



AGENDA
Committee on Development and Planning
Tuesday, December 1, 2020 @ 3:30 P.M.

Access the meeting via: <https://us02web.zoom.us/j/89479106217>; ID 894 7910 6217 US: +1 301 715 8592
email comments prior to the meeting at sherrie.boak@lansingmi.gov

All Councilmembers will participate virtually & may be contacted prior to the meeting at city.council@lansingmi.gov 483-4177

***UPDATED 11/30/2020 P.M.**

Councilmember Spitzley, Chair
Councilmember Garza, Vice Chair
Councilmember Betz, Member
Councilmember Hussain, Member

1. Call to Order

2. Public Comment on Agenda Items

3. Discussion/Action:

A.) *RESOLUTION – Objecting to the Transfer of all Unsold Tax Reverted Properties from the Ingham County Treasurer to the City of Lansing

B.) ORDINANCE – Rezoning Z-8-2019; 5400 S Cedar Street

C.) ORDINANCE – Rezoning Z-2-2020; 5528 S Martin Luther King Jr Blvd.

D.) ORDINANCE – Rezoning Z-3-2020; 1030 S Holmes Street

E.) RESOLUTION – Introduction & Setting Public Hearing; Rezoning Z-7-2020; Eydel Properties LLC; MVAH Development; 514 W. Erie & 500 N Cedar; Rezoning from H Light Industrial to G-1 Business

F.) RESOLUTION – Introduction & Setting Public Hearing; Rezoning Z-8-2020; GDN Farms, LLC; 2918 N East Street; Rezoning from F Commercial to H Light Industrial

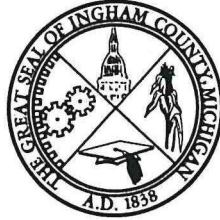
G.) ORDINANCE – Ordinance to institute Form Based Zoning Code

4. Adjourn

To mitigate the spread of COVID-19 and to provide essential protections to vulnerable Michiganders and this State's health care system and other critical infrastructure, it is crucial that all Michiganders take steps to-limit in-person contact, particularly in the context of large groups. Therefore, the above meetings will be conducted via audio/video conference. The meetings are being held virtually in accordance with the Open Meetings Act, as amended in an effort to protect the health and safety of the public. Members of the public wishing to participate in the meeting may do so by logging into or calling into the meetings using the website or phone number above, and meeting ID provided. To provide input or ask questions on any item that is listed on the agenda, members of the public may contact the email address listed above under the meeting link. Persons with disabilities who need an accommodation to fully participate in these meetings should contact the City Council Office at 517-483-4177 (TTY 711) 24 hour notice may be needed for certain accommodations. An attempt will be made to grant all reasonable accommodation requests.

Eric A. Schertzing
Ingham County Treasurer

Alan Fox
Chief Deputy Treasurer
(517) 676-7235
afox@ingham.org



Courthouse
P.O. Box 215
Mason, MI 48854-0215
(517) 676-7220
eschertzing@ingham.org

November 13, 2020

Mr. Chris Swope
City of Lansing Clerk
124 W Michigan Ave
9th Floor of City Hall
Lansing, Michigan 48933

Dear Mr. Swope:

Lansing City Clerk
20 NOV 19 10:18 AM

I am writing to you on behalf of Treasurer Eric Schertzing who serves as the Foreclosing Governmental Unit (FGU) for Ingham County under Public Act 123 of 1999; MCL 211.1-211.157.

Property was foreclosed upon by the FGU for unpaid property taxes in the City of Lansing. Such property was offered for sale at two public auctions. By statute, fee simple title to those parcels not sold at auction must be transferred to the City of Lansing on or before December 30, 2020 unless the City formally objects to the transfer. I encourage you to review this process at MCL 211.78m(6). As required by statute, a list of all unsold property tax foreclosed parcels located in the City of Lansing is enclosed.

Treasurer Schertzing, working in consultation with local government, spearheaded the creation of the Ingham County Land Bank Authority in 2005 to help combat the problems property tax foreclosed parcels can present. Oftentimes the cost of maintaining, managing redevelopment and disposition of such parcels exceeds the value the properties offer. Through the legal structure of the Ingham County Land Bank, properties are able to re-enter the tax roll with less burden and expense. The Land Bank obtains possession of unsold property tax foreclosed parcels after the City objects to their transfer from the Foreclosing Governmental Unit and the County transfers them to the Land Bank.

Also enclosed is a sample resolution for consideration by the City of Lansing objecting to the transfer of property tax foreclosed parcels to the City. When this issue is taken up by Council, Treasurer Schertzing would be more than willing to be in attendance to answer

any questions that may arise. Please contact me at the email address or telephone number listed below to schedule a meeting time satisfactory to all parties and within the statutory time constraints or to request electronic copies of this letter, the sample resolution, or parcel list.

Thank you for your assistance in this matter.

Regards,

Jenna R. Casuccio
Tax Forfeiture/Foreclosure Coordinator
Ingham County Treasurer's Office
icasuccio@ingham.org
(517) 676-7237

Cc: James Smiertka, City of Lansing Attorney

Cc: Brian McGrain, Director of Economic Development and Planning

Enclosure

City of Lansing
2020 Rejection List

PARCEL	ADDRESS	LEGAL	PROPERTY CLASS
33-01-01-08-378-211	Comfort St	N 69.95 FT LOT 16 ASSESSORS PLAT NO 48	Residential Vac
33-01-01-10-376-141	1033 May St	S 57.4 FT LOT 13 & S 57.4 FT OF E 1/2 LOT 14 THE METLIN ADD	Residential
33-01-01-10-377-231	819 Cleveland St	LOT 8 BLOCK 4 F C TAYLORS REPLAT OF DELLS SUB REC L 5 P 13	Residential
33-01-01-14-376-091	410 S Francis Ave	LOT 160 SNYDERS SUB	Residential Vac
33-01-01-14-380-141	642 S Francis Ave	LOT 51 BROWNS SUB OF A PART OF OUTLOTS A AND B OF SNYDERS ADD	Residential
33-01-01-15-378-191	1119 Bement St	LOT 35 BLOCK 6 LANSING IMPROVEMENT COMPANYS ADD	Residential
33-01-01-22-281-022	(Vac) Allen St	LOT 123 & N 29 FT LOT 122 PARKVIEW LAND CO ADD	Residential Vac
33-01-01-22-308-151	(Vac) Baker St	LOT 8 BLOCK 5 ASSESSORS PLAT NO 20	Residential Vac
33-01-01-23-103-001	(Vac) Harton St	E 5 FT LOT 20 LANSING ADDITION COMPANYS SUB REC L 5 P 20	Residential Vac
33-01-01-23-107-012	(Vac) Walsh St	COM NW COR LOT 11, TH S 36 FT, E 83.75 FT, NW'LY TO BEG; AVIS SUB	Residential Vac
33-01-05-05-151-037	(Vac) Hughes Rd	PART LOT 155 COM 125 FT S OF NE COR, TH W 100 FT, S 60 FT, E TO SE COR, N'LY ALONG	Residential Vac
33-01-05-09-251-231	(Vac) Gardenia Ave	COM SE COR LOT 10, GARDENDALE SUB, TH W 466.98 FT, S 94.3 FT E 301.98 FT, N 80 FT,	Residential Vac

BY THE COMMITTEE ON DEVELOPMENT & PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

RESOLUTION OBJECTING TO THE TRANSFER OF ALL UNSOLD TAX REVERTED
PROPERTIES FROM THE INGHAM COUNTY TREASURER TO THE CITY OF
LANSING

WHEREAS, Public Act 123 of 1999, hereinafter referred to as the “Act,” established an expedited process whereby property on which taxes have not been paid could be sold for unpaid taxes; and

WHEREAS, the Act creates a series of stages through which a property on which the taxes have not been paid must pass before that property can be sold; and

WHEREAS, the Act allowed each county in the State of Michigan to decide whether its treasurer or the State of Michigan would act as the governmental entity responsible for overseeing the stages through which a property on which the taxes have not been paid must pass before the property is sold; and

WHEREAS, the Act refers to the governmental entity responsible for overseeing the stages through which a property on which the taxes have not been paid must pass before the property is sold as the foreclosing governmental unit; and

WHEREAS, pursuant to a concurring resolution of the County Board of Commissioners, the Treasurer of Ingham, (hereinafter referred to as the “Treasurer”), is the foreclosing governmental unit under the Act with authority to take all actions, judicial or otherwise, required under the Act in order to sell property on which the taxes have not been paid in Ingham County; and

WHEREAS, pursuant to the Act fee simple title to a property on which the Treasurer has foreclosed vest in the Treasurer effective on the March 31st immediately succeeding the hearing for uncontested cases or 10 days after the conclusion of the hearing for contested cases; and

WHEREAS, the Act prescribes how the Treasurer is to dispose of property obtained by foreclosure; and

WHEREAS, the Act requires that the Treasurer give a list to the Clerk of the City of Lansing which list shall contain all the property in that city on which the Treasurer has foreclosed that has not been sold prior to December 1st of the year in which it is foreclosed upon; and

WHEREAS, unless the City of Lansing objects in writing, the Act requires the Treasurer to transfer to that city fee simple title to the property on that list; and

WHEREAS, the City has received from the Treasurer, by letter dated November 13, 2020, a list of property that may be transferred to the City if it does not object; and

WHEREAS, the City of Lansing does not wish to obtain from the Treasurer any property upon which the Treasurer has foreclosed but not sold because of the cost of maintaining such property will exceed any benefit that will be obtained.

NOW, THEREFORE, BE IT RESOLVED, the City of Lansing hereby objects to the transfer of property foreclosed upon by the Treasurer but not sold that are contained on the list thereof filed with the City of Lansing Clerk and said transfers are, therefore, refused.

PARCEL	ADDRESS	LEGAL	PROPERTY CLASS
33-01-01-08-378-211	Comfort St	N 69.95 FT LOT 16 ASSESSORS PLAT NO 48	Residential Vac
33-01-01-10-376-141	1033 May St	S 57.4 FT LOT 13 & S 57.4 FT OF E 1/2 LOT 14 THE METLIN ADD	Residential
33-01-01-10-377-231	819 Cleveland St	LOT 8 BLOCK 4 F C TAYLORS REPLAT OF DELLS SUB REC L 5 P 13	Residential
33-01-01-14-376-091	410 S Francis Ave	LOT 160 SNYDERS SUB	Residential Vac
33-01-01-14-380-141	642 S Francis Ave	LOT 51 BROWNS SUB OF A PART OF OUTLOTS A AND B OF SNYDERS ADD	Residential
33-01-01-15-378-	1119 Bement St	LOT 35 BLOCK 6 LANSING IMPROVEMENT	Residential

191		COMPANYS ADD	
33-01- 01-22- 281- 022	(Vac) Allen St	LOT 123 & N 29 FT LOT 122 PARKVIEW LAND CO ADD	Residential Vac
33-01- 01-22- 308- 151	(Vac) Baker St	LOT 8 BLOCK 5 ASSESSORS PLAT NO 20	Residential Vac
33-01- 01-23- 103- 001	(Vac) Harton St	E 5 FT LOT 20 LANSING ADDITION COMPANYS SUB REC L 5 P 20	Residential Vac
33-01- 01-23- 107- 012	(Vac) Walsh St	COM NW COR LOT 11, TH S 36 FT, E 83.75 FT, NW'LY TO BEG; AVIS SUB	Residential Vac
33-01- 05-05- 151- 037	(Vac) Hughes Rd	PART LOT 155 COM 125 FT S OF NE COR, TH W 100 FT, S 60 FT, E TO SE COR, N'LY ALONG E'LY LINE TO BEG; MAPLE GROVE NO 3	Residential Vac
33-01- 5-09- 251- 231	(Vac) Gardenia Ave	COM SE COR LOT 10, GARDENDALE SUB, TH W 466.98 FT, S 94.3 FT E 301.98 FT, N 80 FT, E 165 FT, N 14.3 FT TO BEG; SEC 9 T3N R2W	Residential Vac

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 of the 11.43 +/- acre parcel– 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 approximately 9.38 acres of the property at 5400 S. Cedar Street from "F" Commercial & "J" Parking Districts to "G-2" Wholesale District, with the following conditions:

- * No marijuana facilities of any kind may be established on the property
- * The proposed storage building located north of the S. Cedar Street driveway will have

an architectural design that is consistent with the rendering shown on the plan dated 8/29/2019

- * The site improvements shown on the plan dated 8/29/2019, which includes landscaping, a connection path to the abutting non-motorized pathway and the provision of a bicycle rest area, will be installed prior to occupancy of the existing building or any new buildings on the site.

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
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 parcel of land zoned "G-2" Wholesale to its west that is accessed via Perry Robinson Circle off of E. Jolly Road. The adjoining properties to the north, south and east are zoned "F" Commercial. As evidenced by the attached map, the zoning pattern along S. Cedar Street is very inconsistent. In fact, there are numerous other parcels in close proximity to the site that are zoned

“G-2” Wholesale and “H” Light Industrial, all of which could be used for storage facilities as a matter of right. The proposed rezoning, therefore, will not create an inconsistent zoning pattern along S. Cedar Street.

The primary concern with self-storage uses along a commercial corridor is that they are not customer oriented businesses and as a result, they generate very little traffic on a regular basis. This typically results in a large sea of unused parking that is unattractive and does not contribute to the vibrancy of a commercial district. In this case, however, the conditions that the applicant is offering as part of the rezoning will make the site far more attractive than what currently exists. There is virtually no landscaping/green space on the site, the parking lot is in poor condition and the building is unattractive and is showing signs of deterioration from sitting vacant. The applicant’s proposal includes a significant amount of landscaping around the perimeter and interior to the site as well as parking lot repair and improvements to the appearance of the existing building. The proposed building near S. Cedar Street north of the driveway will be designed to look like a general commercial building rather than a typical self-storage building. Also, the applicant is excluding approximately 2 acres of land along the S. Cedar Street road frontage from the rezoning so that it will be available for general commercial development. Once developed, it will provide a buffer between the street and the parking lot for the U-Haul business so that it will not appear to be a hole of little activity along a commercial corridor. When 930 W. Holmes Road was rezoned to the “G-2” Wholesale district to allow the building at that location to be used for self-storage, the frontage of the property along both W. Holmes Road and S. Washington Avenue was excluded (remained zoned “F” Commercial) for the same reason. Similarly, when the area of the property west of the building at 3512 S. MLK was rezoned to “H” Light Industrial, the property that leads from the storage area to W. Holmes Road remained zoned “F” Commercial to ensure that it would be developed for commercial purposes rather than additional storage units, in keeping with the existing zoning and land use patterns along W. Holmes Road.

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 specific type of development being advanced in the Master Plan as described above in that the “G-2” Wholesale district does not allow residential use, even with a special land use permit. The applicant’s proposal, however, allows for the adaptive reuse of and improvements to a site/building that has sat vacant for a significant amount of time and continues to fall further into a state of dilapidation. This is consistent with one of the primary goals of the Master Plan which is to improve the appearance of the City’s commercial corridors.

IMPACT ON VEHICULAR AND PEDESTRIAN TRAFFIC:

The proposal will not result in any negative impacts on vehicular or pedestrian traffic in the area. S. Cedar Street is a major arterial that is designed to carry the highest volumes of traffic. Storage facilities typically generate a very low volume of vehicular traffic, have few employees and virtually no pedestrian customer traffic.

IMPACT ON PUBLIC FACILITIES:

The proposed building and site improvements 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 applicable City codes.

ENVIRONMENTAL IMPACT:

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. The applicant's proposal to remove a significant amount of pavement in and around the site to create landscape buffers will have positive impacts on the environment.

IMPACT ON FUTURE PATTERNS OF DEVELOPMENT:

The zoning pattern along S. Cedar Street is already characterized by a myriad of zoning designations including "G-2" Wholesale and "H" Light Industrial. Given the inconsistent zoning pattern that already exists, the proposed rezoning is not anticipated to have any negative impacts on future patterns of development in the area.

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, with the following conditions:

- * No marijuana facilities of any kind may be established on the property
- * The proposed storage building located north of the S. Cedar Street driveway will have an architectural design that is consistent with the rendering shown on the plan dated 8/29/2019
- * The site improvements shown on the plan dated 8/29/2019, which includes landscaping, a connection path to the abutting non-motorized pathway and the provision of a bicycle rest area, will be installed prior to occupancy of the existing building or any new buildings on the site.

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.

RECOMMENDATION

Based on the findings of fact as described in this staff report, staff recommends approval of Z-8-2019 to rezone the property at 5400 S. Cedar Street from “F” Commercial & “J” Parking Districts to “G-2” Wholesale District, with the following conditions:

- * No marijuana facilities of any kind may be established on the property
- * The proposed storage building located north of the S. Cedar Street driveway will have an architectural design that is consistent with the rendering shown on the plan dated 8/29/2019
- * The site improvements shown on the plan dated 8/29/2019, which includes landscaping, a connection path to the abutting non-motorized pathway and the provision of a bicycle rest area, will be installed prior to occupancy of the existing building or any new buildings on the site.

Respectfully Submitted,

**Susan Stachowiak
Zoning Administrator**

AMERCO[®]

REAL ESTATE COMPANY

2727 North Central Avenue, 5-N • Phoenix, Arizona 85004
Phone: (602)263-6555 • Fax: (602)735-2082 • Email: Stephany_sheekey@uhaul.com

Project Narrative

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 a Conditional Rezone for the property located at 5400 Cedar St. Lansing, MI. AREC is the wholly owned real estate subsidiary of the U-Haul System.

The subject 11.43-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 use will consist of interior, climatized self-storage and U-Haul truck and trailer share. The interior of the building will be retrofitted to house self-storage units. U-Haul also intends to provide two outparcels along S Cedar St. for commercial development. This infill development will allow U-Haul to better serve the storage needs of the community, activate a property that is currently vacant, and allow for future commercial development along S Cedar St.

The property is presently zoned F- Commercial District. Neither self-storage nor U-Haul truck and trailer share are permitted uses within that zoning district. U-Haul is proposing to rezone an approximate 9.38-acre portion of the property to G-2 - Wholesale District in order for our uses to be permitted. The building will be used structurally as is with the exception of imaging and signage. The two outparcels along S Cedar St, approximately 1 acre per outparcel, will not be included in our rezoning request and will remain zoned as F - Commercial District. Additionally, U-Haul will provide a connection path for the abutting S Lansing Pathway leading to a bike rest area which will have a water fill-up station and bike tools for the community.

Custom site design for every U-Haul store assures that the facility complements 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.

Explain what changes or changing conditions make the passage of this rezoning necessary:

It is important to recognize the significant changes in retail that have occurred throughout the country, namely with "big-box" retailers such as Kmart. These retailers are closing at a rapid pace leaving behind large buildings that then remain vacant for years at a time. It is becoming increasingly difficult to find retailers who are willing or able to occupy such a large footprint. A rezone of the property favors the successful and sustainable

redevelopment of this property. U-Haul has a long and proud history of revitalizing commercial properties in a sustainable way. Through reuse, we are able to meet the citizen's needs without compromising the resources and land associated with new construction. We have been met with great success in converting outdated big-box stores into productive businesses that both provide jobs and help to promote infill development.

Comment on other circumstances which justify the amendment:

Our proposal, to rezone a portion of the property G-2 for the use of self-storage and U-Haul truck and trailer share while creating two outparcels along S Cedar St to remain zoned as F, is the most beneficial use of the land. As previously mentioned, the footprint of big-box stores are not appealing to the majority of commercial developers. The building itself creates a hardship for any developer as it is extremely difficult to utilize that amount of space in a viable way. U-Haul is invested in the growth and economic well-being of your community. Our proposal allows for the creation of new retail / commercial development along S Cedar St, creating a vibrant frontage. This also allows for the vacant building to be adaptively reused to help better serve the surrounding residential neighborhoods and promote infill development. Self-storage is complementary to surrounding commercial uses and acts as an excellent buffer between commercial and residential zones.

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.

