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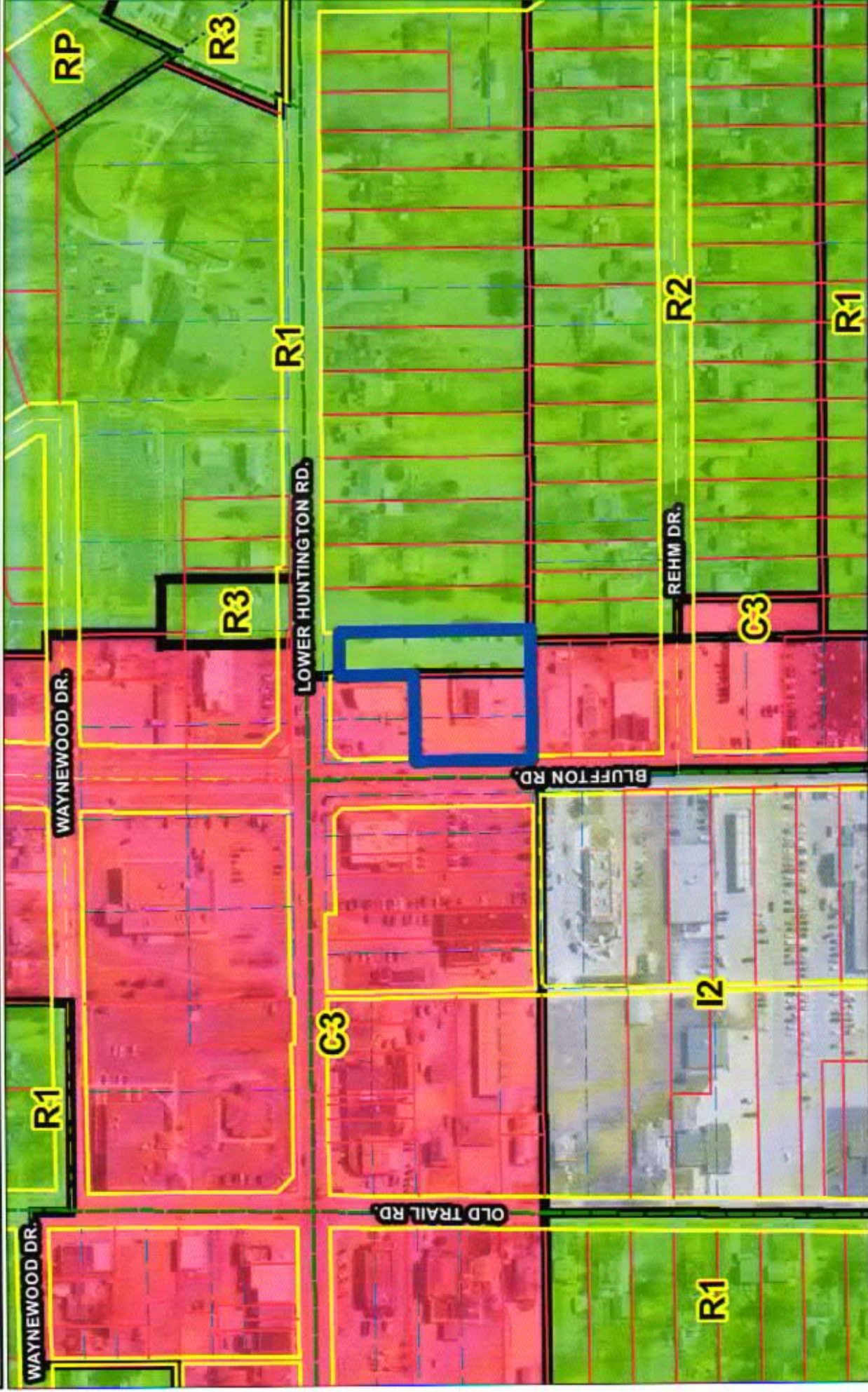
  
\_\_\_\_\_  
Council Member

APPROVED AS TO FORM AND LEGALITY:

  
\_\_\_\_\_  
Carol T. Helton, City Attorney



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Although this auxiliary plat has been included in the application, it was not reviewed by the Planning Commission. The accuracy of the information contained herein and the location and all liability, including the use of the map, is the responsibility of the applicant.

