

FACT SHEET

Case #REZ-2016-0065

Bill # Z-15-12-11

Project Start: 22 December 2015

APPLICANT:	Storage Express Holdings, LLC
REQUEST:	To rezone property from R1/Single Family Residential to C3/General Commercial; and approve a primary development plan for an expansion of the Storage Express facility.
LOCATION:	The site is located on the south side of 3500 block of St. Joe Center Road, immediately to the east of the Marathon gas station, and existing Storage Express facility (Section 20 of St. Joseph Township).
LAND AREA:	Approximately 2.7 acres with new development Approximately 6.9 acres for total Storage Express facility
PRESENT ZONING:	R1/Single Family Residential
PROPOSED ZONING:	C3/General Commercial
NEIGHBORHOOD ASSOCIATIONS:	Community Liaison, Northeast Area Partnership, Villas of the Marketplace, Parkview Addition, Summit Ridge Neighborhood
COUNCIL DISTRICT:	2-Russ Jehl
ASSOCIATED PROJECTS:	Primary Development Plan, Storage Express New Buildings
SPONSOR:	City of Fort Wayne Plan Commission

11 January 2016 Public Hearing

- No one spoke in support at the hearing.
- One resident spoke with concerns at the hearing.
- Connie Haas Zuber, Tom Freistroffer, Justin Shurley were absent.
- Staff recommended Do Pass

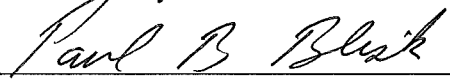
18 January 2016 – Business Meeting

Plan Commission Recommendation: Do Pass w/Written Commitment

- A motion was made by Judi Wire and seconded by Mike Bultemeier to return the ordinance to Common Council for their final decision. 7-0-1 MOTION PASSED
- Connie Haas Zuber was absent, Tom Freistroffer abstained.

Fact Sheet Prepared by:
Michelle B. Wood, Senior Land Use Planner
3 February 2016

Reviewed By:


Paul Blisk, Deputy Land Use Director

PROJECT SUMMARY

- The property is currently zoned R1 and has vacant buildings on site. The historical use of the land was single family residential.

The petitioner requests a rezoning from R1/Single Family Residential to C3/General Commercial to allow the development of an expansion to the existing Storage Express development to the west. The expansion will allow the applicant the ability to provide additional self-storage opportunity in the northeast Fort Wayne area.

The proposed rezoning parcel is located on the south side of St. Joe Center Road just east of the existing Storage Express location. The site also is immediately east of the Marathon gas station. This parcel has not had any previous zoning petitions or Board of Zoning Appeals applications. This proposed expansion will be complementary to the existing Storage Express location, which is also zoned C3/General Commercial. The site in the past was utilized as a metes and bounds residential parcel. The parcel bordering the site to the east is an approximately 1 acre home site with the home and accessory buildings fronting on St Joe Center Road. Two lots within Sunny Meadows Addition are adjacent to the east, but the portion of the site they are adjacent two would be used as detention and drainage. The properties are on the north side of St. Joe Center Road are residential in nature, and have their access directly onto St. Joe Center Road. The original Storage Express site to the west was constructed in the mid-1980s. It consists of 13 single-story buildings, and an office within the northernmost building. A cell phone tower was approved by the Board of Zoning Appeals along the south side of the existing Storage Express site. According to property record cards, the Marathon gas station was constructed in the mid-1990s.

The applicant has proposed a written commitment associated with the rezoning request to C3/General Commercial. The commitment has language prohibiting the following uses:

- a. Animal grooming with outdoor runs;
- b. Animal Kennel or Obedience School with outdoor runs;
- c. Automobile Detailing and Trim Shop;
- d. Automobile Maintenance Facility (quick service);
- e. Automobile Repair Shop;
- f. Automobile Restoration;
- g. Automobile Sales Facility (new or used);
- h. Automobile Undercoating and Rust Proofing Service
- i. Banquet/Reception Hall
- j. Bar or Tavern;
- k. Billiard or Pool Hall;
- l. Bingo Establishment;
- m. Check Cashing Facility;
- n. Cigarette/tobacco/cigar store;
- o. Coin Shop;
- p. Collection Service;
- q. Convenience Store;
- r. Dance Hall;
- s. Fireworks Sales (indoor/outdoor);
- t. Funeral Home;
- u. Gas Station/Service Station;
- v. Gun and Retail Firearms Sales;
- w. Hotel;
- x. Haunted House
- y. Laundromat/Coin-Operated Laundry;

- z. Motel;
- aa. Night Club;
- bb. Non-profit Private Club;
- cc. Package Liquor Store;
- dd. Recycling Collection Point;
- ee. Rescue or Revival Mission or similar use;
- ff. Shooting Range (indoor);
- gg. Stadium;
- hh. Tattoo Establishment;
- ii. Tire Sales Facility;
- jj. Animal Raising or Breeding as a Special Use

The proposed zoning district can be supported by the Comprehensive Plan in that it will offer infill development and investment in the area. The proposal will provide additional self-storage options in the northeast quadrant within close proximity to neighborhoods, and multi-family residential developments which may not have a large amount of on-site storage. The comprehensive plan supports this development through the following objectives:

LU1. Encourage carefully planned growth by utilizing the conceptual development map as part of the community's land use decision-making process;

LU3. Use land resources efficiently by encouraging new development, revitalization and redevelopment in areas already served by infrastructure;

LU5. Encourage sustainable growth and quality development, revitalization and redevelopment by increasing and enhancing connectivity;

LU8. Use land resources efficiently by encouraging compact development alternatives in infill areas where utilities and other infrastructure currently exist.

The personal storage development is proposed to be developed with four single story buildings totaling 34,600 square feet. The structures are proposed to match the architecture of the existing buildings. The applicant is proposing to utilize the currently installed curb-cut to St. Joe Center Road, and also use internal access to the existing development. The development meets all applicable setbacks and height requirements for the C3 zoning district. There are no waiver requests proposed as part of this development plan request.

Stormwater detention will be provided in a new basin on the south side of the site, which will then have controlled release to the drain crossing the southern portion of the site. The site is proposed to be fenced in with ornamental fencing (with landscaping), along the north and west sides of the site, visible from St. Joe Center Road and along the gas station. Privacy fencing is proposed along the residential district to the east, and a chain link fence to the south. The area along the drain and to the south will remain in its natural vegetative state according to the plans.

PUBLIC HEARING SUMMARY:

Presenter:

Dan Brincefield, Engineering Resources, representing the owner. Mr. Brincefield reviewed the request as outlined above in the project summary.

Comments in Favor:

None

Comments in Opposition or Concern:

Chad Jones, owns property immediately east.

- He is concerned about stormwater run-off
- Stated he had noise problems with the previous owner.

Rebuttal:-Dan Brincefield:

- New stormwater management improvements will direct water away from Mr. Jones property.
- There have been no noise complaints under the current ownership of the business.

**Department of Planning Services
Rezoning Petition Application**

Applicant
Applicant Engineering Resources (on behalf of Storage Express)
Address 11020 Diebold Rd.
City Fort Wayne State IN Zip 46845
Telephone 260-490-1025 E-mail dbrincefield@eri.consulting

Contact Person
Contact Person Dan Brincefield
Address 11020 Diebold Rd.
City Fort Wayne State IN Zip 46845
Telephone 260-490-1025 E-mail dbrincefield@eri.consulting

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 3582 Saint Joe Center Rd.
Present Zoning R1 Proposed Zoning C3 Acreage to be rezoned 2.67 ac
Proposed density 1.5 units per acre
Township name Saint Joseph Township section # T31N
Purpose of rezoning (attach additional page if necessary) Ability to use of property for 4 new self storage buildings

Sewer provider City of Fort Wayne Water provider City of Fort Wayne

Filing Requirements
Applications will not be accepted unless the following filing requirements are submitted with this application. Please refer to checklist for applicable filing fees and plan/survey submittal requirements.