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

Sincerely,

Stephany Sheekey
AMERCO Real Estate Company- Planner





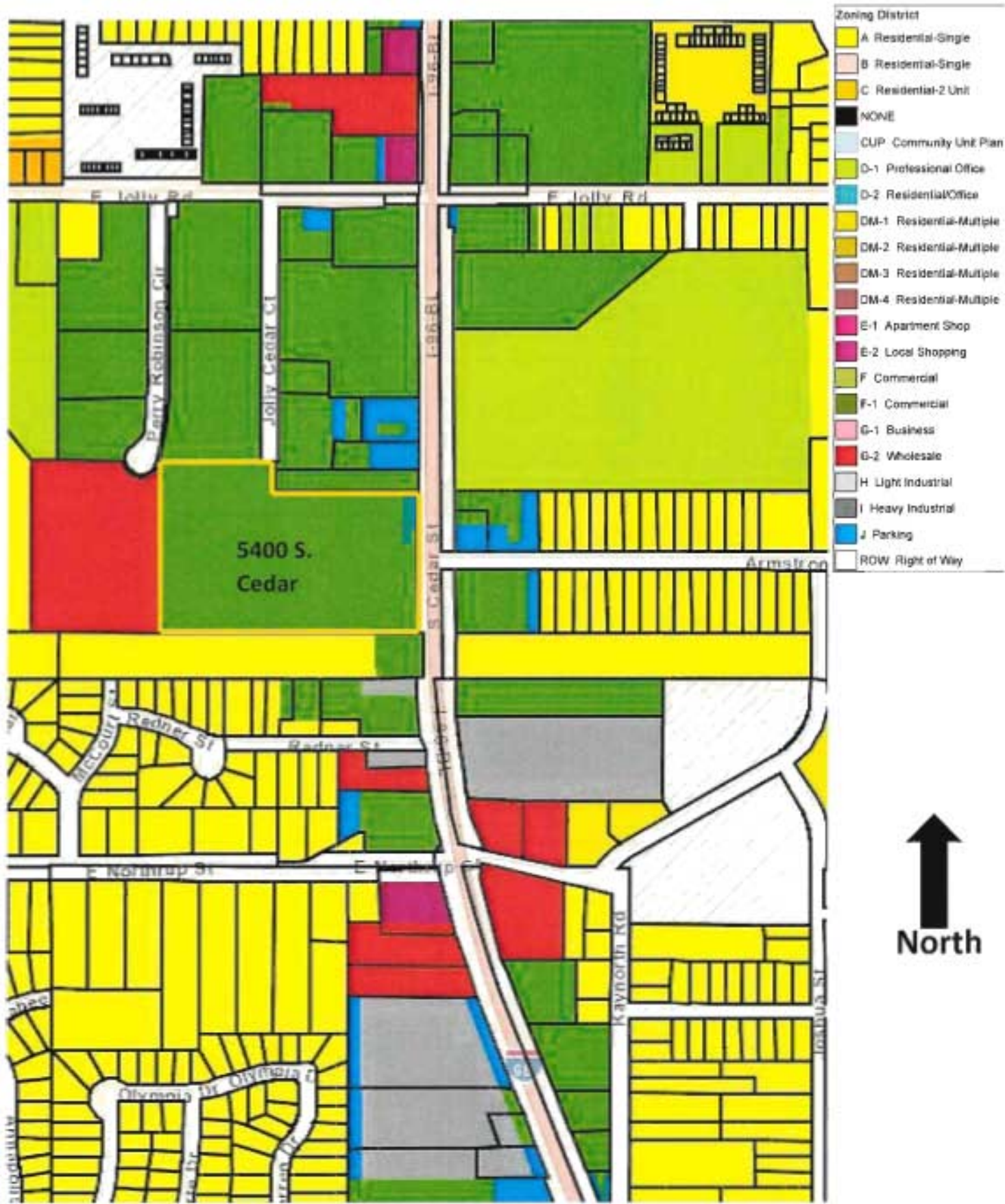




Zoning District

[Yellow]	A Residential-Single
[Pink]	B Residential-Single
[Orange]	C Residential-3 Unit
[Black]	NONE
[Light Blue]	CU-P Community Unit Plan
[Light Green]	D-1 Professional Office
[Teal]	D-2 Residential Office
[Yellow-Orange]	DM-1 Residential-Multiple
[Orange]	DM-2 Residential-Multiple
[Brown]	DM-3 Residential-Multiple
[Dark Brown]	DM-4 Residential-Multiple
[Pink-Red]	E-1 Apartment Shop
[Red]	E-2 Local Shopping
[Light Green]	F Commercial
[Green]	F-1 Commercial
[Pink]	G-1 Business
[Red]	G-2 Wholesale
[Light Gray]	H Light Industrial
[Dark Gray]	I Heavy Industrial
[Blue]	J Parking
[White]	ROW Right of Way





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-8-2019

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 175.78 feet, Thence West 268 feet, Thence South 326 Feet to the North line of the Consumers Power right-of-way, West 645.64 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 with the following conditions which shall run with the land and are binding upon all future owners thereof:

- * No marijuana facilities of any kind may be established on the property
- * The proposed storage building located north of the S. Cedar Street driveway will have an architectural design that is consistent with the rendering shown on the plan dated 8/29/2019
- * The site improvements shown on the plan dated 8/29/2019, which includes landscaping, a connection path to the abutting non-motorized pathway and the provision of a bicycle rest area, will be installed prior to occupancy of the existing building or any new buildings on the site.

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 _____, 2020, 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.

GENERAL INFORMATION

APPLICANT/OWNER:	Steve Hanks Trust 6400 Quail Ridge Lane Dimondale, MI 48821
REQUESTED ACTIONS:	Rezone the west, approximately 2/3 of the property at 5528 S. Martin Luther King Jr. Boulevard from “D-1” Professional Office district to “F” Commercial District
EXISTING LAND USE:	1,139 sq. ft. Residential/Office Building & 520 sq. ft. Utility Shed
EXISTING ZONING:	“D-1” Professional Office & “F” Commercial Districts
PROPOSED ZONING:	“F” Commercial District
PROPERTY SIZE:	Irregular Shape 138,485 sq. ft. - 3.179 acres
SURROUNDING LAND USE:	N: Commercial Building S: Motor Vehicle Repair Facility E: Urgent Care Facility & Multi-Family Residential W: Consumer’s Energy Right-of-Way
SURROUNDING ZONING:	N: “F” Commercial District S: “D-1” Professional Office & “F” Commercial Districts E: “F” Commercial & “DM-1 Residential Districts W: “DM-1” Residential District
MASTER PLAN:	The Design Lansing Comprehensive Plan designates the subject property for “Suburban Commercial” land use. S. M L King Jr. Blvd. is designated as a Suburban Corridor.

DESCRIPTION:

This is a request by Steve Hanks to rezone the west, approximately 2/3 of the property at 5528 S. M L King Jr. Blvd. from “D-1” Professional Office District to “F” Commercial district. The east, approximately 1/3 of the property is currently zoned “F” Commercial. The intent of the rezoning is to allow for commercial use of the entire parcel.

AGENCY RESPONSES

BWL:

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

Fire Marshal:

Parks & Recreation: No comments

Public Service:

Traffic Engineer:

COMPATIBILITY WITH SURROUNDING LAND USE

The west, approximately 2/3 of the subject property is zoned “D-1” Professional Office and the east, approximately 1/3 of the property is zoned “F” Commercial district. The purpose of the zoning is to allow the entire property to be used for commercial purposes, although a specific purpose has not been identified at this time. The property to the north of the subject property is already entirely zoned “F” Commercial and thus, the proposed zoning will be consistent with the pattern that has already been established by that property. There does not appear to be any reasonable explanation as to why only the frontage of the rest of the properties along the west side of MLK in the 5500 and 5600 blocks were zoned “F” Commercial and the remainder, which is the majority of the land, were zoned “D-1” Professional Office. Step-down or transitional zoning patterns are typically established to provide a buffer between commercial zoning/land uses and adjoining residential land uses. In this case, however, the transitional zoning pattern serves no purpose as there are no adjoining land uses that could be negatively impacted by commercial development. The area of the site that is zoned “D-1” Professional Office adjoins a 300+ wide Consumer’s Energy right-of-way and the nearest residential use is located almost 600 feet from the west property line and buffered by a densely wooded area.

It is difficult to develop a property that has different zoning designations. In this case, a commercial use could be established along the road frontage but the majority of the property to its west could only be in accordance with the “D-1” Professional Office district zoning. The “D-1” district permits such uses as banks, offices, funeral homes, clinics and residential uses, none of which, except maybe a multiple family residential development, would be appropriate to be located behind a commercial use with limited exposure from the street.

COMPLIANCE WITH MASTER PLAN

The Design Lansing Comprehensive Plan designates the subject property for “Suburban Commercial” land use. The Plan specifies the following for this land use classification:

“To allow for general retail and commercial use, including large footprint and automobile – oriented uses, in a suburban development format that also encourages a mix of uses and accommodates pedestrians, cyclists and transit users.”

The “F” Commercial zoning is the most appropriate zoning designation to facilities the land use pattern being advanced in the Comprehensive Plan for the subject property. The proposed zoning will also allow for a land use pattern that is consistent with one of the primary goals of planning principles in general which is to concentrate commercial land uses along major arterials that are already characterized by commercial land uses, where there is a transportation system in place to accommodate the traffic and where there are no adjoining low density residential uses that could be negatively impacted by the effects of certain commercial uses.

IMPACT ON VEHICULAR AND PEDESTRIAN TRAFFIC

The proposed rezoning will have no impact on traffic in the area. The site is located on S. M. L. King Jr. Boulevard which is a major arterial designed to carry a high volume of traffic.

IMPACT ON PUBLIC FACILITIES

New development will have to be reviewed and approved through the City’s administrative site plan review process, at which time the adequacy of utilities will be available. Any extension or upgrades necessary to serve the proposed development will be the responsibility of the applicant/owner.

ENVIRONMENTAL IMPACT

A storm-water management plan will need to be reviewed and approved by the City Engineers as part of the site plan review process.

IMPACT ON FUTURE PATTERNS OF DEVELOPMENT

Approval of the requested rezoning will not negatively impact future patterns of development in the area. In fact, the request to rezone the entire subject property to “F” Commercial may set a positive precedent for future requests to rezone the other parcels south of the subject property that have dual “F” Commercial and “D-1” Professional Office zoning in order to facilitate future development of those sites as well.

SUMMARY

This is a request by Steve Hanks to rezone the west, approximately 2/3 of the property at 5528 S. M L King Jr. Blvd. from “D-1” Professional Office District to “F” Commercial district. The east, approximately 1/3 of the property is currently zoned “F” Commercial. The intent of the rezoning is to allow for commercial use of the entire parcel.

The proposed “F” Commercial zoning will be consistent with the general zoning pattern already established in the area. It is also the most appropriate zoning designation for facilitating the land use pattern being advanced in the Design Lansing Comprehensive Plan and for facilitating reasonable development of the property. The proposed zoning will have no negative impacts on adjoining land uses, future patterns of development or traffic.

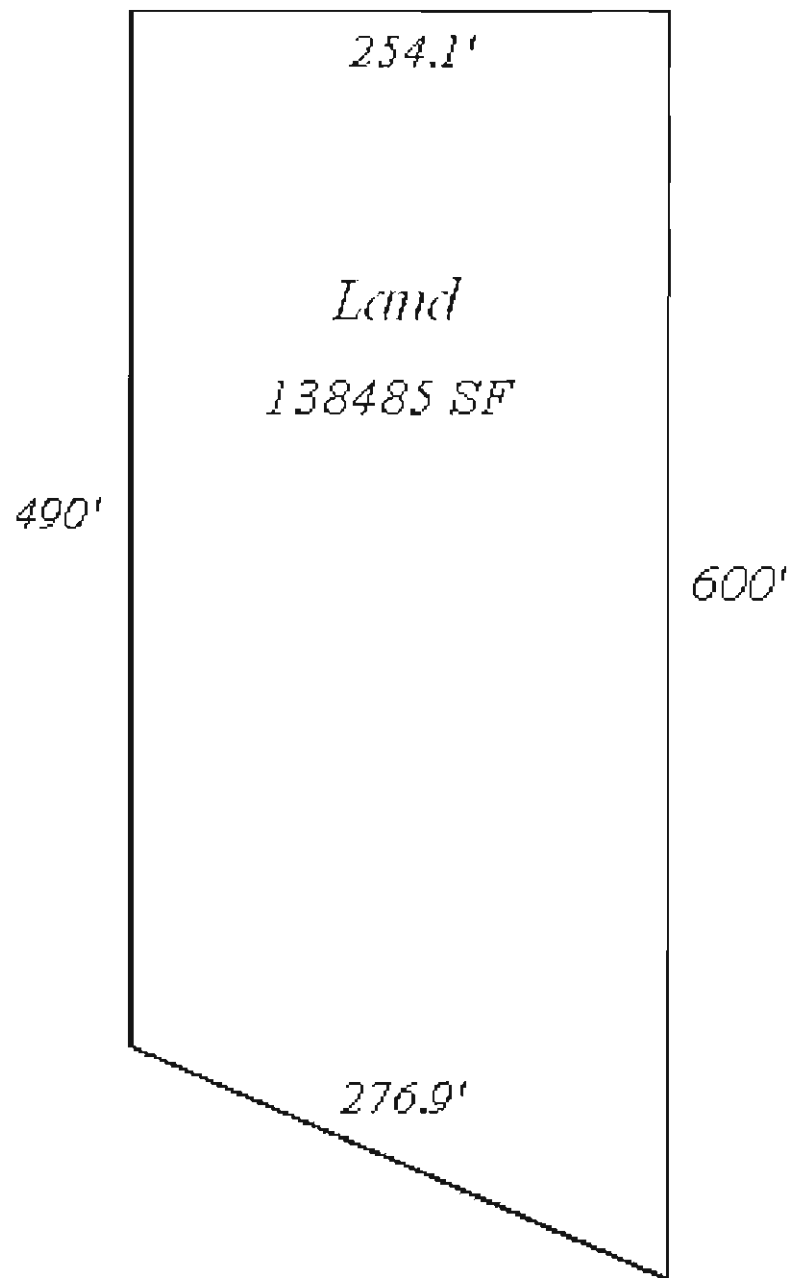
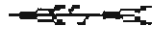
RECOMMENDATIONS

Pursuant to the findings described above, staff recommends approval of Z-2-2020 to rezone the west, approximately 2/3 of the property at 5528 S. M.L. King Jr. Boulevard from “D-1” Professional Office District to “F” Commercial District.

Respectfully Submitted,

**Susan Stachowiak
Zoning Administrator**

S ML KING JR BLVD



Image/Sketch for Parcel: 33-01-05-05-126-101



Image/Sketch for Parcel: 33-01-05-05-126-101



City of Lansing Zoning Map



Zoning District	
	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





Z-2-2020 is a request by Steve Hanks to rezone the west, approximately 2/3 of the property at 5528 S. M.L. King Jr. Blvd. from “D-1” Professional Office district to “F” Commercial district. The east, approximately 1/3 of the property is currently zoned “F” Commercial.

The intent of the rezoning is to allow the entire parcel to be used for commercial purposes (nothing planned at this time). The property does not adjoin any residential parcels of land and the parcel to the north is already entirely zoned “F” Commercial.

On September 1, 2020, the Planning Board voted unanimously to recommend approval of the request.

The owners, taxpayers and occupants of all real property within 300 feet of the site were notified of the public hearing. No comments, either in support or opposition to the request were received and only the applicant’s representative spoke at the public hearing.

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-2-2020

Parcel Number's: 33-01-05-05-126-101

Address: 5528 S. M.L. King Jr. Blvd.

Legal Descriptions: Commencing at the Southerly corner of Lot 6 on the Westerly line of M-99, thence Northwesterly along the Southerly lot line 650 feet, Northeast to a point on the Northeasterly lot line 550 feet Northwesterly from the Easterly corner, Southerly 550 feet to the Easterly corner, Southwesterly to the point of beginning; Creyts Subdivision, from "D-1" Professional Office district to "F" Commercial 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 _____, 2020, 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.

GENERAL INFORMATION

APPLICANT/OWNER: Blackboard District, LLC
503 Mall Court, Suite 312
Lansing, MI 48912

REQUESTED ACTION: Rezoning from “B” Residential & “D-1” Professional Office districts to “DM-4” Residential district

EXISTING LAND USE: Vacant School Building

EXISTING ZONING: “B” Residential & “D-1” Professional Office districts

PROPOSED ZONING: “DM-4” Residential District

PROPERTY SIZE & SHAPE: Slightly Irregular
96,500 sq. ft. - 2.21 Acres

SURROUNDING LAND USE: N: Single Family Residential
S: Single Family Residential
E: Single Family Residential
W: Single Family Residential

SURROUNDING ZONING: N: “B” Residential District
S: “B” Residential District
E: “B” Residential District
W: “B” Residential District

MASTER PLAN DESIGNATION: The Design Lansing Comprehensive Plan designates the subject property for use as a community facility. Holmes Street is designated as a collector and Mechanics Street and Hazel Street are designated as local streets.

APPLICANT’S REQUEST

This is a request by Blackboard District, LLC to rezone the property at 1030 S. Holmes Street from “B” Residential district and “D-1” Professional Office district to “DM-4” Residential district to permit use of the property for 108 multiple family residential apartments.

BACKGROUND INFORMATION

The building on the site was built for and used as a school until it was vacated approximately 2 decades ago. It has remained vacant ever since. In 2006, Teen Challenge applied for a special land use permit to utilize the building for a substance abuse recovery facility. That request was

withdrawn based on strong objections by the residents of the surrounding neighborhood. In 2007, the east 360 feet of the property at 1030 S. Holmes Street was rezoned from “B” Residential to “D-1” Professional Office. The applicant for that request intended to utilize the building for an internet consulting service but was never able to bring the project to fruition. The west 24,500 square feet was not rezoned in order to prevent it from being developed so that it would remain green space for use by the residents of the area.

AGENCY RESPONSES:

BWL:

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

Development:

Fire Marshal:

Parks & Recreation: No comments.

Public Service:

Transportation:

ANALYSIS

COMPATIBILITY WITH SURROUNDING LAND USE

The area is characterized by single family residential houses on small lots. The housing stock in the area is improving and more homes are becoming owner-occupied. Reuse of the existing building on the site, especially for residential purposes, will be compatible with and will have a positive impact on the surrounding neighborhood. Vacant buildings are a target for vandalism and the longer they sit vacant, the more they deteriorate and have the potential to become a blight on the neighborhood in which they are located.

In addition to the reuse of the existing school building for 47 residential apartment units, the applicant proposes to construct an additional 61 units on the site for a density of 48.8 dwelling units per acre which is why the “DM-4” zoning is necessary. The factors that determine exactly how many units could be established on the property include how many of them will be efficiencies, 1-bedrooms, 2-bedrooms and 3+ bedrooms and whether, based on these numbers, the site can accommodate the required number of parking spaces, given that the maximum allowable lot coverage on the site (structures and pavement) is 75% and no parking is permitted within the 20 foot front yard setback around the entire perimeter of the site. These limitations will ensure that the new development on the property will not result in overuse/overdevelopment of the site, thus, keeping it compatible, to the extent possible, with the surrounding neighborhood.

COMPLIANCE WITH MASTER PLAN

The Design Lansing Comprehensive Plan designates the subject property for use as a community facility, presumably since it was still owned by the Lansing School District when the Plan was enacted. Now that it is in private ownership and thus, will not be used for a “community facility”, an alternative use needs to be considered. The applicant’s proposal it to convert the vacant school building into 47 apartments and construct 5 additional multi-family residential buildings on the site for a total of 108 apartment units. While the proposed reuse of the building is not consistent with the “community facilities” land use being advanced in the Comprehensive Plan for the site, it will be consistent with a fundamental principle of planning which is to permit development and redevelopment that is compatible with the area in which it is located. In this case, since the site is located in the middle of a residential neighborhood, residential use would be the most appropriate use of the property.

IMPACT ON VEHICULAR AND PEDESTRIAN TRAFFIC

The proposed development will have no negative impacts on vehicular or pedestrian traffic in the area. Access to the site is currently via one driveway along Hazel Street. Additional driveways will need to be constructed on the site to accommodate parking for the proposed development. No traffic associated with the subject property has been generated for many years while the property has been vacant. The applicant intends to develop the site for 108 apartment units which will increase traffic in the area, particularly along Hazel and Mechanic Streets. The amount of traffic generated by 108 apartments, however, will likely be less in terms of volume and intensity than what was generated by staff, parents picking up and dropping off children, busses and delivery vehicles when the school was in full operation. It could also be less than the traffic generated by use of the building for medical offices which would be permitted by right under the existing “D-1” Professional Office zoning.

IMPACT ON PUBLIC FACILITIES

New development will have to be reviewed and approved through the City’s administrative site plan review process, at which time the adequacy of utilities will be available. Any extension or upgrades necessary to serve the proposed development will be the responsibility of the applicant/owner. A storm-water management plan will need to be reviewed and approved by the City Engineers as part of the site plan review process.

ENVIRONMENTAL IMPACT

The majority of the site is currently green space. While the additional buildings and parking lots will significantly reduce the amount of green space on the site, there is a maximum lot coverage restriction of 75% under the proposed “DM-4” zoning. The conceptual plan provided by the applicant shows a fair amount of green space on the site including a courtyard in the center of the future buildings. The amount of green space shown may need to be reduced, however, to accommodate the number of parking spaces required by Section 1284.13 of the Zoning Ordinance. At a minimum, 108 parking spaces will be required and that is if all of the units are efficiencies. It is unclear as to how many parking spaces can be provided under the conceptual plan. The number

of units may need to be reduced if the site is not large enough to accommodate the required number of parking spaces. No parking is permitted within 20 foot front yard setback area around the entire perimeter of the site.

IMPACT ON FUTURE PATTERNS OF DEVELOPMENT

The proposed development and hence, the rezoning will not negatively impact future patterns of development in the area. While the number of units that the applicant is proposing is on the high end of the density allowed under the “DM-4” district, the property is located in one of the more single family residential neighborhoods in the City as most of the lots are only 35 feet wide by 100 feet deep. Also, the proposed rezoning will not set a negative precedent for future requests to rezone property in the area for multi-family residential purposes. The subject property is the only one that is not zoned industrial within a 3+ block radius of the site that is large enough to accommodate anything other than single family residential use.

SUMMARY

This is a request by Blackboard District, LLC to rezone the property at 1030 S. Holmes Street from “B” Residential district and “D-1” Professional Office district to “DM-4” Residential district to permit use of the property for 108 multiple family residential apartments. The proposed “DM-4” Residential zoning will allow for conversion of the existing school building into residential apartments and allow for additional units to be constructed on the site.

The subject property is uniquely large in the area in which it is located and thus, the rezoning will not set a negative precedent for future requests to rezone property in the area for multi-family residential use. In addition, the proposed development is not anticipated to have any negative impacts on traffic, public services or the environment. Finally, while the residential uses is not consistent with the future “community facilities” land use being advanced in the Comprehensive Plan for the property, it is consistent with planning principles in general by allowing for a use that is compatible with the surrounding neighborhood.

RECOMMENDATION

Pursuant to the findings described above, staff recommends approval of Z-3-2020 to rezone the property at 1030 S. Holmes Street from “B” Residential and “D-1” Professional Office districts to “DM-4” Residential.

