



LANSING PLANNING BOARD
Regular Meeting
Tuesday, March 1, 2022, 6:30 p.m.
600 W. Maple Street, Lansing, MI 48906

Due to safety concerns resulting from the COVID-19 pandemic, this meeting will be accessible to the *public* on Microsoft Teams via this [hyperlink](#)

AGENDA

- 1. OPENING SESSION**
 - A. Roll Call**
 - B. Excused Absences**
- 2. APPROVAL OF AGENDA**
- 3. COMMUNICATIONS**
- 4. PUBLIC HEARINGS**
- 5. COMMENTS FROM THE AUDIENCE (please limit comments to 3 minutes per person)**
- 6. RECESS**
- 7. BUSINESS**
 - A. Consent Items**
 - (1) Minutes for approval: February 1, 2022.....1**
 - B. Old Business**
 - C. (1) Act-8-2021, Lot 50, Sale of Property2**
 - D. New Business**
 - (1) Act-2-2022 "Lot 48 Richfield Park Sub" of North Cemetery, Sale of Property..3**
- 8. REPORT FROM PLANNING OFFICE**
- 9. COMMENTS FROM THE CHAIRPERSON**
- 10. COMMENTS FROM BOARD MEMBERS**
- 11. PENDING ITEMS: FUTURE ACTION REQUIRED**
- 12. ADJOURNMENT**

Next Regularly Scheduled Meeting: April 5, 2022

For special accommodations, please give 24 hours notice prior to the meeting by calling Sue Stachowiak in the Planning Office at 517-483-4085 or by dialing (tty 711).



Andy Schor
Mayor

LANSING PLANNING BOARD

Regular Meeting

February 1, 2022

6:30 p.m.

Neighborhood Empowerment Center 600 W Maple St.

MINUTES – *DRAFT*

1. OPENING SESSION

Mr. Ruge called the meeting to order at 6:30 p.m.

- a. Present: Katie Alexander, Dr. Farhan Bhatti, Marta Cerna, Josh Hovey, Monte Jackson, John Ruge
- b. Absent: Tony Cox (excused), Thomas Morgan (excused)
- c. Staff: Sue Stachowiak, Andy Fedewa, Barb Kimmel, Doris Witherspoon
- d. Consultants: Amanda Warner – Wade Trim

2. APPROVAL OF AGENDA

The agenda was approved without objection.

3. COMMUNICATIONS – None

4. PUBLIC HEARINGS

A. LS-1-2022 – Vacant Lot, W Miller Rd., Variance to width to depth ratio restriction to allow the parcel to be divided into two separate parcels.

Ms. Stachowiak stated this request and LS-2-2022 involve variances to the City's Subdivision Ordinance rather than the Zoning Ordinance which necessitates is why they are coming to the Planning Board and City Council rather than the Board of Zoning Appeals. Section 1236.07 (d) of the City Subdivision Regulations restricts the depth of a lot to a maximum of 2.5 times the width.

Ms. Stachowiak stated that staff is recommending approval of this request by the Ingham County Land Bank to permit the vacant lot on W, Miller Road (PID # 33-01-05-06-378-181) to be split in half, creating two parcels for single-family residential dwellings. The proposed parcels would be 60 feet wide by 297.07 feet in depth which is a width to dept ratio of 1 to 4.95. Ms. Stachowiak referenced a map that shows that many other parcels in the vicinity exceed this restriction.

Roxanne Case, Executive Director of the Ingham County Land Bank stated that the Land Bank has a developer ready to buy the properties to build single-family homes. Ms. Case said that the area has smaller homes on large parcels, and this is a chance to bring new housing to the City.

Chairperson Ruge opened the Public Hearing.

Timothy Schumacher, W. Miller Rd., said that he lives just east of this vacant parcel and opposes the split and proposed new construction. Mr. Schumacher stated he was not given a chance to purchase the property from Ingham County after he inquired about it.

Ray Garcia said that he intends to purchase the lots from the Land Bank and build a new single-family home on each of them. Mr. Garcia spoke about his track record in the City of maintaining his properties and screening his tenants so that there are no issues.