- ☒ Applicable filing fee
- ☒ Applicable number of surveys showing area to be rezoned (plans must be folded)
- ☒ Legal Description of parcel to be rezoned
- ☐ Rezoning Questionnaire (original and 10 copies) County Rezoning Only

I/We understand and agree, upon execution and submission of this application, that I am/we are the owner(s) of more than 50 percent of the property described in this application; that I/we agree to abide by all provisions of the Allen County Zoning and Subdivision Control Ordinance as well as all procedures and policies of the Allen County Plan Commission as those provisions, procedures and policies related to the handling and disposition of this application; that the above information is true and accurate to the best of my/our knowledge; and that I/we agree to pay Allen County the cost of notifying the required interested persons at the rate of \$0.85 per notice and a public notice fee of \$50.00 per Indiana code.

DANIEL S BRINCEFIELD
(printed name of applicant)

[Signature]
(signature of applicant)

11-24-15
(date)

Jefferson Shreve
(printed name of property owner)

[Signature]
(signature of property owner)

11-17-15
(date)

(printed name of property owner)

(signature of property owner)

(date)

(printed name of property owner)

(signature of property owner)

(date)

Received	Receipt No.	Hearing Date	Petition No.
<u>12/1/15</u>	<u>119675</u>	<u>1/11/16</u>	<u>122-2015-0065</u>

Rezoning Petition REZ-2015-0065 and Primary Development Plan - Express Storage

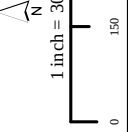


Project boundaries represented by bold colored lines are for representational purposes only.

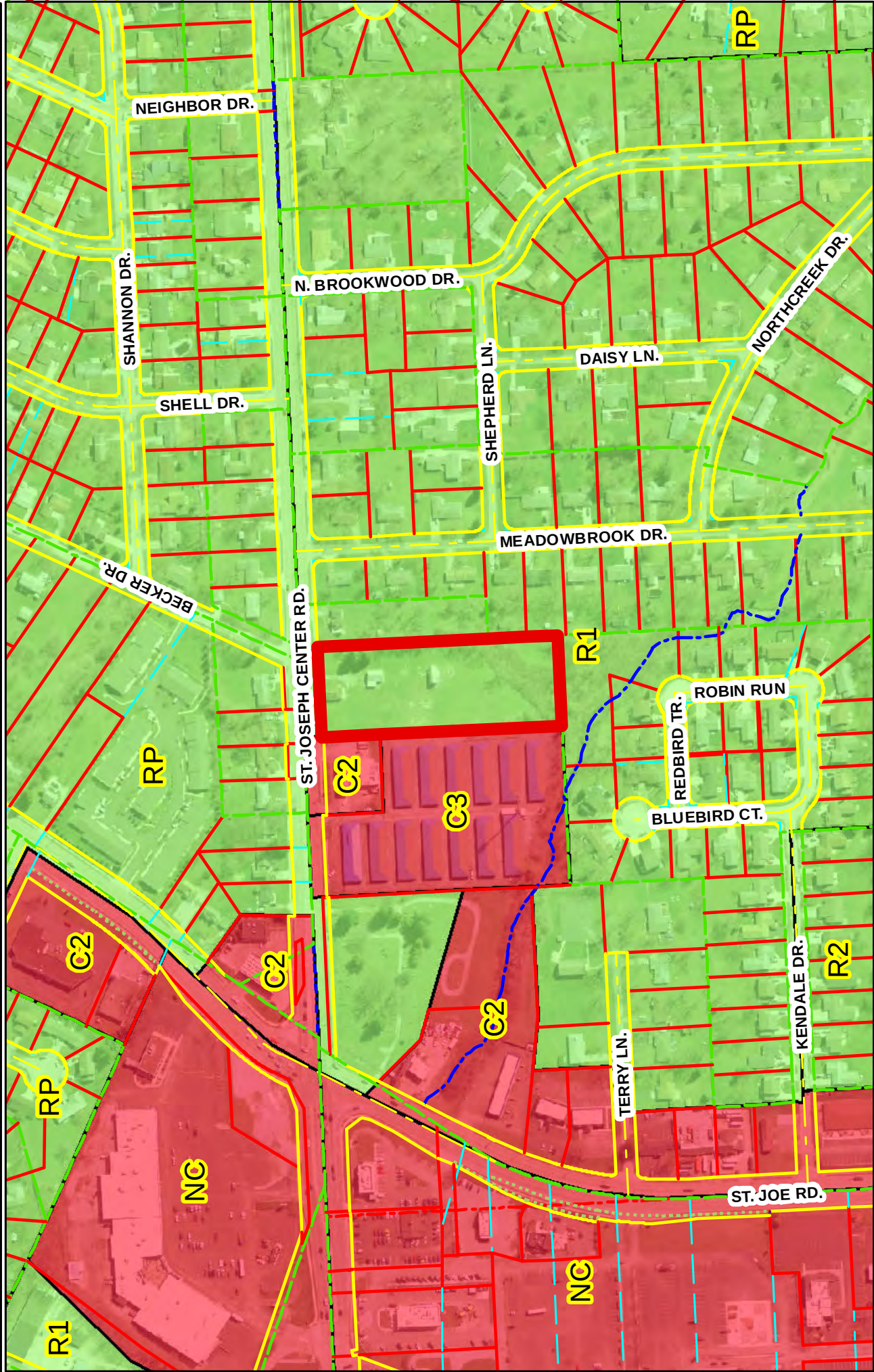
Although strict accuracy standards have been employed in the compilation of this map, Allen County does not warrant or guarantee the accuracy of the information contained herein and disclaims any and all liability resulting from any error or omission in this map.

