

1 **#REZ-2025-0009**

2 **BILL NO. Z-25-02-10**

3
4 **ZONING MAP ORDINANCE NO. Z-9-25**

5 **AN ORDINANCE amending the City of Fort Wayne**
6 **Zoning Map No. G26 (Sec. 29 of Washington Township)**

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

8 SECTION 1. That the area described as follows is hereby designated a I2/General
9 Industrial District under the terms of Chapter 157 Title XV of the Code of the City of Fort Wayne,
10 Indiana:

11 **LEGAL DESCRIPTION**

12 **PARCEL I:**

13 Part of the Northeast Quarter of the Northeast Quarter of Section 29, Township 31 North, Range 12
14 East, Allen County, Indiana, more particularly described as follows, to wit:
15 Commencing at the Northeast corner of said Northeast Quarter; thence South, on and along the East
16 line of said Northeast Quarter, being within the right of way of Hillegas Road, a distance of 962.74
17 feet; thence West, by a deflection angle right of 90 degrees 00 minutes, a distance of 50.0 feet; thence
18 South and parallel to said East line, a distance of 111.19 feet to the true point of beginning; thence
19 South and parallel to said East line, a distance of 250.0 feet to a point on the South line of the
20 Northeast Quarter of the Northeast Quarter of said Section 29; thence Westerly, by a deflection angle
right of 91 degrees 02 minutes 30 seconds, on and along said South line, a distance of 658 feet to the
point of intersection of said South line with the Easterly right of way line of Interstate Highway #69;
thence Northeasterly, by a deflection angle right of 127 degrees 45 minutes 30 seconds, on and along
said Easterly right of way line, a distance of 323.95 feet; thence Easterly and parallel to said South
line, a distance of 456.7 feet to the true point of beginning, said in previous deed to contain 3.24 acres
of land, more or less.

21 **PARCEL II:**

22 An easement for roadway purposes as set out in the Grant of Easement recorded June 16, 1989 as
Instrument No. 89- 22421.

23
24 and the symbols of the City of Fort Wayne Zoning Map No. G29 (Sec. 29 of Washington
25 Township), as established by Section 157.082 of Title XV of the Code of the City of Fort Wayne,
26 Indiana is hereby changed accordingly.

27 SECTION 2. If a written commitment is a condition of the Plan Commission's
28 recommendation for the adoption of the rezoning, or if a written commitment is modified and
29 approved by the Common Council as part of the zone map amendment, that written commitment
30 is hereby approved and is hereby incorporated by reference.

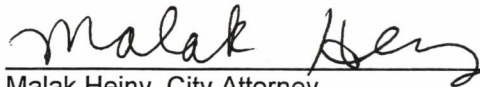
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SECTION 3. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.



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-2025-0009
Bill Number: Z-25-02-10
Council District: 3 – Nathan Hartman

Introduction Date: February 25, 2025
Plan Commission
Public Hearing Date: March 10, 2025 (not heard by Council)
Next Council Action: Ordinance will return to Council after recommendation by the Plan Commission

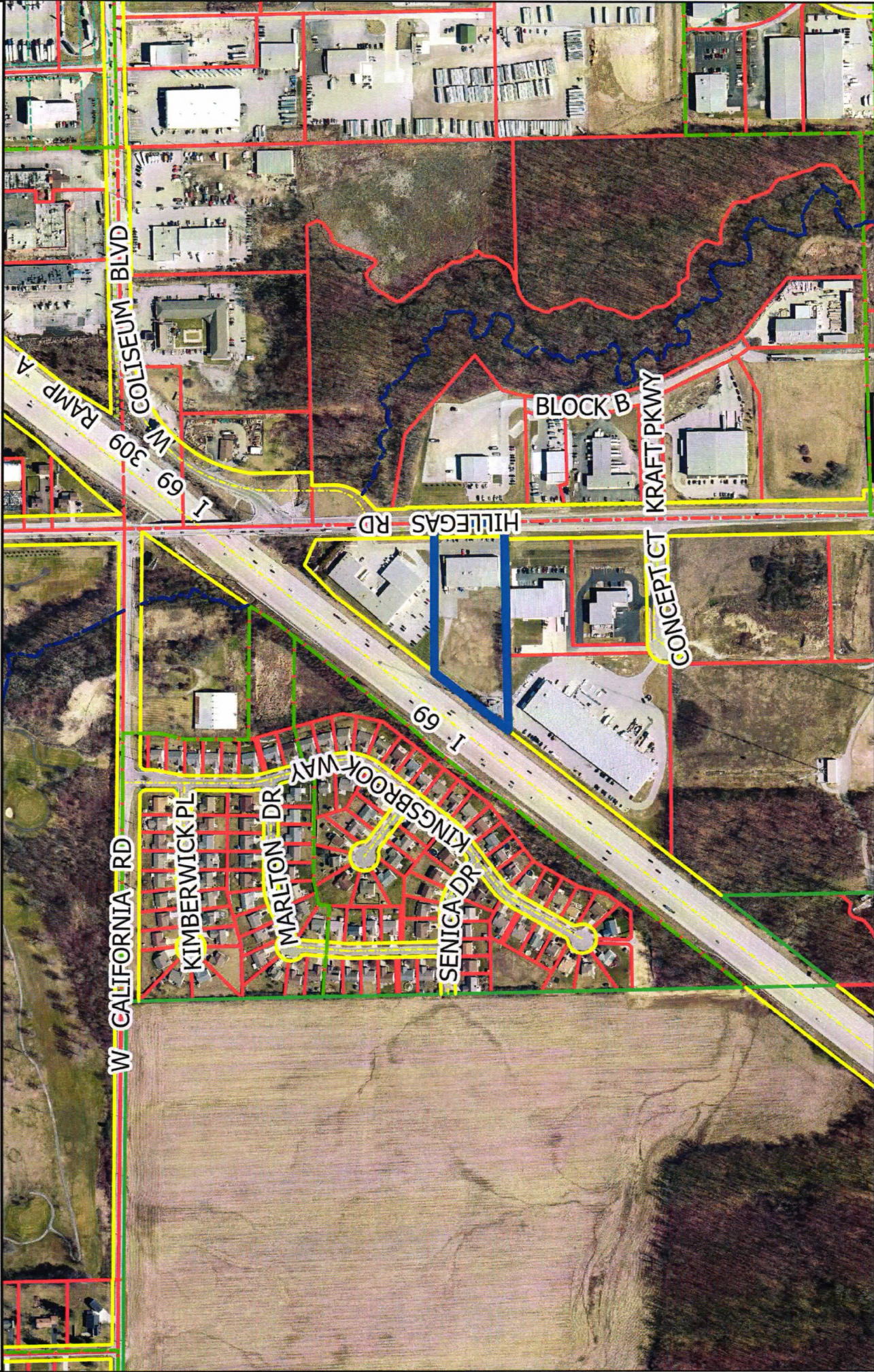
Synopsis of Ordinance: To rezone 3.2 acres from I1/Limited Industrial to I2/General Industrial
Location: 4101 Hillegas Road (Section 29 of Washington Township)
Reason for Request: To conform to existing motor vehicle uses.
Applicant: Truck Pro
Property Owner: Deer Island LLC

