



MINUTES

Committee on Development and Planning

Monday, June 19, 2017 @ 4:00 p.m.

Council Conference Room, City Hall 10th Floor

CALL TO ORDER

Called to order at 4:03 p.m.

PRESENT

Council Member Brown Clarke, Chair

Council Member Yorko, Vice-Chair- arrived at 4:06 p.m. and left at 5:26 p.m.

Council Member Houghton, Member

Council Member Hussain, Member

OTHERS PRESENT

Sherrie Boak, Council Staff

Brandon Waddell, Assistant City Attorney

Kathy Miles

Penny Zago

John and Susan Dixon

Gerald Clark

James Stoll

Randy Yono

Dominic Yono

Elaine Womboldt

PUBLIC COMMENT

Public Comment was available during each agenda item and at this time. No public comment at this time.

MINUTES

MOTION BY COUNCIL MEMBER HUSSAIN TO APPROVE THE MINUTES FROM JUNE 5, 2017 AS PRESENTED. MOTION CARRIED 3-0.

MOTION BY COUNCIL MEMBER HUSSAIN TO APPROVE THE MINUTES FROM JUNE 12, 2017 AS PRESENTED. MOTION CARRIED 3-0.

DISCUSSION/ACTION

RESOLUTION- Appointment of Tim Lloyd; At Large Member to the Board of the Zoning Appeals; term to expire June 30, 2018

Applicant was not present, so no action taken. Council Staff will contact Mr. Lloyd again.

RESOLUTION - SLU-1-2017; 700 E. Oakland; Residential Use in "I" Heavy Industrial

No comments or questions.

MOTION BY COUNCIL MEMBER HOUGHTON TO APPROVE THE SLU-1-2017 FOR 700 E OAKLAND. MOTION CARRIED 3-0.

ORDINANCE - Z-2-2017; 5025 S. Pennsylvania; E-2 Local Shopping to F Commercial
Council Member Hussain asked for confirmation and a corrected staff report nothing the property and building was not vacant, but had a business in it. He also requested an updated photo to reflect that also. Ms. Stachowiak apologized for the error and stated she would update and provide the information to Council staff before the Council meeting on June 26, 2017. Council Member Hussain concluded his statements by noting he would not be supporting the request.

Ms. Miles asked if it was the former BP Gas Station. Council Member Brown Clarke confirmed and also noted that there are two different issues, and the one that is in front of the Committee is the rezoning not the current dispensary that is located there. The landlord has the due process to rezone if he wishes, and as it relates to the Master Plan it is consistent with the other corners at this intersection. Again the Committee needs to only look at the zoning application.

MOTION BY COUNCIL MEMBER HOUGHTON TO APPROVE THE ORDINANCE Z-2-2017 FOR 5025 S. PENNSYLVANIA FROM E-2 LOCAL SHOPPING TO F COMMERCIAL. MOTION CARRIED 3-1.

ORDINANCE - Z-3-2017; 3512 S Martin Luther King Jr.; F Commercial and J Parking to H Light Industrial

No comments or questions.

MOTION BY COUNCIL MEMBER HUSSAIN TO APPROVE THE ORDINANCE Z-3-2017 FOR 3512 S MARTIN LUTHER KING JR., FROM F COMMERCIAL TO J PARKING AND H LIGHT INDUSTRIAL. MOTION CARRIED 4-0.

Ordinance - Historic District for Central United Methodist Church

Council Member Brown Clarke confirmed the public hearing was held on June 12, 2017 and there were no comments. No additional comments or questions were stated at this meeting.

MOTION BY COUNCIL MEMBER YORKO TO APPROVE THE ORDINANCE FOR THE HISTORIC DISTRICT FOR CENTRAL UNITED METHODIST CHURCH. MOTION CARRIED 4-0.

RESOLUTION – Set a Public Hearing; SLU-2-2017; 3600 N Grand River Ave.; Residential Land Use in the "H" Light Industrial District

Ms. Stachowiak noted that the property is zoned H, and the SLU would allow the owners, a heavy equipment facility, manufacturer, technical school and repair facility, to house their students for the vocational school in a boarding house setting. The 15 students would be on site Sunday evenings through Friday afternoons. Ms. Stachowiak noted that the owner also

partners with Lansing Community College on this vocational schooling. The applicants will be present at the hearing and the Committee meeting after that to provide more details on the project. Council Member Brown Clarke noted also that at the Planning Board the applicant stated they work with Lansing Promise dollars.

