

#REZ-2026-0005

BILL NO. Z-26-01-24

ZONING MAP ORDINANCE NO. Z- Failed

AN ORDINANCE amending the City of Fort Wayne  
Zoning Map No. N42 (Sec. 13 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

PARCEL I

Warranty Deed – Instrument #95-027492

The North 5 acres of the Southwest 1/4 of the Northwest 1/4 of Section 13, Township 31 North, Range 12 East, in Allen County, Indiana being more particularly described as follows:

Beginning at a point on the West line of Section 13, Township 31 North, Range 12 East, 1,148.3 feet North of the West 1/4 corner of Section 13, Township 31 North, Range 12 East; thence East, parallel to the North line of the Southwest 1/4 of the Northwest 1/4 of Section 13, above Township and Range, a distance of 1,269.5 feet; thence North 0 degrees 52 minutes West, a distance of 171.7 feet to the Northeast corner of the Southwest 1/4 of the Northwest 1/4 of Section 13, above Township and Range; thence West, along the North line of the Southwest 1/4 of the Northwest 1/4 of Section 13, above Township and Range, a distance of 1268.0 feet to the Northwest corner of the Southwest 1/4 of the Northwest 1/4 of Section 13, above Township and Range; thence South, along the West line of Section 13, Township 31 North, Range 12 East, a distance of 171.7 feet to the place of beginning, excepting therefrom, that part condemned and taken for road right-of-way purposes in Allen Superior Court No. 3 Cause No. 3S#5045, appearing in Superior Court No. 3 Order Book 12, page 342j, of the records in Allen County, Indiana, containing 4.616 net acres.

PARCEL II

Warranty Deed – Instrument #2016050958

The South 5.09 acres of the North 10.09 acres of the Southwest Quarter of the Northwest Quarter of Section 13, Township 31 North, Range 12 East, in Allen County, Indiana, and being more particularly described as follows:

1 Beginning at a point on the West line of Section 13, Township 31 North, Range 12 East,  
2 981.09 feet North of the West Quarter corner of Section 13, above Township and Range;  
3 thence North 89 degrees 48 minutes East, parallel to the East and West centerline of  
4 Section 13, above Township and Range a distance of 1271.0 feet; thence North 0 degrees  
5 52 minutes West, along the East line of the Southwest Quarter of the Northwest Quarter of  
6 Section 13, above Township and Range, a distance of 182.21 feet; thence West a distance  
7 of 1269.5 feet to the West line of Section 13, above Township and Range; thence South,  
8 along the West line of Section 13, Township 31 North, Range 12 East; a distance of 167.21  
9 feet to the place of beginning.

6 Except that part appropriated by the State of Indiana in Allen Superior Court #3, Cause  
7 #4983.

8 and the symbols of the City of Fort Wayne Zoning Map No. N42 (Sec. 13 of Washington  
9 Township), as established by Section 157.082 of Title XV of the Code of the City of Fort Wayne,  
10 Indiana is hereby changed accordingly.

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

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

17  
18  
19  
20   
21 Council Member

22  
23 APPROVED AS TO FORM AND LEGALITY:

24   
25 Malak Heiny, City Attorney

26  
27  
28  
29  
30

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-2026-0005  
Bill Number: Z-26-01-24  
Council District: 3 – Nathan Hartman

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Introduction Date: January 27, 2026

Plan Commission  
Public Hearing Date: February 9, 2026 (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 10.0 acres from R1/Single Family Residential to C3/General  
Commercial

Location: 6910 Elderberry Drive (Section 13 of Washington Township)

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

Applicant: Quik Trip Corporation

Property Owner: St John Chrysostom Antiochian Orthodox Church Inc  
and Robert I Jr Myers

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Related Petitions: Primary Development Plan – Quik Trip

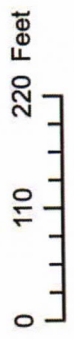
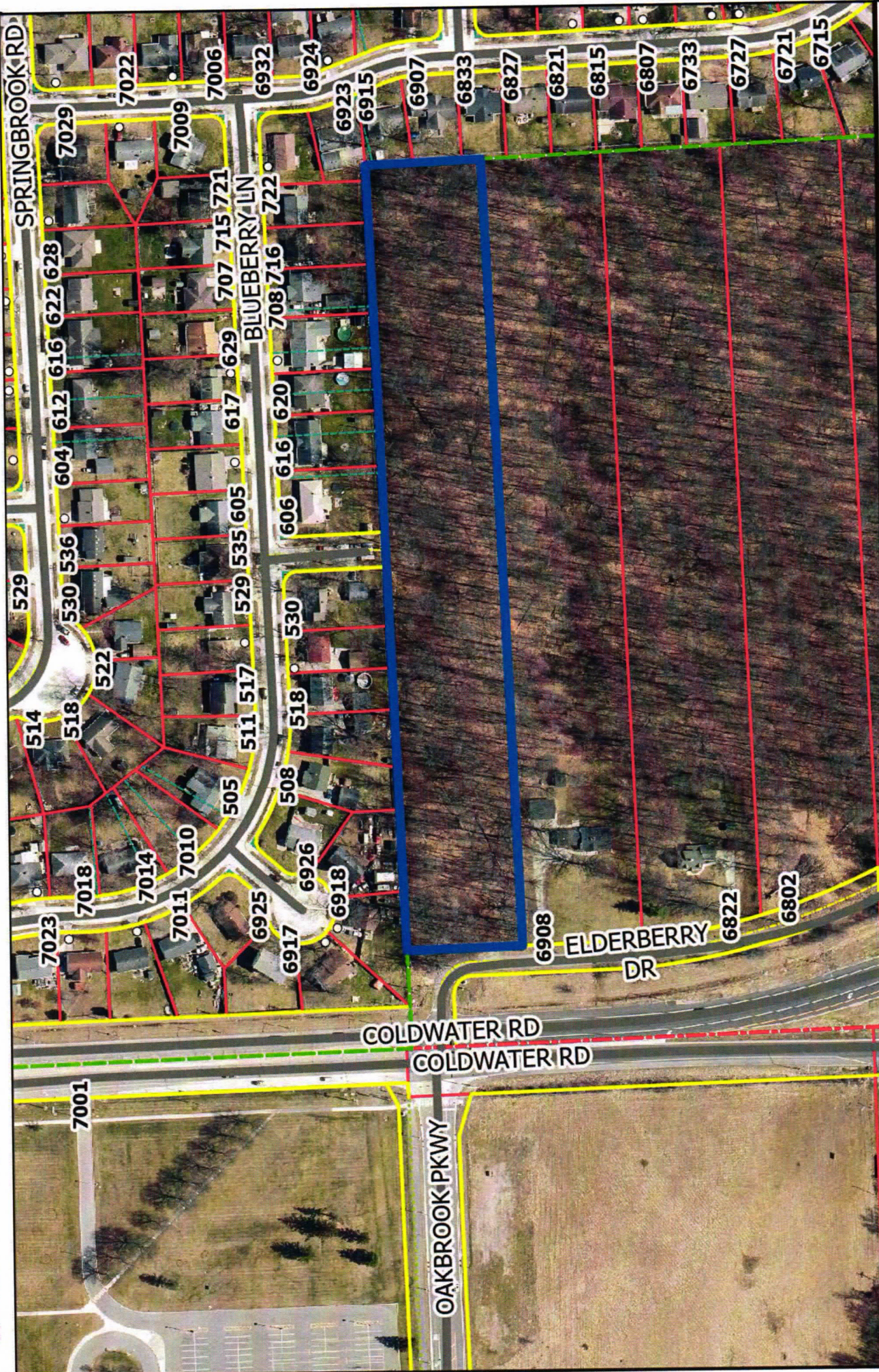
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Effect of Passage: Property will be rezoned to the C3/General Commercial zoning district,  
which would permit a gas station and C-store.

Effect of Non-Passage: Property will remain zoned R1/Single Family Residential, which does not  
permit a gas station and C-store. The site may continue with existing uses,  
and may be redeveloped with single family residential and other similar uses.



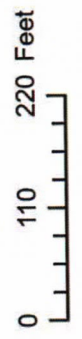
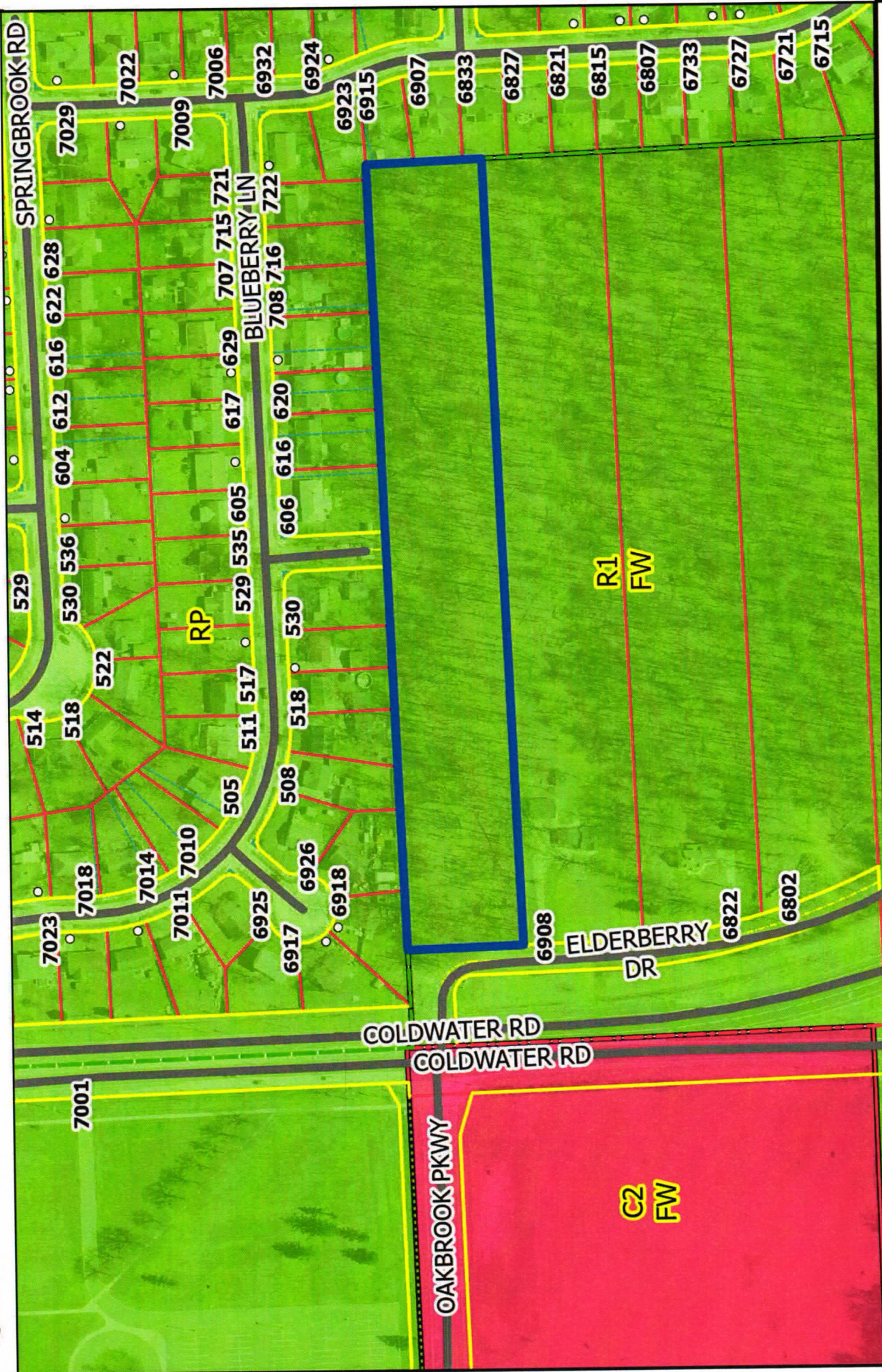
Rezoning Petition REZ-2026-0005 and Primary Development Plan PDP-2026-0003 - QuikTrip



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 Photos and Contours, Spring '06



# Rezoning Petition REZ-2026-0005 and Primary Development Plan PDP-2026-0003 - QuikTrip



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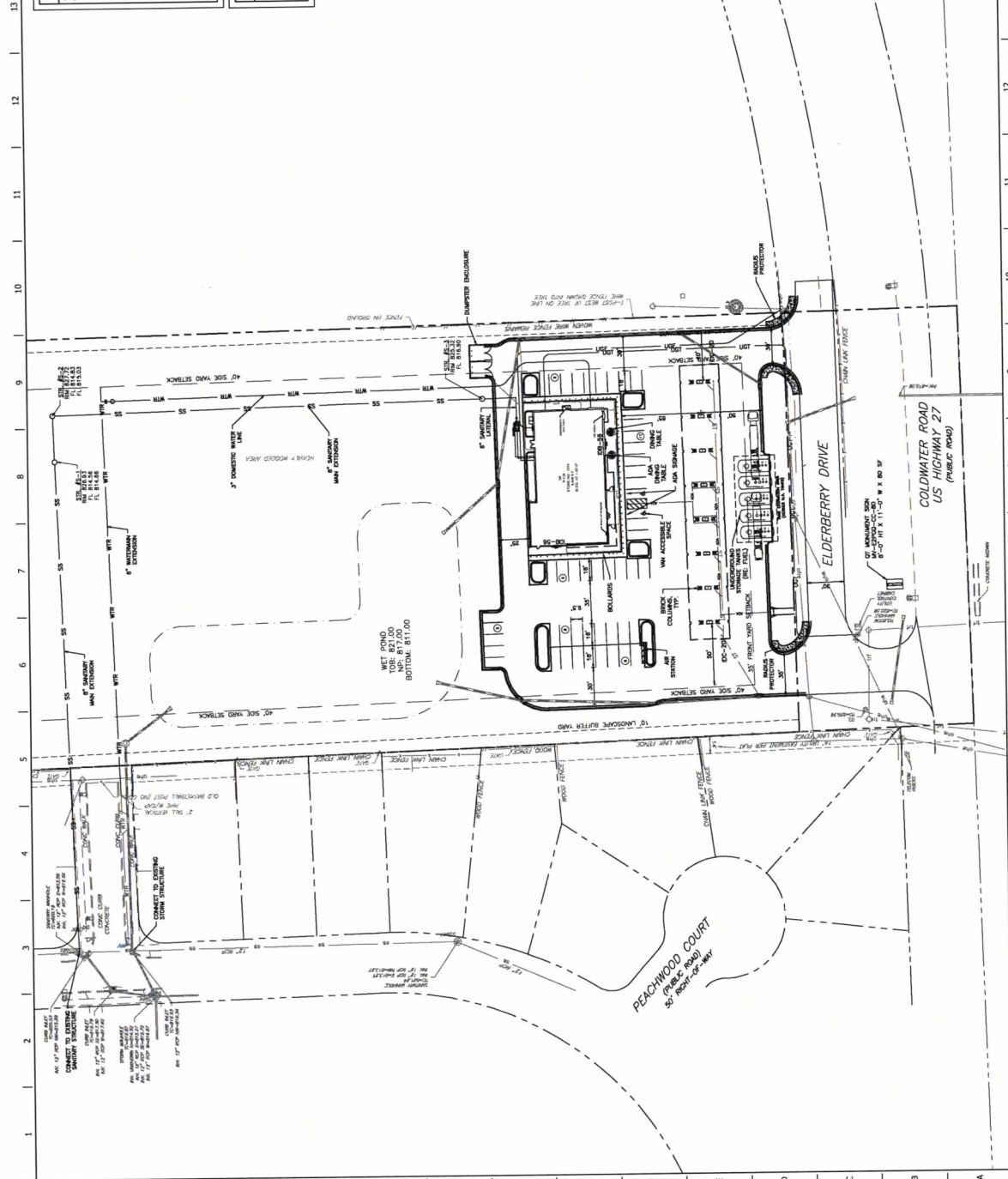


**SITE LEGEND**

- BOUNDARY LINE
- CONCRETE CURB AND GUTTER
- PROTECTOR
- PAVING SPACE INDICATOR
- ASPHALT
- ASPHALT PRODUCT
- CONCRETE AND BLOCKS
- TRANSFORMER
- FUEL SYSTEM ACCESS WAYWAY

**NOTE**

ASSUMED FINAL ZONING OF CS: GENERAL COMMERCIAL

















# Department of Planning Services Rezoning Petition Application

Applicant

Applicant QuikTrip Corporation - Gwen Keen, Real Estate Project Manager  
Address 13500 Riverport Dr, Suite 175  
City Maryland Heights State MO Zip 63043  
Telephone (636) 627-0003; (314) 795-4803 E-mail gkeen@quiktrip.com

Property Ownership

Property Owner St. John Chrysostom Orthodox Church  
Address 402 Badiac Road  
City Fort Wayne State IN Zip 46845  
Telephone 260-637-2572 E-mail webmaster@stjohnfortwayne.org

Contact Person

Contact Person Gwen Keen, Real Estate Project Mgr, QuikTrip Corporation  
Address 13500 Riverport Dr, Suite 175  
City Maryland Heights State MO Zip 63043  
Telephone (636) 627-0003; (314) 795-4803 E-mail gkeen@quiktrip.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 6910 Elderberry Drive Township and Section Washington  
Present Zoning R1 Proposed Zoning C3 Acreage to be rezoned 5 Acres  
Purpose of rezoning (attach additional page if necessary) Parcel #02-07-13-51-001.000-073  
Build a convenience store with fuel canopy  
Sewer provider \_\_\_\_\_ Water provider \_\_\_\_\_

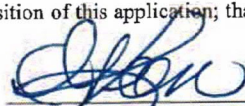
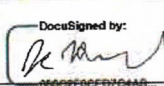
Filing Checklist

*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

Gwen Keen, Real Estate Project Mgr, QuikTrip Corporation  
(printed name of applicant)  
Kris Howard - Parish Council President  
(printed name of property owner)

  
(signature of applicant)  
DocuSigned by:  
  
(signature of property owner)

1/6/26  
(date)  
1/6/2026  
(date)



Received	Receipt No.	Hearing Date	Petition No.
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Department of Planning Services • 200 East Berry Suite 150 • Fort Wayne, Indiana • 46802  
Phone (260) 449-7607 • Fax (260) 449-7682 • [www.allencounty.us](http://www.allencounty.us) • [www.cityoffortwayne.org](http://www.cityoffortwayne.org)



**Department of Planning Services  
Rezoning Petition Application**

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 City Maryland Heights State MO Zip 63043  
 Telephone (636) 627-0003; (314) 795-4803 E-mail gkeen@quiktrip.com

**Property Ownership**  
 Property Owner Robert Myers  
 Address 1705 E. Schug rd.  
 City Columbia City State IN Zip 46725  
 Telephone 260-229-2323 E-mail Rmyersjr6@gmail.com

**Contact Person**  
 Contact Person Gwen Keen, Real Estate Project Mgr, QuikTrip Corporation  
 Address 13500 Riverport Dr, Suite 175  
 City Maryland Heights State MO Zip 63043  
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**Request**  
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 Present Zoning R1 Proposed Zoning C3 Acreage to be rezoned 5 Acres  
 Purpose of rezoning (attach additional page if necessary) Parcel #02-07-13-51-002.000-073  
Build a convenience store with fuel canopy  
 Sewer provider \_\_\_\_\_ Water provider \_\_\_\_\_

**Filing Checklist**  
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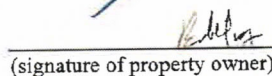
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Gwen Keen, Real Estate Project Mgr, QuikTrip Corporation  
 (printed name of applicant)

  
 (signature of applicant)

1/6/26  
 (date)

Robert Myers  
 (printed name of property owner)

  
 (signature of property owner)

01/05/2026  
 (date)



Received	Receipt No.	Hearing Date	Petition No.