Related Petitions: None

Effect of Passage: Property will be rezoned to the I2/General Industrial zoning district, which would permit the existing motor vehicle uses.
Effect of Non-Passage: Property will remain zoned I1/Limited Industrial, which does not permit motor vehicle sales and service. The site may continue as a non-conforming use, but without rezoning to the appropriate district, expansion and/or redevelopment may be hindered.



Rezoning Petition REZ-2025-0009 - Truck Pro

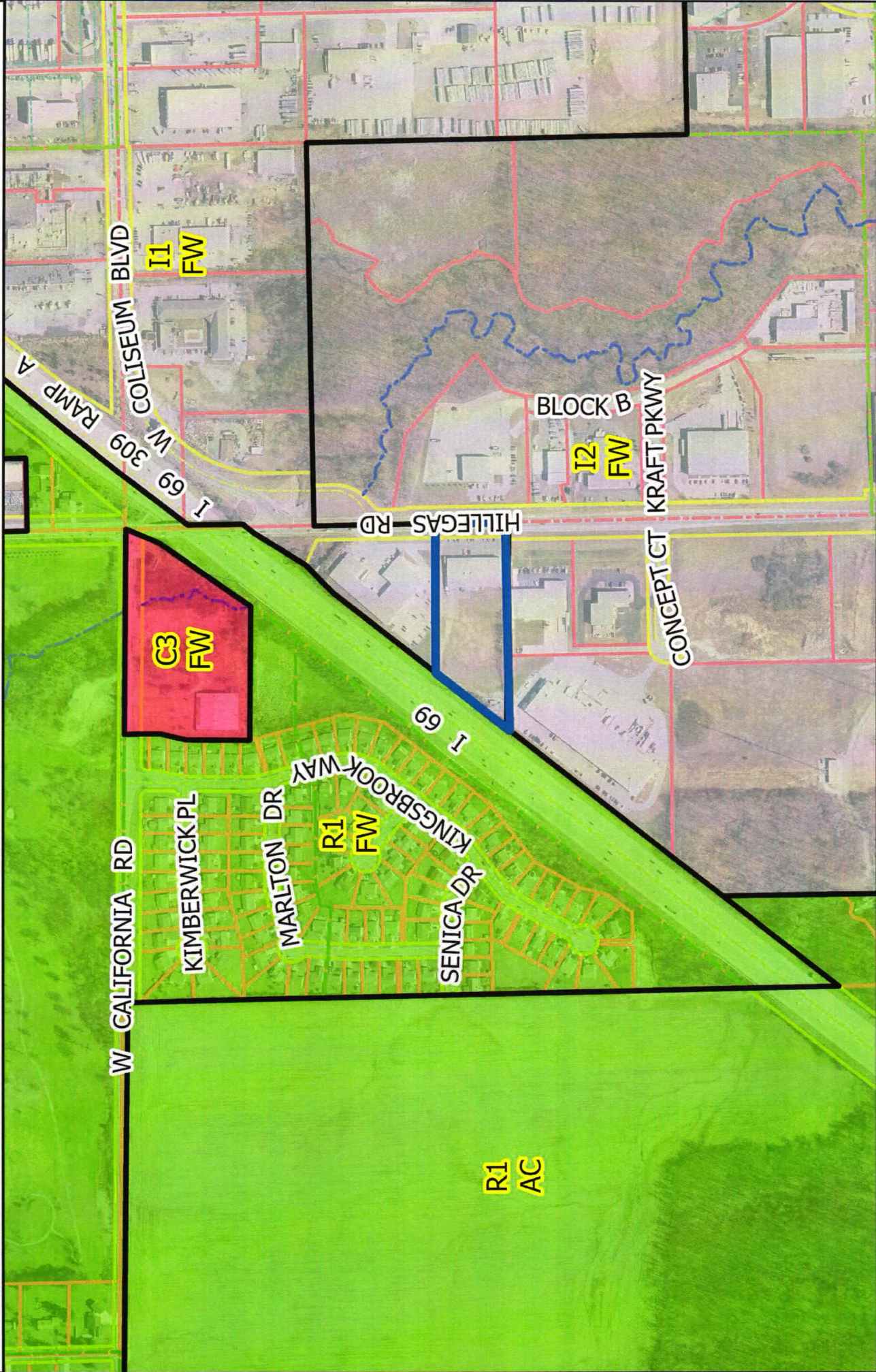


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 Date: 01/17/2025



Rezoning Petition REZ-2025-0009 - Truck Pro



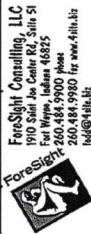
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 Photos and Contours: Spring 2009
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Property Owner/Developer:



4101 Hilliges Road
Fort Wayne, Indiana 46808
(260) 485-5115

Civil Engineer/Land Surveyor:

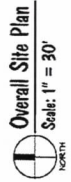
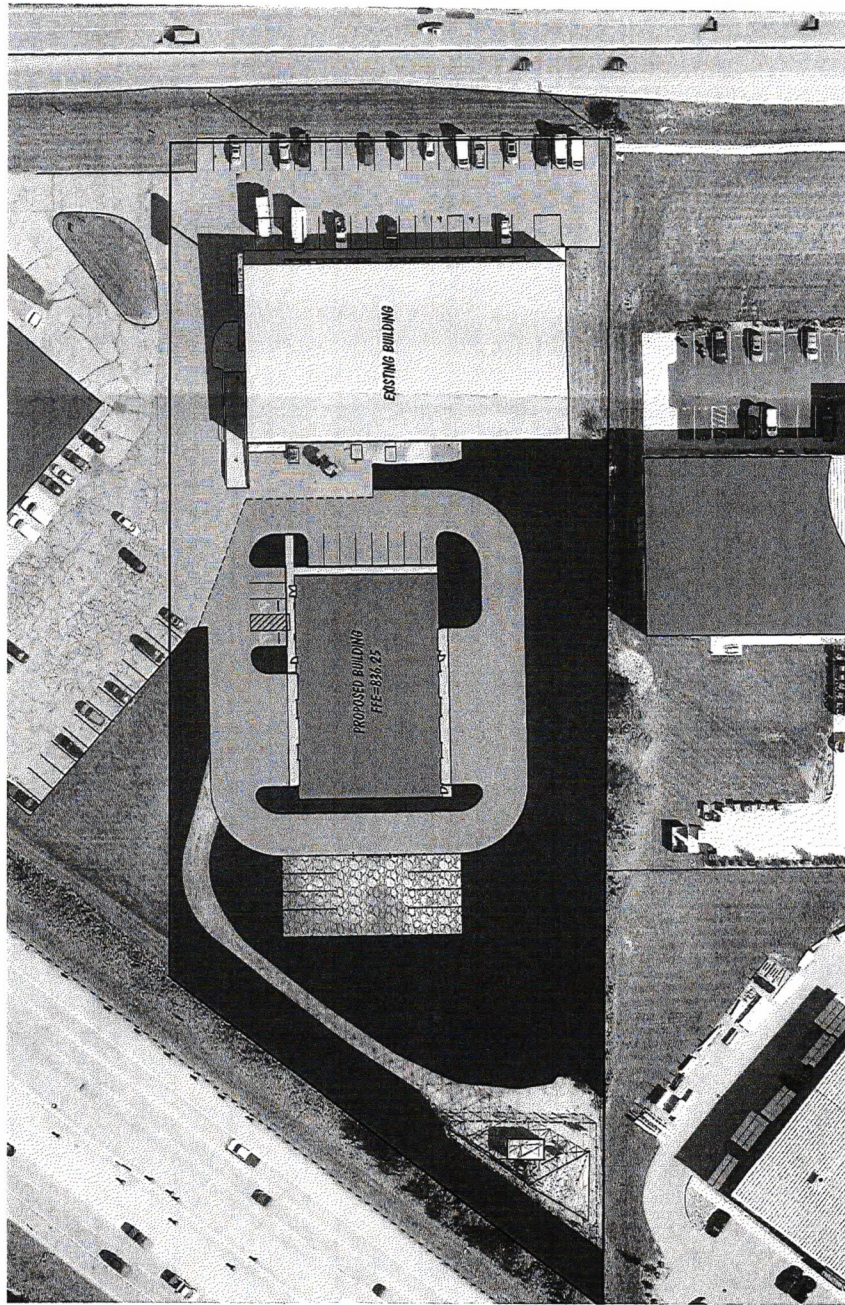
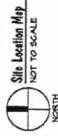
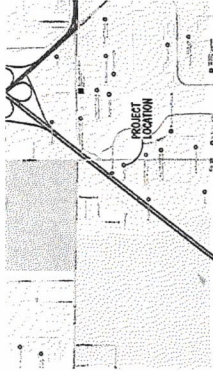


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1910 East 1st Street, Suite 51
Fort Wayne, Indiana 46825
260-484-9700 phone
260-484-9780 fax
info@f-si.com

Civil Construction Documents For:



4095 Hilliges Road, Fort Wayne, Indiana 46808



SHEET NUMBER	PAGE DESCRIPTION
CO.0	COVER SHEET
CO.1	SITE SPECIFICATIONS
CO.2	SITE SPECIFICATIONS
C1.1	SITE DEVELOPMENT PLAN
C2.1	SITE GRADING PLAN
C2.2	EMERGENCY RELIEF PLAN
C3.1	EROSION CONTROL PLAN
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C3.3	EROSION CONTROL DETAILS
C3.4	EROSION CONTROL SNIPP
C3.5	POST CONSTRUCTION SNIPP
C4.1	STORMWATER MANAGEMENT PLAN
C4.2	STORMWATER PROFILES AND DETAILS
U1.1	SITE UTILITY PLAN
LI.1	SITE LANDSCAPING PLAN
S2.1	SITE TOPOGRAPHIC SURVEY



Cover Sheet For:

4095 Hilliges Road, Fort Wayne, Indiana 46808

Drawing Revisions:

Revision Number
249886

Date
January 10th, 2025

Title
Cover Sheet

Sheet Number
CO.0



Know what's below.
Call before you dig.

