

#REZ 2025 0001

BILL NO. Z-25-01-18

ZONING MAP ORDINANCE NO. Z-_____

**AN ORDINANCE amending the City of Fort Wayne
Zoning Map No. C-06 (Sec. 1 of Aboite 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 C1 (Professional Office and Personal Services) District under the terms of Chapter 157 Title XV of the Code of the City of Fort Wayne, Indiana:

Parts of Lots 209 and 210 in Westlawn, Section D, an Addition to the City of Fort Wayne, Indiana, the plat of which is recorded in Plat Book 23, page 42 as found in the Office of the Recorder of Allen County Indiana, said parts being depicted on Wightman Surveying, Inc. survey #242623, dated January 3, 2025, and being more particularly described as follows:

Commencing at a 1" bar at the Southwest corner of the Southeast Quarter of Section 1, Township 30 North, Range 11 East in Allen County, Indiana; thence North 01 degree 07 minutes 14 seconds East, on the West line of said Southeast Quarter, as depicted on Indiana Department of Transportation R/W Plans for Project No. MG STP-4402 (013), a distance of 440.00 feet; thence South 89 degrees 45 minutes 15 seconds East, 40.00 feet to the Northwest corner of said Lot 209; thence continuing South 89 degrees 45 minutes 15 seconds East, on the North line of said Lot 209, a distance of 12.49 feet to the Point of Beginning at the Northeast corner of a 1,249-square foot right-of-way parcel described in Document #207032855; thence continuing South 89 degrees 45 minutes 15 seconds East, on said North line, 187.51 feet to the Northeast corner of said Lot 209; thence South 01 degree 07 minutes 14 seconds West, on the East line of said Lots 209, and 210, a distance of 200.00 feet to the Southeast corner of said Lot 210; thence North 89 degrees 45 minutes 15 seconds West, on the South line of said Lot 210, a distance of 173.99 feet to the Southeasterly corner of a 1,839-square foot right-of-way parcel described in Document #2007058232; thence North 07 degrees 41 minutes 59 seconds West, on the Easterly line of said 1,839-square foot right-of-way parcel, 88.11 feet; thence continuing on said Easterly line, North 01 degree 07 minutes 14 second East 12.72 feet to a point on the South line of said Lot 209, also being the Southeasterly corner of the aforementioned 1,249 square foot right-of-way parcel; thence continuing North 01 degree 07 minutes 14 seconds East, on the Easterly line thereof, 100.00 feet to the Point of Beginning,

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3 containing 0.847 acres, more or less, and subject to easements and rights-of-way of
4 record.

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6 and the symbols of the City of Fort Wayne Zoning Map No. C-06 (Sec. 1 of Aboite Township), as
7 established by Section 157.082 of Title XV of the Code of the City of Fort Wayne, Indiana is
8 hereby changed accordingly.

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

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

17
18 _____
Council Member

19
20 APPROVED AS TO FORM AND LEGALITY:

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22 _____
Malak Heiny, City Attorney
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City of Fort Wayne Common Council

DIGEST SHEET

Department of Planning Services

Title of Ordinance: Zoning Map Amendment
Case Number: REZ-2025-0001
Bill Number: Z-25-01-18
Council District: 4 – Scott Myers

Introduction Date: January 28, 2025

Plan Commission
Public Hearing Date: February 10, 2025 (not heard by Council)

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

Synopsis of Ordinance: To rezone 0.87 acres from R1/Single Family Residential to C1/Professional Office and Personal Services

Location: 1009 and 1017 South Hadley Road

Reason for Request: To allow for a 3-lot office park (2.2 acres overall)

