

#REZ-2026-0020

BILL NO. Z-26-04-13

ZONING MAP ORDINANCE NO. Z-_____

AN ORDINANCE amending the City of Fort Wayne
Zoning Map No. O34 (Sec. 24 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 as C3/General Commercial Zoning District under the terms of Chapter 157 Title XV of the Code of the City of Fort Wayne, Indiana:

Legal Description

LAND DESCRIPTION PER INSTRUMENT NUMBER 2019067532

A PARCEL OF LAND LOCATED IN THE NORTHEAST QUARTER OF SECTION 24, TOWNSHIP 31 NORTH, RANGE 12 EAST, ALLEN COUNTY, INDIANA, ALSO BEING A PART OF A 1.86 ACRE PARCEL AS RECORDED IN DOCUMENT NO. 83-29214, IN THE OFFICE OF THE RECORDER OF ALLEN COUNTY, INDIANA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SECTION 24, TOWNSHIP 31 NORTH, RANGE 12 EAST, ALLEN COUNTY, INDIANA; THENCE WESTERLY ALONG THE NORTH LINE OF SAID SECTION 24, A DISTANCE OF 953.46 FEET; THENCE SOUTH A DISTANCE OF 50.00 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF ST. JOE CENTER ROAD; THENCE CONTINUING SOUTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, A DISTANCE OF 77.95 FEET; THENCE SOUTH 48 DEGREES 11 MINUTES 35 SECONDS WEST, A DISTANCE OF 16.20 FEET; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, A DISTANCE OF 223.36 FEET TO A POINT ON THE SOUTH LINE OF SAID 1.86 ACRE PARCEL; THENCE NORTH 80 DEGREES 40 MINUTES 00 SECONDS WEST, A DISTANCE OF 305.14 FEET, ALONG SAID SOUTH LINE, TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF NORTH CLINTON STREET; THENCE 48.00 FEET ALONG A 4849.65 FOOT RADIUS CURVE TO THE LEFT, HAVING AN INCLUDED ANGLE OF 0 DEGREES 34 MINUTES 02 SECONDS, AND THE LONG CHORD OF WHICH MEASURES NORTH 26 DEGREES 26 MINUTES 30 SECONDS EAST, 48.00 FEET, ALONG SAID EAST RIGHT-OF-WAY LINE; THENCE CONTINUING ALONG SAID EAST RIGHT-OF-WAY LINE, NORTH 25 DEGREES 15 MINUTES 00 SECONDS EAST, A DISTANCE OF 75.00 FEET; THENCE CONTINUING ALONG SAID EAST RIGHT-OF-WAY LINE, NORTH 25 DEGREES 09 MINUTES 00 SECONDS EAST, A DISTANCE OF 100.00 FEET; THENCE NORTH 56 DEGREES 18 MINUTES 00 SECONDS EAST, A DISTANCE OF 110.47 FEET TO A POINT ON THE SAID SOUTH RIGHT-OF-WAY LINE OF ST. JOE CENTER ROAD; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST, A DISTANCE OF 125.41 FEET ALONG SAID SOUTH RIGHT-OF-WAY LINE TO THE POINT OF BEGINNING, CONTAINING 1.59 ACRES, MORE OR LESS.

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and the symbols of the City of Fort Wayne Zoning Map No. O34 (Sec. 24 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.

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-2026-0020
Bill Number: Z-26-04-13
Council District: 3 – Nathan Hartman

Introduction Date: April 28, 2026

Plan Commission
Public Hearing Date: May 11, 2026 (not heard by Council)

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

Synopsis of Ordinance: To rezone 1.59 acres from C2/Limited Commercial to C3/General Commercial

Location: 5830 N Clinton Street (Section 24 of Washington Township)