Respectfully Submitted,

**Susan Stachowiak
Zoning Administrator**



DETAILED DESCRIPTION OF REHABILITATION

- Electrical
- Plumbing
- HVAC
- Kitchen Cabinets/Countertops
- Exterior Lighting
- Suppression
- Landscaping
- Asphalt

DESCRIPTIVE LIST OF FIXED BUILDING EQUIPMENT

- Drywall
- Doors
- Flooring
- Light/Plumbing Fixtures
- Appliances
- Windows
- Roof Repairs
- Masonry Repair
- Paint



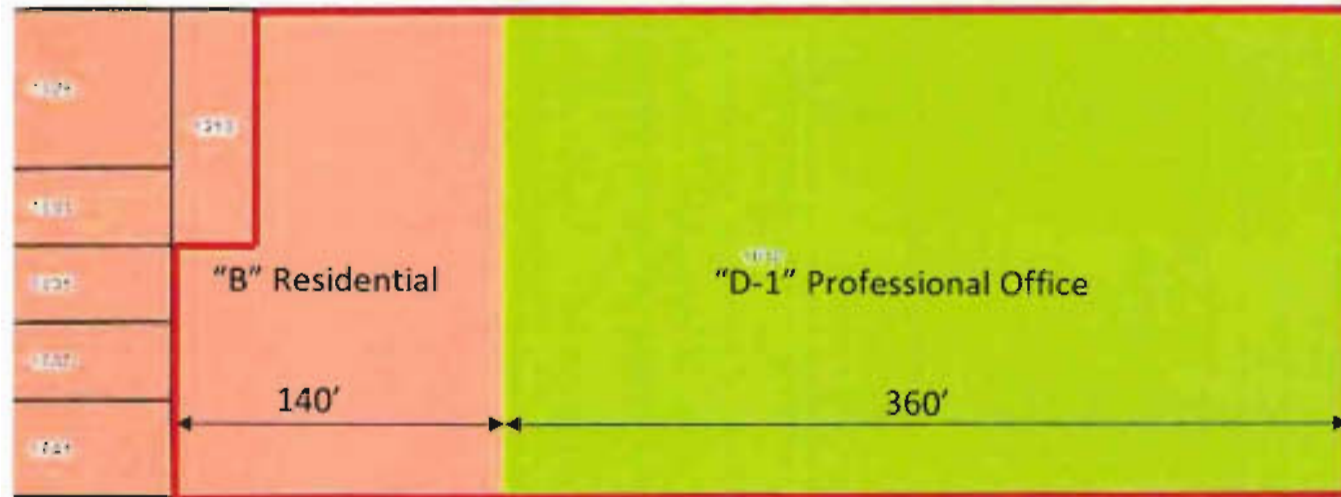
1030 S
Holmes

108 Total Units Residential
124 Total Beds

Image/Sketch for Parcel: 33-01-01-22-133-102



City of Lansing Zoning Map



Zoning District	
	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





North

Boak, Sherrie

From: Stachowiak, Susan
Sent: Friday, November 6, 2020 9:17 AM
To: Boak, Sherrie; Hussain, Adam; Garza, Jeremy; Spitzley, Patricia; Betz, Brandon
Subject: FW: [EXTERNAL] 1030 S. Holmes

Follow Up Flag: Follow up
Flag Status: Flagged

Below are the responses from the applicant for the 1030 S. Holmes Street rezoning (Z-3-2020) to the questions raised by the members of the Development & Planning Committee.

Susan Stachowiak

Zoning Administrator

Department of Economic Development & Planning – Planning Office

316 N. Capitol Ave., Suite D-1 | Lansing, MI 48933

O: (517) 483-4085 | E: Susan.Stachowiak@lansingmi.gov

[Website](#) | [Facebook](#) | [Twitter](#) | [Instagram](#) | [Census 2020 Website](#)



From: Jeff Deehan <jeff@dymaxiondevelopment.com>
Sent: Thursday, November 5, 2020 9:25 PM
To: Stachowiak, Susan <Susan.Stachowiak@lansingmi.gov>
Cc: Matt McNeil <director@lansinghousing.com>; McGrain, Brian <Brian.McGrain@lansingmi.gov>
Subject: RE: [EXTERNAL] 1030 S. Holmes

Sue,

Thanks for the email.

The Development & Planning Committee of the City Council has scheduled the public hearing on the rezoning of the property at 1030 S. Holmes Street for November 30th. The Councilmembers on the Committee have asked for the following information prior to the public hearing:

- What will be the price point for the apartments

Attainable. 700-1000

- What is the breakdown of units by bedroom count

As of right now the only official plan is the renovation of the existing school with many unit types. Mostly 1 bedroom apartments with a few 2bd. 40-60 units.

- How will you accommodate the required amount of parking on the site

The existing parking lot with a minor expansion and resurfacing is plenty for the school. We would have to engineer a site plan when considering the second phase.

- Where on the site will you be providing greenspace and will it be available to the neighbors in the area

The site is currently 91% greenspace, and if we follow something similar to the nice plans that the city put together, it would still maintain a good amount of greenspace. We have been working directly with the neighbors for the past year successfully allowing them to use our space in good faith. We have no intention of stopping. Someone mentioned something about it being a park on the last D&P meeting. We should be clear that this is not a park. It's 100% private property on which we are maintaining and liable for what happens.

- Would you be willing to consider provided room in one of the buildings for community use including possibly a communal kitchen.'

If someone has a good idea on how to pay for and insure it, sure.

Please provide this information to me and I will forward it to the committee members.

Thanks

Sue

Susan Stachowiak

Zoning Administrator

Department of Economic Development & Planning – Planning Office

316 N. Capitol Ave., Suite D-1 | Lansing, MI 48933

O: (517) 483-4085 | E: Susan.Stachowiak@lansingmi.gov

[Website](#) | [Facebook](#) | [Twitter](#) | [Instagram](#) | [Census 2020 Website](#)

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-3-2020

Parcel Number's: 33-01-01-22-133-102

Address: 1030 S. Holmes Street

Legal Descriptions: Lots 1 through 13 inclusive & Lots 21 through 34 inclusive, Block 11, Manufacturers Addition No. 2, from "D-1" Professional Office and "B" Residential districts to "DM-4" Residential 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 _____, 2020, 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.

GENERAL INFORMATION

APPLICANT: Pete Schwiegeraht
MVAH Development
9100 Centre Pointe Drive, Suite 201
West Chester, OH 45069

OWNERS: Eydel Properties II, LLC
2501 Coolidge Road
East Lansing, MI 48823

REQUESTED ACTIONS: Rezone from "H" Light Industrial to "G-1" Business

EXISTING LAND USE: Warehouse/storage, golf cart sales & service

EXISTING ZONING: "H" Light Industrial District

PROPOSED ZONING: "G-1" Business District

PROPERTY SIZE: 514 Erie – 5,115 square feet - .117 acres
500 N. Cedar – 3.076 acres

SURROUNDING LAND USE: N: Retail/Office
S: Retail/Industrial
E: Retail/Commercial/Industrial
W: Multiple Family Residential

SURROUNDING ZONING: N: "H" Light Industrial District
S: "H" Light Industrial District
E: "H" Light Industrial District
W: "DM-4" Residential District

MASTER PLAN: The Design Lansing Master Plan designates the subject property for Downtown Mixed-Use Center: Edge. N. Cedar and N. Larch Streets are designated as principal arterials. Erie Street is designated as a local road.

DESCRIPTION:

This is a request by MVAH Development to rezone 500 N. Cedar Street and 514 Erie Street from "H" Light Industrial district to "G-1" Business district. The purpose of the rezoning is to permit the properties to be used for multiple family residential/multi-generational housing.

AGENCY RESPONSES

BWL:**Building Safety:**

The Building Safety Office has no objections. Any future construction is subject to site and construction plan reviews.

Fire Marshal:**Parks & Recreation:**

No comments.

Public Service:**Transportation Engineer:**

The Public Service Department does not have any objection to the rezoning from a traffic operations standpoint. The applicant should be aware that the parcel fronts on 2 streets that are under the jurisdiction of the Michigan Department of Transportation, which would need to approve any proposed access modifications.

REZONING ANALYSIS

COMPATIBILITY WITH SURROUNDING LAND USE:

The proposal is to rezone the properties at 514 Erie Street and 500 N. Cedar Street from "H" Light Industrial to "G-1" Business district to allow for multiple family residential use. A basic site plan and a sample building elevation are attached to this report. The subject property is located in an area where there is an eclectic mix of uses (residential, commercial & industrial). 514 Erie is slightly more than 5,000 square feet in area and contains a 415 square foot warehouse/storage building as it is classified by the City Assessor's office. 500 N. Cedar Street is 3 acres in size and is primarily used for the sale and service of golf carts, a significant number of which are displayed on the lawn/storage yard. The site is surrounded by an apartment complex to the west, retail/office uses to the north and fairly intensive retail and quasi-industrial uses to the south and east. Just a half of a block to the south are restaurants, bars, retail uses and newly developed apartment complexes.

The existing warehouse and storage uses on the subject properties detract rather than contribute to the surrounding area and would be more appropriately located in an area of the City that is further outside of the downtown. Use of the properties for a multiple family housing development will bring a renewed sense of vitality to the area and will dramatically improve the appearance of the properties. The proposed project may also be the catalyst for more redevelopment projects in the area that will further the goals of the Master Plans to create a vibrant mixed use area surrounding the core downtown. The "G-1" district allows for a mix of office, commercial and residential uses to the highest density permitted under the Zoning Ordinance (up to 87 dwelling units per acre). It also has no setback or parking requirements and no limitations on building height or lot coverage which is why the overwhelming majority of the land in and around the core downtown is currently zoned "G-1" Business.

COMPLIANCE WITH MASTER PLAN:

The Design Lansing Master Plan designates the subject property for Downtown Mixed-Use Center: Edge. The purpose of this designation as described in the Plan is:

“To support the downtown area by allowing a mix of uses and to enhance the quality of the pedestrian environment; maintain the presence of older, often historic buildings; and provide for a transition in building height and use intensity to near-downtown neighborhoods.”

With respect to placemaking characteristics, the Plan states that:

“Buildings should maintain a consistent setback and nearly continuous street facade to frame the street, with a clearly-defined primary entrance oriented to the street. Surface parking should be located on the interior of the block where possible and should be well landscaped and screened in all cases. Parking ratio maximums should be considered. Building base and top should be articulated. Facade articulation into vertical components should be considered. Minimum transparency (windows and doors) requirements should be established. Transitional features requirements (architectural elements and building massing height step backs) to mitigate potential conflicts between higher intensity uses and residential uses should be considered. Historic preservation of valuable existing buildings, and residentially-scaled and detailed new architecture should be encouraged in areas where older residential structures remain and on neighborhood edges.”

The G-1 Business district is the most appropriate zoning designation to facilitate the mixed use development strategy being advanced in the Design Lansing Master Plan. It is specifically designed for the downtown in that it allows a mix of retail, office, and high density residential uses as a matter of right. It is also the zoning designation that allows for development in accordance with the placemaking characteristics described above (no parking or setback requirements and no building height or lot coverage limitations).

IMPACT ON VEHICULAR AND PEDESTRIAN TRAFFIC:

No negative impacts on vehicular or pedestrian traffic are anticipated to result from the proposed residential development. Additional housing will generate additional pedestrian traffic which will have a positive impact on the area. The current pedestrian walkway system and traffic controls in the area are designed to accommodate large volumes of pedestrian traffic in a safe manner.

Vehicular access to the site will be from N. Cedar Street which is a principal arterial designed to carry a very high volume of traffic and from Erie Street which is a short local street that provides a link between N. Cedar and N. Larch Streets.

Since the subject property is located on two major bus routes (Cedar and Larch), the future occupants of building can be less dependent on privately owned automobiles. The site is located within walking distance of several major employers and institutional facilities such as Sparrow Hospital, State of Michigan offices, the Accident Fund, Lansing Community College, Cooley Law School and

Davenport University. It is also located within walking distance of several restaurants, personal service establishments and the recently opened grocery store at the southeast corner of Larch and E. Michigan. Although parking is not required in the "G-1" Business district, from a practical standpoint the developer will have to provide adequate on-site parking to accommodate the needs of the occupants. The conceptual site plan (see attached) shows two buildings located along the front property lines with the vast majority of the parking located behind the buildings. This plan is consistent with the placemaking characteristics being advanced in the Master Plan for the subject properties.

IMPACT ON PUBLIC FACILITIES:

New development will require administrative site plan review at which time the specific details of the utility systems to accommodate the development will be evaluated. No concerns about the availability of utilities have been expressed by any of the reviewing agencies.

ENVIRONMENTAL IMPACT:

Given the amount of human intervention already occurring on this site, the zoning proposal will have little impact on the physical environment. Redevelopment of the site will be required to go through the City's administrative site plan approval process, during which the drainage system as well as all other aspects of the development will be reviewed for compliance with the applicable City codes and ordinances. Furthermore, Cedar and Larch Streets are major bus routes which will allow residents of the area to be less dependent on private transportation. Reducing motorized traffic has a positive impact on the environment as less traffic results in less pollution created by the greenhouse gas emissions. It also results in less wear and tear on roads.

IMPACT ON FUTURE PATTERNS OF DEVELOPMENT:

The rezoning will allow for residential and commercial development which would be appropriate for and have a positive impact on future patterns of development in the area, particularly since it may result in future requests to rezone other properties in the area from "H" Light Industrial to "G-1" Business. Under the existing "H" Light Industrial zoning, the site can continue to be used for outdoor storage and could also be used for heavy automobile repair, light manufacturing, vehicle sales and marijuana grow facilities. These types of uses can generate levels of noise, fumes, light glare and heavy truck traffic that could deter rather than encourage redevelopment of the area for commercial/residential use as called for in the Master Plan. The proposed "G-1" Business zoning will allow for customer-oriented commercial and multiple family residential uses that will strengthen the linkage between the subject properties and the area south of E. Shiawassee Street where a great deal of residential and commercial redevelopment has already occurred over the past few years.

SUMMARY

This is a request by MVAH Development to rezone 500 N. Cedar Street and 514 Erie Street from "H" Light Industrial district to "G-1" Business district. The purpose of the rezoning is to permit the properties to be used for multiple family residential/multi-generational housing.

The findings of fact as described in this staff report support a positive recommendation for the requested rezoning. The proposed “G-1” zoning will allow for the type of land uses that are appropriate for property that is located in close proximity to the core downtown and for development that is consistent with the mixed commercial/residential land use pattern being advanced in the Master Plan.

The proposed rezoning will have no negative impacts on traffic, public services, the environment or future patterns of development in the area. In addition, new residential units will provide convenient housing for people who work, attend school or simply choose to live in an area that is within walking distance of the goods, services and entertainment venues already available in Lansing’s core downtown. In addition, the occupants of the residential units will have convenient access to public transportation and will provide additional customer base for the existing commercial uses in the area.

RECOMMENDATIONS

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

“I make a motion to recommend approval of Z-7-2020, a request by MVAH Development to rezone 500 N. Cedar Street and 514 Erie Street from “H” Light Industrial district to “G-1” Business district.”

Respectfully Submitted,

**Susan Stachowiak
Zoning Administrator**



PETITION FOR RE-ZONING

CITY OF LANSING
PLANNING OFFICE

Reset Form

Print

FILE NUMBER: _____

DATE SUBMITTED: _____

To the Honorable Mayor and City Council:

The undersigned do hereby petition for approval to rezone the following described property:

500 N Cedar & 514 Erie Lansing, MI 48912

Street address, including zip code, of property to be rezoned

From **H** district to **G-1** district.

Legal
description:

33-01-01-16-228-033 & 33-01-01-16-228-291

Applicant: **Pete Schwiegeraht (MVAH Development))**

Address (including zip code): **9100 Centre Pointe Dr., Suite 210 West Chester, OH 45069**

Phone number(s): **513-259-7657**

Fax number: **NA** Email: **pete.s@mvahpartners.com**

Name of owner: **Eydel Properties II LLC**

Address (including zip code): **2501 Coolidge Rd East Lansing, MI 48823**

Phone number: **517-333-3430**

Interest in Property (please check one):

- ☒ Option to buy ☐ Owner
☐ Lessee ☒ Represent owner
☐ Other (please specify): _____

IF MORE SPACE IS NEEDED FOR THE ITEMS LISTED BELOW, PLEASE ATTACH EXTRA SHEETS

Do you have a specific plan for using this property? ☒ Yes ☐ No

If so, describe and / or
explain the specific land use
proposed for this property:

Multi-generational housing development offering senior independent living and workforce housing options.

Please answer the following:

☒ Check here if residential

Number of bedrooms:	<u>Bedrooms</u>	<u># of Units</u>	<u>Total Bedrooms</u>
---------------------	-----------------	-------------------	-----------------------

Efficiency	<u>79</u>	<u>79</u>
One bedroom	<u>61</u>	<u>122</u>
Two bedrooms	<u>11</u>	<u>33</u>
Three bedrooms	<u>151</u>	
TOTAL UNITS		

of accessible onsite parking spaces: 8

☐ Check here if non-residential

Number of employees (largest shift): _____

Number of accessible onsite parking spaces: _____

Hours and days / week of operation: _____

Explain what changes or changing conditions make the passage of this rezoning necessary:

New infill mixed use redevelopment has occurred surrounding the site. This includes multi-family and commercial development. Limited industrial activity occurs in the area. The proposed rezoning will allow the site to develop consistent with recent surrounding development.

Comment on other circumstances which justify the amendment:

The proposed is consistent with new development and the existing zoning is no longer suitable for the area.

A site plan is always helpful in analyzing the petition to rezone land.

A site plan, if appropriate at this time, should be attached to each copy of not less than 1" = 100', identifying the land which would be affected by the rezoning, the existing zoning classification of all abutting land within 300 feet, all public and private rights-of-way and easements. Also, show the proposed development on the land with setbacks, access points, locations of accessory structures, trash receptacles, and parking spaces. A Landscape Screening and Buffering plan must be submitted in accordance with Chapter 1290.

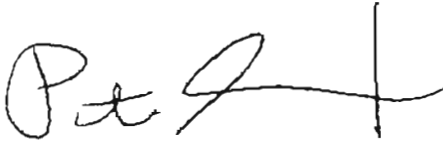
If exhibits are to be furnished late, please indicate date of submittal: See Attached

If exhibits are not submitted in a timely manner, the petition may be tabled or the process delayed.

FEES:

Less than one (1) acre:	\$500.00
One (1) to three (3) acres:	\$650.00
Greater than three (3) acres:	\$800.00

Please have the petition reviewed by and filed with the Planning Office. The Planning Office will transmit it to the City Clerk for official submission.

Signature of applicant:  _____

Name: Pete Schwiegeraht

For assistance, please contact:

PLANNING OFFICE
316 N. CAPITOL AVE., SUITE D-1
LANSING, MI 48933-1236
(517) 483-4066
FAX: (517) 483-6036


 NORTH
 1"=60'
 DATE
 10/24/20

SITE DATA

LOCATION:
 300 N CEDAR (33-01-01-16-228-033)
 514 ERIE ST (33-01-01-16-228-281)

SIZE:
 3.1 TOTAL ACRES +/-

OWNER:
 EYDEL PROPERTIES II LLC
 2501 COOLIDGE RD
 EAST LANSING, MI 48823

DEVELOPER:
 MVM PARTNERS
 9100 CENTRE POINTE RD, SUITE 210
 WEST CHESTER, OH 45069

CONTACT:
 PETE SCHWIEGERANT
 513-259-7857

REQUEST:
 REZONING

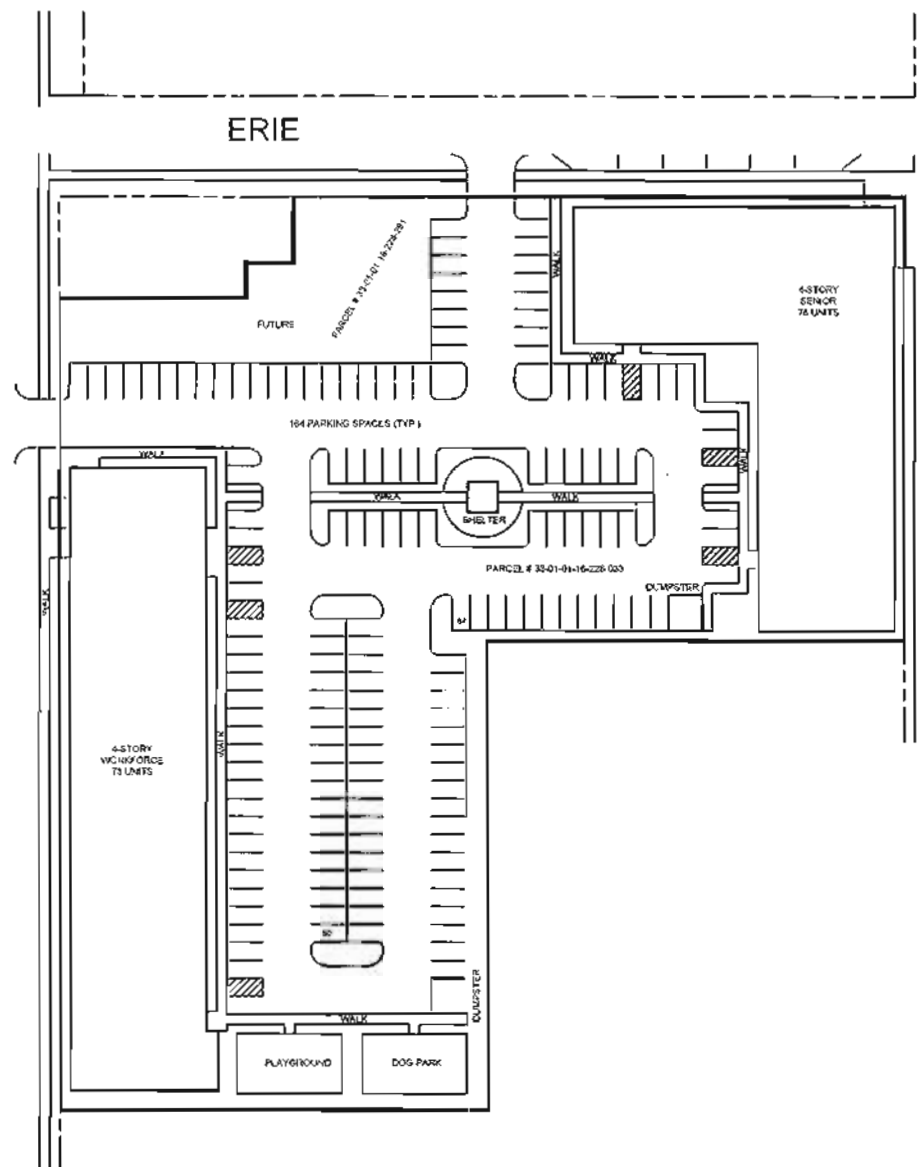
ZONING:
 ADJACENT = H, G-1, & DM-3
 EXISTING ZONING = H
 PROPOSED ZONING = G-1

PROPOSED USE
 HOUSING
 78 UNITS SENIOR INDEPENDENT LIVING
 73 UNITS WORKFORCE HOUSING
 149 TOTAL UNITS
 164 PARKING SPACES