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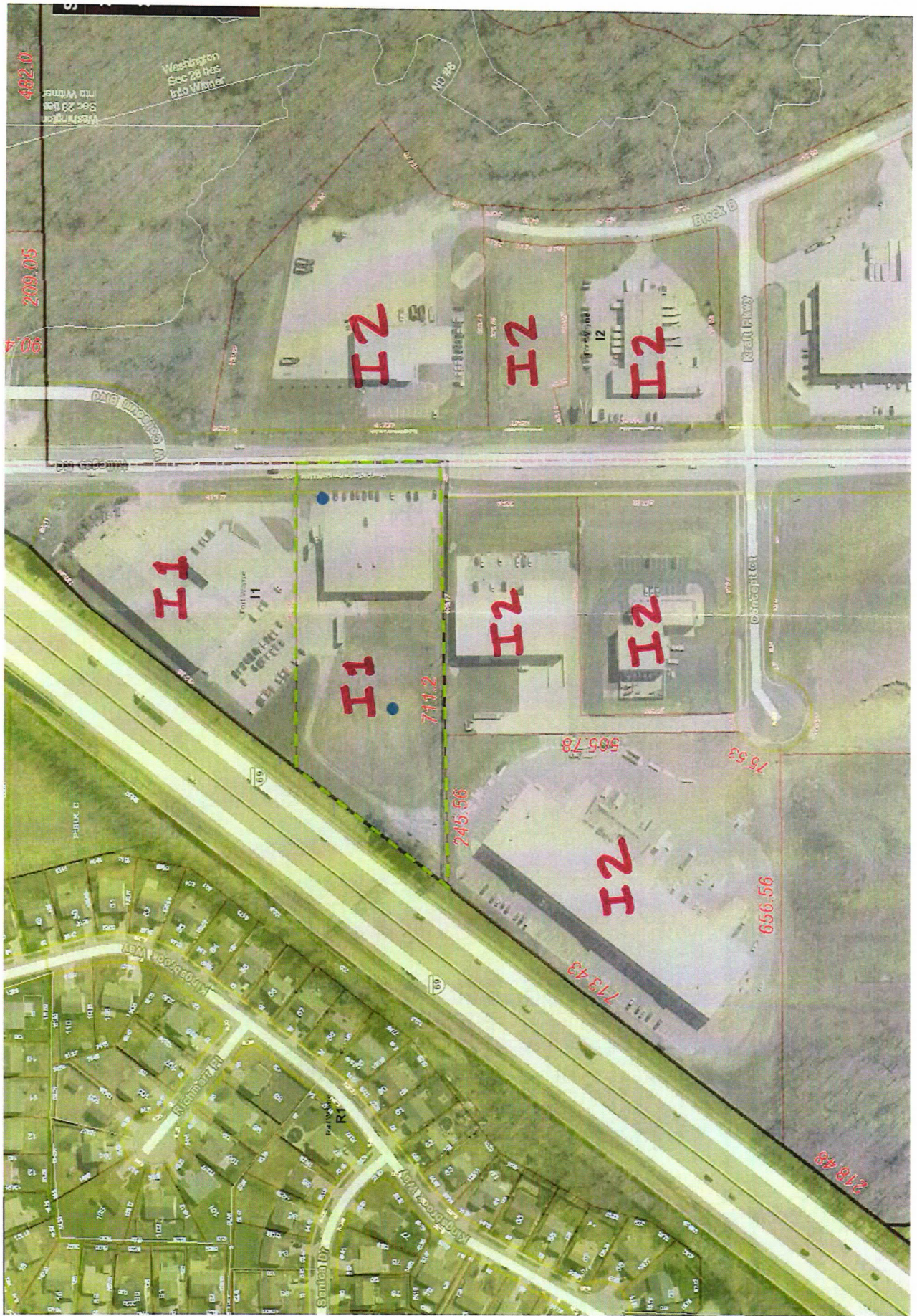
Certification:



This is to certify that the undersigned is duly qualified by education, training, and experience to perform the duties of a Professional Engineer and Surveyor in the State of Indiana. The undersigned is duly licensed by the State of Indiana. The undersigned is duly registered with the State of Indiana. The undersigned is duly bonded by the State of Indiana. The undersigned is duly insured by the State of Indiana. The undersigned is duly employed by the State of Indiana.

Performed for:

PERMIT REVIEW SET - NOT FOR CONSTRUCTION



432.0

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Washington Sec 28 has into Winner

I1

I1

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Washington Sec 28 has into Winner

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Kingsbrook

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**Department of Planning Services
Rezoning Petition Application**

Applicant
 Applicant TruckPro
 Address 4101 Hillegas Road
 City Fort Wayne State IN Zip 46808
 Telephone 260-483-5115 E-mail kevin@ellisres.com

Property Ownership
 Property Owner Deer Island LLC
 Address 4211 Clubview Drive
 City Fort Wayne State IN Zip 46804
 Telephone 260-483-5115 E-mail kevin@ellisres.com

Contact Person
 Contact Person Kelty Tappy Design, Inc. (Matt Kelty)
 Address 116 East Berry Street, Suite 700
 City Fort Wayne State IN Zip 46802
 Telephone 260-426-7770 E-mail matt@keltytappy.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 4101 Hillegas Road Township and Section Washington/0293112
 Present Zoning I1 Proposed Zoning I2 Acreage to be rezoned 3.2
 Purpose of rezoning (attach additional page if necessary) Motor Vehicle Parts Sales and Service
 Sewer provider (Public) Water provider (Public)

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

Kevin Ellis - As Agent
 (printed name of applicant)

Kevin Ellis
 (signature of applicant)

February 10, 2025
 (date)

Cliff Ellis
 (printed name of property owner)

Cliff Ellis
 (signature of property owner)

February 10, 2025
 (date)



Received <u>2-10-25</u>	Receipt No. <u>147032</u>	Hearing Date <u>3-10-25</u>	Petition No. <u>REZ-2025-0009</u>
----------------------------	------------------------------	--------------------------------	--------------------------------------

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 zoning change is consistent with "All In Allen" comprehensive plan: "clusters of consistent use".