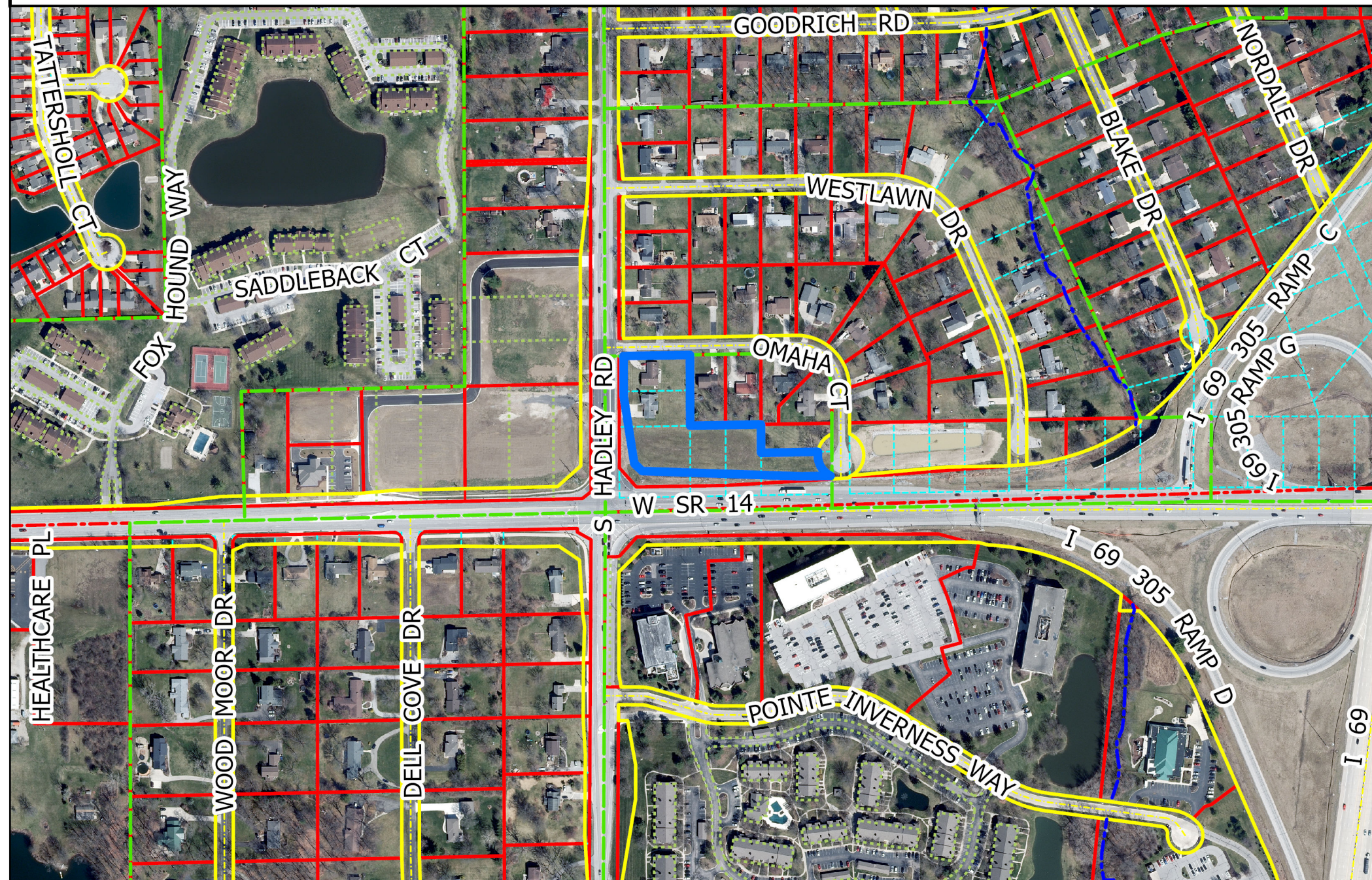
Applicant: Scott and Robin Lougheed