© 2004 Board of Commissioners of the County of Allen
North American Datum 1983
State Plane Coordinate System, Indiana East
Photos and Contours: Spring 2009

Date: 12/8/2015



Rezoning Petition REZ-2015-0065 and Primary Development Plan - Express Storage



Project boundaries represented by bold colored lines are for representational purposes only.

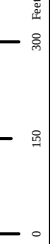
Although strict accuracy standards have been employed in the compilation of this map, Allen County does not warrant or guarantee the accuracy of the information contained herein and disclaims any and all liability resulting from any error or omission in this map.

© 2004 Board of Commissioners of the County of Allen
North American Datum 1983
State Plane Coordinate System, Indiana East
Photos and Contours: Spring 2009

Date: 12/8/2015



1 inch = 300 feet



WRITTEN COMMITMENT

THIS WRITTEN COMMITMENT (“Commitment”) is made by Storage Express Holdings, LLC (the “Declarant”), and is made effective as of the date of the approval of the Rezoning Petition.

WITNESSETH:

WHEREAS, Declarant is the owner of approximately 2.68 acres of real estate located in Fort Wayne, Allen County, Indiana, the legal description of which is attached hereto as Exhibit “A” (the “Real Estate ”); and

WHEREAS, Declarant has applied for rezoning approval with the Plan Commission, bearing number REZ-2015-0065 (the “Petition”), on a portion of the Real Estate, which Petition has been approved by the Plan Commission and 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 Plan Commission’s and City Council approval of the Petition.

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. The following uses shall be prohibited upon the Real Estate as permitted in the

C3/General Commercial zoning district and CM3/Limited Retail and Commercial zoning district §157.217 and §157.218:

- a. Animal grooming with outdoor runs;
- b. Animal Kennel or Obedience School with outdoor runs;
- c. Automobile Detailing and Trim Shop;
- d. Automobile Maintenance Facility (quick service);
- e. Automobile Repair Shop;
- f. Automobile Restoration;
- g. Automobile Sales Facility (new or used);
- h. Automobile Undercoating and Rust Proofing Service; i. Banquet/Reception Hall
- j. Bar or Tavern;
- k. Billiard or Pool Hall;
- l. Bingo Establishment;
- m. Check Cashing Facility;
- n. Cigarette/tobacco/cigar store;

