

1 #REZ-2025-0054

2 BILL NO. Z-25-10-19

3 ZONING MAP ORDINANCE NO. Z-42-25

4 AN ORDINANCE amending the City of Fort Wayne
5 Zoning Map No. M34 (Sec 23 of Washington Township)

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

7 SECTION 1. That the area described as follows is hereby designated a C3/General
8 Commercial zoning district under the terms of Chapter 157 Title XV of the Code of the City of Fort
9 Wayne, Indiana:

10 LEGAL DESCRIPTION

11 **RECORDED DESCRIPTION OF REAL ESTATE:**

12 Present Owner (s): R A Properties, L.P. Property Address: 322 E Washington Center Rd.,
13 Fort Wayne, IN 46825

14 **Recorder's Document #2021022118**

15 Part of the Northeast Quarter of Section 23, Township 31 North, Range 12 East, Allen
16 County, Indiana, more particularly described as follows:

17 Beginning at a point on the South right-of-way line of Washington Center Road, as
18 established by right-of-way dedication recorded as Document Number 91-40749 in the
19 Office of the Allen County Recorder, said point being 60 feet South and 400 feet West of
20 the Northeast comer of the Northeast Quarter of Section 23, Township 31 North, Range 12
21 East, Allen County, Indiana; thence Southerly and parallel to the East line of the Northeast
22 Quarter of Section 23, Township 31 North, Range 12 East, a distance of 564.0 feet; thence
23 Westerly with a deflection angle to the right of 90 degrees, 19 minutes, 40 seconds and
24 parallel to the North line of the Northeast Quarter of Section 23, Township 31 North,
25 Range 12 East a distance of 301.97 feet; thence Northerly with a deflection angle to the
26 right of 89 degrees, 52 minutes, 00 seconds a distance of 564.0 feet to a point on the South
27 right-of-way line of Washington Center Road, said point being 60 feet South of the North
28 line of the Northeast Quarter of Section 23, Township 31 North, Range 12 East; thence East
29 with a deflection angle to the right of 90 degrees, 08 minutes, 00 seconds and parallel to
30 the North line of the Northeast Quarter of Section 23, Township 31 North, Range 12 East a
distance of 300.05 feet to the point of beginning; said in previous deed to contain 3.897
acres (169,769 square feet).

EXCEPT THEREFROM: A part of the Northeast Quarter of Section 23, Township 31 North,
Range 12 East, Allen County, Indiana, more particularly described as follows:

Commencing at the Northeast comer of said Northeast Quarter; thence south 89 degrees
59 minutes 33 seconds West (assumed bearing and basis to follow) along the North line of
said Northeast Quarter a distance of 700.00 feet; thence South 00 degrees 08 minutes 27
seconds East a distance of 60.00 feet to the Northwest comer of a 3.897 acre tract

1 described in Document 203053004 and the point of beginning, said point marked by a 5/8
2 inch by 24 inch rebar with a Bertsch-Frank Identification Cap (Firm #0081); thence North 89
3 degrees 59 minutes 33 seconds East along the South right-of-way of Washington Center
4 Road parallel and 60.00 feet normally distant to the North line of said Northeast quarter a
5 distance of 150.00 feet to a 5/8 inch by 24 inch rebar with a Bertsch-Frank Identification
6 Cap (Firm #0081); South 00 degrees 08 minutes 27 seconds East parallel with the West line
7 of said 3.897 acre tract a distance of 564.00 feet to a point on the South line of said 3.897
8 acre tract, said point marked by a 5/8 inch by 24 inch rebar with a Bertsch-Frank
9 Identification Cap (Firm #0081); thence South 89 degrees 59 minutes 33 seconds West
10 along the South line of said 3.897 acre tract a distance of 150.00 feet to the Southwest
11 corner thereof, said corner marked by a 1/2 inch rebar with a Karst Identification Cap;
12 thence North 00 degrees 08 minutes 27 seconds West along the West line of said 3.897
13 acre tract 564.00 feet to the point of beginning, said in previous deed to contain 1.94
14 acres, more or less.

