

#REZ 2024 0041

BILL NO. Z-25-04-18

ZONING MAP ORDINANCE NO. Z-_____

**AN ORDINANCE amending the City of Fort Wayne
Zoning Map No. F-02 (Sec. 8 of Wayne Township)**

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE,
INDIANA:

SECTION 1. That the area described as follows is hereby designated a C3/General
Commercial District under the terms of Chapter 157 Title XV of the Code of the City of Fort
Wayne, Indiana:

LEGAL DESCRIPTION:

Part of LaGro Reserve, Township 30 North, Range 12 East in Allen County, Indiana,
based on an original survey by Brett R. Miller, Indiana Professional Surveyor Number
20300059 of Miller Land Surveying, Inc., Survey No. 24087548, dated November 27,
2024 and being more particularly described as follows;

Commencing at a Harrison Monument marking the Northwest corner of the Northwest
Quarter of Section 8, Township 30 North, Range 12 East, Wayne Township, Allen
County, Indiana; thence North 89 degrees 53 minutes 37 seconds East (Indiana
Geospatial Coordinate System - Allen County bearing and basis of bearings to follow), a
distance of 214.53 feet (211.20 feet Deed / 214.50 feet Deed) along the North line of
said Northwest Quarter and within the right-of-way of Illinois Road (State Road #14) to
a Harrison Monument at the intersection of the West line of LaGro Reserve and said
North line; thence North 89 degrees 41 minutes 43 seconds East, a distance of 1010.24
feet along the North line of said LaGro Reserve and within said right-of-way to the
centerline of Rekeweg Road; thence South 00 degrees 27 minutes 25 seconds West, a
distance of 452.73 feet (452.50 feet Deed / 453.00 feet Deed) along said centerline to a
DuraNail with a "Miller Surveying Firm #0095" identification ring on the South line of
an existing 0.36 acre tract as described in Document Number 204003792 in the Office of
the Recorder of Allen County, Indiana; thence South 89 degrees 32 minutes 15 seconds
West, a distance of 40.00 feet (Deed) along said South line to a 5/8" Steel Rebar with a
"Miller Land Surveying Firm #0095" identification cap at the POINT OF BEGINNING
of the herein described tract; thence continuing South 89 degrees 32 minutes 15 seconds
West, a distance of 448.91 feet to an Axle on an East line of an existing tract as
described in Document Number 206077089 in the Office of said Recorder; thence North
00 degrees 17 minutes 00 seconds West, a distance of 139.33 feet (138.96 feet Deed /
139 feet Deed) along said East line to a 5/8" Steel Rebar with a "Miller Land Surveying

Firm #0095" identification cap on a South line of said tract; thence North 89 degrees 41 minutes 43 seconds East, a distance of 87.50 feet (Deed) along said South line to a 5/8"Steel Rebar with a "T-E" identification cap on the West line of an existing 243.63 Square Foot tract as described in Document Number 206077090 in the Office of said Recorder; thence North 01 degrees 10 minutes 11 seconds East, a distance of 194.72 feet (194.90 feet Deed) along said West line to a 5/8"Steel Rebar with a "Miller Land Surveying Firm #0095" identification cap on the West line of an existing 16.07 Square Foot tract as described in Document Number 206077090 in the Office of said Recorder; thence North 00 degrees 26 minutes 14 seconds East, a distance of 50.05 feet (50.06 feet Deed) along said West line to a 5/8"Steel Rebar with a "Miller Land Surveying Firm #0095" identification cap on the Southerly right-of-way of Illinois Road (State Road #14); thence North 89 degrees 41 minutes 43 seconds East, a distance of 330.79 feet along said Southerly right-of-way to 5/8"Steel Rebar with a "Miller Land Surveying Firm #0095" identification cap on a West line of said existing 0.36 acre tract; thence South 45 degrees 10 minutes 08 seconds East, a distance of 41.97 feet (42.05 feet Deed) along said West line to a West line of said 0.36 acre tract; thence South 00 degrees 27 minutes 25 seconds West, a distance of 353.08 feet (Deed) along said West line to the Point of Beginning. Containing 3.454 acres, more or less. Subject to the right-of-way of the Lawrence Open Drain (City) and easements of record.

TOGETHER WITH:

A parcel of land located in Lagro Reserve, Section 8, Township 30 North, Range 12 East, Allen County, Indiana, and more particularly described as follows:

Commencing at a point 452.5 feet South of the Northeast corner of the Northwest quarter of the Northwest quarter of said Section 8; thence west 532 feet to a stake; thence South 227.35 feet to a stake; thence East 530 feet to the center of the Reckeweg Road; thence North 230.3 feet to the Place of Beginning, said in survey to Contain 2.79 acres, more or less.

and the symbols of the City of Fort Wayne Zoning Map No. F-02 (Sec. 8 of Wayne 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
2 SECTION 3. That this Ordinance shall be in full force and effect from and after its
3 passage and approval by the Mayor.
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5
6 _____
Council Member
7

8 APPROVED AS TO FORM AND LEGALITY:
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10 _____
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-2024-0041
Bill Number: Z-25-04-18
Council District: 4 – Dr. Scott Myers

Introduction Date: April 22, 2025

Plan Commission
Public Hearing Date: May 12, 2025 (not heard by Council)

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

Synopsis of Ordinance: To rezone 6.246 acres from R1/Single Family Residential and C2/Limited Commercial to C3/General Commercial

Location: 1336 Reckeweg Road, behind existing Preferred Auto at 5115 Illinois Road (Section 8 of Wayne Township)

