

#REZ-2025-0009

BILL NO. Z-25-02-10

ZONING MAP ORDINANCE NO. Z-_____

**AN ORDINANCE amending the City of Fort Wayne
Zoning Map No. G26 (Sec. 29 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 I2/General Industrial District under the terms of Chapter 157 Title XV of the Code of the City of Fort Wayne, Indiana:

LEGAL DESCRIPTION

PARCEL I:

Part of the Northeast Quarter of the Northeast Quarter of Section 29, Township 31 North, Range 12 East, Allen County, Indiana, more particularly described as follows, to wit:
Commencing at the Northeast corner of said Northeast Quarter; thence South, on and along the East line of said Northeast Quarter, being within the right of way of Hillegas Road, a distance of 962.74 feet; thence West, by a deflection angle right of 90 degrees 00 minutes, a distance of 50.0 feet; thence South and parallel to said East line, a distance of 111.19 feet to the true point of beginning; thence South and parallel to said East line, a distance of 250.0 feet to a point on the South line of the Northeast Quarter of the Northeast Quarter of said Section 29; thence Westerly, by a deflection angle right of 91 degrees 02 minutes 30 seconds, on and along said South line, a distance of 658 feet to the point of intersection of said South line with the Easterly right of way line of Interstate Highway #69; thence Northeasterly, by a deflection angle right of 127 degrees 45 minutes 30 seconds, on and along said Easterly right of way line, a distance of 323.95 feet; thence Easterly and parallel to said South line, a distance of 456.7 feet to the true point of beginning, said in previous deed to contain 3.24 acres of land, more or less.

PARCEL II:

An easement for roadway purposes as set out in the Grant of Easement recorded June 16, 1989 as Instrument No. 89- 22421.

and the symbols of the City of Fort Wayne Zoning Map No. G29 (Sec. 29 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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8 _____
9 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-2025-0009
Bill Number: Z-25-02-10
Council District: 3 – Nathan Hartman

Introduction Date: February 25, 2025

Plan Commission
Public Hearing Date: March 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 3.2 acres from I1/Limited Industrial to I2/General Industrial

Location: 4101 Hillegas Road (Section 29 of Washington Township)

Reason for Request: To conform to existing motor vehicle uses.

Applicant: Truck Pro

Property Owner: Deer Island LLC

Related Petitions: None

Effect of Passage: Property will be rezoned to the I2/General Industrial zoning district, which would permit the existing motor vehicle uses.

Effect of Non-Passage: Property will remain zoned I1/Limited Industrial, which does not permit motor vehicle sales and service. The site may continue as a non-conforming use, but without rezoning to the appropriate district, expansion and/or redevelopment may be hindered.

**Department of Planning Services
Rezoning Petition Application**

Applicant
Applicant TruckPro
Address 4101 Hillegas Road
City Fort Wayne State IN Zip 46808
Telephone 260-483-5115 E-mail kevin@ellisres.com

Property Ownership
Property Owner Deer Island LLC
Address 4211 Clubview Drive
City Fort Wayne State IN Zip 46804
Telephone 260-483-5115 E-mail kevin@ellisres.com

Contact Person
Contact Person Kelty Tappy Design, Inc. (Matt Kelty)
Address 116 East Berry Street, Suite 700
City Fort Wayne State IN Zip 46802
Telephone 260-426-7770 E-mail matt@keltytappy.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 4101 Hillegas Road Township and Section Washington/0293112
Present Zoning I1 Proposed Zoning I2 Acreage to be rezoned 3.2
Purpose of rezoning (attach additional page if necessary) Motor Vehicle Parts Sales and Service
Sewer provider (Public) Water provider (Public)

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

Kevin Ellis - As Agent

(printed name of applicant)

Kevin Ellis

(signature of applicant)

February 10, 2025

(date)

Cliff Ellis

(printed name of property owner)

Cliff Ellis

(signature of property owner)

February 10, 2025

(date)