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

The current condition and existing structure is excellent. The ordinance change in 2014 makes it's use nonconforming.

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

I-2 is most desirable based on existing use and anticipated business development (Motor Vehicle Sales & Service).

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

Property values of adjacent properties will be strengthened by proper zoning and by the anticipated development.

- (5) Responsible development and growth.

Utilizing the existing site for the new service operation conserves ground and optimizes road/utility infrastructure.

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-2025-0009 Bill # Z-25-02-10 Project Start: February 2025

APPLICANT:	Truck Pro
REQUEST:	To rezone from I1/Limited Industrial to I2/General Industrial to conform to existing motor vehicle uses.
LOCATION:	4101 Hillegas Road (Section 29 of Washington Township)
LAND AREA:	3.2 acres
PRESENT ZONING:	I1/Limited Industrial
PROPOSED ZONING:	I2/General Industrial
COUNCIL DISTRICT:	3 – Nathan Hartman
SPONSOR:	Fort Wayne Plan Commission

March 10, 2025 Public Hearing

- No one spoke in support or with concerns.
- Karen Richards and Paul Sauerteig were absent.

March 17, 2025 Business Meeting

Plan Commission Recommendation: DO PASS

A motion was made by Rachel Tobin-Smith and seconded by Ryan Neumeister to return the ordinance with a Do Pass recommendation, to Common Council for their final decision.

7-0 MOTION PASSED

- Karen Richards and Paul Sauerteig were absent.

Fact Sheet Prepared by:
Karen Couture, Associate Land Use Planner
March 18, 2025

PROJECT SUMMARY

This rezoning petition is located along Hillegas Road, between Butler Road and Coliseum Boulevard. This single parcel includes frontage along I-69. City Traffic Engineering average daily traffic count is about 22,000 vehicles from their 2024 study, qualifying the street as an urban minor arterial street. The front third of the site includes a structure constructed in the mid 1990's and a parking lot. The applicant indicated on the questionnaire that when the building was constructed in 1996, the plans met the City of Fort Wayne zoning ordinance's standards. With the zoning ordinance changing over the years, the use of motor vehicle sales has become nonconforming since 2014. The nonconforming chapter of the zoning ordinance would allow the continuation of use, but the owner desires the flexibility of being in a permitted zoning district, should the facility expand in the future. Currently, the owner has a site permit through the Department of Planning Services that meets zoning ordinance standards, which is when the discrepancy in zoning was discovered. All agencies have reviewed the plans, so zoning is the last step of approval for this site permit. The I2 district, if approved, will be nested between I1 zoning, and the sole adjacent residential zoning is along the right-of-way of I-69. As a result, the intensity of zoning will act like a gradient between the proposed I2 zoning and will gradually abate in intensity where residential zoning is present along Hillegas Road.

COMPREHENSIVE PLAN REVIEW

Future Growth and Development Map, Goals, and Strategies

The project site is located within the Urban Infill Area.

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

Overall Land Use Policies

- **LUD Policy 4** - Nonresidential development which is adjacent to residential neighborhoods should be limited to lower intensity neighborhood commercial uses. While this category is higher in intensity, many zoning districts and wide rights of way separate this petition from residential areas.

Generalized Future Land Use Map

- The project site is located within the Production Center generalized land use category.
- General/Intensive industrial are primary uses in this land use category, for which motor vehicle sales meets the intent of the land use category.

Land Use Related Action Steps

- **ED.1.1.1** - Strategically identify and prepare land and redevelopment areas for development-ready employment sites in alignment with the Future Growth and Development map, the Generalized Future Land Use map, and the Allen County Together Economic Development Action Plan.

Compatibility Matrix

- The I2/General Industrial zoning district is considered compatible with the production center land use category. Production Center is the only land use category where I2/General Industrial is considered compatible.

Other applicable plans: none

PUBLIC HEARING SUMMARY:

Presenter: Matt Kelty, representing the applicant, presented the request as outlined above.

Public Comments: None

FORT WAYNE PLAN COMMISSION • FINDINGS OF FACT

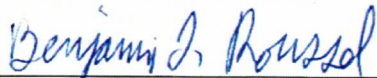
Rezoning Petition REZ-2025-0009 – Truck Pro

APPLICANT: Truck Pro
REQUEST: To rezone property from I1/Limited Industrial to I2/General Industrial to permit existing motor vehicle uses.
LOCATION: 4101 Hillegas Road, 525 feet north of its intersection of Concept Court (Section 29 of Washington Township)
LAND AREA: 3.2 acres
PRESENT ZONING: I1/Limited Industrial
PROPOSED ZONING: I2/General Industrial

The Plan Commission recommends that Rezoning Petition REZ-2025-0009 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 petition has adjacent I2/Limited Industrial zoning to the east and south. The precedent of Hillegas Road was established decades ago as a location for industrial uses, especially in south Washington Township.
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 rezoning request is to permit an existing use since the mid-1990’s, and further investment in the site will be subject to development standards in the I2/General Industrial district.
3. Approval is consistent with the preservation of property values in the area. This proposal will allow reinvestment into the area. The only residential properties in the area are across the I-69 corridor, which is about 260 feet wide.
4. Approval is consistent with responsible development and growth principles based on existing uses and infrastructure in the area. The site is currently served by City Utilities. The right-of-way is subject to Phase II of the Hillegas Road improvement project, which includes new travel lanes, a center turn lane, sidewalks, a multi-use path, urban street design with curb and gutter, storm sewers, pedestrian facilities, street lighting and urban landscaping.