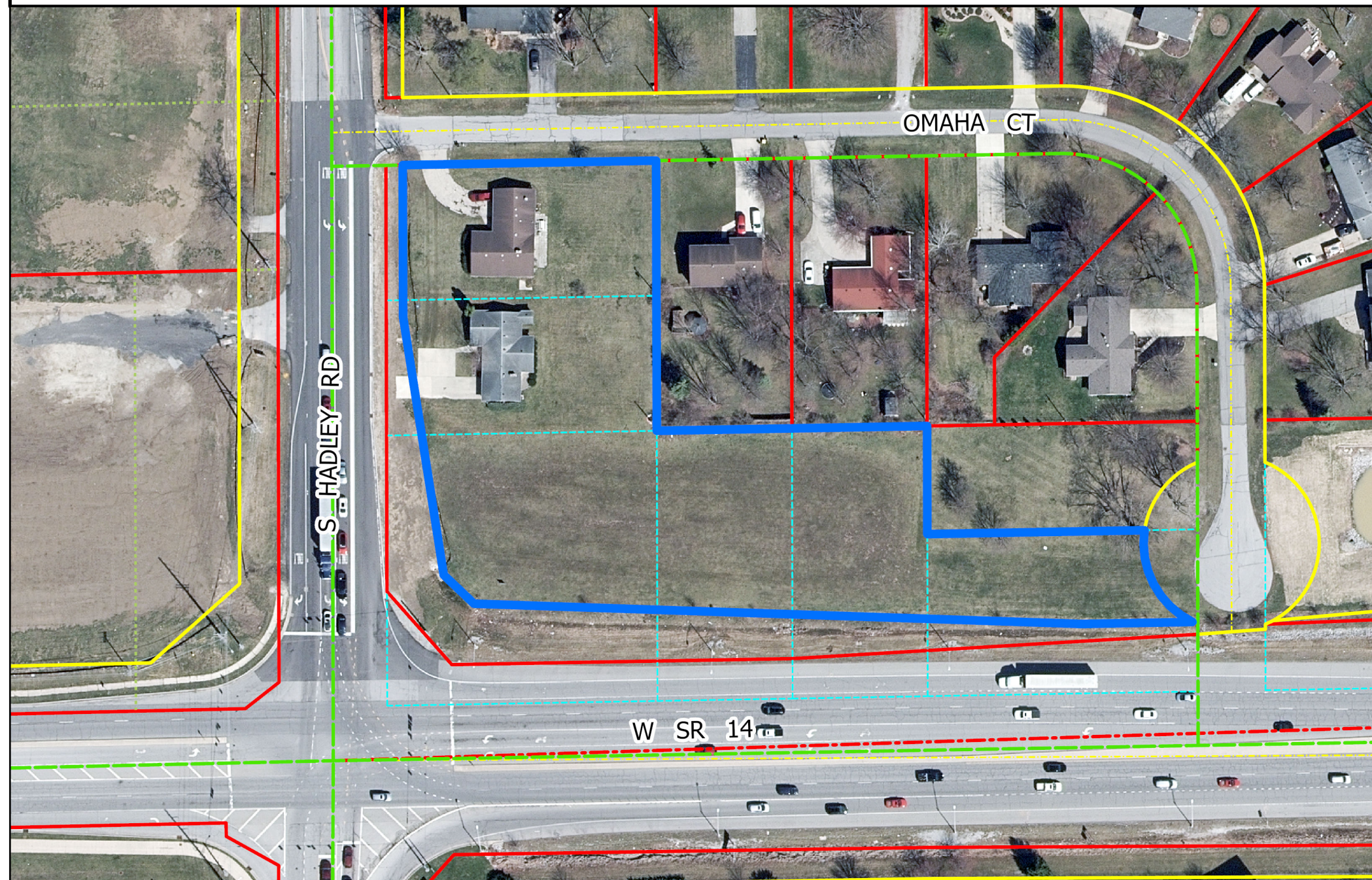
Property Owner: Scott and Robin Lougheed/Lougheed & Associates, Inc.