Received	Receipt No.	Hearing Date	Petition No.
2-10-25	147032	3-10-25	REZ-2025-0009

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



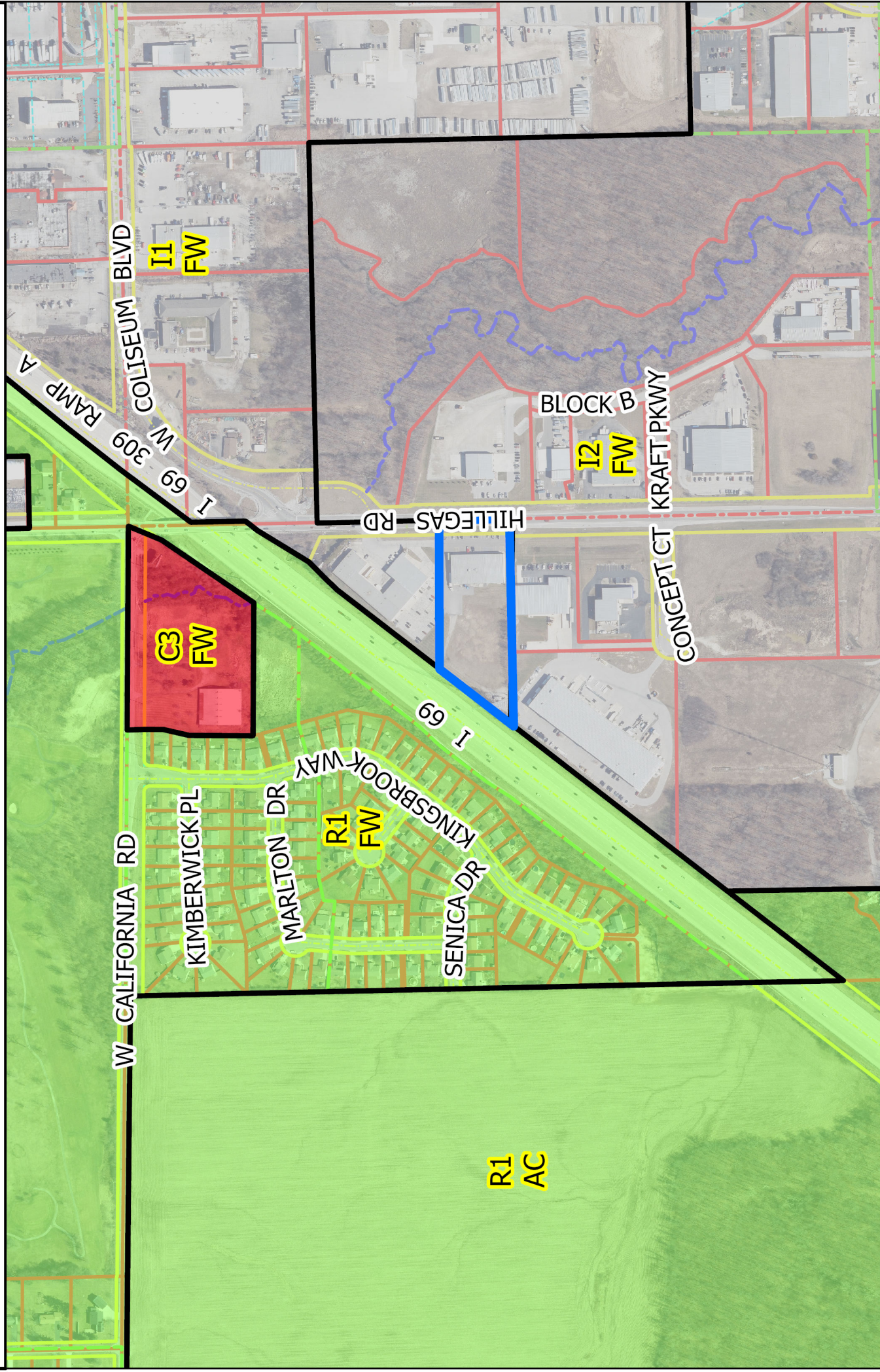


0 325 650 Feet

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

© 2004 Board of Commissioners of the County of Allen
 North American Datum 1983
 State Plane Coordinate System, Indiana East
 Photos and Contours: Spring 2009
 Date: 2/17/2025

