

#REZ-2026-0043

BILL NO. Z-26-09-22

ZONING MAP ORDINANCE NO. Z-_____

AN ORDINANCE amending the City of Fort Wayne
Zoning Map No. 127 (Sec 28 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

DESCRIPTION OF REAL ESTATE:

The Land referred to herein below is situated in the County of Allen, State of Indiana and is
described as follows:

BEGINNING at the Southwest corner of Lot Numbered 84 in Elzey's First Addition to the
Original Plat of Waynedale; thence North 164 .0 feet along the West line of the said Lots
Numbered 84, 85 and 86 in Elzey's First Addition to the Original Plat of Waynedale; thence
East 218.0 feet on a line parallel to and 32.0 feet North of the South line of said Lot Numbered
86 in Elzey's First Addition to the Original Plat of Waynedale; thence South 164.0 feet on a
line parallel to and 112.0 feet West of the East line of said Lots Numbered 84, 85 and 86 in the
said Elzey's First Addition to the Original Plat of Waynedale to the South line of said Lot
Numbered 84 in Elzey's First Addition to the Original Plat of Waynedale; thence West 222.5
feet (223.2 feet, deed) to the place of beginning along the said South line of Lot Numbered 84 in
Elzey's First Addition to the Original Plat of Waynedale (now City of Fort Wayne) as recorded
in Plat Record 11, page 61.

PROPOSED 30-FOOT-WIDE INGRESS AND EGRESS EASEMENT

An Easement being a portion of Lot Numbered 86 in Elzey's First Addition to the Original Plat
of Waynedale as recorded in the plat thereof in the Office of the Recorder of Allen County,
Indiana, more particularly described as follows:

Commencing at the southwest corner of Lot Numbered 84 in Elzey's First Addition to the
Original Plat of Waynedale; thence North 00 degrees 52 minutes 59 seconds East (all bearings
in this description are based on the Indiana East (Zone 1301) State Plane coordinate system)
on the west line of Lots Numbered 84, 85, & 86 in Elzey's First Addition to the Original Plat of
Waynedale, a distance of 133.99 feet to the Point of Beginning for the Easement herein
described; thence continuing North 00 degrees 52 minutes 59 seconds East on the west line of
said Lot Numbered 86, a distance of 30.01 feet to the northwest corner of the lands of Public
Service Credit Union as described in Recorder's Document #92-55038; thence North 89
degrees 34 minutes 27 seconds East on the north line of said Document #92-55038, a distance of

1 214.10 feet to the northeast corner thereof; thence South 00 degrees 37 minutes 23 seconds
2 East on the east line of said Document #92-55038, a distance of 30.00 feet; thence South 89
3 degrees 34 minutes 27 seconds West, a distance of 214.89 feet to the Point of Beginning,
4 containing 0.148 acres of land, more or less.

5 and the symbols of the City of Fort Wayne Zoning Map No. 127 (Sec 28 of Wayne Township), as
6 established by Section 157.082 of Title XV of the Code of the City of Fort Wayne, Indiana, is hereby
7 changed accordingly.

8
9 SECTION 2. If a written commitment is a condition of the Plan Commission's
10 recommendation for the adoption of the rezoning, or if a written commitment is modified and
11 approved by the Common Council as part of the zone map amendment, that written commitment
12 is hereby approved and is hereby incorporated by reference.
13

14
15 SECTION 3. That this Ordinance shall be in full force and effect from and after its passage
16 and approval by the Mayor.
17

18
19 _____
Council Member

20
21 APPROVED AS TO FORM AND LEGALITY:

22
23 _____
24 Malak Heiny, City Attorney
25
26
27
28
29
30

City of Fort Wayne Common Council
DIGEST SHEET

Department of Planning Services

Title of Ordinance:	Zoning Map Amendment
Case Number:	REZ-2026-0043
Bill Number:	Z-26-09-22
Council District:	4 – Dr. Scott Myers