15 **TOGETHER WITH:** A non-exclusive easement for vehicular ingress and egress for the
16 benefit of Parcel I described above granted by Amended and Restated Declaration of
17 Easements and Restrictions recorded as Document Number 90-6542 as modified by
18 Amendment thereto recorded as Document Number 91-40746, over and across the
19 following described land:

20 A part of the Northeast Quarter of Section 23, Township 31 North, Range 12 East of the
21 Second Principal Meridian, Allen County, Indiana, more particularly described as follows:
22 Commencing at the Northeast corner of Section 23, Township 31 North, Range 12 East,
23 Allen County, Indiana; thence West (assumed) along the North line of said Northeast
24 Quarter of Section 23, also being the centerline of Washington Center Road, a distance of
25 700.00 feet; thence South, a distance of 45.00 feet to a point on the South right-of-way of
26 Washington Center Road; thence West, along the South right-of-way of Washington Center
27 Road, a distance of 208.68 feet to the point of beginning; thence South 06 degrees, 32
28 minutes, 12 seconds West, a distance of 193.26 feet to a point; thence South, a distance of
29 63.71 feet to a point; thence East, a distance of 231.28 feet to a point; thence South 00
30 degrees, 08 minutes, 00 seconds East, a distance of 60.00 feet to a point; thence West, a
distance of 231.42 feet to a point; thence: South, a distance of 255.71 feet to a point;
thence West, a distance of 35.00 feet to a point; thence South, a distance of 7.58 feet to a
point; thence West, a distance of 35.00 feet to a point; thence North, a distance of 263.29
feet to a point; thence West, a distance of 454.53 feet to a point; thence North, a distance
of 60.00 feet to a point; thence East, a distance of 454.53 feet to a point; thence North, a
distance of 255.71 feet to a point on the South right of way of Washington Center Road;
thence East, a distance of 92.00 feet to the point of beginning.

31 **ALSO TOGETHER WITH:** A non-exclusive ingress and egress easement for the benefit of
32 Parcel I described above granted by Grant of Easement recorded as Document Number
33 91-40747, over and across the following described land: A part of the Northeast Quarter
34 Section 23, Township 31 North, Range 12 East, Allen County, Indiana, more particularly
35 described as follows: Commencing at the Northeast corner of Section 23, Township 31
36 North, Range 12 East, Allen County, Indiana; thence West (assumed) along the North line
37 of said Northeast Quarter of said Section 23, also being the centerline of Washington
38 Center Road a distance of 700.00 feet; thence South 00 degrees, 00 minutes, 00 seconds
39 West, a distance of 45.00 feet to a point on the South right-of-way of Washington Center
40


1 Road; thence South 00 degrees, 08 minutes, 00 seconds East, a distance of 579.00 feet to a
2 point; thence South 90 degrees, 00 minutes, 00 seconds East a distance of 271.97 feet to
3 the point of beginning; thence South 00 degrees, 00 minutes, 00 seconds East, a distance
4 of 574.79 feet to a point; thence South 74 degrees, 07 minutes, 03 seconds East, a distance
5 of 347.09 feet to a point; thence South 00 degrees, 19 minutes, 40 seconds East a
6 distance of 76.20 feet to a point; thence North 90 degrees, 00 minutes, 00 seconds West a
7 distance of 79.32 feet to a point; thence North 74 degrees, 07 minutes, 03 seconds West
8 a distance of 302.50 feet to a point; thence North 00 degrees, 00 minutes, 00 seconds
9 West a distance of 663.21 feet to a point; thence North 90 degrees, 00 minutes, 00
10 seconds East, a distance of 36.00 feet to the point of beginning.

11 **ALSO TOGETHER WITH:** A non-exclusive easement for ingress and egress easement over
12 the real estate described in Exhibit C-1 of that certain Access Easement Agreement
13 recorded February 27, 2014, as Instrument No. 2014009406, re-recorded March 4, 2014 as
14 Instrument No. 2014010357.

