

1 **#REZ-2019-0042**

2 **BILL NO. Z-19-06-19**

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4 **ZONING MAP ORDINANCE NO. Z- 29-19**

5 **AN ORDINANCE amending the City of Fort Wayne**  
6 **Zoning Map No. U-46 (Sec. 9 of Wayne Township)**

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

9  
10 SECTION 1. That the area described as follows is hereby designated a C3 (General  
11 Commercial) District under the terms of Chapter 157 Title XV of the Code of the City of Fort  
12 Wayne, Indiana:

13 **Tract 1**

14 The land referred to in this Commitment, situated in the County of Allen, State of Indiana, is described as follows:

15 A part of the Southeast Quarter of Section 9, Township 31 North, Range 13 East, St.  
16 Joseph Township, Allen County, Indiana, more particularly described as follows:

17 Commencing at the Southeast Corner of the Southeast Quarter of Section 9, Township 31  
18 North, Range 13 East, St. Joseph Township, Allen County, Indiana; thence South 89  
19 degrees 44 minutes 12 seconds West (assumed bearing and basis for this description) on  
20 the South line of said Southeast Quarter, a distance of 740.53 feet to the Southeast corner  
21 of a tract of land conveyed to Fort Wayne Fire Station Building Corp. in Document Number  
22 93-60342 as found in the Office of the Recorder of Allen County, Fort Wayne, Indiana;  
23 thence North 00 degrees 50 minutes 48 seconds West, on the East line of said Fort  
24 Wayne Fire Station Building Corp. tract, a distance of 315.00 feet to a 5/8" rebar (capped  
25 FIRM #0027) found monumenting Southeast corner of a 1.343 Acres tract of land  
26 conveyed to Maplecrest Corners Association, Inc. in Document Number 202097906 as  
27 found in said Recorder's Office; thence North 00 degrees 30 minutes 27 seconds West, on  
28 the East line of said 1.343 Acres Maplecrest Corners Association, Inc. tract, a distance of  
29 204.73 feet to a 5/8" rebar (capped Karst #0073) at the POINT OF BEGINNING for this  
30 description; thence continuing North 00 degrees 30 minutes 27 seconds West on the East  
line of said 1.343 Acres Maplecrest Corners Association, Inc. tract, a distance of 270.34  
feet to corner on the Easterly line of Lot #77 in Concord Hills Section II as found in Plat  
Book 42, Pages 124-128 as found in said Recorder's Office; thence North 06 degrees 38  
minutes 04 seconds West, on said East line of said Lot #77, a distance of 27.58 feet to a  
5/8" rebar (capped Karst #0073); thence North 89 degrees 44 minutes 12 seconds East,  
parallel with the South line of said Southeast Quarter, a distance of 323.82 feet to a 5/8"  
rebar (capped Karst #0073) on the West line of a 0.909 Acres tract of land (also being a  
50' Ingress-Egress & Utility Easement) conveyed to Maplecrest Corners Association, Inc.  
in Document Number 2010021467 as found in said Recorder's Office; thence South 00

degrees 15 minutes 48 seconds East on said West line, a distance of 297.74 feet to a 5/8" rebar found monumenting the Northeast corner of a 1.500 acre tract in Document Number 2015039803 as found in said Recorder's Office; thence South 89 degrees 44 minutes 12 seconds West along the North line of said 1.500 acre tract and parallel with said South line of said Southeast Quarter, a distance of 319.61 feet to the Point of Beginning, said in previous deed to contain 2.190 Acres, more or less.

ALSO;

A 50' ingress-egress & utility easement benefiting the above described tract of land as found in Document Number 205081665 and originally being recorded in Document Number 990076540 as found in the Office of the Recorder of Allen County, Fort Wayne, Indiana.

ALSO;

A 50' ingress-egress & utility easement benefiting the above described tract of land as found in Document Number 2010021467 as found in the Office of the Recorder of Allen County, Fort Wayne, Indiana.

## **Tract 2**

Land situated in the County of Allen, State of Indiana, is described as follows:

Part of the Southeast Quarter of Section 9, Township 31 North, Range 13 East, Allen County, Indiana.

EXCEPTING THEREFROM

A part of the Southeast Quarter of Section 9, Township 31 North, Range 13 East, St. Joseph Township, Allen County, Indiana, more particularly described as follows:

Commencing at the Southeast corner of the Southeast Quarter of Section 9, Township 31 North, Range 13 East, St. Joseph Township, Allen County, Indiana; thence South 89°44'12" West (assumed bearing and basis for this description) on the South line of said Southeast Quarter, a distance of 740.53 feet to the Southeast corner of a tract of land conveyed to Fort Wayne Fire Station Building Corp. in Document Number 93-60342 as found in the Office of the Recorder of Allen County, Fort Wayne, Indiana; thence North 00°50'48" West on the East line of said Fort Wayne Fire Station Building Corp. tract, a distance of 315.00 feet to a 5/8" rebar (capped FIRM #0027) found monumenting the Southeast corner of a 1.343 acre tract of land conveyed to Maplecrest Corners Association, Inc. in Document Number 202097906 as found in said Recorder's Office, said corner being the POINT OF BEGINNING for this description; thence North 00°30'27" West, on the East line of said 1.343 acre Maplecrest Corners Association, Inc. tract, a distance of 204.73 feet to a 5/8" rebar (capped Karst #0073); thence North 89°44'12" East, parallel with the South line of said Southeast Quarter, a distance of 319.61 feet to a 5/8" rebar (capped Karst #0073) on the West line of a 0.909 acre tract of land (also being a 50' Ingress-Egress & Utility Easement) conveyed to Maplecrest Corners Association, Inc. in Document Number 2010021467 as found in said Recorder's Office; thence South 00°15'48" East on said West line, a distance of 204.73 feet to a 5/8" rebar found monumenting the Northeast corner of a 1.881 acre tract of land conveyed to Fifth Third Bank Indiana (Central) in Document Number 202107483 as found in said Recorder's Office; thence South 89°44'12" West, parallel with said South line of said Southeast Quarter and on the North line of said 1.881 acre tract, a distance

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of 318.74 feet to the Point of Beginning, said in survey to contain 1.500 acres, more or less.


and the symbols of the City of Fort Wayne Zoning Map No. U-46 (Sec. 9 of St. Joseph Township), as established by Section 157.082 of Title XV of the Code of the City of Fort Wayne, Indiana is hereby changed accordingly.