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 South American Data Inc. (SAD)  
 Base File: Curvilinear System, Indiana East  
 Printed: Curvilinear System, Indiana East  
 Date: 11/16/2020

1 inch = 200 feet  
 0 100 200 Feet

**Department of Planning Services  
Rezoning Petition Application**

**Applicant**  
 Applicant Felderman Design Build  
 Address 5620 Coventry Lane  
 City Ft Wayne State IN Zip 46804  
 Telephone (260) 434-4000 E-mail greg.deweese@felderman.com

**Contact Person**  
 Contact Person Greg DeWeese  
 Address 5620 Coventry Lane  
 City Ft Wayne State IN Zip 46804  
 Telephone (260) 434-4000 E-mail greg.deweese@felderman.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 6809 Bluffton Rd  
 Present Zoning C3/R1 Proposed Zoning C2 Acreage to be rezoned .969a  
 Proposed density (1) units per acre  
 Township name Wayne Township section #27  
 Purpose of rezoning (attach additional page if necessary) Down zone and combine from C3/R1 to C2 for restaurant use and to incorporate C2 building setbacks for new restaurant replacing existing restaurant structure.  
 Sewer provider FW Water provider FW

**Filing Requirements**  
*Applications will not be accepted unless the following filing requirements are submitted with this application. Please refer to checklist for applicable filing fees and plan/survey submittal requirements.*  
 Applicable filing fee  
 Applicable number of surveys showing area to be rezoned (plans must be folded)  
 Legal Description of parcel to be rezoned  
 Rezoning Questionnaire (original and 10 copies) County Rezonings Only

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 Allen County Plan Commission 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 I/we agree to pay Allen County the cost of notifying the required interested persons at the rate of \$0.85 per notice and a public notice fee of \$50.00 per Indiana code.

Greg DeWeese 11-02-2020  
 (printed name of applicant) (signature of applicant) (date)  
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 (printed name of property owner) (signature of property owner) (date)  
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 (printed name of property owner) (signature of property owner) (date)  
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 (printed name of property owner) (signature of property owner) (date)

Received	Receipt No.	Hearing Date	Petition No.
11-3-20		12-7-20	REZ-2020-0047





City of Fort Wayne Common Council  
**DIGEST SHEET**

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**Department of Planning Services**

Title of Ordinance: Zoning Map Amendment  
Case Number: REZ-2020-0047  
Bill Number: Z-20-11-10  
Council District: 4-Jason Arp

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Introduction Date: November 24, 2020

Plan Commission  
Public Hearing Date: December 7, 2020 (not heard by Council)

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

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Synopsis of Ordinance: To rezone approximately 1.0 acre from R1/Single Family Residential and  
C3/General Commercial to C2/Limited Commercial.

Location: 6809 Bluffton Road

Reason for Request: To allow the rebuilding of an existing Pizza Hut restaurant in Waynedale.

Applicant: Greg DeWeese

Property Owner: Realty Income Properties 27, LLC

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Related Petitions: Primary Development Plan, Pizza Hut - Waynedale

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Effect of Passage: Property will be rezoned to the C2/Limited Commercial zoning district,  
which will allow a new Pizza Hut restaurant and parking on the entirety  
of the property.

Effect of Non-Passage: The property is currently zoned two different districts, with a Board of  
Zoning Appeals approval on the residential portion to allow for the  
existing parking lot. Pizza Hut will not be able to rebuild as desired under  
the current zoning configuration.

## FACT SHEET

Case #REZ-2020-0047      Bill # Z-20-11-10      Project Start: November 2020	
APPLICANT: REQUEST:	Felderman Design Build To rezone property from R1/Single Family Residential and C3/General Commercial to C2/Limited Commercial; and approve a primary development plan for a new Pizza Hut structure.
LOCATION:	The address of the subject property is 6809 Bluffton Road (Section 27 of Wayne Township).
LAND AREA:	Approximately 1 acre
PRESENT ZONING:	R1/Single Family Residential and C3/ General Commercial
PROPOSED ZONING:	C2/Limited Commercial
COUNCIL DISTRICT:	4-Jason Arp
ASSOCIATED PROJECT:	Primary Development Plan, Pizza Hut Waynedale
SPONSOR:	City of Fort Wayne Plan Commission

### January 13, 2020 Public Hearing

- One property owner spoke at the hearing with concerns.
- One property owner spoke at the hearing with questions.
- Tom Freistroffer, Justin Shurley and Rachel Tobin-Smith were absent.

### January 13, 2020 – Business Meeting

#### Plan Commission Recommendation: DO PASS

A motion was made by Paul Sauerteig and seconded by Don Schmidt to return the ordinance with a Do Pass recommendation to Common Council for their final decision.