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**Department of Planning Services  
Rezoning Questionnaire**

*Please see attached*

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*



Department of Planning Services  
Rezoning Questionnaire  
Responses

(1) The Comprehensive Plan;

This petition satisfies the All in Allen Comprehensive Plan by providing growth and development to accommodate Allen County's long-term population and job growth, as well as attracting new business to the area. The Future Growth and Development map indicates the property is located in the Urban Infill Area and a desired use of Suburban Neighborhood. We believe the QuikTrip location is ideal for this location and under these desired classifications. The addition of a brand of excellence such as QuikTrip shows "continued investment in the area strengthening the area's good reputation as a place to live and work." The plan states "emphasis will continue to be placed on public realm infrastructure and growing the amenity-rich employment districts and healthy neighborhoods needed to provide a high quality of life for existing residents". The addition of a QuikTrip store shows investment in the area of a top brand within the convenience store industry also satisfying the desire to encourage additional investment along urban corridors leading to and from downtown. The property is next to a major interstate with only 2 homes surrounded by vacant land and already served by infrastructure. Suburban Neighborhood states the land use should consist of neighborhood commercial development and personal services. QuikTrip fulfills this by providing the items the Ft. Wayne residents surrounding this property tending to their daily lives need- fuel, food and time. Today the primary fuel needed for vehicles is gasoline. As vehicles evolve to use different means of fuel, so will QuikTrip. QT Kitchen provides people with the quality food and beverages to get through the day – a muffin and cup of hot coffee to start the day off right, or a fresh sub sandwich for lunch to make it to the next job on time, or the mom who's had a long day at work and a good, hot pizza is what's for dinner tonight. Time is at the heart of what QuikTrip does best – convenience. Everything we do is to provide the customer an excellent experience in getting their daily needs met as quickly as possible so they can be on their way meeting their daily tasks at hand. It is our belief the addition of a QuikTrip store at this site is supported by the desired plans and goals of the All in Allen Comprehensive Plan.

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

There are similar commercial uses along Colwater Road - gas stations, fast food and retail services – as this area is right along Interstate 69. We believe our QuikTrip store will be add to the character of the district and improve current conditions of the site.

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

Based on the objectives put forth in the comprehensive plan and for reasons stated in the first response, we believe a QuikTrip is a most desirable use for this site.

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

New development in an established area stabilizes and at times can increase the surrounding property values. It is our belief with the high quality of the buildings, landscaping, continuous maintenance of the property and the high level of excellence in which the store operates, the property values will be conserved at their current level.

(5) Responsible development and growth;

The City of Ft. Wayne and Allen County would be approving the development of a QuikTrip store by a well established brand of excellence in the convenience store industry with over 67 years of experience and approximately 1,200 stores nationwide. A company privately held with no franchises. A company providing additional full and part time jobs, increased local and state tax revenue and focused on the long term of being a responsible retailer and good corporate citizen serving the residents of the area. As a area grows, so does the daily needs of the established residents, as well as the new. People need to get fuel, food and other daily use items quickly and conveniently. We believe the addition of this QuikTrip site is responsible development and growth in this area.

## FACT SHEET

Case #REZ-2026-0005    Bill # Z-26-01-24    Project Start: January 2026

PROPOSAL:	Rezoning Petition REZ-2026-0005 – Quik Trip
APPLICANT:	Quik Trip Corporation
REQUEST:	To rezone from R1/Single Family Residential to C3/General Commercial to permit a gas station and C-store
LOCATION:	6910 Elderberry Drive (Section 13 of Washington Township)
LAND AREA:	10.0 acres
PRESENT ZONING:	R1/Single Family Residential
PROPOSED ZONING:	C3/General Commercial
COUNCIL DISTRICT:	3 – Nathan Hartman
SPONSOR:	Fort Wayne Plan Commission

### February 9, 2026 Public Hearing

- No one spoke in support.
- Four people spoke in opposition or with concerns.
- Five emails/letters and a petition (approx 80 signatures) were received in opposition
- Paul Sauerteig and Karen Richards were absent.

### February 16, 2026 Business Meeting

#### Plan Commission Recommendation: DO PASS, with a Written Commitment

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

#### 5-0-1 MOTION PASSED

- Karen Richards, Paul Sauerteig, and Rick Briley were absent.
- Scott Myers abstained.

Fact Sheet Prepared by:  
Karen Couture, Principal Land Use Planner  
May 14, 2026

## PROJECT SUMMARY

The site consists of two 5-acre parcels, one vacant, and one with a single family home. The applicant is requesting to rezone the site to C3/General Commercial for a gas station and convenience store along the frontage of 6908 and 6910 Elderberry Drive. Elderberry Drive begins at the new signal at Coldwater Road and the new combined entrance for Northrop Highschool and Coldwater Commons (mixed-use commercial development approved in 2025). The drive continues south and east, parallel to Coldwater Road and the off-ramp from Interstate 69, where it dead-ends. Two homes currently occupy this quadrant, with the majority of the land being heavily wooded and potentially wetland. This proposed gas station/convenience store would be located immediately adjacent to Springwood subdivision, and a single family home on Elderberry Drive.

The proposed QuikTrip station consists of a 6,445 square foot convenience store, a gas canopy and eight (8) pumps. The northern access comes directly off the signal at Coldwater, with a second access situated at the southern tip of the property. Parking is located on the north, south and west sides of the convenience store, with three bays of parking on the north side. Dumpsters are proposed in the southeastern corner of the site, behind the building. The plan appears to meet all zoning ordinance required setbacks and parking requirements. The landscape buffers on the north and south sides need to be 10 feet minimum in width, which is shown on the plan, however the applicant is planning fencing along existing homes.

This property is located within the Airport Overlay district in Area 1, which requires a Special Use approval from the Board of Zoning Appeals and approval from the Fort Wayne-Allen County Airport Authority. The applicant confirmed they have spoken with the FWAA, and are planning to file for a Special Use. Stormwater detention is shown in the eastern portion of the site, behind the convenience store.

## COMPREHENSIVE PLAN REVIEW

### Future Growth and Development Map, Goals, and Strategies

- The project site is located within the Urban Infill Area. Development in urban infill areas should be focused on vacant lots within neighborhoods and commercial or industrial areas already served by infrastructure.
- The following Goal would be applicable and supportive of this request:  
**LUD Goal 1** – Encourage compatible infill development and redevelopment in the Urban Infill and Priority Investment Areas

### Generalized Future Land Use Map

- The project site is located within the Suburban Neighborhood generalized land use category.
- Adjacent properties are categorized as Suburban Neighborhood to the north and east, and Institutional to the northwest (existing school). Land directly west was recently zoned to C2/Limited Commercial for a shopping center.
- Primary and Secondary Uses in the Suburban Neighborhood category include: Single family residential, civic and cultural facilities, parks and open space, religious institutions, and schools. Gas station/convenience store is not supported in this category.

### Compatibility Matrix

- The matrix lists C3/General Commercial as potentially compatible with the Suburban Residential category. Compatibility can be increased with additional mitigation/consideration: written commitments, building design, enhanced landscaping, enhanced connectivity, etc.

### Overall Land Use Policies

- The proposed use does not appear to be supportive of the following policy:  
**LUD Policy 4** Nonresidential development which is adjacent to residential should be limited to lower intensity neighborhood commercial uses.

**Other Applicable Plans: None**

### **PUBLIC HEARING SUMMARY:**

Presenter: Ali Bukhres, representing applicant, presented the project as outlined above.

Public Comments:

John Thistlethwaite (1431 E Wallen Rd): Opposition – Concerned with water/sewer, worry about wetland.

Jennifer Montel (620 Blueberry Ln): Opposition – Concerned with safety of kids, school zone area, flooding, traffic.

Whitney Carney (6808 Ludwig Cir): Opposition – Concerned with too much development, traffic, safety for kids, wildlife.

Itzel Cebrero Espinoza (606 Blueberry Ln): Opposition – Concerned children's safety, wildlife, pond.

Rebuttal: Ali Bukhres stated they will work with engineers on stormwater; traffic will not be in the neighborhood; detention pond will be dry; fence will also be around pond; they want to be part of the community. Applicant agrees to a Written Commitment to restrict certain uses.

## FORT WAYNE PLAN COMMISSION Findings of Fact • February 2026

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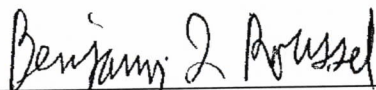
PROPOSAL:	Rezoning Petition REZ-2026-0005
APPLICANT:	QuikTrip Corporation
LOCATION:	Rezone from R1 to C3 to allow for a gas station and C-store
REQUEST:	6910 Elderberry Dr (Section 13 of Washington Township)
LAND AREA:	10.00 acres
PRESENT ZONING:	R1/Single Family Residential
PROPOSED ZONING:	C3/General Commercial

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The Plan Commission recommends that Rezoning Petition REZ-2026-0005 be returned to Council, with a "Do Pass", with a Written Commitment, 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 project site is located with the Urban Infill area.
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 applicant offers enhanced screening and buffering adjacent to residential properties to aid in compatibility with the neighborhood.
3. Approval is consistent with the preservation of property values in the area. The general area is developed with a mix of residential, institutional and commercial uses. Proximity to I-69 and Coldwater Road makes this site less desirable for single family residential development.
4. Approval is consistent with responsible development and growth principles based on existing uses and infrastructure in the area.
5. An approved Written Commitment will be executed and provided to staff prior to Council action on the rezoning.

These findings approved by the Fort Wayne Plan Commission on February 16, 2026.



Benjamin J. Roussel  
Executive Director  
Secretary to the Commission



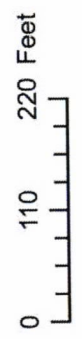
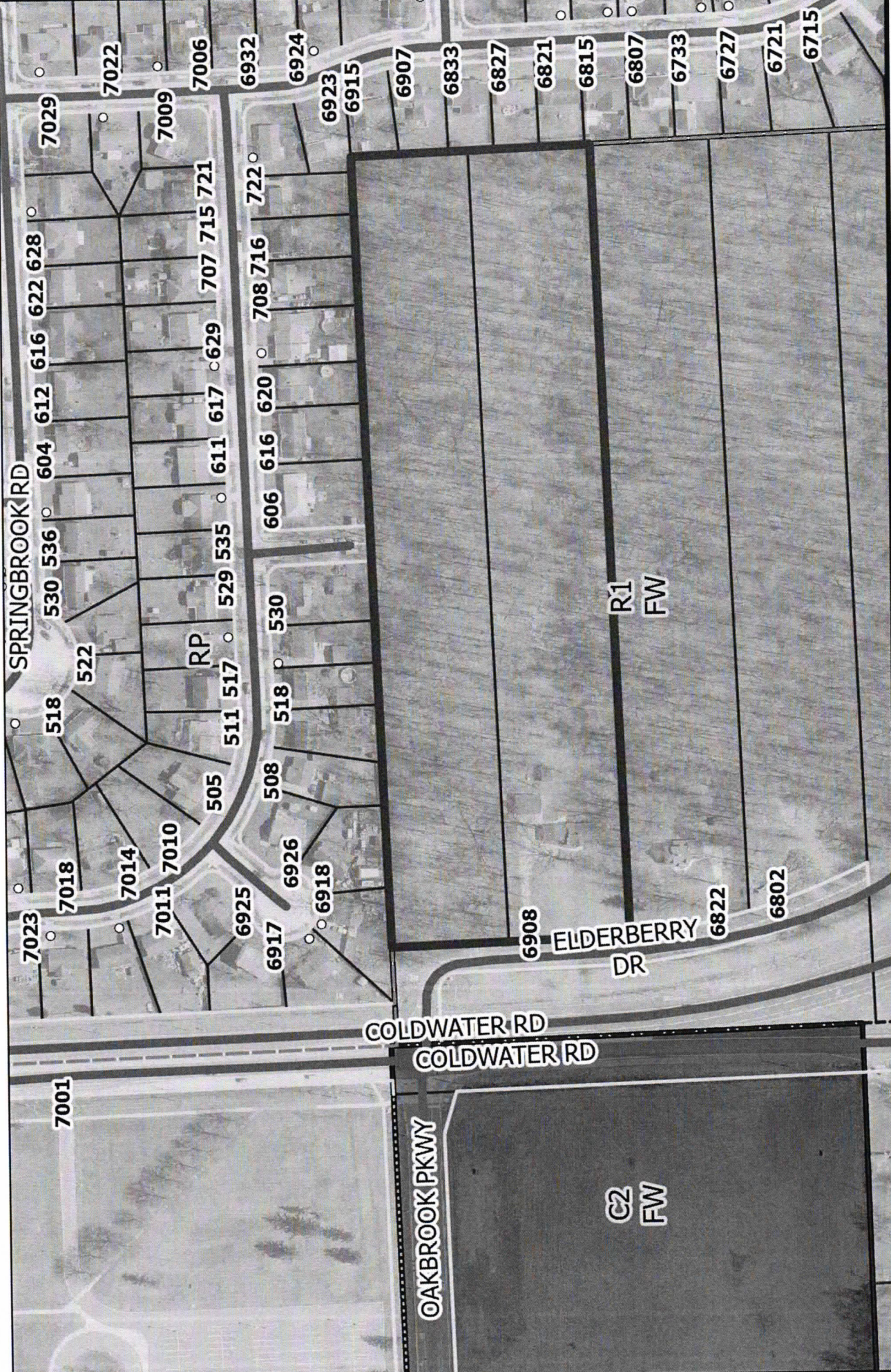
Rezoning Petition REZ-2026-0005 and Primary Development Plan PDP-2026-0003 - QuikTrip



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PDR 1130-004



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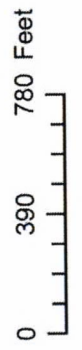


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North American Datum 1983  
 State Plane Coordinate System, Zone 14 East  
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 PDP-103-2026



Rezoning Petition REZ-2026-0005 and Primary Development Plan PDP-2026-0003 - QuikTrip



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 Photos and Contour: Spring 2009  
 Date: 2-5-2026

**GRADING LEGEND**

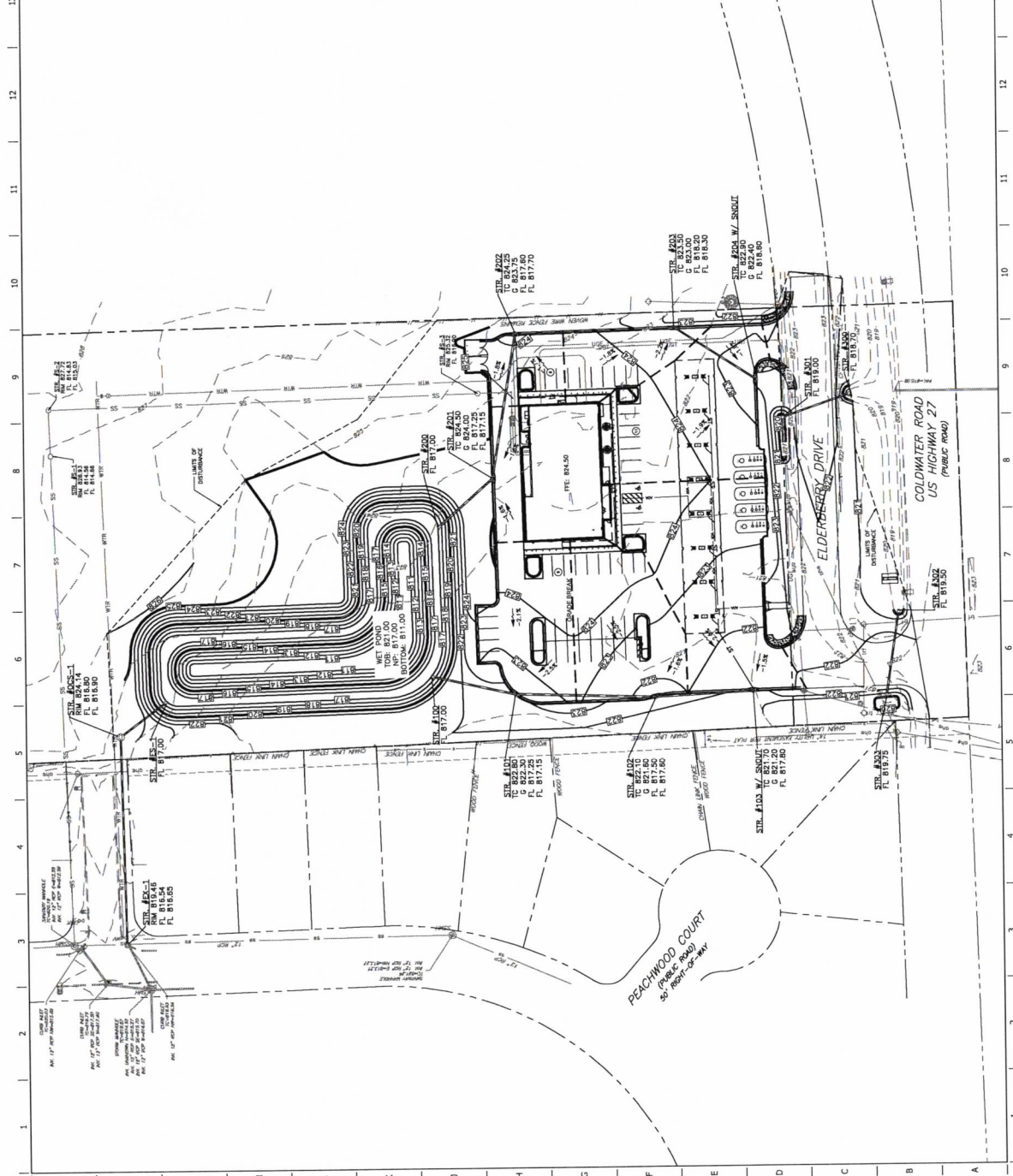
- ST STORM PIPE (4" TO 18")
- FD FRENCH DRAIN
- MAJOR CONTOUR (EXISTING)
- MINOR CONTOUR (EXISTING)
- TOP OF CURB ELEVATION (NEW)
- FINISHED GRADE ELEVATION (NEW)
- SPOT ELEVATION (EXISTING)
- SPOT ELEVATION (NEW)

**GRADING NOTES**

- THE CONTRACTOR SHALL INSTALL THE CANOPY COLUMN DRAIN PIPE AND OVERFLOW FITTING TO THE CANOPY INSTALLER'S OVERLAP FITTING.
- TO AVOID ANY INTERFERENCE WITH THE "EXISTING" CONTOUR, THE CONTRACTOR SHALL CONSIDER THE CONTOUR ELEVATION TO BE THE CONTOUR ELEVATION OF THE CONTOUR OR CONCRETE PLACEMENT RELATIVE TO ANY GRADE BRIDGE.

**EARTHWORK**

ESTIMATED FULL AS-BUILT TOTAL: 74.47 CUBIC YARDS  
VOLUME AND SIGNIFICANCE ACCOUNT FOR BILLING AND/OR PAYMENT SCHEDULE



PROJECT NO. 1478

QUICKTRIP No. 7274  
ELDERBERRY DRIVE  
FORT WAYNE, INDIANA

QUICKTRIP

PROTOTYPED: P-224  
DESIGNED BY: [Name]  
DRAWN BY: [Name]  
REVIEWED BY: [Name]

ORIGINAL ISSUE DATE: 12/02/2025

SHEET TITLE: LANDSCAPE (PRELIM)  
SHEET NUMBER: 4

USE SYMBOL	COMMON NAME	MINIMUM SIZE / HEIGHT / SPACING	QUANTITIES	COMMENTS
(Symbol)	LANDSCAPE TREE	13.5 DA. SEE LANDSCAPE PLAN AND ASSOCIATED DETAILS FOR SPECIFICATIONS AND TOLERANCES	13.5 DA.	
(Symbol)	SHADE TREE	12' HT. SEE LANDSCAPE PLAN AND ASSOCIATED DETAILS FOR SPECIFICATIONS AND TOLERANCES	12 DA.	
(Symbol)	SHADE TREE	12' HT. SEE LANDSCAPE PLAN AND ASSOCIATED DETAILS FOR SPECIFICATIONS AND TOLERANCES	15 DA.	

**LANDSCAPE REQUIREMENTS**

**REQUIRED DRAINAGE**

MINIMUM OF 1% SLOPE FOR PARKING ISLAND, DRIVEWAYS, AND SIDEWALKS. SINGLE PARKING ISLAND AREA MUST BE PROTECTED FROM ADJACENT DRIVEWAYS. DRIVEWAYS SHALL HAVE A MINIMUM OF 1% SLOPE.