CEDAR

ERIE

LARCH



STADIUM NORTH
 LANSING, MI



514 Erie Street



500 N. East Street



500 N. Cedar Street



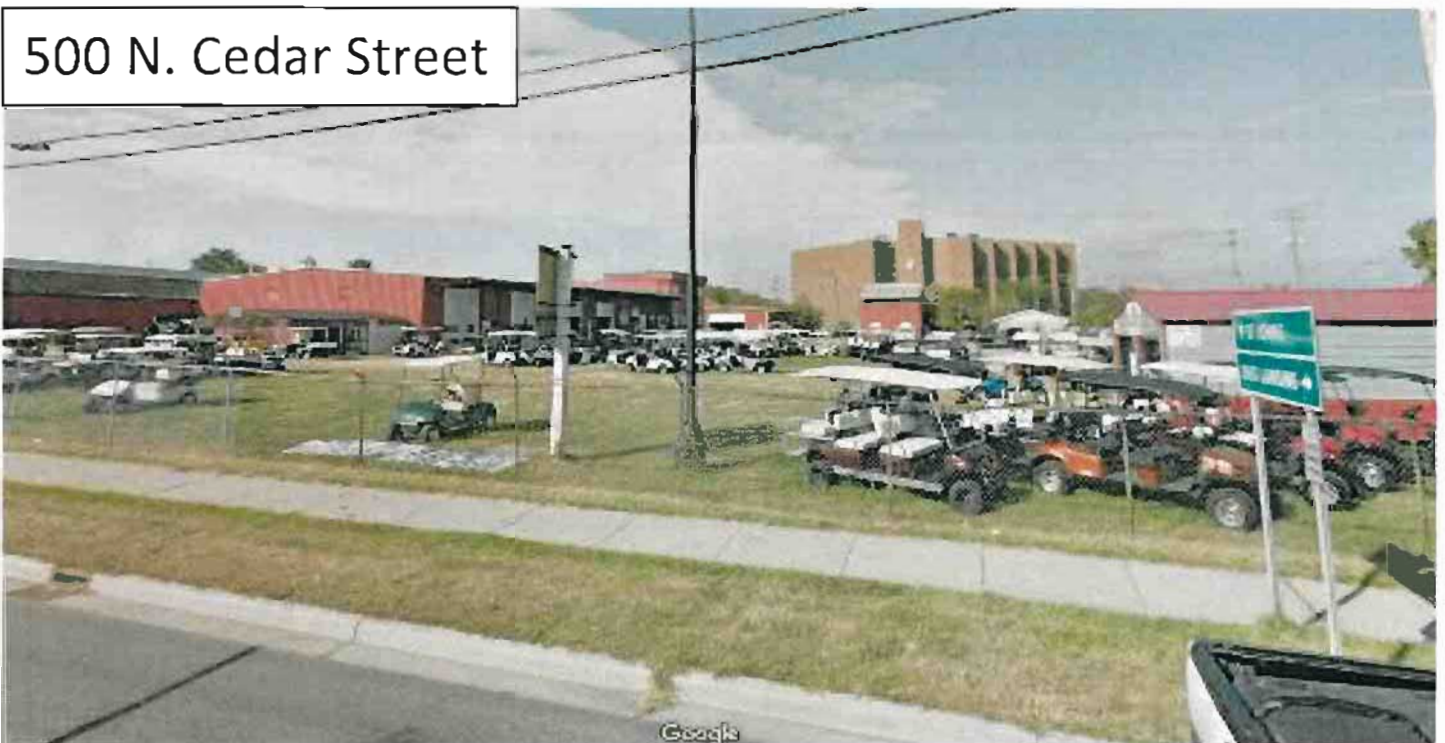
500 N. Cedar Street



500 N. Cedar Street



500 N. Cedar Street

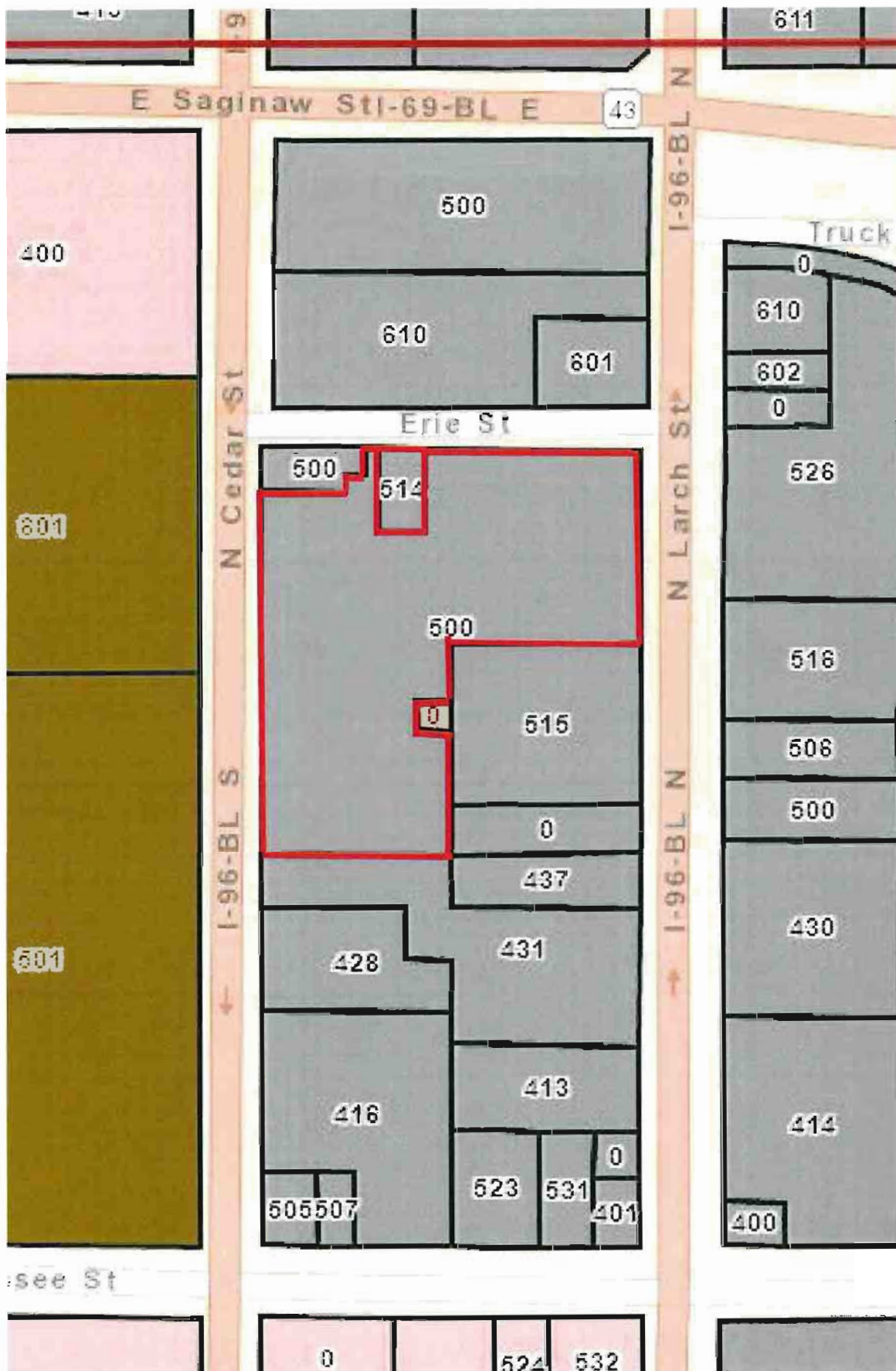


514 Erie Street

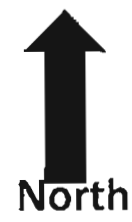


500 N. Cedar Street

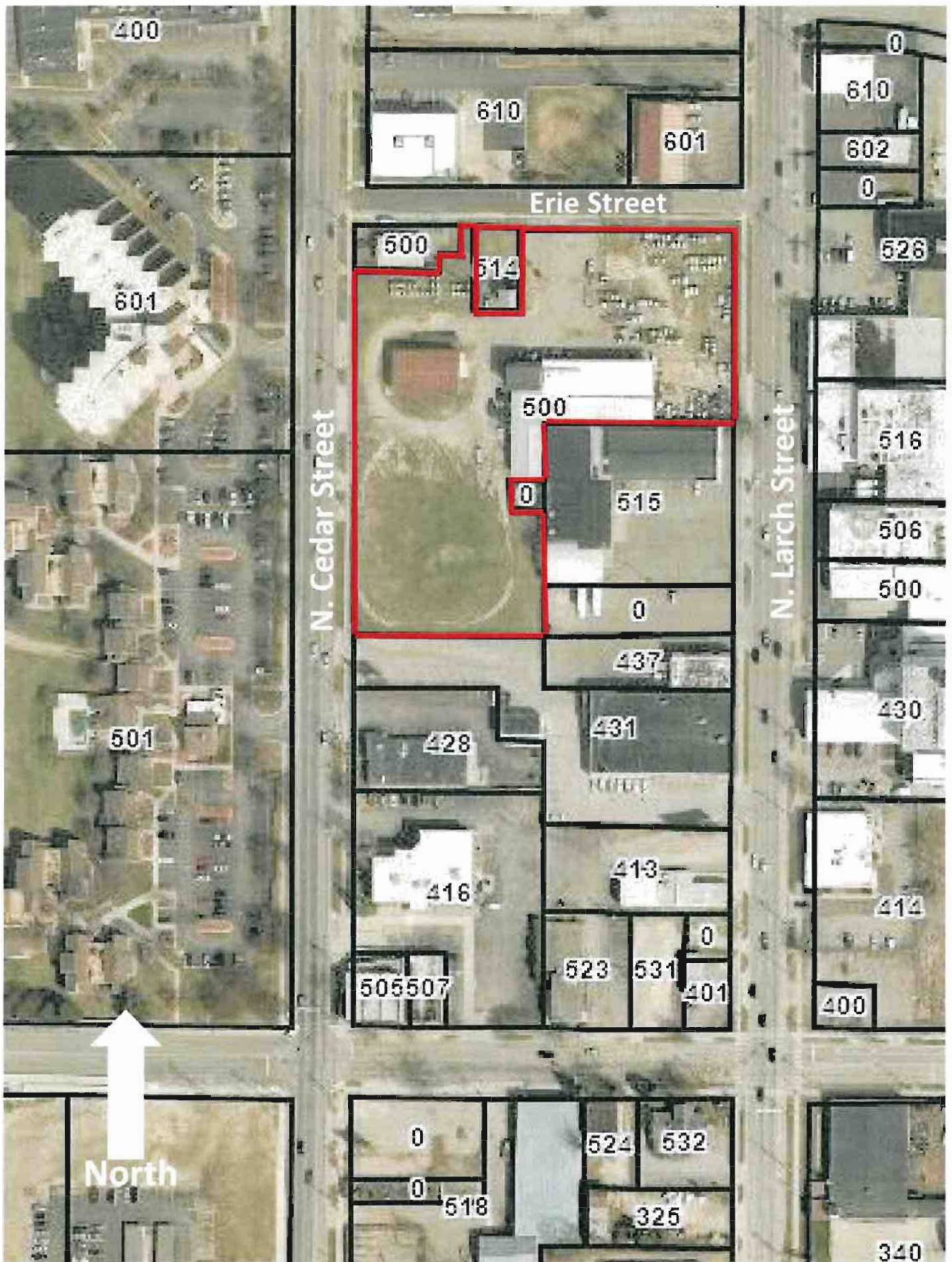




- Zoning District**
- A Residential-Single
 - B Residential-Single
 - C Residential-2 Unit
 - NONE
 - CUP Community Unit Plan
 - D-1 Professional Office
 - D-2 Residential/Office
 - DM-1 Residential-Multiple
 - DM-2 Residential-Multiple
 - DM-3 Residential-Multiple
 - DM-4 Residential-Multiple
 - E-1 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



North



Z-7-2020 is a request by MVAH Development to rezone 500 N. Cedar Street and 514 Erie Street from “H” Light Industrial district to “G-1” Business district. The purpose of the rezoning is to permit the properties to be used for multiple family residential/multi-generational housing.

Staff recommended approval of the request as the proposed “G-1” zoning will allow for the types of land uses that are appropriate for property that is located in close proximity to the core downtown and for development that is consistent with the mixed commercial/residential land use pattern being advanced in the Master Plan.

On November 17, 2020, the Planning Board voted unanimously to recommend approval of the request.

The owners, taxpayers and occupants of all real property within 300 feet of the site were notified of the public hearing. Only the applicant’ representative spoke at the public hearing.

INTRODUCTION OF ORDINANCES

The following ordinance of the City of Lansing, Michigan, providing that the Code of Ordinances be amended by providing for the rezoning of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the Code for property located at:

Z-7-2020: 500 N. Cedar Street and 514 Erie Street, from “H” Light Industrial District to “G-1” Business District

was introduced by the Committee on Development & Planning, read a first and second time by its title and referred to the Committee on Development and Planning.

**CITY OF LANSING
NOTICE OF PUBLIC HEARING**

**Z-7-2020, 500 N. Cedar Street & 514 Erie Street
Rezoning from “H” Light Industrial to “G-1” Business**

The Lansing City Council will hold a public hearing on Monday, _____, 2020 at 7:00 p.m. via ZOOM Conferencing, Meeting ID _____, to consider Z-7-2020. This is a request by MVAH Development to rezone 500 N. Cedar Street and 514 Erie Street from “H” Light Industrial district to “G-1” Business district. The purpose of the rezoning is to permit the properties to be used for multiple family residential/multi-generational housing.

Note: Michigan Director of Health and Human Services Robert Gordon’s Order of October 9, 2020 regarding Gather Prohibition and Face Covering, as well as states of emergency declared by the Mayor and approved by City Council have led to a closure of City Hall to public at this time due to COVID-19. Public observation and participation may be facilitated electronically in accordance with the Open Meetings Act in an effort to protect the health and safety of the public.

Members of the public wishing to observe or participate in the meeting may do so by logging into or calling into the meetings using the website _____ (Note: this option requires downloading Zoom software. If you have not already installed the software, this may take a few minutes) or by calling (301) 715 8592 and entering Meeting ID: _____.

Persons with disabilities who need an accommodation to fully participate in these meetings should contact the City Council Office at 517-483-4177 (TDD (517) 483-4479) 24 hour notice may be needed for certain accommodations. An attempt will be made to grant all reasonable accommodation requests.

For more information, please call 517-483-4177. Written comments will be accepted if received before 5 p.m., on the day of the public hearing. Comments can be sent by mail to the City Clerk’s Office, Ninth Floor, City Hall, 124 West Michigan Ave., Lansing, MI 48933 or by email at city.clerk@lansingmi.gov

Chris Swope, Lansing City Clerk, MMC/CMMC

www.lansingmi.gov/Clerk

www.facebook.com/LansingClerkSwope

BY THE COMMITTEE ON DEVELOPMENT & PLANNING

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, _____, 2020, at 7 p.m. in City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of approving and/or opposing the Ordinance for rezoning:

Z-7-2020: 500 N. Cedar Street and 514 Erie Street, from “H” Light Industrial District
to “G-1” Business District

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-7-2020

Parcel Number's: 33-01-01-16-228-033 & 33-01-01-16-228-291

Addresses: 500 N. Cedar Street and 514 Erie Street

Legal Descriptions: Lots 11, 12, 13, 14, 15, 16 & 17, also commencing at the Northeast corner of Lot 10, thence West 14.5 feet, South 30.5 feet, West 22.5 feet, South 19.5 feet, East 37 feet, North 50 feet to the point of beginning, Scofield Subdivision, also Lots 1, 2, 4, 5, 6, 33, 34 & Lot 3, except the North 33 feet of the East 40 feet; Assessors Plat No 33, from "H" Light Industrial to "G-1" Business

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 _____, 2020, 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.

GENERAL INFORMATION

APPLICANT/OWNER: GDN Farms, LLC
1940 Carson Street
Lansing, MI 48910

REQUESTED ACTIONS: Rezone 2918 N. East Street from "F" Commercial District to
"H" Light Industrial

EXISTING LAND USE: Commercial Building

EXISTING ZONING: "F" Commercial District

PROPOSED ZONING: "H" Light Industrial District

PROPERTY SIZE: 60' x 223' = 13,380 square feet - .31 acres

SURROUNDING LAND USE: N: Office
S: Commercial
E: Industrial
W: Office/Residential/Commercial

SURROUNDING ZONING: N: "A" Residential, "F" Commercial & "J" Parking
Districts
S: "F" Commercial & "J" Parking Districts
E: "H" Light Industrial District
W: "A" Residential, "E-1" Apartment Shop & "F"
Commercial Districts

MASTER PLAN: The Design Lansing Comprehensive Plan designates the
subject property for "Suburban commercial" land use. N.
East Street is designated as a principal arterial.

DESCRIPTION:

This is a request by GDN Farms, LLC to rezone 2918 N. East Street from "F" Commercial district to "H" Light Industrial district. The purpose of the rezoning is to permit the property to be used for a marijuana grow facility.

AGENCY RESPONSES**BWL:**

Building Safety: The Building Safety Office has no objections to the rezoning. This Office has found that the owners of 2918 N. East Street have violated Public Act 230 of 1972. Enforcement action has been taken.

Fire Marshall:

Parks & Recreation: No comments.

Public Service:

Traffic Engineer: The Public Service Department does not have any objection to the rezoning from a traffic operations standpoint. The applicant should be aware that the parcel fronts on a road that is under the jurisdiction of the Michigan Department of Transportation, which would need to approve any proposed access modifications.

COMPATIBILITY WITH SURROUNDING LAND USE:

The subject property contains a commercial building that was converted to a marijuana grow facility without obtaining the required permits and licenses to do so. Marijuana grow facilities by City Ordinance and by State law are only permitted on parcels of land that are zoned industrial. The subject property is zoned "F" Commercial. The applicant is requesting that it be rezoned to "H" Light Industrial so that it may continue to be used as a grow facility.

As the attached zoning map illustrates, the overwhelming majority of the properties along N. East Street are zoned "F" Commercial and none of them north of Randall Street, which is located just one block north of Lake Lansing Road, are zoned industrial. There are some properties located east of the subject property that are zoned "H" Light Industrial and are being used for industrial purposes. This industrial area, which is surrounded on 3 sides by residential zoning and land uses, does not represent good planning and zoning practices. It appears, however, that the industrial uses existed when this area was annexed into the City several decades ago and the industrial zoning was put into place so that they would conform to the Zoning Ordinance, thus protecting the owner's investments in the properties should the buildings located thereon become damaged or destroyed.

The proposed "H" Light Industrial zoning would not be consistent with the established zoning pattern along N. East Street and a marijuana grow facility would not be consistent with the established commercial land use pattern in the area. N. East Street is intended to be a commercial corridor for customer-oriented uses such as restaurants, gas stations, oil-change facilities and retail stores that generate a significant amount of vehicular traffic on a daily basis. A marijuana grow facility is not a customer-oriented business and the only traffic generated would be that of the owner/employee(s) and trucks used to transport the product. This type of use would detract, rather than contribute to the vibrancy of a commercial corridor. The "H" Light Industrial district also would permit other uses such as outdoor storage, heavy automobile repair and light manufacturing that could negatively impact the appearance and economic vitality of a commercial corridor. Industrial uses are destinations and should be located in areas where they are not visible or have limited visibility from major corridors such as N. East Street. Major corridors should be preserved for commercial uses that depend in large part on visibly to high volumes of traffic in order to attract customers.

COMPLIANCE WITH MASTER PLAN:

The Design Lansing Comprehensive Plan designates the subject property for “Suburban Commercial” land use. The Plan specifies the following for this land use classification:

“To allow for general retail and commercial use, including large footprint and automobile-oriented uses, in a suburban development format that also encourages a mix of uses and accommodates pedestrians, cyclists and transit users.”

The “F” Commercial district, which is the existing zoning of the subject property, is the most appropriate zoning designation to facilitate the “Suburban Commercial” land use development strategy being advanced in the Design Lansing Comprehensive Plan. It allows for restaurants, retail stores, gasoline stations, car washes and other general commercial uses as well as automobile-oriented site design regulations. The applicant’s marijuana grow facility and most other industrial uses would be completely contrary to the intent and purpose of the Suburban Commercial land use category as described above as they are not commercial, automobile-oriented uses or the types of uses would attract pedestrians, cyclists or transit users.

IMPACT ON VEHICULAR AND PEDESTRIAN TRAFFIC:

It is not anticipated that the proposed rezoning would have any negative impacts on traffic in the area. The subject property is primarily accessed via N. East Street which is a principal arterial designed to carry a very high volume of traffic. The properties that have frontage along principal arterials, however, should be utilized for the types of businesses that generate a significant amount of daily traffic and depend on exposure to high volumes of traffic in order to attract and maintain a strong customer base. Destination and non-customer oriented uses, such as the applicant’s marijuana grow facility, are more appropriately located in close proximity to but not directly on a commercial corridor/principal arterial.

IMPACT ON PUBLIC FACILITIES:

The site is already served by all necessary public facilities. No changes are proposed for the site that would have an impact on public facilities.

ENVIRONMENTAL IMPACT:

The proposed rezoning will have no environmental impacts as the site is already developed and no changes are proposed at this time. New construction would require administrative site plan review at which time the site would have to be brought into compliance with all City codes and ordinance including those regulating storm water management.

IMPACT ON FUTURE PATTERNS OF DEVELOPMENT:

Industrial zoning would allow for uses that would be contrary to master plan and would be incompatible and inconsistent with the existing zoning and land use pattern along the N. East Street

corridor. As evidenced by the attached zoning map, the properties along N. East Street are zoned for either commercial or residential use, with the exception of a few parcels of land near the north City border that are zoned "G-2" Wholesale. There are no parcels along N. East Street north of Randall that are zoned industrial. If the rezoning were to be approved, it would afford land use rights to the owner of the subject property that are not afforded to the owners of other properties along N. East Street which could set a negative precedent for granting future requests to rezone properties to "H" Light Industrial in the area.

SUMMARY

This is a request by GDN Farms, LLC to rezone 2918 N. East Street from "F" Commercial district to "H" Light Industrial district. The purpose of the rezoning is to permit the property to be used for a marijuana grow facility.

