

CITY OF BURTON
SPECIAL COUNCIL MEETING MINUTES
JANUARY 19, 2004, 5:30 P.M., COUNCIL CHAMBERS

Council President Danny Wells called the Special Meeting to order at 5:42 P.M.

MEMBERS PRESENT: Bement, Centilli, Cross, Curtis, Isham, Martinbianco and Wells.

MEMBERS ABSENT: None.

OTHERS PRESENT: J. Major, DPW and C. Ladd, Deputy City Clerk.

PURPOSE OF THE MEETING: Second Public Hearing for Zoning Case #279, postponed from October 20, 2003 at 6:00 P.M. to rezone property at the Northwest Corner of Saginaw and Maple from C-2 to M-1 for the purpose of a Self Storage Facility (Randy Haney, 1453 N. Elms Rd., Flint, MI 48532).

PRESENTATION:

Randy Haney, Ameriguard Storage, 1453 N. Elms Rd., Flint, MI, said he is proposing a mini storage at the Northwest corner of Saginaw and Maple Roads. There are approximately 22 acres and the mini storage would be at the far west of the site. To have the mini storage we need to have the property rezoned to M-1 (light industrial) zoning. We are only asking for indoor storage. Mr. Haney gave a brief synopsis of what occurred at the Zoning Board of Appeals and the Planning Commission. Both Boards denied the request for rezoning. We entered into an agreement with Fifth Third Bank and they purchased the property North of the Seven-Eleven and plan to move from Grand Blanc Township on Saginaw Street to this new location in Burton. He noted that the detention areas have been checked some areas could be increased. There is plenty of detention area for the parking. Mr. Haney gave a detailed description of how the property is laid out and commented that there would be sufficient space between his property and the residents on Friel Street. He said the gate to the mini storage area would be 200 feet from the road, so any activity would go in quite a ways before it would stop. The Burton ordinance does allow for an on-site caretaker. The mini storage businesses seem to be more successful with the on-site caretakers and seem to take better care of the business and have more pride. The house in the front would be about 1,200 sq. feet with two bedrooms and would be nice looking with an office attached to it. We would have a caretaker that would live there and run the office. To the West of that is 215 ft. that is a natural lowland area and would be considered a detention area. Nothing would be developed there. Across from Gould Engineering are two buildings. Everything from that drive to the west is all residential. All the houses along Maple Road, with the exception of one, face the inside roads. To the West, behind the entry, is a lot of green space. That whole area is wooded now and we have allowed for extra wooded space to keep this area secluded. The only thing that would be seen from Maple Road from this development, are two buildings behind a berm with landscaping on it. Mr. Haney continued to give a detailed layout of the property.

He said after meeting with the residents on Friel Street and the Mayor, an agreement was reached to keep the buildings 90-feet away from the current lot line. The ordinance calls for a 30-foot setback, so we would put a privacy fence 30-feet from the edge of the back of the buildings and we would not install any lights or garage doors to keep activity away from the back. We would also put in a 6-foot high privacy fence and plant pine trees all the way down on the owners side of the fence. Many of the residents have sheds, gardens, and fences and are mowing the property. Whenever mini storage is abutted next to residential, it is better to keep it 90-feet to 100-feet away. These buildings are less than 8-feet tall. We don't have a use for that land, so we would deed over the extra 60-feet of those lots on Friel Street to the residents. He said he is trying to make certain that whatever activity would come from the commercial area would be totally away from the Friel Street area. Mr. Haney said the property is zoned C-2 and the concern is the demand for this zoning now and in the future. He said he is trying to make good use for that property and develop something that could be used now. We have provided a commercial space that is much larger than what would be utilized for many years down the road.

Win Cooper, 3487 S. Linden Rd., Cooper Commercial, said Mr. Haney asked him to speak regarding the demand for the space. Mr. Cooper said the property has been sold to Mr. Haney and we received a commission. We sold the bank property for Mr. Haney. Mr. Cooper said this property has a long history for his office, having a dozen contracts to sell the property, starting in 1994.

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Mr. Cooper gave a brief history of the previous potential buyers. Mr. Cooper spoke in reference to a traffic analysis and gave a copy to Council for review. He noted that the reason he reviewed the history of potential buyers is because this property doesn't draw in retailers. It might possibly be a long period of time before a shopping center is developed.

Mr. Haney concluded by saying that he believes the storage shed would be good for Burton. People with small yards use storage sheds and there is a demand for them. He noted that there would be paved aiseways with berms and would be kept clean.