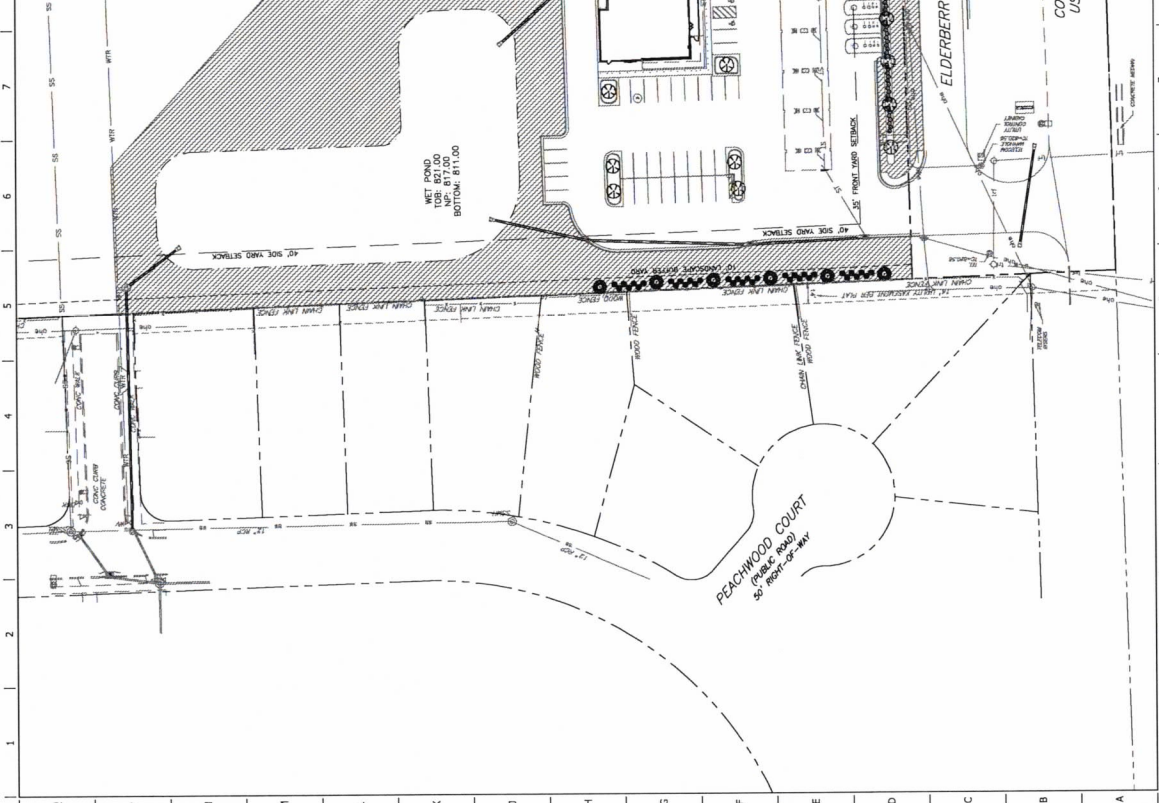
**PROVIDED**

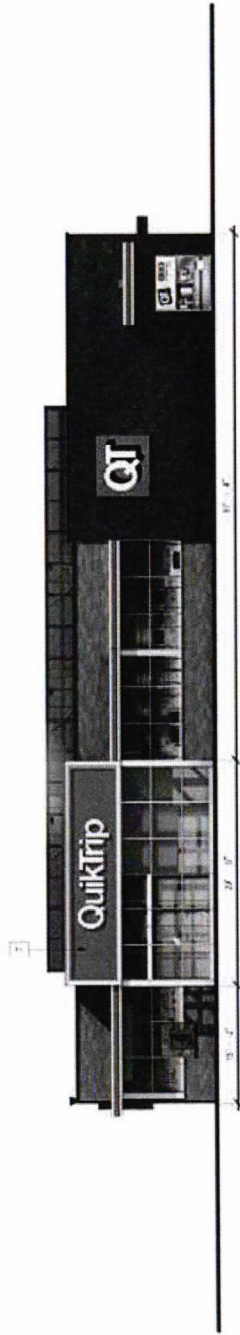
8 SHADE TREES

**LANDSCAPE LEGEND**

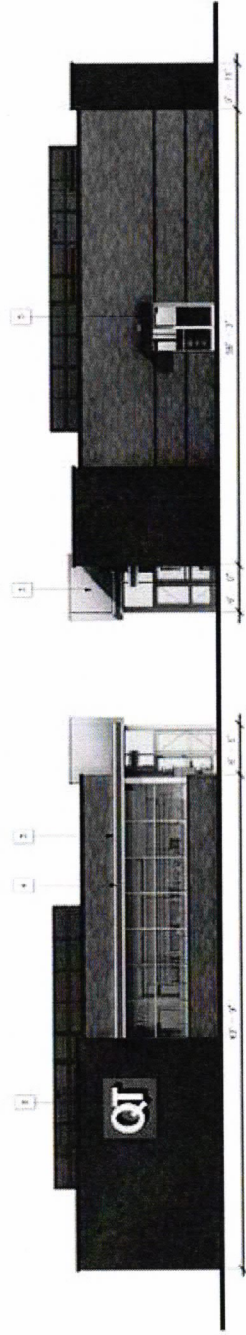
(Symbol) SOIL

(Symbol) PERMANENT SEEDING





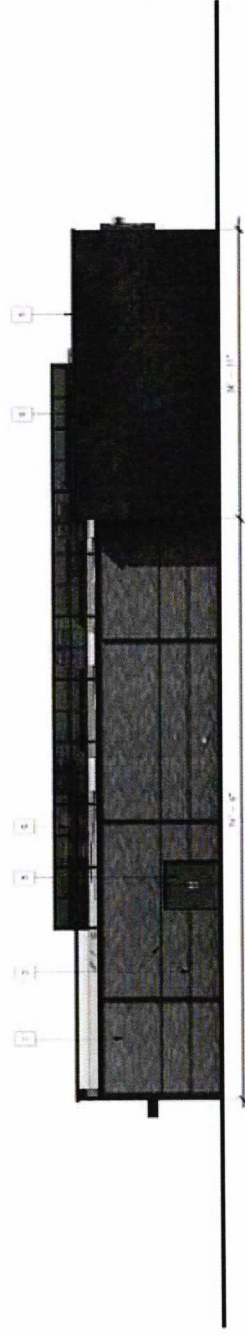
FRONT ELEVATION 1/8" = 1'-0"



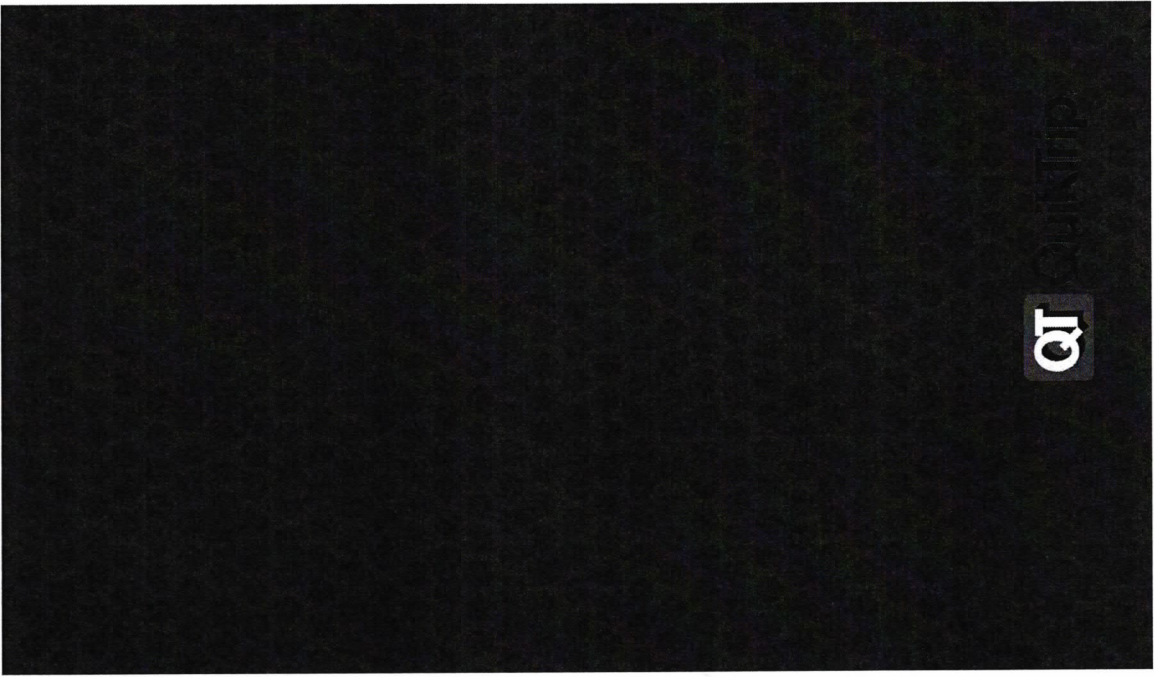
LEFT ELEVATION 1/8" = 1'-0"



RIGHT ELEVATION 1/8" = 1'-0"



REAR ELEVATION 1/8" = 1'-0"



CURRENT STATUS



## WRITTEN COMMITMENT

**THIS WRITTEN COMMITMENT** (“Commitment”) is made this \_\_\_ day of \_\_\_\_\_, 2026 by \_\_\_\_\_, an \_\_\_\_\_ (the “Declarant”).

### **WITNESSETH:**

**WHEREAS**, Declarant is the owner of approximately 10.0 acres of real estate located in Allen County, Indiana, the legal description of which is attached hereto as Exhibit “A” (the “Real Estate”); and

**WHEREAS**, Declarant submitted a rezoning petition with respect to the Real Estate to rezone the Real Estate from R1/Single Family Residential zoning district to a C3/General Commercial zoning district, bearing numbers REZ-2026-0005 and PDP-2026-0003 (the “Petition”), which Petition has been approved by the Fort Wayne Plan Commission (the “Plan Commission”) and the Fort Wayne Common Council (“City Council”); and

**WHEREAS**, Declarant has offered this Commitment, voluntarily, pursuant to Indiana Code 36-7-4-1015, for the purpose of limiting certain uses for the Real Estate; and

**WHEREAS**, in conjunction with the Petition, the Plan Commission has accepted Declarant’s offer of this Commitment and its recordation with the Allen County, Indiana, Recorder’s Office upon approval of the Petition by the Plan Commission and Council.

**NOW, THEREFORE**, in consideration of the above and foregoing recitals, Declarant hereby impresses upon the Real Estate certain restrictions and covenants which shall run with the Real Estate and be binding upon Declarant and all future owners of the Real Estate, and all lessees of all or any portion of the Real Estate.

1. Prohibited Uses. Subject to the terms and conditions herein contained, the following uses shall be prohibited upon the Real Estate:
  - a) Agricultural equipment sales
  - b) Agricultural equipment service
  - c) Agricultural supply sales
  - d) Animal kennel
  - e) Animal obedience school
  - f) Automobile auction
  - g) Automobile body shop
  - h) Automobile detailing or trim shop
  - i) Automobile maintenance (quick service)
  - j) Automobile rental
  - k) Automobile repair
  - l) Automobile restoration

- m) Automobile rustproofing
- n) Automobile sales
- o) Automobile washing facility
- p) Boat sales
- q) Correctional services facility
- r) Equipment rental (limited)
- s) Equipment service
- t) Fireworks sales
- u) Fraternity house
- v) Go-kart facility
- w) Homeless shelter
- x) Landscape contracting service
- y) Manufactured home sales
- z) Motor vehicle auction
- aa) Motor vehicle rental
- bb) Motor vehicle repair
- cc) Motor vehicle sales
- dd) Seasonal sales
- ee) Shooting range (indoor)
- ff) Sorority house
- gg) Stadium/racetrack
- hh) Storage shed sales
- ii) Tire sales
- jj) Towing service (with no storage yard)
- kk) Truck fueling station
- ll) Truck stop
- mm) Watercraft sales
- nn) Zoo

2. Permitted Uses. Any use otherwise permitted in a C3/General Commercial zoning district pursuant to the Ordinance which is not expressly prohibited pursuant to Section 1 above shall be a permitted use upon the Real Estate.

3. Declarant agrees to the following:

- a) Secondary development plans will be submitted to the Plan Commission.
- b) The applicant will submit a landscape plan during secondary submittal that meets the intent of the zoning ordinance. Species chosen on the landscaping plan will be included on the secondary plans to verify that planting choices are noninvasive.
- c) Minimum 8-foot high privacy fence will be installed along the north property line for at least 330 feet, or the distance to adequately screen the adjacent neighbors, and along the south property line for at least the length of the developed parking lot and dumpster area. Fencing shall meet required front building setback.
- d) A mixture of large evergreen trees and shade trees shall be planted within the landscape buffer area on both north and south property lines, subject to staff review and approval. Minimum installed size shall be 8-10 feet for evergreens

and 2.5 inch caliper for shade trees. Applicant will work with staff and neighbors, if possible, to determine whether fence shall be installed on property line, or inset to allow for plantings on the neighbor side of fence. Final landscaping plans will be reviewed by the Plan Commission with Secondary Development Plans.

- e) Every attempt shall be made to preserve trees along the north and south property line for the area designated for stormwater detention.
- f) The dumpsters will have the required enclosure, to be constructed with either a wood or a vinyl fence or masonry structure and will include a gate.
- g) All site and building lighting will use sharp cut-off type fixtures as defined by the Illuminating Engineers Society of North America (IESNA). A photometrics plan will be submitted as a part of the secondary development plan showing no light emanating onto the adjacent residential properties to the north, south, and west.
- h) There shall be no light emanating from the north, east or south sides of the gas canopy façade.
- i) New signage will meet zoning ordinance requirements, or Board of Zoning Appeals approval shall be required.
- j) This approval by the Commission shall be valid for a period of twenty-four (24) months from the date of the approval.

4. Permits. No permits shall be issued under the zoning ordinance by the Zoning Administrator, or any successor agency having zoning jurisdiction over the Real Estate, until this Commitment is recorded with the Allen County Recorder. The Declarant shall deliver to the Zoning Administrator and the Plan Commission an executed and recorded copy of this Commitment.

5. Binding Effect, Modification, and Termination. This Commitment shall run with the Real Estate, and shall be binding upon the Declarant and each subsequent owner of the Real Estate and each other person acquiring an interest in the Real Estate, unless this Commitment is modified or terminated. The recitals are incorporated herein by reference and are expressly made a part of this Commitment. This Commitment may be modified or terminated only by a decision of the Plan Commission, following a public hearing held by the Plan Commission wherein notice has been given as provided by the Plan Commission's rules of procedure. The Plan Commission shall have the discretion whether to approve or deny any proposed modification or termination of this Commitment. This Commitment may be modified or terminated by the Plan Commission making findings of fact that the proposed modification or termination is required because: (a) there is a substantial change in circumstances from the time of the original Commitment; (b) the proposed modification or termination is in substantial compliance with the Comprehensive Plan; (c) the proposed modification or termination is consistent with the Plan Commission's prior approval; and (d) the application of the terms of the original Commitment would cause an unnecessary hardship absent the modification or termination. Further, pursuant to I.C. 36-7-4-1015(b)(4), this Commitment shall automatically terminate if: (i) the zoning district or classification applicable to the Real Estate is changed; or (ii) if the land use to which this Commitment relates is changed.

6. Recording. Declarant or Applicant shall, at Declarant's or Applicant's expense, record this Commitment with the Allen County Recorder and shall provide two copies of the recorded Commitment to the Zoning Administrator.
7. Enforcement. Any violation of this Commitment shall be deemed a violation of the zoning ordinance in effect at the time of the violation; provided, however, that nothing in this Commitment shall be construed as giving any person the right to compel enforcement of it by the Plan Commission or any enforcement official designated in the zoning ordinance, or any successor agency having zoning jurisdiction over the Real Estate. Pursuant to I.C. §36-7-4-1015, the Plan Commission or any enforcement official designated in the zoning ordinance, shall be entitled to all legal and equitable remedies available, including specific performance and injunctive relief, for any violation of this Commitment. The enforcement rights of the Plan Commission or any enforcement official designated in the zoning ordinance are cumulative, not exclusive. This Commitment may be enforced by any successor commission or enforcement official having zoning jurisdiction over the Real Estate.
8. Last Deeds of Record. The most recent deed of record for the Real Estate was recorded in the Office of the Recorder of Allen County, Indiana as Document Number(s) \_\_\_\_\_  
\_\_\_\_\_.
9. Severability. Each covenant or restriction contained in any paragraph of this Commitment shall be severable and separate, and if any court shall rule that any particular restriction or covenant is unenforceable, such ruling shall not affect the enforceability of any other restriction or covenant under this Commitment, and such other restriction or covenant shall be enforced.
10. Governing Law. This Commitment, including the restrictions and covenants hereunder, shall be governed by the laws of the State of Indiana.
11. Effective Date. The effective date ("Effective Date") of this Commitment shall be the date of its recordation with the Office of the Recorder of Allen County, Indiana.

“DECLARANT”

\_\_\_\_\_  
\_\_\_\_\_

By: \_\_\_\_\_  
Printed Name:  
Title:

STATE OF INDIANA        )  
                                  ) SS:  
COUNTY OF ALLEN        )

Before me, the undersigned, a Notary Public, in and for said County and State, this \_\_\_\_ day of \_\_\_\_\_, 2026, personally appeared \_\_\_\_\_ and acknowledged the execution of the foregoing. In witness whereof, I have hereunto subscribed my name and affixed my official seal.

\_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_

My County of Residence: \_\_\_\_\_

THIS INSTRUMENT prepared by: Department of Planning Services, 200 East Berry, Suite 150, Fort Wayne, IN 46802.

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law.

Michelle B. Wood \_\_\_\_\_

**When Recorded, mail to:** Department of Planning Services, 200 East Berry, Suite 150, Fort Wayne, IN 46802.

## EXHIBIT "A"

### LEGAL DESCRIPTION OF REAL ESTATE

#### PARCEL I

Warranty Deed – Instrument #95-027492

The North 5 acres of the Southwest 1/4 of the Northwest 1/4 of Section 13, Township 31 North, Range 12 East, in Allen County, Indiana being more particularly described as follows:  
Beginning at a point on the West line of Section 13, Township 31 North, Range 12 East, 1,148.3 feet North of the West 1/4 corner of Section 13, Township 31 North, Range 12 East; thence East, parallel to the North line of the Southwest 1/4 of the Northwest 1/4 of Section 13, above Township and Range, a distance of 1,269.5 feet; thence North 0 degrees 52 minutes West, a distance of 171.7 feet to the Northeast corner of the Southwest 1/4 of the Northwest 1/4 of Section 13, above Township and Range; thence West, along the North line of the Southwest 1/4 of the Northwest 1/4 of Section 13, above Township and Range, a distance of 1268.0 feet to the Northwest corner of the Southwest 1/4 of the Northwest 1/4 of Section 13, above Township and Range; thence South, along the West line of Section 13, Township 31 North, Range 12 East, a distance of 171.7 feet to the place of beginning, excepting therefrom, that part condemned and taken for road right-of-way purposes in Allen Superior Court No. 3 Cause No. 3S#5045, appearing in Superior Court No. 3 Order Book 12, page 342j, of the records in Allen County, Indiana, containing 4.616 net acres.

#### PARCEL II

Warranty Deed –Instrument #2016050958

The South 5.09 acres of the North 10.09 acres of the Southwest Quarter of the Northwest Quarter of Section 13, Township 31 North, Range 12 East, in Allen County, Indiana, and being more particularly described as follows:

Beginning at a point on the West line of Section 13, Township 31 North, Range 12 East, 981.09 feet North of the West Quarter corner of Section 13, above Township and Range; thence North 89 degrees 48 minutes East, parallel to the East and West centerline of Section 13, above Township and Range a distance of 1271.0 feet; thence North 0 degrees 52 minutes West, along the East line of the Southwest Quarter of the Northwest Quarter of Section 13, above Township and Range, a distance of 182.21 feet; thence West a distance of 1269.5 feet to the West line of Section 13, above Township and Range; thence South, along the West line of Section 13, Township 31 North, Range 12 East; a distance of 167.21 feet to the place of beginning.  
Except that part appropriated by the State of Indiana in Allen Superior Court #3, Cause #4983.

## Michelle Wood

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**From:** Marda Gerardot <mardagerardot@gmail.com>  
**Sent:** Friday, February 6, 2026 2:34 PM  
**To:** ACFWPlanCommission  
**Subject:** RezoningPetition REZ-2026-0007

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Members of the Allen County Board of Zoning Appeals

My name is Marda Gerardot Gerardot and I live at 411 Ward Drive. I live right across from 8126 Coldwater Road (old school house)

1. Opposition to rezoning of 8126 Coldwater Rd. To become coffee shop. Plan as presented is unacceptable.
2. There can be no traffic access to this location that involves Ward Drive` or the other two streets in this neighborhood. Only Coldwater Rd.
- 3.This neighborhood includes adults, kids, and kids riding bikes, walking etc. pets, dogs, cats, and beautiful wildlife that need our protection and guardianship. None need to be at added risk of being injured or killed by excess vehicles and some with questionable drivers.
4. According to my research coffee shops are gaining popularity all over the USA. And many appear quite busy. So I'm not sure light commercial applies in this case. The properties referred to in buyers handout are an attorneys office , chiropractor office, , a real estate office which appears now a rental house. These are properties just south of schoolhouse facing Coldwater Road. I have never seen much activity or vehicles at them.
- 5.Buyers plan includes drive-up window. Of course that is going to increase traffic.
6. What is important is that my neighborhood is relatively safe for all.
7. I do have more to say and questions but will leave it at this for now.

