



AGENDA
Committee on Development and Planning
Monday, June 10, 2019 @ 4:00 P.M.
Council Conference Room, 10th Floor

Councilmember Adam Hussain, Chair
Councilmember Jeremy Garza, Vice Chair
Councilmember Jody Washington, Member

1. Call to Order

2. Public Comment on Agenda Items

3. Minutes

- May 13, 2019

4. Discussion/Action:

- A.) **RESOLUTION** – SLU-1-2019; 900 Southland Avenue; Suite 918; Church in the F Commercial District
- B.) **ORDINANCE** - Z-8-2018; 5400 S. Cedar Street; Rezoning from F Commercial to J Parking and G-2 Wholesale District

5. Other

6. Adjourn

[illegible]

731-341-8511
 248-785-2307 (direct)
 COM 248-785-2300 (C)
 248-320-5010 (C)
 517-377-8713

DRAFT



MINUTES
Committee on Development and Planning
Monday, May 13, 2019 @ 4:00 p.m.
Council Conference Room, City Hall 10th Floor

CALL TO ORDER

Council Member Hussain called the meeting to order at 4:00 p.m.

PRESENT

Council Member Hussain, Chair
Council Member Garza, Vice-Chair
Council Member Washington, Member

OTHERS PRESENT

Sherrie Boak, Council Staff
Susan Stachowiak, Economic Development and Planning
Greg Venker, Assistant City Attorney

PUBLIC COMMENT

No public comment.

MINUTES

MOTION BY COUNCIL MEMBER WASHINGTON TO APPROVE THE MINUTES FROM APRIL 15, 2019 AS PRESENTED. MOTION CARRIED 3-0.

DISCUSSION/ACTION

ORDINANCE – Z-1-2019; 901 Cleveland Street; Rezoning from “B” Residential to “F” Commercial District

Council Member Hussain confirmed the required public hearing was held on April 22, 2019 for the property where the current Ahptic LLC has been for 20 years, and in 2017 bought the land property next to the building. Their intention is to, due to their growth, make this into parking. Lastly he noted the Zoning Administrator recommended denial. Ms. Stachowiak responded that she had no strong feels towards denial, and their office has not heard any objections. Their only concern was that there would be intrusion into the residential portion abutting the lot but with proper landscaping they can mitigate that. Council Member Washington supported them as good neighbors and noted they are already parking there so this would provide for a paved parking lot with landscape. Council Member Garza asked if this rezoning would cause a precedence. Ms. Stachowiak pointed out that in this case the property is adjacent to commercial zoning, they are making it into more parking and not creating a new site.

MOTION BY COUNCIL MEMBER GARZA TO APPROVE THE ORDINANCE FOR Z-1-2019; 901 CLEVELAND STREET; REZONING FROM B RESIDENTIAL TO F COMMERCIAL. MOTION CARRIED 3-0.

ORDINANCE – Z-2-2019; 714 N. Pine Street; Rezoning from “C” Residential to “D-1” Professional Office

Council Member Hussain confirmed the public hearing was held on April 22, 2019 for the rezoning and proposed renovation to the structure on the property.

MOTION BY COUNCIL MEMBER WASHINGTON TO APPROVE THE ORDINANCE FOR Z-2-2019; 714 N. PINE STREET; REZONING FROM C RESIDENTIAL TO D-1 PROFESSIONAL.

Council Member Garza inquired into the parking area. Ms. Stachowiak confirmed the owners owned adjoining lots where the bulk of the parking is and the Committee looked at the aerial photos.

MOTION CARRIED 3-0.

Adjourn

Adjourned at 4:09 p.m.

Submitted by, Sherrie Boak,

Recording Secretary,

Lansing City Council

Approved by the Committee

GENERAL INFORMATION

APPLICANT: Holiday Park/Durga Property Holdings, Inc.
6810 S. Cedar Street, Suite 3C
Lansing, MI 48911

OWNERS: Durga Property Holdings, Inc. Lanprop, LLC
11320 Chester Road 2740 Bronson Blvd.
Cincinnati, Ohio 45426 Kalamazoo, MI 49008

REQUESTED ACTION: Special Land Use permit to permit a church at 900 Southland Avenue, Suite 918

EXISTING LAND USE: Multi-tenant commercial building

EXISTING ZONING: "F" Commercial District

PROPERTY SIZE & SHAPE: Irregular Shape – 47,467 square feet (1.08 acres)

SURROUNDING LAND USE: N: Dollar General/Apartment Complex
S: Multi-tenant commercial building
E: Multi-tenant commercial building
W: McDonald's

SURROUNDING ZONING: N: "DM-1" Residential, "J" Parking & "G-2" Wholesale Districts
S: "F" Commercial District
E: "F" Commercial & "J" Parking Districts
W: "F" Commercial & "J" Parking Districts

MASTER PLAN DESIGNATION: The Design Lansing Comprehensive Plan designates the subject property as "Community Mixed Use Center". Southland Avenue is designated as a local road.

SPECIFIC INFORMATION

SLU-1-2019. This is a request by Holiday Park/Durga Property Holdings, Inc., for a special land use permit to establish a church in the building at 900 Southland Avenue, Suite 918. Churches are permitted in the "F" Commercial district, which is the zoning designation of the subject property, if a Special Land Use permit is approved by the Lansing City Council.

According to the information provided by the applicant, the church is comprised of a pastor and 20 parishioners. Services are held on Sundays from 11:00 a.m. to 2:00 p.m. and on Tuesday and Thursday evenings from 7:00 p.m. to 8:30 p.m. The suite that would be occupied by the church is

1,845 square feet in size and located at the west end of the multi-tenant building at 900 Southland Avenue. The majority of the building is vacant, although there is a laundromat in the easternmost suite. Based on the proposed occupancy level, 7 parking spaces are required for the church. There are 62 parking spaces on the site that are shared by all of the tenants. The church will not place excessive demands on the parking, particularly since services are held at times when most businesses are not operating at peak levels. Furthermore, the 7 parking spaces required for the church are less than what would be required if the suite were being used for many of the uses that could be established in the suite as a matter of right and without the need for a special land use permit.

AGENCY RESPONSES:

BWL:

Building Safety: The Building Safety Office has no objections. This project will be subject to building plan review as set forth by the State Construction Code Act.

Development:

Fire Marshal:

Parks & Recreation: No comment.

Public Service: Public Service Engineering I & E Group has no comments on the SLU

Transportation: No objection to this request, or requirements related to it. Will not affect public infrastructure associated with the site.

ANALYSIS

Section 1282.03(f)(1)-(2) sets forth the criteria which must be used to evaluate a Special Land Use permit request. The criteria and evaluation are as follows.

- 1. Is the proposed special land use designed, constructed, operated and maintained in a manner harmonious with the character of adjacent property and the surrounding area?**

The proposed church would occupy one small suite in a multi-tenant commercial building located on a side street that extends between S. ML King and S. Washington Avenue. The subject property and the majority of the adjoining properties are zoned "F" Commercial. Given its small size and location on a side street, the proposed church is not anticipated to have any negative impacts on the surrounding area. There is more than enough parking on the site to accommodate the church as well as all existing and future tenants in the building, particularly since church activities typically occur during times when business/commercial activity is not operating at peak levels.

