

#REZ-2025-0040

BILL NO. Z-25-08-28

ZONING MAP ORDINANCE NO. Z-_____

**AN ORDINANCE amending the City of Fort Wayne
Zoning Map No. 027 (Sec 25 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 C2/Limited Commercial zoning district under the terms of Chapter 157 Title XV of the Code of the City of Fort Wayne, Indiana:

LEGAL DESCRIPTION

Lots 19 Thru 22 & S 2ft & N 48 Of S 50 Of E 35ft Lot 23 Southdale Park Add

and the symbols of the City of Fort Wayne Zoning Map No. 027 (Sec. 25 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.

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

Council Member

APPROVED AS TO FORM AND LEGALITY:

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-2025-0040
Bill Number: Z-25-08-28
Council District: 6 – Rohli Booker

Introduction Date: August 26, 2025

Plan Commission
Public Hearing Date: September 8, 2025 (not heard by Council)

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

Synopsis of Ordinance: To rezone 1.33 acres from R3/Multiple Family Residential to C2/Limited Commercial

Location: 6814 S Anthony Blvd (Section 25 of Wayne Township)

Reason for Request: To permit a grocery store and restaurant

Applicant: Zu Bein

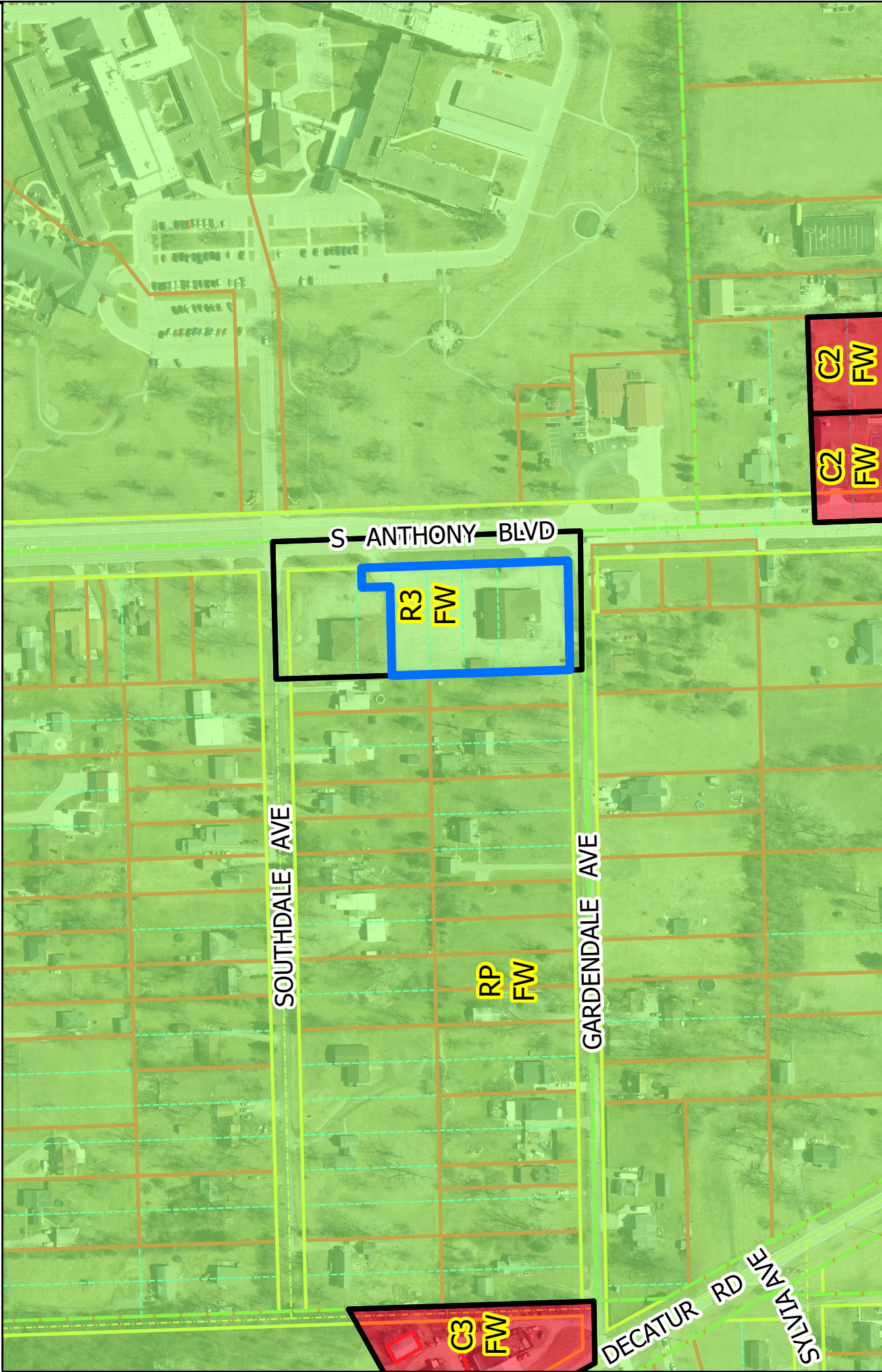
Property Owner: Blessing Hands Home Care Agency LLC