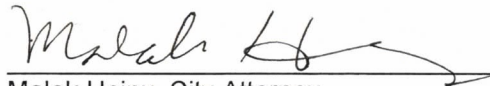
15 and the symbols of the City of Fort Wayne Zoning Map No. M34 (Sec. 23 of Washington Township),
16 as established by Section 157.082 of Title XV of the Code of the City of Fort Wayne, Indiana is
17 hereby changed accordingly.

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

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

24 
25 Council Member

26 APPROVED AS TO FORM AND LEGALITY:

27 
28 Malak Heiny, City Attorney

29
30

City of Fort Wayne Common Council
DIGEST SHEET

Department of Planning Services

Title of Ordinance: Zoning Map Amendment
Case Number: REZ-2025-0054
Bill Number: Z-25-10-19
Council District: 3 – Nathan Hartman

Introduction Date: October 28, 2025

Plan Commission
Public Hearing Date: November 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 approximately 2.0 acres from C2/Limited Commercial to C3/General Commercial

Location: 322 E Washington Center Rd (Section 23 of Washington Township)

Reason for Request: To permit a professional auto sales and service facility

Applicant: R A Properties LP

Property Owner: R A Properties LP

Related Petitions: Primary Development Plan - Professional Auto

Effect of Passage: Property will be rezoned to the C3/General Commercial zoning district, which would permit a professional auto sales and service facility.

Effect of Non-Passage: Property will remain zoned C2/Limited Commercial, which does not permit a professional auto sales and service facility. The site may continue with existing or non-conforming uses, and may be redeveloped with limited commercial uses.



As conducted by the jurisdiction of this or
 A Blue County does not warrant or represent
 a guarantee of the information contained here
 and therefore may not all liability shall be
 assumed on jurisdiction of this County
 North American Division 1023
 Issue: Professional Services - In the
 District and Professional Services 10230





E WASHINGTON CENTER RD

COLDWATER RD

COLDWATER RD

C3
FW

C3
FW

C2
FW

SC
FW

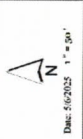
COLDWATER
CROSSING
ACCESS



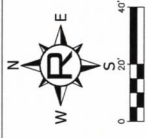
As conducted by the jurisdiction of this or
A Best Practices does not represent an endorsement
a guarantee of the information contained here
and therefore may not all liability available from
any one or more of the City of Phoenix
and its departments, divisions, offices, or
employees. Phoenix 1103
North Washington, Phoenix, Arizona
85004-1103
Water and Power - Section 1103
Page 10 of 10000



no title



Although this document is intended for informational purposes only, it is not a warranty or a guarantee of accuracy. The City of Dallas is not responsible for any errors or omissions in this document. All rights reserved. © 2004 by the City of Dallas, Department of Information Systems. All rights reserved.