Rezoning Petition REZ-2025-0009 - Truck Pro



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© 2004 Board of Commissioners of the County of Allen
North American Datum 1983
State Plane Coordinate System, Indiana East
Photos and Contours: Spring 2009
Date: 2/17/2025

Property Owner/Developer:

TruckPro®

4101 Hillegas Road
Fort Wayne, Indiana 46808
(260) 483-5115

Civil Engineer/Land Surveyor:

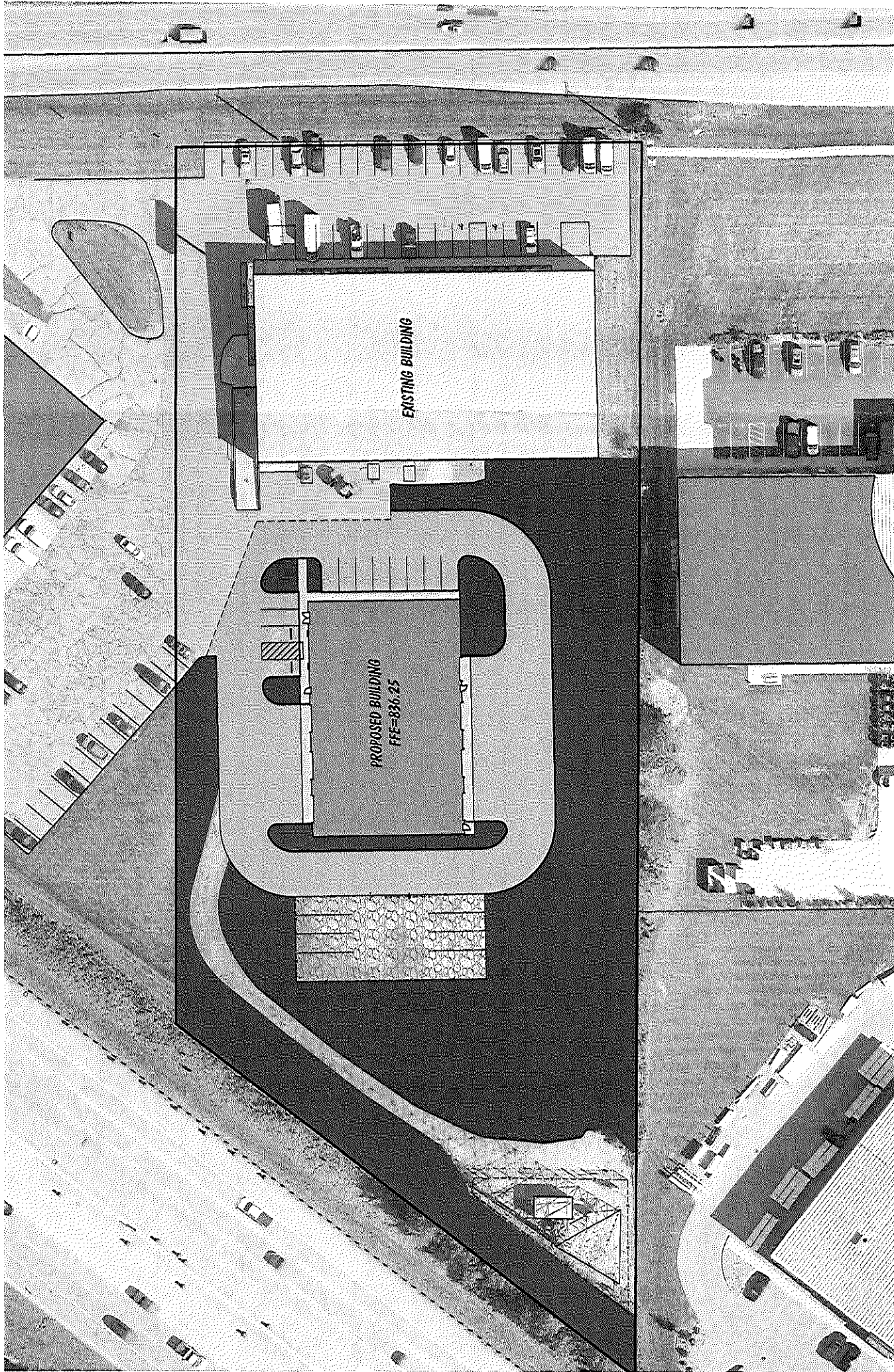
ForeSight
ForeSight Consulting, LLC
1910 Saint Joe Center Rd, Suite 51
Fort Wayne, Indiana 46825
260.484.9900 phone
260.484.9980 fax www.4site.biz
info@4site.biz