The proposed church will not negatively impact the commercial area in which it is located. One of the greatest impacts that a church can have on a commercial environment is that they have the ability to object to and possibly prevent the issuance of liquor licenses within 500 feet of their building. Liquor store, bars, taverns and restaurants, which are uses permitted by right in all commercial zoning districts, contribute to the economic vibrancy of commercial corridors as they are customer-oriented businesses that generate traffic on a regular basis. In this case, however, it is unlikely that there would be a request to establish a liquor license type business within 500 feet of the proposed church since the commercial properties within that area are not located on a major corridor where there is exposure to potential customers.

2. Will the proposed special land use change the essential character of the surrounding area?

The proposed church will not “change” the essential character of the area. It will, however, have a positive impact on the area by filling a suite and bringing some much needed activity to an area that is primarily characterized by vacant buildings. The properties along Southland Avenue contain multi-tenant buildings, all of which have been mostly vacant for the past several years. It is assumed that one of the challenges involved in attracting and retaining tenants to these buildings is the lack of exposure to even low levels of traffic, thus, making them more desirable for destination type businesses such as offices and churches, as opposed to retail stores, restaurants, gas stations, salons and other uses that depend on pass-by traffic to establish a customer base.

3. Will the proposed special land use interfere with the enjoyment of adjacent property?

The primary concern with churches in terms of interfering with the enjoyment of adjacent properties is the potential conflicts with liquor licenses. By state law, a church has an opportunity to object to all new liquor licenses within 500 feet of its building. The proposed church would be located in the middle of an area that is zoned “F” Commercial, which district permits alcohol establishments (retail, bar, tavern, restaurant, etc.) as a matter of right. In this case, the properties that are within 500 feet of the proposed church are all located along Southland Avenue which is a side street that experiences very low volumes of traffic. Given the lack of exposure from high volumes of traffic, the properties along Southland Avenue would not be very desirable for the types of businesses that would need a liquor license. In order ensure, however, that there will not be any conflicts in the future, if the special land use permit is approved, it should be conditioned upon the church agreeing, in writing that it will not object to the issuance of liquor licenses in the area. The City of Lansing has a standard format that is used for such an agreement.

4. Will the proposed special land use represent an improvement to the use or character of property under consideration and the surrounding area in general, and will the use be in keeping with the natural environment of the lot?

No physical changes will be made to the site as a result of the special land use permit and thus, it will have no impacts on the natural environment. The proposed church will represent an improvement to the use and character of site and the surrounding area in general as it will bring some much needed activity to a building that is otherwise predominately vacant.

5. **Will the proposed special land use be hazardous to adjacent property or involve uses, activities, materials or equipment which are detrimental to the health, safety or welfare of persons or property through the excessive production of traffic, noise, smoke, odor, fumes or glare?**

The church will not generate any nuisances or hazardous conditions.

6. **Will the proposed special land use be adequately served by essential public facilities and services, or is it demonstrated that the person responsible for the proposed special land use is able to continually provide adequately for the services and facilities deemed essential to the special land use under consideration?**

The subject property is currently served by all necessary public services and utilities. Inspections may be necessary to determine if the structure complies with current building code and fire code requirements for an assembly use.

7. **Will the proposed special land use place demand on public services and facilities in excess of current capacity?**

The proposed special land use will not increase the demand on public services and facilities in excess of current capacity.

8. **Is the proposed special land use consistent with the intent and purpose of this Zoning Code and the objectives of any currently adopted Comprehensive Plan?**

The Design Lansing Master Plan designates the subject property and the surrounding area as a "Community Mixed-Use Center". The purpose of this district, as stated in the plan, is to encourage the transformation of large commercial concentrations into mixed-use districts consisting of offices, *institutions*, live-work, retail, personal services, entertainment, hotel and residential uses. Since a church is considered an "institution" the proposal is consistent with the intent and purpose of the Master Plan.

The proposed church is also consistent with the intent and purpose of the Zoning Ordinance. Churches are permitted by special land use permit in all zoning districts. The Zoning Ordinance establishes 9 criteria to evaluate whether a particular location is appropriate for a church. Churches in general do not contribute to the vibrancy of commercial areas because they generate very little activity on a daily basis and they have the ability to object to the issuance of liquor licenses within 500 feet of their location. In this case, the proposed church will be located on a side street rather than a major commercial corridor and because of its small size, the lack of daily activity will not impact the commercial vibrancy of the area in which it is located. Furthermore, it is unlikely that an establishment that would need a liquor license would desire to locate within 500 feet of the proposed church because of its lack of exposure from a major corridor.

9. **Will the proposed special land use meet the dimensional requirements of the district in which the property is located?**

The only dimensional requirement that applies to this request is parking. Section 1284.13(b)(1) of the Zoning Ordinance requires 1 parking space for each 3 seats in the sanctuary. Based on the current membership (20) of the church, 7 parking spaces are required. The 62 space parking lot on the site is more than adequate to accommodate the current membership of the church and any growth that may occur, while not placing a burden on the site's parking that would negatively impact existing or future tenants in the remainder of the building.

SUMMARY

This is a request by Holiday Park/Durga Property Holdings, Inc., for a special land use permit to establish a church in the building at 900 Southland Avenue, Suite 918. Churches are permitted in the "F" Commercial district, which is the zoning designation of the subject property, if a Special Land Use permit is approved by the Lansing City Council.

Based on the findings contained in this staff report, the proposal complies with all of the criteria of Section 1282.03(f)(1)-(9) of the *Zoning Code* for evaluating Special Land Use permits.

1. The proposed Special Land Use will be harmonious with the character of adjacent properties and surrounding uses.
2. The proposed Special Land Use will not change the essential character of the surrounding properties.
3. The proposed Special Land Use will not interfere with the general enjoyment of adjacent properties.
4. The proposed Special Land Use does represent an improvement to the existing lot.
5. The proposed Special Land Use will not be hazardous to adjacent properties.
6. The proposed Special Land Use can be adequately served by public services and utilities.
7. The proposed Special Land Use will not place any demand on public services and facilities in excess of current capacities.
8. The proposed Special Land Use is consistent with the intent and purpose of the Zoning Code and the Design Lansing Comprehensive Plan.
9. The proposed Special Land Use will comply with the dimensional requirements of the Zoning Ordinance.

RECOMMENDATION

Staff recommends approval of SLU-1-2019, a special land use permit to allow a church at 900 Southland Avenue, Suite 918, based upon the findings of fact as outlined in this staff report, with the condition that the applicant agrees, in writing, that it will not object to the issuance of liquor licenses in the area.

Respectfully Submitted,

Susan Stachowiak
Zoning Administrator

We have 20 parishioners, I have been a pastor for 5 years .