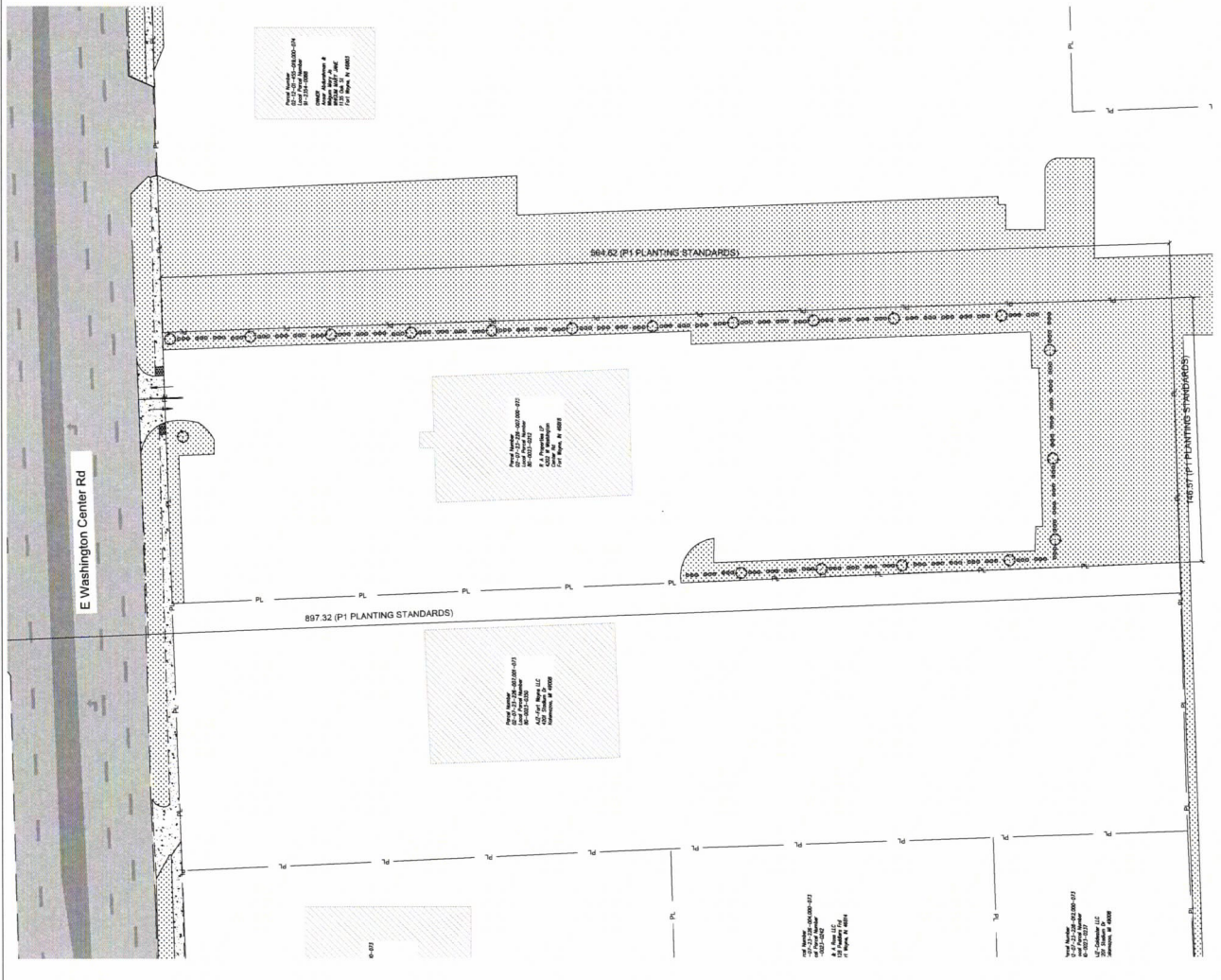


PLANTING AND LANDSCAPE

- (P1) PLANTING STANDARDS PER THE CITY OF FORT WAYNE
1. 1 SHADE TREE EVERY 60'
 2. 75% SMALL SHRUBS BUFFER & UP TO 25% MEDIUM SHRUBS

SEEDING LEGEND	
	PERMANENT SEEDING AMERTURP FRONT-RUNNER BLEND APPLIED AT A RATE OF 500 LBS/ACRE (8,851/1000 SQ.FT.)
	SHADE TREE 407 (2" CALIPER)
	SMALL SHRUB BUFFER IN GROUPS OF AT LEAST FIVE

TREES	CODE	QTY	BOTANICAL NAME	COMMON NAME	MIN. PLANTING HEIGHT	CAL. SIZE
	P-1	19	ACER RUBRUM 'ARMSTRONG'	Red Maple 'Armstrong'	2" CALIPER	2.5" CAL. MIN.
	P1	219	CORNUS MAS	Dogwood (Cornelian Cherry)	3"	5" O.C.