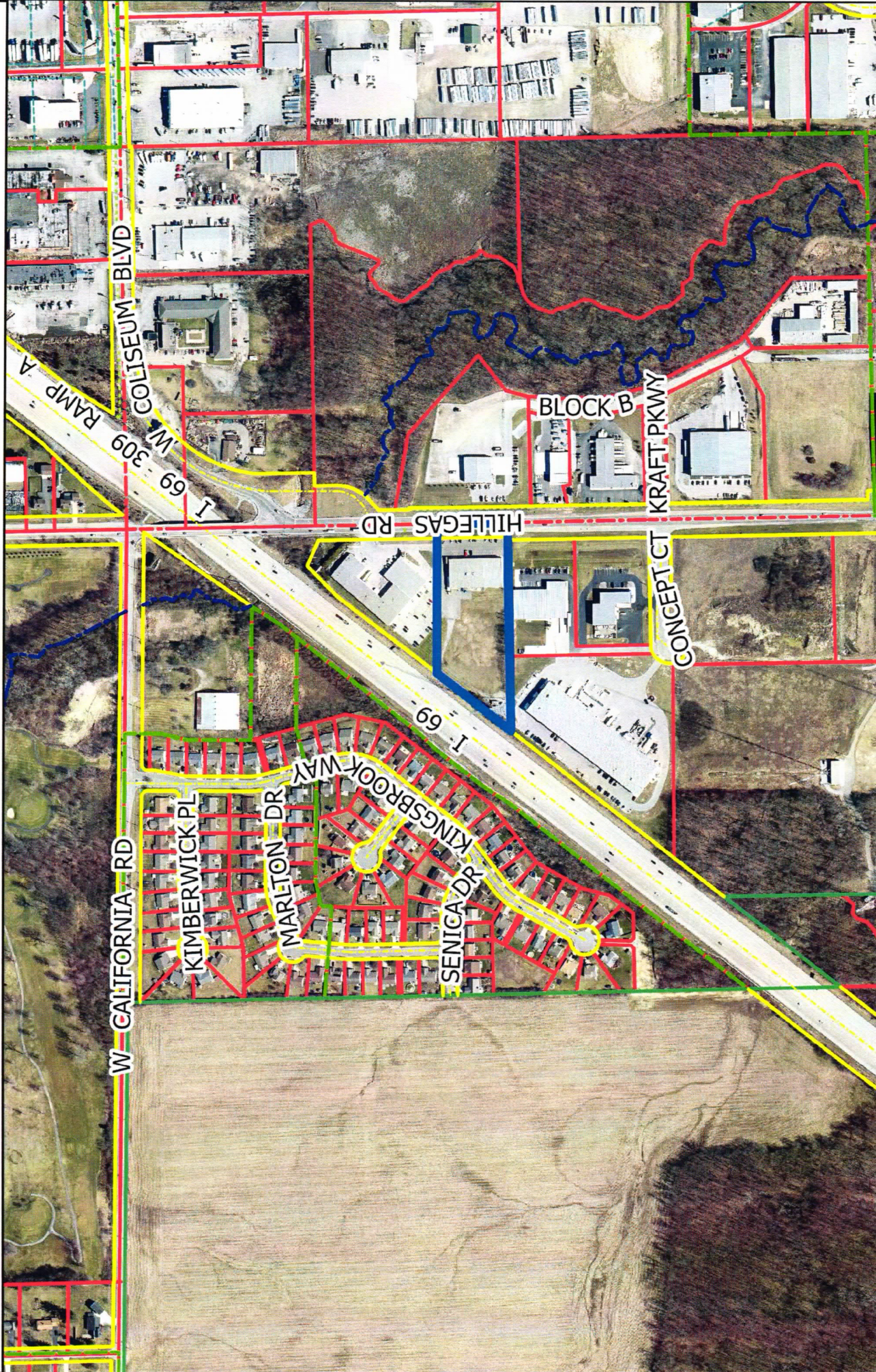
These findings approved by the Fort Wayne Plan Commission on March 17, 2025.