Reason for Request: To permit an expansion of existing automobile sales facility

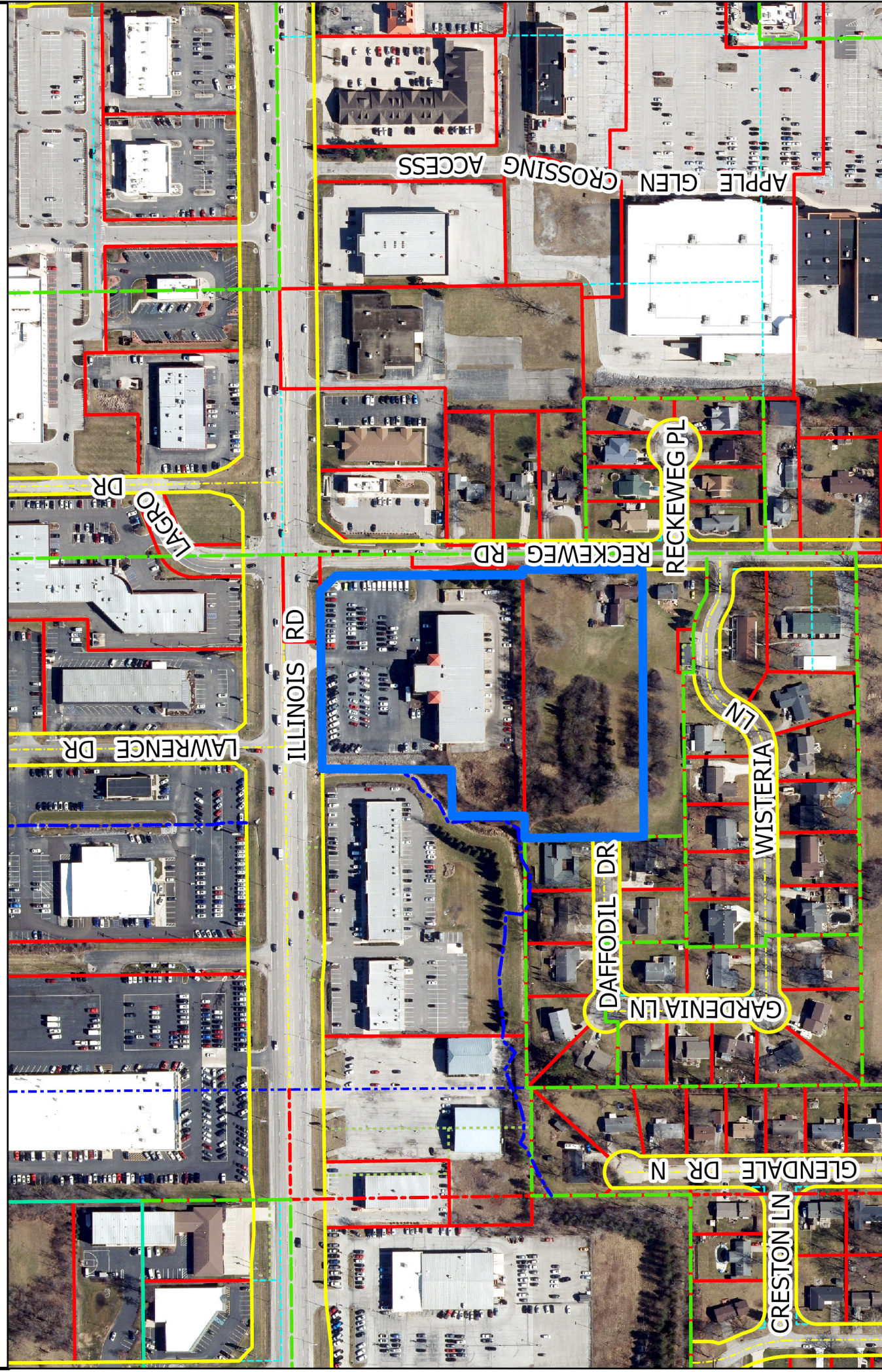
Applicant: Preferred Automotive Group, Inc.

Property Owner: Lenacco Investments LLC

Related Petitions: Primary Development Plan – Preferred Auto Expansion

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

Effect of Non-Passage: The property will remain zoned R1/Single Family Residential and C2/Limited Commercial, which does not permit an expansion of existing automobile sales facility. The site will continue with existing non-conforming uses, and may be redeveloped with single-family residential dwellings, moderate intensity business, community, office, personal service, and limited retail uses.