Respectfully, Marda Gerardot



Outlook

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## Rezoning for QuikTrip Corp / Elderberry Dr

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**From** Christy Moody <christyemoody@gmail.com>  
**Date** Tue 2/17/2026 8:51 AM  
**To** Sean Rigler <Sean.Rigler@allencounty.in.gov>  
**Cc** earljmoody13@gmail.com <earljmoody13@gmail.com>

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Dear Sean Rigler,

Our school and rush hour traffic is already way over populated pushing traffic back clear up over the overpass on Coldwater Rd past where your Elderberry gas station would sit. Noone in this neighborhood wants this. After school pickup already floods our neighborhood and local Marathon traffic for kids rushing to get to their parents cars because the traffic and waiting lines are more than the school pickup zones allow for. You hold your quiet, barely advertised meetings for rezoning and residents barely have time to make arrangements and make the meeting. Nor, were ALL residents of Springwood & Orchard Woods made aware of this situation by your office. Sneaky.

I live at 7033 Strawberry Dr, Fort Wayne, IN 46825. My backyard is on the other end of the crosswalk for Northrup High School. The entrance to the neighborhood is blocked by on a daily basis due to high traffic. I have witnessed multiple vehicle accidents as well as walkers using the crosswalk be hit by drivers in their vehicles. I've also witnessed alot of near misses.

When the road requires repairing or their are water problems and 1 or more lanes are shut down, it causes extensive traffic back up, multiple wrecks, drivers stopping for stop lights, Elderberry in particular & the Coldwater entrance to the neighborhood to be blocked with traffic who do not obey or respect stopping lines as to keep traffic flow going. I have emailed in more than once on the problems exasperated by leaving lanes closed for extensive periods during work, and leaving signs waiting for pickup for WEEKS.

Having 18 wheelers next to our neighborhood and 3 schools is less than ideal.

Large truck stops are also a cesspool of pollution, prostitution, and drug smuggling and selling. Is that what Fort Wayne wants to sell these students from K-12?! Is sure isn't what the parents want.

Nor are there sidewalks along Coldwater Road which causes more and very dangerous situations for traffic and pedestrians.

**WE WANT A RESIDENTIAL NEIGHBORHOOD, NOT A REZONED COMMERCIAL POLLUTING GAS STATION.**

THERE IS ALSO OTHER TRUCK STOPS WITHIN 2 MILES FROM HERE. Let's face the truth here, you are just wanting to sell the 312B exit. We want to keep it residential.

Will the gas station pay us penny for penny for our lost property values?!

The Springwood and Orchard Wood neighborhoods are established single-family residential communities. Introducing a high-intensity commercial use at this location is incompatible with the existing land use pattern and poses significant concerns for residents, including:

Increased traffic volumes and safety hazards, particularly along neighborhood streets used by families, pedestrians, and children

Noise, bright lighting, and late-night activity ( not good for our school aged students)associated with a convenience store and fuel canopy

Air and environmental risks, including underground fuel storage, stormwater runoff, and increased impervious surfaces

Negative effects on nearby residential property values

Conflict with the City of Fort Wayne Comprehensive Plan, which prioritizes the protection of established residential neighborhoods

Increased strain on local infrastructure, including roads, drainage systems, and emergency services

Proximity to a high school, with the proposed development located approximately 2,100 feet from a high school, raising additional concerns related to student safety, pedestrian traffic, and increased vehicular congestion during school hours and 5-7 pm traffic.

This is a residential neighborhood. Do not rezone. Do not allow this gas station truck stop. You would be bringing increased danger to our neighborhood.

It will also continue to break down roads in this school and residential zone. Something this neighborhood struggles with already.

Sincerely,

Christy Moody

Earl Moody

7033 Strawberry Dr,

Fort Wayne, IN 46825

260-415-8612

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**Rezoning Petition**

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**From** Daniel Pyle <d.pyle0710@yahoo.com>

**Date** Sun 2/1/2026 6:05 PM

**To** ACFWPlanCommission <ACFWPlanCommission@allencounty.us>

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

To Whom It May Concern, In the matter of rezoning for a "QuikTrip", gas station and convenience store at 6910 Elderberry Dr. in our opinion any business in this location would not only add more traffic to the already congested Coldwater and Cook roads traffic confluence, but also have the chance of promoting more crime in the area to a neighborhood that has very little crime. In conclusion do we really need yet another gas station/convenience store in this area to not only invite crime to this area given it's convenient location to the I-69 interchange, but not to mention the pollution aspect of said business would bring to the area.

Respectfully yours, Daniel & Deborah Pyle 810 Lemonwood Court 46825-3730

Notice, Proposal for Rezoning, Public Hearing

From Deb Caudill <deb.a.caudill@gmail.com>

Date Sat 1/31/2026 7:52 PM

To ACFWPlanCommission <ACFWPlanCommission@allencounty.us>

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Members of Ft. Wayne IN, Department Of Planning Services;

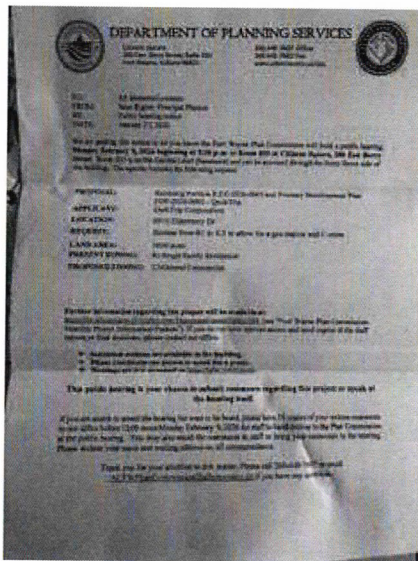
My name is Debra Caudill. I reside at 535 Springbrook Rd. Ft Wayne In. 46825. I have been in this home for 33 years.

Below is a copy of the notice I recently received from the Ft. Wayne Plan Commission. I wanted to express my concerns with this proposal for rezoning.

The location the applicant has interest in is less than a quarter mile from my home in the Springwood addition. The QuickTrip business that the applicant would like to establish in this proposed rezoned 10 acres would do nothing for the people of this area.

I trust that the leadership of this city will take into consideration how unnecessary a fuel/food business at this location is. My hope is that the Monday, February 9, 5:30pm meeting will prove to be beneficial for the residents of the Springwood and adjacent neighborhood(s).

We would appreciate your support in this matter.



Sincerely,  
Debra Caudill  
260 580 7250

Sent from my iPhone

Steven and Erin Herber Jr.  
708 Blueberry Ln  
Fort Wayne, IN 46825  
ear4music2@gmail.com  
260-750-9076  
Date: February 5, 2026

Fort Wayne Plan Commission  
Department of Planning Services  
200 E. Berry Street, Suite 150  
Fort Wayne, IN 46802

**Subject: Opposition to Rezoning Petition REZ-2026-0005 and Primary Development Plan PDP-2026-0003 – QuikTrip Corporation (6910 Elderberry Dr)**

Dear Members of the Fort Wayne Plan Commission,

I am writing to formally oppose Rezoning Petition REZ-2026-0005 and the related Primary Development Plan PDP-2026-0003, submitted by QuikTrip Corporation to rezone the property at 6910 Elderberry Dr from R1 (Single-Family Residential) to C3 (Commercial) for the construction of a gas station and convenience store.

While commercial development has its place, this particular project poses significant and unacceptable risks to neighborhood safety, environmental quality, and the overall community well-being.

---

## **1. Safety Risks to Residents and Pedestrians**

Allowing a facility of this scale in close proximity to a residential addition creates several dangers:

- Increased vehicle congestion in an area that is already heavily congested, particularly at peak hours
- A higher likelihood of traffic accidents, due to cars entering/exiting the site
- Fuel tanker deliveries, which pose fire, spill, and hazardous material risks
- Reduced pedestrian safety, especially for children walking or biking nearby
  - This is adjacent to a high school and near a middle and elementary school making Springwood an attractive place to start a family. There is no bus service for the students in the residential area and several have to walk to

and from school. Adding a gas station poses a large risk of **pedestrian/vehicle** accidents.

Elderberry Drive is not engineered for the commercial load associated with a 24-hour gas station. Introducing this level of traffic into a quiet residential area compromises the safety standards residents rightfully expect.

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## **2. Environmental Threats to Groundwater and Soil**

Fuel stations bring inherent environmental hazards:

- Underground Storage Tanks carry ongoing risks of leaks that could contaminate the ground, groundwater and nearby drainage systems.
- Cleanup from these leaks isn't always fully successful and once leaks happen, property values in the area severely decline.

Due to the risk of environmental damage and the severe consequences there of QuikTrip should not be introduced into an established residential area.

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## **3. Air Quality, Noise, and Light Pollution**

Placing a gas station next to homes introduces continuous pollution sources:

### **Air Pollution**

- Exhaust fumes from idling and refueling vehicles
- Regular emissions from vehicles and fuel pumping

These pollutants negatively affect respiratory health, especially for children, older adults, and individuals with asthma.

### **Noise Pollution**

- 24-hour customer traffic
- Delivery trucks and fuel tankers
- Car doors, horns, alarms, and engines.

Noise levels in residential areas should remain low; a gas station guarantees the opposite.

### **Light Pollution**

- High-intensity lighting
- Headlights entering and exiting the site

These lights intrude on residents' ability to enjoy privacy, darkness, and restful sleep.

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#### **4. Property Value Decline and Neighborhood Disruption**

It is well-documented that homes near gas stations often suffer decreased property values due to:

- Noise/Lighting/Traffic
- Environmental concerns
- Increased crime rate including break ins

Residents who invested in their neighborhoods deserve the protection and stability that proper zoning intends to provide.

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#### **5. Commercial Needs Are Already Met Nearby**

At least 7 gas stations are within a 2 mile radius of this location.

This area has not demonstrated a need to introduce a gas station into a residentially zoned area, especially when better locations already exist.

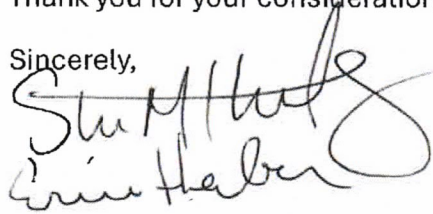
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#### **Conclusion**

For these reasons—heightened safety risks, environmental dangers, pollution concerns, and incompatibility with established residential zoning—I respectfully urge the Fort Wayne Plan Commission to **deny Petition REZ-2026-0005 and PDP-2026-0003.**

Thank you for your consideration.

Sincerely,



Steven and Erin Herber Jr.

## Michelle Wood

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**From:** Christine Bowles <whiteicedmocha@hotmail.com>  
**Sent:** Thursday, February 5, 2026 8:10 AM  
**To:** ACFWPlanCommission  
**Subject:** Rezone petition REZ-2026-0005

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Good morning. This is regarding rezoning petition REZ-2026-0005 And primary development plan PDP-2026-0003-QwikTrip

My name is Christine Bowles. I live at 6629 Orangewood Court in Springwood addition- next to this property. I disapprove of this rezoning proposal. I have lived in my home across from Northrop High School for over 26 years. The amount of traffic that flies over the 69 bypass and comes over the hill and would have to abruptly slow down for vehicles for a gas station is dangerous and asking for accidents. Not to mention the exit turning as well onto Coldwater . The amount of traffic that backs up from Cook Road on a daily basis during morning rush hour and 5:00 p.m rush hour, traffic is unbearable with standstill vehicles as it is -- let alone trying to add a gas station for more congestion!! Even more importantly as a top priority the kids heading to Northrop and exiting Northrop High School many kids walk down to the gas station that's already nearby. Can you imagine the amount of kids trying to cross Coldwater road before school or especially in the afternoons after school , trying to get to the convenience store for snacks?! Trying to cross six Lanes or four lanes, depending on where they're walking, with an insane amount of traffic is asking for a child to get hit! I think this is a Beyond dangerous idea , someone's going to get hit and there are going to be accidents. I disapprove of this proposal. Also as an add-on, I am quite aware there is a crosswalk already in place on Coldwater which some kids would use. But I also know, knowing kids, they're going to run across coldwater in other places. Under the assumption obviously there's a traffic light there in front of the turn in for the gas station, but still it doesn't mean a child can't get hit Crossing. ( traffic light that is already in place there)

Sent from my Verizon, Samsung Galaxy smartphone

## **PETITION IN OPPOSITION TO REZONING REQUEST**

Springwood / Orchard Wood Addition – Fort Wayne, Indiana

Property Address: 6910 Elderberry Drive

Current Zoning: R-1 (Single-Family Residential)

Proposed Zoning: C-3 (General Commercial)

Proposed Development: Convenience store with fuel canopy

### **Statement of Opposition**

We, the undersigned homeowners and residents of the Springwood and Orchard Wood Additions, formally oppose the rezoning request for the property located at 6910 Elderberry Drive, which seeks to rezone the property from R-1 Residential to C-3 Commercial to allow construction of a convenience store with fuel pumps.

The Springwood and Orchard Wood neighborhoods are established single-family residential communities. Introducing a high-intensity commercial use at this location is incompatible with the existing land use pattern and poses significant concerns for residents, including:

- Increased traffic volumes and safety hazards, particularly along neighborhood streets used by families, pedestrians, and children
- Noise, bright lighting, and late-night activity associated with a convenience store and fuel canopy
- Air and environmental risks, including underground fuel storage, stormwater runoff, and increased impervious surfaces
- Negative effects on nearby residential property values
- Conflict with the City of Fort Wayne Comprehensive Plan, which prioritizes the protection of established residential neighborhoods
- Increased strain on local infrastructure, including roads, drainage systems, and emergency services
- Proximity to a high school, with the proposed development located approximately 2,100 feet from a high school, raising additional concerns related to student safety, pedestrian traffic, and increased vehicular congestion during school hours

Rezoning this property to C-3 represents spot zoning that benefits a private commercial interest while imposing permanent adverse impacts on surrounding residential neighborhoods, including the Springwood and Orchard Wood Additions.





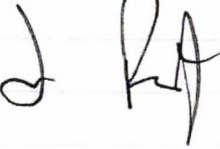
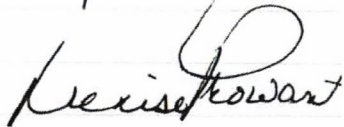
For these reasons, we respectfully request that the Fort Wayne Plan Commission and Fort Wayne City Council deny the rezoning petition for 6910 Elderberry Drive and maintain the current R-1 residential zoning to protect the safety, character, and quality of life of the Springwood and Orchard Wood communities.

Jennifer Montel 620 Blueberry Lane	<del>Jennifer Montel</del>
Vi Musser 616 Blueberry Lane	<del>Vi Musser</del>
Roscar Musson 616 Bourbonay Lane	<del>Roscar Musson</del>
Michael Gauz	<del>Michael Gauz</del>
Lyon Chualo	<del>Lyon Chualo</del>
Angela Keppel	<del>Angela Keppel</del>
Christel Moody 7033 Strawberry	<del>Christel Moody</del>
Paul Moody	<del>Paul Moody</del>
Jessamy Moody "	<del>Jessamy Moody</del>
Fred Moody 1425 Springbrook	<del>Fred Moody</del>
Fred Weigel 508 Blueberry Ln.	<del>Fred Weigel</del>
Brandon Steward 620 Blueberry Lane	<del>Brandon Steward</del>
Debra Caulhill 535 Springbrook Rd, 46825	<del>Debra Caulhill</del>
Debra Caulhill "	<del>Debra Caulhill</del>
Vicktorie L Burdon 629 Blueberry (NC)	<del>Vicktorie L Burdon</del>
Ellie Williams 536 Springbrook Rd	<del>Ellie Williams</del>
Paul Wiering 536 Springbrook Rd	<del>Paul Wiering</del>
Lashonda Malone 536 Springbrook Rd.	<del>Lashonda Malone</del>
Matt Zimmerman 523 Springbrook Rd.	<del>Matt Zimmerman</del>
Diana Monafee 518 Springbrook Rd	<del>Diana Monafee</del>
VICTORIA GASKILL 803 Springbrook Rd	<del>VICTORIA GASKILL</del>
Marvin Flooring 715 Springbrook Rd	<del>Marvin Flooring</del>
Tommy Simpson 627 Springbrook Rd	<del>Tommy Simpson</del>
James Meyer 704 Springbrook Road	<del>James Meyer</del>
Ronda Otero 6901 Fairtree Road	<del>Ronda Otero</del>
Ruthy Carter 6833 RAWTREE ROAD	<del>Ruthy Carter</del>
BUDY GARCE 6932 RAWTREE RD	<del>BUDY GARCE</del>
Alex Guidry 620 Blueberry Rd	<del>Alex Guidry</del>
Bridgette Bodaker 7821 Tendon Ct.	<del>Bridgette Bodaker</del>
Heather Brewster 2283 E 1000 N	<del>Heather Brewster</del>
Michelle Kieft 3518 Flowing Brook	<del>Michelle Kieft</del>
Christina Koschalk 1661 Emerson Ave FW 46807	<del>Christina Koschalk</del>
Heather Pedersen 312 Scaring Eagle Ct. 46845	<del>Heather Pedersen</del>
Emily Gingerich 6510 Covington Rd Apt E137, FW, 46804	<del>Emily Gingerich</del>
Brynn Cole 1501 Fenwick Pl. Ft. Wayne IN, 46804	<del>Brynn Cole</del>
Alivia Gloyd 4336 Union Chapel Rd Ft. Wayne IN 46825	<del>Alivia Gloyd</del>
Anthony Carrazos 1728 Jessie ave.	<del>Anthony Carrazos</del>
Margaret Neese 912 W Washington Blvd 46802	<del>Margaret Neese</del>
Amber Grutke 3835 US Hwy 33 46723	<del>Amber Grutke</del>
Mark Friedrich 2031 Laurence Ct. 46814	<del>Mark Friedrich</del>
Zea Fargas 1312 Loheland Ave 46825	<del>Zea Fargas</del>
Anterony Fargas 1312 Loheland W 46825	<del>Anterony Fargas</del>

Christen Johnson	303 E Wiley Ave Bluffton TN 37614	<i>[Signature]</i>
Dimitri Fougere	1312 Lakeland cv. DEWATER IN	<i>[Signature]</i>
Rohit Sharma	7525 Coldwater Cook PD	Rohit Sharma.
Christina Pranger	5823 Coldwater Rd / Washington color	Christina Pranger
Courtney Piatt	530 Blueberry Ln.	Courtney Piatt
Matthew C Razor	611 Blueberry Ln	<i>[Signature]</i>
Linda A Kahlenbeck	521 Ward Dr.	Linda A. Kahlenbeck
Carl Kahlenbeck	521 Ward Dr.	Carl Kahlenbeck
Sarah Delancy	214 Southridge Rd.	<i>[Signature]</i>

Petition Against Rezoning of  
6910 Elderberry Drive  
From R1 to C3 to allow gas station.

Community Signatures:

<u>Print</u>	<u>Address</u>	<u>Signature</u>
1. Talia Robinson	6816 Ludwig Cir.	
2. Doreen Robinson	6816 Ludwig Cir	
3. Day'shan Robinson	6816 Ludwig Cir	
4 Megan Caswell	6920 Ludwig Cir	Megan Caswell
5 Nick Caswell	6920 Ludwig Cir	
6 Sara Harper	6921 Ludwig Circle	Sara Harper
7 Mason Hatfield	6817 Ludwig Circle	Mason Hatfield
8 Kaitlyn Elder	6817 Ludwig Circle	Kaitlyn Elder
9 Erin Forrest	6809 Ludwig Circle	Erin Forrest
10 Jon Forrest	6809 Ludwig Circle	
11 Merise Rowant	6727 Ludwig Cir	

Petition Against Rezoning of  
6910 Elderberry Dr.  
From R1 to C3 allow gas station.

Community Signatures.

- | Print | Address                              | Signature      |
|-------|--------------------------------------|----------------|
| 1.    | ADRIENE BRAY                         | 64 WAYFIELD DR |
| 2.    | Michelle Boggs 601 Wayfield Dr.      | Michelle Boggs |
| 3.    | Madisonn Bernardin 10211 Adobe Ct.   |                |
| 4     | Michael W. Iddings 221 E. Ludwig Rd. |                |
| 5     | Gregory Iddings 221 E Ludwig Rd      |                |

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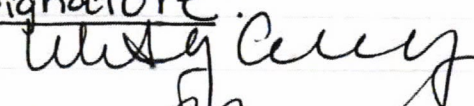

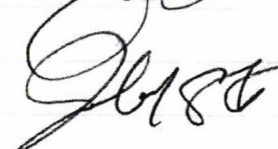

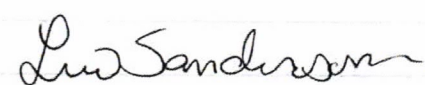
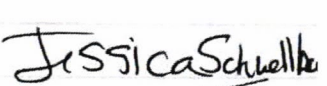

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Petition Against the Rezoning of  
6910 Elderberry Drive  
From R1 to C3 to allow gas station  
C-Store.