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

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

  
Council Member

APPROVED AS TO FORM AND LEGALITY:

  
Carol T. Helton, City Attorney

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-2019-0042  
Bill Number: Z-19-06-19  
Council District: 2-Russ Jehl

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Introduction Date: June 25, 2019  
Plan Commission  
Public Hearing Date: July 8, 2019 (not heard by Council)  
Next Council Action: Ordinance will return to Council after recommendation by the Plan Commission

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Synopsis of Ordinance: To rezone approximately 4.0 acres from NC/Neighborhood Center to C3/General Commercial.  
Location: 7601 (west of)  
Reason for Request: To develop the property with a self-storage facility.  
Applicant: Samuel E. Schwartz, Jr.  
Property Owner: Show-Me Properties, LLC

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Related Petitions: Primary Development Plan, Schwartz Self Storage

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Effect of Passage: Property will be rezoned to the C3/General Commercial zoning district, which will allow a storage facility.  
Effect of Non-Passage: The majority of the property will remain zoned as a neighborhood shopping center and may development with commercial and retail uses.

**Department of Planning Services  
Rezoning Petition Application**

**Applicant**  
 Applicant Samuel E. Schwartz, Jr.  
 Address 115802 PLYMOUTH RD  
 City Newburg State IN Zip 46804  
 Telephone 6099048 E-mail \_\_\_\_\_

**Contact Person**  
 Contact Person Robert C. Kruger, Esq.  
 Address 200 East Main Street, Ste. 1000  
 City Fort Wayne State IN Zip 46804  
 Telephone 260-426-1300 E-mail rkruger@burtblee.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 7601 Maplecrest Road/6100 Topsfield Lane  
 Present Zoning NC/R3 Proposed Zoning C3 Acreage to be rezoned 4.0  
 Proposed density \_\_\_\_\_ units per acre  
 Township name St. Joseph Township section # 9  
 Purpose of rezoning (attach additional page if necessary) To allow for development of self-storage (mini-warehousing)  
 Sewer provider FWCU Water provider FWCU

**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.

Samuel S. Schwartz, Jr. [Signature] 6-4-19  
 (printed name of applicant) (signature of applicant) (date)  
Show-Me Properties, LLC By: [Signature] 6/4/19  
 (printed name of property owner) (signature of property owner) (date)  
 \_\_\_\_\_ (signature of property owner) \_\_\_\_\_ (date)  
 \_\_\_\_\_ (signature of property owner) \_\_\_\_\_ (date)

Received <u>6-4-19</u>	Receipt No.	Hearing Date <u>7-8-19</u>	Petition No. <u>REZ-2019-0042</u>
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Department of Planning Services  
 Rezoning Petition Application

**Applicant:** Applicant: Samuel E. Schwartz, Jr.  
 Address: 1588 Parkway  
 City: New Haven State: IN Zip: 46770  
 Telephone: 6099048 (Home)

**Contact Person:** Contact Person: Robert G. Kruger, Esq.  
 Address: 300 East Main Street, Ste. 1000  
 City: Fort Wayne State: IN Zip: 46804  
 Telephone: 260-476-1300 E-mail: Rkruger@stantec.com

All city fees/conditions will be sent only to the department of urban growth.

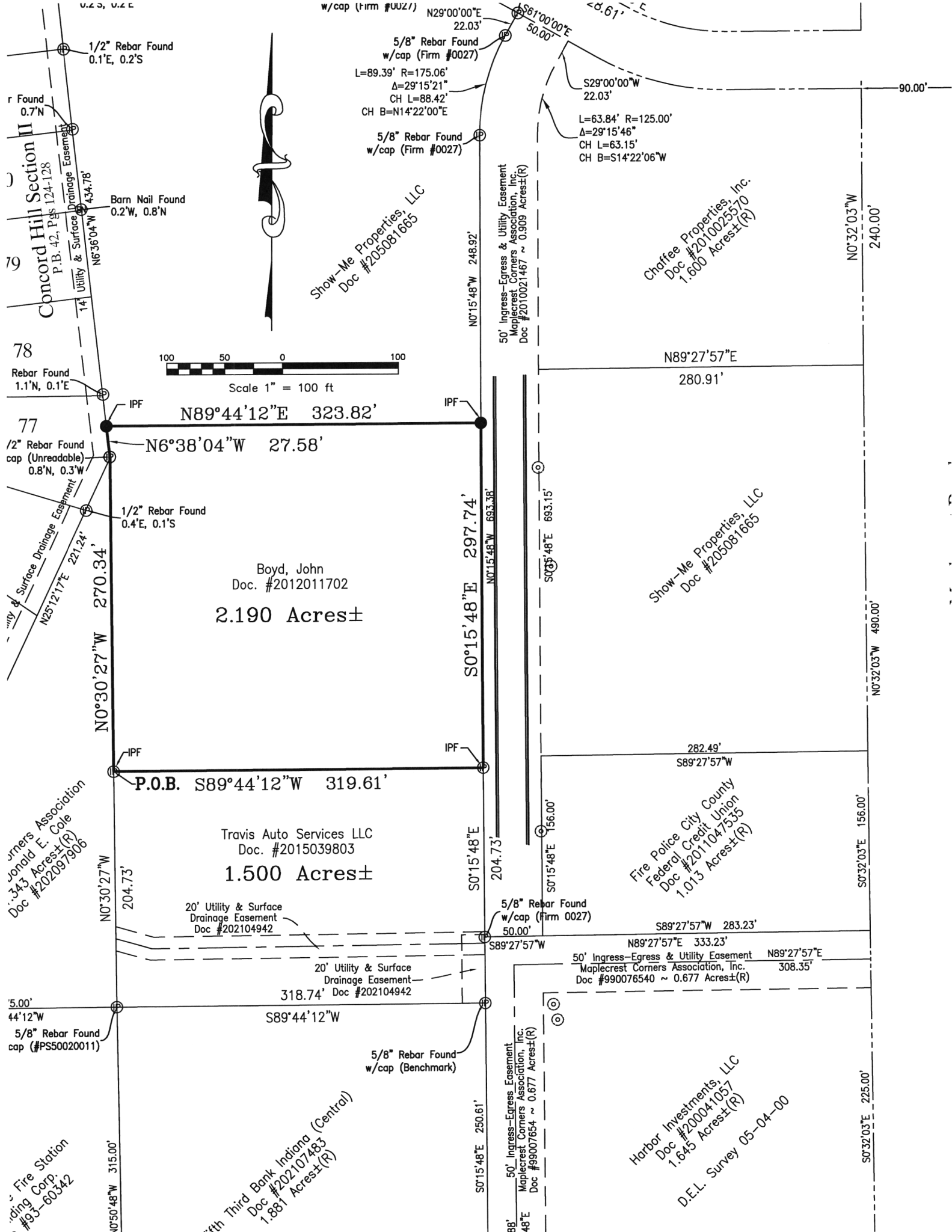
**Request:**  Allen County Planning Jurisdiction  City of Fort Wayne Planning Jurisdiction  
 Address of the property: 7811 Maplecrest Road  
 Present zoning: NC Proposed zoning: C3 Acreage to be rezoned: 2.2  
 Proposed density: \_\_\_\_\_ units per acre  
 Township name: St. Joseph Borough section #: 9  
 Purpose of rezoning (attach additional page if necessary): To allow for development of self-storage (multi-unit-residential)  
 Sewer provider: FWCU Water provider: FWCU