Reason for Request: To permit a gas station and C-Store

Applicant: Eric Carter

Property Owner: MCM - WAGS IN I LLC

Related Petitions: Primary Development Plan – Speedway N Clinton – 7-11

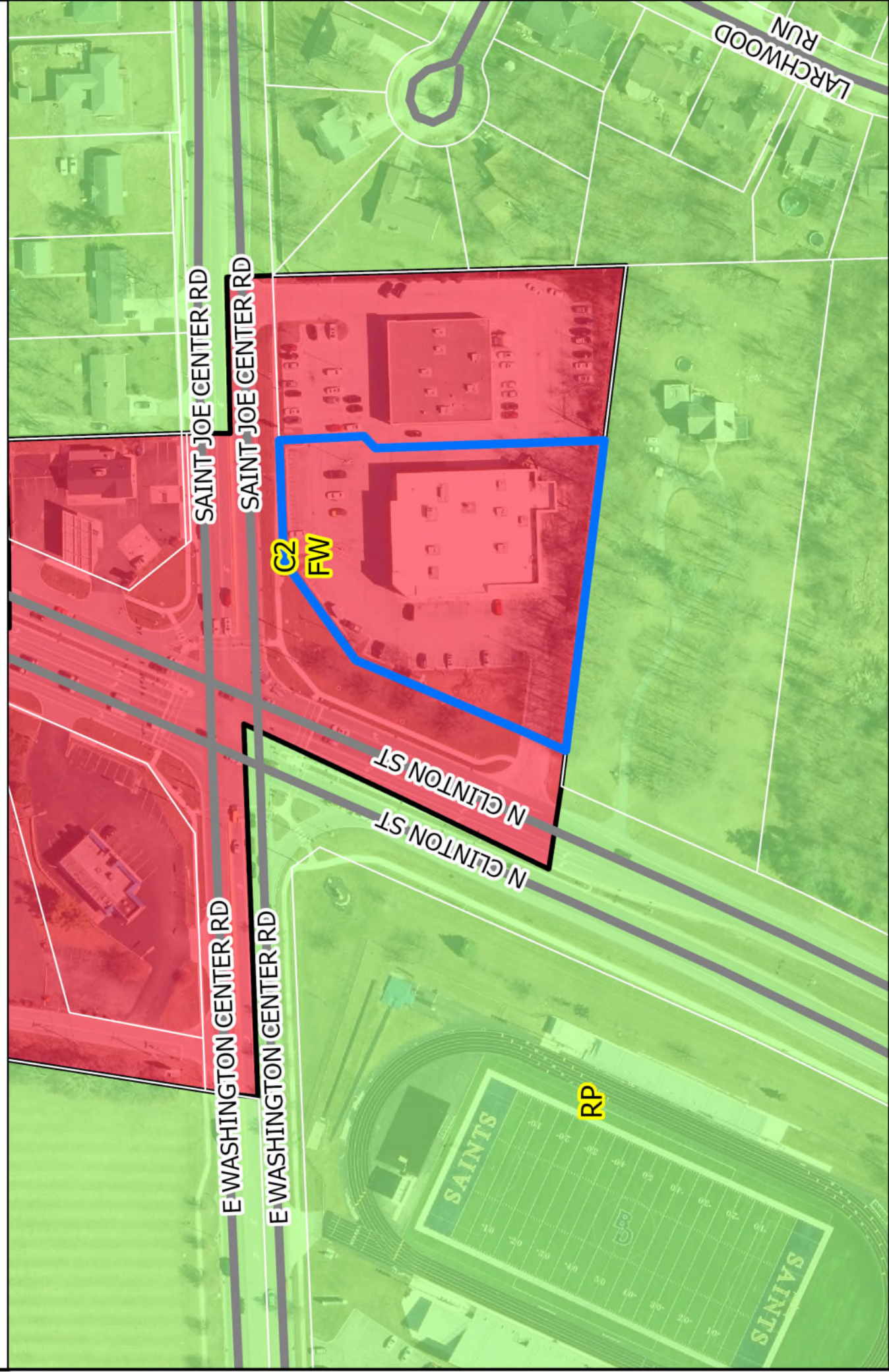
Effect of Passage: Property will be rezoned to the C3/General Commercial to permit a gas station and C-Store.

Effect of Non-Passage: Property will remain zoned C2/Limited Commercial, which does not permit a gas station and C-Store. It may be redeveloped with moderate intensity business, community, office, personal service, and limited retail uses, as well as and some residential uses.