Introduction Date:	September 22, 2026
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Plan Commission Public Hearing Date:	October 12, 2026 (not heard by Council)
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Next Council Action:	Ordinance will return to Council after recommendation by the Plan Commission
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Synopsis of Ordinance:	To rezone 0.81 acres from C1/Professional Office and Personal Services to C2/Limited Commercial
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Location:	7017 Old Trail Rd (Sec 28 of Wayne Township)
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Reason for Request:	To permit a restaurant
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Applicant:	Ana Luja
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Property Owner:	Ana Luja
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Related Petitions:	None
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Effect of Passage:	Property will be rezoned to the C2/Limited Commercial zoning district, which would permit a restaurant.
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Effect of Non-Passage:	Property will remain zoned C1/Professional Office, which would not permit a restaurant. The site may continue with existing or non-conforming uses, and may be redeveloped with similar professional office and personal service uses.
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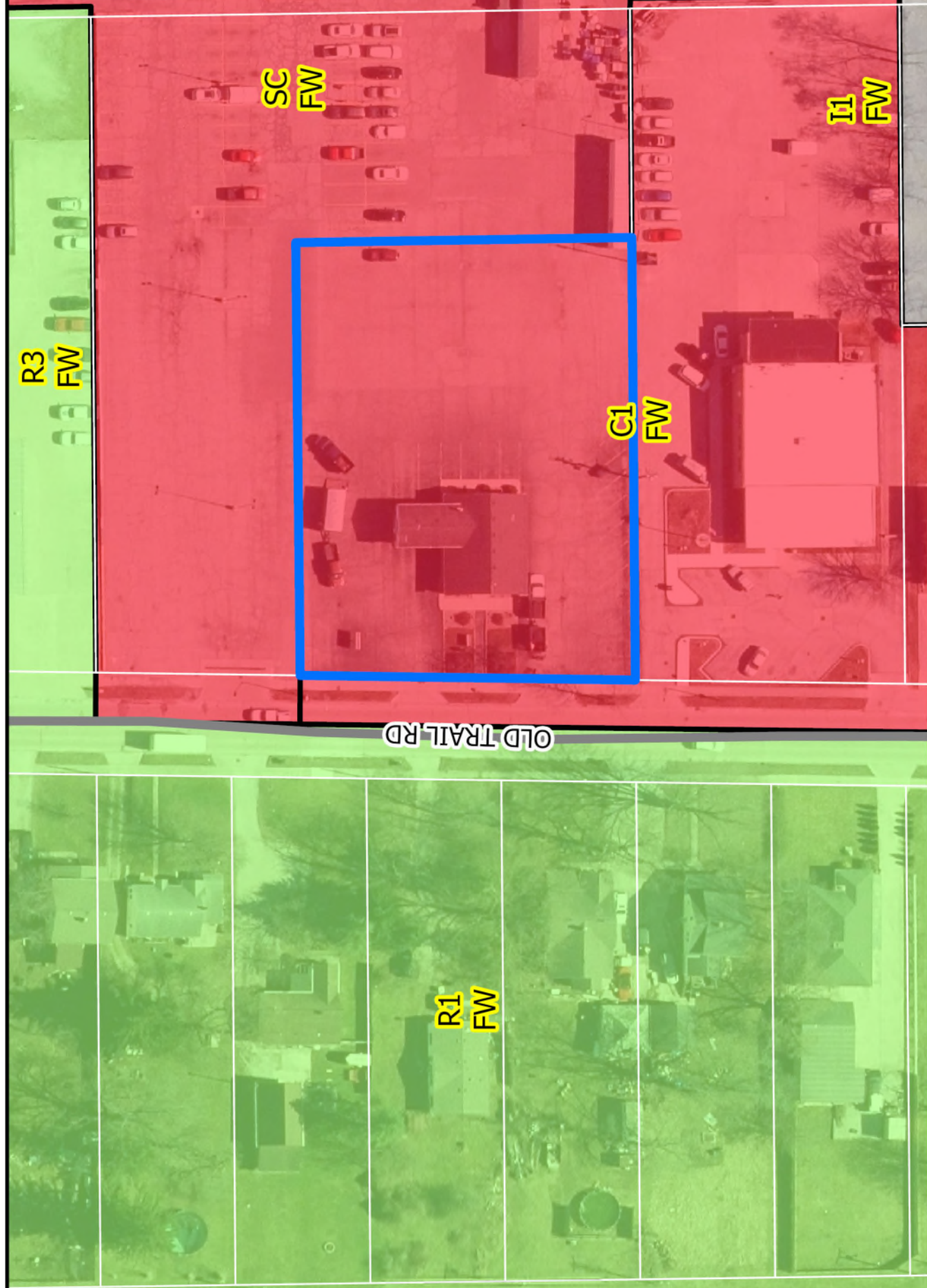