Civil Construction Documents For:

TruckPro®

4095 Hillegas Road, Fort Wayne, Indiana 46808



Overall Site Plan

Scale: 1" = 30'



Know what's below.
Call before you dig.

ForeSight Consulting, LLC
Professional Engineers & Surveyors
1910 St. Joe Center Road, Suite #61
Fort Wayne, Indiana 46825
260.484.9980 phone
260.484.9980 fax
www.4site.biz



Certification:



R. Bauer

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Performed for:

TruckPro®

Cover Sheet For:

4095 Hillegas Road, Fort Wayne, Indiana 46808

Drawing Revisions

Commission Number
243886

Date
January 10th, 2025

Title

Cover Sheet

Sheet Number

C0.0

PERMIT REVIEW SET - NOT FOR CONSTRUCTION



PLAT OF ALTANSPS LAND TITLE SURVEY

RECORD DESCRIPTION: (as described in Commitment Number 4/05-183714)

PARCEL 1:

Part of the Northeast Quarter of the Northeast Quarter of Section 29, Township 31 North, Range 12 East, Allen County, Indiana, more particularly described as follows, to wit:
Commencing at the Northeast corner of said Northeast Quarter, thence South, on and along the East line of said Northeast Quarter, being within the right of way of Hilligas Road, a distance of 902.74 feet, thence West, by a deflection angle right of 90 degrees 00 minutes 00 seconds, a distance of 50.00 feet, thence South and parallel to said East line, a distance of 111.19 feet to the true point of beginning, thence South and parallel to said East line, a distance of 190.00 feet to a point on the South line of the Northeast Quarter of the Northeast Quarter of said Section 29, thence West, by a deflection angle right of 91 degrees 02 minutes 30 seconds, on and along the East line of said Northeast Quarter of said Section 29, a distance of 100.00 feet to the Northeast corner of said Northeast Quarter of said Section 29, thence North, by a distance of 323.95 feet, thence East, by a distance of 458.7 feet to the true point of beginning, and in previous deed to contain 3.24 acres of land, more or less.

PARCEL 1P:

An easement for roadway purposes as set out in the Grant of Easement recorded June 16, 1989 as Instrument No. 89-23421

Last Deed of Record Doc. 201001277
Last Date of Platwork June 1, 2021

This property appears to be within Zone X as the description plots by scale on Flood Insurance Rate Map Number 18030C 0285G, effective August 3, 2009

(continued from right)

ITEM 22: No portion of the survey of real estate is included within the right-of-way of Hilligas Road of Interstate Highway #69.
ITEM 23: There are no County Regulated Drainage Tiles, ditches, freeters and laterals on or within 75 feet of the surveyed real estate disclosed by the Drainage Map of Allen County, Indiana.
ITEM 24: Approximately Three parking spaces of the North adjoining tract the east subject tract, as shown on the Plat of Survey, Items 1-11, inclusive, Item 13, Items 15-16, inclusive, and Items 25-26, inclusive, deal with easements and financial matters that are not surveyed/related.