The findings of fact described in this staff report do support a positive recommendation for approval of the requested rezoning. The proposed "H" Light Industrial zoning would not be consistent with the established commercial zoning and land use patterns along N. East Street. In addition, approval of the rezoning could set a negative precedent for future requests to rezone property along N. East Street from commercial to industrial which would be contrary to the commercial land use pattern being advanced in the Design Lansing Comprehensive Plan.

RECOMMENDATIONS

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

"I make a motion to recommend denial of Z-8-2020, a request by GDN Farms, LLC to rezone 2918 N. East Street from "F" Commercial district to "H" Light Industrial district."

Respectfully Submitted,

**Susan Stachowiak
Zoning Administrator**



Andy Schor, Mayor

PETITION FOR RE-ZONING

CITY OF LANSING
PLANNING OFFICE

Print

FILE NUMBER: _____

DATE SUBMITTED: 10/21/2020

to the Honorable Mayor and City Council:

The undersigned do hereby petition for approval to rezone the following described property:

2918 N. East St., Lansing, MI 48006

Street address, including zip code, of property to be rezoned

from **F-F1 Commercial** district to **H-Light Industrial** district.

Legal description: Lot 3 and the South 1/2 of Lots 4 and 19 and entire of Lot 20, of Elmore M Hunt's Subdivision, City of Lansing, Ingham County, Michigan, according to the recorded Plat thereof, as recorded in Liber 15, Page(s) 1, Ingham County Records.
Tax ID: 33-01-01-03-155-011

Applicant: **GDN Farms, LLC**

Address (including zip code): **1940 Carson St., Lansing, MI 48911**

Phone number(s): **(517) 410-2921**

Fax number: **No Fax Number** Email: **germaineredding8@gmail.com**

Name of owner: **Germaine Redding**

Address (including zip code): **1940 Carson St., Lansing, MI 48911**

Phone number: **(517) 410-2921**

Interest in Property (please check one):

- ☐ Option to buy ☒ Owner
☐ Lessee ☐ Represent owner
☐ Other (please specify): _____

IF MORE SPACE IS NEEDED FOR THE ITEMS LISTED BELOW, PLEASE ATTACH EXTRA SHEETS

Do you have a specific plan for using this property? ☒ Yes ☐ No

If so, describe and / or explain the specific land use proposed for this property:

To grow marihuana to sell or transfer to individuals 21 years of age or older. At present I am a Licensed Care Giver and approved by the State of Michigan to grow up to 72 plants for my Patients.

exhibits are to be furnished late, please indicate date of submittal: See attached Warranty Deed

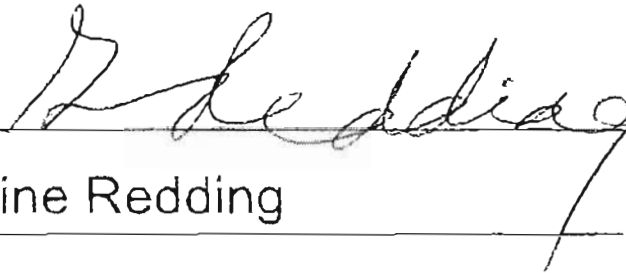
exhibits are not submitted in a timely manner, the petition may be tabled or the process delayed.

FEES:

Less than one (1) acre:	\$500.00
One (1) to three (3) acres:	\$650.00
Greater than three (3) acres:	\$800.00

Please have the petition reviewed by and filed with the Planning Office. The Planning Office will transmit it to the City Clerk for official submission.

Signature of applicant, _____

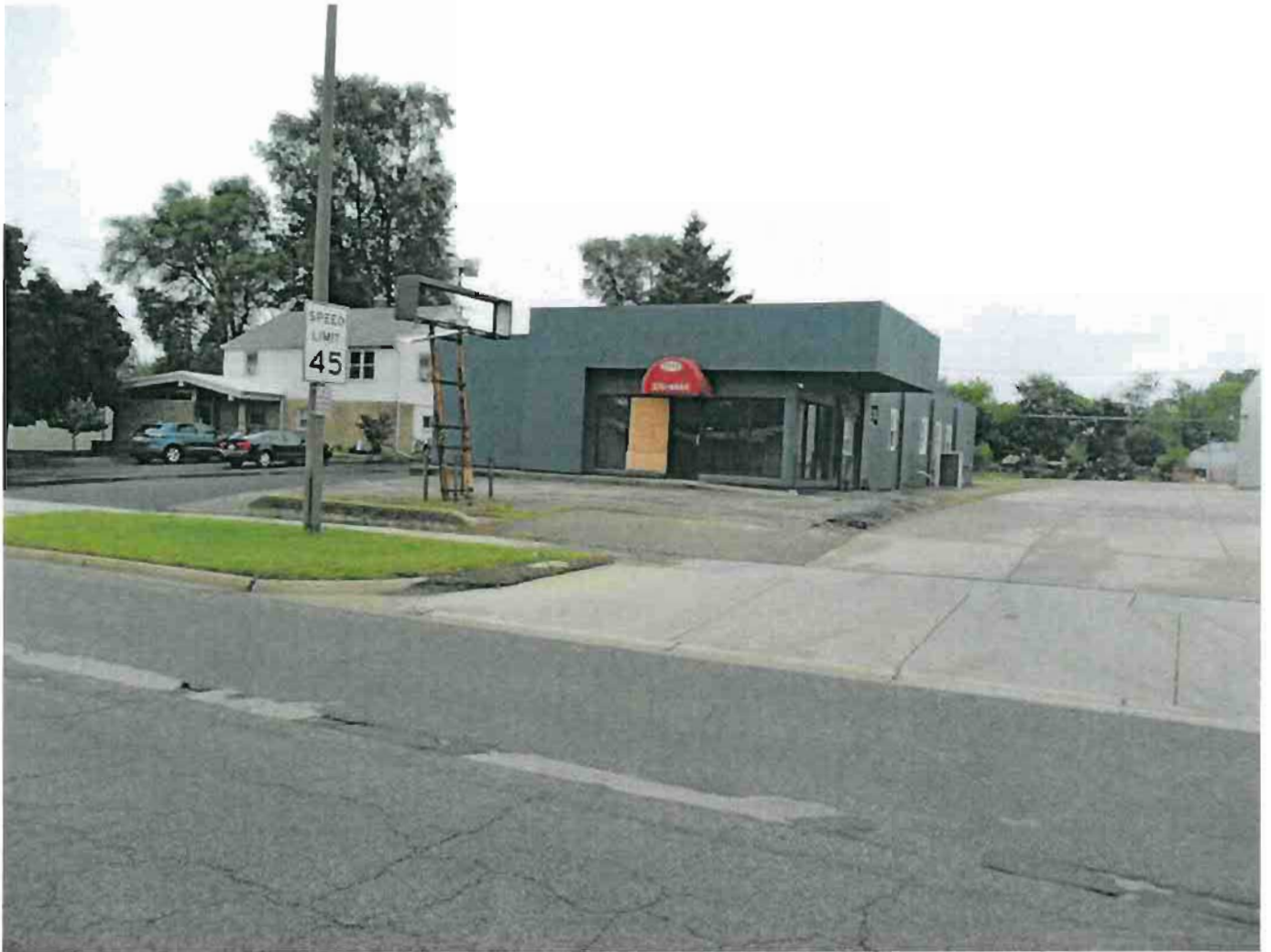


Name: Germaine Redding

For assistance, please contact:

PLANNING OFFICE
316 N. CAPITOL AVE., SUITE D-1
LANSING, MI 48933-1236
(517) 483-4066
FAX: (517) 483-6036

Image/Sketch for Parcel: 33-01-01-03-155-011



****Disclaimer:** BS&A Software provides BS&A Online as a way for municipalities to display information online and is not responsible for the content or accuracy of the data herein. This data is provided for reference only and WITHOUT WARRANTY of any kind, expressed or inferred. Please contact your local municipality if you believe there are errors in the data.





Z-8-2020 is a request by GDN Farms, LLC to rezone 2918 N. East Street from “F” Commercial district to “H” Light Industrial district. The purpose of the rezoning is to permit the property to be used for a marijuana grow facility.

Staff recommended denial of the request based upon the following findings

- The proposed “H” Light Industrial zoning would be inconsistent with the established zoning pattern along N. East Street;
- Approval of the rezoning could set a precedent for future request to rezone properties along N. East Street to “H” Light Industrial
- Many of the uses permitted under the “H” Light Industrial zoning district would be contrary to the land use pattern being advanced in the City’s Comprehensive Plan.

On November 17, 2020, the Planning Board voted 4-1 to recommend approval of the request. 2 of the PB members indicated that they voted in favor of the request because there is no other use for the property at this time and because there are other marijuana grow facilities nearby, to the east.

The owners, taxpayers and occupants of all real property within 300 feet of the site were notified of the public hearing. The applicant, his attorney and one other person spoke in favor of the request and no other comments were received.

**CITY OF LANSING
NOTICE OF PUBLIC HEARING**

**Z-8-2020, 2918 N. East Street
Rezoning from “F” Commercial to “H” Light Industrial**

The Lansing City Council will hold a public hearing on Monday, _____, 2020 at 7:00 p.m. via ZOOM Conferencing, Meeting ID _____, to consider Z-8-2020. This is a request by GDN Farms, LLC to rezone 2918 N. East Street from “F” Commercial district to “H” Light Industrial district. The purpose of the rezoning is to permit the property to be used for a marijuana grow facility.

Note: Michigan Director of Health and Human Services Robert Gordon’s Order of October 9, 2020 regarding Gather Prohibition and Face Covering, as well as states of emergency declared by the Mayor and approved by City Council have led to a closure of City Hall to public at this time due to COVID-19. Public observation and participation may be facilitated electronically in accordance with the Open Meetings Act in an effort to protect the health and safety of the public.

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For more information, please call 517-483-4177. Written comments will be accepted if received before 5 p.m., on the day of the public hearing. Comments can be sent by mail to the City Clerk’s Office, Ninth Floor, City Hall, 124 West Michigan Ave., Lansing, MI 48933 or by email at city.clerk@lansingmi.gov

Chris Swope, Lansing City Clerk, MMC/CMMC

www.lansingmi.gov/Clerk

www.facebook.com/LansingClerkSwope

INTRODUCTION OF ORDINANCES

The following ordinance of the City of Lansing, Michigan, providing that the Code of Ordinances be amended by providing for the rezoning of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the Code for property located at:

Z-8-2020: 2918 N. East Street, from “F” Commercial District to “H” Light Industrial District

was introduced by the Committee on Development & Planning, read a first and second time by its title and referred to the Committee on Development and Planning.

BY THE COMMITTEE ON DEVELOPMENT & PLANNING

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, _____, 2020, at 7 p.m. in City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of approving and/or opposing the Ordinance for rezoning:

Z-8-2020: 2918 N. East Street, from “F” Commercial District to “H” Light Industrial District

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-8-2020

Parcel Number's: 33-01-01-03-155-011

Addresses: 2918 N. East Street

Legal Descriptions: Lots 3 & 20, also the South 20 feet of Lots 4 & 19, Elmore M. Hunt Subdivision, from "F" Commercial to "H" Light Industrial

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 _____, 2020, 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.



Lansing Form Based Code

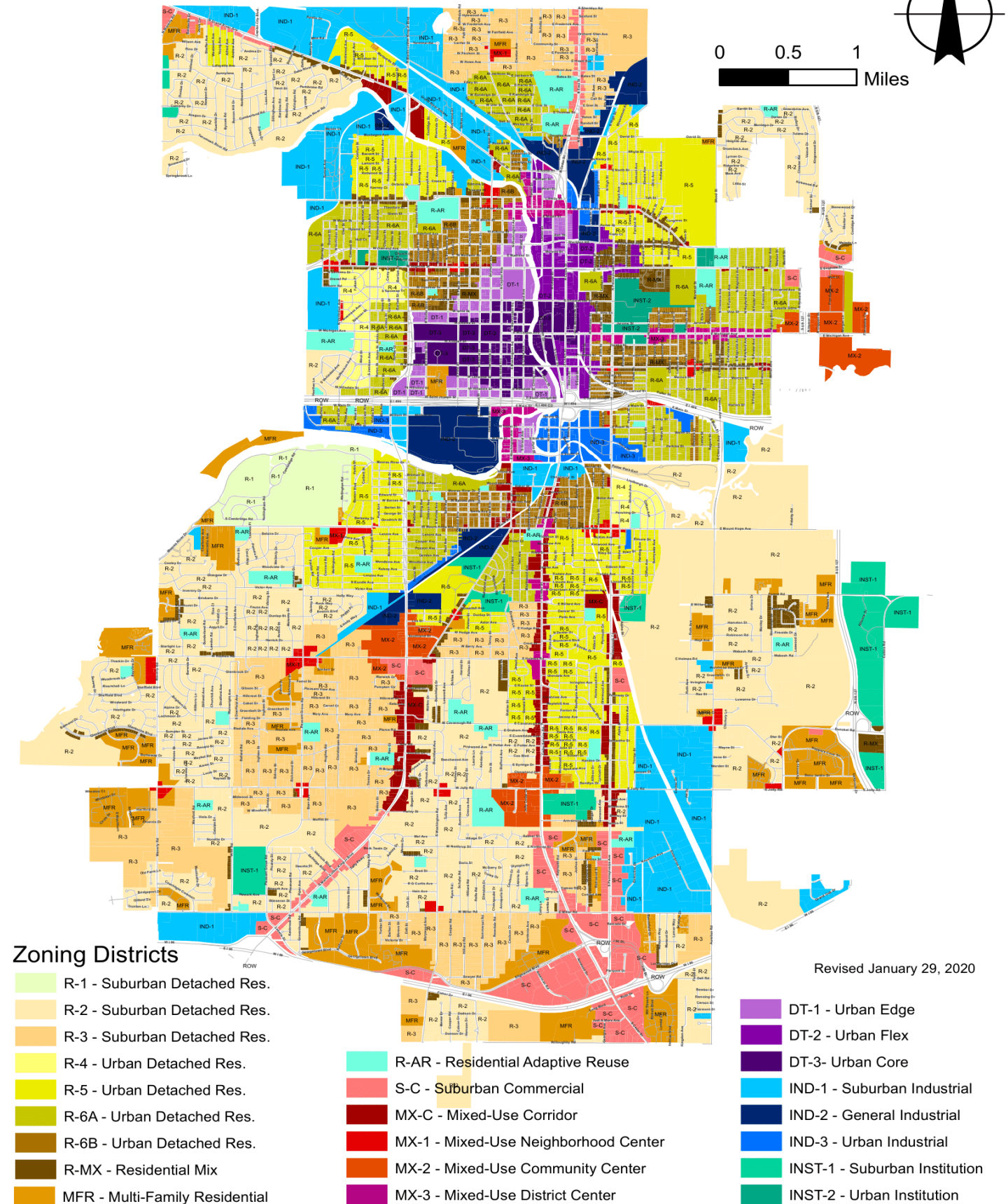
Introduction

Administration

District Summaries

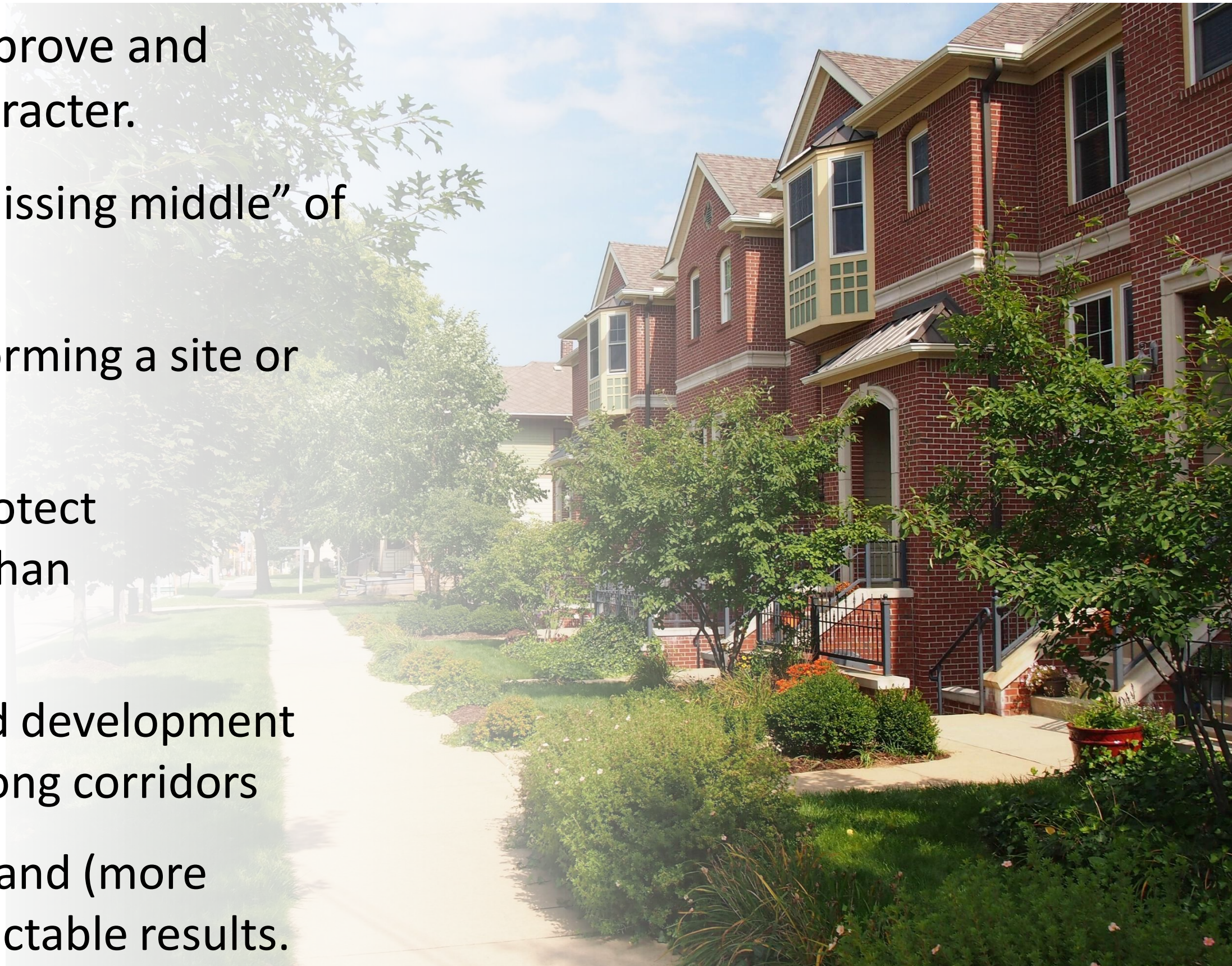
- Lansing now has a traditional zoning ordinance, based on the separation of uses, and emphasizing land use over building form.
- A “pure” form based code emphasizes building form primarily, regardless of use.
- Lansing’s proposed Form Based Code is a “hybrid” code, addressing both land use and building form.
- Organizing around build-to-lines, number of floors, percentage of built site frontage, and street and building types, there will be a more uniform development pattern