Mr. Major said there was no administrative report, but noted that both the Planning and Zoning Board of Appeals turned this development down. He also commented that if the zoning is changed to M-1, then anything accepted under this zoning could be built on the property.

AUDIENCE PARTICIPATION:

David Cook, 1464 Friel St., said he was asked to speak on behalf of several of the residents. He said the residents appreciate the fact that they would be receiving an additional 60-feet of property. He said the residents are happy that the storage units wouldn't be taller than 8 feet.

Joey Richvalsky, G-4387 S. Saginaw St., said this is his business address, which is east of the property in question. He commented that he is opposed to the storage sheds and believes a commercial type business would be better for the area. He said at present there are five or six other storage facilities in the area not far from this location. He strongly opposes the rezoning for the mini storage units.

Pauline Dargel, 6119 Hugh St., commented that she has attended the sessions for the revision of Ordinance 19 and said this property was pinpointed as developmental property. She believes the M-1 fits the master plan and would be better than having noise, smoke, glare, waste, odor, etc. from commercial businesses. When making a decision such as this, you can only benefit from the demographics that were presented.

Don Sanderlin, 4460 Killarney Park, spoke concerning the traffic flow, which would be good if the right kind of building were built on that corner. He would like to see the property have a good commercial layout. There are enough storage sheds around the area. As a city, we won't get much money out of the storage sheds like we would commercial businesses.

Steve Kraus, 5172 S. Saginaw St., said he is from Grand Blanc Self-Storage. He said in 2002 there was a piece of property that someone wanted to put storage sheds on and he said before doing that he would like to have a Market Profile Report, which gives population of radius' around the site. He said he has studied this report and once that site was up, there was less than 10% demand. Since that time another storage facility has been built and in his opinion, there is not a demand for another storage facility. If this site is approved for M-1 zoning, there is no guarantee that some large factory or facility wouldn't be constructed. The residents may end up regretting that the property was rezoned.

Linda Richmond, 1426 Friel St., said the residents had met with the Mayor last June and since that time changes have been made. She believes someone is pushing for the property to be commercial and would end up with empty buildings. She said the Friel Street residents like the idea of the storage units. She said this use would bring about the least amount of traffic to the neighborhood.

Gary Nichol, 3425 S. Saginaw St., said he owns the Safety Storage facility on S. Saginaw Street. There are 10 storage facilities within two miles on S. Saginaw Street. There is only about 80%-90% occupancy and at no time have any of them been filled. Mr. Nichol gave some statistics regarding the occupancy of the storage facilities. Mr. Nichol said we only have 17 rentals, which is a little over 4% occupancy of the 400 units we were approved to have on the site. Competition is good for business but saturation can be bad for the entire area.

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Mr. Nichol informed Council as to why the site was chosen for his business on Saginaw Street. He said they cleaned the sub-standard conditions out of the property. Mr. Nichol said the City has spent a considerable amount of money

on the master plan and there is a Zoning Board of Appeals and Planning Commission to implement those plans. Both boards have turned them down and it is shame to overrule the master plan and both of the boards.

Sally Haywood, 1910 Coleman, Flint, stated that all storage sheds are not equal. She said she drives a considerable distance to get to the one she uses. She thinks the one being proposed is a superior storage facility that has codes, restrictions and a class operation.

COUNCIL DISCUSSION:

Mr. Curtis commented that he was a member of the Zoning Board of Appeals when this case was before them and voted against the project. My denial was based on the continuing education of the Michigan Municipal League for the following reasons: Consistency with the goals, policies and future land use of the master plan; compatibility of all the uses allowed in the proposed district should be compatible with the conditions present on the site and in the immediate vicinity of the site, especially in terms of density, character, traffic, aesthetics and property values. Another condition is the compatibility of accommodating the best uses of land. Mr. Curtis continued by saying that this proposal has been turned down by the Planning Commission twice, the Zoning Board of Appeals once and a new bank has come along to be built. If we apply the textbook principles that are taught, this would come full circle on the C-2. With the new bank, we would get new businesses that would compliment each other. In regards to those who have boats, snowmobiles, etc. in their yards, if they were planning to use a storage facility, there are numerous sites available for them to do so. Mr. Curtis said if this project were approved for M-1 zoning and the storage sheds didn't pan out, then anything that is allowed in the M-1 could be developed. The city has no safeguards once that zoning goes from C-2 to M-1. A transfer station like the one at Dort and Maple could end up on this site if the zoning is approved. Mr. Curtis said after attending three continuing education classes he learned how to apply knowledge to what is best for the city. He believes it would be an insult to the other two boards to override their decision on the zoning.