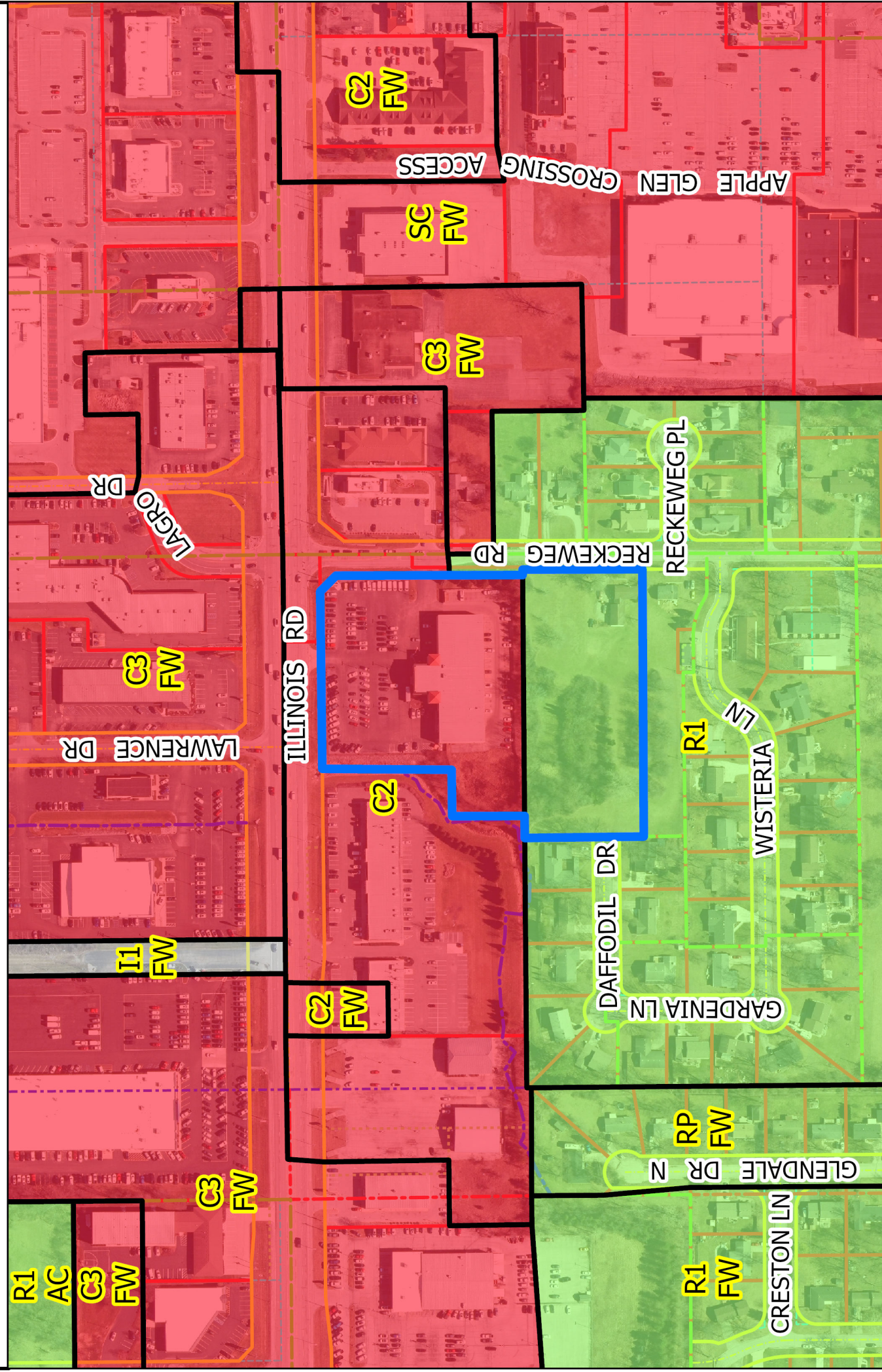


Although strict accuracy standards have been employed in the compilation of this map, Allen County does not warrant or guarantee the accuracy of the information contained herein and disclaims any and all liability resulting from any error or omission in this map.