**Minimum Requirements:** Applications will not be accepted unless the following filing requirements are submitted and the applicant is  
 Please refer to the link for applicable filing fees and planmaker's additional requirements:  
 Applicable filing fee  
 Applicable number of surveys showing area to be rezoned (attached to table)  
 Legal Description of parcel to be rezoned  
 Rezoning Questionnaire (original and 10 copies) County Planning 016

I have read and agree, understand and submission of this application shall be the subject of a public hearing of the property described in this Application, that I do agree to study in all provisions of the Allen County Zoning and Ordinance Code of Ordinances as well as all procedures and policies of the Allen County Planning Department in taking preliminary applications and petitions to plan in the handling and disposition of this application, that the above information is true and correct, the best of my knowledge and belief, that I do agree to pay Allen County the cost of copying the required materials printed at the rate of \$0.20 per page, and to pay a fee of \$50.00 per parcel fee.

Samuel E. Schwartz, Jr. Sam E Schwartz Jr. 6-4-19  
 (printed name of applicant) (signature of applicant) (date)  
 Scott C. Boyd [Signature] 6/4/19  
 (printed name of property owner) (signature of property owner) (date)  
 Tania G. Boyd [Signature] 6/4/19  
 (printed name of property owner) (signature of property owner) (date)  
 (printed name of property owner) (signature of property owner) (date)

Received	Receipt No.	Planning Comm.	Final Date



U.S. G.S.

1/2" Rebar Found  
0.1'E, 0.2'S

Rebar Found  
0.7'N

**Concord Hill Section III**  
P.B. 42, Pgs 124-128  
Utility & Surface Drainage Easement  
N6°36'04"W 434.78'

Rebar Found  
1.1'N, 0.1'E

1/2" Rebar Found  
cap (Unreadable)  
0.8'N, 0.3'W

Utility & Surface Drainage Easement  
N25°12'17"E 221.24'

Homeowners Association  
Donald E. Cole  
34.3 Acres±(R)  
Doc #202097906

5.00'  
44'12"W  
5/8" Rebar Found  
cap (#PS50020011)

Fire Station  
Building Corp.  
#93-60342

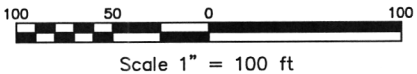
w/cap (Firm #0027)  
N29°00'00"E 22.03'  
5/8" Rebar Found  
w/cap (Firm #0027)  
L=89.39' R=175.06'  
Δ=29°15'21"  
CH L=88.42'  
CH B=N14°22'00"E

5/8" Rebar Found  
w/cap (Firm #0027)

Show-Me Properties, LLC  
Doc #205081665

50' Ingress-Egress & Utility Easement  
Maplecrest Corners Association, Inc.  
Doc #2010021467 ~ 0.909 Acres±(R)

Charfee Properties, Inc.  
Doc #2010025570  
1.600 Acres±(R)



Boyd, John  
Doc. #2012011702  
**2.190 Acres±**

Travis Auto Services LLC  
Doc. #2015039803  
**1.500 Acres±**

20' Utility & Surface  
Drainage Easement  
Doc #202104942

20' Utility & Surface  
Drainage Easement  
318.74' Doc #202104942

5/8" Rebar Found  
w/cap (Benchmark)

Fifth Third Bank Indiana (Central)  
Doc #202107483  
1.881 Acres±(R)

50' Ingress-Egress Easement  
Maplecrest Corners Association, Inc.  
Doc #99007654 ~ 0.677 Acres±(R)

Harbor Investments, LLC  
Doc #200041057  
1.645 Acres±(R)

D.E.L. Survey 05-04-00

50' Ingress-Egress & Utility Easement  
Maplecrest Corners Association, Inc.  
Doc #990076540 ~ 0.677 Acres±(R)

50'32'03"E 225.00'

50'32'03"E 156.00'

50'32'03"W 490.00'

50'32'03"W 240.00'

90.00'

N89°27'57"E

280.91'

N89°44'12"E 323.82'

N6°38'04"W 27.58'

N0°30'27"W 270.34'

N0°30'27"W 204.73'

P.O.B. S89°44'12"W 319.61'

S0°15'48"E 297.74'

S0°15'48"E 204.73'

S0°15'48"E 250.61'

N0°15'48"W 693.38'

S0°15'48"E 693.15'

S0°15'48"E 156.00'

5/8" Rebar Found  
w/cap (Firm 0027)  
50.00'

S89°27'57"W

S89°27'57"W 283.23'

N89°27'57"E 333.23'

N89°27'57"E 308.35'