Mr. Centilli stated that the zoning change request has been turned down three times. The area is saturated with self-storage facilities. He listed those that are in the immediate vicinity. Mr. Centilli said it is up to the elected officials to see that this city grows properly. We can pick and choose what we want on that site. Recently we spent \$30,000 for a new master plan and he doesn't believe there is a need for M-1 zoning in this area. This is the last large piece of land

in this area. Fifth Third Bank just purchased the land on Saginaw St. and banks have a way of bringing in new businesses. If the property were rezoned to M-1, manufacturing businesses could be built. If there were commercial businesses, there would be a sizeable buffer zone between the commercial and residential properties. Mr. Centilli said he believes the Zoning Board of Appeals and the Planning Commission took the appropriate action by denying this rezoning request. He encourages Council to leave the zoning as is and do what is best for the city. He said he attended several workshops and has been told that the two worst uses for prime land are mobile home parks and storage sheds. He would like the Council to give the bank a chance to bring other businesses. Mr. Centilli said after looking at a map, he observed that the bank is planning to have the major entrance from Maple Road as well as one from Saginaw Street.

Mr. Bement said he was a member of the Planning Commission when this zoning case was before them and after lengthy discussions it was voted down with a 5-2 vote. He said at the Planning Commission meeting he stated that he was against the rezoning and would not be in favor of it, were it to come before the City Council. Mr. Bement said there are so many storage facilities within a two-mile area and none of them are full. He believes the city could benefit more if some other type of use were on this property, especially with the bank now being built on that corner. The consensus of the Planning Commission is that we need to do smart planning.

Mr. Martinbianco said this parcel is developmental in nature. He thought that development meant what is done with the property would depend on what the market demand or property development demand for the area. The entire parcel was 22 plus acres. How many acres of this parcel have been proposed to be rezoned to M-1?

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Mr. Haney said about half of the parcel would be rezoned to M-1. About 10 acres would be rezoned and then 1.25 acres for the bank.

Mr. Martinbianco asked the Attorney what options does the Council have because of the parcel being developmental in nature. Also, if we do rezone to M-1, how do we get the developer to do as proposed?

Mr. Hamilton replied that the intent of the developmental classification in the master plan, is that under this classification the use could change, but without a specific designation as to the direction that the Planning Commission anticipated that change to take place. Secondly, regarding the usages, if the property is rezoned to M-1 or whatever usage, it is at that point in time ineligible for any non-conditional use that is permitted within that zoning classification or anything that would telescope up to that classification.

Discussion continued regarding the various zonings of the property.

Mr. Hamilton commented that the zoning ordinances are always subject to change. A lengthy discussion ensued.

Mr. Isham said he looked at the storage facility on Corunna Road and found it to be a top-notch operation. He said he wants to be sensitive to the homeowners on Friel Street. It is unlikely that a manufacturing business would be built on this corner. After listening to the pros and cons, most of the opposition is coming from other business owners. This land has set idle for a considerable amount of time and there is no guarantee that other businesses would come in even if Fifth Third Bank is on the corner. He said he believes the proposal is positive for the residents on Friel Street.

Mr. Cross said he also visited Mr. Haney's other site and he has walked the property and said there is a great deal of water there now. He believes it would be better to clean up the property and it would be a better environment for the residents for their public health.

Mr. Curtis spoke concerning the water. He said the whole aesthetics of the property would be changed and he hopes they understand all of the details involved with receiving this additional 60-feet of property.

Mr. Cross asked how much would the additional 60-feet add in value to the residents property.

Mr. Lowthian said the amount would have a fairly minimal impact on the total property value.

COUNCIL ACTION:

INTRODUCTION OF AN ORDINANCE:

Cross moved and Isham seconded the following motion:

1. Approve and authorize the Second Public Hearing for Zoning Case #279, postponed from October 20, 2003 at 6:00 P.M. to rezone property at the Northwest Corner of Saginaw and Maple from C-2 to M-1 for the purpose of a Self Storage Facility (Randy Haney, 1453 N. Elms Rd., Flint, MI 48532).

Motion carried 4-3 with Bement, Centilli and Curtis voting no.

Meeting Adjourned at 7:10 P.M.

Cheryl M. Ladd, CMC
Deputy City Clerk

CML