Related Petitions: None

Effect of Passage: Property will be rezoned to the C2/Limited Commercial zoning district, which would permit a grocery store and restaurant.

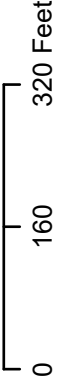
Effect of Non-Passage: Property will remain zoned R3/Multiple Family Residential, which does not permit a grocery store and restaurant. The site may continue with existing or non-conforming uses, and may be redeveloped with multiple family and other similar residential uses.

Rezoning Petition REZ-2025-0040 - 6814 South Anthony Blvd

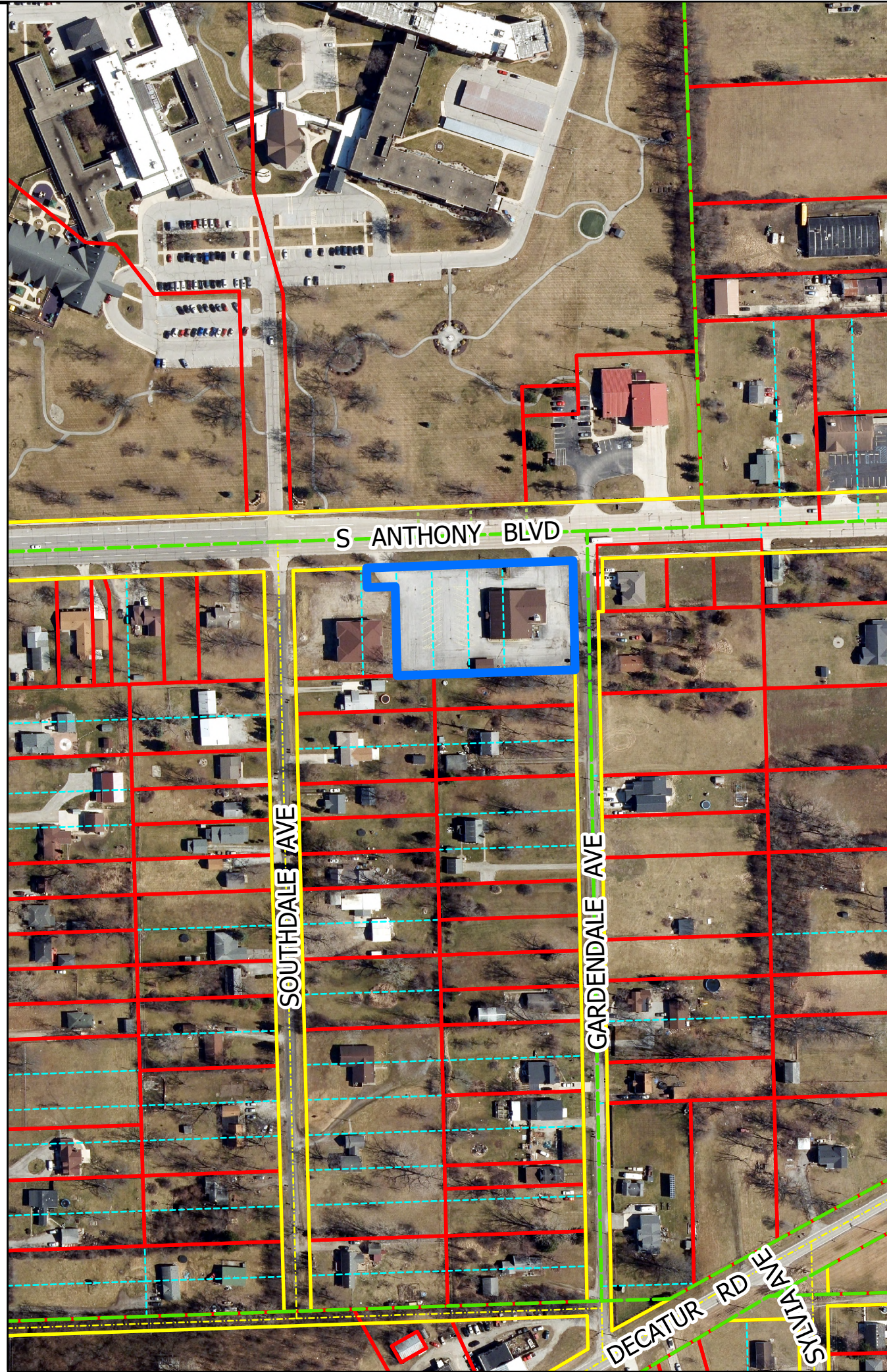


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Date: 8/13/2025



Rezoning Petition REZ-2025-0040 - 6814 South Anthony Blvd



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**Department of Planning Services
Rezoning Petition Application**

Applicant
Applicant Zu Bein
Address 10006 Trentman Rd
City Fort Wayne State Indiana Zip 46816
Telephone 816-807-8239 E-mail zubein@blessinghandshhca.org

Property Ownership
Property Owner Zu Bein
Address 6814 S Anthony Blvd
City Fort Wayne State Indiana Zip 46816
Telephone 816-807-8239 E-mail zubein@blessinghandshhca.org

Contact Person
Contact Person Zu Bein
Address 10006 Trentman Rd
City Fort Wayne State Indiana Zip 46816
Telephone 816-807-8239 E-mail zubein@blessinghandshhca.org

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 6814 S Anthony Blvd Township and Section _____
Present Zoning R3 Proposed Zoning C2 Acreage to be rezoned 1.33
Purpose of rezoning (attach additional page if necessary) Grwy Store/Restaurant
Sewer provider City Utilities Water provider City Utilities

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

Zu Bein
(printed name of applicant) _____
(signature of applicant) _____

8/1/2025
(date)

Zu Bein
(printed name of property owner) _____
(signature of property owner) _____

8/1/2025
(date)



Received <u>8.1.25</u>	Receipt No. <u>148026</u>	Hearing Date <u>9.8.25</u>	Petition No. <u>REZ-2025-0040</u>
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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



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 rezoning supports the goals of the Comprehensive Plan by encouraging adaptive reuse of existing structures, promoting neighborhood-scale commercial activity, and improving access to essential goods and services. A grocery store and restaurant at this location aligns with the community's vision for sustainable redevelopment and increased local amenities.

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