88'  
48"E

S0°15'48"E

S0°15'48"E

S0°15'48"E

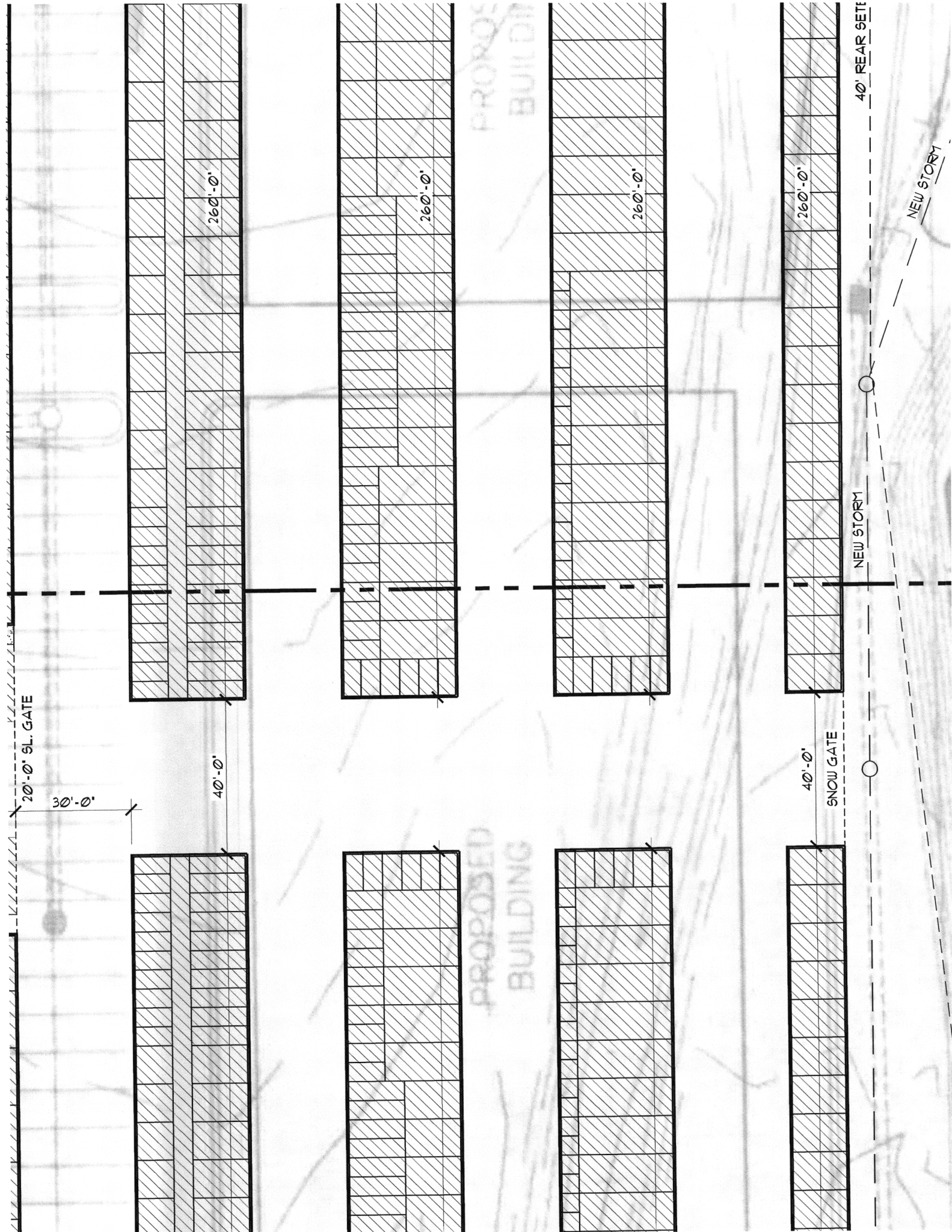
S0°15'48"E

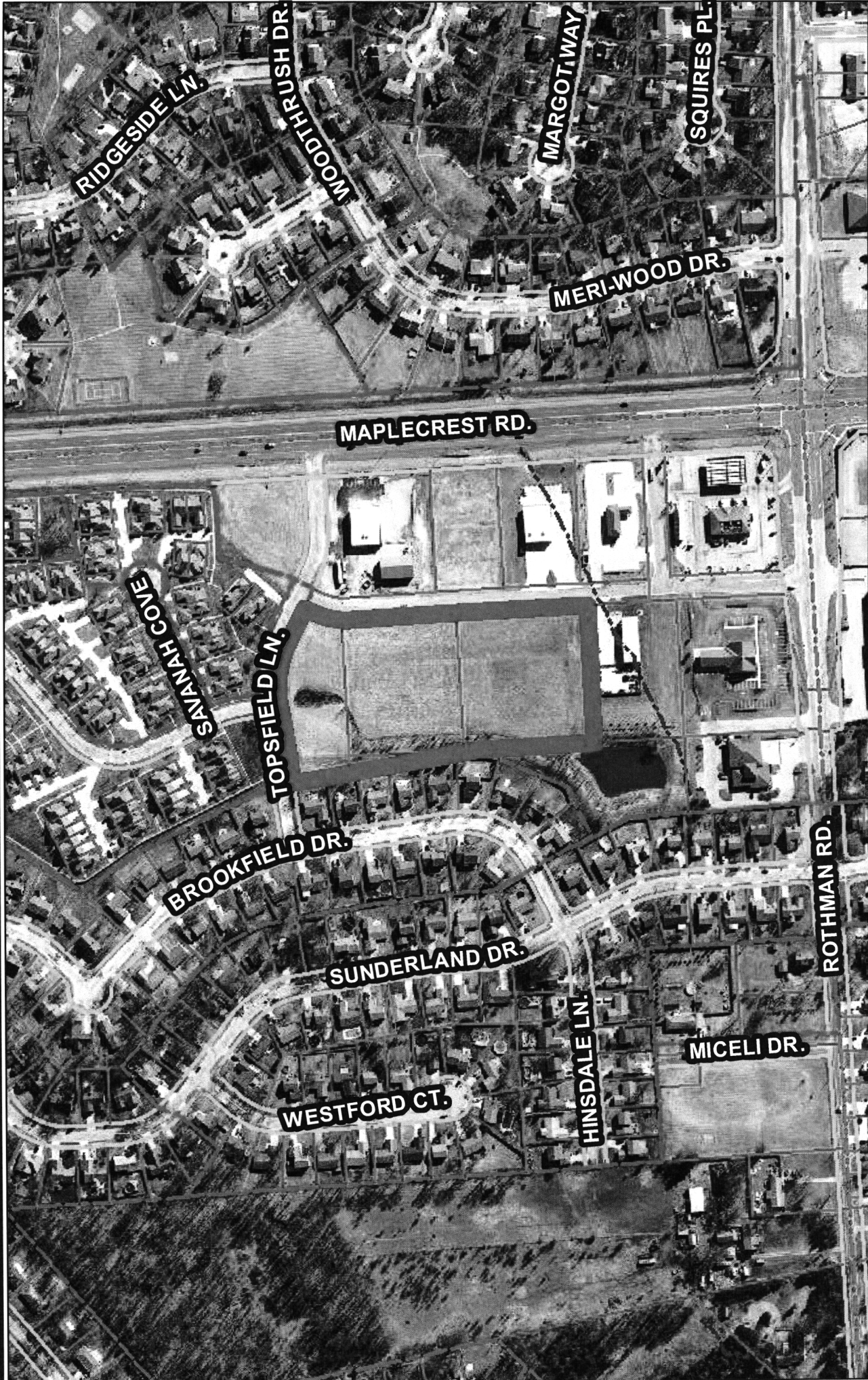
S0°15'48"E

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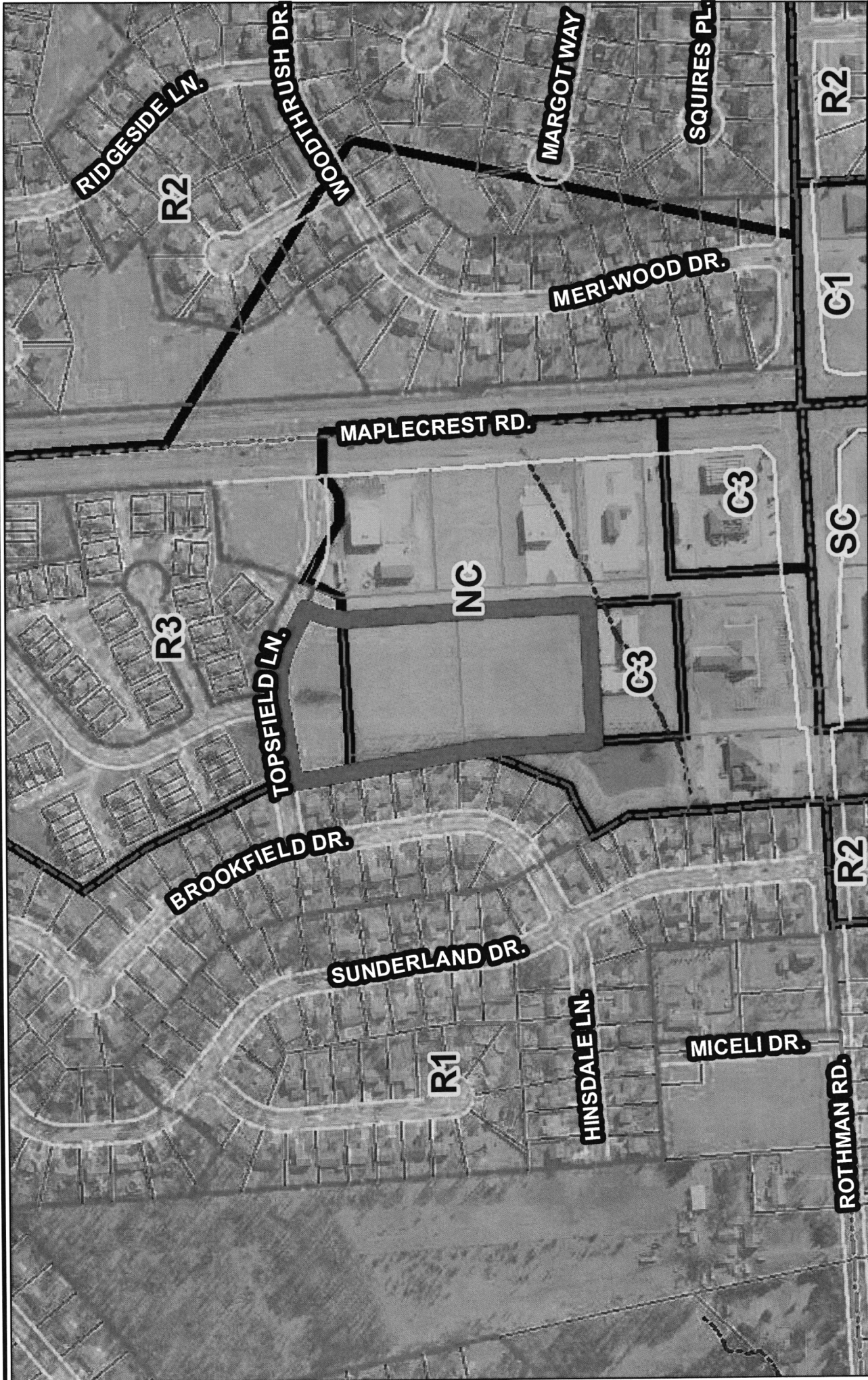
Although strict accuracy standards have been employed in the compilation of this map, Allen County does not warrant or guarantee the accuracy of the information contained herein and disclaims any and all liability resulting from any error or omission in this map.

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North American Map Team  
Indianapolis, Indiana, East  
Photo and Contour: Spring 2009  
Date: 6/17/2019



1 inch = 300 Feet





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.  
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North American Datum 1983  
State Plane Coordinate System, Indiana East  
Photo and Contours © Spring 2009  
Date: 6/17/2019

## FACT SHEET

Case #REZ-2019-0042      Bill # Z-19-06-19      Project Start: 25 June 2019

APPLICANT:	Samuel Schwartz
REQUEST:	To rezone property from NC/Neighborhood Center and R3/Multiple Family Residential to C3/General Commercial; and approve a primary development plan for a self-storage facility.
LOCATION:	The property is located west of Concord Hill subdivision, south of Concord Place, and north of Travis Auto; on the south side of Topsfield Lane (Section 9 of St. Joseph Township).
LAND AREA:	Approximately 5.5 acres
PRESENT ZONING:	NC/Neighborhood Center and R3/Multiple Family Residential
PROPOSED ZONING:	C3/General Commercial
COUNCIL DISTRICT:	2-Russ Jehl
ASSOCIATED PROJECTS:	none
SPONSOR:	City of Fort Wayne Plan Commission

### 8 July 2019 Public Hearing

- There is one letter of support in the file.