Although every accuracy standard has 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: 4.14.2026



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SAINT JOE CENTER RD

SAINT JOE CENTER RD

E WASHINGTON CENTER RD

E WASHINGTON CENTER RD

N CLINTON ST
N CLINTON ST

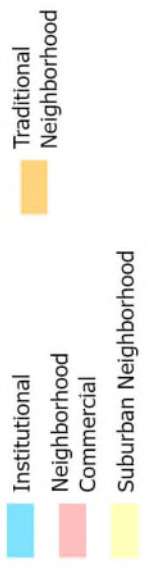
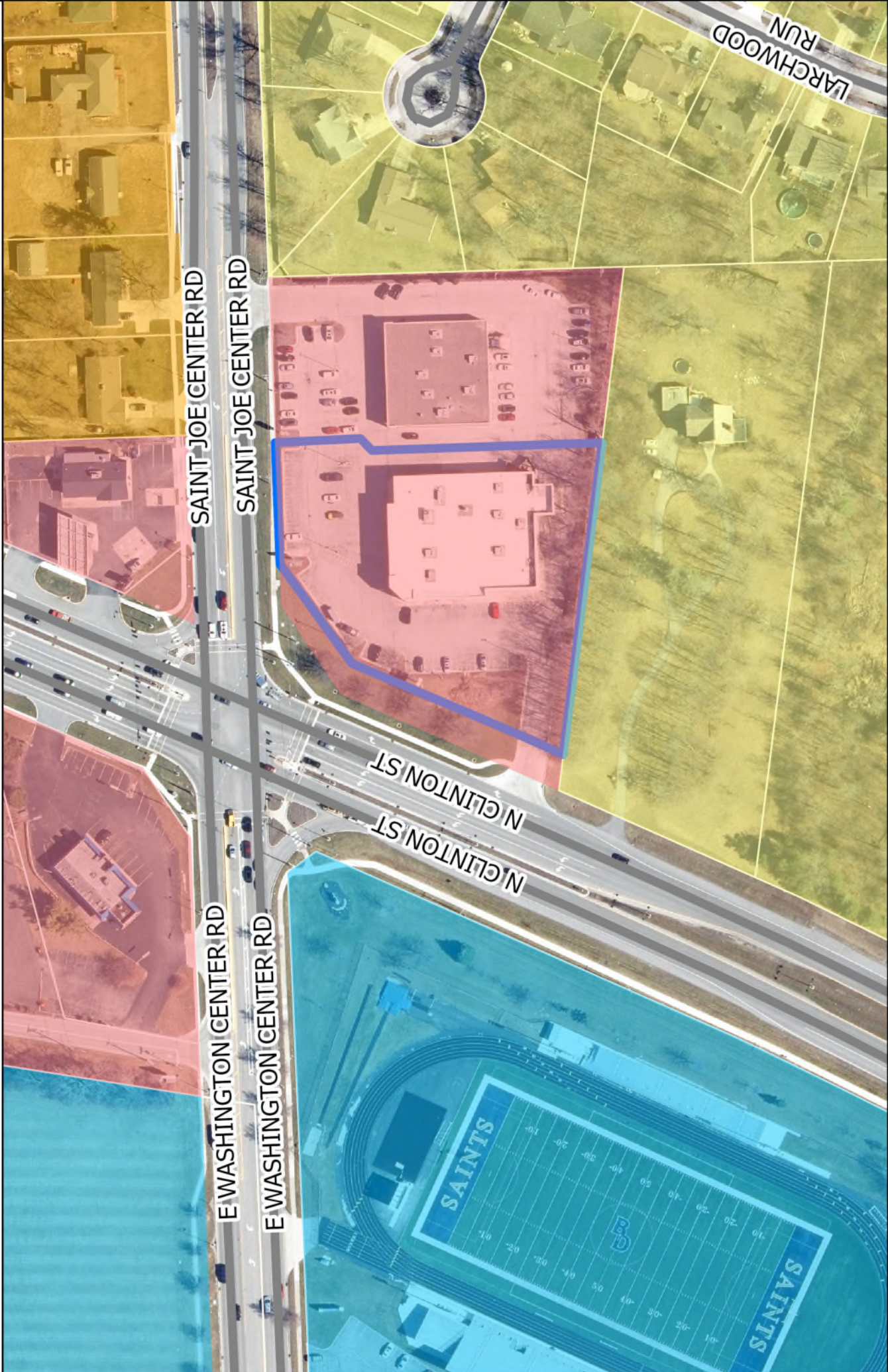
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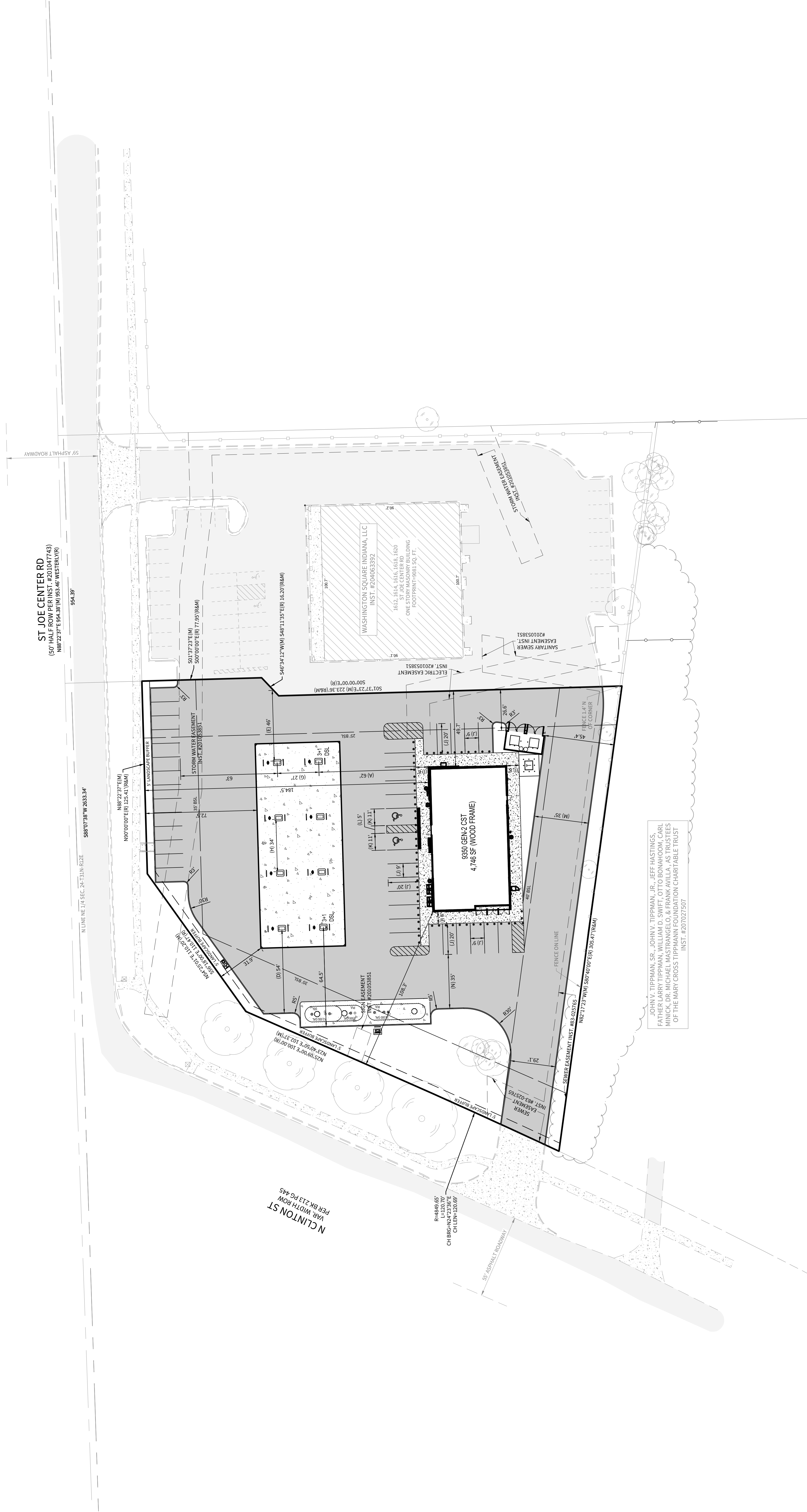
Urban Infill Area