OLD TRAIL RD

0 40 80 Feet



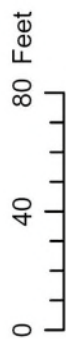
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 North American Datum 1983
 State Plane Coordinate System, Indiana East
 Photos and Contours: Spring 2009
 Date: 9/8/2026





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Urban Infill Area





OLD TRAIL RD

0 40 80 Feet



Community Commercial
Neighborhood Commercial

Traditional Neighborhood

See Sheet 2 of 2 for the Legal Description,
Surveyor's Report, Project Notes, & Certification



0' 20' 40'
SCALE IN FEET: 1"=20'

ALL SHOWN MEASURED BEARINGS ARE BASED
UPON THE INDIANA EAST (1301) STATE PLANE
COORDINATE SYSTEM
VIA THE INCORS NETWORK

MONUMENT LEGEND

- A 5/8" REBAR SET +0.3' W/ I.D. CAP
& 1/2" REBAR FND. +0.3', -BENT, [1.3' E], C.M. E-W
B NOTHING FOUND OR SET
C.M. = CONTROLLING MONUMENT

LEGEND

- STRAIN POLE (SIGNAL POLE)
○ TRAFFIC CONTROL MANHOLE
○ ELECTRIC METER
○ ELECTRIC PEDESTAL
○ UNDERGROUND FIBEROPTIC MARKER
○ UNDERGROUND TELEPHONE MARKER
○ CABLE TV PEDESTAL
○ STREET SIGN
○ UTILITY POLE
○ SOI AND/OR
○ GAS VALVE
○ GAS PEDESTAL/MARKER/METER
○ FIRE HYDRANT
○ WATER VALVE
○ WATER METER / WELL
○ CATCH BASIN / INLET
○ CURB INLET
○ STORM SEWER MH
○ SANITARY SEWER MH
○ YARD LIGHT / FLOOD LIGHT
○ LIGHT POLE
○ DECIDUOUS TREE
○ CONIFEROUS TREE
○ BUSH / SHRUB
○ STUMP
○ MAILBOX
○ TELEPHONE PEDESTAL
○ UTILITY VAULT OR PIT
○ MANHOLE
○ BOLLARD
○ MEASURED (MEAS.)
○ PLAT
○ RECORDED
○ CALCULATED
○ TOP CASTING (RIM)
○ INVERT OF PIPE
○ FLOW LINE ELEVATION
○ GUTTER ELEVATION (FLOW LINE)
○ MANHOLE
○ CORRUGATED METAL PIPE
○ REINFORCED CONC. PIPE
○ CORRUGATED PLASTIC PIPE
○ VETRIFIED CLAY PIPE
○ DOWNSPOUT (TO GROUND)
○ CLEAN OUT
○ CONTROLLING MONUMENT
○ TEMPORARY BENCHMARK
○ SURVEY CONTROL POINT

HATCH LEGEND

- ▨ LANDSCAPE
▨ BUILDING
▨ CONCRETE

ORIGINAL PLAT
OF WAYNE DALE

LOT #69

LOT #70

LOT #71

LOT #72

LOT #90

LOT #89

LOT #88

LOT #87

LOT #86

LOT #85

LOT #84

LOT #83

LOT #82

LOT #76

OLD TRAIL ROAD
(PLATTED AS BLUFFTON RD. - 50' R/W - 27' WIDE CONC. ROAD)

10' PLATTED ALLEY



Erick J. Springer

Required Information
When Calling

- COUNTY
TOWNSHIP
CHART ADDRESS
TYPE OF WORK
NAME OF CALLER
TITLE
TELEPHONE
NUMBER
BEST TIME TO CALL
START DATE
START TIME
CONTRACTOR
ADDRESS

811

Know what's below,
Call before you dig.