MOTION BY COUNCIL MEMBER YORKO TO APPROVE THE RESOLUTION TO SET THE HEARING FOR JULY 24, 2017 FOR SLU-2-2017; 3600 N GRAND RIVER AVENUE. MOTION CARRIED 4-0.

RESOLUTION – Introduction and Set a Public Hearing; Z-4-2017; Victor Avenue; Vacant Parcel (Tax ID# 33-01-01-29-259-1220) "B" Residential to "C" Residential

Ms. Stachowiak referred the Committee to the photos and maps which depicted the 6 platted lots where the owner could build 5 single family homes, but is choosing to build 3 duplexes. During the Planning Board review there was one concern that it would be owner occupied, however being that it abuts industrial and commercial the owner could also rezone for those uses, but is choosing to keep it at residential. This is an acceptable planning practice, and they can be used as a buffer with their dense residential development.

Council Member Yorko asked if a site plan had been submitted, and it shows of that acreage what the dimension of the buildings, green space and setbacks would be. Ms. Stachowiak confirmed for the Committee that they will have to meet the setbacks set by ordinance which would be 20' from the front, 30' in the rear, and 6' from each side. The density is based on lot size and lot area by bedrooms. After the department ran the calculations it appears the maximum number of buildings the applicant can build is 3 duplexes with maximum stories at 2. The maximum lot coverage is 55% which is pavement and structure combined. Council Member Brown Clarke asked if there has ever been an inventory of rentals done in that area, ad Ms. Stachowiak stated they do not, but she can have that information at the next Committee meeting when the application comes back after the hearing. Council Member Hussain gave his opinion that it is ideal now with all the trees and was opposed to duplexes as an ideal plan, but would support single family homes.

Mr. Dixon, as a resident and member of the neighborhood association spoke in opposition to the project. Mr. Dixon felt the neighbors had not had a chance to comment, and asked the lots in question stay single family. Mr. Dixon's opinion was that if they were allowed to be duplexes, it would look like Flint because his belief was that there is a lack of code enforcement in Lansing. Mr. Dixon ended by stating he personally would not allow any public or low income housing to be put there.

Council Member Brown Clarke confirmed to Mr. Dixon that the applicant has never stated they will be low income. This current task the Committee is charged with is setting the public hearing. Mr. Dixon was also reminded that as the property currently sits, the owner could build single family homes now with no Council approval.

Ms. Stachowiak confirmed that the current owner is Reed Machinery, owned by Ed Reed. The only question before the Committee is the zoning, they do not consider the setbacks, any contaminates or if it is low income. A property owner of a duplex can only live in one unit, and claim 50% homestead, so by default the other side will be a rental. Council Member Yorko stated clearly for the public that if the Council votes down the rezoning, the owner can come in and build 5 single family homes and rent them out, as long as he registers them as rentals.

Ms. Miles spoke in opposition to the removal of the current treed lot, and noted her belief there are contaminants on site. Ms. Miles asked the property owner to speak to the neighbors before he starts.

Council Member Brown Clarke stated the owner could be encouraged to visit the neighborhood meeting this week, and also clarified to the public that if there are contaminants on site that will have to be found out before they even dig.

OTHER

Z-1-2015; 930 W Holmes; Rezoning a portion from "F" Commercial District to "G-2" Wholesale District

Council Staff confirmed Council held their hearing on April 13, 2015 and the Committee on Development & Planning reviewed it again in September and October 2015 where it tabled it until the applicant completed additional items. Those being; a meeting with neighborhood organizations, payment of the delinquent taxes, address code issues, and propose a landscape plan to address potential water runoff.

Mr. Yono distributed a brochure on Capital City Indoor Storage. Ms. Stachowiak recapped the project which was to convert the site to indoor storage. The concern at the time, she added, was that the area was a large commercial area, and with no regular traffic, it would be large area of empty parking. The Planning Board did recommend approval with one opposed. In regards to the ongoing code complaint item, Ms. Stachowiak confirmed that whenever there is a complaint they reach out to the owner and he responds, and since he cannot barricade the entrances, it is a "react" process.