#### 6-0 MOTION PASSED

- Tom Freistroffer, Justin Shurley and Rachel Tobin-Smith were absent.

Fact Sheet Prepared by:  
Michelle B. Wood, Senior Land Use Planner  
January 19, 2021

## PROJECT SUMMARY

### SITE HISTORY:

- In 1980 the current Pizza Hut was constructed.
- In 1990 the parking lot was expanded to the east with a Board of Zoning Appeals approval.

### STAFF DISCUSSION:

The petitioner requests a rezoning from C3/General Commercial and R1/Single Family Residential to C2/Limited Commercial to allow the reconstruction of a 3,235 square foot Pizza Hut. No new parking is being proposed with this development request.

The proposed rezoning parcel is the location of the existing Pizza Hut and parking lot. In 1980 the Pizza Hut developed on the C3/General Commercial property. In 1990 the parking lot was expanded to the east which included access to Lower Huntington Road through a Board of Zoning Appeals approval. The proposed use is not expanding beyond the existing development boundaries. The rezoning will downzone the Pizza Hut building parcel from C3 to C2 and will bring the parking lot on the east side of the development into full compliance with the Ordinance.

The property is bordered to the north by a Verizon Store (C3), to the east by a vacant R1 parcel (owned by the applicant), to the south by an office building (C3) and to the west by the former Big Boy (C3). Bluffton Road and Lower Huntington Road in this area both commercial corridors. Other uses in the immediate vicinity include a Kroger to the southwest and Walgreens to the northwest.

The proposed zoning district can be supported by the Comprehensive Plan in that it will allow for the reconstruction of an existing use and provide for additional investment in the area. The commercial proposal will continue to provide for diversity in retail goods and services. While the rezoning isn't necessary to redevelop the property, the applicant feels by downzoning the C3 zoned property to C2 and rezoning the R1 parking lot the existing development can be modernized and improved, while protecting adjacent land uses. The comprehensive plan supports this development through the following objectives:

- LU1.** Encourage carefully planned growth by utilizing the conceptual development map as part of the community's land use decision-making process;
- LU3.** Use land resources efficiently by encouraging new development, revitalization and redevelopment in areas already served by infrastructure;
- LU5.** Encourage sustainable growth and quality development, revitalization and redevelopment by increasing and enhancing connectivity;
- LU8.** Use land resources efficiently by encouraging compact development alternatives in infill areas where utilities and other infrastructure currently exist.

This petition is to allow the redevelopment of a 3,235 square foot Pizza Hut. The new Pizza Hut will be constructed on the north side of the site adjacent to the existing Pizza Hut. During construction services are intended to still be offered. Upon completion of the new building the old building will be removed, and parking will be modified to accommodate the new building. With the reduction in the square footage of the Pizza Hut there should be no additional impact on adjacent land uses. No changes are being proposed to the parking lot on the R1 zoned property. Access will remain on Bluffton Road and Lower Huntington Road in approximately the same locations.

Sidewalks will be reconstructed as necessary along the Bluffton Road frontage and a sidewalk will be provided to the building. After discussion with the adjacent neighbor at the public hearing, the applicant agreed to work with staff on installing a 6-foot fence along the east property line to buffer the neighbor's property and keep trash out of her yard. All other landscaping will be installed where required and will comply with the standards of the Ordinance.

**PUBLIC HEARING SUMMARY:**

Presenter: Greg DeWeese, Felderman Design-Build, representing Pizza Hut of Fort Wayne, presented the proposal as outlined above.

Public Comments:

Tanya Irving, 2315 Lower Huntington Road (renter), would like to see fencing along her property line.  
Ralph Skaggs, 6917 Bluffton Road, just curious about the proposal, not opposed.

## FORT WAYNE PLAN COMMISSION • FINDINGS OF FACT


### Rezoning Petition REZ-2020-0047

APPLICANT: Felderman Design Build  
REQUEST: To rezone property from R1/Single Family Residential and C3/General Commercial to C2/Limited Commercial for a new Pizza Hut structure.  
LOCATION: The address of the subject property is 6809 Bluffton Road (Section 27 of Wayne Township).  
LAND AREA: Approximately 1 acre  
PRESENT ZONING: R1/Single Family Residential and C3/ General Commercial  
PROPOSED ZONING: C2/Limited Commercial

**The Plan Commission recommends that Rezoning Petition REZ-2020-0047 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 general area has seen the development of a diverse mixture commercial land uses. This proposal will allow the Pizza Hut to modernize and bring the current parking lot use into full compliance with the Ordinance.
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. Site plan and architectural review from the Plan Commission and staff will ensure a compatible development that complements the commercial development in the area.
3. Approval is consistent with the preservation of property values in the area. This proposal will allow the existing restaurant to redevelop and expand to provide a more modern building and a diverse product offering including a drive thru, with improved circulation.
4. Approval is consistent with responsible development and growth principles based on existing uses and infrastructure in the area. Review by City engineering departments indicates that the site can be developed for commercial uses and adequate infrastructure is available to service the proposed addition.