The property is currently a VFW post, surrounded by a mix of residential, institutional, and light commercial uses. The structure is well-suited for renovation, and the proposed change in use is consistent with the area's evolving character. The addition of a grocery store and restaurant will serve local needs while maintaining the scale and feel of the neighborhood.

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

Given the building's size, location, and accessibility, converting it into a grocery store and restaurant represents a highly desirable use. It provides a much-needed local resource, especially for residents who may not have easy access to fresh food or dining options. This type of commercial use is compatible with surrounding land uses and meets a clear community demand.

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

By upgrading and reusing the existing structure, this project is expected to enhance surrounding property values. It will replace an underutilized facility with an active, attractive community-serving business, encouraging further investment in the area and improving quality of life for nearby residents.

(5) Responsible development and growth.

This project reflects responsible development by reusing an existing building and connecting to existing infrastructure. It supports walkability, reduces the need for new construction, and brings essential services closer to residents. The plan promotes economic development in a way that is both environmentally and socially responsible.

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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FACT SHEET

Case #REZ-2025-0040 Bill # Z-25-08-28 Project Start: August 2025

APPLICANT:	Zu Bein
REQUEST:	To rezone from R3/Multiple Family Residential to C2/Limited Commercial to permit a grocery store and restaurant
LOCATION:	6814 S Anthony Blvd (Section 25 of Wayne Township)
LAND AREA:	1.33 acres
PRESENT ZONING:	R3/Multiple Family Residential
PROPOSED ZONING:	C2/Limited Commercial
COUNCIL DISTRICT:	6 – Rohli Booker
SPONSOR:	Fort Wayne Plan Commission

September 8, 2025 Public Hearing

- One person spoke in support.
- Four people spoke with concerns or in opposition.
- Four emails were received with concerns or in opposition.
- All members were present.

September 15, 2025 Business Meeting

Plan Commission Recommendation: DO PASS, with a written commitment

A motion was made by Paul Sauerteig and seconded by Rick Briley, to return the ordinance with a Do Pass recommendation, with a written commitment, to Common Council for their final decision.