- There are three letters of opposition in the file.
- Three residents spoke at the hearing with concerns.
- All members were present.

### 15 July 2019 – Business Meeting

#### Plan Commission Recommendation: DO PASS w/Written Commitment

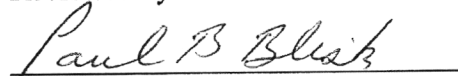
A motion was made by Judi Wire and seconded by Rachel Tobin-Smith to return the ordinance with a Do Pass recommendation to Common Council for their final decision.

#### 7-0 MOTION PASSED

- Connie Haas Zuber and Patrick Zaharako were absent.

Fact Sheet Prepared by:  
Michelle B. Wood, Senior Land Use Planner  
July 17, 2019

Reviewed by:



Paul B. Blisk  
Deputy Land Use Director

## PROJECT SUMMARY

The petitioner is requesting a rezoning to C3/General Commercial to allow for a new self-storage development. The site is currently undeveloped since the inception of the commercial development approximately 20 years ago. Today, the site is zoned both R3/Multiple Family Residential and NC/Neighborhood Center. Residential uses exist to the north of Topsfield Lane (Concord Place) and also to the west of the site (Concord Hill). Topsfield Lane was constructed to connect with Maplecrest Road nearly 20 years ago, as well. A variety of uses have developed within the commercial development (Maplecrest Corners) at the northeast corner of Maplecrest Road and Rothman Road. Hillside Pools recently constructed a facility immediately east of the site, Travis Auto was rezoned to C3 in 2015 to permit automobile repair/maintenance for their new development, Pak Mail constructed their building in 2014, a Lassus gas station/convenience store (rezoned this year to C3) and two financial institutions are also within the development.