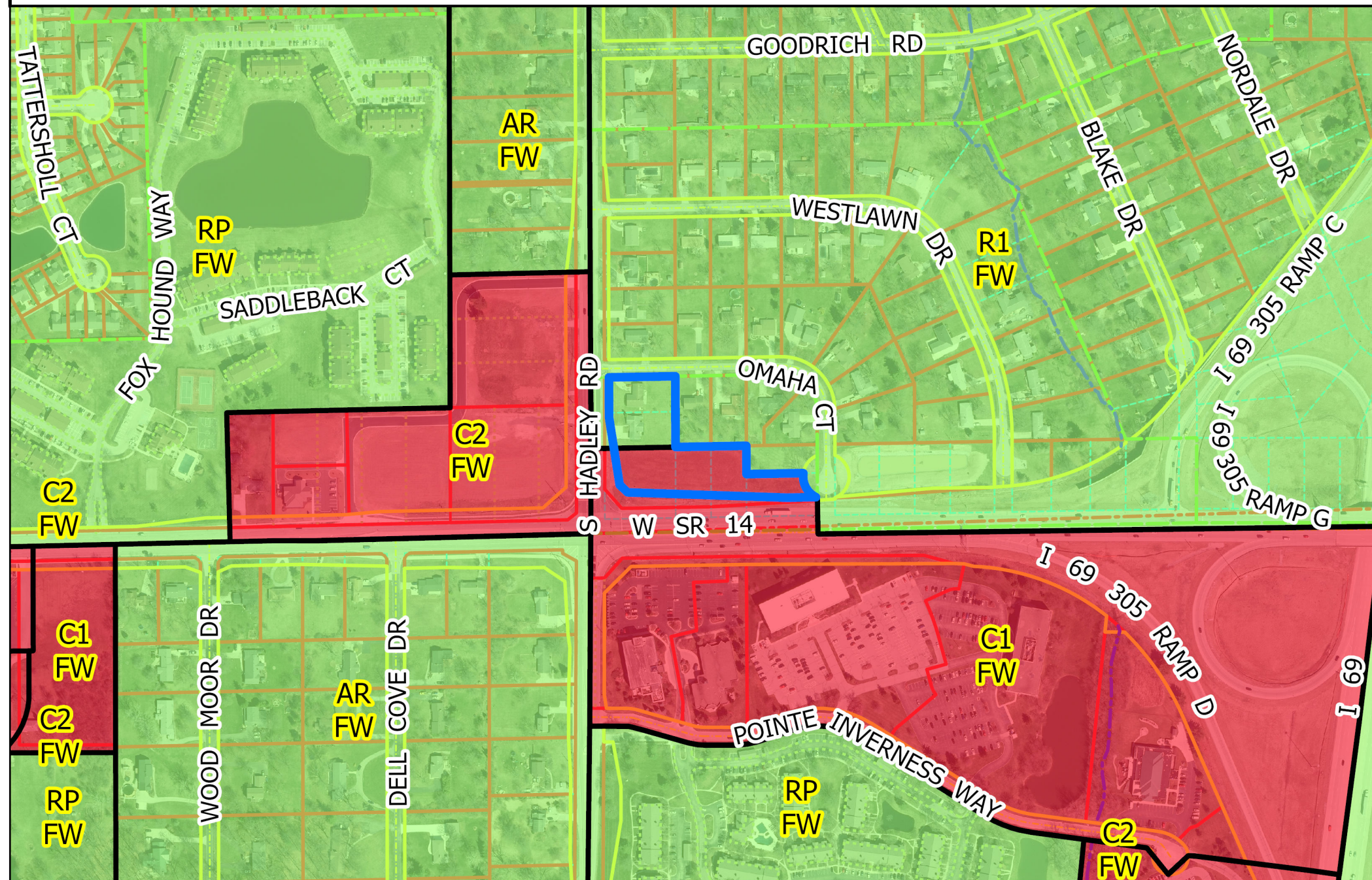
Related Petitions: Primary Development Plan – Westlawn Office Park