8-0 MOTION PASSED

- Amos Norman was absent.

Fact Sheet Prepared by:
Karen Couture, Principal Land Use Planner
September 26, 2025

PROJECT SUMMARY

The applicant is requesting to rezone the property in question from R3/Multiple Family Residential to C2/Limited Commercial to permit a grocery store and restaurant. The site is located in Southdale Park Add which was platted in 1944. All of the surrounding properties are zoned RP/Planned Residential. To the north, west, and south are subdivisions, and across South Anthony Boulevard to the east is a nursing home. The site was historically home to the Fort Miami Post No 10006, that had been in existence since 1950, and was an establishment that would have been allowed in a C2/Limited Commercial zoning district.

The applicant stated in the rezoning questionnaire the desire to upgrade and reuse the existing structure and does not anticipate additions to the building footprint or parking in the future. Converting the building into a grocery store and restaurant provides a much-needed local service to residents who do not have access to fresh food or dining options. This type of commercial use is compatible with the surrounding area and is consistent with the area's evolving character. Less than one-half mile to the south, there is an extensive amount of C2/Limited Commercial zoning.

COMPREHENSIVE PLAN REVIEW

Future Growth and Development Map, Goals, and Strategies

The project site is located within the Priority Investment Area.

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

Land Use Policies

The following Land Use Policies would be applicable and supportive of this request:

LUD 1.4 Focus development and redevelopment initiatives and incentives in the Priority Investment Area to address market gaps and build momentum among private sector property owners and developers

Generalized Future Land Use Map

- The property is located within the Traditional Neighborhood category. The adjacent properties to the north, west, and south are also with the Traditional Neighborhood category. Adjacent to the east is categorized as Institutional.

Land Use Related Action Steps

None

PUBLIC HEARING SUMMARY:

Presenter: Zu Bein and Ei Kia, applicants, presented the request as outlined above.

Public Comments:

Hin Ra (610 Winchester Ridge Ct): Supports project; close proximity; good for community.

Todd Funk (1621 Southdale Ave): Concerned with access off S Anthony, privacy fence to stay.

Lee Gideon & Jill McNeal (12615 State Road 37): Concerns with traffic (including response time), fences, lighting, need for the additional store option.

Mohammed Almeilahi (5521 S Anthony Blvd): Concerns with traffic, disrupting area.

Rebuttal: Zu Bein stated that they are very open to studies regarding the traffic and lighting. They want the property to be as safe as possible. Although there are other grocery stores in the area, they intend to provide high quality items not offered in other stores.

FORT WAYNE PLAN COMMISSION

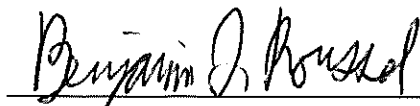
Findings of Fact • September 2025

PROPOSAL:	Rezoning Petition REZ-2025-0040 – 6814 South Anthony
APPLICANT:	Zu Bein
REQUEST:	To rezone property from R3/Multiple Family Residential to C2/Limited Commercial for a grocery store and restaurant.
LOCATION:	6814 South Anthony (Section 25 of Wayne Township)
LAND AREA:	Approximately 1.33 acres
PRESENT ZONING:	R3/Multiple Family Residential
PROPOSED ZONING:	C2/Limited Retail

The Plan Commission recommends that Rezoning Petition REZ-2025-0040 be returned to Council, with a “Do Pass”, with a Written Commitment, recommendation after considering the following:

