The North (317.99 feet) line of the subject tract was established per the South lines of the existing tracts described in Document Number 2015000367 and Document Number 2017007359, which were established along a line of found monuments labeled "O", "U" and "T", as shown in the above referenced T-E Incorporated and Anderson Surveying, Inc. surveys. The remaining West (240.95 feet) line of the subject tract was established per the East line of the existing tract described in Document Number 2017007359, which was established between found monuments labeled "I" and "S", as shown in the above referenced T-E Incorporated and Anderson Surveying, Inc., surveys.

This survey is valid only with original signature and seal, full payment of invoice, and complete with all pages of survey. The information shown on the survey documents is intended for this transaction only as dated on said survey documents. Any reuse without written verification and adaptation by the land surveyor for the specific purpose intended will be at the users' sole risk and without liability or legal exposure to the land surveyor.

Since the last date of field work of this survey, conditions beyond the knowledge or control of Miller Land Surveying, Inc. may have altered the validity and circumstances shown or noted herein.

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law, Brett R. Miller.

COMMITMENT DESCRIPTION - FILE NO. 792400225

PARCEL 1:

THE EAST 185 FEET OF THE NORTH FIVE HUNDRED SEVENTY-FIVE (575) FEET, EXCEPT THE SOUTH TWO HUNDRED FIFTY-SEVEN AND NINE-TENTHS (257.9) FEET HERETOFORE SOLD OFF, OF LOT NUMBER TEN (10) IN SAMUEL EDSALL'S SUBDIVISION OF LAGRO RESERVE IN SECTION EIGHT (8), TOWNSHIP THIRTY (30) NORTH, RANGE TWELVE (12) EAST, ALLEN COUNTY, INDIANA.

PARCEL 2:

THE EAST 240 FEET OF THE NORTH 86.1 FEET OF THE SOUTH 257.9 FEET OF THE NORTH 575 FEET OF LOT NUMBER TEN (10) IN SAMUEL EDSALL'S SUBDIVISION OF LAGRO RESERVE, IN SECTION 8, TOWNSHIP 30 NORTH, RANGE 12 EAST, ALLEN COUNTY, INDIANA.

PARCEL 3:

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PARCEL 4:

THE EAST 240 FEET OF THE SOUTH 85.8 FEET OF THE SOUTH 257.9 FEET OF THE NORTH 575 FEET OF LOT NUMBER TEN (10) IN SAMUEL EDSALLS SUBDIVISION OF LAGRO RESERVE, IN SECTION 8, TOWNSHIP 30 NORTH, RANGE 12 EAST, ALLEN COUNTY, INDIANA.

TITLE COMMITMENT - SCH. B - # 792400225

- Item #1 - Item #11 - Not Survey Items
- Item #12 - Distribution Easement dated March 2, 1998 and recorded March 10, 1998 as Instrument No. 980015281. (Depicted on Survey)
- Item #13 - Grant of Sewer Easement dated January 27, 1999 and recorded February 2, 1999 as Instrument No. 990008199. (Includes two Sewer Easements. The first one described Does Not Affect the Surveyed Parcel. The second one described lies adjacent to the Surveyed Parcel and is Depicted on Survey)
- Item #14 - Not Survey Item
- Item #15 - Not Survey Item
- Item #16 - Rights of the public, the State of Indiana and/or the municipality, and others entitled thereto, in and to that part of the Land taken or used for road purposes. (Depicted on Survey)
- Item #17 - Rights of way for drainage tiles, ditches, feeders and laterals, if any. (None lies within 75 feet of the Surveyed Parcel per Allen County GIS Maps)
- Item #18 - Any map/plot furnished is being done so as an aid in locating the herein described Land in relation to adjoining streets, natural boundaries and other land, and is not a survey of the Land depicted. Except to the extent a policy of title insurance is expressly modified by endorsement, if any, the Company does not insure dimensions, distances, location of easements, acreage or other matters shown thereon. (The acreage was calculated from survey geometry and is Depicted on Survey)

COMMITMENT DESCRIPTION - FILE NO. 792400251

THE NORTH 86.1 FEET OF THE SOUTH 257.9 FEET OF THE NORTH 575 FEET OF LOT NUMBER TEN (10) IN SAMUEL EDSALL'S SUBDIVISION OF LAGRO RESERVATION IN TOWNSHIP 30 NORTH, RANGE 12 EAST IN ALLEN COUNTY, INDIANA, EXCEPT THE EAST 240 FEET THEREOF, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN DEED RECORD 30, PAGES 160-161.