Community Signature(s):

- | <u>Print:</u>          | <u>Address:</u>     | <u>Signature:</u>   |
|------------------------|---------------------|---|
| 1. Whitney Carney      | 6808 Ludwig Circle  |    |
| 2. Josh Carney         | 6808 Ludwig Cir.    |     |
| 3. Jake Sluts          | 6824 Ludwig Cir.    |    |
| 4. Mirnesa Slater      | 6824 Ludwig Cir     |    |
| 5. Lori Sanderson      | 7406 Nature Trl Dr. |   |
| 6. Jessica Schnellbach | 6825 Ludwig Cir.    |  |
| 7. Matt Schnellbach    | 6825 Ludwig Cir     |  |

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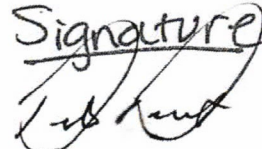


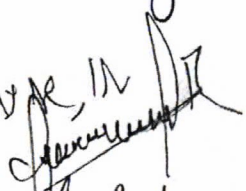
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Petition Against Rezoning of  
 6910 Elderberry Dr.  
 from R1 to C3 allow gas station

Community Signatures.

- | <u>Print</u>        | <u>Address</u>                  | <u>Signature</u>  |
|---------------------|---------------------------------|---|
| 1. PETE PROWANT     | 6127 LUDWIG CIRCLE              |    |
| 2. Mona Barnett     | 6714 Ludwig Cir.                | Mona Barnett  |
| 3. Bobbie Barnett   | same                            |    |
| 4 Tekla Tucker      | 6710 Ludwig                     |    |
| 5 Christine Heck    | 6716 Ludwig Circle              | Christine Heck  |
| 6 Robert Bone       | 6620 Ludwig Cir                 |   |
| 7 Vanessa Bone      | 6620 Ludwig Cir., Fort Wayne    |   |
| 8 Manuel Robles     | 114 W Ludwig Rd, Fort Wayne, IN |  |
| 9 Michaela Rodon    | 114 W Ludwig Rd                 | Michaela Rodon  |
| 10 Marquis J. Jones | 3/8 W Ludwig Rd.                |   |
| 11 Hayla Jones      | 3/8 W Ludwig Rd.                |   |
| 12 Chandler Shea    | 3/8 402 W anyfield.             |   |

## FACT SHEET

Case #REZ-2026-0005 Bill # Z-26-01-24 Project Start: January 2026

PROPOSAL: Rezoning Petition REZ-2026-0005 – Quik Trip  
APPLICANT: Quik Trip Corporation  
REQUEST: To rezone from R1/Single Family Residential to C3/General Commercial to permit a gas station and C-store  
LOCATION: 6910 Elderberry Drive (Section 13 of Washington Township)  
LAND AREA: 10.0 acres  
PRESENT ZONING: R1/Single Family Residential  
PROPOSED ZONING: C3/General Commercial  
COUNCIL DISTRICT: 3 – Nathan Hartman  
SPONSOR: Fort Wayne Plan Commission

### February 9, 2026 Public Hearing

- No one spoke in support.
- Four people spoke in opposition or with concerns.
- Five emails/letters and a petition (approx 80 signatures) were received in opposition
- Paul Sauerteig and Karen Richards were absent.

### February 16, 2026 Business Meeting

#### Plan Commission Recommendation: DO PASS, with a Written Commitment

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

#### 5-0-1 MOTION PASSED

- Karen Richards, Paul Sauerteig, and Rick Briley were absent.
- Scott Myers abstained.

Fact Sheet Prepared by:  
Karen Couture, Principal Land Use Planner  
May 14, 2026

## PROJECT SUMMARY

The site consists of two 5-acre parcels, one vacant, and one with a single family home. The applicant is requesting to rezone the site to C3/General Commercial for a gas station and convenience store along the frontage of 6908 and 6910 Elderberry Drive. Elderberry Drive begins at the new signal at Coldwater Road and the new combined entrance for Northrop Highschool and Coldwater Commons (mixed-use commercial development approved in 2025). The drive continues south and east, parallel to Coldwater Road and the off-ramp from Interstate 69, where it dead-ends. Two homes currently occupy this quadrant, with the majority of the land being heavily wooded and potentially wetland. This proposed gas station/convenience store would be located immediately adjacent to Springwood subdivision, and a single family home on Elderberry Drive.

The proposed QuikTrip station consists of a 6,445 square foot convenience store, a gas canopy and eight (8) pumps. The northern access comes directly off the signal at Coldwater, with a second access situated at the southern tip of the property. Parking is located on the north, south and west sides of the convenience store, with three bays of parking on the north side. Dumpsters are proposed in the southeastern corner of the site, behind the building. The plan appears to meet all zoning ordinance required setbacks and parking requirements. The landscape buffers on the north and south sides need to be 10 feet minimum in width, which is shown on the plan, however the applicant is planning fencing along existing homes.

This property is located within the Airport Overlay district in Area 1, which requires a Special Use approval from the Board of Zoning Appeals and approval from the Fort Wayne-Allen County Airport Authority. The applicant confirmed they have spoken with the FWAA, and are planning to file for a Special Use. Stormwater detention is shown in the eastern portion of the site, behind the convenience store.

## COMPREHENSIVE PLAN REVIEW

### Future Growth and Development Map, Goals, and Strategies

- The project site is located within the Urban Infill Area. Development in urban infill areas should be focused on vacant lots within neighborhoods and commercial or industrial areas already served by infrastructure.
- The following Goal would be applicable and supportive of this request:  
**LUD Goal 1** – Encourage compatible infill development and redevelopment in the Urban Infill and Priority Investment Areas

### Generalized Future Land Use Map

- The project site is located within the Suburban Neighborhood generalized land use category.
- Adjacent properties are categorized as Suburban Neighborhood to the north and east, and Institutional to the northwest (existing school). Land directly west was recently zoned to C2/Limited Commercial for a shopping center.
- Primary and Secondary Uses in the Suburban Neighborhood category include: Single family residential, civic and cultural facilities, parks and open space, religious institutions, and schools. Gas station/convenience store is not supported in this category.

### Compatibility Matrix

- The matrix lists C3/General Commercial as potentially compatible with the Suburban Residential category. Compatibility can be increased with additional mitigation/consideration: written commitments, building design, enhanced landscaping, enhanced connectivity, etc.

### Overall Land Use Policies

- The proposed use does not appear to be supportive of the following policy:  
**LUD Policy 4** Nonresidential development which is adjacent to residential should be limited to lower intensity neighborhood commercial uses.

**Other Applicable Plans: None**

### PUBLIC HEARING SUMMARY:

Presenter: Ali Bukhres, representing applicant, presented the project as outlined above.

Public Comments:

John Thistlethwaite (1431 E Wallen Rd): Opposition – Concerned with water/sewer, worry about wetland.

Jennifer Montel (620 Blueberry Ln): Opposition – Concerned with safety of kids, school zone area, flooding, traffic.

Whitney Carney (6808 Ludwig Cir): Opposition – Concerned with too much development, traffic, safety for kids, wildlife.

Itzel Cebrero Espinoza (606 Blueberry Ln): Opposition – Concerned children’s safety, wildlife, pond.

Rebuttal: Ali Bukhres stated they will work with engineers on stormwater; traffic will not be in the neighborhood; detention pond will be dry; fence will also be around pond; they want to be part of the community. Applicant agrees to a Written Commitment to restrict certain uses.

**FORT WAYNE PLAN COMMISSION**  
**Findings of Fact • February 2026**

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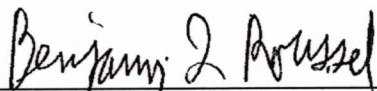
PROPOSAL:	Rezoning Petition REZ-2026-0005
APPLICANT:	QuikTrip Corporation
LOCATION:	Rezone from R1 to C3 to allow for a gas station and C-store
REQUEST:	6910 Elderberry Dr (Section 13 of Washington Township)
LAND AREA:	10.00 acres
PRESENT ZONING:	R1/Single Family Residential
PROPOSED ZONING:	C3/General Commercial

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The Plan Commission recommends that Rezoning Petition REZ-2026-0005 be returned to Council, with a "Do Pass", with a Written Commitment, 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 project site is located with the Urban Infill area.
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 applicant offers enhanced screening and buffering adjacent to residential properties to aid in compatibility with the neighborhood.
3. Approval is consistent with the preservation of property values in the area. The general area is developed with a mix of residential, institutional and commercial uses. Proximity to I-69 and Coldwater Road makes this site less desirable for single family residential development.
4. Approval is consistent with responsible development and growth principles based on existing uses and infrastructure in the area.
5. An approved Written Commitment will be executed and provided to staff prior to Council action on the rezoning.

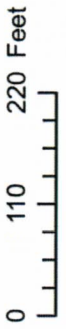
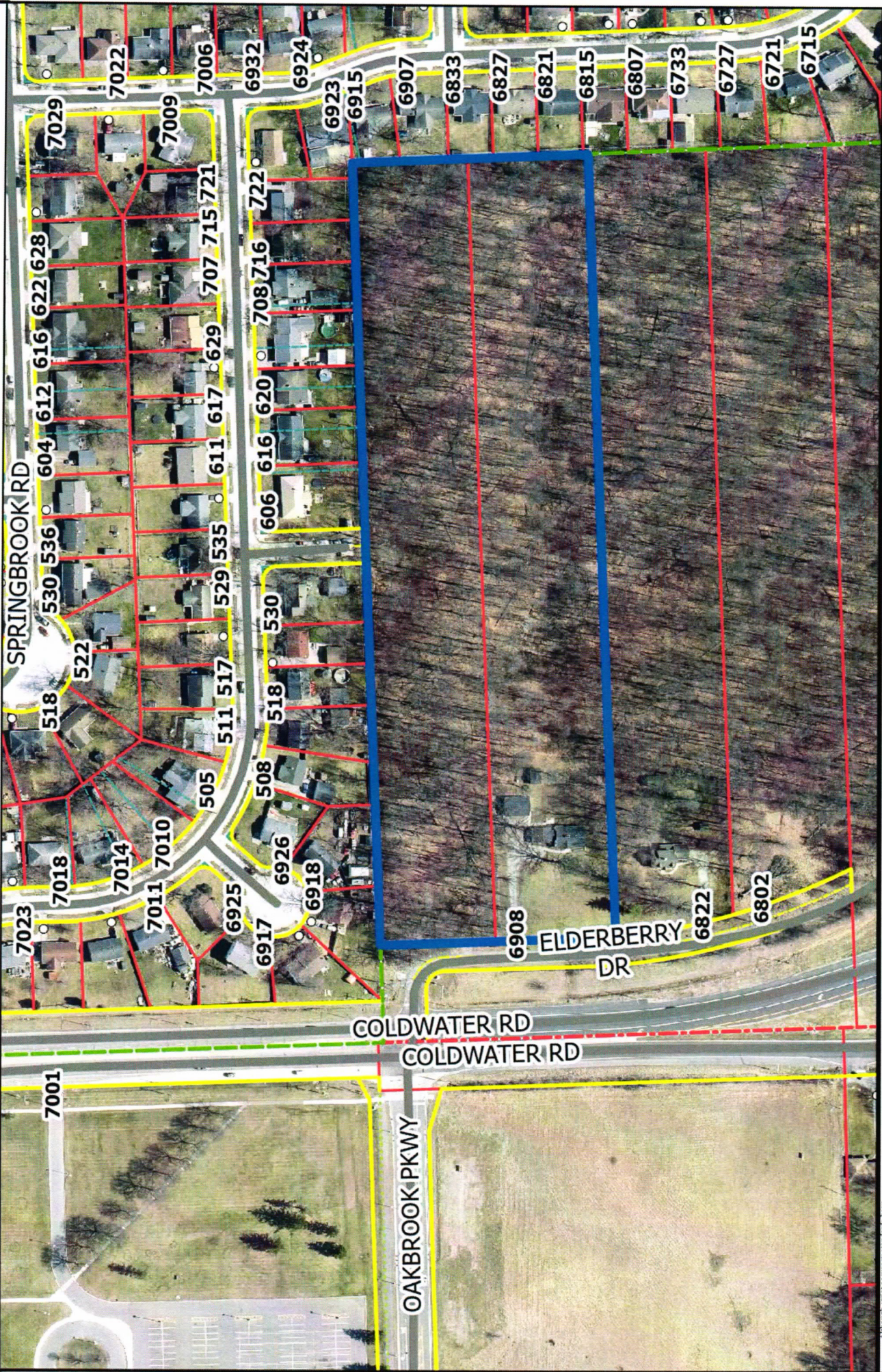
These findings approved by the Fort Wayne Plan Commission on February 16, 2026.



Benjamin J. Roussel  
Executive Director  
Secretary to the Commission



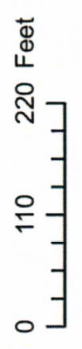
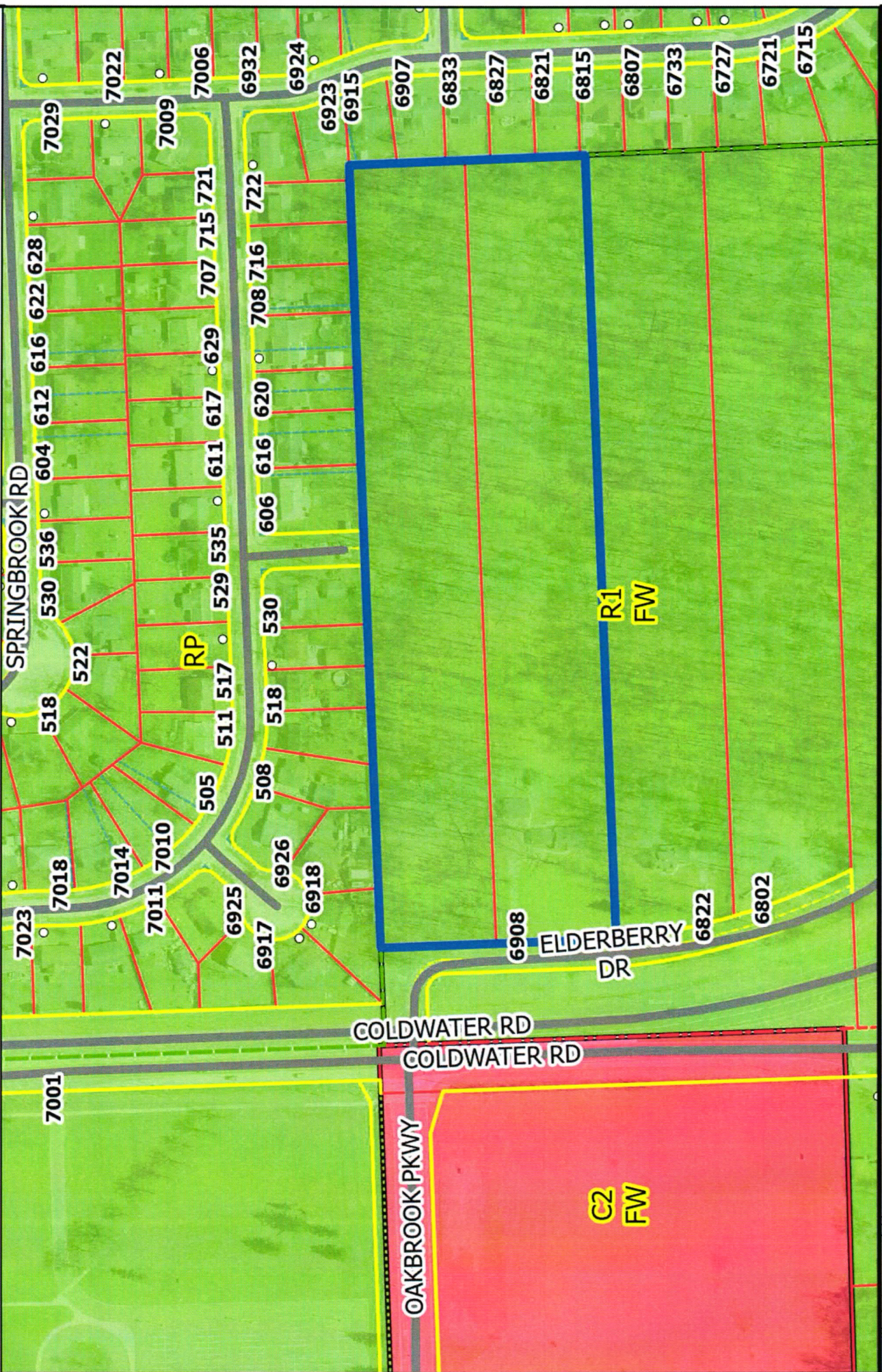
Rezoning Petition REZ-2026-0005 and Primary Development Plan PDP-2026-0003 - QuikTrip



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# Rezoning Petition REZ-2026-0005 and Primary Development Plan PDP-2026-0003 - QuikTrip



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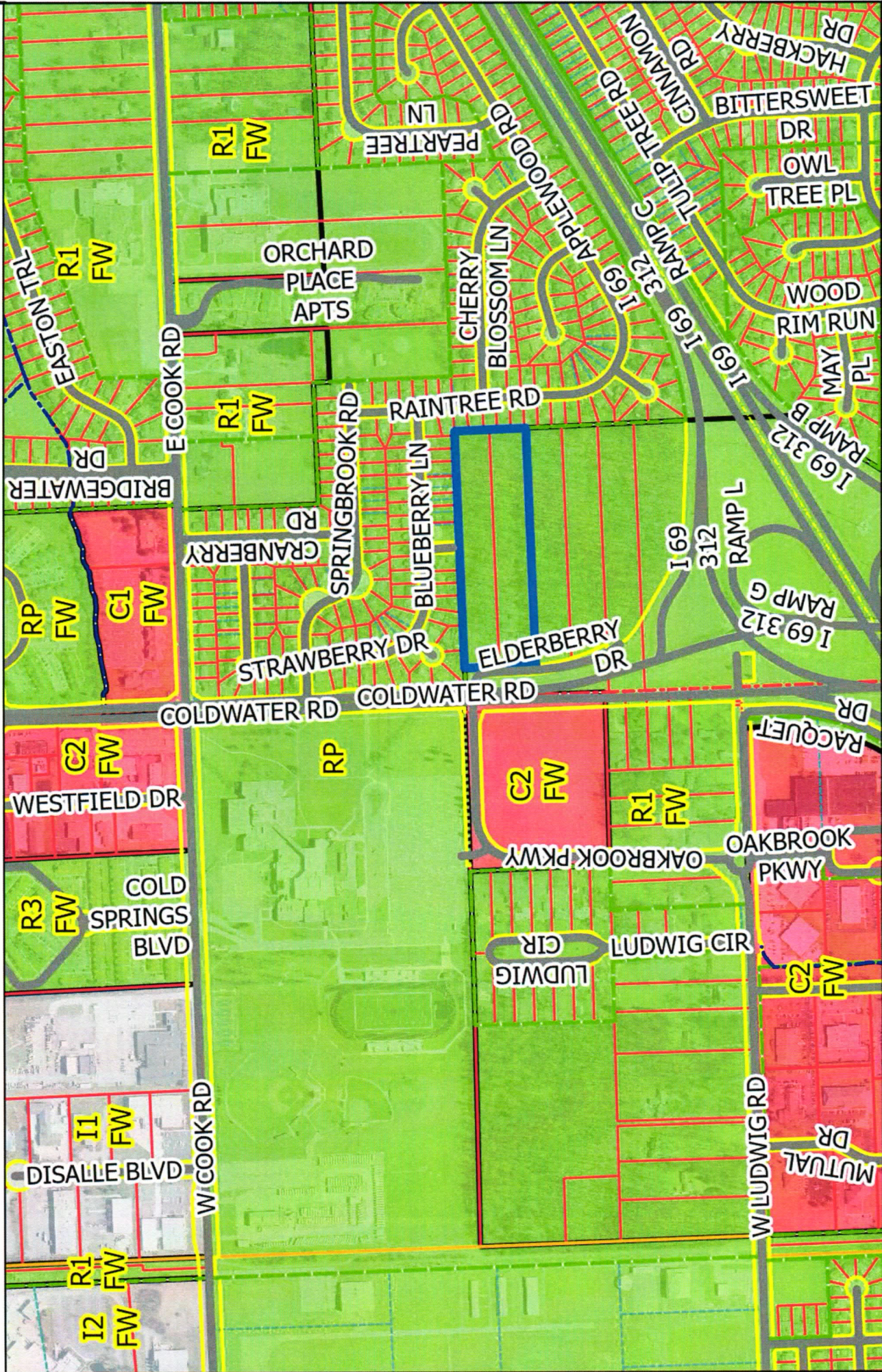
State Plane Coordinate System, Indiana East