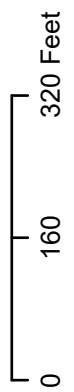
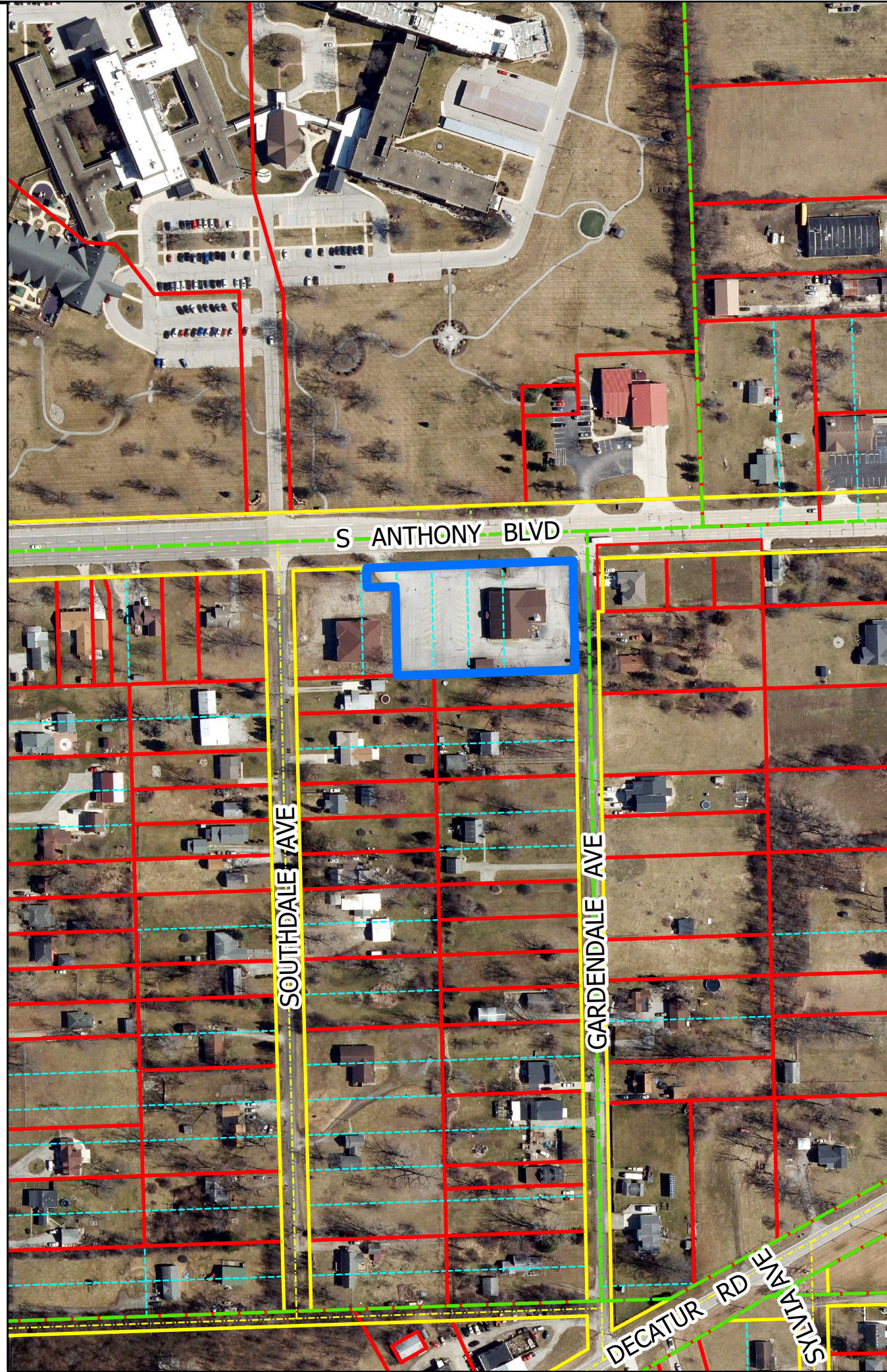
1. Approval of the rezoning request will be in substantial compliance with the City of Fort Wayne Comprehensive Plan, and should not establish an undesirable precedent in the area. The C2/Limited Commercial zoning will provide the opportunity to redevelop the site and will enhance the value of the land in the area. The Comprehensive Plan identifies this area as a priority investment area.
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 existing commercial building has been in use for decades, and now sits vacant. Reuse of this building will offer commercial stability to the corridor. A voluntary Written Commitment will new lighting and screening will meet the standards of the current zoning ordinance.
3. Approval is consistent with the preservation of property values in the area. The applicant intends to reuse the existing commercial building on South Anthony Boulevard, reinvesting in an area in need of neighborhood services.
4. Approval is consistent with responsible development and growth principles based on existing uses and infrastructure in the area. The intended use will place no additional burden on existing infrastructure in the neighborhood.

These findings approved by the Fort Wayne Plan Commission on September 15, 2025.