Benjamin J. Roussel
Executive Director
Secretary to the Commission



Rezoning Petition REZ-2025-0009 - Truck Pro



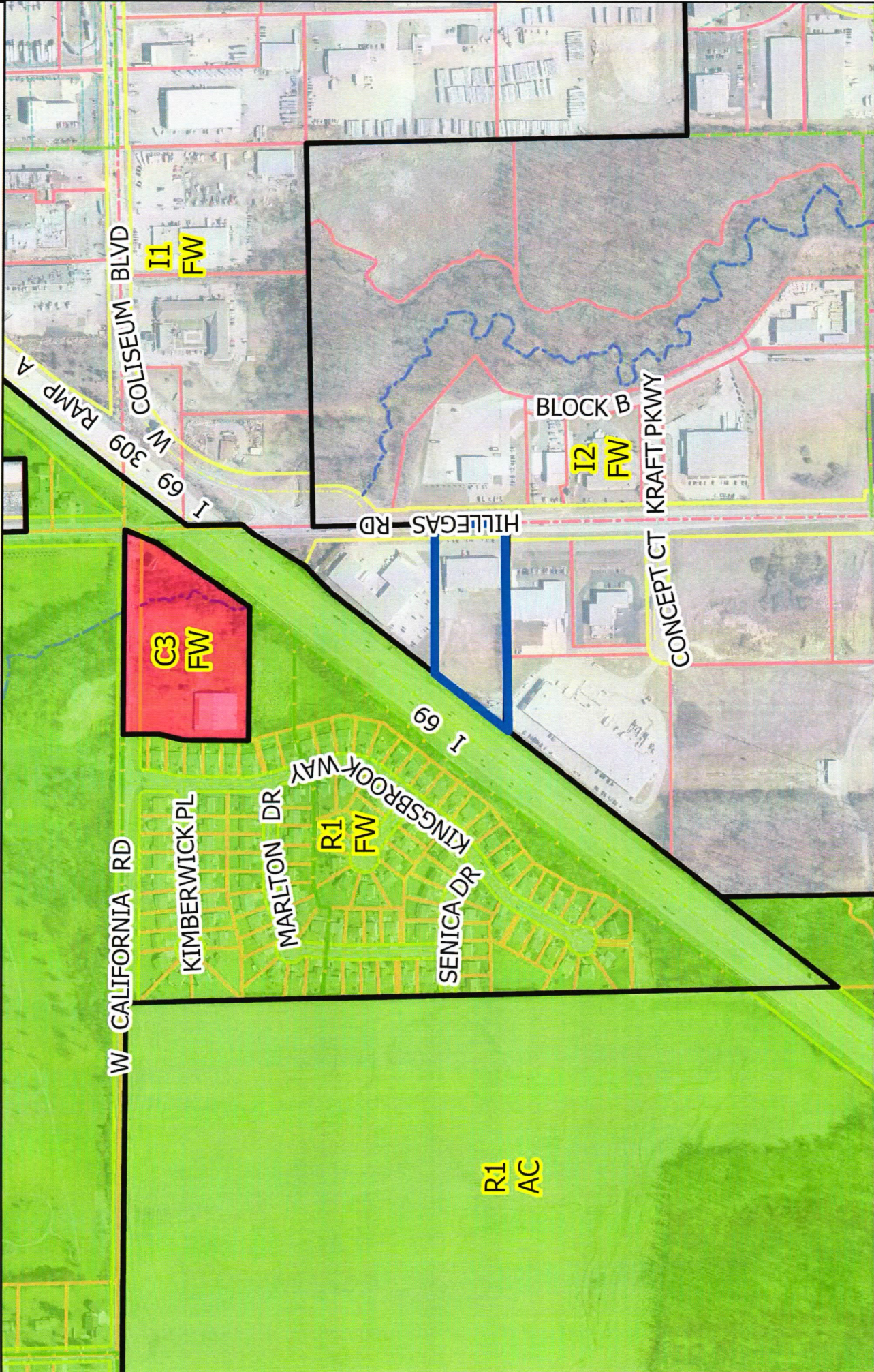
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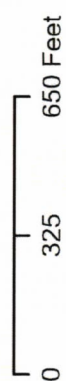




Rezoning Petition REZ-2025-0009 - Truck Pro



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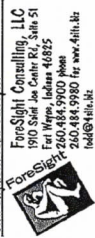


Property Owner/Developer:



4101 Hilligas Road
Fort Wayne, Indiana 46808
(260) 483-5115

Civil Engineer/Lead Designer:

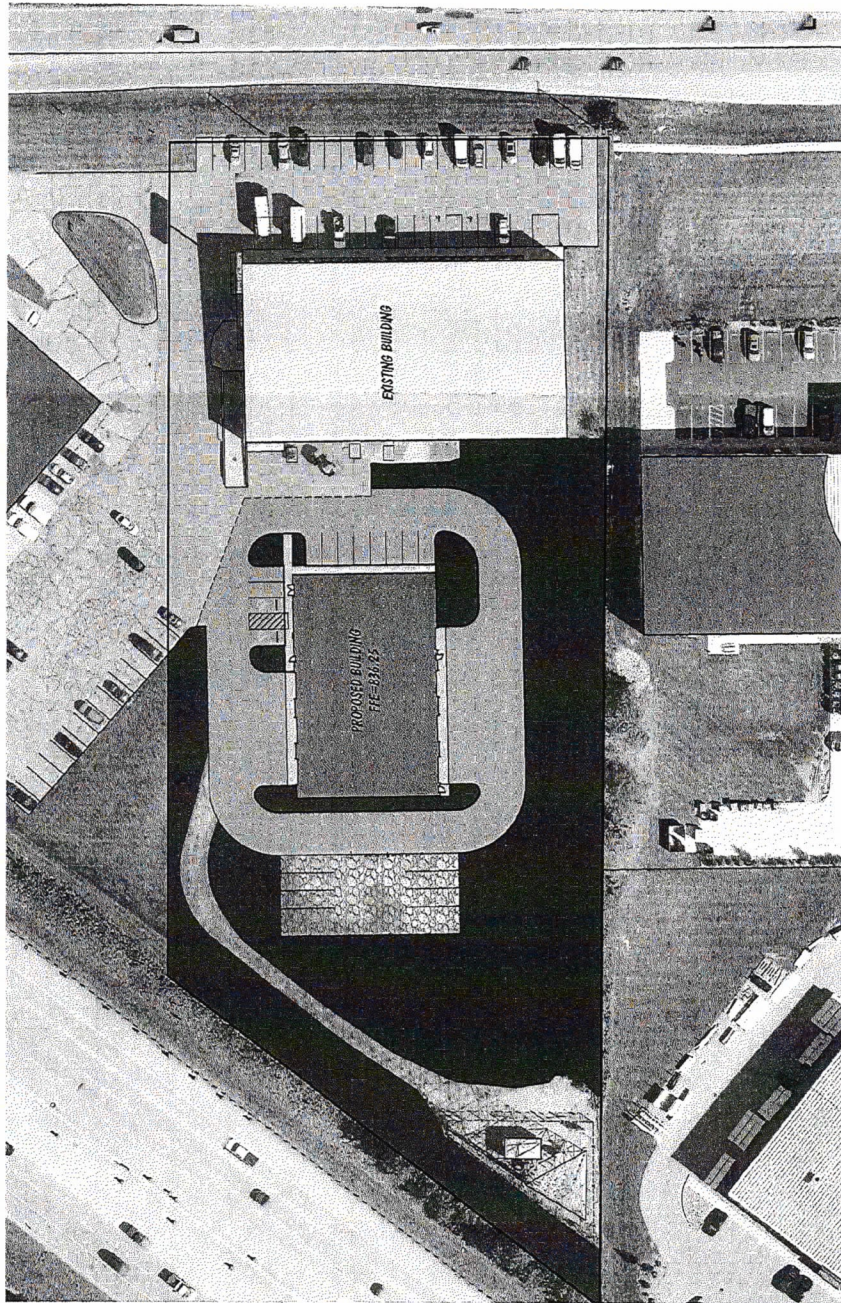
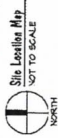
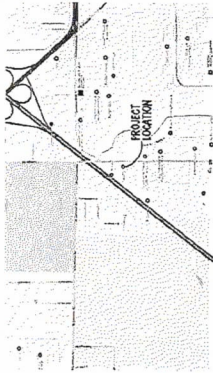