- APRIL DIFFERS
COLOR LINE
RED ELECTRIC
YELLOW GAS - OIL - STEAM
ORANGE TELEPHONE / CATV
BLUE WATER
GREEN SEWER
PURPLE RECLAIMED WATER
PINK TEMPORARY SURVEY MARKINGS
WHITE PROPOSED CONSTRUCTION
www.Call811.com

In Indiana Call 811 or
800-382-5544
Two Working Days
Before You Dig
It's the Law

ALTA / NSPS Land Title Survey

The lands of Public Service Credit Union
7017 Old Trail Rd., Fort Wayne, IN 46809
Part of Lots #84, 85, & 86 in Elzey's 1st Addition
Wayne Township, Allen County, IN

ANDERSON SURVEYING, INC.

Registered Professional Engineers and Land Surveyors
Indiana Land Surveying Firm Identification Number: 29A
1324 Henry Avenue
Fort Wayne, IN 46808
Phone: (260) 483-1724
Fax: (260) 482-6855
www.andersonsurveying.com
1947 E. Schug Road
Columbia City, IN 46725
Phone: (260) 691-3425
Fax: (260) 482-6855
Toll Free: (888) 483-1724



CIVIL ENGINEERING
LAND SURVEYING
LAND PLANNING
WWW.ANDERSONSURVEYING.COM

SHEET 1 OF 2
ALTA

SURVEY NO.: 18-09-124

ALTA / NSPS LAND TITLE SURVEY
7017 Old Trail Rd.
Fort Wayne, IN 46809

SCALE: 1" = 20'
DATE: 05/02/2026
DRAWN BY: J.M.L.
CHECKED BY: J.M.L.
DATE: 05/02/2026

NO.	REVISION	DATE	BY

EASEMENT EXHIBIT

PROPOSED 30-FOOT-WIDE INGRESS AND EGRESS EASEMENT

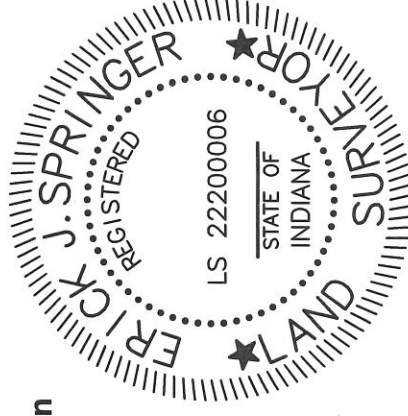
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Prepared this 28th day of May, 2026