Benjamin J. Roussel
Executive Director
Secretary to the Commission

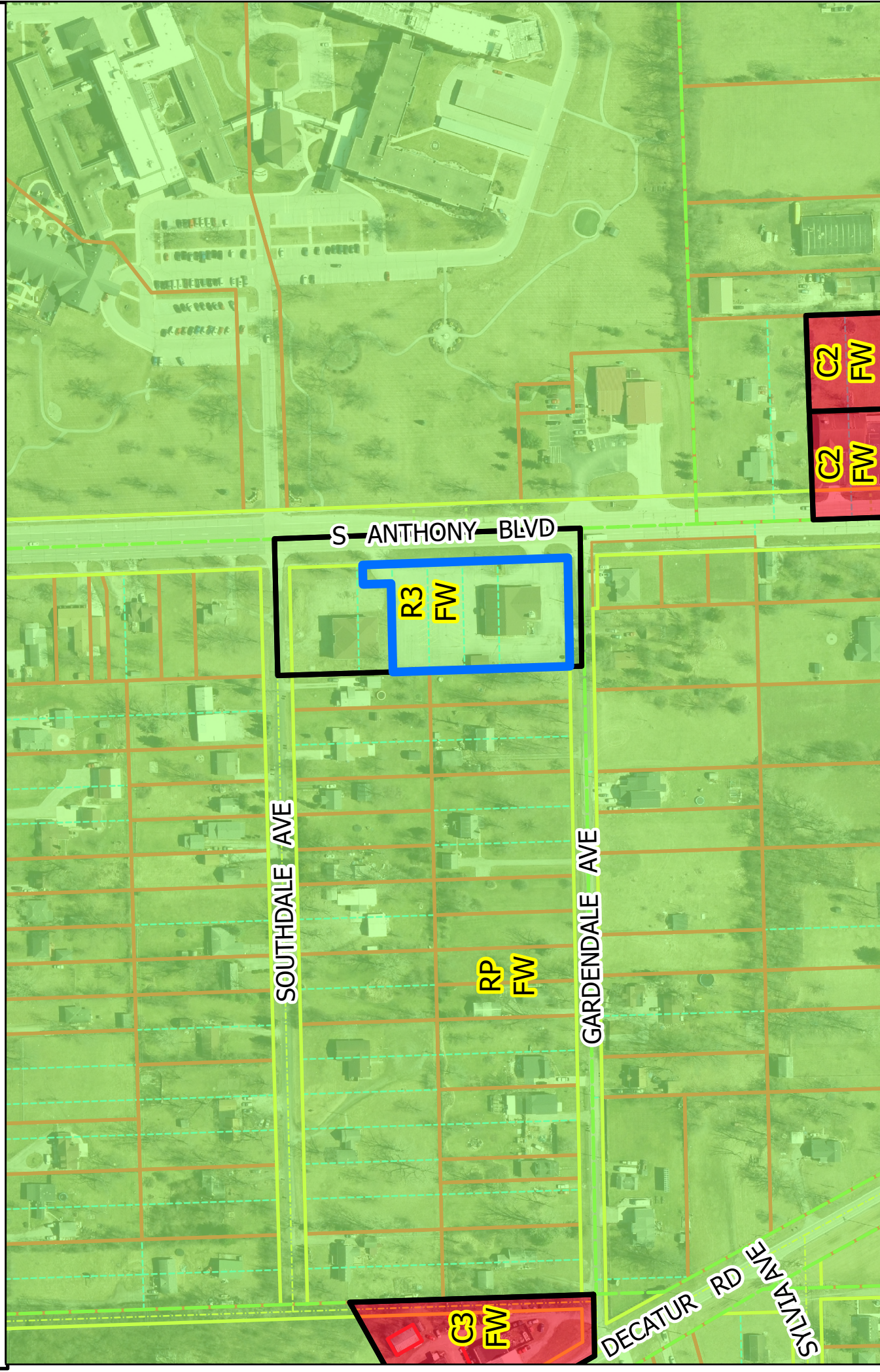
Rezoning Petition REZ-2025-0040 - 6814 South Anthony Blvd



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Rezoning Petition REZ-2025-0040 - 6814 South Anthony Blvd



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WRITTEN COMMITMENT

THIS WRITTEN COMMITMENT ("Commitment") is made this 10 day of 09, 2025 by Zu Bein, an Applicant/owner (the "Declarant").

WITNESSETH:

WHEREAS, Declarant is the owner of approximately 1.33 acres of real estate located in Fort Wayne, Allen County, Indiana, the legal description of which is attached hereto as Exhibit "A" (the "Real Estate"); and

WHEREAS, Declarant submitted a rezoning petition with respect to the Real Estate to rezone the Real Estate from the R3/Multiple Family Residential zoning district to a C2/Limited Retail zoning district, bearing number REZ-2025-0040 (the "Petition"), which Petition has been approved by the City of Fort Wayne Plan Commission (the "Plan Commission") and the Fort Wayne Common Council ("City Council"); and

WHEREAS, Declarant has offered this Commitment, voluntarily, pursuant to Indiana Code 36-7-4-1015, for the purpose of limiting certain uses for the Real Estate; and

WHEREAS, in conjunction with the Petition, the Plan Commission has accepted Declarant's offer of this Commitment and its recordation with the Allen County, Indiana, Recorder's Office upon approval of the Petition by the Plan Commission and City Council.