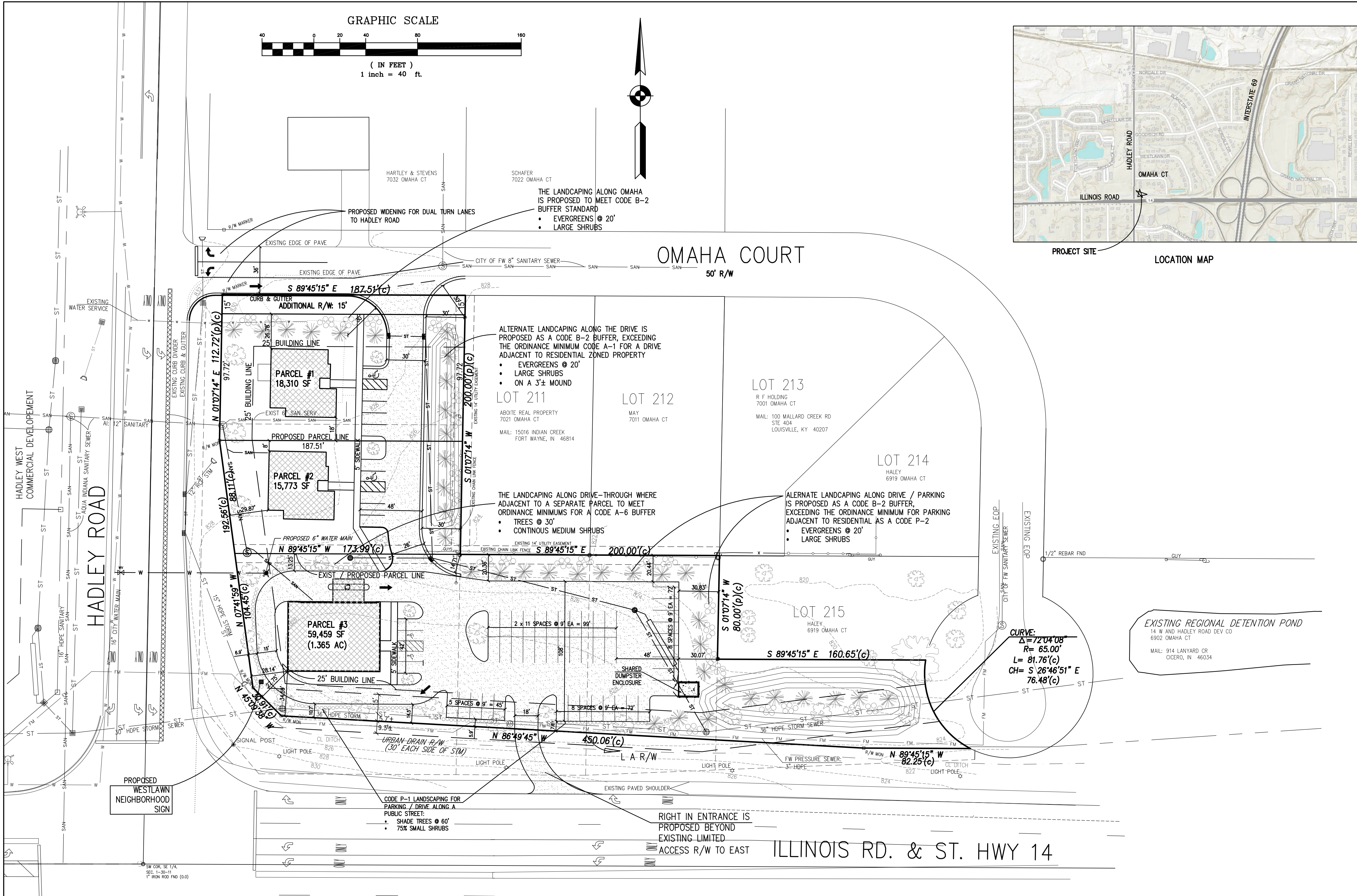
Effect of Passage: Property will be rezoned to the C1/Professional Office and Personal Services district, which combined with the existing C1 zoned property will allow for office development along Hadley and State Road 14.

Effect of Non-Passage: A portion of the property will remain zoned R1/Single Family Residential, which permits housing, but does not allow commercial development.