These findings approved by the Fort Wayne Plan Commission on January 13, 2021.

  
Kimberly R. Bowman/AICP  
Executive Director  
Secretary to the Commission



Rezoning Petition REZ-2020-0047 and Primary Development Plan PDP-2020-0035 - Pizza Hut - Waynedale



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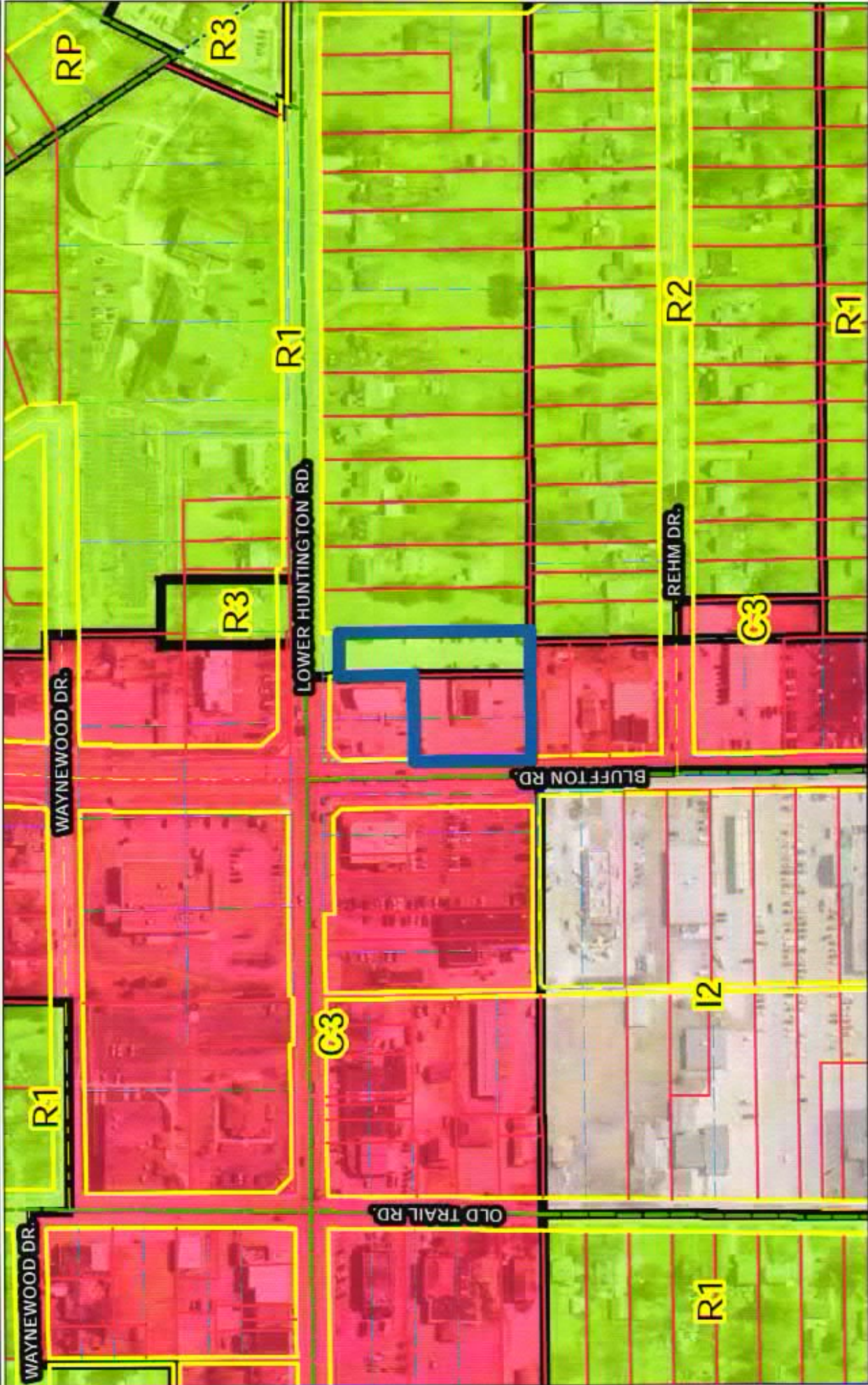