© 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: 4.10.2025

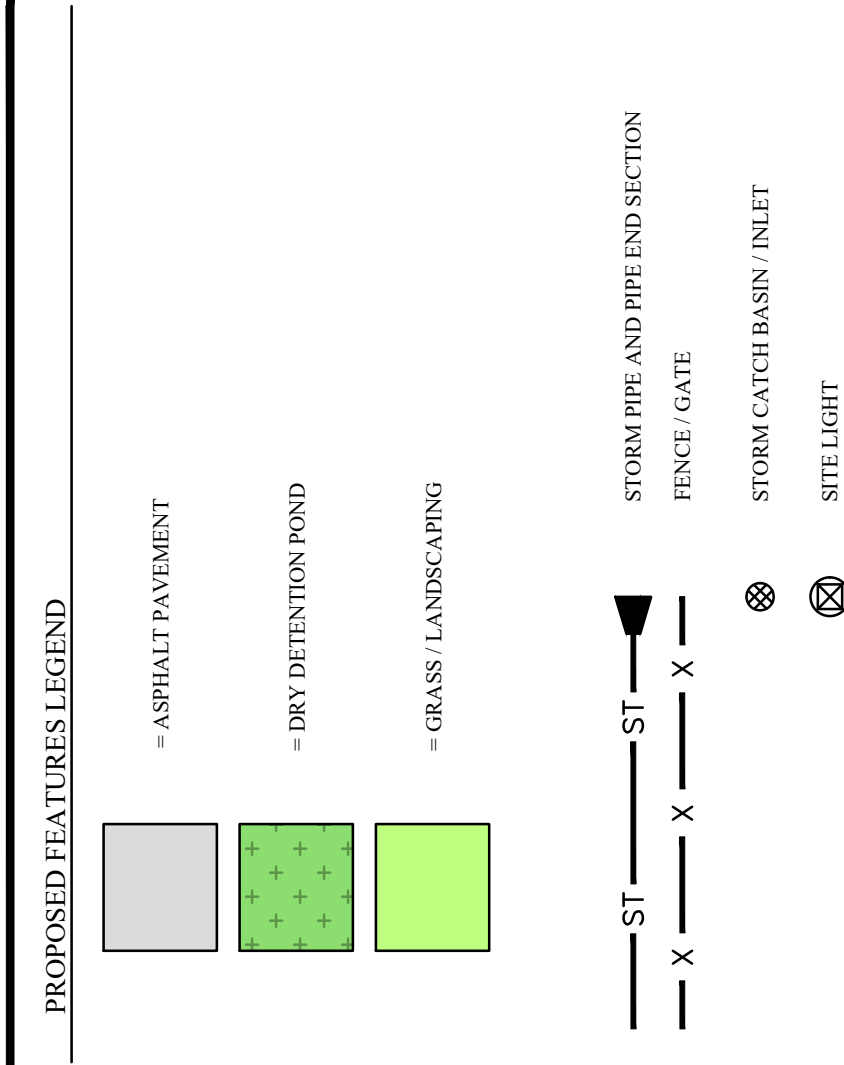
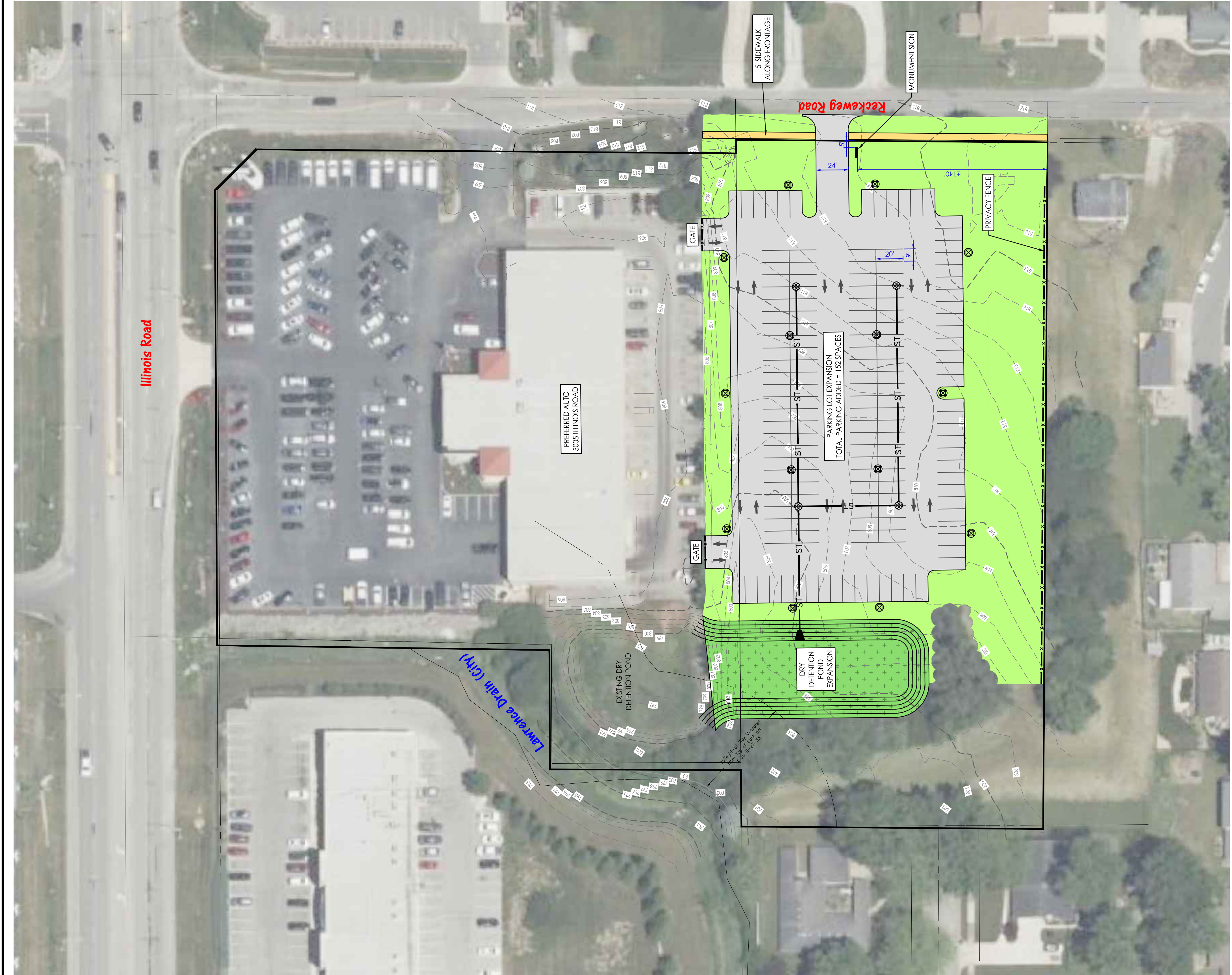


Rezoning Petition REZ-2025-0025 and Primary Development Plan PDP-2025-0016 - Preferred Auto Expansion



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.

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North American Datum 1983
State Plane Coordinate System, Indiana East
Photos and Contours: Spring 2009
Date: 4.10.2025



PROJECT SUMMARY	
PARCEL ADDRESS:	1336 RECKEWEG ROAD, FORT WAYNE, IN 46804
TOWNSHIP NAME:	WAYNE
TOWNSHIP SECTION:	8
CONSTRUCTION START DATE:	MAY 2025
CONSTRUCTION END DATE:	OCTOBER 2025
CURRENT ZONING CLASSIFICATION:	R1 - SINGLE FAMILY RESIDENTIAL
PROPOSED ZONING CLASSIFICATION:	C3 - GENERAL COMMERCIAL
CURRENT PROPERTY USE:	SINGLE FAMILY HOME
PROPOSED PROPERTY USE:	AUTOMOBILE SALES (OUTDOOR)
TOTAL LOT ACREAGE:	6.14 AC.
TOTAL LOT IMPERVIOUS SURFACE:	2.51 AC. (EXISTING) + 1.22 AC. (PROPOSED) = 3.73 AC.
TOTAL LOT COVERAGE:	(3.73 AC. / 6.14 AC.) * 100 = 61% LOT COVERAGE
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.
AIRPORT OVERLAY DISTRICT:	FWA AREA S
STORMWATER OUTLET:	TO EXISTING DETENTION DRY POND - OUTLET TO LAWRENCE DRAIN