TITLE COMMITMENT - SCH. B - # 792400251

- Item #1 - Item #15 - Not Survey Items
- Item #16 - Rights of the public, the State of Indiana and/or the municipality, and others entitled thereto, in and to that part of the Land taken or used for road purposes. (Depicted on Survey)
- Item #17 - Rights of way for drainage tiles, ditches, feeders and laterals, if any. (None lies within 75 feet of the Surveyed Parcel per Allen County GIS Maps)
- Item #18 - Any map/plot furnished is being done so as an aid in locating the herein described Land in relation to adjoining streets, natural boundaries and other land, and is not a survey of the Land depicted. Except to the extent a policy of title insurance is expressly modified by endorsement, if any, the Company does not insure dimensions, distances, location of easements, acreage or other matters shown thereon. (The acreage was calculated from survey geometry and is Depicted on Survey)

SURVEYOR'S CERTIFICATION - FILE NO. 792400225

To:
CALI, LLC, an Indiana limited liability company
Grand Mere Development, LLC, an Indiana limited liability company
Fidelity National Title Company, LLC

File No: 792400225
Effective Date: July 17, 2024 @ 8:00 am

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2021 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items 1, 2, 3, 4, 5, 6(a), 8, 9, 11(b), 13, 14, 16, 17, and 19 of Table A thereof. The fieldwork was completed on 08/22/2024

Date: August 23rd, 2024
By: Brett R. Miller, P.S. Registration No. 20300059

I hereby certify that to the best of my knowledge and belief this plat represents a survey conducted under my supervision in accordance with Title 865 1-12-1 thru 30.

Brett R. Miller
Brett R. Miller, P.S. Registration No. 20300059



SURVEYOR'S CERTIFICATION - FILE NO. 792400251

To:
Ghazali Holdings Company, LLC
Grand Mere Development, LLC, an Indiana limited liability company
Fidelity National Title Company, LLC

File No: 792400251
Effective Date: August 2, 2024 @ 8:00 am

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2021 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items 1, 2, 3, 4, 5, 6(a), 7(a), 8, 9, 11(b), 13, 14, 16, 17, and 19 of Table A thereof. The fieldwork was completed on 08/22/2024

Date: August 23rd, 2024
By: Brett R. Miller, P.S. Registration No. 20300059

I hereby certify that to the best of my knowledge and belief this plat represents a survey conducted under my supervision in accordance with Title 865 1-12-1 thru 30.

Brett R. Miller
Brett R. Miller, P.S. Registration No. 20300059



PREPARED FOR:

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

REVISIONS:

2.975 Acres
4809 Illinois Rd, Fort Wayne, Indiana 46804
Pt. Lot 10 - Samuel Edsall's Subdivision of LaGro Reserve, Allen Co., IN

ALTA/NSPS Land Title
& Topographic Survey

Date : 08/23/2024
Drawn By: JRM/JJB
Chk'd By: BRM
Project No.: 24077502

Sheet Number

2 of 2

Legal description for commitment file no. 792400225:

PARCEL 1:

THE EAST 185 FEET OF THE NORTH FIVE HUNDRED SEVENTY-FIVE (575) FEET, EXCEPT THE SOUTH TWO HUNDRED FIFTY-SEVEN AND NINE-TENTHS (257.9) FEET HERETOFORE SOLD OFF, OF LOT NUMBER TEN (10) IN SAMUEL EDSALL'S SUBDIVISION OF LAGRO RESERVE IN SECTION EIGHT (8), TOWNSHIP THIRTY (30) NORTH, RANGE TWELVE (12) EAST, ALLEN COUNTY, INDIANA.

PARCEL 2:

THE EAST 240 FEET OF THE NORTH 86.1 FEET OF THE SOUTH 257.9 FEET OF THE NORTH 575 FEET OF LOT NUMBER TEN (10) IN SAMUEL EDSALLS SUBDIVISION OF LAGRO RESERVE, IN SECTION 8, TOWNSHIP 30 NORTH, RANGE 12 EAST, ALLEN COUNTY, INDIANA.