Photos and Contours: Spring 2009

Date: 1/30/2026



Rezoning Petition REZ-2026-0005 and Primary Development Plan PDP-2026-0003 - QuikTrip



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State Plane: Coordinate System: Indiana East  
Photos and Contours: Spring, 2009  
Date: 2-5-2025

**GRADING LEGEND**

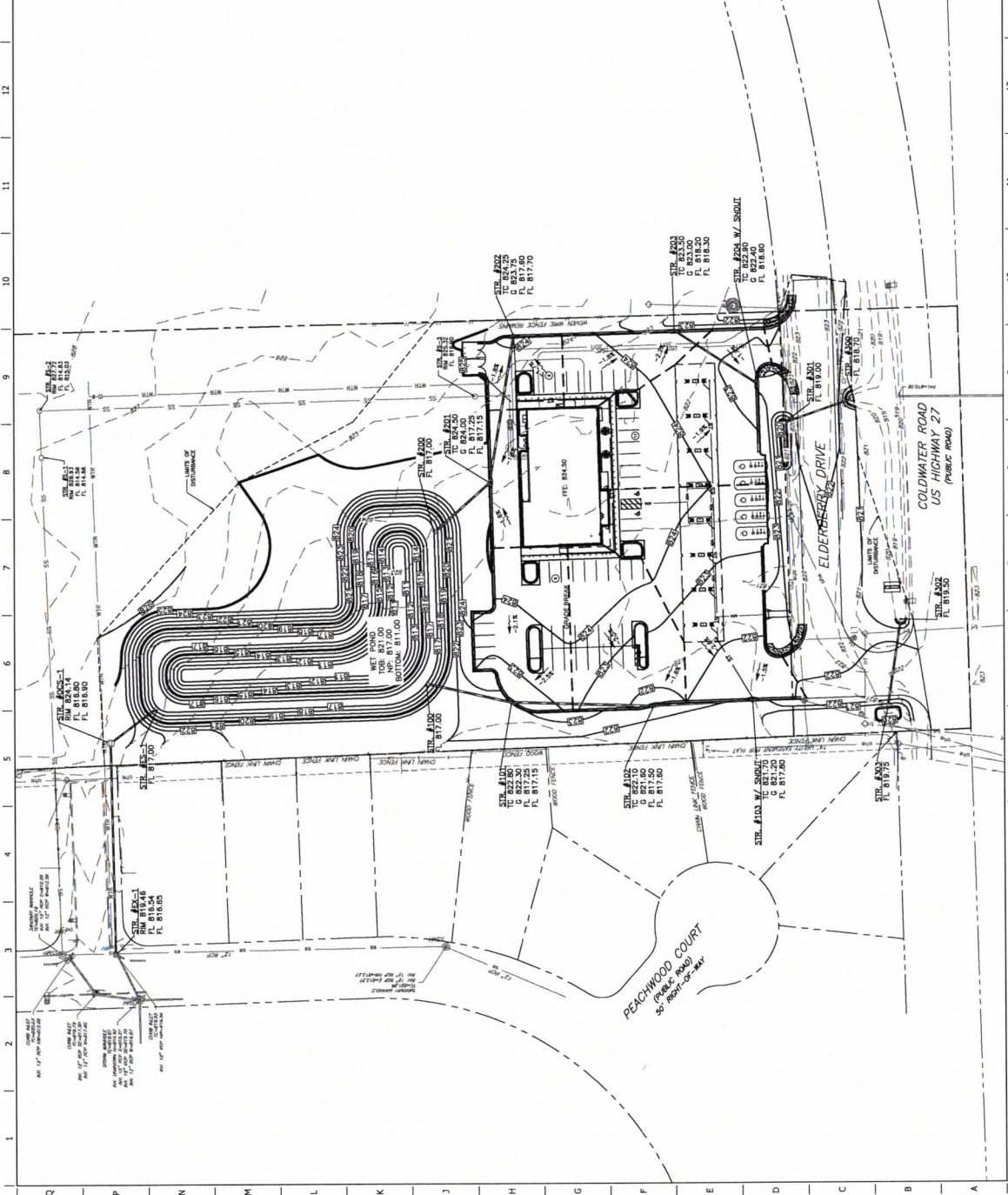
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- ST - STORM PIPE (990" DIA)
- ST - STORM PIPE (996" DIA)
- ST - STORM PIPE (1002" DIA)
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- ST - STORM PIPE (1188" DIA)
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- ST - STORM PIPE (1200" DIA)
- ST - STORM PIPE (1206" DIA)
- ST - STORM PIPE (1212" DIA)
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- ST - STORM PIPE (1236" DIA)
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- ST - STORM PIPE (1410" DIA)
- ST - STORM PIPE (1416" DIA)
- ST - STORM PIPE (1422" DIA)
- ST - STORM PIPE (1428" DIA)
- ST - STORM PIPE (1434" DIA)
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- ST - STORM PIPE (1446" DIA)
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- ST - STORM PIPE (1476" DIA)
- ST - STORM PIPE (1482" DIA)
- ST - STORM PIPE (1488" DIA)
- ST - STORM PIPE (1494" DIA)
- ST - STORM PIPE (1500" DIA)

**GRADING NOTES**

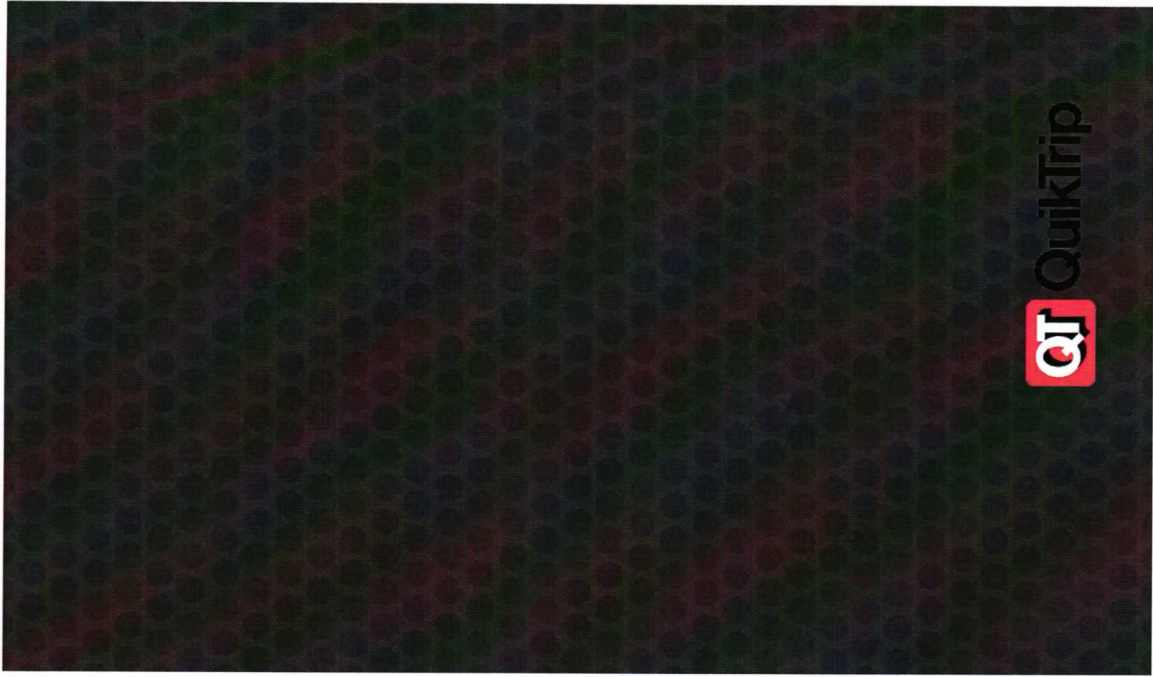
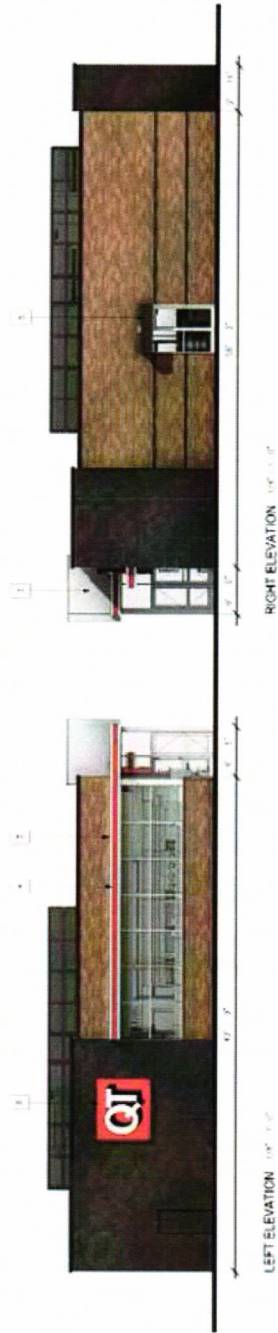
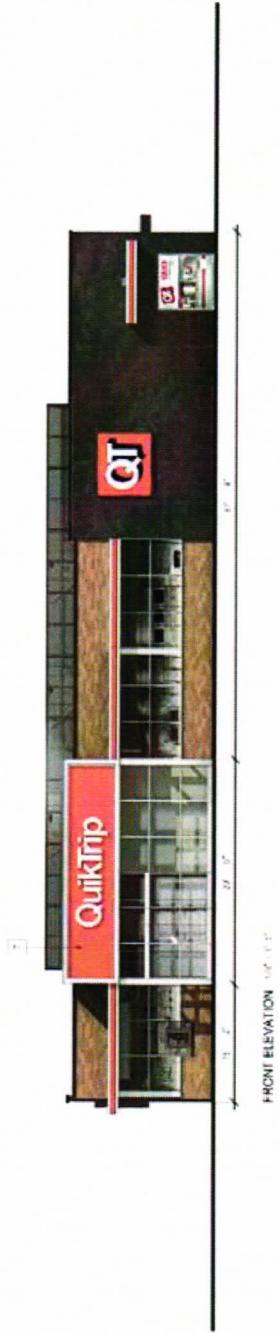
- ALL GRADING SHALL BE IN ACCORD WITH THE CITY OF FORT WAYNE, INDIANA, AND ALL APPLICABLE ORDINANCES. THE GRADING SHALL BE IN ACCORD WITH THE CITY OF FORT WAYNE, INDIANA, AND ALL APPLICABLE ORDINANCES. THE GRADING SHALL BE IN ACCORD WITH THE CITY OF FORT WAYNE, INDIANA, AND ALL APPLICABLE ORDINANCES.
- TO AVOID ANY UNDESIRABLE EFFECTS OF GRADING, THE GRADING SHALL BE IN ACCORD WITH THE CITY OF FORT WAYNE, INDIANA, AND ALL APPLICABLE ORDINANCES. THE GRADING SHALL BE IN ACCORD WITH THE CITY OF FORT WAYNE, INDIANA, AND ALL APPLICABLE ORDINANCES.

**EARTHWORK\***

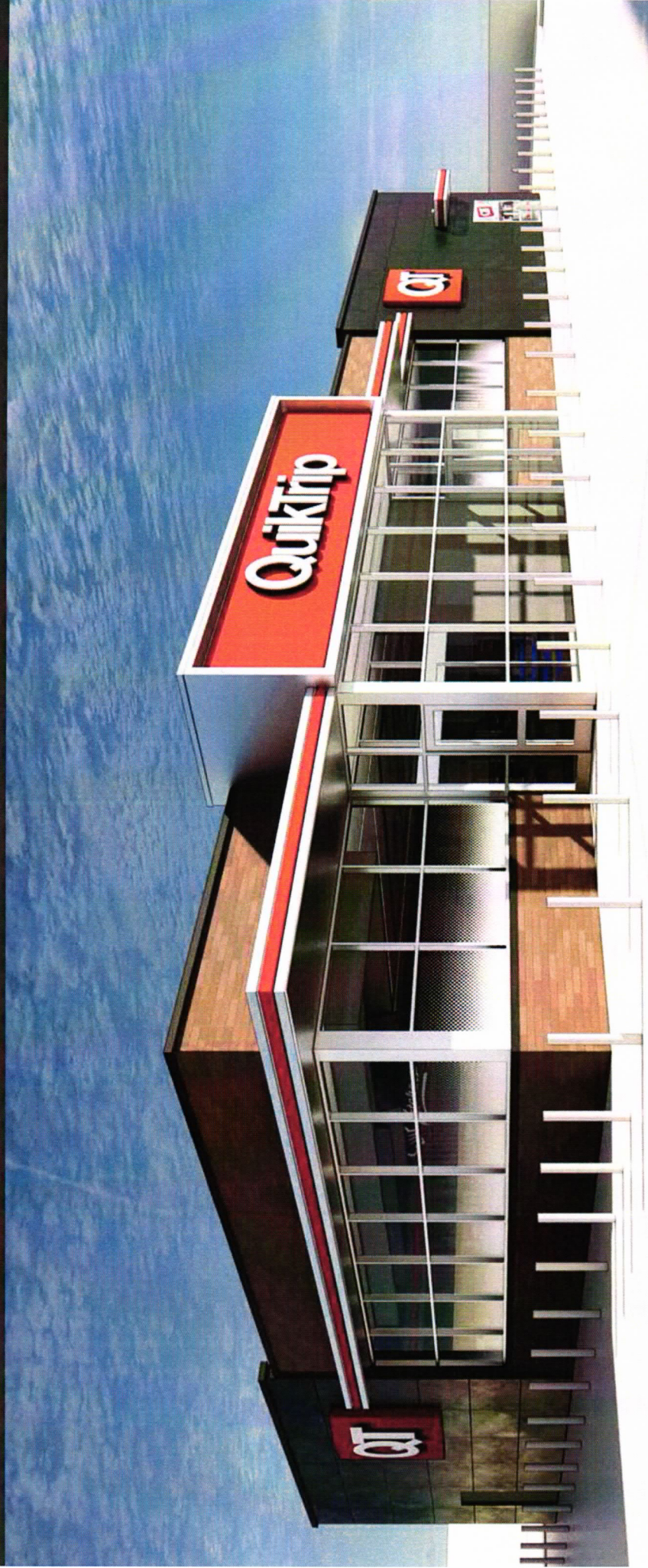
ESTIMATED FULL AS-BUILT  
TOTAL 744 CY CUT  
TOTAL 744 CY FILL  
VOLUMES MAY NOT ACCOUNT FOR BUILDING PAD OR  
PARKING DEPTHS







CURRENT STATUS



## WRITTEN COMMITMENT

**THIS WRITTEN COMMITMENT** (“Commitment”) is made this 22nd day of May, 2026 by St. John Chrysostom Antiochian Orthodox Church, Inc., an Indiana non-profit organization (the “Declarant”).

### WITNESSETH:

**WHEREAS**, Declarant is the owner of approximately 5.0 acres of real estate located in Allen County, Indiana, the legal description of which is attached hereto as Exhibit “A” (the “Real Estate”); and

**WHEREAS**, Declarant has an executed purchase and sale agreement, dated September 27, 2025, with QuikTrip Corporation, an Oklahoma corporation (the “Buyer”), to sell the Real Estate. Buyer’s intended use of the Real Estate, plus an adjoining parcel, is to develop a fuel and convenience center.

**WHEREAS**, Buyer submitted a rezoning petition with respect to the Real Estate to rezone the Real Estate from R1/Single Family Residential zoning district to a C3/General Commercial zoning district, bearing numbers REZ-2026-0005 and PDP-2026-0003 (the “Petition”), which Petition has been approved by the Fort Wayne Plan Commission (the “Plan Commission”) and the Fort Wayne Common Council (“City Council”); and

**WHEREAS**, Declarant, on behalf of Buyer, has offered this Commitment, voluntarily, pursuant to Indiana Code 36-7-4-1015, for the purpose of limiting certain uses for the Real Estate; and

**WHEREAS**, in conjunction with the Petition, the Plan Commission has accepted Declarant’s offer of this Commitment and its recordation with the Allen County, Indiana, Recorder’s Office upon approval of the Petition by the Plan Commission and Council.

**NOW, THEREFORE**, in consideration of the above and foregoing recitals, Declarant, on behalf of Buyer, hereby impresses upon the Real Estate certain restrictions and covenants which shall run with the Real Estate and be binding upon Declarant and all future owners of the Real Estate, and all lessees of all or any portion of the Real Estate.

- I. Prohibited Uses. Subject to the terms and conditions herein contained, the following uses shall be prohibited upon the Real Estate:
  - a) Agricultural equipment sales
  - b) Agricultural equipment service
  - c) Agricultural supply sales
  - d) Animal kennel
  - e) Animal obedience school

- f) Automobile auction
- g) Automobile body shop
- h) Automobile detailing or trim shop
- i) Automobile maintenance (quick service)
- j) Automobile rental
- k) Automobile repair
- l) Automobile restoration
- m) Automobile rustproofing
- n) Automobile sales
- o) Automobile washing facility
- p) Boat sales
- q) Correctional services facility
- r) Equipment rental (limited)
- s) Equipment service
- t) Fireworks sales
- u) Fraternity house
- v) Go-kart facility
- w) Homeless shelter
- x) Landscape contracting service
- y) Manufactured home sales
- z) Motor vehicle auction
- aa) Motor vehicle rental
- bb) Motor vehicle repair
- cc) Motor vehicle sales
- dd) Seasonal sales
- ee) Shooting range (indoor)
- ff) Sorority house
- gg) Stadium/racetrack
- hh) Storage shed sales
- ii) Tire sales
- jj) Towing service (with no storage yard)
- kk) Truck fueling station
- ll) Truck stop
- mm) Watercraft sales
- nn) Zoo

2. Permitted Uses. Any use otherwise permitted in a C3/General Commercial zoning district pursuant to the Ordinance which is not expressly prohibited pursuant to Section 1 above shall be a permitted use upon the Real Estate.
3. Buyer, as the "Applicant", agrees to the following:
  - a) Secondary development plans will be submitted to the Plan Commission.
  - b) The Applicant will submit a landscape plan during secondary submittal that meets the intent of the zoning ordinance. Species chosen on the landscaping plan will be included on the secondary plans to verify that planting choices are noninvasive.

- c) Minimum 8-foot high privacy fence will be installed along the north property line for at least 330 feet, or the distance to adequately screen the adjacent neighbors, and along the south property line for at least the length of the developed parking lot and dumpster area. Fencing shall meet required front building setback.
  - d) A mixture of large evergreen trees and shade trees shall be planted within the landscape buffer area on both north and south property lines, subject to staff review and approval. Minimum installed size shall be 8-10 feet for evergreens and 2.5 inch caliper for shade trees. Applicant will work with staff and neighbors, if possible, to determine whether fence shall be installed on property line, or inset to allow for plantings on the neighbor side of fence. Final landscaping plans will be reviewed by the Plan Commission with Secondary Development Plans.
  - e) Every attempt shall be made to preserve trees along the north and south property line for the area designated for stormwater detention.
  - f) The dumpsters will have the required enclosure, to be constructed with either a wood or a vinyl fence or masonry structure and will include a gate.
  - g) All site and building lighting will use sharp cut-off type fixtures as defined by the Illuminating Engineers Society of North America (IESNA). A photometrics plan will be submitted as a part of the secondary development plan showing no light emanating onto the adjacent residential properties to the north, south, and west.
  - h) There shall be no light emanating from the north, east or south sides of the gas canopy façade.
  - i) New signage will meet zoning ordinance requirements, or Board of Zoning Appeals approval shall be required.
  - j) This approval by the Commission shall be valid for a period of twenty-four (24) months from the date of the approval.
4. Permits. No permits shall be issued under the zoning ordinance by the Zoning Administrator, or any successor agency having zoning jurisdiction over the Real Estate, until this Commitment is recorded with the Allen County Recorder. The Buyer, on behalf of Declarant, shall deliver to the Zoning Administrator and the Plan Commission an executed and recorded copy of this Commitment.
5. Binding Effect, Modification, and Termination. This Commitment shall run with the Real Estate, and shall be binding upon the Declarant and each subsequent owner of the Real Estate and each other person acquiring an interest in the Real Estate, unless this Commitment is modified or terminated. Declarant shall retain the right to terminate this Commitment in the event Buyer does not purchase the Real Estate. The recitals are incorporated herein by reference and are expressly made a part of this Commitment. This Commitment may be modified or terminated only by a decision of the Plan Commission, following a public hearing held by the Plan Commission wherein notice has been given as provided by the Plan Commission's rules of procedure. The Plan Commission shall have the discretion whether to approve or deny any proposed modification or termination of this Commitment. This Commitment may be modified or terminated by the Plan Commission making findings of fact that the proposed modification or termination is required because: (a) there is a substantial change in circumstances from the time of the original Commitment; (b) the proposed modification or termination is in substantial compliance

with the Comprehensive Plan; (c) the proposed modification or termination in consistent with the Plan Commission's prior approval; and (d) the application of the terms of the original Commitment would cause an unnecessary hardship absent the modification or termination. Further, pursuant to I.C. 36-7-4-1015(b)(4), this Commitment shall automatically terminate if: (i) the zoning district or classification applicable to the Real Estate is changed; or (ii) if the land use to which this Commitment relates is changed.