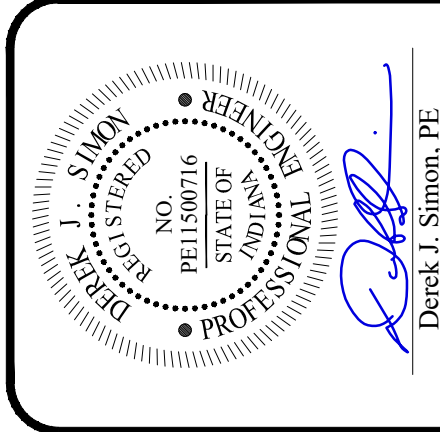
PREPARED FOR:	Jake Leonard Preferred Auto Group 5005 Illinois Road Fort Wayne, IN 46804 (260) 450-1080
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REVISIONS:	
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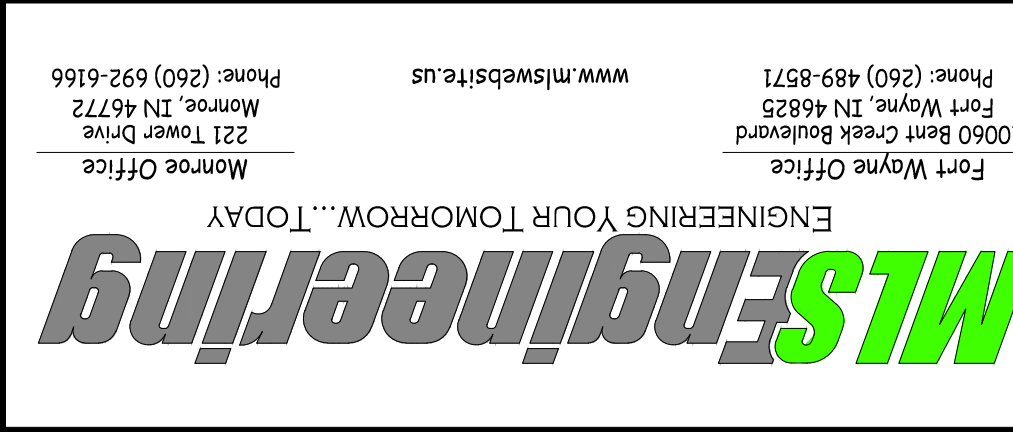
DATE:	03/10/2025
DESIGN BY:	ABN/CDO
CHECKED BY:	DJS
PROJECT NO.:	24087548
SHEET NUMBER:	



DATE:	03/10/2025
DESIGN BY:	ABN/CDO
CHECKED BY:	DJS
PROJECT NO.:	24087548
SHEET NUMBER:	



Derek J. Simon, PE
221 Tower Drive
Mooresville, NC 28117
Phone: (260) 692-6166
www.mlsweb.com



10060 Bent Creek Boulevard
Fort Wayne, IN 46825
Phone: (260) 489-8571
www.mlsweb.com

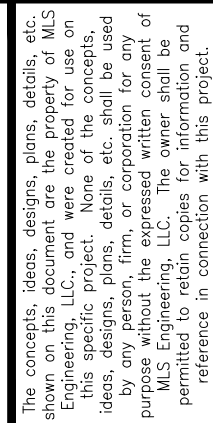
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CHECKED BY:	DJS
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SHEET NUMBER:	



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www.mlswebsite.us

PREPARED FOR:
Jake Leonard
Preferred Auto Group
5005 Illinois Road
Fort Wayne, IN 46801
(260) 450-1080

PREPARED FOR:

Jake Leonard
Preferred Auto Group
5005 Illinois Road
Fort Wayne, IN 46804
(260) 450-1080

(260) 450-1080

REVISIONS:

Preferred Auto - Parking Lot Expansion

Primary Development Plan

1336 Reckweg Road
Fort Wayne, IN 46804

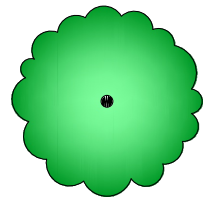
Landscape Plan

Date: 03/10/2025
Design By: ABN/CDO
Checked By: DJ5
Project No.: 24087548
Sheet Number

Sheet Number

PP-2

PROPOSED FEATURES LEGEND



= SHADE TREE



= SLENDER/COLUMNAR TREE

= SMALL SHRUB



= 6' PRIVACY FENCE



COPY

WAYNE
94-0116-? (0006)+

MAIL TAX BILLS TO:
9134 Lima Rd.
Port Wayne, IN 46818

QUITCLAIM DEED

THIS INDENTURE WITNESSETH, that Jay A. Leonard and Ann L. Leonard, d/b/a Lenacco Investments, an Indiana General Partnership ("Grantor") of Allen County, in the State of Indiana, QUITCLAIM to Lenacco Investments, LLC, an Indiana Limited Liability Company ("Grantee"), of Allen County, in the State of Indiana, in consideration of One Dollar (\$1.00) and other valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the following described real estate in Allen County, in the State of Indiana:

(See Exhibit "A" attached.)