DRAFT City of Lansing Form-Based Code Zoning Map



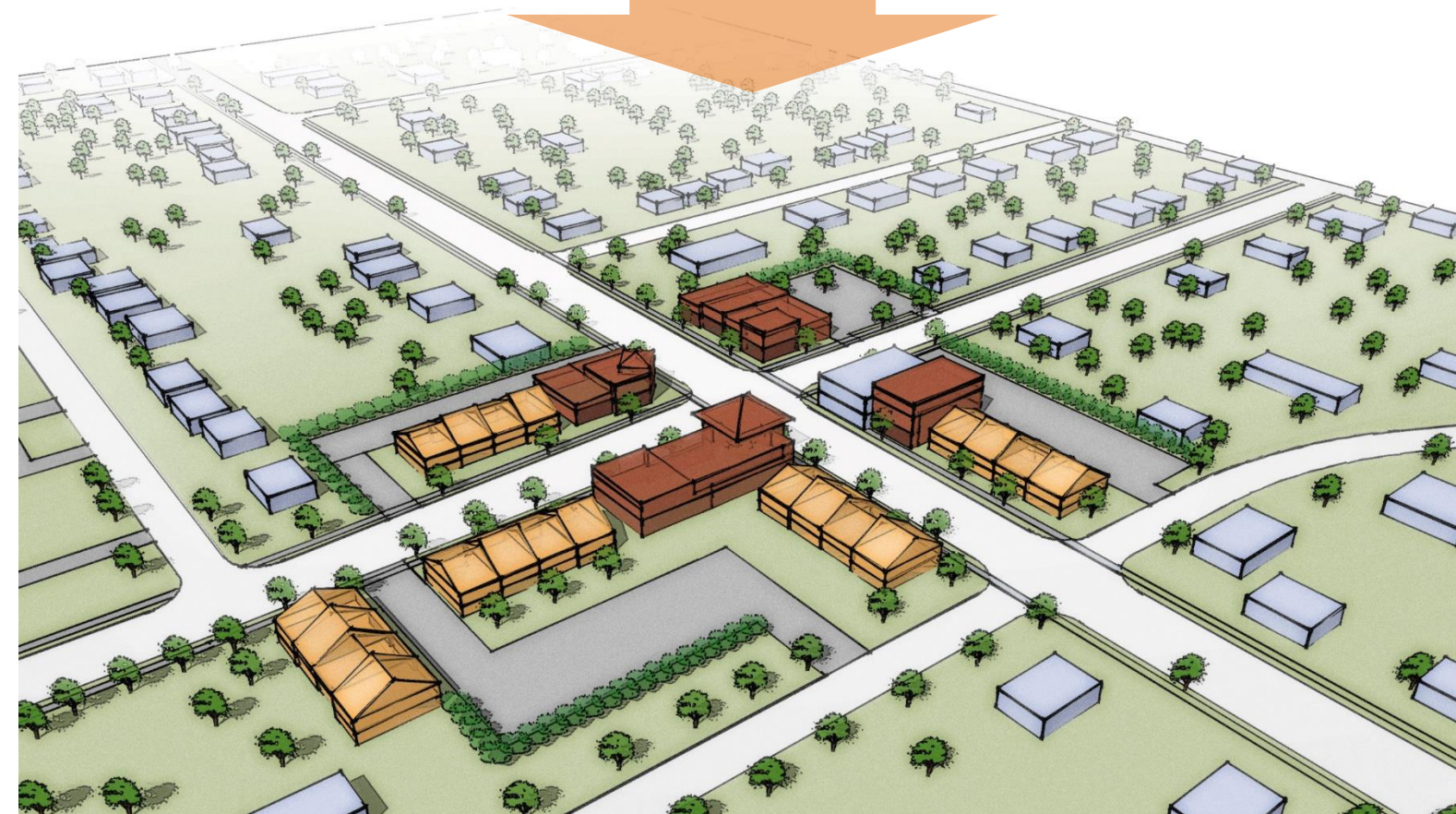
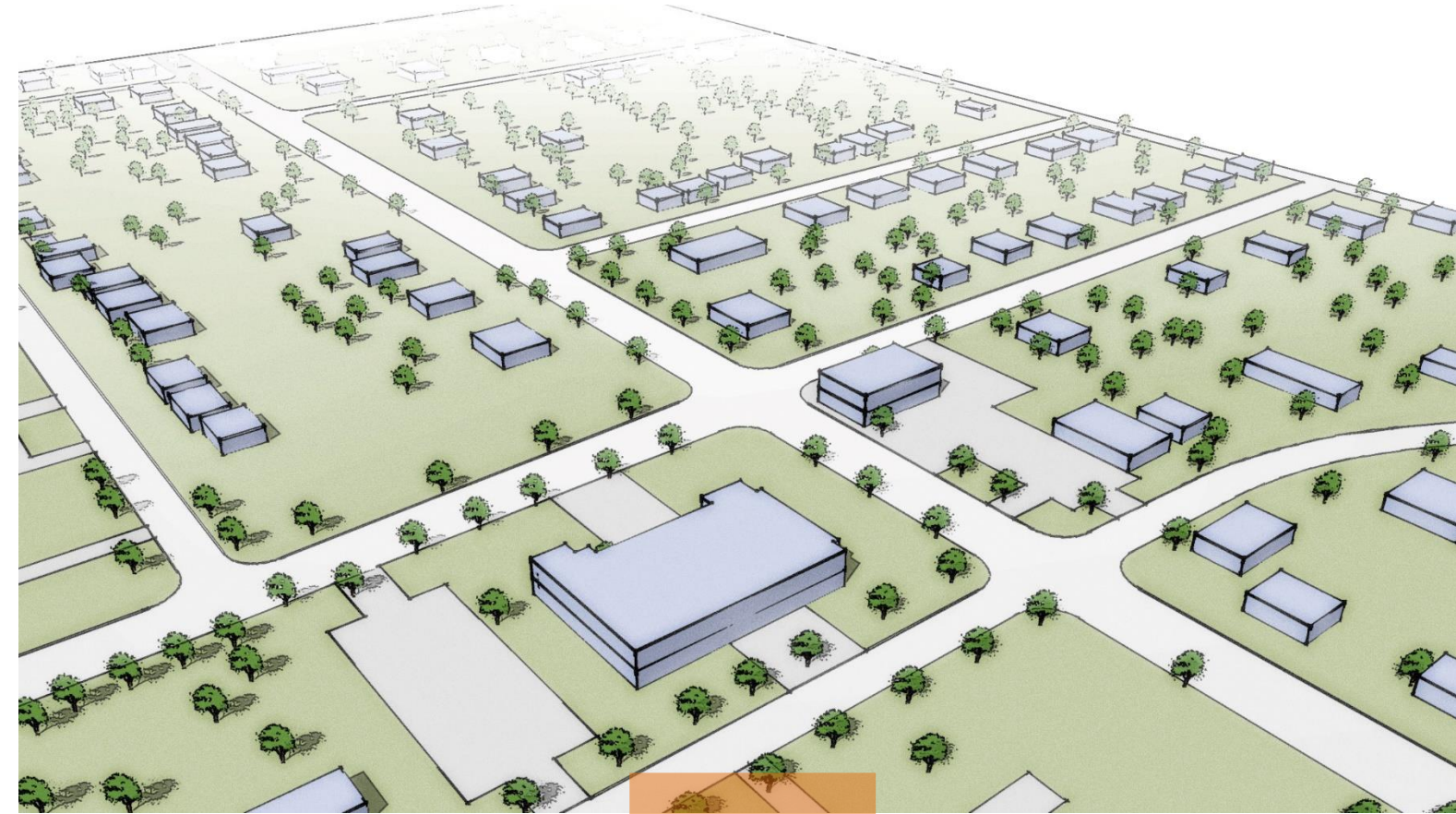
- Continuously online for five years (<http://www.lansingmi.gov/271/DRAFT-Form-Based-Code-FBC>)
- 15 public events and workshops in all four wards
- 5 Planning Board public hearings
- Passed and recommended for approval by Planning Board twice (2017, February 2020 edit)
- Total of 26 public presentations

- Design standards to improve and protect community character.
- Opportunities for the “missing middle” of the housing market
- More effective at transforming a site or district
- Will more adequately protect neighboring properties than conventional zoning
- Supports transit oriented development and pedestrian safety along corridors
- Can be easier to understand (more graphic) with more predictable results.



FBC Benefits

- Can speed up development review.
- Can led to denser urban environments where appropriate.
- Predictable yet flexible standards; provides certainty, which can help secure financing.
- Design standards are already established before projects are submitted.
- Wide array of uses permitted with more emphasis on the building types and site design (form).
- Creates incentives – more flexibility allowed when the applicant provides certain public benefits/green design, etc.





LANSING FBC

Introduction

Administration

District Summaries

Comparing Current and Form-Based Code

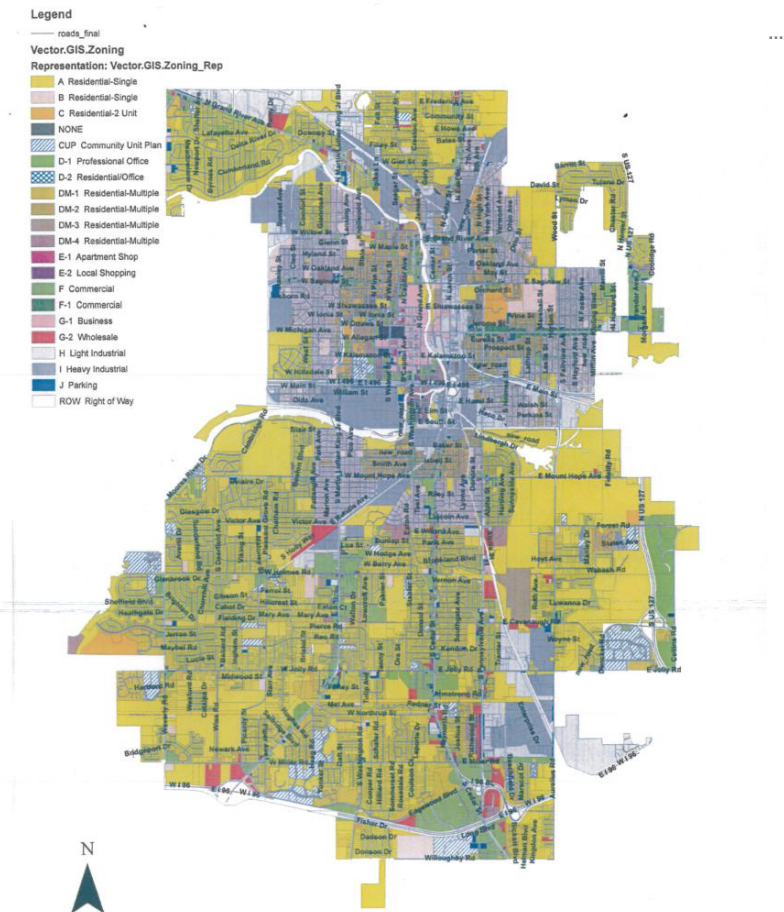
Generally, in the FBC:

- Residential, commercial, and industrial districts remain at their current locations,
- Most single-use commercial districts would be converted to mixed use commercial-office-residential districts,
- Single-family residential districts would remain single-family,
- The “J” Parking and “CUP” Community Unit Plan districts would be eliminated,

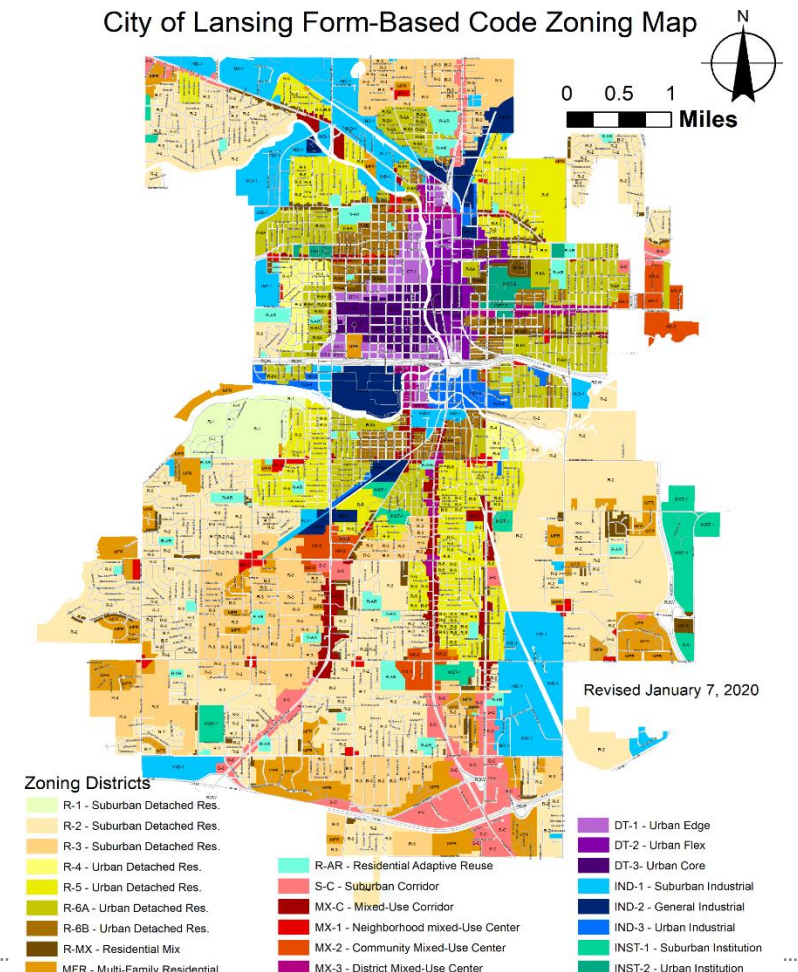
- Schools would be zoned “Residential Adaptive Reuse”, to allow their continued use as schools and to facilitate the adaptive reuse in the event of a school closure.
- The zoning of the 425 areas were set by the P.A. 425 agreements, and are not covered by the FBC.

There is not a one-to-one relationship between current and proposed zoning districts.

City of Lansing Zoning Map



City of Lansing Form-Based Code Zoning Map



PART I: Districts

- 1240 – Purpose & Definitions
- 1242 – Districts Generally and Zoning Map
- 1243 – Commercial Mixed-Use Districts
- 1244 – Residential Districts
- 1245 – Special Districts
- 1256 – Building Types

PART II: General Provisions

- 1250 – General Provisions
- 1252 – Landscaping
- 1254 – Parking

PART III: Approval

- 1260 – Site Plan Review
- 1262 – Special Land Use Permits
- 1264 – Planned Residential Developments

PART IV: Administrative

- 1270 – Nonconformities
- 1272 – Administration, Enforcement, and Penalty
- 1274 – Board of Zoning Appeals
- 1276 – Amendments

Commercial/Mixed-Use Zones (1243)	
SC	Suburban Commercial
MXC	Mixed Use Urban Corridor
MX1	Mixed Use Neighborhood Center
MX2	Mixed Use Community Center
MX3	Mixed Use District Center
DT-1	Urban Edge
DT-2	Urban Flex
DT-3	Downtown Core
Residential Zones (1244)	
R-1	Suburban Residential
R-2	Suburban Residential
R-3	Suburban Residential
R-4	Urban Edge Residential
R-5	Urban Residential
R-6A	Urban Residential
R-6B	Urban Residential
MFR	Multi-family Campus Residential
R-MX	Mixed Residential
R-AR	Adaptive Reuse Residential
Special District Zones (1245)	
IND-1	Suburban Industrial
IND-2	General Industrial
IND-3	Urban Industrial
INST-1	Suburban Institutional
INST-2	Urban Institutional

Form-Based Code – General Provisions

- **Marihuana** – governed by other ordinance
- **Home Occupations**
- **Temporary Buildings, Uses, and Events**
- **Keeping of Animals on Residential Properties** – Prohibits the keeping of wild animals and livestock, regulates the keeping of hens to 5 and pet dogs to 3.
- **Demolitions** – Provides the City with additional controls over authorizing requests to demolish buildings for the purpose of constructing non-required parking.
- **Recreational Vehicles** – Restricts the number of RV's that can be kept on a residential property and regulates where they may be parked or stored
 - Repairs of vehicles limited to only the resident's vehicle and changing oil, minor tune-up, tire rotation, and changing brake pads only
- **Outdoor Seating**
- **Adult Businesses**

- **Accessory Structures**
- **Exterior Lighting** – Requires that parking lots be adequately lit while regulating the lights to limit glare.
- **Waste Receptacles & Enclosures** – Regulates the placement of dumpsters and requires them to be screened/enclosed.
- **Fences and Hedges**
- **Communication Towers, Wind Turbines, and Residential Antennae** – Regulates the height, placement and allowable number of wind turbines and antennae in residential zones.
- **Floodplain Regulations**

Form-Based Code – Landscaping

- Landscaping

- An approved landscaping plan is required before site plan approval
- Chapter regulates plant species, plant sizes, and spacing
- Interior site landscaping
- Parking lot landscaping (not currently mandated)
 - Crafted for pedestrian and environmental benefits
 - Break up ‘sea’ of parking with planting islands for stormwater retention and to reduce urban heat island effect
- Buffering and screening requirements between adjacent properties

Form-Based Code – Off-Street Parking

- **Parking**

- Calculates required parking based on use such as residential type (single family – apartment), place of assembly (church – school – library – hospital), offices, retail, restaurant, industrial, etc.
- Stipulations to reduce the parking requirement
 - Lot sharing
 - Available public parking in the vicinity
 - Employer incentives for employees to use public transit, bicycles, or to live in the neighborhood
- Requires parking islands for stormwater retention and reduce the heat island effect.
- Standards for bicycle parking
- To limit excessive parking, the number of parking spaces can only be exceeded by 20% of the minimum.

1 – Check the Zoning District Map and Use Table

- Review the district *intent*
- Check the list of *allowed uses* – including any conditional or special permit uses.
- Review the *site layout requirements*

Site Layout Requirements:

- Building massing (height, frontage, upper floor step backs)
- Building placement (setbacks, build-to-lines, lot coverage)
- Parking configuration & loading
- Other district specific items

2 – Determine the Street Type

- Refer to the street typologies map

3 – Apply Architectural Regulations

- Determine suggested building types
- Cross-reference against street type

Architectural Regulations:

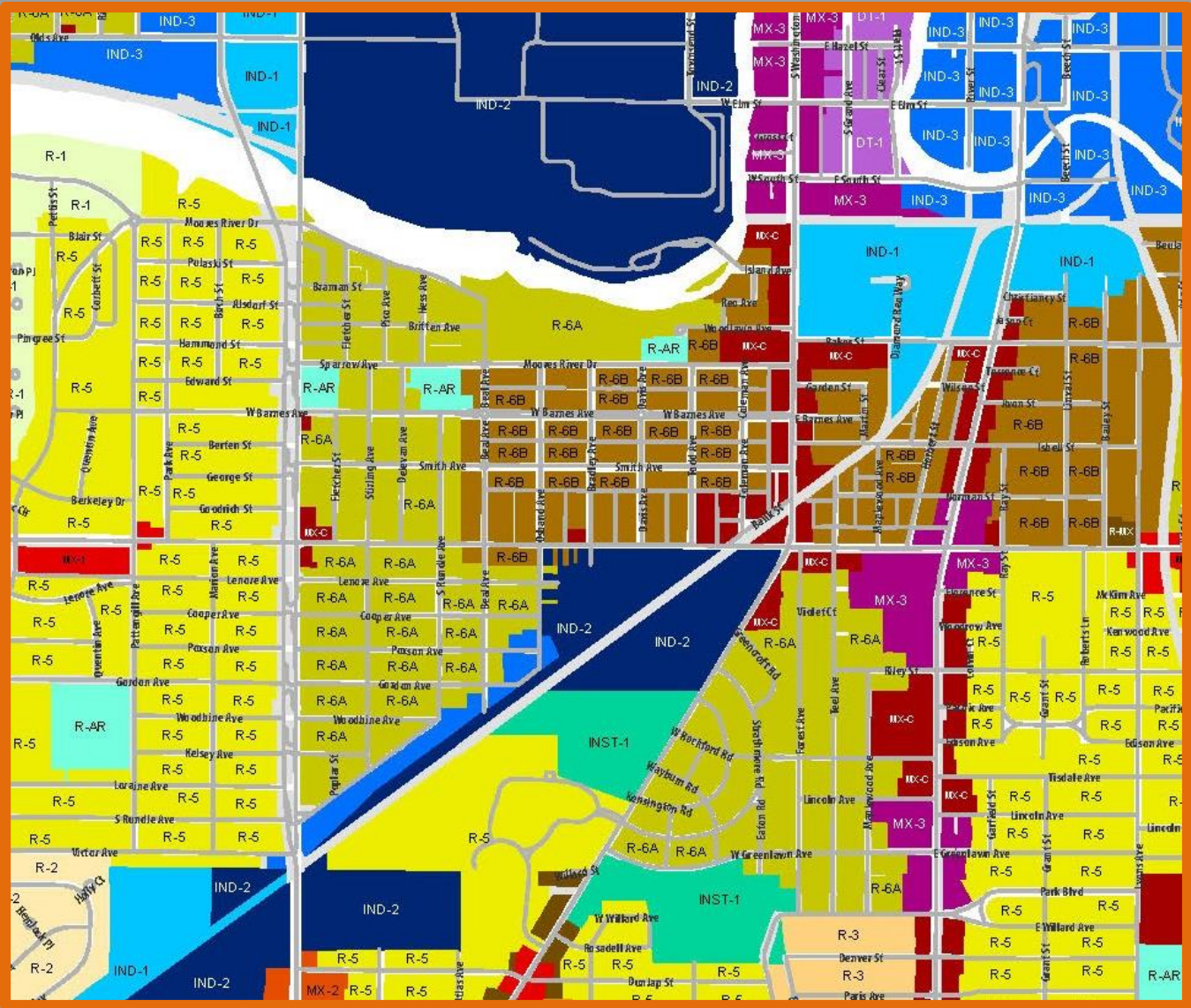
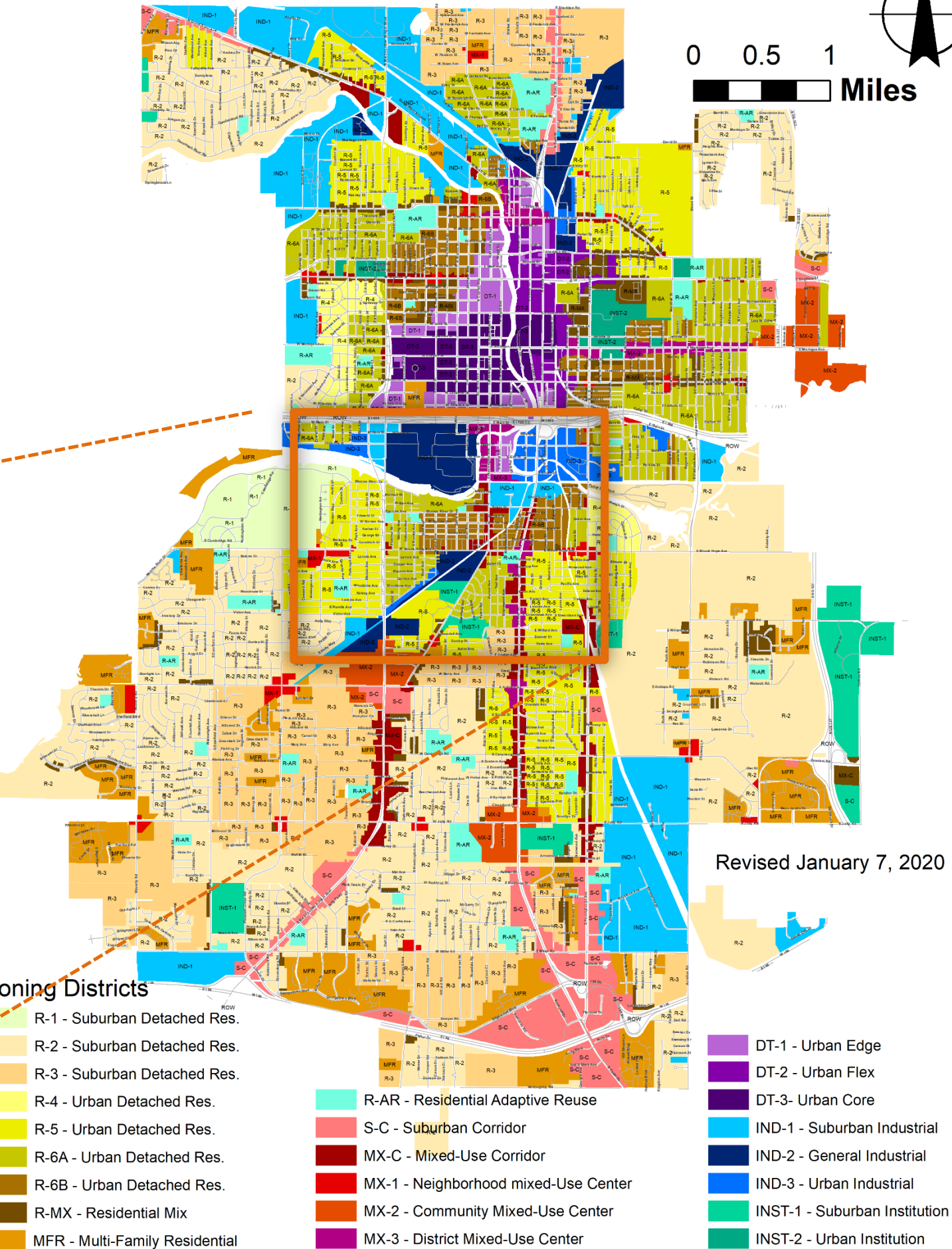
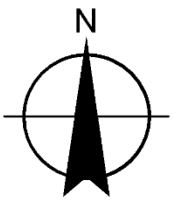
- Floor heights
- Window area (minimums)
- Primary / Secondary materials
- Roof types
- Building articulation
- Access & Services
- Suggested Building Types to meet the standards