PARCEL 3:

THE EAST 240 FEET OF THE SOUTH 171.8 FEET, EXCEPT THE SOUTH 85.8 FEET OF THE NORTH 575 FEET OF LOT NO. 10 IN SAMUEL EDSALLS SUBDIVISION OF LAGRO RESERVE IN SECTION 8, TOWNSHIP 30 NORTH, RANGE 12 EAST, ALLEN COUNTY, INDIANA.

PARCEL 4:

THE EAST 240 FEET OF THE SOUTH 85.8 FEET OF THE SOUTH 257.9 FEET OF THE NORTH 575 FEET OF LOT NUMBER TEN (10) IN SAMUEL EDSALL'S SUBDIVISION OF LAGRO RESERVE, IN SECTION 8, TOWNSHIP 30 NORTH, RANGE 12 EAST, ALLEN COUNTY, INDIANA.

Legal description for commitment file no. 792400251:

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**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

Property Ownership
Property Owner CALI LLC (Kenny Nguyen)
Address 14819 Coldwater Rd
City Fort Wayne State IN Zip 46845
Telephone 260-804-3304 E-mail calispa_info@yahoo.com

Contact Person
Contact Person Cody Ward (MLS Engineering, LLC)
Address 10060 Bent Creek Blvd
City Fort Wayne State IN Zip 46825
Telephone 260-489-8571 x4 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 4809 Illinois Rd, Fort Wayne, IN 46804 Township and Section Wayne / Sec. 8
Present Zoning C2 Proposed Zoning C3 Acreage to be rezoned 2.449 2.975
Purpose of rezoning (attach additional page if necessary)
Rezone C2 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 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

Haji Tehrani (Drive & Shine)
(printed name of applicant)

Haji Tehrani
(signature of applicant)

9-1-24
(date)

Kenny Nguyen (CALI LLC)
(printed name of property owner)

Kenny Nguyen
(signature of property owner)

(date)



Received	Receipt No.	Hearing Date	Petition No.
9/3/24	146277	10/14/24	RE2-0034-00-34

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



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

Property
Ownership

Property Owner CALI LLC (Kenny Nguyen)
Address 14819 Coldwater Rd
City Fort Wayne State IN Zip 46845
Telephone 260-804-3304 E-mail calispa_info@yahoo.com

Contact
Person

Contact Person Cody Ward (MLS Engineering, LLC)
Address 10060 Bent Creek Blvd
City Fort Wayne State IN Zip 46825
Telephone 260-489-8571 x4 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 4809 Illinois Rd, Fort Wayne, IN 46804 Township and Section Wayne / Sec. 8
Present Zoning C2 Proposed Zoning C3 Acreage to be rezoned 2.449
Purpose of rezoning (attach additional page if necessary)
Rezone C2 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
Checklist

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Haji Tehrani (Drive & Shine)

(printed name of applicant)

(signature of applicant)

(date)

Kenny Nguyen (CALI LLC)

(printed name of property owner)

(signature of property owner)

09/03/2024

(date)



Received	Receipt No.	Hearing Date	Petition No.

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**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

**Property
Ownership**

Property Owner Ghazali Holdings Company LLC (Mohammed Ghazali)
Address 10933 Camoustie Ln
City Fort Wayne State IN Zip 46814
Telephone 260-417-6938 E-mail saadghazali@yahoo.com

**Contact
Person**

Contact Person Cody Ward (MLS Engineering, LLC)
Address 10060 Bent Creek Blvd
City Fort Wayne State IN Zip 46825
Telephone 260-489-8571 x4 E-mail cody@mlswebsite.us

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

Request

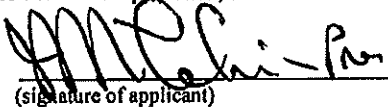
☐ Allen County Planning Jurisdiction ☒ City of Fort Wayne Planning Jurisdiction
Address of the property 1305 Reckweg Rd, Fort Wayne, IN 46804 Township and Section Wayne / Sec. 8
Present Zoning R1 Proposed Zoning C3 Acreage to be rezoned 0.51
Purpose of rezoning (attach additional page if necessary) _____
Rezone R1 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
Checklist**

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Haji Tehrani (Drive & Shine)
(printed name of applicant)


(signature of applicant)

9-1-24
(date)

Mohammed Ghazali (Ghazali Holdings Company LLC)
(printed name of property owner)

(signature of property owner)

(date)



Received	Receipt No.	Hearing Date	Petition No.