CERTIFICATE OF ALTANSPS LAND TITLE SURVEY

To: Baerlie 4101 LLC, an Indiana limited liability company,
Deer Island, LLC,
Monopsonium Title of Indiana, LLC, and
Farm Insurance Title Insurance Company

ALTANSPS STANDARD CERTIFICATE

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 in 2021, and include Items 1, 2, 3, 4, 7, 9, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 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Department of Planning Services Rezoning Questionnaire

When making recommendations on rezoning requests, the Plan Commission shall pay reasonable regard to the following items. Please describe how this petition satisfies the following:

- (1) The Comprehensive Plan;

The proposed zoning change is consistent with "All In Allen" comprehensive plan: "clusters of consistent use".

- (2) Current conditions and the character of current structures and uses in the district;

The current condition and existing structure is excellent. The ordinance change in 2014 makes it's use nonconforming.

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

I-2 is most desirable based on existing use and anticipated business development (Motor Vehicle Sales & Service).

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

Property values of adjacent properties will be strengthened by proper zoning and by the anticipated development.

- (5) Responsible development and growth.

Utilizing the existing site for the new service operation conserves ground and optimizes road/utility infrastructure.

COMPLETE FILING TO INCLUDE:

- ☒ Filing Fee
- ☒ Complete application signed by property owner*
- ☒ Legal description (in Word document format)*
- ☒ Boundary/Utility Survey*
- ☒ Rezoning Criteria *
- ☐ Written Commitment (if applicable)*

**All documents may be digital*



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Phone (260) 449-7607 • Fax (260) 449-7682 • www.allencounty.us • www.cityoffortwayne.org



FACT SHEET

Case #REZ-2025-0009 Bill # Z-25-02-10 Project Start: February 2025

APPLICANT:	Truck Pro
REQUEST:	To rezone from I1/Limited Industrial to I2/General Industrial to conform to existing motor vehicle uses.
LOCATION:	4101 Hillegas Road (Section 29 of Washington Township)
LAND AREA:	3.2 acres
PRESENT ZONING:	I1/Limited Industrial
PROPOSED ZONING:	I2/General Industrial
COUNCIL DISTRICT:	3 – Nathan Hartman
SPONSOR:	Fort Wayne Plan Commission

March 10, 2025 Public Hearing

- No one spoke in support or with concerns.
- Karen Richards and Paul Sauerteig were absent.

March 17, 2025 Business Meeting

Plan Commission Recommendation: DO PASS

A motion was made by Rachel Tobin-Smith and seconded by Ryan Neumeister to return the ordinance with a Do Pass recommendation, to Common Council for their final decision.

7-0 MOTION PASSED

- Karen Richards and Paul Sauerteig were absent.

Fact Sheet Prepared by:

Karen Couture, Associate Land Use Planner

March 18, 2025

PROJECT SUMMARY

This rezoning petition is located along Hillegas Road, between Butler Road and Coliseum Boulevard. This single parcel includes frontage along I-69. City Traffic Engineering average daily traffic count is about 22,000 vehicles from their 2024 study, qualifying the street as an urban minor arterial street. The front third of the site includes a structure constructed in the mid 1990's and a parking lot. The applicant indicated on the questionnaire that when the building was constructed in 1996, the plans met the City of Fort Wayne zoning ordinance's standards. With the zoning ordinance changing over the years, the use of motor vehicle sales has become nonconforming since 2014. The nonconforming chapter of the zoning ordinance would allow the continuation of use, but the owner desires the flexibility of being in a permitted zoning district, should the facility expand in the future. Currently, the owner has a site permit through the Department of Planning Services that meets zoning ordinance standards, which is when the discrepancy in zoning was discovered. All agencies have reviewed the plans, so zoning is the last step of approval for this site permit. The I2 district, if approved, will be nested between I1 zoning, and the sole adjacent residential zoning is along the right-of-way of I-69. As a result, the intensity of zoning will act like a gradient between the proposed I2 zoning and will gradually abate in intensity where residential zoning is present along Hillegas Road.