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JOHN V. TIPPAMAN, SR., JOHN V. TIPPAMAN, JR., JEFF HASTINGS,
FATHER LARRY TIPPAMAN, WILLIAM D. SWIFT, OTTO BOWAHOOM, CARL
MINICK, DR. MICHAEL MASTRANGELO, & FRANK WILLIA, AS TRUSTEES
OF THE MARY CROSS FOUNDATION CHARITABLE TRUST
INST. # 807027507

SITE PLAN

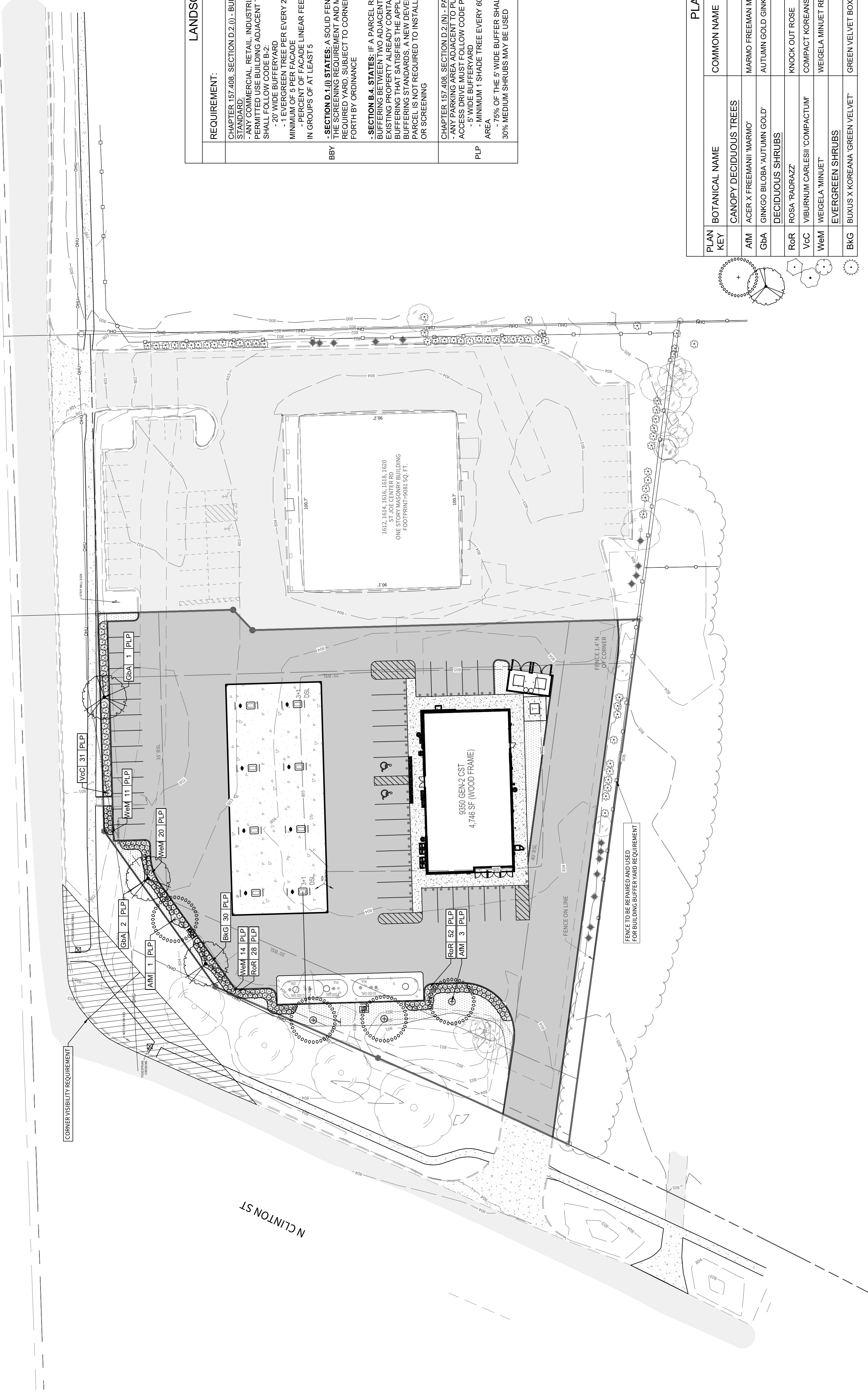
ST JOE CENTER RD AND N. CLINTON STREET - FORT WAYNE, IN 46825

PROJECT # W251080

DATE: March 18, 2026

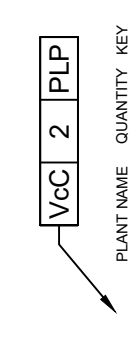
ST JOE CENTER RD

N CLINTON ST

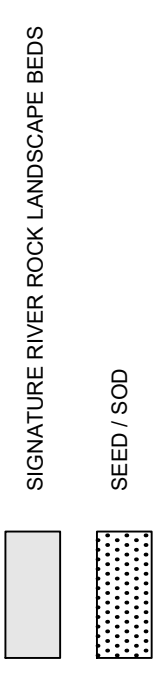


REQUIREMENT:	REQUIRED:	PROVIDED:
CHAPTER 157.408, SECTION D.2.(I) - BUILDING BUFFER/YARD STANDARD: - ANY COMMERCIAL, RETAIL, INDUSTRIAL, OR UNIVERSALLY PERMITTED USE BUILDING ADJACENT TO A RESIDENTIAL DISTRICT SHALL FOLLOW CODE B-2: - 4' EVERGREEN TREES PER EVERY 20' OF FACADE'S LENGTH. A MINIMUM OF 5 PER FACADE - PERCENT OF FACADE LINEAR FEET: 50% LARGE SHRUB BUFFER IN GROUPS OF AT LEAST 5 OR: - A SOLID FENCE BUFFER	SOUTH BUFFER ADJACENT TO RESIDENTIAL DISTRICT (93.5 LF OF FACADE) - EXISTING SOLID FENCE TO BE REPAIRED AND USED FOR BUILDING BUFFER - MINIMUM 4' LF OF LARGE SHRUB BUFFER	SOUTH BUFFER ADJACENT TO RESIDENTIAL DISTRICT (93.5 LF OF FACADE) - EXISTING SOLID FENCE TO BE REPAIRED AND USED FOR BUILDING BUFFER - MINIMUM 4' LF OF LARGE SHRUB BUFFER MEET SCREENING REQUIREMENT