There are a variety non-residential uses along the Maplecrest Road corridor, from office to multi-tenant retail to C3/General Commercial uses. Residential subdivisions have existed and often border the commercial developments, which are continuing to develop and redevelop. The residential developments along this site were developed in the 1980s and 1990s. Shopping Center zoning was established at the Maplecrest Road/Rothman Road intersection in the 1970s in the County's jurisdiction. The Maplecrest Corners development was approved in 1997. After annexation this development became NC/Neighborhood Center.

The development parcel has remained undeveloped for nearly 20 years. Self-storage is a permitted in C3/General Commercial and higher commercial districts, and I1/Limited Industrial and higher industrial districts. Self-storage can be considered a low-impact use, depending on the site plan, lighting, landscaping, etc. However, given the size of the property and the proximity to the single family neighbor, there may be uses within the C3 district incompatible on this site. A voluntary Written Commitment can address these uses, and restrict the ability to seek a Special Use approval from the Board of Zoning Appeals for even more commercial uses or other incompatible uses.

The development plan consists of 12 independent storage buildings at approximately 15 feet in height, served by a paved drive off the private north-south commercial drive. No access is proposed to Topsfield Lane. The development would utilize a key pad entry, and a small office. The required number of parking spaces is provided, and will be screened with the P1 standard. The buildings are proposed to meet the C3 setback standards, but at the time of notebook printing, no building elevations are available.

The plan proposes to preserve the landscaped mound along the west side of the property. The mound is currently in the range of 6-8 feet in height. No landscaping is required to the east or south due to the adjacent commercial zoning districts. No landscape materials are depicted on the north of the site between the building and Topsfield Lane. Staff would suggest landscape materials to soften the façade of the building from the right-of-way and residences to the north.

Staff recommended a written commitment with the rezoning petition. The C3/General Commercial zoning to the south of the site for Travis Auto had an extensive written commitment with prohibited uses and also committed to specific screening and buffering treatments and lighting. Staff did not have a recommendation prior to the hearing because a written commitment had not yet been submitted and more information was requested on lighting and elevations.

**PUBLIC HEARING SUMMARY:**

Presenter: Rob Kruger, representing the applicant, presented the proposal to the Plan Commission, as outlined above.

Public Comments:

- Christopher Lowden – Concerned about security fencing, the existing mound being removed, pavement or gravel, the need for more storage units.
- Cheryl Johnston – Has the same concerns as previous speaker. Concerned about old people and children.
- Alice Reinhard – Right now she views trees on this property and the mound and doesn't want to look at buildings.

Rebuttal:

- The applicant submitted information showing multiple storage developments coexisting with single family subdivisions.
- There will be fencing between each building so no one can walk through the development and into the neighborhood.
- Building eave height is eight feet and lighting will be under the eaves, and not on the rear of the buildings.
- All mounding and trees will remain. Additional architectural features will be added to the Topsfield Lane building.
- These items will be placed in the Written Commitment.

## FORT WAYNE PLAN COMMISSION • FINDINGS OF FACT

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### Rezoning Petition REZ-2019-0042

APPLICANT: Samuel Schwartz  
REQUEST: To rezone property from NC/Neighborhood Center and R3/Multiple Family Residential to C3/General Commercial; and approve a primary development plan for a self-storage facility.  
LOCATION: The property is located west of Concord Hill subdivision, south of Concord Place, and north of Travis Auto; on the south side of Topsfield Lane (Section 9 of St. Joseph Township).  
LAND AREA: Approximately 5.5 acres  
PRESENT ZONING: NC/Neighborhood Center and R3/Multiple Family Residential  
PROPOSED ZONING: C3/General Commercial

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**The Plan Commission recommends that Rezoning Petition REZ-2019-0042, with a Written Commitment, be returned to Council with a “Do Pass” recommendation after considering the following:**

1. Approval of the rezoning request will be in substantial compliance with City of Fort Wayne Comprehensive Plan, and should not establish an undesirable precedent in the area. The property is within a commercial development that has been developing with a variety of commercial uses. Maplecrest Corners has had multiple rezonings to C3/General Commercial in recent years for additional non-retail uses. The general area surrounding the site is a mixture of residential and commercial zoned property. The petition satisfies the following stated objectives of the Comprehensive Plan:  
**LU3.** Use land resources efficiently by encouraging new development, revitalization and redevelopment in areas already served by infrastructure  
**LU6.C** Encourage the conversion of vacant or underutilized properties into compatible mixed-use development areas.  
**LU8.** Use land resources efficiently by encouraging compact development alternatives in infill areas where utilities and other infrastructure currently exist.
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 development plan accounts for screening and buffering, limited lighting and low profile structures to minimize impacts on the adjacent properties.
3. Approval is consistent with the preservation of property values in the area. This proposal would allow for development of the site, which has always been vacant. A Written Commitment will protect the neighborhood from more intensive uses, and require design standards to increase compatibility.
4. Approval is consistent with responsible development and growth principles based on existing uses and infrastructure in the area. This proposal is not proposing extension of infrastructure. City departments require improvements to meet all applicable Ordinances.

These findings approved by the Fort Wayne Plan Commission on July 15, 2019.



Paul B. Blisk, AICP  
Deputy Land Use Director

**Department of Planning Services  
Rezoning Petition Application**

**Applicant**  
 Applicant Samuel E. Schwartz, Jr.  
 Address 15802 PARKVIEW DR  
 City Newburg State IN Zip 46804  
 Telephone 6094048 E-mail \_\_\_\_\_

**Contact Person**  
 Contact Person Robert C. Kruger, Esq.  
 Address 200 East Main Street, Ste. 1000  
 City Fort Wayne State IN Zip 46804  
 Telephone 260-426-1300 E-mail rkruger@burtblee.com

*All staff correspondence will be sent only to the designated contact person.*

**Request**  
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 Address of the property 7601 Maplecrest Road/6100 Topsfield Lane  
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 Proposed density \_\_\_\_\_ units per acre  
 Township name St. Joseph Township section # 9  
 Purpose of rezoning (attach additional page if necessary) To allow for development of self-storage (mini-warehousing)  
 Sewer provider FWCU Water provider FWCU

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 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.