WESTLAWN OFFICE PARK
 THE PROPOSED DEVELOPMENT IS ON CURRENT
 LOTS 209, 210, 216, 217, 218, & 219
 WESTLAWN ADDITION, SECTION " D "
 PLAT REC. 23, PG. 42
 (EXCEPT THOSE PARTS TAKEN FOR STATE ROAD 14 HIGHWAY RIGHT OF WAY)
 PLATTED LOTS ARE PROPOSED TO BE VACATED

MEETS AND BOUNDS LEGAL DESCRIPTION OF THE DEVELOPMENT PARCEL
 Parts of Lots 209, 210 and Lots 216 -- 219 in Westlawn, Section D, an Addition to the City of Fort Wayne, Indiana, the plat of which is recorded in Plat Book 23, page 42 as found in the Office of the Recorder of Allen County Indiana, said parts being depicted on Wightman Surveying, Inc. survey #242623, dated January 3, 2025, and being more particularly described as follows:

Commencing at a 1" bar at the Southwest corner of the Southeast Quarter of Section 1, Township 30 North, Range 11 East in Allen County, Indiana; thence North 01 degree 07 minutes 14 seconds East, on the West line of said Southeast Quarter, as depicted on Indiana Department of Transportation R/W Plans for Project No. MG-STP-4402 (013), a distance of 440.00 feet; thence South 89 degrees 45 minutes 15 seconds East, 40.00 feet to the Northwest corner of said Lot 209; thence continuing South 89 degrees 45 minutes 15 seconds East, on the North line of said Lot 209, a distance of 12.49 feet to the *Point of Beginning* at the Northeast corner of a 1,249-square foot right-of-way parcel described in Document #207032855; thence continuing South 89 degrees 45 minutes 15 seconds East, on said North line, 187.51 feet to the Northeast corner of said Lot 209; thence South 01 degree 07 minutes 14 seconds West, on the East line of said Lots 209, and 210, a distance of 200.00 feet to the Southeast corner of said Lot 210; thence South 89 degrees 45 minutes 15 seconds East, on the North line of said Lots 218 and 217, a distance of 200.00 feet to the Northeast corner of said Lot 217; thence South 01 degree 07 minutes 14 seconds West, on the East line of said Lot 217, a distance of 80.00 feet to the Northwest corner of said Lot 216; thence South 89 degrees 45 minutes 15 seconds East, on the North line of said Lot 216, a distance of 160.65 feet to the Easterly right-of-way line of Omaha Drive, being a non-tangent curve to the left having a radius of 65.00 feet and a chord of 76.48 feet bearing South 26 degrees 48 minutes 51 seconds East; thence Southeasterly, on said Westerly right-of-way line and curve, an arc distance of 81.76 feet to the Northeasterly corner of a 0.485-acre right-of-way parcel described in Document #2008002573; thence along the Northerly and Easterly lines of said right-of-way parcel by the following 4 courses: North 89 degrees 45 minutes 15 seconds West, 82.25 feet; thence North 86 degrees 49 minutes 45 seconds West, 450.06 feet; thence North 45 degrees 09 minutes 38 seconds West, 30.91 feet; thence North 07 degrees 41 minutes 59 seconds West, 104.45 feet to a point on the South line of said Lot 210, also being the Southeasterly corner of a 1,839-square foot right-of-way parcel described in Document #2007058232; thence continuing North 07 degrees 41 minutes 59 seconds West, on the Easterly line of said 1,839-square foot right-of-way parcel, 88.11 feet; thence continuing on said Easterly line, North 01 degree 07 minutes 14 second East 12.72 feet to a point on the South line of said Lot 209, also being the Southeasterly corner of the aforementioned 1,249 square foot right-of-way parcel; thence continuing North 01 degree 07 minutes 14 seconds East, on the Easterly line thereof, 100.00 feet to the Point of Beginning, containing **2.212 acres**, more or less, and subject to easements and rights-of-way of record.