Mr. Ruge asked Mr. Garcia and Mr. Schumacher if they are willing to meet each other to discuss the siting of the houses and any design concerns. Mr. Garcia and Mr. Schumacher agreed to a meeting. Mr. Ruge asked how soon construction will begin. Mr. Garcia answered that he plans to start pouring foundations for one set of seven new homes in April 2022 and another set of seven new homes during June/July 2022.

Seeing no one else wishing to speak, Chairperson Ruge closed the Public Hearing.

B. LS-2-2022 – Vacant Lot, Christiansen Rd., Variances to the required lot width and to the width to depth ratio restriction to allow the parcel to be divided into two separate parcels.

Ms. Stachowiak restated that this request involves variances to the City's Subdivision Ordinance, not the Zoning Ordinance which necessitates its hearing before the Planning Board rather than the Board of Zoning Appeals. Section 1236.07 (b) of the City Subdivision Regulations requires a minimum width of 60 feet for residential lots while Section 1236.07 (d) restricts the depth of a lot to a maximum of 2.5 times the width.

Ms. Stachowiak stated that staff is recommending approval of this request by the Ingham County Land Bank to divide the vacant lot on Christiansen Rd. (PID # 33-01-01-32-353-283) in half, creating two lots for the construction of single-family residential dwellings. The proposed parcels would be 56 feet wide by 259 feet in depth which is a width to depth ratio of 1 to 4.625. Ms. Stachowiak referenced a map that shows that many other parcels in the vicinity exceed this restriction.

Ms. Case stated the same developer mentioned in LS-1-2022 is ready to buy the properties and then build single-family homes. Ms. Case said that the area has smaller homes on large parcels and this is a chance to bring new dwellings to the City and increase the density. Mr. Ruge asked what price point Mr. Garcia expected for the homes. Mr. Garcia answered that he expects to list the homes for \$165,000 to \$175,000.

Ms. Alexander asked if other zoning code regulations were reviewed for this application. Ms. Stachowiak replied no and said that all site development requirements like the setbacks and siting remain the same.

Chairperson Ruge opened the Public Hearing.

Seeing no one wishing to speak, Chairperson Ruge closed the Public Hearing.

C. Chapter 1300 Marijuana Operations Ordinance Amendment

Ms. Stachowiak briefly reviewed the reasons why marijuana operations were separated from the Form-Based Zoning Code (FBC) process and has for the last year still been governed by the old zoning districts. She said that now that the FBC is in place, the City Clerk is recommending that Chapter 1300 be amended so that the text reflects the current zoning districts.

Ms. Stachowiak stated that the City Clerk is also proposing language that allows for conditional licenses to be revoked if they are not obtained within 24 months so that they are freed up for other applicants.

Chairperson Ruge opened the public hearing.

Seeing no one wishing to speak, Chairperson Ruge closed the public hearing.

5. COMMENTS FROM THE AUDIENCE – None

6. RECESS – Not taken

7. BUSINESS

A. Consent Items

- (1) Minutes for approval:** December 7, 2021
The minutes from the December 7, 2021 Planning Board meeting were approved without objection.
- (2) LS-1-2022 - Vacant Lot, W Miller Rd., Variance to width to depth ratio restriction to allow the parcel to be divided into two separate parcels.**
LS-1-2022 was approved without objection.
- (3) LS-2-2022 – Vacant Lot, Christiansen Rd., Variances to the required lot width and to the width to depth ratio restriction to allow the parcel to be divided into two separate parcels**
LS-2-2022 was approved without objection.

B. Old Business

- (1) FY 2022-26, Five-Year Consolidated Plan/Proposed Funding Allocations, FY 2022**

A public hearing was held on January 4, 2022, at which no comments were received.

Ms. Witherspoon stated that the purpose of the public hearing is to receive input on the proposed funding allocations for the fiscal year 2022 (7/1/22-6/30/23) Community Development Block Grant Annual Action Plan. She said that the amount of the appropriations that the City will be receiving for fiscal year 2022 are estimated to be the same as last year, but exact numbers are not available at this time, however, as

with previous years, the City of Lansing will proceed with the Action Plan process/schedule and plan based on the previous year's allocations and adjust accordingly once the actual allocations are received. She said that the budget projections are subject to pro-rata adjustments based on the actual amounts awarded to the City of Lansing by the Department of Housing and Urban Development.