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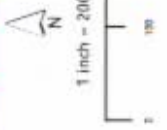


Rezoning Petition REZ-2020-0047 and Primary Development Plan PDP-2020-0035 - Pizza Hut - Waynedale



Although every accuracy standard has been met in the compilation of this map, Allen County does not warrant or guarantee the accuracy of the information contained herein and is not liable for any errors or omissions in this map.

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 Allen, Texas  
 10/11/2020 11:56:20 AM



**Department of Planning Services  
Rezoning Petition Application**

**Applicant**  
 Applicant Felderman Design Build  
 Address 5620 Coventry Lane  
 City Ft Wayne State IN Zip 46804  
 Telephone (260) 434-4000 E-mail greg.deweese@felderman.com

**Contact Person**  
 Contact Person Greg DeWeese  
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Greg DeWeese 11-02-2020  
 (printed name of applicant) (signature of applicant) (date)

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 (printed name of property owner) (signature of property owner) (date)

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 (printed name of property owner) (signature of property owner) (date)

Received	Receipt No.	Hearing Date	Petition No.
11-3-20		12-7-20	REZ-2020-0047







**REPORT OF COMMITTEE ON REGULATIONS**  
**January 26, 2021**

**Tom Freistroffer Chair**

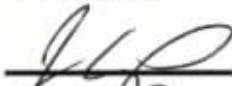

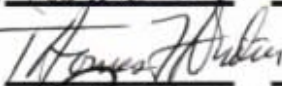

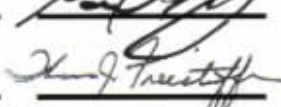
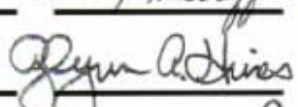
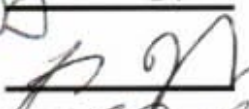
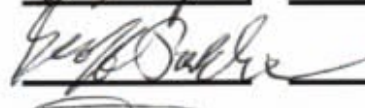

**Geoff Paddock Co-Chair**

**All Council Members**

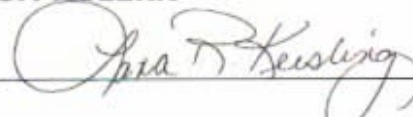
An Ordinance amending the City of Fort Wayne Zoning Map No. J-27 (Sec. 27 of Wayne Township)

To rezone approximately 1.0 acre from R1/Single Family Residential and C3/General Commercial to C2/Limited Commercial at 6809 Bluffton Road

**COMMITTEE ON REGULATIONS HAVE HAD SAID Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance**

<u>COUNCIL MEMBER</u>	<u>DO PASS</u>	<u>DO NOT PASS</u>	<u>ABSTAIN</u>
ARP			
CHAMBERS			
DIDIER			
ENSLEY			
FREISTROFFER			
HINES			
JEHL			
PADDOCK			
TUCKER			

**LANA R. KEESLING**  
**CITY CLERK**



Public Hearing Date: December 7, 2020


Read the first time in full and on motion by Councilperson Didier.

Read the second time by title and referred to the Regulations Committee.

Read the third time in full and on motion by Councilperson Paddock, placed on passage by the following vote:


<u>TOTAL VOTES</u>	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
ARP	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
CHAMBERS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
DIDIER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ENSLEY	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
FREISTROFFER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
HINES	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
JEHL	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
PADDOCK	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
TUCKER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

DATED: January 26, 2021

  
 \_\_\_\_\_  
 LANA R. KEESLING, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Zoning Ordinance No. Z-20-11-10 on the 26th day of January, 2021

ATTEST:

  
 \_\_\_\_\_  
 LANA R. KEESLING  
 CITY CLERK

  
 \_\_\_\_\_  
 PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th of January 2021, at the hour of 9:00 o'clock A.M. E.S.T.

  
 \_\_\_\_\_  
 LANA R. KEESLING, CITY CLERK

Approved and signed by me this 28<sup>th</sup> day of JANUARY 2020, at the hour of 9:30 o'clock AM E.S.T.

  
 \_\_\_\_\_  
 THOMAS C. HENRY, MAYOR