6. Recording. Applicant shall, at Applicant's expense, record this Commitment with the Allen County Recorder and shall provide two copies of the recorded Commitment to the Zoning Administrator.
7. Enforcement. Any violation of this Commitment shall be deemed a violation of the zoning ordinance in effect at the time of the violation; provided, however, that nothing in this Commitment shall be construed as giving any person the right to compel enforcement of it by the Plan Commission or any enforcement official designated in the zoning ordinance, or any successor agency having zoning jurisdiction over the Real Estate. Pursuant to I.C. §36-7-4-1015, the Plan Commission or any enforcement official designated in the zoning ordinance, shall be entitled to all legal and equitable remedies available, including specific performance and injunctive relief, for any violation of this Commitment. The enforcement rights of the Plan Commission or any enforcement official designated in the zoning ordinance are cumulative, not exclusive. This Commitment may be enforced by any successor commission or enforcement official having zoning jurisdiction over the Real Estate.
8. Last Deeds of Record. The most recent deed of record for the Real Estate was recorded in the Office of the Recorder of Allen County, Indiana as Document Number(s) 2016050958.
9. Severability. Each covenant or restriction contained in any paragraph of this Commitment shall be severable and separate, and if any court shall rule that any particular restriction or covenant is unenforceable, such ruling shall not affect the enforceability of any other restriction or covenant under this Commitment, and such other restriction or covenant shall be enforced.
10. Governing Law. This Commitment, including the restrictions and covenants hereunder, shall be governed by the laws of the State of Indiana.
11. Effective Date. The effective date ("Effective Date") of this Commitment shall be the date of its recordation with the Office of the Recorder of Allen County, Indiana.

"DECLARANT"

ST. JOHN CHRYSOSTOM ANTIOCHIAN  
ORTHODOX CHURCH, INC.

By: *Kris Howard*  
Printed Name: Kris Howard  
Its: Parish Council President

STATE OF INDIANA     )  
  ) SS:  
COUNTY OF ALLEN     )

Before me, the undersigned, a Notary Public, in and for said County and State, this 22nd day of May, 2026, personally appeared Kris Howard and acknowledged the execution of the foregoing. In witness whereof, I have hereunto subscribed my name and affixed my official seal.

*Kyle George*  
Notary Public



My Commission Expires: 4/27/2034

My County of Residence: Allen

THIS INSTRUMENT prepared by: Department of Planning Services, 200 East Berry, Suite 150, Fort Wayne, IN 46802.

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law.

Michelle B. Wood \_\_\_\_\_

When Recorded, mail to: Department of Planning Services, 200 East Berry, Suite 150, Fort Wayne, IN 46802.

**EXHIBIT "A"**

**LEGAL DESCRIPTION OF REAL ESTATE**

**PARCEL I**

Warranty Deed – Instrument #95-027492

The North 5 acres of the Southwest 1/4 of the Northwest 1/4 of Section 13, Township 31 North, Range 12 East, in Allen County, Indiana being more particularly described as follows:

Beginning at a point on the West line of Section 13, Township 31 North, Range 12 East, 1,148.3 feet North of the West 1/4 corner of Section 13, Township 31 North, Range 12 East; thence East, parallel to the North line of the Southwest 1/4 of the Northwest 1/4 of Section 13, above Township and Range, a distance of 1,269.5 feet; thence North 0 degrees 52 minutes West, a distance of 171.7 feet to the Northeast corner of the Southwest 1/4 of the Northwest 1/4 of Section 13, above Township and Range; thence West, along the North line of the Southwest 1/4 of the Northwest 1/4 of Section 13, above Township and Range, a distance of 1268.0 feet to the Northwest corner of the Southwest 1/4 of the Northwest 1/4 of Section 13, above Township and Range; thence South, along the West line of Section 13, Township 31 North, Range 12 East, a distance of 171.7 feet to the place of beginning, excepting therefrom, that part condemned and taken for road right-of-way purposes in Allen Superior Court No. 3 Cause No. 3S#5045, appearing in Superior Court No. 3 Order Book 12, page 342j, of the records in Allen County, Indiana, containing 4.616 net acres.

## WRITTEN COMMITMENT

**THIS WRITTEN COMMITMENT** (“Commitment”) is made this 19th day of May, 2026 by Robert I. Myers, Jr. (the “Declarant”).

### WITNESSETH:

**WHEREAS**, Declarant is the owner of approximately 5.0 acres of real estate located in Allen County, Indiana, the legal description of which is attached hereto as Exhibit “A” (the “Real Estate”); and

**WHEREAS**, Declarant has an executed purchase and sale agreement, dated September 19, 2025, with QuikTrip Corporation, an Oklahoma corporation (the “Buyer”), to sell the Real Estate. Buyer’s intended use of the Real Estate plus an adjoining parcel is to develop a fuel and convenience center.

**WHEREAS**, Buyer submitted a rezoning petition with respect to the Real Estate to rezone the Real Estate from R1/Single Family Residential zoning district to a C3/General Commercial zoning district, bearing numbers REZ-2026-0005 and PDP-2026-0003 (the “Petition”), which Petition has been approved by the Fort Wayne Plan Commission (the “Plan Commission”) and the Fort Wayne Common Council (“City Council”); and

**WHEREAS**, Declarant, on behalf of Buyer, has offered this Commitment, voluntarily, pursuant to Indiana Code 36-7-4-1015, for the purpose of limiting certain uses for the Real Estate; and

**WHEREAS**, in conjunction with the Petition, the Plan Commission has accepted Declarant’s offer of this Commitment and its recordation with the Allen County, Indiana, Recorder’s Office upon approval of the Petition by the Plan Commission and Council.

**NOW, THEREFORE**, in consideration of the above and foregoing recitals, Declarant, on behalf of Buyer, hereby impresses upon the Real Estate certain restrictions and covenants which shall run with the Real Estate and be binding upon Declarant and all future owners of the Real Estate, and all lessees of all or any portion of the Real Estate.

1. Prohibited Uses. Subject to the terms and conditions herein contained, the following uses shall be prohibited upon the Real Estate:
  - a) Agricultural equipment sales
  - b) Agricultural equipment service
  - c) Agricultural supply sales
  - d) Animal kennel
  - e) Animal obedience school
  - f) Automobile auction

- g) Automobile body shop
- h) Automobile detailing or trim shop
- i) Automobile maintenance (quick service)
- j) Automobile rental
- k) Automobile repair
- l) Automobile restoration
- m) Automobile rustproofing
- n) Automobile sales
- o) Automobile washing facility
- p) Boat sales
- q) Correctional services facility
- r) Equipment rental (limited)
- s) Equipment service
- t) Fireworks sales
- u) Fraternity house
- v) Go-kart facility
- w) Homeless shelter
- x) Landscape contracting service
- y) Manufactured home sales
- z) Motor vehicle auction
- aa) Motor vehicle rental
- bb) Motor vehicle repair
- cc) Motor vehicle sales
- dd) Seasonal sales
- ee) Shooting range (indoor)
- ff) Sorority house
- gg) Stadium/racetrack
- hh) Storage shed sales
- ii) Tire sales
- jj) Towing service (with no storage yard)
- kk) Truck fueling station
- ll) Truck stop
- mm) Watercraft sales
- nn) Zoo

2. Permitted Uses. Any use otherwise permitted in a C3/General Commercial zoning district pursuant to the Ordinance which is not expressly prohibited pursuant to Section 1 above shall be a permitted use upon the Real Estate.
  
3. Buyer, as the "Applicant", agrees to the following:
  - a) Secondary development plans will be submitted to the Plan Commission.
  - b) The Applicant will submit a landscape plan during secondary submittal that meets the intent of the zoning ordinance. Species chosen on the landscaping plan will be included on the secondary plans to verify that planting choices are noninvasive.
  - c) Minimum 8-foot high privacy fence will be installed along the north property line

for at least 330 feet, or the distance to adequately screen the adjacent neighbors, and along the south property line for at least the length of the developed parking lot and dumpster area. Fencing shall meet required front building setback.

- d) A mixture of large evergreen trees and shade trees shall be planted within the landscape buffer area on both north and south property lines, subject to staff review and approval. Minimum installed size shall be 8-10 feet for evergreens and 2.5 inch caliper for shade trees. Applicant will work with staff and neighbors, if possible, to determine whether fence shall be installed on property line, or inset to allow for plantings on the neighbor side of fence. Final landscaping plans will be reviewed by the Plan Commission with Secondary Development Plans.
  - e) Every attempt shall be made to preserve trees along the north and south property line for the area designated for stormwater detention.
  - f) The dumpsters will have the required enclosure, to be constructed with either a wood or a vinyl fence or masonry structure and will include a gate.
  - g) All site and building lighting will use sharp cut-off type fixtures as defined by the Illuminating Engineers Society of North America (IESNA). A photometrics plan will be submitted as a part of the secondary development plan showing no light emanating onto the adjacent residential properties to the north, south, and west.
  - h) There shall be no light emanating from the north, east or south sides of the gas canopy façade.
  - i) New signage will meet zoning ordinance requirements, or Board of Zoning Appeals approval shall be required.
  - j) This approval by the Commission shall be valid for a period of twenty-four (24) months from the date of the approval.
4. Permits. No permits shall be issued under the zoning ordinance by the Zoning Administrator, or any successor agency having zoning jurisdiction over the Real Estate, until this Commitment is recorded with the Allen County Recorder. The Buyer, on behalf of Declarant, shall deliver to the Zoning Administrator and the Plan Commission an executed and recorded copy of this Commitment.
5. Binding Effect, Modification, and Termination. This Commitment shall run with the Real Estate, and shall be binding upon the Declarant and each subsequent owner of the Real Estate and each other person acquiring an interest in the Real Estate, unless this Commitment is modified or terminated. Declarant shall retain the right to terminate this Commitment in the event Buyer does not purchase the Real Estate. The recitals are incorporated herein by reference and are expressly made a part of this Commitment. This Commitment may be modified or terminated only by a decision of the Plan Commission, following a public hearing held by the Plan Commission wherein notice has been given as provided by the Plan Commission's rules of procedure. The Plan Commission shall have the discretion whether to approve or deny any proposed modification or termination of this Commitment. This Commitment may be modified or terminated by the Plan Commission making findings of fact that the proposed modification or termination is required because: (a) there is a substantial change in circumstances from the time of the original Commitment; (b) the proposed modification or termination is in substantial compliance with the Comprehensive Plan; (c) the proposed modification or termination is consistent

with the Plan Commission's prior approval; and (d) the application of the terms of the original Commitment would cause an unnecessary hardship absent the modification or termination. Further, pursuant to I.C. 36-7-4-1015(b)(4), this Commitment shall automatically terminate if: (i) the zoning district or classification applicable to the Real Estate is changed; or (ii) if the land use to which this Commitment relates is changed.

6. Recording. Applicant shall, at Applicant's expense, record this Commitment with the Allen County Recorder and shall provide two copies of the recorded Commitment to the Zoning Administrator.
7. Enforcement. Any violation of this Commitment shall be deemed a violation of the zoning ordinance in effect at the time of the violation; provided, however, that nothing in this Commitment shall be construed as giving any person the right to compel enforcement of it by the Plan Commission or any enforcement official designated in the zoning ordinance, or any successor agency having zoning jurisdiction over the Real Estate. Pursuant to I.C. §36-7-4-1015, the Plan Commission or any enforcement official designated in the zoning ordinance, shall be entitled to all legal and equitable remedies available, including specific performance and injunctive relief, for any violation of this Commitment. The enforcement rights of the Plan Commission or any enforcement official designated in the zoning ordinance are cumulative, not exclusive. This Commitment may be enforced by any successor commission or enforcement official having zoning jurisdiction over the Real Estate.
8. Last Deeds of Record. The most recent deed of record for the Real Estate was recorded in the Office of the Recorder of Allen County, Indiana as Document Number(s) 2016050958.
9. Severability. Each covenant or restriction contained in any paragraph of this Commitment shall be severable and separate, and if any court shall rule that any particular restriction or covenant is unenforceable, such ruling shall not affect the enforceability of any other restriction or covenant under this Commitment, and such other restriction or covenant shall be enforced.
10. Governing Law. This Commitment, including the restrictions and covenants hereunder, shall be governed by the laws of the State of Indiana.
11. Effective Date. The effective date ("Effective Date") of this Commitment shall be the date of its recordation with the Office of the Recorder of Allen County, Indiana.

“DECLARANT”

ROBERT I. MYERS, JR.

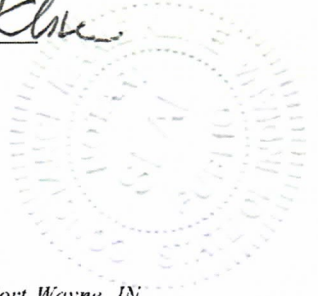
By: Robert Myers  
Printed Name: Robert I. Myers, Jr.

STATE OF INDIANA        )  
                                  ) SS:  
COUNTY OF ALLEN        )

Before me, the undersigned, a Notary Public, in and for said County and State, this 19<sup>th</sup> day of May, 2026, personally appeared Robert I. Myers, Jr. and acknowledged the execution of the foregoing. In witness whereof, I have hereunto subscribed my name and affixed my official seal.

Constance Marie Klu  
Notary Public

My Commission Expires: 1/21/2027  
My County of Residence: Whitley



THIS INSTRUMENT prepared by: Department of Planning Services, 200 East Berry, Suite 150, Fort Wayne, IN 46802.

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law.

Michelle B. Wood

**When Recorded, mail to:** Department of Planning Services, 200 East Berry, Suite 150, Fort Wayne, IN 46802.

**EXHIBIT "A"**

**LEGAL DESCRIPTION OF REAL ESTATE**

PARCEL 1

Warranty Dccd –Instrument #2016050958

The South 5.09 acres of the North 10.09 acres of the Southwest Quarter of the Northwest Quarter of Section 13, Township 31 North, Range 12 East, in Allen County, Indiana, and being more particularly described as follows:

Beginning at a point on the West line of Section 13, Township 31 North, Range 12 East, 981.09 feet North of the West Quarter corner of Section 13, above Township and Range; thence North 89 degrees 48 minutes East, parallel to the East and West centerline of Section 13, above Township and Range a distance of 1271.0 feet; thence North 0 degrees 52 minutes West, along the East line of the Southwest Quarter of the Northwest Quarter of Section 13, above Township and Range, a distance of 182.21 feet; thence West a distance of 1269.5 feet to the West line of Section 13, above Township and Range; thence South, along the West line of Section 13, Township 31 North, Range 12 East; a distance of 167.21 feet to the place of beginning.

Except that part appropriated by the State of Indiana in Allen Superior Court #3, Cause #4983.

## Michelle Wood

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**From:** Marda Gerardot <mardagerardot@gmail.com>  
**Sent:** Friday, February 6, 2026 2:34 PM  
**To:** ACFWPlanCommission  
**Subject:** RezoningPetition REZ-2026-0007

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Members of the Allen County Board of Zoning Appeals

My name is Marda Gerardot Gerardot and I live at 411 Ward Drive. I live right across from 8126 Coldwater Road (old school house)

1. Opposition to rezoning of 8126 Coldwater Rd. To become coffee shop. Plan as presented is unacceptable.
2. There can be no traffic access to this location that involves Ward Drive` or the other two streets in this neighborhood. Only Coldwater Rd.
- 3.This neighborhood includes adults, kids, and kids riding bikes, walking etc. pets, dogs, cats, and beautiful wildlife that need our protection and guardianship. None need to be at added risk of being injured or killed by excess vehicles and some with questionable drivers.
4. According to my research coffee shops are gaining popularity all over the USA. And many appear quite busy. So I'm not sure light commercial applies in this case. The properties referred to in buyers handout are an attorneys office , chiropractor office, , a real estate office which appears now a rental house. These are properties just south of schoolhouse facing Coldwater Road. I have never seen much activity or vehicles at them.
- 5.Buyers plan includes drive-up window. Of course that is going to increase traffic.
6. What is important is that my neighborhood is relatively safe for all.
7. I do have more to say and questions but will leave it at this for now.

Respectfully, Marda Gerardot

---

## Rezoning for QuikTrip Corp / Elderberry Dr

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From Christy Moody <christyemoody@gmail.com>  
Date Tue 2/17/2026 8:51 AM  
To Sean Rigler <Sean.Rigler@allencounty.in.gov>  
Cc earljmoody13@gmail.com <earljmoody13@gmail.com>

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Dear Sean Rigler,

Our school and rush hour traffic is already way over populated pushing traffic back clear up over the overpass on Coldwater Rd past where your Elderberry gas station would sit. Noone in this neighborhood wants this. After school pickup already floods our neighborhood and local Marathon traffic for kids rushing to get to their parents cars because the traffic and waiting lines are more than the school pickup zones allow for. You hold your quiet, barely advertised meetings for rezoning and residents barely have time to make arrangements and make the meeting. Nor, were ALL residents of Springwood & Orchard Woods made aware of this situation by your office. Sneaky.

I live at 7033 Strawberry Dr, Fort Wayne, IN 46825. My backyard is on the other end of the crosswalk for Northrup High School. The entrance to the neighborhood is blocked by on a daily basis due to high traffic. I have witnessed multiple vehicle accidents as well as walkers using the crosswalk be hit by drivers in their vehicles. I've also witnessed alot of near misses.

When the road requires repairing or there are water problems and 1 or more lanes are shut down, it causes extensive traffic back up, multiple wrecks, drivers stopping for stop lights, Elderberry in particular & the Coldwater entrance to the neighborhood to be blocked with traffic who do not obey or respect stopping lines as to keep traffic flow going. I have emailed in more than once on the problems exasperated by leaving lanes closed for extensive periods during work, and leaving signs waiting for pickup for WEEKS.

Having 18 wheelers next to our neighborhood and 3 schools is less than ideal.

Large truck stops are also a cesspool of pollution, prostitution, and drug smuggling and selling. Is that what Fort Wayne wants to sell these students from K-12?! Is sure isn't what the parents want.

Nor are there sidewalks along Coldwater Road which causes more and very dangerous situations for traffic and pedestrians.

**WE WANT A RESIDENTIAL NEIGHBORHOOD, NOT A REZONED COMMERCIAL POLLUTING GAS STATION.**

**THERE IS ALSO OTHER TRUCK STOPS WITHIN 2 MILES FROM HERE.** Let's face the truth here, you are just wanting to sell the 312B exit. We want to keep it residential.

Will the gas station pay us penny for penny for our lost property values?!

The Springwood and Orchard Wood neighborhoods are established single-family residential communities. Introducing a high-intensity commercial use at this location is incompatible with the existing land use pattern and poses significant concerns for residents, including:

Increased traffic volumes and safety hazards, particularly along neighborhood streets used by families, pedestrians, and children  
Noise, bright lighting, and late-night activity ( not good for our school aged students)associated with a convenience store and fuel canopy  
Air and environmental risks, including underground fuel storage, stormwater runoff, and increased impervious surfaces  
Negative effects on nearby residential property values  
Conflict with the City of Fort Wayne Comprehensive Plan, which prioritizes the protection of established residential neighborhoods  
Increased strain on local infrastructure, including roads, drainage systems, and emergency services  
Proximity to a high school, with the proposed development located approximately 2,100 feet from a high school, raising additional concerns related to student safety, pedestrian traffic, and increased vehicular congestion during school hours and 5-7 pm traffic.

This is a residential neighborhood. Do not rezone. Do not allow this gas station truck stop.  
You would be bringing increased danger to our neighborhood.

It will also continue to break down roads in this school and residential zone. Something this neighborhood struggles with already.

Sincerely,  
Christy Moody  
Earl Moody  
7033 Strawberry Dr,  
Fort Wayne, IN 46825  
260-415-8612

## Rezoning Petition

---

**From** Daniel Pyle <d.pyle0710@yahoo.com>

**Date** Sun 2/1/2026 6:05 PM

**To** ACFWPlanCommission <ACFWPlanCommission@allencounty.us>

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

To Whom It May Concern, In the matter of rezoning for a "QuikTrip", gas station and convenience store at 6910 Elderberry Dr. in our opinion any business in this location would not only add more traffic to the already congested Coldwater and Cook roads traffic confluence, but also have the chance of promoting more crime in the area to a neighborhood that has very little crime. In conclusion do we really need yet another gas station/convenience store in this area to not only invite crime to this area given it's convenient location to the I-69 interchange, but not to mention the pollution aspect of said business would bring to the area.

