

ZA 15-01 Sandlian Investments/U-STOR
Planning & Building Department Staff Report
May 18, 2015
Plan Commission, Public Hearing
Jodi Dickey

- A. Petition Number: ZA 15-01, Sandlian Investments/U-STOR
- B. Applicant: Sandlian Investments, LLC
- C. Location: Northeast corner of CR 100 S and Dan Jones Road
- D. Parcel Size: The property is 14.24 acres.
- E. Land Use and Zoning: Current zoning is R-2. The property currently contains agricultural land and wooded areas. The subject property is generally surrounded by single-family residential uses. Specifics are noted below:
To the north, property is zoned R-5 and contains single-family residential uses (Westover Woods). To the east, property is zoned R-2 and contains a church. Just east of the church lies Burnett Woods, a State Nature Preserve. To the south (across 100 S), property is zoned C-2 and is currently vacant. There is also a single-family residential subdivision, Hollow Brook and Oriole Point (zoned R-2). To the west (across Dan Jones), property is zoned R-2 and contains single-family residences. The Town's WWII Memorial Park is also to the west, at the northwest corner of Dan Jones and 100 S.
- F. Action Requested: Rezone the subject parcel from R-2 to I-1 to permit construction of a self-storage facility and future out lot. The Plan Commission should hold a public hearing, offer comments and suggestions on the petition, and forward a recommendation to the Town Council.
- G. History: This is the first request for this development on this site.
- H. Staff Comments: The petitioner is requesting a rezone to I-1 with the intent to construct a self-storage development on the northern portion of the property and also allow for future development on the southern portion of the site. The petitioner's concept plan and Letter of Intent indicate the facility would be about 70,000 square feet of storage space contained in approximately eleven (11) single-story

buildings. The proposal also includes an apartment for a live-in site manager. The concept plan shows some of the existing mature trees being used as a buffer, supplemented with additional landscaping.

The buildings are proposed to be all brick, with the doors oriented internally to the site. The storage buildings would all be within a fenced, gated enclosure. Persons renting storage units would have unrestricted access (through access codes) to the site at any time.

Access to the site itself is proposed to be off of Dan Jones, directly across from the entrance to Pine Tree Elementary School. Any future development would be required to utilize this single access point.

The I-1 designation is requested specifically for the self-storage component. This use is only permitted in I-1, I-2, and I-3 zoning districts. That is the reason for this request.

Per Avon's zoning ordinance, I-1 uses are transitional in nature and the District is established "to provide for the development of institutional and research oriented activities. The district will be utilized as a transitional district between commercial development and more intense industrial uses." Although a self-storage facility does not appear to meet this intent, it is listed as a permitted use.

The petitioner has submitted a list of commitments which includes limiting the permitted uses to this self-storage development and office uses only. Other proposed commitments include architectural aspects, site access, and outside storage. The proposed commitments and a complete list of permitted uses in the I-1 district are included as exhibits to this staff report.

One of Staff's concerns is that these types of facilities are commonly used by other commercial or industrial operations. For example, it is typical for contractors and landscapers to utilize these facilities to store larger trucks and equipment and to retrieve items early in the day or late into the evening and this could result in severe negative impacts via noise, dust, and lights.

I. Statutory Guidelines for Rezoning:

In accordance with Indiana Code Sections 36-7-4-603, in considering a proposal for rezoning, the Plan Commission must “pay reasonable regard” to the following:

Criteria 1: The Comprehensive Plan

The Conceptual Future Land Use Map (Plan) contemplates this area to remain as residential uses for the foreseeable future. The proposed use therefore, would not meet the goals of the Plan.

Criteria 2: Current conditions and the character of the current structures and uses in each district:

The subject site is surrounded by established single-family residential neighborhoods, an elementary school, a church, and the Town’s Memorial Park. The existing uses are not expected to transition to industrial or commercial in the near future. The Town’s zoning ordinances would require substantial landscape buffers (plants, fencing, and/or mounding) to protect these existing uses from the new industrial development.

Criteria 3: The most desirable use for which the land in each district is adapted:

See Plan discussion above. The Town Council, as with all re-zonings, may make the determination of “desirable and appropriate” uses in the best interests of the community.

Criteria 4: The conservation of property values throughout the jurisdiction:

While this proposed change is expected to have negative impacts to the adjacent residential uses, it is likely to have a positive impact on the Town’s fiscal condition. According to the petitioner’s information, this development could exceed \$2 million in assessed value. Industrial properties are able to be taxed at a higher rate than residential or agricultural property. Without the strict property tax limit, this could have an overall beneficial impact on the community’s fiscal resources.

Criteria 5: Responsible development and growth:

There are properties within the Town that are already appropriately zoned for this type of development. Industrial properties are usually located next to each other and away from less intensively developed areas for a variety of reasons. Rezoning the subject property to an industrial district when there appropriate sites already available, and contrary to the vision of the Comprehensive Plan does not seem to be responsible growth and development. The Town Council, as with all petitions to rezone land, has the ultimate decision on this petition.

COMMITMENTS

Indiana Code 36-7-4-600 Series also allows communities to gain 'commitments' from developers through the rezone process. These commitments are voluntary on the part of the landowner and developer and must be recommended by the Advisory Plan Commission and approved by the Town Council.

J. Recommendation:

Hold a public hearing on ZA 15-01 and offer suggestions for this proposal. Staff is not convinced this proposal is the best use of this site, and so suggests a negative recommendation be forwarded to the Town Council.

If the Commission chooses to send a positive recommendation, Staff suggests the following conditions:

- That the petitioner commit to restricting the permitted uses on this site to those acceptable to the Town;
- That the self-storage component be prohibited from further expansion on the site;
- That the hours of operation be restricted so that 24 hour access is not permitted;
- That the items allowed to be stored on site be restricted to typical household goods; and,
- That the petitioner's proposed commitments submitted on May 11, 2015 as part of this proposal, be accepted and recommended to the Council.

ZA 15-01, Sandlian Investments
Site Map



**Proposed U-STOR Self Storage at
Dan Jones Road & CR 100S—Avon, IN
Aerial View**