We have Service :

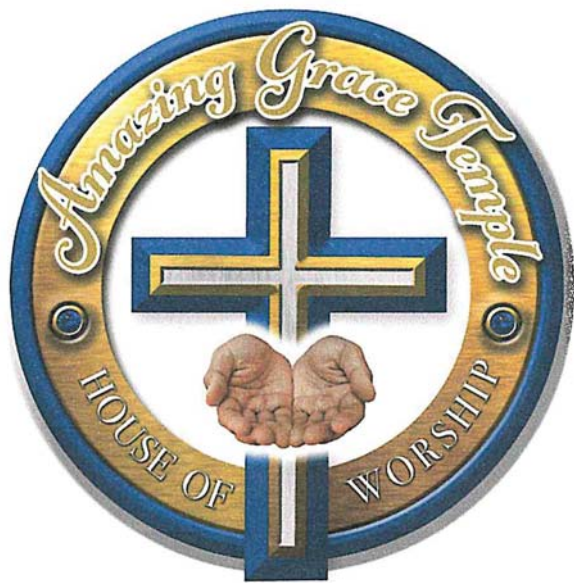
Sunday 11:00am - 2:00pm

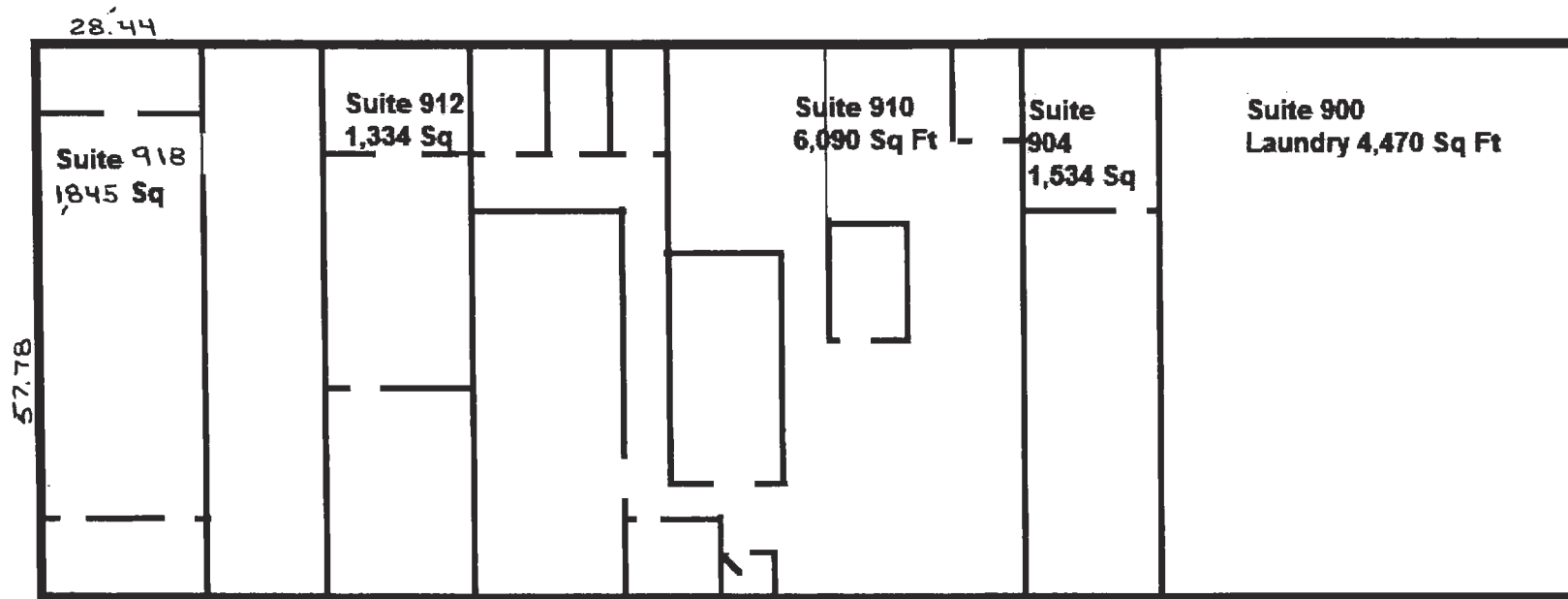
Tuesday 7:00pm - 8:30pm

Thursday 7:00pm - 8:30pm

Pastor Mary Allen

Thank you. February 6th 2019

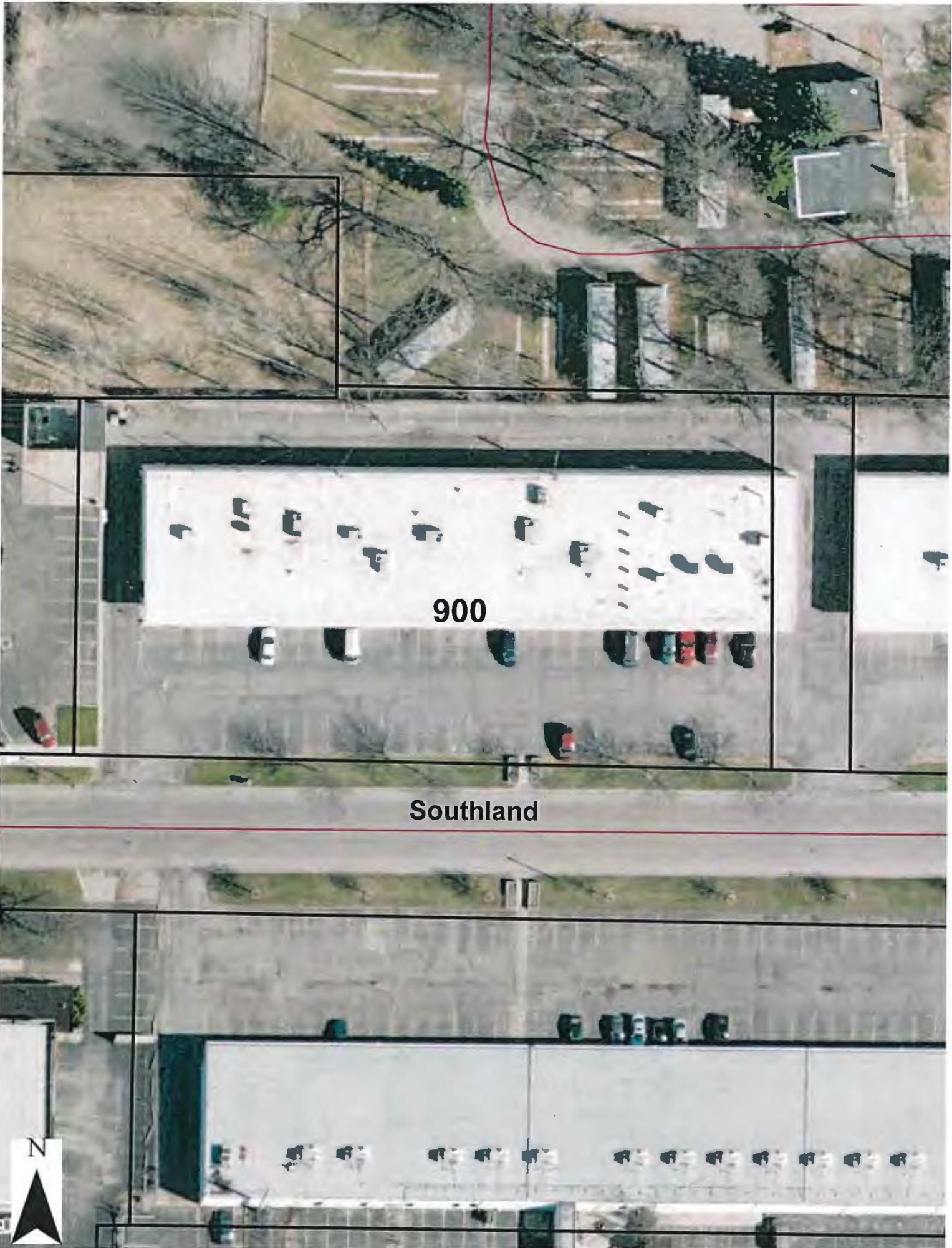




**900 Southland Ave
Lansing MI 48910**







900

Southland



Legend

- all_roads_recov_City
- Tax Parcels
- A Residential-Single
- B Residential-Single
- C Residential-2 Unit
- NONE
- CUP Community Unit Plan
- D-1 Professional Office
- D-2 Residential/Office
- DM-1 Residential-Multiple
- DM-2 Residential-Multiple
- DM-3 Residential-Multiple
- DM-4 Residential-Multiple
- E-1 Apartment Shop
- E-2 Local Shopping
- F Commercial
- F-1 Commercial
- G-1 Business
- G-2 Wholesale
- H Light Industrial
- I Heavy Industrial
- J Parking
- ROW Right of Way

Zoning



BY THE COMMITTEE OF DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

SLU-1-2019

Church in the "F" Commercial District
900 Southland Avenue, Suite 918

WHEREAS, Holiday Park/Durga Property Holdings, Inc. has requested a Special Land Use permit to allow a church at 900 Southland Avenue, Suite 918; and

WHEREAS, churches are permitted in the "F" Commercial district, which is the zoning designation of the subject property, if a Special Land Use permit is approved by the Lansing City Council; and

WHEREAS, a review was completed by staff evaluating the character, location and impact of the proposal on the surrounding area, the environment and public services as well as its consistency with the existing zoning and land use patterns in the area and with the objectives of the Design Lansing Comprehensive Plan; and

WHEREAS, the Planning Board held a public hearing on April 2, 2019, at which the applicant's representative and the pastor of the proposed church spoke in favor of the request and no other comments were received; and

WHEREAS, the Planning Board, at its regular meeting held on April 2, 2019, voted (4-0) to recommend approval of SLU-1-2019, a Special Land Use permit to allow a church at 900 Southland Avenue, Suite 918 with the condition that the church agrees, in writing, that it will not object to the issuance of liquor license within 500 feet of its location; and

WHEREAS, the City Council held a public hearing regarding SLU-1-2019 on May 13, 2019 ; and

WHEREAS, the Committee on Development and Planning has reviewed the report and recommendation of the Planning Board and concurs therewith; and

NOW THEREFORE BE IT RESOLVED that the Lansing City Council hereby approves SLU-1-2019, a Special Land Use permit to allow a church at 900 Southland Avenue, Suite 918 with the condition that the church agrees, in writing, that it will not object to the issuance of liquor license within 500 feet of its location.

BE IT FURTHER RESOLVED that this Special Land Use permit shall remain in effect only so long as the petitioner fully complies with this resolution, and if the petitioner fails to comply, the Special Land Use permit may be terminated by City Council Resolution.

BE IT FINALLY RESOLVED that in granting this request, the City Council determines the following:

1. The proposed church is compatible with the essential character of the surrounding area, as designed.
2. The proposed church will not change the essential character of the surrounding area.
3. The proposed church will not interfere with the general enjoyment of adjacent properties.
4. The proposed church will not impact adjacent properties as it will not be detrimental to the use or character of the property under consideration.
5. The proposed church will not impact the health, safety and welfare of persons or property in the surrounding area.
6. The proposed church can be adequately served by essential public facilities and services.
7. The proposed church will not place any demands on public services and facilities in excess of current capacities.
8. The proposed church is consistent with the intent and purposes of the Zoning Code and the Design Lansing Master Plan.
9. The proposed church will comply with the requirements of the "F" Commercial District.