88Y - SECTION D.1.(J) STATES: A SOLID FENCE MAY BE USED TO MEET THE SCREENING REQUIREMENT AND MAY BE LOCATED IN A REQUIRED YARD, SUBJECT TO CORNER VISIBILITY PROVISIONS SET FORTH BY ORDINANCE - SECTION B.4. STATES: IF A PARCEL REQUIRES SCREENING AND BUFFERING BETWEEN TWO ADJACENT PROPERTIES, AND AN EXISTING PROPERTY ALREADY CONTAINS SCREENING AND BUFFERING THAT SATISFIES THE APPLICABLE SCREENING AND BUFFERING STANDARDS, A NEW DEVELOPMENT ON THE ADJACENT PARCEL IS NOT REQUIRED TO INSTALL ADDITIONAL LANDSCAPING OR SCREENING	419 LF OF PARKING PERIMETER - 7 TREES - 315 LF OF SHRUBS - MINIMUM 21 LF OF SMALL SHRUBS - MAXIMUM 94 LF MEDIUM SHRUBS	419 LF OF PARKING PERIMETER - 7 TREES - 223 LF OF SMALL SHRUBS - 94 LF OF MEDIUM SHRUBS
PLP CHAPTER 157.408, SECTION D.2.(N) - PARKING LOT PERIMETER: - ANY PARKING AREA ADJACENT TO PUBLIC STREET OR PRIVATE ACCESS DRIVE MUST FOLLOW CODE P-1: - 5' WIDE BUFFER AND - MINIMUM 1 SHADE TREE EVERY 60 LINEAR FEET OF PARKING AREA - 75% OF THE 5' WIDE BUFFER SHALL BE SMALL SHRUBS; UP TO 30% MEDIUM SHRUBS MAY BE USED	419 LF OF PARKING PERIMETER - 7 TREES - 315 LF OF SHRUBS - MINIMUM 21 LF OF SMALL SHRUBS - MAXIMUM 94 LF MEDIUM SHRUBS	419 LF OF PARKING PERIMETER - 7 TREES - 223 LF OF SMALL SHRUBS - 94 LF OF MEDIUM SHRUBS