Samuel S. Schwartz, Jr. \_\_\_\_\_ 6-4-19  
 (printed name of applicant) (signature of applicant) (date)  
 Show-Me Properties, LLC By: \_\_\_\_\_ 6/4/19  
 (printed name of property owner) (signature of property owner) (date)  
 \_\_\_\_\_ (signature of property owner) (date)  
 \_\_\_\_\_ (signature of property owner) (date)

Received	Receipt No.	Hearing Date	Petition No.
6-4-19		7-8-19	REC-2019-0042

Department of Planning Services  
 Rezoning Petition Application

**Applicant**  
 Applicant: Samuel F. Schwartz, Jr.  
 Address: 1580 Parkway Dr  
 City: Waxhaw State: NC Zip: 28090  
 Telephone: 609 9048 (Home)

**Contact Person**  
 Contact Person: Robert C. Kruger, Esq.  
 Address: 200 First Main Street, 5th 10000  
 City: Fort Wayne State: IN Zip: 46804  
 Telephone: 260-426-1300 E-mail: rkruger@tumbler.com

All state 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: 7611 Maplecrest Road  
 Present Zoning: NC Proposed Zoning: C3 Average lot to be rezoned: 3.2  
 Proposed density: \_\_\_\_\_ units per acre  
 Township name: St. Joseph Township section: 9  
 Purpose of rezoning (attach additional page if necessary): To allow for development of self-storage (retail-reinforcing)  
 Sewer provider: FWCU Water provider: FWCU

**Blank Requirements**  
 Applications will not be accepted unless the following filing requirements are submitted with this application. Please refer to the list for applicable filing fees and plan review and comment requirements.  
 Applicable filing fee  
 Applicable number of surveys showing area to be rezoned (submitted for review)  
 Legal Description of parcel to be rezoned  
 Reasoning (Attachment C) and D (attached County Resolution)

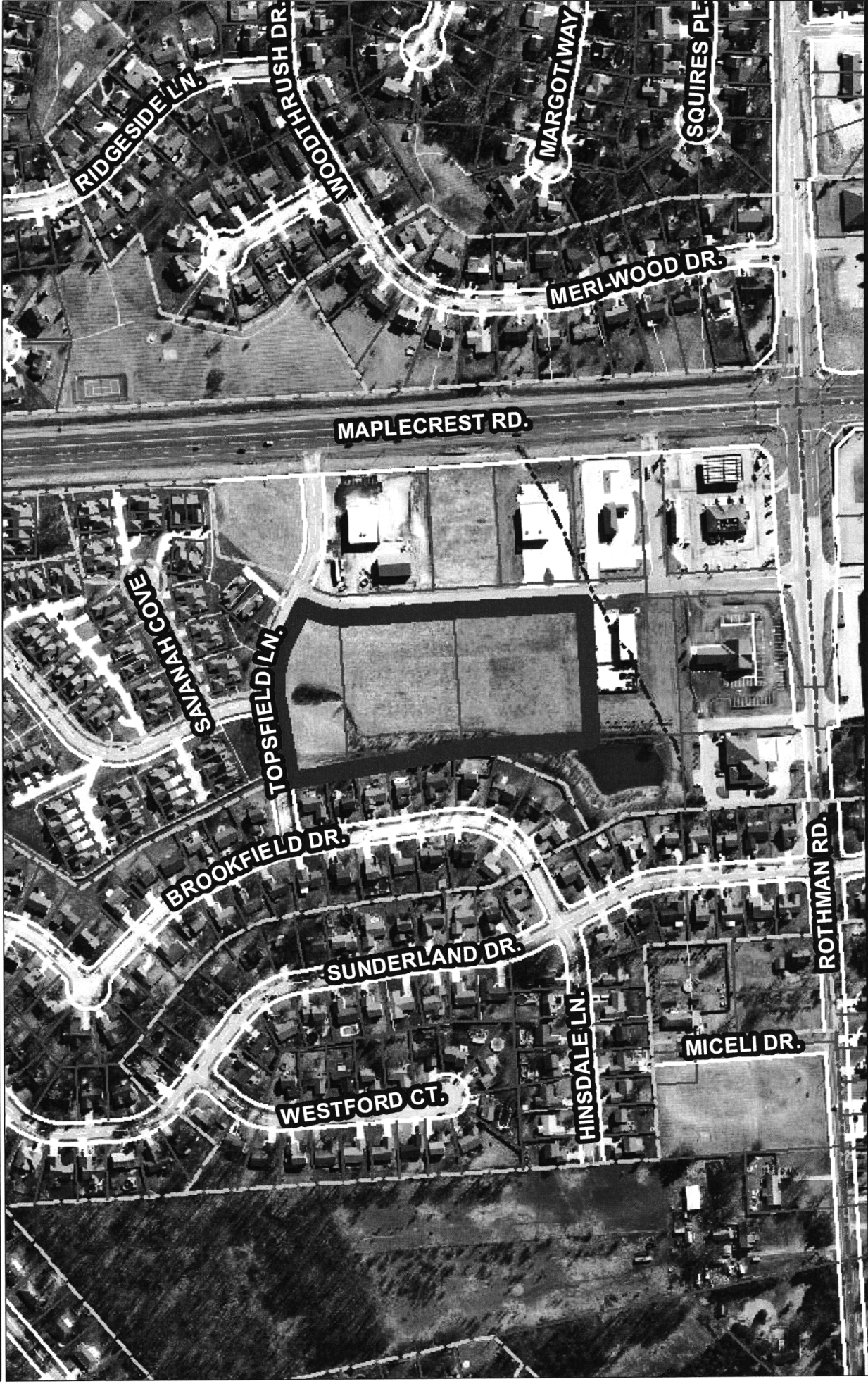
I have read and agree upon execution and submission of this application. I agree that the contents of this application are true and correct and that I am the owner of the property described in this application. I am aware of the provisions of the Allen County Zoning and Ordinance Code. I understand in full the provisions and policies of the Allen County Plan Commission in their jurisdiction. I understand that the handling and disposition of this application, and the above information in this application, is the responsibility of the applicant. I agree to pay Allen County the cost of recording this rezoning application in the state records at the rate of \$1 per page and to pay the fee of \$50.00 per index card.


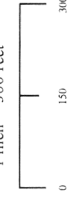
Samuel S. Schwartz, Jr. Sam F Schwartz Jr. 6-4-19  
 (Printed name of applicant) (Signature) (Date)  
 Scott C. Boyd Scott C Boyd 6/4/19  
 (Printed name of property owner) (Signature) (Date)  
 Tania G. Boyd Tania G Boyd 6/4/19  
 (Printed name of property owner) (Signature) (Date)  
 (Printed name of property owner) (Signature) (Date)

Received	Receipt No.	Planning Clerk	Phone No.