GENERAL INFORMATION

APPLICANT: AMERICO Real Estate Company
2727 N. Central Avenue, Suite 500
Phoenix, AZ 85004

OWNER: A & W Greshenson
31500 Northwestern Hwy., Suite 100
Farmington Hills, MI 48334

REQUESTED ACTIONS: Rezone the property at 5400 S. Cedar Street (former K-Mart Building) from “F” Commercial & “J” Parking district to “G-2” Wholesale district

EXISTING LAND USE: Vacant Commercial Building

EXISTING ZONING: “F” Commercial & “J” Parking Districts

PROPOSED ZONING: “G-2” Wholesale District

PROPERTY SIZE: 9.380 +/- acres – Irregular Shape

SURROUNDING LAND USE: N: Commercial/Vacant
S: Consumer’s Energy Right-of-Way/Parking Lot
E: Commercial
W: Vacant

SURROUNDING ZONING: N: “F” Commercial District
S: “F” Commercial & “A” Residential Districts
E: “F” Commercial & “J” Parking Districts
W: “G-2” Wholesale District

MASTER PLAN: The Design Lansing Master Plan designates the subject property for “Community Mixed-Use Center”. S. Cedar Street is designated as a major arterial.

DESCRIPTION:

This is a request by AMERICO Real Estate Company to rezone the property at 5400 S. Cedar Street from “F” Commercial & “J” Parking Districts to “G-2” Wholesale District. The purpose of the rezoning is to permit the property to be used for self-storage, U-Haul truck and trailer sharing and a moving and storage retail store.

AGENCY RESPONSES

BWL:	See attached.
Building Safety:	The Building Safety Office has no objections. This project will be subject to site and building plan reviews as set forth by the State Construction Code Act.
Development Office:	
Fire Marshal:	
Parks & Recreation:	I have concerns about the sight lines for people using the pathway if the proposed storage unit goes to the road.
Public Service:	The use for proposed self-storage facility does not typically generate any significant sanitary flows that I'm aware of. Further, the redevelopment uses the existing building structure that would have had to have been served by bathroom facilities, so, historically, there would have been existing flows from the building. I believe this building would be connected to the 10-inch sanitary sewer in Cedar Street. Based on the above, it appears there are no sanitary service issues considering the info we have. Also, since there does not appear to be increased impervious areas (same building, etc.), stormwater requirements should not be an issue here.
Traffic Engineer:	No comments or requirements relative to the rezoning request.

REZONING ANALYSIS**COMPATIBILITY WITH SURROUNDING LAND USE:**

The subject property adjoins a "G-2" zoned parcel of land to its west that is accessed via Perry Robinson Circle off of E. Jolly Road. As evidenced by the attached zoning map, however, the vast majority of the properties along S. Cedar Street, including those that surround the subject property on 3 sides, are zoned "F" Commercial. Therefore, despite the zoning of the property to the west, the proposed zoning would still be considered a "spot zone" of "G-2" Wholesale zoning along S. Cedar Street. Spot zoning is typically considered to be an inappropriate zoning practice because it affords development options to a single land owner that are not available to the adjoining properties and creates inconsistent land use patterns.

S. Cedar Street is zoned, master planned and designed for customer-oriented, commercial uses that generate a high volume of traffic on a daily basis. In other words, S. Cedar Street is intended for the types of uses that benefit from and in fact, depend on exposure to high volumes of traffic in order to provide a strong customer base for their businesses. The primary concern with self-storage uses is that

they are not customer oriented businesses and as such, they generate very little traffic on a regular basis. Self-storage facilities are destination type uses that do not depend on pass-by traffic to create and sustain a customer base. The majority of the time, the parking lots are mostly vacant, with the exception of trucks and equipment that are available for lease, which detracts rather than contributes to a healthy commercial environment.