RISE
ENGINEERING & ARCHITECTURE
3803 AVENUE P, OFFICE PK
FORT WAYNE, IN 46825
PHONE: 765.746.8800
WWW.RISEENGINEERING.COM

NOTES:
THIS ARCHITECTURAL, ANCHOR ENGINEERING & ARCHITECTURE, INC. DESIGN IS THE PROPERTY OF THIS ENGINEERING SOLUTIONS COMPANY. ANY REUSE OR REPRODUCTION OF THIS INFORMATION WITHOUT WRITTEN PERMISSION OF RISE ENGINEERING SOLUTIONS LLC IS STRICTLY PROHIBITED.
THIS DRAWING AND SPECIFICATIONS SHALL BE PRINTED ON THE SCALE OF THE DRAWING INDICATED.

**PRELIMINARY
NOT FOR
CONSTRUCTION**

DESIGN	DATE	BY
RE		
INCHES	MM	AM

811
Know what's below.
Call before you dig.
White (Member) Card
If there's a hole, 2 days a week
811-4-NEED-4-811
NEEDS TO BE FILLED WITH APPROVED MATERIAL. ALL EXCAVATIONS MUST BE REPAIRED TO ORIGINAL OR BETTER CONDITION. ALL EXCAVATIONS MUST BE PROTECTED WITH SAFETY BARRIERS AND LIGHTING. ALL EXCAVATIONS MUST BE PROTECTED WITH SAFETY BARRIERS AND LIGHTING. ALL EXCAVATIONS MUST BE PROTECTED WITH SAFETY BARRIERS AND LIGHTING.

322 E WASHINGTON CENTER RD
FORT WAYNE, IN

PROJECT: PRO AUTO

PROJECT NO.: 25-1078

SHEET NAME: LANDSCAPE LAYOUT

SHEET NO.: L2.0

**Department of Planning Services
Rezoning Petition Application**

Applicant
 Applicant R A PROPERTIES, L.P.
 Address 4202 WEST WASHINGTON CENTER ROAD
 City FORT WAYNE State INDIANA Zip 46818
 Telephone 260-797-3654 E-mail raysvehicles2004@gmail.com

Property Ownership
 Property Owner R A PROPERTIES, L.P.
 Address 4202 WEST WASHINGTON CENTER ROAD
 City FORT WAYNE State INDIANA Zip 46818
 Telephone 260-797-3654 E-mail raysvehicles2004@gmail.com

Contact Person
 Contact Person MICHAEL J. HOFFMAN, ESQ. (33860-02) OF BEERS MALLERS, LLP
 Address 110 WEST BERRY STREET, SUITE 1100
 City FORT WAYNE State INDIANA Zip 46802
 Telephone 260-426-9706 E-mail mjhoffman@beersmallers.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 322 EAST WASHINGTON CENTER RD Township and Section WASHINGTON
 Present Zoning C2 Proposed Zoning C3 Acreage to be rezoned 2.06
 Purpose of rezoning (attach additional page if necessary) TO PERMIT PROFESSIONAL AUTO SALES & SERVICE USE OF THE SITE FOR AUTO SALES, INCLUDING EXTERIOR, ALONG WITH AUTOMOBILE SERVICE
 Sewer provider CITY Water provider CITY

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

R A PROPERTIES, L.P. by: [Signature] 10/7/25
 (printed name of applicant) (signature of applicant) (date)

R A PROPERTIES, L.P. by: [Signature] 10/7/25
 (printed name of property owner) (signature of property owner) (date)



Received	Receipt No.	Hearing Date	Petition No.

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 Comprehensive Plan reflects that the Property is within an "Urban Infill Area," and also specifically identifies the Property as one that is targeted for infill development under the "Preferred Growth Approach" (see Comprehensive Plan, Pages 53 and 55). Notably, the Comprehensive Plan repeatedly emphasizes the benefits associated with Urban Infill development of this kind (see Comprehensive Plan, Pages 54, 55, and 60).

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

The Property, which is currently vacant, is zoned C2 and is surrounded by various properties zoned C2 (including with variance to permit the same use as that which the Applicant intends for this parcel) and SC. These surrounding properties include a Byrider car dealership (to the west), a Get Go gas station (to the east), a Don Hall's restaurant (to the southeast), a Koto restaurant (to the north), an Arby's restaurant (to the northeast), a Cork 'n Cleaver restaurant (to the northwest), and a Hobby Lobby store (to the south).