COMPREHENSIVE PLAN REVIEW

Future Growth and Development Map, Goals, and Strategies

The project site is located within the Urban Infill Area.

- The following Goal and Strategy would be applicable:
LUD1 - Encourage compatible infill development and redevelopment in the Urban Infill and Priority Investment Areas.

Overall Land Use Policies

- **LUD Policy 4** - Nonresidential development which is adjacent to residential neighborhoods should be limited to lower intensity neighborhood commercial uses. While this category is higher in intensity, many zoning districts and wide rights of way separate this petition from residential areas.

Generalized Future Land Use Map

- The project site is located within the Production Center generalized land use category.
- General/Intensive industrial are primary uses in this land use category, for which motor vehicle sales meets the intent of the land use category.

Land Use Related Action Steps

- **ED.1.1.1.** - Strategically identify and prepare land and redevelopment areas for development-ready employment sites in alignment with the Future Growth and Development map, the Generalized Future Land Use map, and the Allen County Together Economic Development Action Plan.

Compatibility Matrix

- The I2/General Industrial zoning district is considered compatible with the production center land use category. Production Center is the only land use category where I2/General Industrial is considered compatible.

Other applicable plans: none

PUBLIC HEARING SUMMARY:

Presenter: Matt Kelty, representing the applicant, presented the request as outlined above.

Public Comments: None

FORT WAYNE PLAN COMMISSION • FINDINGS OF FACT

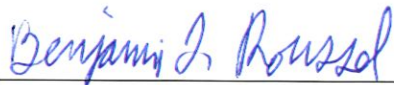
Rezoning Petition REZ-2025-0009 – Truck Pro

APPLICANT:	Truck Pro
REQUEST:	To rezone property from I1/Limited Industrial to I2/General Industrial to permit existing motor vehicle uses.
LOCATION:	4101 Hillegas Road, 525 feet north of its intersection of Concept Court (Section 29 of Washington Township)
LAND AREA:	3.2 acres
PRESENT ZONING:	I1/Limited Industrial
PROPOSED ZONING:	I2/General Industrial

The Plan Commission recommends that Rezoning Petition REZ-2025-0009 be returned to Council, with a “Do Pass” recommendation after considering the following:

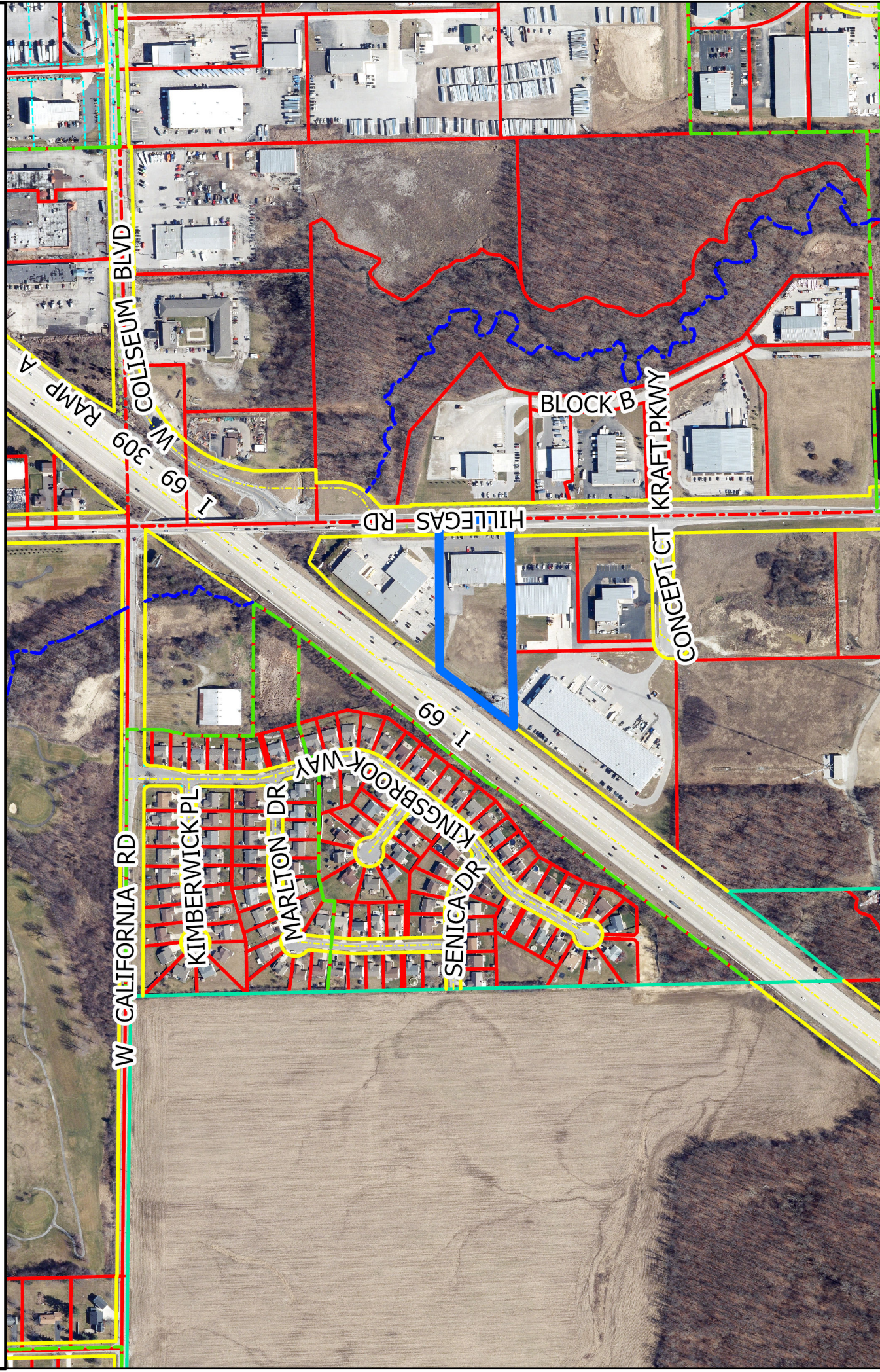
1. Approval of the rezoning request will be in substantial compliance with the City of Fort Wayne Comprehensive Plan, and should not establish an undesirable precedent in the area. The petition has adjacent I2/Limited Industrial zoning to the east and south. The precedent of Hillegas Road was established decades ago as a location for industrial uses, especially in south Washington Township.
2. Approval of the request will not have an adverse impact on the current conditions in the area, or the character of current structures and uses in the area. The rezoning request is to permit an existing use since the mid-1990’s, and further investment in the site will be subject to development standards in the I2/General Industrial district.
3. Approval is consistent with the preservation of property values in the area. This proposal will allow reinvestment into the area. The only residential properties in the area are across the I-69 corridor, which is about 260 feet wide.
4. Approval is consistent with responsible development and growth principles based on existing uses and infrastructure in the area. The site is currently served by City Utilities. The right-of-way is subject to Phase II of the Hillegas Road improvement project, which includes new travel lanes, a center turn lane, sidewalks, a multi-use path, urban street design with curb and gutter, storm sewers, pedestrian facilities, street lighting and urban landscaping.

These findings approved by the Fort Wayne Plan Commission on March 17, 2025.