LANDSCAPE PLAN NOTES

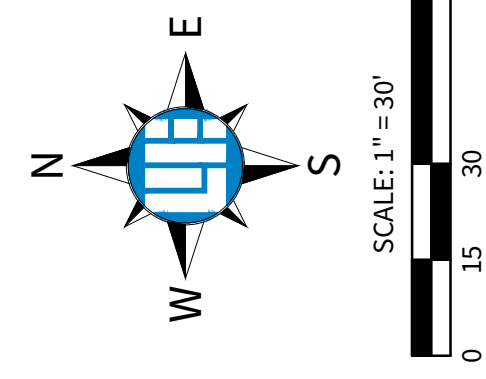


LANDSCAPE LEGEND



PLANT SCHEDULE

PLAN KEY	BOTANICAL NAME	COMMON NAME	SIZE	QTY.	B&B	CONT.	MATURE SIZE	SPECIAL INSTRUCTIONS
AIM	CANOPY DECIDUOUS TREES	MARMO FREEMAN MAPLE	2" cal.	4	X		50T x 35W	SEEDLESS
Gba	DECIDUOUS SHRUBS	AUTUMN GOLD GINKGO	2" cal.	3	X		50T x 30W	MALE ONLY
RrR	ROSA 'RADRAZZ'	KNOCK OUT ROSE	#3	80		X	3T x 4W	
Vgc	VIBURNUM CARLESI 'COMPACTUM'	COMPACT KOREANSPICE VIBURNUM	#3	31		X	4T x 4W	
WeM	WEIGELA 'MINUET'	WEIGELA MINUET RED	#3	45		X	3T x 4W	
BKG	BUXUS X KOREANA 'GREEN VELVET'	GREEN VELVET BOXWOOD	#3	30		X	4T x 4W	



7-Eleven - ST JOE CENTER RD & N. CLINTON ST

FORT WAYNE, IN

DATE: March 18, 2026



**DPS Plan Commission
Rezoning Petition Application**

Applicant

Applicant Name: Eric Carter
 Address: 10505 N. College Avenue City: Indianapolis State: IN Zip: 46280
 Email (type or print): cartera@weihe.net Phone: 317-846-6611

Property Ownership

Same as applicant

Owner Name: MCM-WAGS IN 1, LLC
 Address: 4521 Sharon Road, Suite 275 City: Charlotte State: NC Zip: 28211
 Email (type or print): lmorgan@themorgancos.com Phone: _____

Primary Contact Person

Same as applicant

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

Primary Contact: _____
 Address: _____ City: _____ State: _____ Zip: _____
 Email (type or print): _____ Phone: _____

Planning Jurisdiction

- Unincorporated Allen County Town of Grabill Town of Monroeville
 City of Fort Wayne Town of Huntertown City of Woodburn

Property Information

Development Address or PIN #: 5830 N Clinton St, Fort Wayne, IN 46825
 Present Zoning : C2 Proposed Zoning : C3 Acreage to be rezoned : 1.59
 Purpose of rezoning (attach additional page if necessary): To allow a convenience store with auto fueling next to residential
 Township Name: St. Joseph Township Section Number: 24
 Sewer Provider: City of Ft. Wayne Water Provider: City of Ft. Wayne

Filing Requirements

- Filing fee \$1250.00 or \$350.00 for downzoning an existing SFR use to R1 Zoning
- Application signed by property owner(s)
- Boundary/ Utility Survey showing area to be rezoned
- Legal Description of parcel to be rezoned (**Please provide in separate word document**)
- Rezoning Criteria (please complete attached document)

Acknowledgements and Signatures

- 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 applicable Zoning 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.
- In addition, I/We hereby authorize and consent to the on-site inspection and sign posting on the property subject to this zoning application by the Department of Planning Services for the purposes of verifying the information in this application and for purposes of determining compliance with the applicable zoning ordinance.

<u>Eric Carter</u> printed name of applicant	<u>Eric A Carter</u> signature of applicant	<u>03/17/2026</u> date
<u>MCM-WAGS I, LLC</u> printed name of property owner	<u>[Signature]</u> signature of property owner	<u>3-12-26</u> date

STAFF USE ONLY

Received 3/27/26	Receipt Number 148987	Hearing Date	Petition Number REZ-2026-0020
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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;

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

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

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

(5) Responsible development and growth.

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*