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

The Comprehensive Plan reflects that the most desirable future use for the land would be one that falls within the "Regional Commercial" category (see Comprehensive Plan, Page 68). This category is said to encompass "the full spectrum of commercial businesses," which would include, among other things, "automobile-related uses" (see Comprehensive Plan, Page 84). Moreover, the Comprehensive Plan reflects that the proposed zoning (C3) is generally considered "compatible" in or adjacent to property that falls within the "Regional Commercial" category (see Comprehensive Plan, Page 213).

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

The proposed rezoning from C2 to C3 is not anticipated to have any negative impact on property values. On the contrary, it may be anticipated to have a positive impact on property values, as it will allow for development of vacant land that is already served by utilities and roadways, and may effectively expand commerce and encourage further growth and development in the area (see Comprehensive Plan, Page 60).

(5) Responsible development and growth.

The Comprehensive Plan encourages Urban Infill development of the kind that is intended by the proposed development/use (see Comprehensive Plan, Pages 54, 55, and 60). Additionally, the Comprehensive Plan reflects that the proposed zoning for the Property (C3) and the applicable land-use category (Regional Commercial) are generally considered "compatible" (see Comprehensive Plan, Page 213). Because the proposed rezoning is consistent with the Comprehensive Plan, is compatible with the surrounding properties, and is anticipated to provide benefits in terms of increased commerce and meaningful use of vacant property, the proposed rezoning constitutes 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*



BILL NO. Z-25-10-19

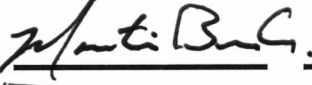

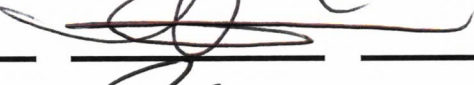
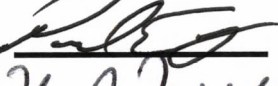
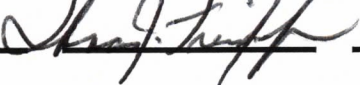

**REPORT OF COMMITTEE ON REGULATIONS
November 25, 2025**

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

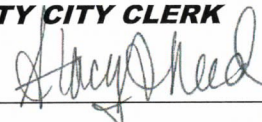
An Ordinance amending the City of Fort Wayne Zoning Map No. M34 (Sec 23 of Washington Township)

To rezone approximately 2.0 acres from C2/Limited Commercial to C3/General Commercial at 322 E Washington Center Rd

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>
BENDER			
BOOKER			
CHAMBERS			
ENSLEY			
FREISTROFFER			
HARTMAN			
JEHL			
MYERS			
PADDOCK			

**STACY REED
DEPUTY CITY CLERK**



Public Hearing Date: N/A

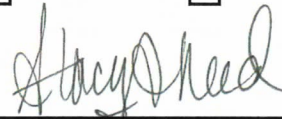
Read the first time in full and on motion by Councilperson Freistroffer.

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

Read the third time in full and on motion by Councilperson Freistroffer, 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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
JEHL	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
MYERS	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
PADDOCK	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

DATED: November 25, 2025

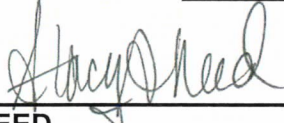


STACY REED, DEPUTY CITY CLERK

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

Zoning Ordinance No. Z-25-10-19 on the 25th day of November, 2025

ATTEST:

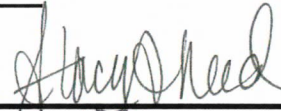


STACY REED
DEPUTY CITY CLERK



PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th of November 2025, at the hour of 8:55 o'clock A.M. E.S.T.



STACY REED, DEPUTY CITY CLERK

Approved and signed by me this 1st day of December 2025, at the hour of 4:34 o'clock pm E. S.T.


SHARON TUCKER, MAYOR