Council Member Brown Clarke asked Mr. Yono for verification on his unpaid taxes. Mr. Yono admitted they were unpaid, and provided an excuse that he had lost track of the process because in 2015 when it was tabled the developer walked away. Mr. Yono informed the Committee that before his final approval his intentions are to pay off the taxes.

Council Member Brown Clarke recapped the situation from 2015 where there was concern on the water run off going into the neighborhood which is Burchfield. Mr. Yono stated he did not have a landscape plan to address this, but planned to install a fence to beautify the corner. Ms. Stachowiak referred to the conditional zoning approval which stated there would be no fences. Also included in those conditions were that they were to preserve the front 125' along Holmes for commercial uses, and 80' along the other property line. When this Committee saw it and the public hearing was held in 2015 the requirement for landscaping was added.

Council Member Brown Clarke referred to the recent handout and asked if the applicant was now proposing offices. Mr. Yono confirmed there would be approximately 30% and added they are also considering adding a portion of the building for sorting containment for the Big 3.

Council Member Hussain acknowledged speaking to the applicant in 2015 before he was a Council Member, and the issue at the time was the semi parking. Council Member Hussain voiced his concern that what the area is trying to accomplish for a prime development site, this proposal would stop it. His belief was that the area needs to create synergy. Council Member Hussain then concluded his comments stating he did not believe the neighborhoods never met with Mr. Yono, so asked him again to meet with them.

Council Member Yorko referred back to a statement made by Mr. Dixon during the previous agenda item, noting she was offended by his referral to Flint.

Council Member Houghton confirmed that she was aware that the applicant has never spoken to the Old Everett Neighborhood. She confirmed for the Committee that she would not be willing to move forward on the request until they meet with the neighborhoods, in addition to paying their outstanding taxes. Council Member Houghton provided Mr. Yono with contact information for Old Everett Neighborhood.

Mr. Yono stated that on September 20, 2015 he met with Ms. Womboldt on site and at the time there were tow trucks on site removing vehicles. During his time in reaching the neighborhoods, the developer withdrew their participation in the project. He stated he did canvass the area and know on doors in 2015.

Council Member Hussain informed Mr. Yono of the other neighborhood he needed to reach out to would be Colonial Village, and encouraged him also to attend a meeting with Rejuvenating South Lansing.

Council Member Brown Clarke reminded Mr. Yono that if there is no neighborhood support the overall project will always be problematic, so he needs to take the opportunity now to revisit the condition of meeting with the neighborhoods. Council Member Yorko spoke in opposition to the Council advocating and hold meetings between the two parties, directing them to work with each directly.

Council Member Brown Clarke recapped for everyone present that the public hearing was already held in 2015, and the next step before the Committee and Council is action on the rezoning for approval or denial. Ms. Stachowiak confirmed she had already spoken to the City Attorney Smiertka and he stated that technically the City has fulfilled the requirements and there is time frame. It would be up to the Committee if they want to hold another hearing but it would not be required.

Mr. Yono stated he was given 30 days by the developer to make something happen with the approval.

Council Member Hussain asked Mr. Yono not to rush the process, and provided meeting dates of Colonial Village meeting for June 21 and Old Everett for June 20th.

Council Member Brown Clarke encouraged the applicant to reach out to the neighborhoods and report to the Committee on the public input. She noted this could still provide a time line of the application being in front of the Council on July 24th. Council Staff was directed to place on the Committee meeting for July 17th at which point the applicant will also update the Committee on his unpaid taxes.

Ms. Womboldt confirmed she did meet with Mr. Yono on site in 2015, but did not recall going through the property, but discussing her concerns. Ms. Womboldt continued to speak in opposition to the rezoning application. Council Member Brown Clarke asked Ms. Womboldt to allow the applicant to meet with the neighborhoods and share his perspective, and her confirmed opposition already represents to him this meeting with Rejuvenating South Lansing could be a hostile environment.

Council Member Brown Clarke asked the developer and applicant to host a charrette in a neutral location to encourage and take community engagement and input. The applicant was asked to establish a time and location and provide that information to the Council Staff and neighborhoods.

Adjourn at 5:40 p.m.

Submitted by, Sherrie Boak,

Recording Secretary,

Lansing City Council

Approved by the Committee on July 17, 2017