COMPLIANCE WITH MASTER PLAN:

The Design Lansing Master Plan designates the subject property for Community Mixed-Use Center. The purpose of this district, as stated in the Plan, is to:

“Encourage the transformation of large commercial concentrations into mixed-use districts.”

The Plan recommends development that includes first floor retail uses clustered to create a shopping core with residentially-scaled structures (4-6 stories) on neighborhood edges.

The proposed rezoning will not allow for the type of development that is consistent with the land use pattern being advanced in the Master Plan. While the “G-2” Wholesale district permits all of the general commercial uses that are permitted in the “F” Commercial district, it does not allow residential use, even with a special land use permit. Furthermore, the “G-2” district permits storage and warehouse facilities as a matter of right, which would be completely contrary to the Master Plan designation for the subject property and with proper planning principles in general. The applicant is requesting the rezoning for the primary purpose of converting the building at 5400 S. Cedar Street into self-storage. Self-storage is a destination type of use that generates little customer activity on a daily basis and thus, does not contribute to the vibrancy of a primary commercial corridor. The intent of both the Zoning Ordinance and the Master Plan is to concentrate the most intensive commercial land uses along major arterials, such as S. Cedar Street, where they receive maximum exposure to the highest volumes of traffic. Storage facilities, by contrast, are more appropriately located in areas where they are accessible from but not located directly on a major arterial.

IMPACT ON VEHICULAR AND PEDESTRIAN TRAFFIC:

The proposal is not anticipated to have any negative impacts on vehicular or pedestrian traffic in the area. S. Cedar Street is a major arterial that is designed to serve the traffic needs of high volume commercial uses that benefit from a high level of exposure in order to attract customers. S. Cedar Street is also a major bus route that serves many employees and customers of the businesses along the corridor. Storage facilities typically generate a very low volume of vehicular traffic, have few employees, virtually no pedestrian customer traffic and are considered destination uses which is why they are more appropriately located on secondary thoroughfares.

IMPACT ON PUBLIC FACILITIES:

With the exception of a couple of new self-storage buildings as shown on the attached aerial photograph, the applicant is not proposing any changes to the site at this time. New building area and/or new impervious surface of 1,000 square feet or more in area will require administrative site plan review, during which the drainage system as well as all other physical aspects of the property will be reviewed for compliance with all City codes.

ENVIRONMENTAL IMPACT:

The primary purpose of the rezoning is to allow reuse of the existing building for indoor, self-storage which will have no impact on the physical environment. The site is almost entirely covered by impervious surface which generates a great deal of storm water run-off. If any changes are made to the site that requires site plan review at some time in the future, storm water reduction may be required.

IMPACT ON FUTURE PATTERNS OF DEVELOPMENT:

Approval of the requested rezoning may have considerable impacts on future patterns of development along S. Cedar Street and other major commercial corridors in the City as well. Since the proposed rezoning is contrary to basic planning principles and to the existing zoning and land use patterns in the area, as described in the preceding sections of this report, approval of the request will set a negative precedent for future rezoning requests of a similar nature along the City's commercial corridors.

SUMMARY

This is a request by AMERICO Real Estate Company to rezone the property at 5400 S. Cedar Street from "F" Commercial & "J" Parking Districts to "G-2" Wholesale District. The purpose of the rezoning is to permit the property to be used for self-storage, U-Haul truck and trailer sharing and a moving and storage retail store.

The findings of fact as outlined in this staff report do not support a positive recommendation to approve the rezoning. The proposed rezoning will permit land uses that are inconsistent with the land use pattern being advanced in the Master Plan. In addition, the proposed "G-2" zoning will not be consistent with the existing zoning pattern along S. Cedar Street and may set a negative precedent for future requests to rezone properties along S. Cedar Street and elsewhere in the City to the "G-2" Wholesale district.

RECOMMENDATIONS

Pursuant to the findings described above, the following recommendation is offered for the Planning Board's consideration:

Z-8-2018 be denied to rezone the property at 5400 S. Cedar Street from "F" Commercial & "J" Parking districts to "G-2" Wholesale district, based on the findings of fact as described in this staff report.

Respectfully Submitted,

**Susan Stachowiak
Zoning Administrator**

BOARD OF WATER AND LIGHT MEMO

December 10, 2018

TO: City of Lansing – Planning Department, Susan Stachowiak
FROM: Andy Baumgartner, Real Property Analyst, Legal Services, 517-702-6795
RE: COL SPR Rezoning-8-2018_5400 S. Cedar St. Comments

BWL Electric:

Approved with the following comments:

- The BWL can provide an (**underground and/or overhead**) electric service to serve the new development based on the Board's Rules and Regulations for Electric Service.
- A copy of the final site, grading, and electrical plans for the proposed development must be supplied to the Customer Projects Department before a final cost for electric service and service agreement can be provided to the owner/ developer.
- Owner/ developer must contact BWL Customer Projects Department, **Christopher Cavin @ 517-702-7192**, to initiate service agreement process.
- There are no apparent conflicts with the proposed development and the existing BWL electric distribution facilities.

BWL Street Lighting: Approved

- There are no apparent conflicts with the proposed development and BWL Street Light Service. For BWL Street Light questions contact Karen Carter office: 517-702-7080 cell: 517-285-8455, karen.carter@lbwl.com

BWL Water & Steam Distribution:

Approved

Please note that this approval does not constitute an agreement for service, and is subject to the following conditions:

- Site Specific Comments:
 - The proposed rezoning does not appear to have an impact on the existing water service or any other BWL water facility.
 - Should the customer require changes to the water service in order meet new zoning requirements, the customer will be required to submit an application to the BWL utility service department at (517)-702-6700. The customer will be required to enter a service agreement, meet BWL requirements and pay applicable fees prior to receiving service. Additional information can be found online at <http://www.lbwl.com/Commercial/Water-Services/Water-Service-Installation/>
- General Comments:
 - Prior to receiving service, the customer must submit an application to the BWL Utility Service Department at 517-702-6700 for any new service or alterations to existing services or metering. The customer will be required to enter a service agreement, meet BWL requirements, and pay applicable fees prior to receiving service. Additional information can be found online at <http://www.lbwl.com/Commercial/Water-Services/Water-Service-Installation/>
 - The customer is responsible for all costs of water service installation and removals, including connection fees, installation, metering, and engineering and administration costs for the work.
 - It is the applicant's responsibility to determine the estimated water demand (including fire flow requirements) of this project, and sizing services accordingly. The BWL will not take responsibility for inadequately sized services or metering specified by the applicant.
- Any questions about specific water service requirements may be directed to the BWL Water Distribution Department; Jerrod Wade, via e-mail at Jerrod.Wade@lbwl.com.

BWL Water Operations: R. Roost

I have no comments or concerns.

BWL Environmental Wellhead Protection: Angie Goodman, Water Quality

This project lies within the Board of Water & Light Wellhead Protection Area. Care must be exercised during construction to minimize the exposure of contaminated soils to weather and subsequent loss to the groundwater. Construction machinery should be parked on paved areas when not in use, and leakage of petroleum products and other potential contaminants must be immediately cleaned up and properly disposed of. Newly exposed soil could offer a route for contaminants into local groundwater.