SUBJECT TO all current and future real estate taxes and assessments.

SUBJECT TO all conditions, easements, limitations, restrictions and covenants of record and to all visible easements not of record.

Dated this 15 day of September, 2003.

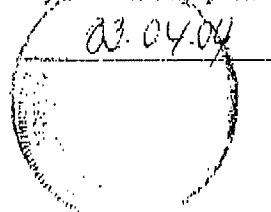
Recital: This deed is being rerecorded to correct the order of the chain of title, as a deed by which the Grantor took title to a portion of the real estate conveyed herein was rerecorded on October 3, 2003 as Document No. 203104010 in the Office of the Recorder of Allen County, Indiana to correct errors in the legal description of said deed.

STATE OF INDIANA)
COUNTY OF ALLEN) SS:

Before me, a Notary Public in and for said County and State, personally appeared Jay A. Leonard and acknowledged the execution of the foregoing Deed.

Witness my hand and Notarial Seal this 15 day of September, 2003.

My Commission Expires:



Jay A. Leonard
Notary Public
Resident of Allen County, Indiana

AUDITOR'S OFFICE
Duly entered for taxation. Subject
to final acceptance for transfer.

SEP 22 2003

Elizabeth A. Glavin
AUDITOR OF ALLEN COUNTY

FILED

SEP 22 2003

SALES DISCLOSURE
FORM

Beers Mallow Box

203100146

RECORDED
09/17/2003 11:20:55
RECORDER
PATRICIA J CRICK
ALLEN COUNTY, IN

Doc. No. 203100146
Receipt No. 34067

DCFD 3.00
DEED 12.00
SCSF 5.00
Total 20.00

#203109037

RECORDED
10/17/2003 08:11:55
RECORDER
PATRICIA J CRICK
ALLEN COUNTY, IN

Doc. No. 203109037
Receipt No. 38234

DCFD 3.00
DEED 12.00
SCSF 5.00
Total 20.00

AUDITOR'S OFFICE
Duly entered for taxation. Subject
to final acceptance for transfer.

OCT 16 2003

Elizabeth A. Glavin
AUDITOR OF ALLEN COUNTY

03 21155
ALLEN COUNTY AUDITOR'S NUMBER

RECORDED
AS
RECEIVED

03 23925
ALLEN COUNTY AUDITOR'S NUMBER

20

STATE OF INDIANA

) SS:

COUNTY OF ALLEN

Before me, a Notary Public in and for said County and State, personally appeared Ann L. Leonard and acknowledged the execution of the foregoing Deed.

Witness my hand and Notarial Seal this 15 day of August 2003.

My Commission Expires:

Q3.04.6.9

Resident of Ellettsville Notary Public
County, Indiana

This instrument prepared by: Peter G. Mallers (9001-02), Beers Mallers Backs & Salin, LLP
122671 110 W. Berry Street, Suite 1100, Fort Wayne, IN 46802

MAIL TO:

Beers Box

RECORDED
AS
RECEIVED

EXHIBIT A

That part of the Northwest 1/4 of the Northwest 1/4 of Section 8, Township 30 North, Range 12 East, in Allen County, Indiana, more particularly described as follows, to-wit:

Beginning at the intersection of the center line of Reckeweg Road and the North line of the aforesaid Section 8, Township 30 North, Range 12 East; thence South on said center line of the Reckeweg Road a distance of 245 feet; thence West parallel with said North line of said Section 8, a distance of 164.5 feet; thence North parallel with the said center line of said Reckeweg Road a distance of 245 feet to a point in said North line of said Section 8; thence East on said North line of said Section 8 a distance of 164.5 feet to the point of beginning, containing .925 acres of land, more or less; together with an easement for drain as shown recorded in Book 501, page 352, in the Office of the Recorder of Allen County, Indiana

Together with:

That part of a parcel of land in the Northwest Quarter of section Eight (8), Township thirty (30) North, Range Twelve (12) East, in Allen County, Indiana, more particularly described as follows:

Beginning at a point in the North line of said Section 8, Township 30 North, Range 12 East, 164.5 feet West of its intersection by the centerline of the Reckeweg Road; thence South parallel with said centerline, a distance of 315 feet; thence West parallel with said North line of Section 8, a distance of 96 feet; thence North parallel with said center line of the Reckeweg Road, a distance of 315 feet to a point in said North line of Section 8; thence East on said North line of Section 8, a distance of 96 feet to the point of beginning, containing 0.694 acres of land.

Together with:

That part of a parcel of land in the Northwest 1/4 of the Northwest 1/4 of Section 8, Township 30 North, Range 12 East, in Allen County, Indiana, more particularly described as follows, to-wit:

Beginning at a point in the North line of said Section 8, Township 30 North, Range 12 East, 260.5 feet West of its intersection by the centerline of the Reckeweg Road; thence South parallel with said centerline a distance of 315 feet; thence West parallel with said North line of said Section 8, a distance of 96 feet; thence North parallel with said centerline of the Reckeweg Road a distance of 315 feet to a point in said North line of Section 8; thence East on said North line of Section 8, a distance of 96 feet to the point of beginning, containing 0.694 acre of land, more or less.

Part of the Northwest quarter of the Northwest quarter of Section 8, Township 30 North, Range 12 East, being a tract of land located in Lago Reserve approximately 47 feet by 315 feet and adjoining the 0.694 acres in Lago Reserve conveyed by the grantors to the grantees by deed dated November 7, 1969.