NOW, THEREFORE, in consideration of the above and foregoing recitals, Declarant hereby impresses upon the Real Estate certain restrictions and covenants which shall run with the Real Estate and be binding upon Declarant and all future owners of the Real Estate, and all lessees of all or any portion of the Real Estate.

1. Fencing and Screening. Declarant agrees to maintain privacy fencing along the west property line, either by allowing the existing chain link fence with slats to remain, or by replacement of said fence with a solid board privacy fence no less than 6 feet in height. Fence shall be kept in good condition, so as to fully screen parking lot along west property line.
2. Site and Building Lighting. Declarant agrees that any new site and/or building lighting fixtures will conform to the Fort Wayne Zoning Ordinance standards, meeting all height and setback requirements and be downward directed at a 90-degree angle.

3. Permits. No permits shall be issued under the zoning ordinance by the Zoning Administrator, or any successor agency having zoning jurisdiction over the Real Estate, until this Commitment is recorded with the Allen County Recorder. The Declarant shall deliver to the Zoning Administrator and the Plan Commission an executed and recorded copy of this Commitment.
4. Binding Effect, Modification, and Termination. This Commitment shall run with the Real Estate, and shall be binding upon the Declarant and each subsequent owner of the Real Estate and each other person acquiring an interest in the Real Estate, unless this Commitment is modified or terminated. The recitals are incorporated herein by reference and are expressly made a part of this Commitment. This Commitment may be modified or terminated only by a decision of the Plan Commission, following a public hearing held by the Plan Commission wherein notice has been given as provided by the Plan Commission's rules of procedure. The Plan Commission shall have the discretion whether to approve or deny any proposed modification or termination of this Commitment. This Commitment may be modified or terminated by the Plan Commission making findings of fact that the proposed modification or termination is required because: (a) there is a substantial change in circumstances from the time of the original Commitment; (b) the proposed modification or termination is in substantial compliance with the Comprehensive Plan; (c) the proposed modification or termination is consistent with the Plan Commission's prior approval; and (d) the application of the terms of the original Commitment would cause an unnecessary hardship absent the modification or termination. Further, pursuant to I.C. 36-7-4-1015(b)(4), this Commitment shall automatically terminate if: (i) the zoning district or classification applicable to the Real Estate is changed; or (ii) if the land use to which this Commitment relates is changed.
5. Recording. Declarant or Applicant shall, at Declarant's or Applicant's expense, record this Commitment with the Allen County Recorder and shall provide two copies of the recorded Commitment to the Zoning Administrator.
6. Enforcement. Any violation of this Commitment shall be deemed a violation of the zoning ordinance in effect at the time of the violation; provided, however, that nothing in this Commitment shall be construed as giving any person the right to compel enforcement of it by the Plan Commission or any enforcement official designated in the zoning ordinance, or any successor agency having zoning jurisdiction over the Real Estate. Pursuant to I.C. §36-7-4-1015, the Plan Commission or any enforcement official designated in the zoning ordinance, shall be entitled to all legal and equitable remedies available, including specific performance and injunctive relief, for any violation of this Commitment. The enforcement rights of the Plan Commission or any enforcement official designated in the zoning ordinance are cumulative, not exclusive. This Commitment may be enforced by any successor commission or enforcement official having zoning jurisdiction over the Real Estate.

7. Last Deeds of Record. The most recent deed of record for the Real Estate was recorded in the Office of the Recorder of Allen County, Indiana as Document Number(s) _____.
8. Severability. Each covenant or restriction contained in any paragraph of this Commitment shall be severable and separate, and if any court shall rule that any particular restriction or covenant is unenforceable, such ruling shall not affect the enforceability of any other restriction or covenant under this Commitment, and such other restriction or covenant shall be enforced.
9. Governing Law. This Commitment, including the restrictions and covenants hereunder, shall be governed by the laws of the State of Indiana.
10. Effective Date. The effective date ("Effective Date") of this Commitment shall be the date of its recordation with the Office of the Recorder of Allen County, Indiana.