Note: Any site plan approval does not constitute an agreement for service. All customers must meet BWL requirements and enter a service agreement prior to receiving service.

Rejuvenating South Lansing

Where Everyone is a Neighbor

Elaine Womboldt, Facilitator
4815 Tressa Drive
Lansing, MI 48910

December 4, 2018

Susan Stachowiak, Zoning Administrator
City of Lansing, Planning Office
316 N. Capitol, Ave, Suite D-1
Lansing, MI 48933-1234

Ms. Stachowiak and Planning Board Members,

Rejuvenating South Lansing strongly opposes the request Z-8-2018, 5400 S. Cedar Street, Rezoning from "F" Commercial & "J" Parking districts to "G-2" Wholesale district. This was the former K-Mart property.

According to the on-line packet it states "The purpose of the rezoning is to permit the property to be used for self-storage, U-Haul truck and trailer sharing and a moving and storage retail store.

The following are some of the reasons, but not all, Rejuvenating South Lansing opposes the request for rezoning:

- South Lansing is approaching a saturation mark for self-storage units in our area. There are statistics to prove this statement.
- There is one located at 5814 S. Pennsylvania, 3512 S. MLK, 5830 S. Pennsylvania, the new development at 930 W. Holmes that will have a very large self-storage business. Of course there is the U-Haul on South Cedar and U-Haul is developing another self-storage on Penn and Cedar Street.
- If the rezoning is approved at 5400 S. Cedar for the purpose of self-storage there will be an additional 100,000 sq ft for storage space, South Lansing will have an oversupply of this type of business.
- South Lansing needs to have different businesses to help bring a better economic development to our residents and area to entice other businesses to buy into South Lansing.
- The Planning Board need to be responsible stewards for South Lansing and look to helping us have diverse business owners who will bring in more people for buying power and help us develop a stronger community through its various types of businesses.

Rejuvenating South Lansing opposes the request for the rezoning of 5400 S. Cedar Street and urges the Planning Board members to oppose the rezoning tonight.

Sincerely,



Elaine Womboldt, Facilitator
Rejuvenating South Lansing
Where Everyone is a Neighbor

Stachowiak, Susan

From: Nancy Mahlow <nmahlow2012@gmail.com>
Sent: Tuesday, December 04, 2018 10:14 AM
To: Stachowiak, Susan
Cc: Hussain, Adam; Washington, Jody; Wood, Carol
Subject: Rezoning of the Old Kmart Property

This rezoning will set a precedent for any future developments along Cedar Street. There are already several U-haul facilities within this area and they don't need anymore. This is simply a sneaky way to put in any type of marijuana business.

This is a huge piece of property and should be developed accordingly to fit the area such as businesses that would promote the growth of the area for the surrounding neighborhoods.

As a resident of Lansing, I do not support this rezoning and would like my email added to the packet. Thank you

--

Nancy Mahlow
nmahlow2012@gmail.com
517-372-3249

Stachowiak, Susan

From: irvinemari@comcast.net
Sent: Tuesday, December 04, 2018 2:29 PM
To: Stachowiak, Susan
Cc: Garza, Jeremy; Wood, Carol
Subject: Rezoning of K-Mart Property

Hello Ms. Stachowiak,

First let me say, thank you, for all the service you provide to our city and all the very important information you have responsibility for.

I would like to give **my opinion to not allow the "rezoning change of K-Mart Property, on S. Cedar", to be granted.** I don't believe we need another self-storage provision on the south side. I do believe we need some businesses that will generate a more positive environment for the other existing businesses on S. Cedar, as well as the people living in South Lansing. We could use shops, restaurants, quality apartments or hotel that would be inviting into our area of town.

When looking at the "Master Plan" that was developed for the city's south side, that had some possibilities. Honestly, I hate to invite my large extended families, that basically live in the downriver Detroit area and westward, as there are no quality hotels and such in my south end.

I am sorry, I will not be able to attend tonight's meeting to give verbal comment, but hope this can be added.

Thank you -

Marilyn Irvine

5211 Tulip Avenue

Lansing, MI 48911

AMERCO[®]

REAL ESTATE COMPANY

2727 North Central Avenue, 5-N • Phoenix, Arizona 85004
Phone: 602.263.6555 • Fax: 602.277.5824 • Email: holly_reading@uhaul.com

Narrative Project Summary

AMERCO Real Estate Company (AREC) has prepared this application package for the opportunity to receive the City of Lansing's participation and counseling in regards to Rezoning for the property located at 5400 Cedar St. Lansing, MI. AREC is the wholly owned real estate subsidiary of the U-Haul System.

The proposed 9.380 acre property is located at 5400 Cedar St. U-Haul is proposing an adaptive reuse of the existing 119,650 SF building by converting it into a U-Haul Moving and Storage Store. Our uses consist of self-storage and U-Haul truck and trailer 24/7 sharing. The interior of the building will be retrofitted to house self-storage units. This infill development will allow U-Haul to better serve the storage needs of the community and activate a property that is vacant.

The property is currently zoned F- Commercial. The use of self-storage and truck and trailer sharing isn't permitted. U-Haul is proposing to apply for a petition to rezone the property to G-2, in order for our uses to be permitted. The building will be used structurally as is with the exception of imaging and signage.

U-Haul will be providing a valuable service to the city, as we are a one-stop shop for the moving and storage needs of our customers. It is important to recognize the significant economic and community development changes that have occurred throughout the United States. A perfect example of this is the outdated "big-box" retailer such as Kmart. These retailers are closing at a rapid pace leaving behind large buildings that then remain vacant for years at a time. By converting this building through an adaptive reuse, we are continuing a long and proud history of revitalizing commercial properties. We have been met with great success in turning these properties into productive businesses that both provide jobs and help promote infill development.

Custom site design for every U-Haul store assures that the facility compliments the community it serves. Adherence to community objectives is key in order to ensure each U-Haul store is both a neighborhood asset and an economic success.

U-Haul is more of a commercial type use that serves the residential communities within a 3-5-mile radius. We feel the U-Haul would be an appropriate use for the property and there are proven benefits for allowing self-storage facilities in communities:

- Self-storage facilities are quiet
- They provide an excellent buffer between zones
- They create very little traffic
- They have little impact on utilities
- They have no impact on schools
- They provide a good tax revenue
- They provide a community service

U-Haul Moving and Storage is a convenience business. Our philosophy is to place U-Haul stores in high growth residential areas, where we fill a need for our products and services. Customers are made aware of the U-Haul store, primarily via drive-by awareness, much like that of a convenience store, restaurant or hardware store. Attractive imaging and brand name recognition bring in area residents — by our measures, those who live within a four-mile radius of the center.

The U-Haul Store:

U-Haul stores characteristically serve the do-it-yourself household customer. The U-Haul Store will be staffed with 10-15 employees, both full-time and part-time. Families will generally arrive in their own automobiles, enter the showroom and may choose from a variety of products and services offered there. When situated near public transit, approximately 50% of those families utilize alternative transportation to access U-Haul equipment and services.