Together with:

A parcel of land in the Northwest 1/4 of the Northwest 1/4 of Section 8, Township 30 North, Range 12 East in Allen County, Indiana, more particularly described as follows, to-wit:

Beginning at a point in the center line of the Reckeweg Road 315 feet South of its intersection by the North line of aforesaid Section 8, Township 30 North, Range 12 East; thence West parallel to said North line of

RECORDED
AS
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Section 8, a distance of 491 feet; thence South a distance of 139 feet; thence East a distance of 489 feet to a point in said center line of the Reckeweg Road; thence North on said center line 138 feet to the point of beginning; containing 1.558 acres of land, more or less.

Together with:

Seventy feet (70') off of the South end of that part of a certain parcel of land in the Northwest Quarter of the Northwest Quarter of Section 8, Township 30 North, Range 12 East, more particularly described as follows:

Beginning at the intersection of the center line of the Reckeweg Road and the North line of aforesaid Section 8, Township 30 North, Range 12 East; thence South on said center line of the Reckeweg Road, a distance of 315 feet; thence West parallel with said North line of Section 8, a distance of 164.5 feet; thence North parallel with said center line of the Reckeweg Road, a distance of 315 feet to a point in said North line of Section 8; thence East on said North line of Section 8, a distance of 164.5 feet to the point of beginning, containing 1.189 acres of land, more or less.

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2024032407

RECORDED: 06/26/2024 02:04:40 PM

NICOLE KEESLING
ALLEN COUNTY RECORDER
FORT WAYNE, IN

WARRANTY DEED

Property Address:
1336 Reckeweg Rd.
Fort Wayne, IN 46804

Tax Parcel No.: 02-12-08-103-011.000-074
247938 Wayne

This Indenture Witnesseth, That Kim L. Nguyen

Convey(s) and Warrant(s) to Lenacco Investments, LLC, an Indiana limited liability company

for the sum of **Ten & 00/100 Dollars (\$10.00)** and other valuable consideration, the following described real estate in **Allen** County, in the State of **Indiana**:

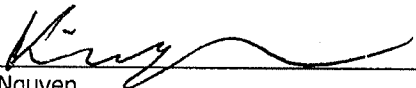
A PARCEL OF LAND LOCATED IN LAGRO RESERVE, SECTION 8, TOWNSHIP 30 NORTH, RANGE 12 EAST, ALLEN COUNTY, INDIANA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT 452.5 FEET SOUTH OF THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 8; THENCE WEST 532 FEET TO A STAKE; THENCE SOUTH 227.35 FEET TO A STAKE; THENCE EAST 530 FEET TO THE CENTER OF THE RECKEWEG ROAD; THENCE NORTH 230.3 FEET TO THE PLACE OF BEGINNING, SAID IN SURVEY TO CONTAIN 2.79 ACRES, MORE OR LESS.

Subject to real estate taxes not yet due and payable.

Subject To any and all easements, agreements, and restrictions of record, and to legal highways.

Signed this 24th day of June, 2024.


Kim L. Nguyen

File No.: 4054-247938

Page 1 of 2

DULY ENTERED FOR TAXATION
SUBJECT TO FINAL ACCEPTANCE FOR TRANSFER

Jun 26 2024 MS

NICHOLAS D. JORDAN
ALLEN COUNTY AUDITOR

Acknowledgement

State of Indiana; Allen County:

Before me, a Notary Public in and for the said County and State, on this 24th day of June, 2024, personally appeared **Kim L. Nguyen**, who acknowledged the execution of the foregoing Warranty Deed, and who, having been duly sworn, stated that any representations therein contained are true.

Witness my hand and notarial seal this 24th day of June, 2024.

My commission expires:

1/3/2030

Signature

Printed

Residing in

[Signature]
Stuart Eddy

, Notary Public

Allen County, Indiana

This Instrument prepared by Mary A. Slade, Attorney at Law.

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.

Name:

Stuart Eddy

Grantee's Mailing Address and Mailing Address for Tax Bills:
(must be a street address)

9134 Lima Rd
Fort Wayne, IN 46818



STUART EDDY, Notary Public
Allen County, State of Indiana
Commission Number NP0738256
My Commission Expires January 3, 2030

Department of Planning Services
 Rezoning Petition Application

Applicant	Applicant	PREFERRED AUTOMOTIVE GROUP, INC.		
	Address	5005 ILLINOIS ROAD		
	City	FORT WAYNE	State	IN Zip 46804
	Telephone	260-434-0100	E-mail	jake@fwpag.com (JAKE LEONARD)

Property Ownership	Property Owner	LENACCO INVESTMENTS, LLC		
	Address	5005 ILLINOIS ROAD		
	City	FORT WAYNE	State	IN Zip 46804
	Telephone	260-434-0100	E-mail	jake@fwpag.com

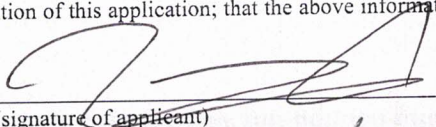
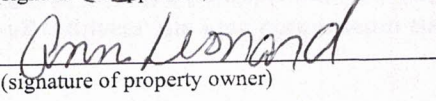
Contact Person	Contact Person	MICHAEL J. HOFFMAN, ESQ. (33860-02) OF BEERS MALLERS, LLP		
	Address	110 WEST BERRY STREET, SUITE 1100		
	City	FORT WAYNE	State	IN Zip 46802
	Telephone	260-426-9706	E-mail	mjhoffman@beersmallers.com