  
 1 inch = 300 feet
   

  
 0 150 300 Feet

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 by the County of Allen, Indiana
   
 State Plane Coordinate System, Indiana East
   
 Photos and Contours: Spring 2009
   
 Date: 6/17/2019



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© 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: 6/17/2019

1 inch = 300 feet

0 150 300 Feet

N

July 3, 2019

To Whom It May Concern,

This letter is to acknowledge the Maplecrest Corners Association support for the Schwartz Self Storage project.

We see this project to be consistent with the other businesses in the area represented as the Maplecrest Corners Association. The current businesses are individual stand-alone buildings each housing a separate business operation. There is a commitment from each of the owners to maintain their property in a professional and quality manner consistent with our commercial environment. From the initial plans we expect the Schwartz Self Storage will operate consistent with this commitment for their customers and the customers of the other Maplecrest Corners Association members.

Please feel free to contact me if you have questions.



John Bowman  
President  
Maplecrest Corners Association

PakMail  
7525 Maplecrest Road  
Fort Wayne, IN 46835  
260-486-0204  
[john@thesendingcenter.com](mailto:john@thesendingcenter.com)

Jodie Emerick  
7827 Brookfield Drive  
Fort Wayne, IN 46835  
7/3/2019

Allen County Planning Commission  
Suite 150 Citizen Square  
200 East Berry Street  
Fort Wayne, IN 46802

To Whom it May Concern:

I apologize for not being able to attend the public meeting on July 8<sup>th</sup> at 6pm, but I had another appointment in Warsaw after work that I could not change. I learned of a recent plan to rezone the empty lot near my home in Concord Hill to allow a storage facility. I am vehemently against this rezoning. I specifically moved to this neighborhood because of its quiet location and the low volume of traffic. I feel that placing a storage facility next to our neighborhood would ruin those things. Please do not re-zone this lot.

Sincerely,

A handwritten signature in black ink, appearing to read "Jodie Emerick". The signature is written in a cursive style with a large initial "J".

Jodie Emerick

7833 Harrisburg Lane  
Fort Wayne, IN 46835-1226  
June 26, 2019

Department of Planning Services  
Suite 150 Citizens Square  
200 E Berry Street  
Fort Wayne, IN 46802  
Attn: Christian J. Beebe

Dear Mr. Beebe:

I'm writing with concerns about the proposed storage facility at the corner of Topsfield Lane and the lane coming in from Rothman Rd., the area just northwest of Rothman and Maplecrest Roads.

I am a resident and member of the Board of Concord Place Villas, situated at this corner. I am unable to attend the rezoning hearing on July 8. This is my best way of expressing my thoughts to you.

I am against the rezoning for this storage facility for a number of reasons.

First, it will be built directly across a 2 lane road which leads to our villas. The front row of our villas will look directly out of their living room windows to the facility. This distance is short, much too close to their villas. Imagine how much our property values, especially those front villas, will decrease.

Secondly, ours is a very quiet neighborhood. I believe most storage facilities remain open 24 hours a day. They should be brightly lighted for this type of facility but should not be brightly shining in this location. Again, I go back to our front villas that are a stone's throw from the proposed facility. Those residents will have their lives upended with the proper lighting.

None of the businesses already located on that lane from Rothman to Topsfield are directly across from our villas nor are they noisy or brightly lighted at all hours. All have been very good neighbors.

If this rezoning is approved, the least we should expect is beautiful fencing along their Topsfield Lane wall and extremely good coverage with full landscaping along the same wall. I would hope that you would see to it that both of these requests are a written part of any rezoning/building contract.

Thank you for your time,



Carol Ann Terwilliger  
[Cacfterw1@aol.com](mailto:Cacfterw1@aol.com)

## Christian Beebe

---

**From:** DIANE SEUFERT <dseu91138@comcast.net>  
**Sent:** Monday, July 8, 2019 8:00 AM  
**To:** Christian Beebe  
**Subject:** storage units

Had a recent phone conversation with you re: objection to storage units proposed. 1. Seemingly unchallenged change to zoning. 2. No need for storage units in that area. I live in Concord Place. Units would definitely create more traffic in that area and possibly create potential crime in that area. In my opinion, there is no market for storage in that area. They couldn't even develop a viable market for the Fifth/Third bank on Rothman. It closed! Tell your developer there are storage units on Stellhorn which would accommodate needs in this zip code area. I hope there are more objections to this ridiculous plan.

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CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

**BILL NO. Z-19-06-19**

**REPORT OF COMMITTEE ON REGULATIONS**

**July 23, 2019**

***Tom Freistroffer Chair***

***Michael Barranda Co-Chair***

***All Council Members***

An Ordinance amending the City of Fort Wayne Zoning Map No. U-46 (Sec. 9 of Wayne Township)

To rezone approximately 4.0 acres from NC/Neighborhood Center to C3/General Commercial at 7601 Maplecrest (west of)

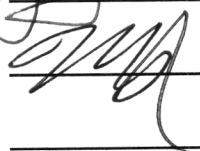
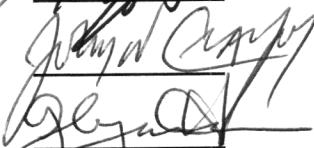
**COMMITTEE ON REGULATIONS HAVE HAD SAID Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance**

DO PASS

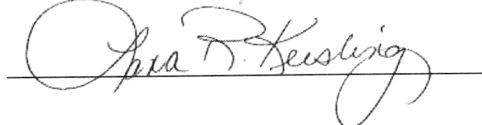
DO NOT PASS

ABSTAIN

NO REC



**LANA R. KEESLING  
CITY CLERK**



Public Hearing Date: N/A

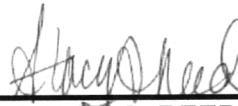
Read the first time in full and on motion by Councilman Freistroffer.

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

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

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

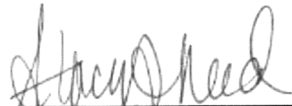
DATED: July 23, 2019



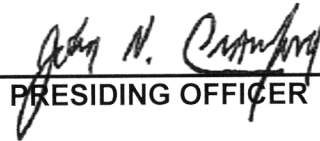
STACY A. REED, DEPUTY CITY CLERK

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

Zoning Ordinance No. Z-19-06-19 on the 23rd day of July, 2019



STACY A. REED  
DEPUTY CITY CLERK



PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th of July 2019, at the hour of 10:00 o'clock A.M. E.S.T.



STACY A. REED, DEPUTY CITY CLERK

Approved and signed by me this 24<sup>th</sup> day of JULY

2019, at the hour of 2:00 o'clock PM . E.S.T.



THOMAS C. HENRY, MAYOR