- Families typically use U-Haul Self-Storage rooms to store furniture, household goods, sporting equipment, or holiday decorations. During transition periods between moves, moving to a smaller home, combining households, or clearing away clutter to prepare a home for sale, storage customers will typically rent a room for a period of two months to one year.
- U-Haul stores also provide truck and trailer sharing for household moving, either in-town or across country.
- Families who need packing supplies in advance of a move or to ship personal packages can choose from a variety of retail sales items, including cartons, tape and sustainable packing materials.
- Families who tow U-Haul trailers, boats, or recreational trailers can select, and have installed, the hitch and towing packages that best meet their needs.
- Moving and storage are synergistic businesses. Over half of our storage customers tell us they used U-Haul storage because of a household move. Customers will typically use U-Haul equipment or their personal vehicle to approach the loading area and enter the building through the singular customer access. All new U-Haul stores are designed with interior storage room access, giving the customer the

added value of increased security, and the community the benefit of a more aesthetically pleasing exterior.

Significant Policies:

- Hours of Operation:

Mon. - Thurs.	7:00 a.m. to 7:00 p.m.
Fri.	7:00 a.m. to 8:00 p.m.
Sat.	7:00 a.m. to 7:00 p.m.
Sun.	9:00 a.m. to 5:00 p.m.
- All U-Haul storage customers are issued a card-swipe style identification card that must be used to gain access to their room. This is but one of many security policies which protect the customer's belongings and decrease the ability of unauthorized access to the facility.
- It is against policy for a business to be operated from a U-Haul storage room.
- Customers and community residents who wish to use the on-site dumpsters for disposing of refuse must gain permission to do so, and are assessed an additional fee.
- Items that may not be stored include: chemicals, flammables, and paints.
- U-Haul stores are protected by video surveillance.
- U-Haul stores are non-smoking facilities.
- U-Haul will provide added services and assistance to our customers with disabilities.

Traffic Study:

- U-Haul stores generate less vehicular traffic volume while still embodying an active-use site. Truck and trailer sharing and self-storage all represent dynamic transitions from one customer to another. DIY moving customers are presented with opportunities to utilize equipment and storage on a temporary basis, supporting a shared-economy, an effective economic model and an environmentally-sound way to conduct business.

USE COMPARISON					
Use	Square Feet	Traffic	Volume	Typical Hours	Days
		Weekday	Weekend		
Fast Food Restaurant	3,000 sq ft	3,161 trips	3,430 trips	18 hours - 24 hours	7
Gas Station w/ Convenience Store	2,200 sq ft	1,200 trips	2,200 trips	18 hours - 24 hours	7
Hotel	50,000 sq ft	905 trips	901 trips	24 hours	7
Casual Dining	5,000 sq ft	1,075 trips	1,258 trips	11 am - 11 pm 12 hours	7
U-Haul Center	80,000 sq ft	31 trips	53 trips	7 am - 7 pm 12 hours	7

U-Haul looks forward to working with the City of Lansing as you consider the rezoning petition we are currently submitting.

Sincerely,

Holly Reading Keilman
AMERCO Real Estate - Planner



Jolly Cedar Ct

S Cedar St

5400 S. Cedar Street

Redner St

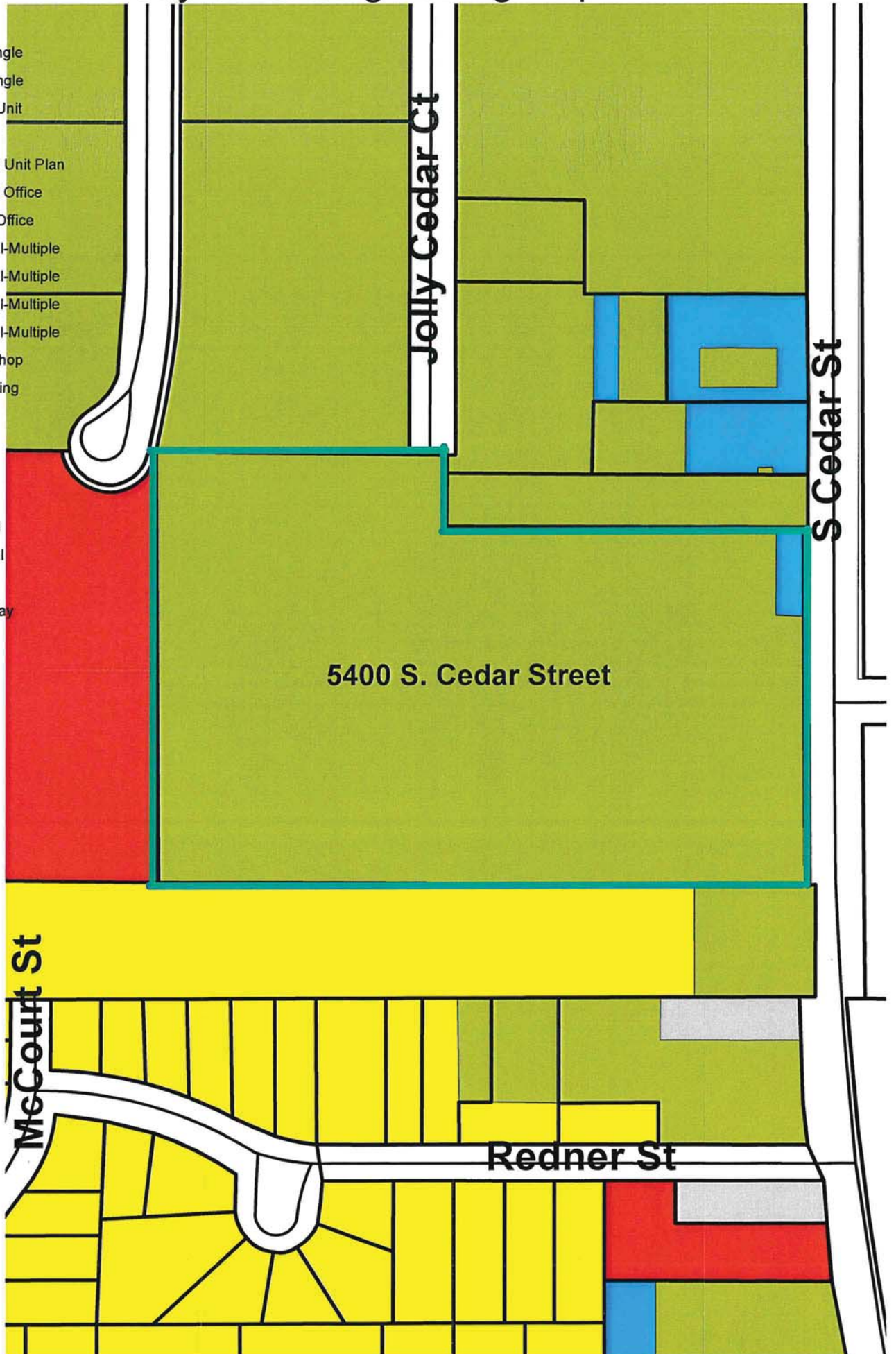
Trinity Cir



Legend

-  roads_final
-  Tax Parcels
-  A Residential-Single
-  B Residential-Single
-  C Residential-2 Unit
-  NONE
-  CUP Community Unit Plan
-  D-1 Professional Office
-  D-2 Residential/Office
-  DM-1 Residential-Multiple
-  DM-2 Residential-Multiple
-  DM-3 Residential-Multiple
-  DM-4 Residential-Multiple
-  E-1 Apartment Shop
-  E-2 Local Shopping
-  F Commercial
-  F-1 Commercial
-  G-1 Business
-  G-2 Wholesale
-  H Light Industrial
-  I Heavy Industrial
-  J Parking
-  ROW Right of Way

City of Lansing Zoning Map



May 24, 2019

Honorable Mayor of the City of Lansing
Members of the Lansing City Council
City Hall – 10th Floor
124 W. Michigan Avenue
Lansing, MI 48933

Dear Mr. Mayor and City Council Members,

I am writing you today to offer our position on a development project currently before you for consideration. The project in discussion is the former Kmart store at 5400 South Cedar Street.