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	(1) 1336 RECKEWEG ROAD, FORT WAYNE, IN (2) 5005 ILLINOIS ROAD, FORT WAYNE, IN	Township and Section (1) WAYNE / 8 (2) WAYNE / 8	
	Present Zoning	(1) R1 (2) C2	Proposed Zoning (1) C3 (2) C3	
	Acreage to be rezoned		(1) 2.792 (2) 3.454	
	Purpose of rezoning (attach additional page if necessary)			
	(1) EXPANSION OF PREFERRED AUTO PARKING LOT FOR OUTDOOR STAGING AND VEHICLE INVENTORY (2) CONFORMING EXISTING PREFERRED AUTO FACILITY TO CURRENT ZONING ORDINANCE			
Sewer provider		CITY OF FORT WAYNE	Water provider	CITY OF FORT WAYNE

Filing Checklist	<i>Applications will not be accepted unless the following filing requirements are submitted with this application.</i>	
	☐	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

PREFERRED AUTOMOTIVE GROUP, INC. by: (printed name of applicant)	 (signature of applicant)	3/27/2025 (date)
LENACCO INVESTMENTS, LLC by: (printed name of property owner)	 (signature of property owner)	3-27-2025 (date)



Received	Receipt No.	Hearing Date	Petition No.

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 Questionnaire

(1) **THE COMPREHENSIVE PLAN:**

1336 RECKEWEG ROAD – The proposed rezoning will be in substantial compliance with the Comprehensive Plan because the property abuts commercially zoned land and rezoning of land considered a suburban neighborhood must be potentially compatible with that neighborhood. The Applicant, in cooperation with DPS Staff, has agreed to enter into a Written Commitment to implement features that are designed to reduce the impact of the commercial use. Maintaining landscape buffer, constructing solid fencing, not installing signage, reducing the height of lighting, and locating the driveway as far north on the site as possible all help make the subject site compatible with the residential neighborhood. Because the area along Illinois Road is heavily utilized for automotive sales, including the development of land to the rear of the automotive sales facilities, the proposed use is consistent with many other Illinois Road uses. The proposed development presents an opportunity to revitalize dilapidated residential property that was constructed in 1923 and has not been adequately cared for and to re-purpose the land to accommodate a thriving, established local business.

5005 ILLINOIS ROAD – Rezoning the existing automotive facility from C2 to C3 simply conforms it to the current zoning ordinance and allows for the entire 6-acre development plan to be of same zoning classification.

(2) **CURRENT CONDITIONS AND THE CHARACTER OF CURRENT STRUCTURES AND USES IN THE DISTRICT:**

1336 RECKEWEG ROAD – The residential zoning was first put in place many decades ago, well before Illinois Road became a commercial corridor and many of the properties were developed for automotive sales. Those residential properties closest to the subject property have become rental properties and have not been properly cared for. While there are well cared for properties located to the south of the subject site, the proposed development will adequately buffer the proposed use from those residential properties so that there will be minimal impact. In addition, the recent rezoning on the east side of Reckeweg for a car wash will encroach into the residential neighborhood to a large degree, and the probable impact of the car wash on that residential use that use will be greater than Applicant's proposed use. The proposed development will be similar to current conditions in the area where parking is provided in the rear of commercial businesses, which are also adjacent to residential zoned areas (strip center at 5129 Illinois Road, Bob Thomas Ford West at 5329 Illinois Road, DeHaven Chevrolet at 5200 Illinois Road, all of which have parking to the rear of buildings).

5005 ILLINOIS ROAD – Rezoning the existing automotive facility from C2 to C3 simply conforms it to the current zoning ordinance and allows for the entire 6-acre development plan to be of same zoning classification.

(3) **THE MOST DESIREABLE USE FOR WHICH THE LAND IN THE DISTRICT IS ADAPTED:**

1336 RECKEWEG ROAD – With the exception of the dilapidated house on the south part of the subject site, this property has been vacant for many years and is no longer suitable for residential use, given

the proximity to the well-established commercial uses on Illinois Road. Therefore, the proposed rezoning represents the most desirable use for the property. Preferred Auto will expand its existing operation in an orderly manner and given the growth of the business over the years, the acquisition and rezoning of adjacent real estate is both expected and necessary.

5005 ILLINOIS ROAD – Rezoning the existing automotive facility from C2 to C3 simply conforms it to the current zoning ordinance and allows for the entire 6-acre development plan to be of same zoning classification.

(4) **THE CONSERVATION OF PROPERTY VALUES THROUGHOUT THE JURISDICTION:**

1336 RECKEWEG ROAD – The proposed use will eliminate a dilapidated residential use that is lowering property values in the area. The Applicant is cooperating with Planning staff to implement appropriate screening and other buffering and reducing the height of light poles and to enter into a Written Commitment in order to preserve property values in the area.

5005 ILLINOIS ROAD – Rezoning the existing automotive facility from C2 to C3 simply conforms it to the current zoning ordinance and allows for the entire 6-acre development plan to be of same zoning classification.

(5) **RESPONSIBLE DEVELOPMENT AND GROWTH:**

1336 RECKEWEG ROAD – Because most of the subject property has been vacant for years, the proposal to develop it in a manner that is consistent with an existing use constitutes responsible development and growth. Utilities will be extended or preserved as needed, and the expansion of the existing business into undeveloped and dilapidated properties with adequate screening, no signage, reduced lighting height, and security constitute responsible development and growth.

5005 ILLINOIS ROAD – Rezoning the existing automotive facility from C2 to C3 simply conforms it to the current zoning ordinance and allows for the entire 6-acre development plan to be of same zoning classification.