- o. Coin Shop;
- p. Collection Service;
- q. Convenience Store;
- r. Dance Hall;
- s. Fireworks Sales (indoor/outdoor);
- t. Funeral Home;
- u. Gas Station/Service Station;
- v. Gun and Retail Firearms Sales;
- w. Hotel;
- x. Haunted House
- y. Laundromat/Coin-Operated Laundry;
- z. Motel;
- aa. Night Club;
- bb. Non-profit Private Club;
- cc. Package Liquor Store;
- dd. Recycling Collection Point;
- ee. Rescue or Revival Mission or similar use;
- ff. Shooting Range (indoor);
- gg. Stadium;
- hh. Tattoo Establishment;
- ii. Tire Sales Facility;
- jj. Animal Raising or Breeding as a Special Use;

2. Height Limitation. No building improvement constructed upon the Real Estate shall be greater than forty (40) feet in height.
3. Lighting. No lighting shall be permitted upon the Real Estate except for lighting not to exceed seven feet (7') in height from grade.
4. Screening of Trash Receptacle. No trash receptacles shall be stored outside. All trash receptacles shall be fully screened by solid wood fencing of a height at least one foot (1') greater than the height of the receptacle(s) being screened.
5. Landscape Buffer. The Real Estate and certain portions of land immediately adjacent to the Real Estate shall be landscaped and fenced by Declarant pursuant to the landscape and fencing plan and specifications attached hereto as Exhibit "B" (the "Landscape and Fencing Plan"). No improvement location permit shall be issued for any building improvement upon the Real Estate unless and until Declarant has satisfied all conditions of the Landscape and Fencing Plan and is otherwise in full compliance with this Commitment.
6. Successors and Assigns. This Commitment and the restrictions set forth above shall inure to the benefit of: (a) all persons who own property comprising the Real Estate, and their successors and assigns; and (b) the Zoning Administrator of City

7. Enforcement. Any violation of this Commitment shall be deemed a violation of the Zoning Ordinance; 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 Plan Commission enforcement rights are cumulative, not exclusive.
8. Amendment or Termination. This Commitment may be modified or terminated in accordance with the Zoning Ordinance and I.C. 36-7-4-1015, as they may be amended from time-to-time.
9. Effective Date. This Commitment shall be deemed effective upon the Commitment being duly recorded in the Office of the Recorder of Allen County, Indiana.
10. Statutory Authority. This Commitment is pursuant to I.C. 36-7-4-1015.
11. 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.
12. Governing Law. This Commitment, including the restrictions and covenants hereunder, shall be governed by the laws of the State of Indiana.

JEFF SHREVE, MANAGING MEMBER

[illegible]

Before me, the undersigned, a Notary Public, in and for said County and State, this _____ day of July 2015, personally appeared Jeff Shreve, Managing Member of Storage Express Holdings, LLC 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: _____

Pursuant to IC 36-2-11-15(d): I affirm, under the penalties of perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law.

Prepared by: Kristine R. Krumen

EXHIBIT "A"
LEGAL DESCRIPTION

A part of the West 1/2 of the Northwest 1/4 of Section 20 Township 31 North, Range 13 East in Allen County, Indiana specifically described as follows:

Commencing at the Northeast corner of the West 1/2 of said Northwest quarter section, thence South 0 degrees 10 minutes East a distance of 208.7 feet to a point, thence West a distance of 208.7 feet to a point, thence North 0 degrees 10 minutes West a distance of 208.7 feet to a point on the North line of Section 20, Township 31 North, Range 13 East, thence East along said North section line a distance of 208.7 feet to the point of beginning, containing 1.00 acres.

ALSO, a part of the West 1/2 of the Northwest 1/4 of Section 20, Township 31 North, Range 13 East in Allen County, Indiana, specifically described as follows:

Commencing at a point on the East line of the West 1/2 of said Northwest quarter section that is South 0 degrees 10 minutes East of the Northeast corner of the West 1/2 of said quarter section a distance of 208.7 feet, thence continuing South 0 degrees 10 minutes East a distance of 208.7 feet to a point, thence West a distance of 208.7 feet to a point, thence North 0 degrees 10 minutes West a distance of 208.7 feet to a point, thence East a distance of 208.7 feet to the point of beginning, containing 1.00 acres.