We have reviewed the U-Haul corporation's plans and concepts that have been submitted for the adaptive reuse of the former Kmart building. Our interest came from the current construction and ownership of a directly adjacent office building we have developed for the State of Michigan. Our project, just recently occupied, brings a new 24,000 square foot office building to Jolly Cedar Court with its 110 employees.

When we started our project seven months ago the Kmart building was an eye sore and detriment to our development. After years of neglect our south lot line was filled with debris and refuse as a result of the building's vacancy. We took the initiative to not only clean up our site but the adjoining north lot line of the Kmart site. Today we are proud of the \$4,000,000 new building improvement to South Lansing. Our hope is the process can be continued with the approval of the U-Haul project before you.

Gentilozzi Real Estate has been an active developer in the greater Lansing area for forty-nine years accomplishing more than \$150,000,000 of developments; projects like One Michigan Ave., The Grand Tower and The Victor Office Center. We try to be good neighbors and consider our partnership with the City of Lansing as fundamental in our success.

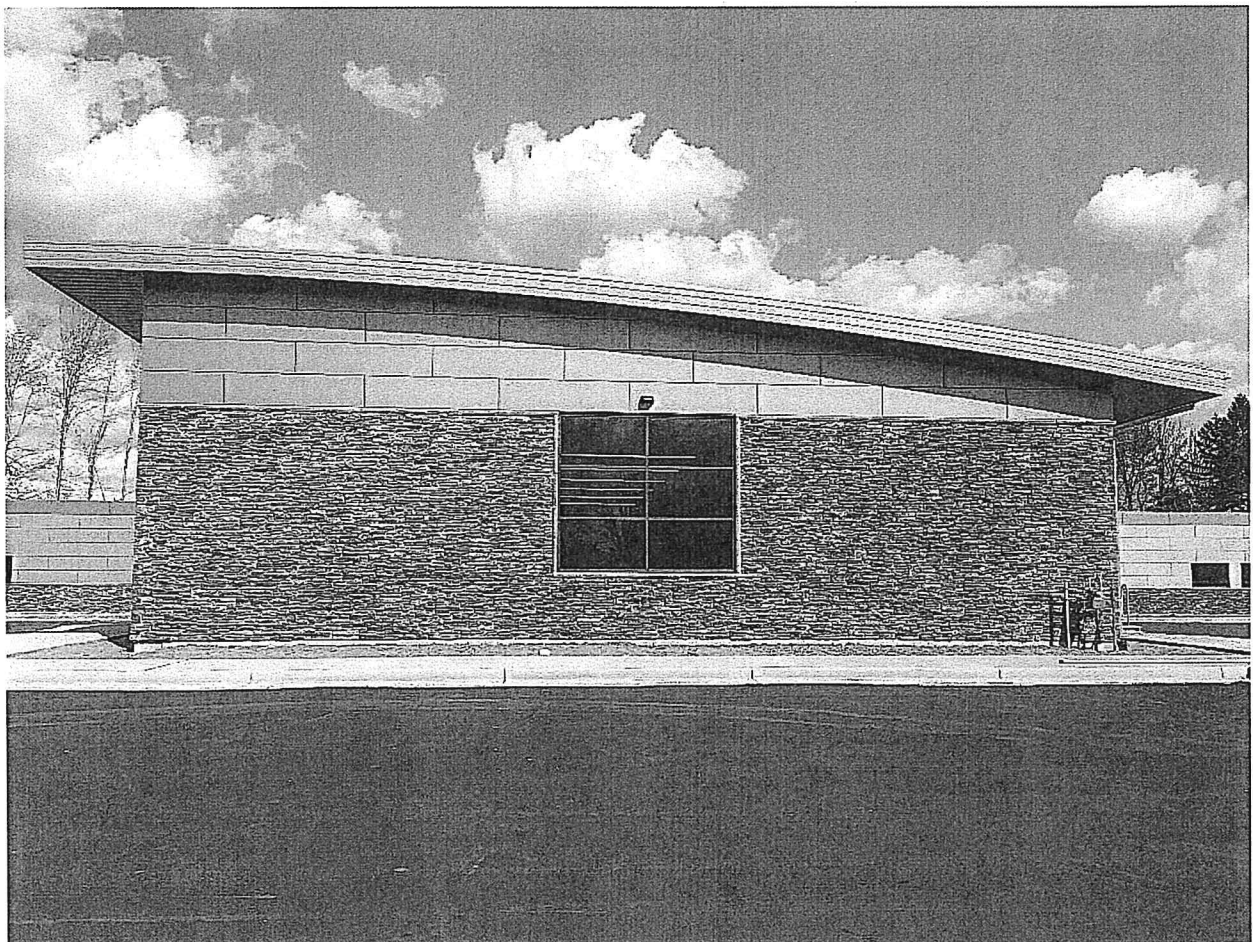
I can say to you that the U-Haul project is 100% positive from our view. The reuse and redevelopment of the Kmart location is just in time to help change the development curve. New developments breed more new developments and that provides a tax base increase helping the City grow and maintain.

I have included a picture of our new building and hope that you have a chance to visit soon. I thank you in advance for your consideration.

Respectfully,



Paul Gentilozzi
President – Gentilozzi Real Estate



ORDINANCE # _____

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING FOR THE REZONING OF A PARCEL OF REAL PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE OF ORDINANCES.

The City of Lansing ordains:

Section 1. That the district maps adopted by and incorporated as Section 1246.02 of the Code of Ordinances of the City of Lansing, Michigan be amended to provide as follows:

To change the zoning classification of the property described as follows:

Case Number: Z-8-2018

Parcel Number's: 33-01-05-04-202-021

Address: 5400 S. Cedar Street

Legal Descriptions: Commencing 7 feet West of the Southeast Corner of Lot 7, Jolly-Cedar Plaza, Thence South 501.78 feet to the North line of the Consumers Power right-of-way, West 913.64 feet, North 600 feet, East 405.33 feet, South 98.07 feet, East 506.14 feet to the point of beginning; Section 4, T3N R2W, from "F" Commercial & "J" Parking Districts to "G-2" Wholesale District.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance was duly adopted by the Lansing City Council on _____, 2019, and a copy is available in the office of the Lansing City Clerk, 9th Floor, City Hall, 124 W. Michigan Avenue, Lansing, MI 48933.

Section 4. This ordinance shall take effect on the 30th day after enactment.