"DECLARANT"

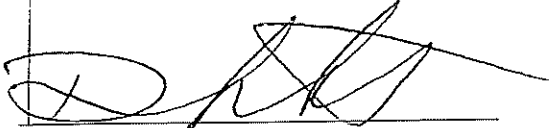
By: ZuBein

Printed Name:

Title: Owner

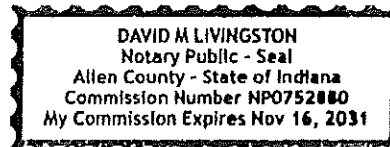
STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

Before me, the undersigned, a Notary Public, in and for said County and State, this 10
day of SEPT, 2025, personally appeared ZU BEIN
and acknowledged the execution of the foregoing. In witness whereof, I have hereunto
subscribed my name and affixed my official seal.


Notary Public

My Commission Expires: 11/16/2031

My County of Residence: Allen



THIS INSTRUMENT prepared by: Name and address

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

When Recorded, mail to: Name/Firm and address

Karen Couture

From: Stacey Bridgewater <staceyb1971@yahoo.com>
Sent: Thursday, September 4, 2025 7:35 PM
To: Karen Couture; ACFWPlanCommission
Subject: opposition to rezoning of 6814 S anthony REZ-2025-0040

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Dear Members of the Zoning Board

I am a concerned resident that would like to oppose the proposed rezoning of 6814 S Anthony.

The neighborhood is a small unity of people that are close and have been in space they have enjoyed.. This change would effect the home and the peace that this area has provided to many families in the area. I moved to the area for the calmness and do not feel the extra traffic of people is in the best interest of the area. This would increase traffic in the area which leads to many concerns as traffic increases so does the safety of people in the area. There is concern of increase to taxes and effect property values. This would impact any long term residents from value they deserve as well as peace of mind.

There is great concerns for the neighborhood as the characteristic of the establishment will cause the area of the home and the new homes being built to not be desirable.

The concerns of such establishment that came into the community increased a lot of stress and safety concerns of children being able to play or residents being able to feel safe going on walks. For these reasons i am opposed to a rezoning of the property.

I ask that a denial to rezone be requested for the peace of the community and the people. Thank you for taking the time to hear a voice of a concerned resident.

Sincerely,
Stacey Dickerson
1606 Southdale ave.

You can respond to this email if you have any further questions for me or provide me a phone number and I will call
Thank you

Karen Couture

From: Guadalupe <bingowinner19@gmail.com>
Sent: Thursday, September 4, 2025 11:26 AM
To: Karen Couture
Subject: REZ-2025-0040

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Subject: Opposition to Rezoning of 6814 S Anthony

Dear Members of the Zoning Board,

I am writing as a concerned resident to respectfully oppose the proposed rezoning of 6814 S Anthony.

Our neighborhood is a close-knit community, and this change would bring impacts that could significantly alter the character of our area. Increased traffic raises real safety concerns for families, children, and pedestrians. Additional noise and activity would disrupt the peace that many of us value and worked hard to build here. There is also the likelihood that property values would be affected, making it harder for long-time residents to protect their investment in their homes.

Most importantly, this rezoning does not fit the established character of our community. The balance we currently have makes our neighborhood a safe, welcoming, and desirable place to live, and we are deeply concerned that this proposal threatens that.

For these reasons, I respectfully ask that you deny the rezoning request. Thank you for your time and for considering the voices of those who call this community home.

Sincerely,

Ruperto and Guadalupe Trevino

1609 Southdale Ave

260-446-4418

Karen Couture

From: Wally Smith <wallytsmith@aol.com>
Sent: Sunday, September 7, 2025 3:06 PM
To: ACFWPlanCommission

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I am writing about the rezoning at 6116 S. Anthony. While not opposed to commercial development on Anthony I am worried about how lights and traffic would affect the of people living on Ventura Ln. and Winter St., especially those with back yards backing up to this property. I am also worried about upkeep of this property because the existing property does not appear to be kept up very well.

Thank You
Wallace Smith
1606 Ventura Ln. 46816

Karen Couture

From: YESENIA TREVINO DE MEDINA <yesenia.integrity.tax@gmail.com>
Sent: Thursday, September 4, 2025 11:24 AM
To: Karen Couture; YESENIA TREVINO DE MEDINA
Subject: REZ-2025-0040

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Most importantly, this rezoning does not fit the established character of our community. The balance we currently have makes our neighborhood a safe, welcoming, and desirable place to live, and we are deeply concerned that this proposal threatens that.

For these reasons, I respectfully ask that you deny the rezoning request. Thank you for your time and for considering the voices of those who call this community home.

Sincerely,

Yesenia Trevino

1517 Southdale Ave

260-446-4418