ALSO, a part of the West 1/2 of the Northwest 1/4 of Section 20, Township 31 North, Range 13 East in Allen County, Indiana, specifically described as follows:

Commencing at a point on the East line of the West 1/2 of said Northwest quarter section that is South 0 degrees 10 minutes East of the Northeast corner of the West 1/2 of said quarter section a distance of 417.4 feet, thence continuing South 0 degrees 10 minutes East a distance of 179.6 feet to a point, thence West a distance of 208.7 feet to a point, thence North 0 degrees 10 minutes West a distance of 179.4 feet to a point, thence East a distance of 208.7 feet to the point of beginning, containing 0.86 acres, more or less.

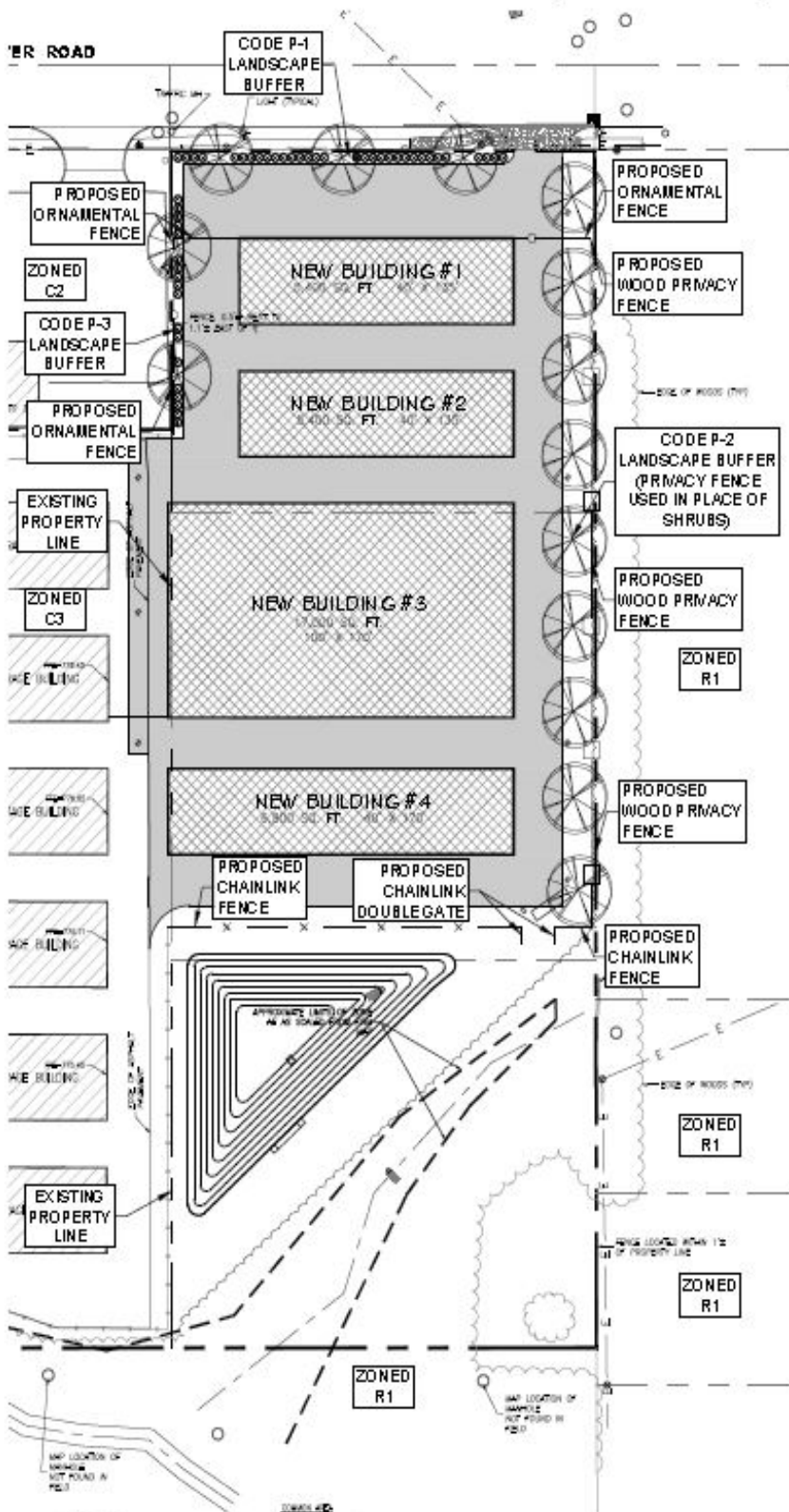
EXCEPT:

A part of the West Half of the Northwest Quarter of Section 20, Township 31 North, Range 13 East, in Allen County, Indiana, being a part of a 1.0 tract recorded in Document Number 88-003092 in the Office of the Recorder of Allen County, Indiana, and that part of the Grantor's lands shown on the Right of way Parcel Plat, more particularly described as:

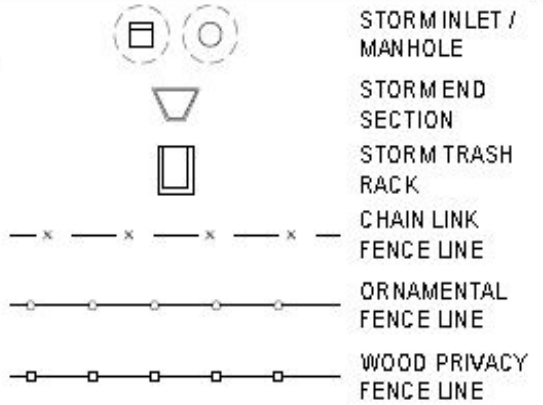
Beginning at the Northeast Corner of the West Half of the Northwest Quarter of the Section 20, Township 31 North, Range 13 East; thence South 00 degrees 37 minutes 35 seconds East (basis of bearings is the St. Joe Center Road Plans), a distance of 12.192 meters (40.00 feet) on the east line of the West Half of said Northwest Quarter, being designated to #145 on the said parcel plat; thence South 89 degrees 31 minutes 42 seconds West, a distance of 63.612 meters (208.70 feet) to the west boundary of said tract, designated #147 on said parcel plat; thence North 00 degrees 37 minutes 35 seconds West, a distance of 12.192 meters (40.00 feet) on the West boundary of said tract to the north line of said quarter section; thence North 89 degrees 31 minutes 42 seconds East, a distance of 63.612 meters (208.70 feet) on said north line to the point of beginning, containing 775.6 square meters (8,348 square feet), more or less. Inclusive of the presently existing right of way which contains 484.7 square meters (5,217 square feet), more or less, for a net additional taking of 290.9 square meters

(3,131 square feet), more or less.

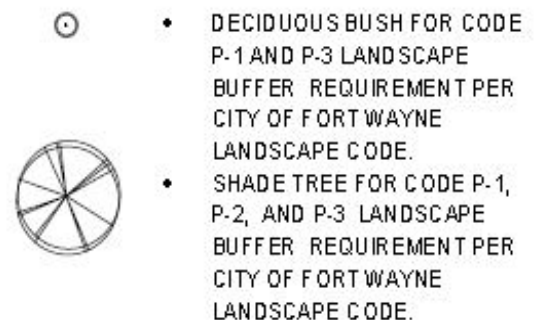
EXHIBIT B



PROPOSED LEGEND:



LANDSCAPE LEGEND:



LANDSCAPE AND FENCE PLAN

SCALE: 1" = 80'-0"



11020 Dilsford Road, Fort Wayne, IN 46825
 Tel: 317/446-7875 Fax: 317/446-9876
www.ars.com/india