<i>Building Type (example)</i>	<i>Arterial</i>	<i>Prime Connector</i>	<i>Neighborhood Connector</i>
<i>Townhouse</i>		X	X
<i>Flats / Lofts</i>	X	X	
<i>Mid-Rise</i>	X	X	
<i>Multi-Family</i>		X	X

Step 1: Check the Zoning Map

- Ch. 1243 – Commercial Mixed-Use Districts
- Ch. 1244 – Residential Districts
- Ch. 1245 – Special Districts (*Industrial & Institutional Zones*)

City of Lansing Form-Based Code Zoning Map



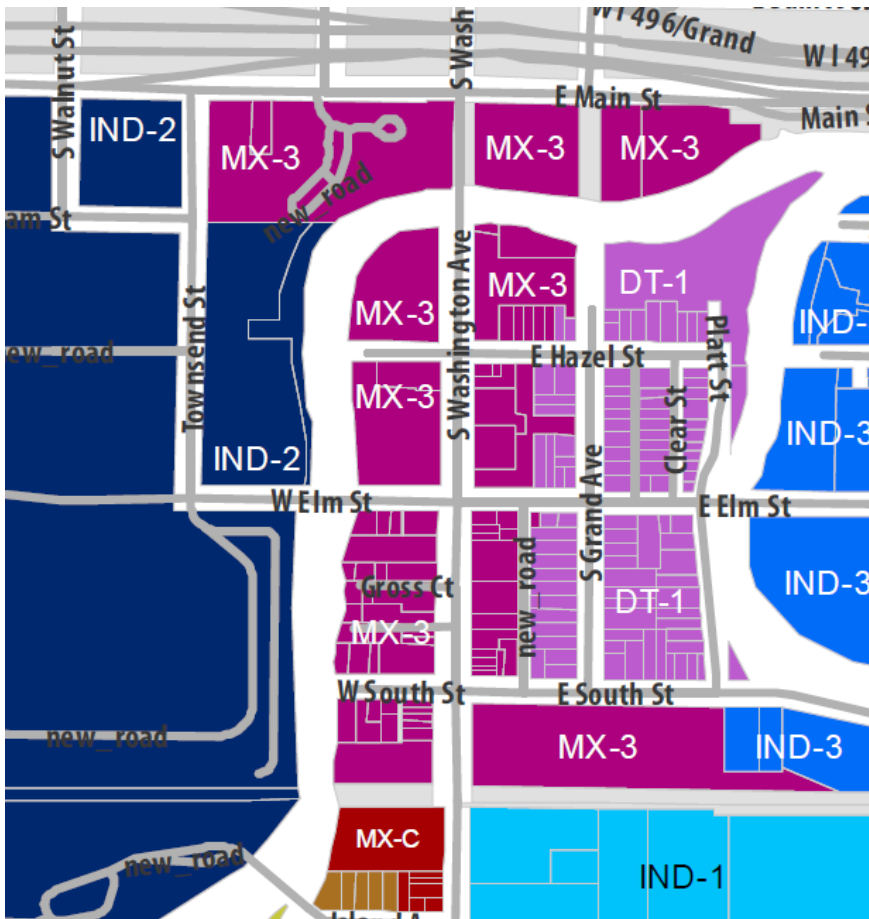
Step 2: Check the Use Table for allowed uses in the district

P = Principal Permitted Use C = Conditional Use S = Special Land Use	SC	MX-C	MX-1	MX-2	MX-3	DT-1	DT-2	DT-3	Conditions
Group day care home (7 to 12 children less than 24 hours per day)	C	C	C	C	C	C	C		1. The facility provides and maintains on the lot not less than 900 square feet of outdoor play space. 2. The use of the structure as a group day care home shall be clearly incidental to the principal residential use. 3. One person, other than a member of the family residing in the dwelling, may be employed, so long as that person is not the primary caregiver. 4. No change occurs in the outside appearance of the dwelling. 5. No signs are permitted. 6. The outdoor play space shall be fenced. This requirement can be waived by approval of the Planning Office if the specified outdoor area is common open space shared with other dwelling units.
INSTITUTIONAL									
Places of Assembly	S	S	S	S	S	S	S	S	
Hospital	C	C	C	C	C	C	C	C	At least one property line abutting an arterial, suburban or activity corridor
Museum						P	P	P	
Library	P	P	P	P	P	P	P	P	
Park, open space, plaza (public or private)	P	P	P	P	P	P	P	P	
Schools			C		C	C	C		All education facilities, except elementary or middle schools, must have at least one property line abutting and all points of ingress/egress directly to an arterial, suburban or activity corridor
Trade school	C	C	C	C	C	C	C	C	
COMMERCIAL/OFFICE									
Retail sales and services	C	C	C	C	C		C	C	Permitted on non-local streets Permitted on local street only within 50' of a non-local street
Restaurant, bar, tavern	C	C	C	C	C		C	C	Permitted on non-local streets Permitted on local street only within 50' of a non-local street
Professional and business offices (e.g. doctor, lawyer, architect)	P	P	P	P	P	P	P	P	
Animal hospital	C	C	C	C	C	C	C	C	No kennels
Bank	P	P	P	P	P	P	P	P	
Brewpub	C	C	C	C	C		C	C	Permitted on non-local streets Permitted on local street only within 50' of a non-local street
Cemetery					S				
Clinic	C	C	C	C	C	C	C	C	At least one property line abutting and all points of ingress/egress directly to an arterial, suburban or activity corridor

- Uses by type by district
 - Permitted uses
 - Conditional uses
 - Special Land Uses

District Example: MX-3

- Each section describes:
 - Intent
 - Suggested building types
 - Layout requirements
- MX-3
 - Example area: Michigan Avenue, REO Town, Old Town



1243.08 MX-3 Mixed-Use District Center



1243.08.01 MX-3 INTENT

The intent and purpose of the MX-3 district is to provide primarily a vertical mix of uses with higher density residential. Ground floor uses should be active and pedestrian focused. Development in this district is characterized by tall buildings lining urban streets near the City core. This district represents one of the City's highest intensity and density development because of its location near downtown and the pedestrian activity expected and desired.

1243.08.02 MX-3 BUILDING TYPES

The following building types are suggested to meet the intent of this district. The table at right shows which building types are suggested along the various street types in this district. Architectural regulations and Building Types are further described in CHAPTER 1246 – BUILDING TYPES.

SUGGESTED BUILDING TYPE	STREET TYPE					
	ARTERIAL CORRIDOR	SUBURBAN CORRIDOR	ACTIVITY CORRIDOR	PRIME CONNECTOR	NEIGHBORHOOD CONNECTOR	LOCAL
Attached Residential	-	-	-	-	X	X
Urban Mixed-use	X	X	X	X	X	X
Parking Structure	X	X	**	X	X	X
Gas & Service Stations	X	-	-	-	-	-

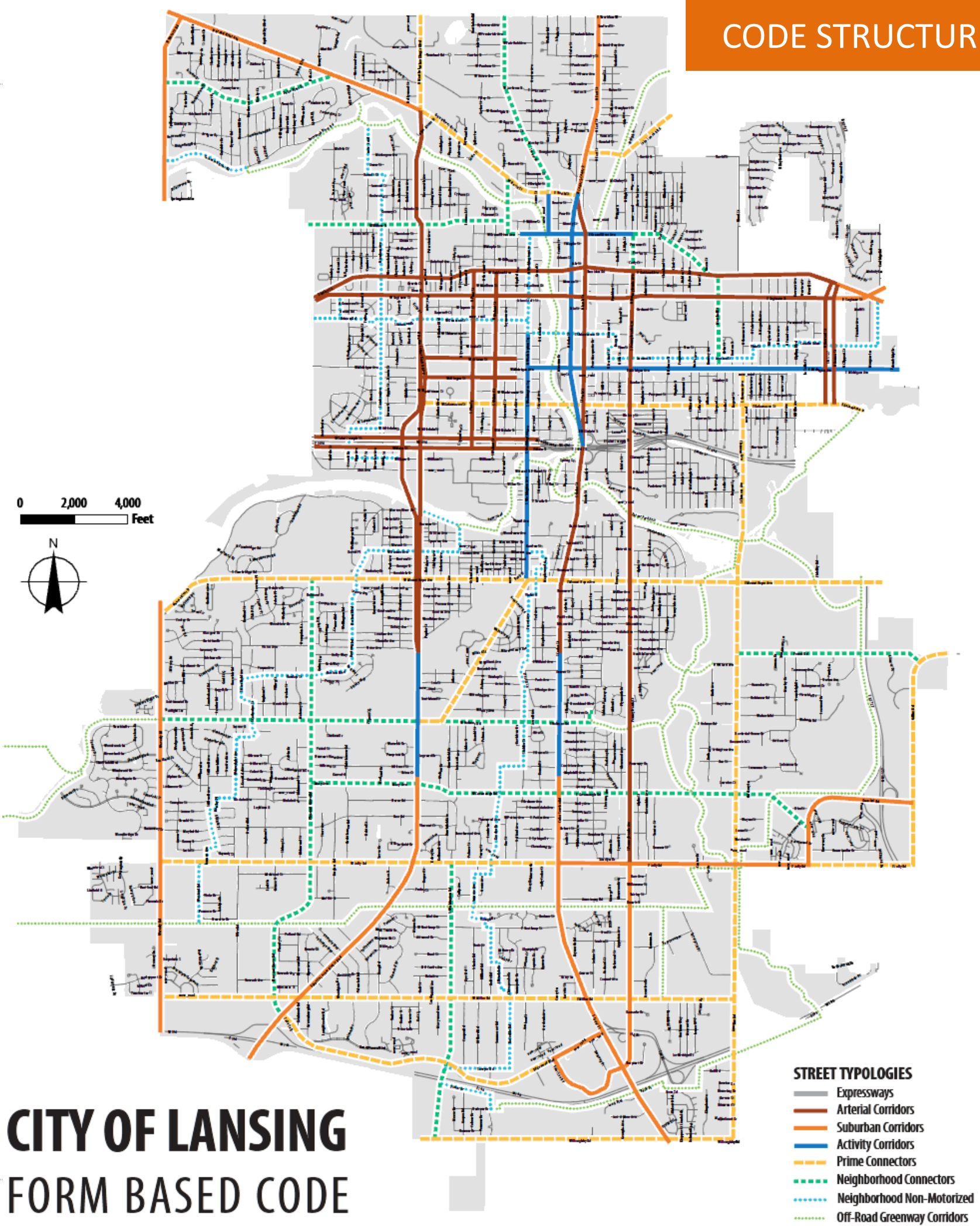
**First floor must be lined with non-parking uses. See Section 1243.03

Step 3: Cross-check regulations against Street Typologies

- Street Typologies developed in the master plan.
- *Desire to create an appropriate balance of activity and mix of land uses in relation to the type of street and modes of travel emphasized.*

STREET TYPOLOGIES

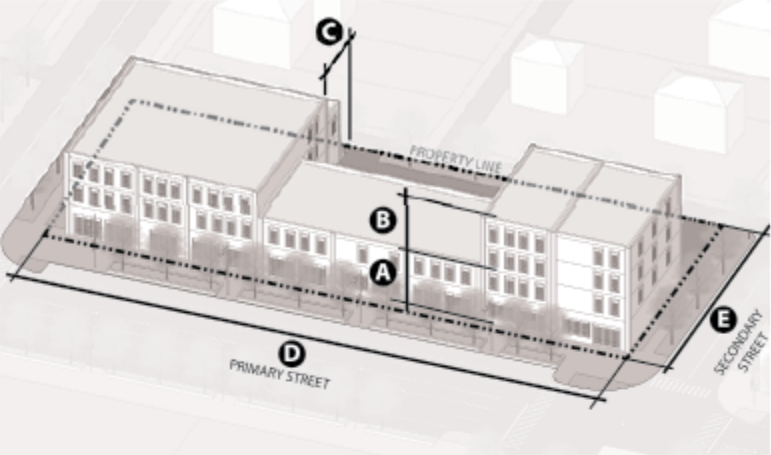
- Expressways
- Arterial Corridors
- Suburban Corridors
- Activity Corridors
- Prime Connectors
- Neighborhood Connectors
- Neighborhood Non-Motorized
- Off-Road Greenway Corridors



Step 4: Site Layout Requirements

1243.08.03 MX-3 SITE LAYOUT REQUIREMENTS

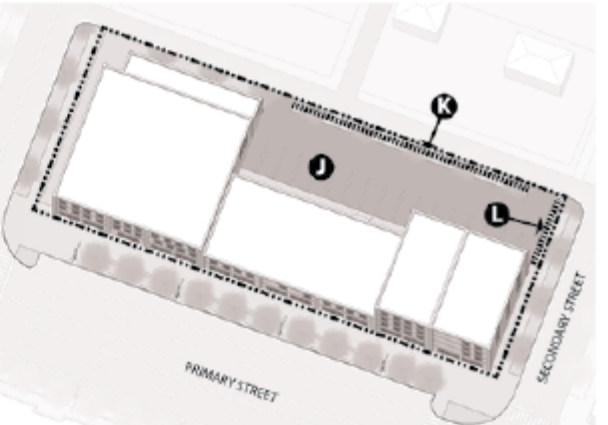
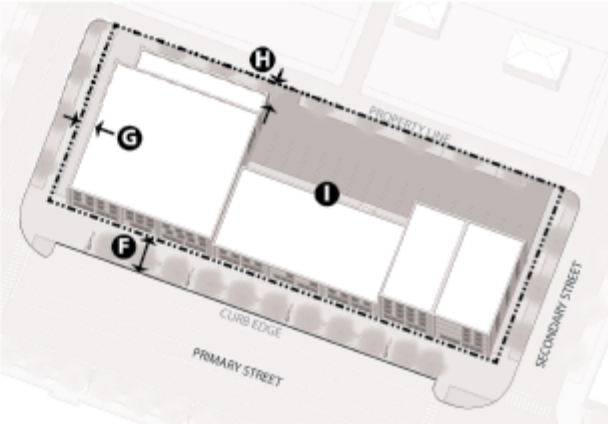
(a) BUILDING MASSING		
-A-	Minimum Height	25' 1 story
-B-	Maximum Height	80' 6 stories
-C-	Required Upper floor Step-Backs	For the elevation adjacent to a residential district, the floors above the second story shall be tiered-back so that the highest point of the building is setback from the adjacent residential district a distance at least equal to the height of the building.
-D-	Minimum Frontage, Primary Street	85%
-E-	Minimum Frontage, Secondary Street	75%
Required Corner Massing		When site is a corner lot, the primary and secondary frontages at the corner must be occupied by building elevations for the first 20 feet of each frontage from the corner.



See CHAPTER 1246 — BUILDING TYPES for dimensional standards

Example: MX-3 (Michigan Avenue)

(b) BUILDING PLACEMENT	
Sidewalks	8' minimum width required on all non-local street types. 5' minimum width required on local streets.
-F- Build-to line	Front property line or 15' from street curb, whichever is greater. Planning Office may approve a setback equal to the average setback of 50% of the buildings to be retained within the blockface. The applicant shall provide a map with those measurements.
-G- Minimum Side Setback	0'
-H- Minimum Rear Setback	0'
-I- Maximum Lot Coverage	100%
Minimum Setback from Adjacent Residential Districts	25' 6' opaque screenwall / fencing required along edge of residentially zoned or used property.
See Section 1250.04.01 for placement of accessory buildings.	
(c) PARKING	
-J- Allowed Surface Parking Locations	Municipal Parking On-Street Parking On-site: Side or rear yard, front yard only when corner lot on secondary streets
-K- Side and Rear Parking Lot Setback / Screening when adjacent to R-1 through R-6 districts	6' landscape buffer. Rear OR Side setback may be reduced to 5' with 3' opaque masonry wall
-L- Front Parking Lot Setback / Screening on Secondary Street Corners	5' with a 3' masonry knee wall at Build-to Line.
Required Parking Spaces	No parking required if adequate on-street and municipal parking is available Section 1254.01.04 for parking reductions
Parking Incentives / Bonuses	Shared parking, cross-access, driveway removal



1246.04 Architectural Regulations

1246.04.01 General Architectural Standards

- (a) No part of any building may project forward of the build-to line except overhanging eaves, awnings, shopfronts, bay windows, stoops, steps, balconies, or handicapped ramps approved by the Zoning Administrator.
- (b) Stoops and Front Porches

- (1) Shall not extend into the public right-of-way.
- (2) All required front porches shall be completely covered by a roof.
- (3) Front porches may be screened (insect screening) when all architectural elements (columns, railings, etc.) occur on the outside of the screen facing the street-space
- (4) Finished floor height shall be no more than 8 inches below the first interior finished floor level of the building.

(c) Awnings/Overhangs

When an awning or overhang is incorporated into a building, the following requirements must be met:

- (1) Minimum 10 feet clear height above sidewalk, minimum 5 feet depth out from the facade. Maximum projection to within 1 foot of back of curb where there are no street trees, or 1 foot into the tree-planting strip.
- (2) Canvas cloth or equivalent (no shiny or reflective materials).
- (3) Metal and glass are permitted, when configured as a marquee over an entrance.
- (4) No internal illumination through the awning/overhang.
- (5) Lettering on awnings limited to 6 inches tall on vertically hanging fabric at curb side of awning.
- (6) No one-quarter cylinder configurations.
- (7) Awnings and overhangs shall complement the fenestration pattern of the building facade.

(d) Balconies:

- (1) Shall not be located within 5 feet of any common lot line and shall not encroach into the public right-of-way.
- (2) Balconies may be a single level or multiple balconies stacked vertically for multiple stories.
- (3) Where Residential Districts include balconies as a method for achieving the required private open area, the balcony:
 - a. Shall be enclosed by balustrades, railings, or other means that block at least half of the view through them;
 - b. Shall not otherwise be enclosed above a height of 42 inches, except with insect screening and/or columns/posts supporting a roof or connecting with another balcony above; and

(e) Windows

- (1) Glass shall be clear, with light transmission at the ground story at least 90 percent and for the upper stories 75 percent (modification as necessary to meet any applicable building and energy code requirements).
- (2) Ground story windows may not be made opaque by window treatments (excepting operable sunscreen devices within the conditioned space).
- (3) A minimum of 80 percent of the ground story window surface shall allow a view into the building interior for a depth of at least 12 inches.

- Projections
- Fenestration (windows/doors)
- Building materials
- Façade articulation
- Example building types to meet the district and architectural standards

1246.04.03 COMMERCIAL / MIXED-USE BUILDING TYPES		
Second Floor Finish Elevation	14' min.	
Upper Floors Clear Height	8' min.	
Ground Floor Finish Elevation Above/Below Sidewalk	Max of 6" above adjacent sidewalk with ramp	
Minimum Fenestration Percentage	Storefront 60%	
	Non-storefront Ground Floor 40%	
	Upper Floors 20%	
	Brick (masonry); stone; other similar materials as determined by Zoning Administrator	
Allowed building materials on primary facades (i.e. facing onto a street)	Same as primary facades, but also including decorative metal, wood; EIFS (on upper floors only); other similar materials as determined by Zoning Administrator	
Allowed building materials on secondary facades (i.e. those not facing onto a street)		
Roof Types	Pitched: between 4:12 and 12:12 slope	
	Flat roof: with cornice and parapet	
	All rooftop mounted HVAC and mechanical equipment shall be screened from view on all sides of the building.	
Roof Materials (for pitched roofs)	Primary Material	Asphalt, fiberglass, tile, slate
	Accent Material (up to 25%)	Standing seam metal
Primary Facade Articulation	Walls over 30' in length must include design articulation, windows or recesses	
Primary Facade Ground Floor Articulation	Ground floors shall be differentiated from the floors above by a horizontal expression line such as a string course, change in material or textures, awnings or canopies, or sign band.	
Building Access	At least one entry must face onto and connect to the primary street. Secondary entries permitted from the side or rear. Maximum recessed entry of 5'..	
Service	Services. Services and utility hookups shall not be visible from the primary street frontage, preferably located in the rear yard.	

Common Terms

- **Land Use Plan** – a general layout of place types and provides a vision for how spaces within Lansing could be developed
- **Zoning Code** – the law that regulates the activity of land. Lansing’s proposed form based code will regulate the building standards as well as the use of land in the city
- **Permitted Use** – the main structure or use that is allowed in a Zoning District
- **Conditional Use** – a use not permitted outright, but requires that special conditions be met before approval.
- **Special Use** – a use or structure that could negatively affect the users of nearby properties and the community as a whole. Requests are reviewed by the Planning Board and City Council
- **Variance** – deviation from a zoning provision granted when strict enforcement would cause undue hardship. Requests are reviewed by the Board of Zoning Appeals
- **Nonconforming** (*grandfathered*) sites and uses - any *legally-established* nonconformity may be continued under the Zoning Code as long as it is not expanded, increased, or the use changed.



Form-Based Zoning Code

A *form-based code* (FBC) is a zoning approach that focuses more on a building's form and appearance, and less on its use.

– **Conventional zoning** emphasizes which land uses are permitted in which locations, often calling for the separation of uses. There is very limited direction on the design and form of development, generally addressing only building setback minimums, height and density maximums, and parking requirements.

– **Form-based zoning** focuses on what the desired look, feel, and character of a place should be. It addresses the relationship between buildings and the street, the form and mass of buildings in relationship to one another, the pattern of blocks and streets, and the location and type of public spaces.

The Zoning Ordinance needs to reflect the Land Use Plan in the *Design Lansing* Comprehensive Plan. The Comprehensive Plan identified existing character based on things like street patterns, building placement, and age of buildings, then recommended how to further enhance the desired patterns through redevelopment. **The Form-Based Code is the primary tool for implementing the design and land use recommendations of the Design Lansing Plan.** However, these changes won't happen overnight.