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P: 260-484-5900 Phone
F: 260-484-5900 Fax
www.fs4itn.biz

Civil Construction Documents For:



4095 Hilligas Road, Fort Wayne, Indiana 46808



Overall Site Plan
Scale: 1" = 30'

SHEET NUMBER	DATE DESCRIPTION
CO.0	COVER SHEET
CO.1	SITE SPECIFICATIONS
CO.2	SITE SPECIFICATIONS
C1.1	SITE DEVELOPMENT PLAN
C2.1	SITE GRADING PLAN
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C4.1	STORMWATER MANAGEMENT PLAN
C4.2	STORMWATER PROFILES AND DETAILS
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LI.1	SITE LANDSCAPING PLAN
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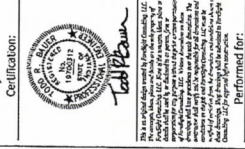
Cover Sheet For:
TruckPro
4095 Hilligas Road, Fort Wayne, Indiana 46808

Drawing Revisions

Commission Number	243886
Date	January 10th, 2025
Title	Cover Sheet
Sheet Number	CO.0



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Professional Engineers & Surveyors
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Performed for:

PERMIT REVIEW SET - NOT FOR CONSTRUCTION

BILL NO. Z-25-02-10

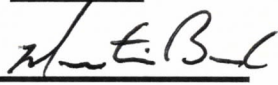







**REPORT OF COMMITTEE ON REGULATIONS
March 25, 2025**

**Michelle Chambers Chair
Thomas Freistroffer Co-Chair
All Council Members**

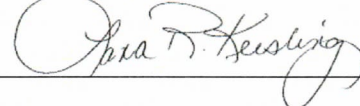
An Ordinance amending the City of Fort Wayne Zoning Map No. G26 (Sec. 29 of Washington Township)

To rezone 3.2 acres from 1/Limited Industrial to 2/General Industrial at 4101 Hillegas 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>
<u>BENDER</u>			
<u>BOOKER</u>			
<u>CHAMBERS</u>			
<u>ENSLEY</u>			
<u>FREISTROFFER</u>			
<u>HARTMAN</u>			
<u>JEHL</u>			
<u>MYERS</u>			
<u>PADDOCK</u>			

**LANA R. KEESLING
CITY CLERK**



Public Hearing Date: N/A

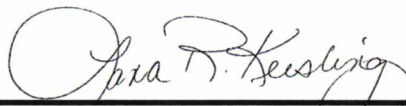
Read the first time in full and on motion by Councilperson Chambers.

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

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

<u>TOTAL VOTES</u>	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
BENDER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
BOOKER	<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"/>
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"/>
HARTMAN	<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"/>
MYERS	<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"/>

DATED: March 25, 2025



LANA R. KEESLING, CITY CLERK

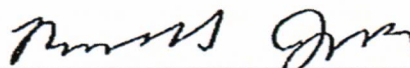
Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as

Zoning Ordinance No. Z-25-02-10 on the 25th day of March, 2025

ATTEST:

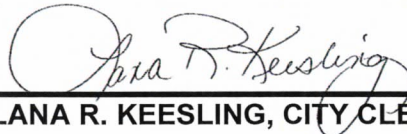


LANA R. KEESLING
CITY CLERK



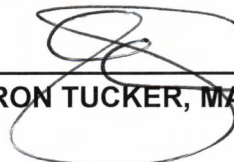
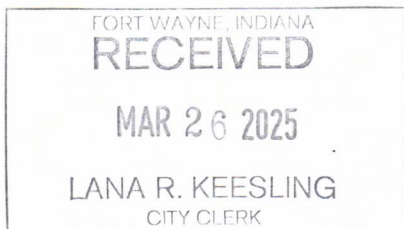
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th of March 2025, at the hour of 9:00 o'clock P.M. E.S.T.



LANA R. KEESLING, CITY CLERK

Approved and signed by me this 26th day of March 2025, at the hour of 9:39 o'clock A.M. E.S.T.



SHARON TUCKER, MAYOR