



Resolution NO. 83

A Resolution adopting Ordinance 02-2019 that conditionally rezones Parcel 0095-00-090-0, to allow a Phase II moving and self-storage facility, pursuant to M.C.L. 125.3405.

BATTLE CREEK, MICHIGAN - 3/5/2019

Resolved by the Commission of the City of Battle Creek:

Section 1. An Ordinance to conditionally rezone Parcel 0095-00-090-0 to allow Phase II moving and self storage facility. The conditional rezoning is requested pursuant to M.C.L. 125.3405.

Section 2. Should any section, clause or phrase of this Ordinance be declared to be invalid, the same shall not affect the validity of the Ordinance as a whole or any part thereof, other than the part so declared to be invalid.

Section 3. All ordinances or parts of ordinance in conflict with any of the provisions of this Ordinance are hereby repealed, saving any prosecution, criminal or administrative appeal pending on, or violation cited on or before the effective date of this ordinance, which shall remain subject to the ordinance provision existing at the time of the alleged violation.

Section 4. Except as otherwise provided by law, this Ordinance shall take effect seven (7) days from the date of its publication, in accordance with the provisions of Section 401 of the Michigan Zoning Enabling Act.

I, Victoria Houser, City Clerk of the City of Battle Creek, hereby certify the above and foregoing is a true and correct copy of a Resolution adopted by the Battle Creek City Commission at a Regular meeting held on March 5, 2019.

Victoria L. Houser

Victoria Houser

Battle Creek City Commission
3/5/2019

Action Summary

Staff Member: Christine M. Zuzga, AICP, Planning Mgr

Department: Planning

SUMMARY

A Resolution adopting Ordinance 02-2019 that conditionally rezones Parcel 0095-00-090-0, to allow a Phase II moving and self-storage facility, pursuant to M.C.L. 125.3405.

BUDGETARY CONSIDERATIONS

The conditional rezoning of this parcel allows for the redevelopment of a significant commercial property that has been vacant for over ten years, thereby allowing for productive use of the property that contributes to the tax base. Any improvements to the property will be by private funding and not require investment by the City.

HISTORY, BACKGROUND and DISCUSSION

This request is to allow Phase II of a moving and self-storage facility on the vacant piece of property south of the Toys-R-Us property. Phase I of the project for the parcel to the north, included rehab of the Toys-R-Us building for retail and self-storage, three additional self-storage buildings, and outdoor display for truck and trailer sharing. Phase I was approved by the City Commission on August 21, 2018.

Phase II of the project consists of multiple storage unit buildings that contain a total of 199 storage units. There are also five parking spaces for exterior trailer storage. This parcel is to be used as an extension of the project approved as part of Phase I. The applicant applied for, and received, a dimensional variance for a reduced front yard setback on the east property line which allows the buildings to be placed five feet from the property line rather than the 35' required by zoning. This reduced setback is shown on the site plan included in the application.

Once approved, the applicant is required to submit official site plans for the entire project to the City for review to ensure the development complies with all other sections of the zoning ordinance, including but not limited to parking spaces, landscaping, stormwater management, etc.

POSITIONS

The request was reviewed by the City Economic Development Team which includes representative from the City Manager's office, Department of Public Works, Economic Development Fund, Planning, and Inspections, and all were supportive of the proposed adaptive reuse of the property.

A public hearing was held at the January 23, 2019 Planning Commission meeting, with no one in attendance that voiced concerns. At this same meeting, the Planning Commission reviewed the request as outlined by statute and case law, based on the proposed use as it relates to the surrounding zoning and land uses, existing infrastructure, and most importantly consistency with the Comprehensive Plan. The Planning Commission unanimously recommended approval to the City Commission the conditional rezoning, based on the following findings:

- The Future Land Use map of the 2018 Master Plan designates this and surrounding parcels as Regional Commercial. The purpose of Regional Commercial, as outlined in the plan, is to support a high volume of local and regional traffic for retailers, national chains, and service providers. Furthermore, it is meant to allow high intensity uses and the largest scale of development.
- Goals in the Master Plan include the adjusting land use regulations to match the changing character and community needs as well as identifying vacant or underutilized sites that could be developed to catalyze nearby investment. National market changes have resulted in large scale retail becoming largely obsolete, and the request as submitted allows for adaptive reuse and rehab of a large parcel that has been vacant for 10+ years in accordance with these goals.
- With hours of operation limited to daytime and early evening, and with the additional security measures that will be employed onsite, the proposed use will be less intensive and more controlled than other uses allowed in the C-6 Major Highway Commercial District.
- The approval of the conditional rezoning only applies to the use, and improvements made to the site will be required to come into compliance with current development standards including site plan review approval, parking, screening (when applicable), and landscaping.
- Beckley Road can accommodate high levels of traffic and a stop light at Beckley allows for easy access to this property. Additionally, the existing infrastructure, including the size and availability of public water and sanitary sewer support the existing and perhaps higher intensity land use than would be allowed by the current zoning.
- The approval of this request is directly tied to the proposed use and elements of the proposed use as provided for by the applicant in the application. Any changes contrary to that which is included on the application would require review and approval by the Planning Commission and City Commission.

ATTACHMENTS:

File Name	Description
Z0119 Beckley Uhaul Ph II Staff Report and App.pdf	Z01-19 Uhaul Ph II Staff Report and App