Prepared for: Public Service Credit Union

Survey Number: 18-09-124



Erick J. Springer

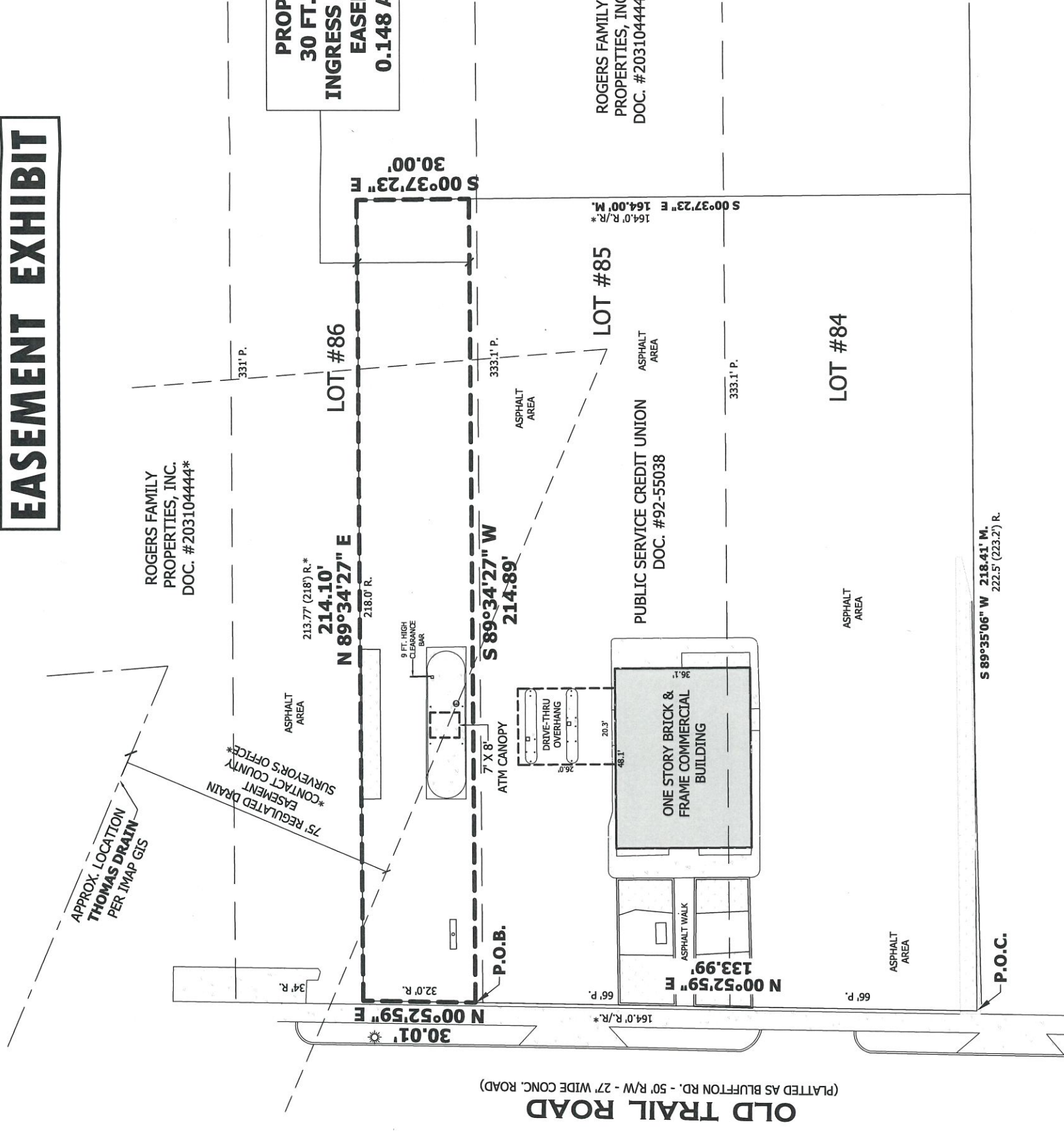
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Fax: (260) 482-6855

WWW.ANDERSONSURVEYING.COM





**DPS Plan Commission
Rezoning Petition Application**

Page 1 of 1

Applicant

Applicant Name: Ana Luja
Address: _____ City: Fort Wayne State: IN Zip: 46806
Email (type or print): analuja@outlook.com Phone: 260 7050322

Property Ownership

☒ Same as applicant

Owner Name: Ana Luja
Address: 3714 Lillie St. City: Fort Wayne State: IN Zip: 46806
Email (type or print): analuja@outlook.com Phone: 260 7050322

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 #: 7017 Old Trail Rd.
Present Zoning: C1 Proposed Zoning: C2 Acreage to be rezoned: _____
Purpose of rezoning (attach additional page if necessary): The goal it's to start selling tacos and hopefully in the future to be a bar.
Township Name: _____ Township Section Number: _____
Sewer Provider: FW Water Provider: FW

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.

Ana Luja Ana Luja 8-27-26
printed name of applicant signature of applicant date
Ana Luja Ana Luja 8-27-26
printed name of property owner signature of property owner date

STAFF USE ONLY

Received	Receipt Number	Hearing Date	Petition Number
<u>8/27/26</u>	<u>149921</u>	<u>10-12-26</u>	<u>REZ-2026 - 0043</u>



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 building is located in Neighborhood Commercial which includes restaurants

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

New use is for a restaurant so we would add a kitchen, otherwise building would remain as is.

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

The Comp plan recommends Neighborhood Commercial and our proposed use matches the suggested use in that category

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

The proposed use is compatible with other uses in the area, this will be reinvestment in the neighborhood

- (5) Responsible development and growth.

We are re-using an existing vacant building and turning it into a restaurant

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*