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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

Property Ownership
Property Owner Ghazali Holdings Company LLC (Mohammed Ghazali)
Address 10933 Carnoustie Ln
City Fort Wayne State IN Zip 46814
Telephone 260-417-6938 E-mail saadghazali@yahoo.com

Contact Person
Contact Person Cody Ward (MLS Engineering, LLC)
Address 10060 Bent Creek Blvd
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All staff correspondence will be sent only to the designated contact person.

Request
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Address of the property 1305 Reckweg Rd, Fort Wayne, IN 46804 Township and Section Wayne / Sec. 8
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Purpose of rezoning (attach additional page if necessary) _____
Rezoned R1 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 Checklist
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Haji Tehrani (Drive & Shine)

(printed name of applicant)

(signature of applicant)

(date)

Mohammed Ghazali (Ghazali Holdings Company LLC)

(printed name of property owner)

Mohammed Ghazali

(signature of property owner)

09/03/2024

(date)



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1. The Comprehensive Plan;

The proposed rezoning is consistent with the *All in Allen Plan* in that it clearly fits within Goal 1; namely, it encourages compatible infill development within areas that are primarily built out (pg. 60). The project promotes Goal 2 (pg. 61) in as much as it promotes development in areas that are contiguous with existing development and redevelopment in areas that are already served by adequate water, sanitary sewer and transportation structure.

2. Current conditions and the character of current structures and uses in the district;

This Project consists of two (2) parcels owned by two (2) different individuals (CALI, LLC and Ghazali Holdings, LLC collectively the "Owners"). The Applicant is Haji Tehrani/Drive & Shine ("Applicant"). The Project is directly adjacent to the Apple Glen/Jefferson Pointe Development to the East and South (rear) with frontage along Illinois Road. The Project proposed provides appropriate infill development along frontage on Illinois Road at a site with a singular, existing building that has fallen into some disrepair/disuse. This building is approximately 15,545 sf, which will be demolished. The Project is surrounded by national retailers including Kohl's, Dick's Sporting Goods, Walmart, Von Maur, Target, Lowe's, Menards, and Ethan Allen as well as dozens of quick-service and sit-down restaurants such as Taco Bell and Arby's. There are also professional office spaces located nearby. Further west on Illinois Road, are a number of auto dealerships and related service providers. There are a few residences directly to the rear of the Project, on Reckweg Road. These residences are also directly adjacent to other existing commercial developments in the area.

As described, Illinois Road is very decidedly commercial with consistent, heavy traffic and signalized intersections. There are seven (7) lanes for traffic along this portion of Illinois Road.

3. The most desirable use for which the land in the district is adapted;

The property's most desirable use is commercial along this portion of Illinois Road. The Applicant's use as an automobile washing facility is appropriate to this commercial corridor, which contains other commercial businesses. The existing building is in fairly poor physical condition based on exterior observation. The Applicant will construct a new facility with high quality landscaping consistent with its other projects and brand generally, which in and of itself, will be an improvement for this area. Some vagrancy at the site exists currently.

4. The conservation property values throughout the jurisdiction;

The conservation of property values throughout the jurisdiction is accomplished by granting this rezoning request in as much as this is an established commercial corridor along Illinois Road and the use proposed is consistent and complementary to existing uses. Both residential and heavy industrial uses are inappropriate for this property. Significant traffic volumes and a variety of commercial and retail offerings along Illinois Road make the existence of an automobile washing facility desirable and convenient for the area.

5. Responsible development and growth.

The automobile washing facility will not seek to impose a use that is immoral or otherwise offensive to the community as a whole, to customers of other local businesses along this corridor, or to the residential homes to the rear of the subject property. There is ample parking, traffic signalization and curb cuts already in place. In addition, the project will reutilize and reinvigorate decidedly commercial real estate that has not been in commercial use for a period of time.

While the area is “mixed use” in light of the residences to the rear of the property on Reckeweg Road, the reality is that commercial uses for properties with frontage on Illinois Road are clearly established in the area. Commercial and retail uses are especially entrenched along this span of frontage on Illinois Road. Adequate utilities and infrastructure are already available on site.