Respectfully yours, Daniel & Deborah Pyle 810 Lemonwood Court 46825-3730

Notice, Proposal for Rezoning, Public Hearing

From Deb Caudill <deb.a.caudill@gmail.com>
Date Sat 1/31/2026 7:52 PM
To ACFWPlanCommission <ACFWPlanCommission@allencounty.us>

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

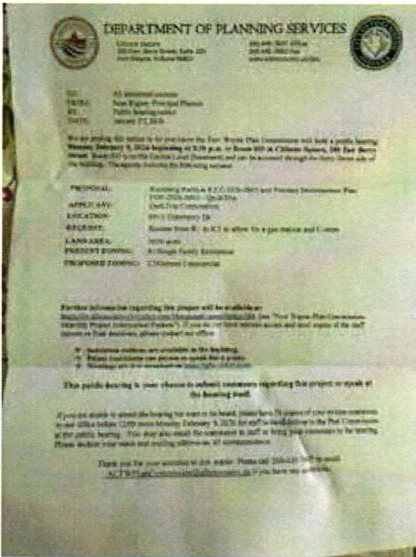
Members of Ft. Wayne IN, Department Of Planning Services;

My name is Debra Caudill. I reside at 535 Springbrook Rd. Ft Wayne In. 46825. I have been in this home for 33 years.

Below is a copy of the notice I recently received from the Ft. Wayne Plan Commission. I wanted to express my concerns with this proposal for rezoning.

The location the applicant has interest in is less than a quarter mile from my home in the Springwood addition. The QuickTrip business that the applicant would like to establish in this proposed rezoned 10 acres would do nothing for the people of this area.

I trust that the leadership of this city will take into consideration how unnecessary a fuel/food business at this location is. My hope is that the Monday, February 9, 5:30pm meeting will prove to be beneficial for the residents of the Springwood and adjacent neighborhood(s). We would appreciate your support in this matter.



Sincerely,
Debra Caudill
260 580 7250

Sent from my iPhone

Steven and Erin Herber Jr.  
708 Blueberry Ln  
Fort Wayne, IN 46825  
ear4music2@gmail.com  
260-750-9076  
Date: February 5, 2026

Fort Wayne Plan Commission  
Department of Planning Services  
200 E. Berry Street, Suite 150  
Fort Wayne, IN 46802

**Subject: Opposition to Rezoning Petition REZ-2026-0005 and Primary Development Plan PDP-2026-0003 – QuikTrip Corporation (6910 Elderberry Dr)**

Dear Members of the Fort Wayne Plan Commission,

I am writing to formally oppose Rezoning Petition REZ-2026-0005 and the related Primary Development Plan PDP-2026-0003, submitted by QuikTrip Corporation to rezone the property at 6910 Elderberry Dr from R1 (Single-Family Residential) to C3 (Commercial) for the construction of a gas station and convenience store.

While commercial development has its place, this particular project poses significant and unacceptable risks to neighborhood safety, environmental quality, and the overall community well-being.

---

## **1. Safety Risks to Residents and Pedestrians**

Allowing a facility of this scale in close proximity to a residential addition creates several dangers:

- Increased vehicle congestion in an area that is already heavily congested, particularly at peak hours
- A higher likelihood of traffic accidents, due to cars entering/exiting the site
- Fuel tanker deliveries, which pose fire, spill, and hazardous material risks
- Reduced pedestrian safety, especially for children walking or biking nearby
  - This is adjacent to a high school and near a middle and elementary school making Springwood an attractive place to start a family. There is no bus service for the students in the residential area and several have to walk to

and from school. Adding a gas station poses a large risk of **pedestrian/vehicle** accidents.

Elderberry Drive is not engineered for the commercial load associated with a 24-hour gas station. Introducing this level of traffic into a quiet residential area compromises the safety standards residents rightfully expect.

---

## **2. Environmental Threats to Groundwater and Soil**

Fuel stations bring inherent environmental hazards:

- Underground Storage Tanks carry ongoing risks of leaks that could contaminate the ground, groundwater and nearby drainage systems.
- Cleanup from these leaks isn't always fully successful and once leaks happen, property values in the area severely decline.

Due to the risk of environmental damage and the severe consequences there of QuikTrip should not be introduced into an established residential area.

---

## **3. Air Quality, Noise, and Light Pollution**

Placing a gas station next to homes introduces continuous pollution sources:

### **Air Pollution**

- Exhaust fumes from idling and refueling vehicles
- Regular emissions from vehicles and fuel pumping

These pollutants negatively affect respiratory health, especially for children, older adults, and individuals with asthma.

### **Noise Pollution**

- 24-hour customer traffic
- Delivery trucks and fuel tankers
- Car doors, horns, alarms, and engines.

Noise levels in residential areas should remain low; a gas station guarantees the opposite.

### **Light Pollution**

- High-intensity lighting
- Headlights entering and exiting the site

These lights intrude on residents' ability to enjoy privacy, darkness, and restful sleep.

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#### **4. Property Value Decline and Neighborhood Disruption**

It is well-documented that homes near gas stations often suffer decreased property values due to:

- Noise/Lighting/Traffic
- Environmental concerns
- Increased crime rate including break ins

Residents who invested in their neighborhoods deserve the protection and stability that proper zoning intends to provide.

---

#### **5. Commercial Needs Are Already Met Nearby**

At least 7 gas stations are within a 2 mile radius of this location.

This area has not demonstrated a need to introduce a gas station into a residentially zoned area, especially when better locations already exist.

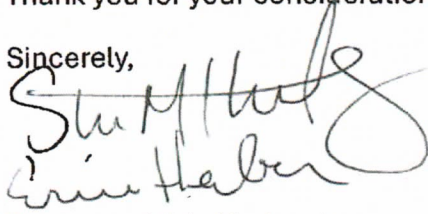
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#### **Conclusion**

For these reasons—heightened safety risks, environmental dangers, pollution concerns, and incompatibility with established residential zoning—I respectfully urge the Fort Wayne Plan Commission to **deny Petition REZ-2026-0005 and PDP-2026-0003.**

Thank you for your consideration.

Sincerely,



Steven and Erin Herber Jr.

## Michelle Wood

---

**From:** Christine Bowles <whiteicedmocha@hotmail.com>  
**Sent:** Thursday, February 5, 2026 8:10 AM  
**To:** ACFWPlanCommission  
**Subject:** Rezone petition REZ-2026-0005

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Good morning. This is regarding rezoning petition REZ-2026-0005 And primary development plan PDP-2026-0003-QwikTrip

My name is Christine Bowles. I live at 6629 Orangewood Court in Springwood addition- next to this property. I disapprove of this rezoning proposal. I have lived in my home across from Northrop High School for over 26 years. The amount of traffic that flies over the 69 bypass and comes over the hill and would have to abruptly slow down for vehicles for a gas station is dangerous and asking for accidents. Not to mention the exit turning as well onto Coldwater . The amount of traffic that backs up from Cook Road on a daily basis during morning rush hour and 5:00 p.m rush hour, traffic is unbearable with standstill vehicles as it is -- let alone trying to add a gas station for more congestion!! Even more importantly as a top priority the kids heading to Northrop and exiting Northrop High School many kids walk down to the gas station that's already nearby. Can you imagine the amount of kids trying to cross Coldwater road before school or especially in the afternoons after school , trying to get to the convenience store for snacks?! Trying to cross six Lanes or four lanes, depending on where they're walking, with an insane amount of traffic is asking for a child to get hit! I think this is a Beyond dangerous idea , someone's going to get hit and there are going to be accidents. I disapprove of this proposal. Also as an add-on, I am quite aware there is a crosswalk already in place on Coldwater which some kids would use. But I also know, knowing kids, they're going to run across coldwater in other places. Under the assumption obviously there's a traffic light there in front of the turn in for the gas station, but still it doesn't mean a child can't get hit Crossing. ( traffic light that is already in place there)

Sent from my Verizon, Samsung Galaxy smartphone

## **PETITION IN OPPOSITION TO REZONING REQUEST**

Springwood / Orchard Wood Addition – Fort Wayne, Indiana

Property Address: 6910 Elderberry Drive

Current Zoning: R-1 (Single-Family Residential)

Proposed Zoning: C-3 (General Commercial)

Proposed Development: Convenience store with fuel canopy

### **Statement of Opposition**

We, the undersigned homeowners and residents of the Springwood and Orchard Wood Additions, formally oppose the rezoning request for the property located at 6910 Elderberry Drive, which seeks to rezone the property from R-1 Residential to C-3 Commercial to allow construction of a convenience store with fuel pumps.

The Springwood and Orchard Wood neighborhoods are established single-family residential communities. Introducing a high-intensity commercial use at this location is incompatible with the existing land use pattern and poses significant concerns for residents, including:

- Increased traffic volumes and safety hazards, particularly along neighborhood streets used by families, pedestrians, and children
- Noise, bright lighting, and late-night activity associated with a convenience store and fuel canopy
- Air and environmental risks, including underground fuel storage, stormwater runoff, and increased impervious surfaces
- Negative effects on nearby residential property values
- Conflict with the City of Fort Wayne Comprehensive Plan, which prioritizes the protection of established residential neighborhoods
- Increased strain on local infrastructure, including roads, drainage systems, and emergency services
- Proximity to a high school, with the proposed development located approximately 2,100 feet from a high school, raising additional concerns related to student safety, pedestrian traffic, and increased vehicular congestion during school hours

Rezoning this property to C-3 represents spot zoning that benefits a private commercial interest while imposing permanent adverse impacts on surrounding residential neighborhoods, including the Springwood and Orchard Wood Additions.





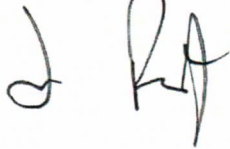
For these reasons, we respectfully request that the Fort Wayne Plan Commission and Fort Wayne City Council deny the rezoning petition for 6910 Elderberry Drive and maintain the current R-1 residential zoning to protect the safety, character, and quality of life of the Springwood and Orchard Wood communities.

Jennifer Montel 620 Blueberry Lane	Jennifer Montel
Vi Musser 1616 Blueberry Lane	Vi Musser
Robert Musson 616 Burdony Lane	Robert Musson
Michael Gaurz	Michael Gaurz
Ivan Chynlo	Ivan Chynlo
Angela Keppel	Angela Keppel
Christal Moody 7033 Strawberry	Christal Moody
Essie Moody	Essie Moody
Jessany Moody	Jessany Moody
Alex Moody 1425 Springbrook	Alex Moody
Fred Weigel 508 Blueberry Ln.	Fred Weigel
Brandon Steward 620 Blueberry Lane	Brandon Steward
Debra Caudill 535 Springbrook Rd. 46825	Debra Caudill
Debra Caudill	Debra Caudill
Victoria L Burdon 629 Blueberry (NC)	Licki Burdon
Collie Williams 536 Springbrook Rd	Collie Williams
Paul Wynn 536 Springbrook Rd	Paul Wynn
Lashonda Malone 536 Springbrook Rd.	Lashonda Malone
Matt Zimmerman 523 Springbrook Rd.	Matt Zimmerman
Diana Menacee 518 Springbrook Rd	Diana Menacee
VICTORIA GASKILL 803 Springbrook Rd	VICTORIA GASKILL
Marvin Flooring 715 Springbrook Rd	Marvin Flooring
Tommy Simpson 627 Spring Brook	Tommy Simpson
James Meyer 704 Springbrook Road	Laura Meyer
Ronda Otero 6901 Fairtree Road	Ronda Otero
Luthy Carter 6833 RAWTREE ROAD	Luthy Carter
BUDY GARCE 6932 RAWTREE RD	BUDY GARCE
Alex Guidry 620 Blueberry RD	Alex Guidry
Bridgette Bodeker 7821 Tenda Ct.	Bridgette Bodeker
Heather Brewster 2283 E 1000 N	Heather Brewster
Michelle Kieft 3518 Flowing Brook	Michelle Kieft
Christina Koschalk 1661 Emerson Ave FW 46807	Christina Koschalk
Heather Pedersen 312 Scaring Eagle Ct. 46845	Heather Pedersen
Emily Gingerich 1010 Covington Rd Apt E137, FW 46804	Emily Gingerich
Bryan Cole 1501 Fenwick Pl. Ft. Wayne IN 46804	Bryan Cole
Alivia Gloyd 1336 Union Chapel Rd Ft. Wayne IN 46825	Alivia Gloyd
Anthony Carrazos 1728 Jessie ave.	Anthony Carrazos
Margaret Neese 912 W Washington Blvd 46802	Margaret Neese
Amber Grattke 3435 US Hwy 33 46723	Amber Grattke
Mark Friedrich 2031 Laurence Ct. 46814	Mark Friedrich
Rea Fargas 1312 Loheland Ave 46825	Rea Fargas
Anterony Fargas 1312 Loheland W 46825	Anterony Fargas

Christon Johnson	303 E Wiley Ave Bluffton TN 37614	<i>[Signature]</i>
Dimitri Fougères	1312 Lakeland cv. FRYLAND TN	<i>[Signature]</i>
Rohit Sharma	7525 Cold Water COOK PD	Edw Sharma.
Christina Pranger	5823 Coldwater Rd / Washington	Christina Pranger
Courtney Piatt	530 Blueberry Ln.	Courtney Piatt
Matthew C Rasor	611 Blueberry Ln	Matthew C Rasor
Linda A Kahlenbeck	521 Ward Dr.	Linda A Kahlenbeck
Carl Kahlenbeck	521 Ward Dr.	Carl Kahlenbeck
Sarah Delaney	214 Southridge Rd.	Sarah Delaney

Petition Against Rezoning of  
6910 Elderberry Drive  
From R1 to C3 to allow gas station.

Community Signatures:

<u>Print</u>	<u>Address</u>	<u>Signature</u>
1. Talia Robinson	6816 Ludwig Cir.	
2. Doreen Robinson	6816 Ludwig Cir	
3. Day'shaun Robinson	6816 Ludwig Cir	
4 Megan Caswell	6920 Ludwig Cir	Megan Caswell
5 Nick Caswell	6920 Ludwig Cir	
6 Sara Harper	6921 Ludwig Circle	Sara Harper
7 Mason Hatfield	6817 Ludwig Circle	Mason Hatfield
8 Kaitlyn Elder	6817 Ludwig Circle	Kaitlyn Elder
9 Erin Forrest	6809 Ludwig Circle	Erin Forrest
10 Jon Forrest	6809 Ludwig Circle	
11 Nerise Rowant	6727 Ludwig Cir	Nerise Rowant

Petition Against Rezoning of  
6910 Elderberry Dr.  
From R1 to C3 allow gas station.

Community Signatures.

- | <u>Print</u>               | <u>Address</u>    | <u>Signature</u>        |
|----------------------------|-------------------|-------------------------|
| 1. <del>ADRIENE BRAY</del> | 641 WAYFIELD DR.  | <del>ADRIENE BRAY</del> |
| 2. Michelle Boggs          | 601 Wayfield Dr.  | Michelle Boggs          |
| 3. Madisonn Bernardin      | 10211 Adobe Ct.   |                         |
| 4. Michael W. Iddings      | 221 E. Ludwig Rd. |                         |
| 5. Gregyl Iddings          | 221 E Ludwig Rd   |                         |

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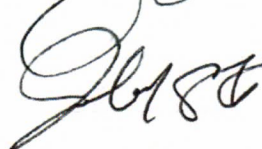


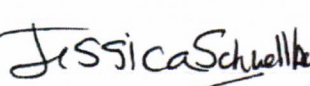

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Petition Against the Rezoning of  
6910 Elderberry Drive  
From R1 to C3 to allow gas station  
C-Store.

Community Signature(s):

- | <u>Print:</u>          | <u>Address:</u>     | <u>Signature:</u>   |
|------------------------|---------------------|---|
| 1. Whitney Carney      | 6808 Ludwig Circle  |    |
| 2. Josh Carney         | 6808 Ludwig Cir.    |     |
| 3. Jake Shuts          | 6824 Ludwig Cir.    |    |
| 4. Mirnesa Slater      | 6824 Ludwig Cir     |    |
| 5. Lori Sanderson      | 7406 Nature Trl Dr. |   |
| 6. Jessica Schwellbach | 6825 Ludwig Cir.    |  |
| 7. Matt Schwellbach    | 6825 Ludwig Cir.    |  |

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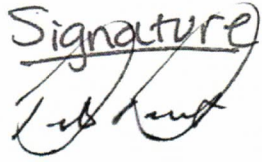


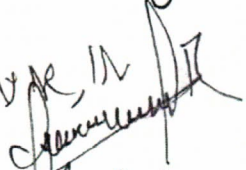
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Petition Against Rezoning of  
 6910 Elderberry Dr.  
 From R1 to C3 allow gas station

Community Signatures.

- | <u>Print</u>        | <u>Address</u>                  | <u>Signature</u>  |
|---------------------|---------------------------------|---|
| 1. PETE PROWANT     | 6127 LUDWIG CIRCLE              |    |
| 2. Mona Barnett     | 6713 Ludwig Cir.                | Mona Barnett  |
| 3. Bobbie Barnett   | same                            |    |
| 4 Tekla Tucker      | 6710 Ludwig                     |    |
| 5 Christine Heck    | 6710 Ludwig Circle              | Christine Heck  |
| 6 Robert Bone       | 6620 Ludwig Cir                 |   |
| 7 Vanessa Bone      | 6620 Ludwig Cir., Fort Wayne    |   |
| 8 Manuel Robles     | 119 W Ludwig Rd, Fort Wayne, IN |  |
| 9 Michaela Rodon    | 114 W Ludwig Rd                 | Michaela Rodon  |
| 10 Marquis T. Jones | 3/8 W Ludwig Rd.                |   |
| 11 Kayla Jones      | 3/8 W Ludwig Rd.                |   |
| 12 Chandler Shea    | 3/8 602 W myfield.              |   |

**BILL NO. Z-26-01-24**

**REPORT OF COMMITTEE ON REGULATIONS**

**June 2, 2026**

**Scott Myers Chair**  
**Rohli Booker Co-Chair**  
**All Council Members**

An Ordinance amending the City of Fort Wayne Zoning Map No. N42 (Sec.13 of Washington Township)

*To rezone 10.0 acres from R1/Single Family Residential to C3/General Commercial at 6910 Elderberry Drive*

**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>                    </u>	<u><i>Scott Myers</i></u>	<u>                    </u>
<u>BOOKER</u>	<u>                    </u>	<u><i>[Signature]</i></u>	<u><i>Danle Park</i></u>
<u>CHAMBERS</u>	<u>                    </u>	<u>                    </u>	<u>                    </u>
<u>ENSLEY</u>	<u>                    </u>	<u><i>[Signature]</i></u>	<u>                    </u>
<u>FREISTROFFER</u>	<u>                    </u>	<u>                    </u>	<u>                    </u>
<u>HARTMAN</u>	<u>                    </u>	<u><i>[Signature]</i></u>	<u>                    </u>
<u>JEHL</u>	<u>                    </u>	<u><i>[Signature]</i></u>	<u>                    </u>
<u>MYERS</u>	<u>                    </u>	<u><i>[Signature]</i></u>	<u>                    </u>
<u>PADDOCK</u>	<u>                    </u>	<u><i>[Signature]</i></u>	<u>                    </u>

**JOHN D. MCGAULEY**  
**CITY CLERK**

*John McGauley*

Public Hearing Date: N/A

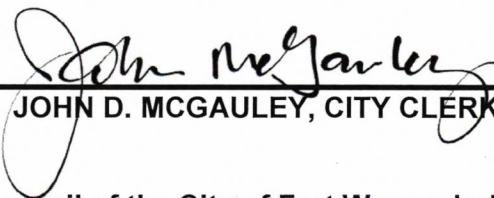
Read the first time in full and on motion by Councilperson Myers.

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

Read the third time in full and on motion by Councilperson Myers, 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
BOOKER	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
CHAMBERS	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ENSLEY	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
FREISTROFFER	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
HARTMAN	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
JEHL	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
MYERS	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
PADDOCK	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

DATED: June 9, 2026

  
\_\_\_\_\_  
JOHN D. MCGAULEY, CITY CLERK

Not passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as

Zoning Ordinance No. Z-26-01-24 on the 9th day of June, 2026

ATTEST:

  
\_\_\_\_\_  
JOHN D. MCGAULEY  
CITY CLERK

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