Because this will be an entirely new Form-Based Zoning Code, there will be existing structures and uses that do not meet the new standards set for each new district. However, if those structures were *lawfully* built or uses *lawfully* established with the appropriate permits under the previous Zoning Code they will still be allowed to exist as a grandfathered legal non-conformity.

A component of the FBC is a set of General Provisions that include, but are not limited to:

Keeping of Animals on Residential Properties – Prohibits the keeping of wild animals that may be detrimental to the health, safety and welfare of the community, regulates the keeping of livestock and limits the number of dogs that can be kept as household pets.

Recreational Vehicles – Restricts the number of RV's that can be kept on a residential property and regulates where they may be parked or stored on the lot.

Exterior Lighting – Requires that parking lots be adequately lit while regulating the lights to limit off-site glare.

Wind Energy Conversion Systems and Residential Antennae – Regulates the height, placement and allowable number of wind turbines and antennae in residential zones.

Waste Receptacles & Enclosures – Regulates the placement of dumpsters and requires them to be screened/enclosed.

Demolitions – Provides the City with additional controls over authorizing requests to demolish buildings for the purpose of constructing non-required parking.

For more information and requirements please click [here](#) or call the Planning Office at 517-483-4066



Form-Based Zoning Code

What uses are allowed and what standards apply?

1 – Check the Zoning District Map

- Review the district **intent**
- Check the list of **allowed uses** – including any conditional or special permit uses
- Review the **site layout requirements**

Site Layout Requirements:

- Building massing (height, frontage, upper floor step backs)
- Building placement (setbacks, build-to-lines, lot coverage)
- Parking configuration & loading
- Other district specific items

2 – Determine the Street Type

- Refer to the street typologies map

Architectural Regulations:

- Floor heights
- Window area (minimums)
- Primary / Secondary materials
- Roof types
- Building articulation
- Access & Services
- Suggested Building Types to meet the standards

3 – Apply Architectural Regulations

- Determine suggested building types
- Cross-reference against street type

Zoning Districts

Residential

R-1 Suburban Residential
R-2 Suburban Residential
R-3 Suburban Residential
R-4 Urban Edge Residential
R-5 Urban Residential
R-6 Urban Residential
R-MX Mixed Residential
MFR - Multi-Family Residential
R-AR Adaptive Reuse Residential

Commercial Mixed-Use

S-C Suburban Commercial
MX-C Mixed Use Urban Corridor
MX-1 Mixed Use Neighborhood Center
MX-2 Mixed Use Community Center
MX-3 Mixed Use District Center
DT-1 Urban Edge
DT-2 Urban Flex
DT-3 Downtown Core

Special

IND-1 Suburban Industrial
IND-2 General Industrial
IND-3 Urban Industrial
INST-1 Suburban Institutional
INST-2 Urban Institutional



Non-conforming Structures and Uses

Because Lansing is proposing to adopt an entirely new Form-Based Zoning Code, there will be new zoning districts and existing structures and uses that do not meet the new standards set for each district. However, if those structures were *lawfully* built or uses *lawfully* established with the appropriate permits under the previous Zoning Code they will still be allowed to exist as a grandfathered legal non-conformity.

Q: What is a “non-conformity”?

A: A ‘nonconformity’ is a use, structure or lot which does not conform with a use and/or dimensional provision of the Form-Based Code, but which use, structure, or land was *lawfully* established prior and is granted authority to continue.

Q: If I have to make repairs or replacements to my structure will my non-conforming use still be permitted?

A: Yes, routine repairs and replacements are permitted, however, if for any reason the structure is damaged to 51% or more of its replacement cost then it shall not be reconstructed except in conformity of the Form-Based Code. If the damage is 50% or less, rebuilding shall be permitted.

Q: If I have a non-conforming use that is discontinued for a period of time, and then decide to begin that same use again at a later date, will I have to conform to the new standards?

A: Possibly. Chapter 1270.04 establishes that if a non-conforming use is abandoned for more than twelve (12) months, any subsequent use shall conform to the requirements of the Form-Based Code. The Zoning Administrator may determine to approve an extension of up to six (6) months for the owner to sell or lease the premises.

Q: Am I permitted to make alterations to my non-conforming structure or use?

A: Yes, a structure may only be enlarged or altered if it does not increase its non-conformity.

A non-conforming use could not be enlarged, increased, or occupy more land unless permitted by the Board of Zoning Appeals.

Q: Am I allowed to change my non-conforming use to another non-conforming use?

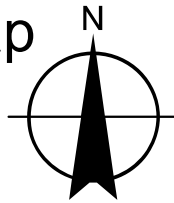
A: It is possible to change uses, such as a retail use to another similar retail use, however, the change cannot be more intense than the existing use. All applications are determined by the Zoning Administrator.

Q: I am in the process of opening a business in a district that is changing to no longer allow that use. Will I have to stop if I am not open by the code’s effective date?

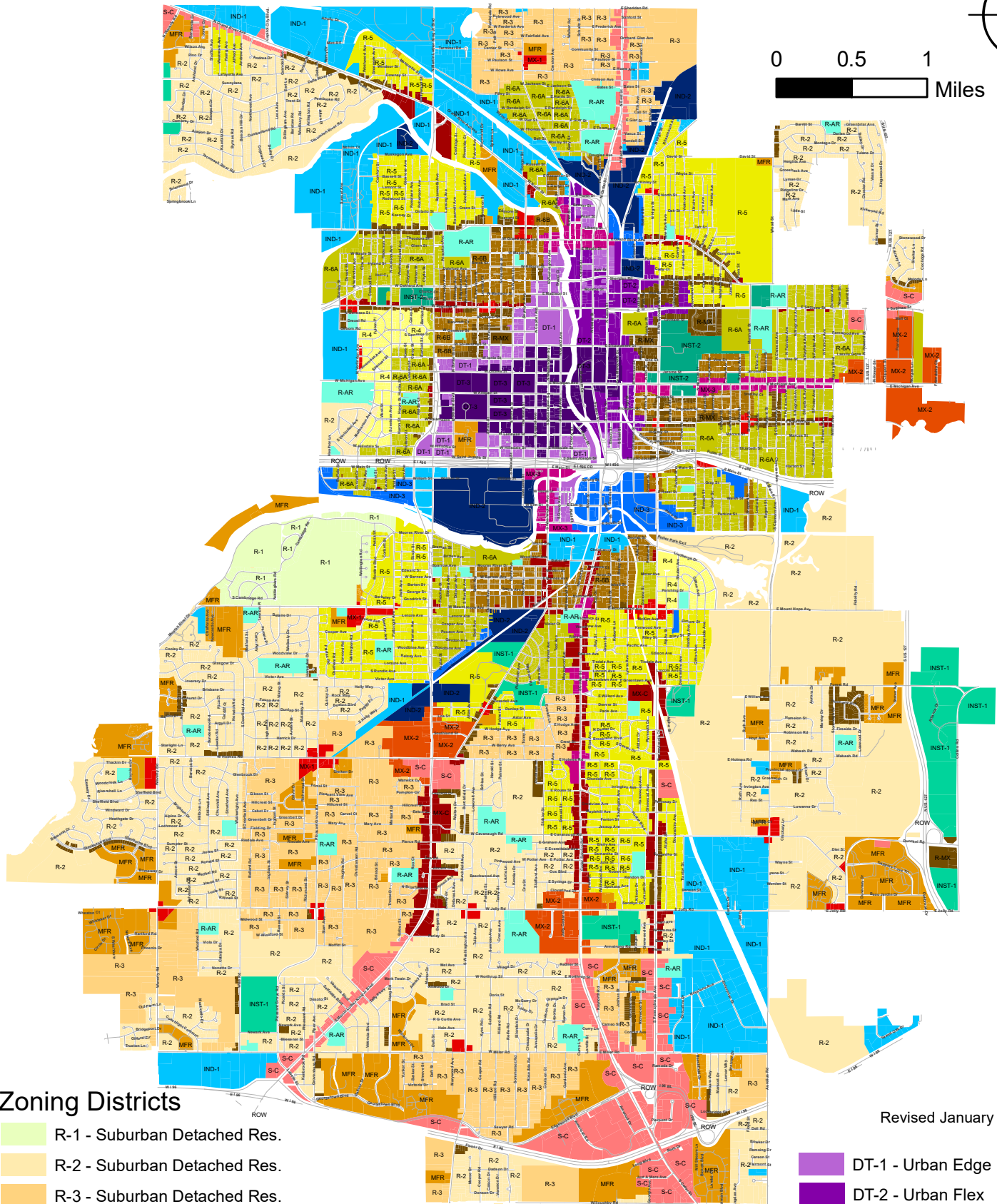
A: Even if your building or use is not completely opened you may still be considered with grandfathered status. If you have secured zoning approval and are diligently conducting building construction prior to the new code going into effect, the Planning Office will consider the business/use grandfathered as a legal non-conformity.

For more information and requirements please see Chapter 1270 of the Form-Based Zoning Code or call the Planning Office at 517-483-4060

DRAFT City of Lansing Form-Based Code Zoning Map



0 0.5 1 Miles



Zoning Districts

- | | | |
|---|---|--|
| R-1 - Suburban Detached Res. | R-AR - Residential Adaptive Reuse | DT-1 - Urban Edge |
| R-2 - Suburban Detached Res. | S-C - Suburban Commercial | DT-2 - Urban Flex |
| R-3 - Suburban Detached Res. | MX-C - Mixed-Use Corridor | DT-3 - Urban Core |
| R-4 - Urban Detached Res. | MX-1 - Mixed-Use Neighborhood Center | IND-1 - Suburban Industrial |
| R-5 - Urban Detached Res. | MX-2 - Mixed-Use Community Center | IND-2 - General Industrial |
| R-6A - Urban Detached Res. | MX-3 - Mixed-Use District Center | IND-3 - Urban Industrial |
| R-6B - Urban Detached Res. | | INST-1 - Suburban Institution |
| R-MX - Residential Mix | | INST-2 - Urban Institution |
| MFR - Multi-Family Residential | | |

Revised January 29, 2020

City of Lansing Form-Based Code Master Use Table

Revised 1/28/20

P = PRINCIPAL PERMITTED C = CONDITIONAL USE S = SPECIAL LAND USE	R-1	R-2	R-3	R-4	R-5	R-6a	R-6b	R-MX	MFR	R-AR	SC	MX-C	MX-1	MX-2	MX-3	DT-1	DT-2	DT-3	IND-1	IND-2	IND-3	INST-1	INST-2	Reference
Residential Uses																								
Single-Family detached	P	P	P	P	P	P	P	P		P						P								1244
Two-Family dwelling							C	P	P	P						P						P	P	1244
Multi-Family dwelling							C	P	P	P	P	P	P	P	C	P	P	P	C	C	C	P	P	1244
Mobile Home									S															
Bed and Breakfast																P	P							
Short-Term Rental	C	C	C	C	C	C	C																	Lansing Airbnb/Short-term rental housing policy
Boarding/Lodging House								P	P	P														
Human Care Facilities																								
Adult Day Care Facility								S	S							P	P							1240.04.02
Adult Foster Care (≤ 6)	P	P	P	P	P	P	P	P	P	P														1240.04.02
AFC small group home (≤ 12)	S	S	S	S	S	S	S	P	P							P	P							1240.04.02
AFC large group home (13-20)								S	S	S						S	S					S	S	1240.04.02
AFC Congregate Care								S	S	S														1240.04.02
Child Care centers, preschools, and commercial day care	S	S	S	S	S	S	S			S	C	C	C	C	C	C	C					C	C	1240.04.02
Family Day Care (≤ 6, less than 24 hours/day)	P	P	P	P	P	P	P	P	P															1240.04.02
Group Day Care Home (7-12 children, <24 hours/day)	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C							1240.04.02
Foster Family Home (6 or fewer children, 24 hours/day)	P	P	P	P	P	P	P	P	P															1240.04.02
Convalescent or Nursing Home								S	S	S														12.40.04.02
Institutional																								
Places of Assembly	S	S	S	S	S	S	S	S	S	C	S	S	S	S	S	S	S	S	S	S	S	S	S	
Hospital										C	C	C	C	C	C	C	C	C				P	P	
Museum	C	C	C	C	C	C	C	C	C							P	P	P	C	C	C	P	P	
Library	C	C	C	C	C	C	C	C	C	C	P	P	P	P	P	P	P	P	C	C	C	P	P	
Schools	C	C	C	C	C	C	C	C	C	C			C		C	C	C					C	C	
Trade school										C	C	C	C	C	C	C	C	C	C	C	C	C	C	
Park, open space, plaza	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P				P	P	

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Revised 1/28/20

P = PRINCIPAL PERMITTED C = CONDITIONAL USE S = SPECIAL LAND USE	R-1	R-2	R-3	R-4	R-5	R-6a	R-6b	R-MX	MFR	R-AR	SC	MX-C	MX-1	MX-2	MX-3	DT-1	DT-2	DT-3	IND-1	IND-2	IND-3	INST-1	INST-2	Reference
Commercial/Office																								Chapter 1243
Retail sales and Personal Services										P	C	C	C	C	C		C	C	P	P	P			
Professional/business offices										P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Animal Hospital											C	C	C	C	C	C	C	C	C	C				
Bank											P	P	P	P	P	P	P	P	P	P	P			
Brewpub											C	C	C	C	C		C	C	P	P	P			
Cemetery	S	S								S														
Clinic										C	C	C	C	C	C	C	C	C	P	P	P	C	C	
Funeral Home											C	C	C	C	C	C	C		P	P	P	P	P	
Golf courses	S	S								S									S					
Hotel											P	P		P	P		P	P	P	P	P			
Kennel											C	C	C	C	C		C		C	C				
Laundromat, dry cleaner											P	P	P	P	P		P		P	P	P			
Mini-golf											P								P					
Mobile Food Vending (Food trucks and carts)										C	C	C	C	C	C		C		C	C	C			
Motor vehicle service station											C	C	C	C	C		C		P	P	P			1246.05.09
Nursery, commercial greenhouse										C	C	C					P		P	P	P			
Parking structure											C	C		C	C		C	C			C	C	C	1246.05.06
Restaurant, bar, tavern											C	C	C	C	C		C	C	C	C	C			
Self-storage rental																			P	P	P			
Studio (dance, health, music, etc)											P	P	P	P	P	P	P	P	P	P	P			
Vehicle sales, vehicle leasing, and other outdoor sales facility											C	C	C	C	S		S		C	C	C			
Drive-thru, as accessory use											C	C	C	C	C	S	S		C	C	C			
Industrial																								Chapter 1245
Cleaning, processing, servicing, or repair of any product																	P		P	P				
Dry cleaning plants																			P	P	P			
Industrial scrap metal processing																				P				
Lumber yards																	P		P		P			
Manufacture of already processed components (bakeries, cosmetics, candies, etc)																	P		P	P	P			

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Manufacture of automobiles parts and car assembly																				P				
Manufacture of toys, furniture, appliances, etc																	P		P	P	P			
Metal forming																	C		P	P	P			
Mining																				S				1245.05
Motor vehicle repair station											P						S		P	C	C			
Power plants																				P				
Production of consumer goods, with 20% GFA retail sales																	P		P	P	P			
Research laboratory										S	S	S	S	S	S	S	P		P		P	P	P	
Salvage yards																				C				
Sanitary land fill																				S				1245.05
Tool, die, and machine shops																			P	P	P			
Truck terminals																			P	P				
Wholesale and warehouse uses																	S		P	P	P			
Wireless Communications Towers																			S	S	S			1250.05
Adult Business Uses											S	S		S					S	S	S			1250.02.11

The tables and text found in each district's chapter in the ordinance govern, this table is for summary purposes only.



LANSING FBC

Introduction

Administration

District Summaries

S-C Suburban Commercial



- Single tenant or strip commercial
- More emphasis on buffers/transitions to nearby residential districts
- More auto-oriented, one double-bay of parking in front allowed
- Mixture of uses still encouraged
- *Example area: South Cedar*

Minimum Height	Maximum Height
16'	40'
1 story	3 stories

MX-C Mixed-Use Urban Corridor



- Mixed-use encouraged but not required
- Buildings fronting the street
- One bay of front-yard parking allowed only along Suburban and Arterial Corridors
- *Example area: Saginaw at MLK*

Minimum Height	Maximum Height
25'	60'
1 story	5 stories

MX-1 Mixed-Use Neighborhood Center



- Neighborhood mixed-use nodes
- Buildings fronting the street
- Front-yard parking only allowed only along Suburban and Arterial Corridors
- *Example area: Pleasant Grove & Holmes*

Minimum Height	Maximum Height
25'	40'
1 story	3 stories

MX-2 Mixed-Use Community Center



- Mixed-use redevelopment of shopping centers
- Larger nodes of community mixed-use
- Buildings fronting the street
- *Example area: Logan Square or Frandor*

Minimum Height	Maximum Height (dependent on street type)
25'	60' / 40'
2 story	5 / 3 stories

MX-3 Mixed-Use District Center



- Dense, active, urban mixed-use close to Downtown
- Buildings fronting the street
- *Example area: Michigan Avenue, REO Town, Old Town*

Minimum Height	Maximum Height
25'	80'
1 story	6 stories

DT-1 Urban Edge



- Edge of Downtown
- Mixture of office and residential
- Retain historic houses / conversion to office uses
- Transition to nearby residential neighborhoods
- *Example area: Washington Ave. north of LCC*

Minimum Height	Maximum Height
25'	40'
2 story	4 stories

DT-2 Urban Flex



- Mixture of residential, commercial, industrial, entertainment
- Transitioning from older industrial and pockets of auto-oriented uses to mixture of uses and “warehouse district” vibe
- Activity Corridors with active storefront first-floor uses
- One bay of front-yard parking allowed
- *Example area: Cedar & Larch north of Shiawassee*

Minimum Height	Maximum Height (dependent on street type)
25'	60' / 40'
1 story	6 / 3 stories

DT-3 Downtown Core



- The heart of Downtown
- Highest density, tall buildings
- Walkable, mixture of uses with active storefronts
- *Example area: Washington Square & Michigan*

Minimum Height	Maximum Height
25'	none
2 story	

IND-1 Suburban Industrial



- Light to medium intensity industrial uses
- Research & Development, manufacturing, warehousing
- Suburban industrial park with greenbelts
- *Example area: Grand River Ave. near airport*

Minimum Height	Maximum Height
16'	45'

IND-2 General Industrial



- Wide range of industrial uses
- Warehousing, manufacturing, trucking terminals
- *Example area: GM Grand River Plant*

Minimum Height	Maximum Height
16'	60'



- Historic, urban industrial
- Multi-story industrial
- Office, research, manufacturing, lumber yards, heavy auto repair
- *Example area: Hazel Street Area (east of REO Town)*

Minimum Height	Maximum Height
16'	60'

INST-1 Suburban Institutional



- Campus district
- Education, government, medical facilities
- Supporting uses of office and attached residential
- Landscaped greenbelts
- *Example area: Ingham Co. Health Dept.*

Minimum Height	Maximum Height
16'	60'

INST-2 Urban Institutional



- Integrated into urban areas along corridors
- Education, government, medical facilities
- Walkable, mixed-use character
- *Example area: Sparrow Hospital on Michigan Ave.*

Minimum Height	Maximum Height
16'	60'

R-1 Suburban Residential

R-2 Suburban Residential

R-3 Suburban Residential



- Largest, lowest-density, single-family
- Unique architectural detail and quality
- *Example area: Moores River Drive / Frances Park area*

Minimum Height	Maximum Height
20'	35'
2 story	2.5 stories
Min. Lot Width	Min. Lot Size
60'	6000 sq. ft.



- Mid-century to modern subdivisions
- Medium-size lots, attached garages
- *Example area: Cavanaugh Park Neighborhood*

Minimum Height	Maximum Height
15'	35'
1 story	2.5 stories
Min. Lot Width	Min. Lot Size
50'	5000 sq. ft.



- Flexible, rural character
- Deep lots, variable setbacks
- *Example area: Pleasant View Park area*

Minimum Height	Maximum Height
15'	25'
1 story	2 stories
Min. Lot Width	Min. Lot Size
40'	4000 sq. ft.

R-4 Urban Edge Residential

R-5 Urban Residential

R-6 Urban Residential



- Historic homes (City Beautiful/Garden City movement)
- High-style historic architectural types (Tudor, Colonial Revival, Craftsman)
- *Example area: West side neighborhoods (east of MLK)*

Minimum Height	Maximum Height
20'	35'
2 story	2.5 stories
Min. Lot Width	Min. Lot Size
40'	4000 sq. ft.



- Mid-century bungalows
- *Example area: Knollwood Willow*

Minimum Height	Maximum Height
15'	25'
1.5 story	2 stories
Min. Lot Width	Min. Lot Size
40'	4000 sq. ft.



- Historic, urban neighborhoods
- R-6A: Single-family
- R-6B: multiple-family along corridors, still scale of detached houses (subdivided into multiple units)
- *Example area: Pleasant View Park area*

Minimum Height	Maximum Height
20'	35'
2 stories	2.5 stories
Min. Lot Width	Min. Lot Size
40'	4000 sq. ft.



- Highest residential densities
- Apartment complexes with campus character, shared open space
- *Example area: Georgetown Blvd*

Minimum Height	Maximum Height
15'	40'
1 story	4 stories



- Variety of housing types
- Along corridors and near downtown
- Transition to single-family detached
- *Example area: Pennsylvania Ave. north of Jolly*

Minimum Height	Maximum Height
20'	45'
2 story	4 stories



- Former school sites
- Contextual compatible reuse with surrounding neighborhoods
- *Example area: Genesee Elementary*

Minimum Height	Maximum Height
15'	Equal to adjacent residential
1 story	



THANK YOU

Lansing Economic Development and Planning Department

- Brian McGrain, Director
- Sue Stachowiak, Zoning Administrator
- Andy Fedewa, Planner

For more information, see <https://www.lansingmi.gov/271/DRAFT-Form-Based-Code-FBC>

Questions can be sent to Andrew.Fedewa@lansingmi.gov

Links to documents:

The Form Based Code information:

<https://www.lansingmi.gov/271/DRAFT-Form-Based-Code-FBC>

Draft Form Based zoning code has a direct link

<https://www.lansingmi.gov/DocumentCenter/View/5612/Form-Based-Code-PDF?bidId=>