Benjamin J. Roussel
Executive Director
Secretary to the Commission

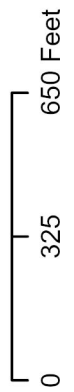
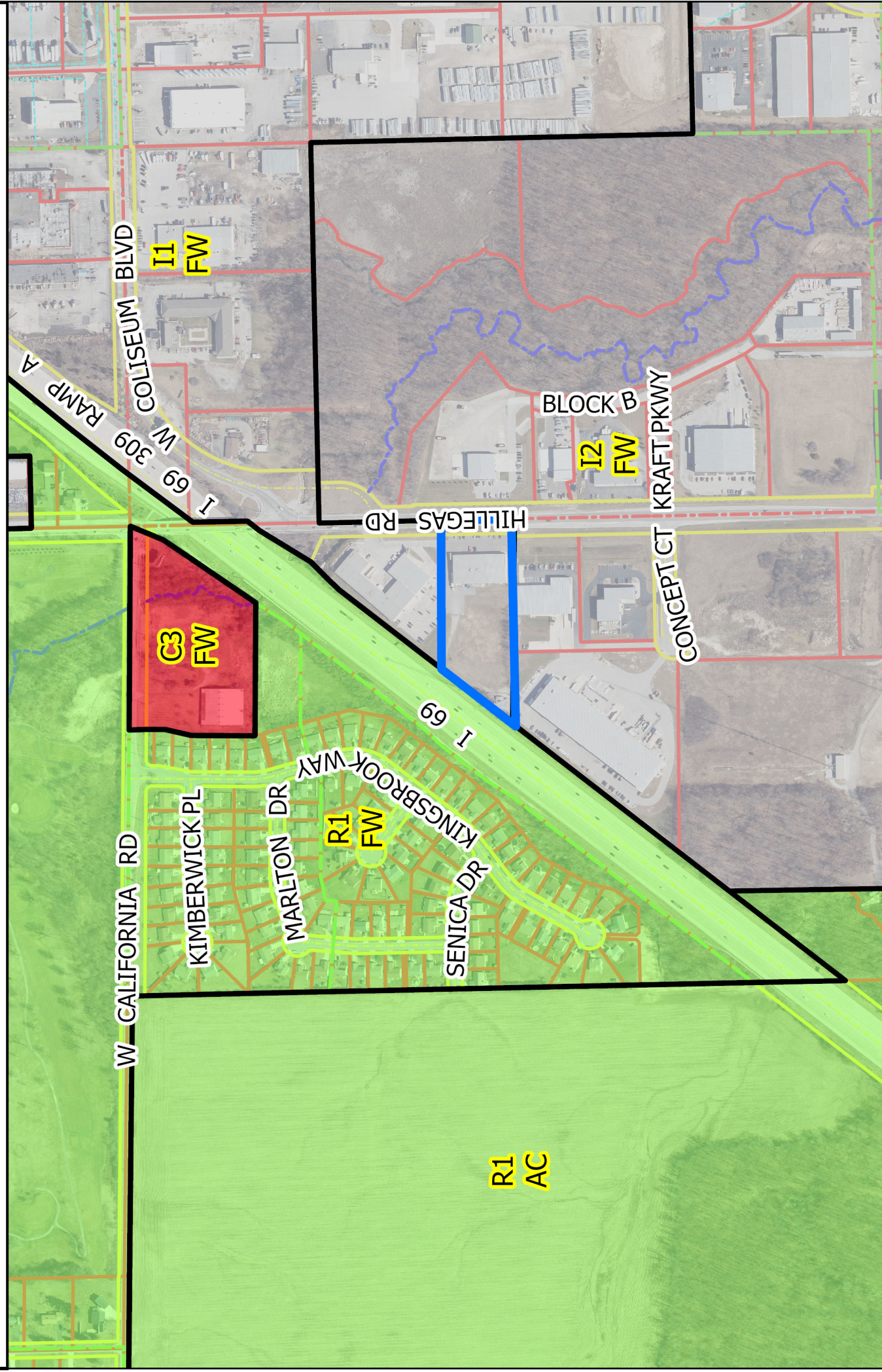
Rezoning Petition REZ-2025-0009 - Truck Pro



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Date: 2/17/2025

Rezoning Petition REZ-2025-0009 - Truck Pro



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