- PRIMARY DEVELOPMENT PLAN NOTES**
- WESTLAWN OFFICE PARK** is a proposed commercial office complex on the northeast corner of Illinois Road (SR 14) and Hadley Road on lots that are currently within the platted Westlawn Addition.
 - A petition to VACATE the Development parcel from the WESTLAWN PLAT and Associations is being submitted in conjunction with the Primary Submittal as well.
 - The potential of splitting three separate parcels is proposed:
 - Parcels A & B are proposed as small office building sites. Restrictions will require a residential styling as a transition from the corner commercial facility on Parcel C to the surrounding residential neighborhood to the north and east.
 - The structures are replacements for the existing home at 1009 S Hadley and the recently demolished home at 1017 S Hadley. Both of which have been occupied by an engineering business via a BZA special use exception.
 - Parcel C is shown with a conceptual layout for a 3,800± sf building with the potential of a drive through around the building and as many as 48 parking spaces.
 - ZONING:**
 - Parcels A & B are currently zoned R1. A REZONING PETITION is being submitted in conjunction with this PRIMARY DEVELOPMENT PLAN to rezone that area to C1.
 - Parcel C is currently zone C1.
 - Access will be by private drives' and a Cross Access Agreement.
 - A RIGHT IN ONLY is proposed from Illinois Road. Coordination with INDOT has indicated they would limit access from Illinois Road to the proposed right in access and not all an exit due to the proximity to the intersection with Hadley Road.
 - A combined entrance and exit is proposed from Omaha Court. Widening is proposed on Omaha Court to provide for separate LEFT and RIGHT turns onto Hadley Road from Omaha.
 - Stormwater Collection, Detention and Quality**
 - Storm Sewer Collection: Rodgers Regulated Drain was previously relocated along Illinois Road as an Urban Drain. That drain has since been transferred to the City of Fort Wayne.
 - This development's proposed storm sewers are proposed to connect to that main sewer collection line as was originally planned when the drain was planned and permitted.
 - Stormwater Detention: That storm drain was designed to carry a 100 year rainfall from the West Side Commercial site west of Hadley Road and from this current plan's drainage area. The drain serving both developed sites continues east to a regional stormwater detention pond between Omaha Court and Westlawn Drive. A BZA approval was obtained for the commercial detention facility to be located within the residential zoned property.
 - A new Stormwater Quality unit is proposed upstream of the connection point to the referenced storm sewer draining to the regional detention facility.
 - Potable Water:** There are existing City of Fort Wayne water mains along the west side of Hadley Road. A main extension is proposed between Parcels B and C to give Fire Protection on the east side of Hadley. Parcels B and C will have service lines connected to that main. Parcel A may utilize the existing service line to 1009 Hadley Road.
 - Sanitary Sewer Service:** There are Aqua Indiana sanitary sewers along the west side of Hadley Road and an existing sewer crossing Hadley between Parcels A & B. Parcel A could utilize an existing sewer tap that is shown for 1009 Hadley. A proposed Aqua Indiana main extension is proposed to the south of the existing manhole to serve Parcels B & C.
 - Pedestrian:** Sidewalks are proposed on each parcel with interconnectivity between them.
 - All site lighting is to meet full cut-off requirements.
 - A shared dumpster area is proposed on Parcel C. Screening is to be providing in accordance with Ordinance requirements.

PRIMARY DEVELOPMENT PLAN FOR

WESTLAWN OFFICE PARK

OWNER
 SCOTT & ROBIN LOUGHEED
 914 LANYARD CR
 CICERO, IN 46034
 (260) 710-3665

LOUGHEED & ASSOCIATES, INC.
 CONSULTING ENVIRONMENTAL & CIVIL ENGINEERS
 1017 SOUTH HADLEY ROAD * FORT WAYNE, INDIANA 46804
 (260) 432-3665

SCALE: 1"=40'	REVISIONS	DATE
DATE: JANUARY 2025		
DRAWN BY: KRM		
PRIMARY DEVELOPMENT PLAN LANDSCAPE PLAN		SHEET 1

Boundary and Topographic Surveying has been provided by:

GOULOFF - JORDAN
 part of the
W+ WIGHTMAN family

6415 MUTUAL DRIVE FORT WAYNE, IN 46825
 260.424.5362 www.gowightman.com
 As project # 242623

Department of Planning Services Rezoning Petition Application

Applicant
Applicant Scott & Robin Lougheed
Address 914 Landyard Ct.
City Cicero State IN Zip 46034
Telephone 260.432.3665 E-mail lougheedeng@comcast.net

Property Ownership
Property Owner Scott & Robin Lougheed/Lougheed & Associates, Inc.
Address 914 Landyard Ct.
City Cicero State IN Zip 46034
Telephone 260.432.3665 E-mail lougheedeng@comcast.net

Contact Person
Contact Person Susan Trent/Rothberg Law Firm
Address 505 E. Washington Blvd.
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 1009 & 1017 Hadley Rd. Township and Section Aboite-30
Present Zoning R1 Proposed Zoning C1 Acreage to be rezoned .847
Purpose of rezoning (attach additional page if necessary) To utilize Lots 209 and 210
for commercial purposes at corner of Hadley/Illinois Road in conjunction with
Lots 216 - 219 (already zoned C-1)
Sewer provider Aqua Indiana 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 (please complete attached document)

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

Scott Lougheed [Signature] [Signature]
(printed name of applicant) (signature of applicant) (date)
Robin Lougheed [Signature] 1/7/25
(printed name of property owner) (signature of property owner) (date)



Received 1/7/25	Receipt No. 146403	Hearing Date 2/10/25	Petition No. REZ-2025-001
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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



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 is located at the corner of Illinois Road/HWY 14 & Hadley Roads. Rezoning from R-1 to C-1 is requested by the Applicant for Lots 209 – 210. Lots 216 – 219 are already zoned C – 1. The Applicant is Scott and Robin Loughheed (“Applicant”) who presently own Lots 209 – 210 as well as Lots 216 - 219. The Project is directly adjacent to the Hunt Club Apartments, Farmer’s & Merchant’s Bank, Petroleum Tranders Pointe Development, and the Westlawn Addition. The Illinois Road corridor between Hadley and Scott Roads is replete with mixed commercial and residential uses with frontage on Illinois Road primarily commercial or trending commercial. There are also professional office spaces located nearby.

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. The Applicant proposes a right in only off of Illinois Road due to the proximity of the intersection with Hadley Road. A combined, widened entrance and exit is contemplated at Omaha Court.

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

The property’s most desirable use is commercial at this corner. The Applicant’s use is anticipated to be small office building sites. Restrictions will require residential styling as a transition from the corner commercial facility to the surrounding neighborhood to the north and east. The existing residences are modest and not desirable for residential use in light of development along the Illinois Road Corridor. Along with enhanced access to Omaha Court, the Applicant will construct a new facility with high quality landscaping, which in and of itself, will be an improvement for this area and provide appropriate buffer for Omaha Court residents. The current residential structure including one that has been recently demolished (located on Lots 209 and 210) have been used for business purposes (engineering business) pursuant to a BZA special use exception.

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 professional small office space desirable and convenient for the area.

5. Responsible development and growth.

The Applicant's proposed use does not 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 already exists or will be ample parking, traffic signalization and curb cuts necessary for safe and appropriate access. In addition, the project will reutilize and reinvigorate residential real estate that is no longer appropriate in light of commercial development along this corridor/corner. The site has adequate stormwater collection, detention and quality as the Applicant proposes to connect to Rodgers Regulated Drain which was previously located along Illinois Road as an Urban Drain. This drain was designed to carry a 100-year rainfall from the surrounding area. Sanitary and Sewer Service is also adequate. Sidewalks are proposed. All lighting is to meet full cut-off requirements. The dumpster area will be screened in accordance with Ordinance requirements

Commercial uses for properties with frontage on Illinois Road are clearly established in the area. Commercial and retail uses are entrenched along this span of frontage on Illinois Road. Adequate utilities and infrastructure are already available on site.