Amanda Warner, Wade Trim consultant, reviewed the five goals that were created for the Five-Year Consolidated Plan 2022 – 2026: Affordable Housing, Homelessness Prevention, Provision of Public Services and Other Needed Services, Public Facility and Infrastructure Improvements, and Program Administration.

Mr. Jackson made a motion, seconded by Ms. Alexander to approve the FY 2022-26, Five-Year Consolidated Plan/Proposed Funding Allocations, with the understanding that pro rata adjustments may need to be made to the budget based on actual grant award funding amounts from HUD. Motion carried unanimously.

Ms. Cerna asked if all grant funding is from the federal Housing and Urban Development (HUD) department and if Lansing applies. Ms. Witherspoon confirmed that the funding is from HUD and that the City submits an application annually. She said that Lansing is an entitlement community and submits one- and five-year plans to HUD.

[Dr. Bhatti joined the meeting]

Mr. Jackson asked if there are income requirements for rental rehabilitation funds. Ms. Witherspoon answered that yes, the income requirements pertain to the tenants.

Ms. Witherspoon stated that the Consolidated Plan is due May 14, 2022.

On a voice vote the motion carried unanimously (6-0).

C. New Business

(1) Act-1-2022, 1020 W Hillsdale St., Sale of City Property

Mr. Fedewa stated that the City of Lansing's Economic Development and Planning Department is proposing to sell the City-owned vacant property at 1020 W Hillsdale St. This parcel was previously detailed in part in the "Seven Block Neighborhood Development Plan" which was drafted and adopted by City Council in 1993. The property was acquired by the City utilizing CDBG funding in July 1999. From what current Planning & Zoning staff knows, the Letts Community Center nearby serves this area and the Westside Neighborhood, so the former building was not redeveloped as a community center and was eventually demolished.

Mr. Fedewa stated that the parcel was part of the Build Lansing Initiative and a request for proposals was released. The property has been listed and advertised on the Lansing

Economic Area Partnership (LEAP) website during the 2021 year. The Gryphon Group submitted the only development proposal which centered on affordable housing in the form of attached single-family rentals. The targeted resident income is 30% - 60% of Area Median Income. This proposal fits the zoning for the property and increases the amount of housing in the Downtown area. An appraisal was completed on March 5, 2021 which valued the property at \$195,000. The purchase price is \$200,000.

Mr. Fedewa said staff believes that the redevelopment proposal does meet the greater goals of the “Seven Block Neighborhood Development Plan” and recommends approval of the sale.

Mr. Ruge asked if there will need to be a rezoning. Mr. Fedewa answered no, this development as proposed is allowed by-right. Mr. Ruge questioned the required setback and if the proposed buildings will be too close to the existing single-family houses to the east.

Ms. Kimmel said there is a vacant parcel on W Hillsdale St. owned by the neighboring property owner and does create some buffer space between the proposed development.

Mikki Droste, HousingLinks LLC, is a consultant on the project and said that the draft site plan in the packet is a concept and the final one will include the necessary setback distances. There are 40 units planned and the developer will review if additional trees are possible. The larger setback was reserved for the frontage along N Martin Luther King Jr. Blvd. to create more buffer space from the busy traffic.

Ms. Alexander asked if there is a public hearing. Mr. Fedewa replied that public hearings are not required for this type of application at the Planning Board level, but that the City Council is required to hold a public hearing on the sale of publicly owned real.

Ms. Alexander requested that staff explore the possibility of sending out mailers notifying the neighbors within 300 feet of the subject property of the public hearing.

Mr. Fedewa stated that a public hearing notice will be published in a newspaper of general circulation and this project was covered by the Lansing City Pulse.

Mr. Hovey made a motion, seconded by Mr. Jackson to approve Act-1-2022, 1020 W. Hillsdale St., Sale of City Property.

Ms. Alexander requested that a condition be included to install as much buffering and landscaping as possible.

Mr. Hovey and Mr. Jackson accepted the amendment to the motion by placing a condition on the approval that the developer properly screen the development from neighboring residential properties with landscaping.

On a voice vote the motion carried unanimously (6-0).

(2) Chapter 1300 Marijuana Operations Ordinance Amendment

Mr. Hovey stated that he has a conflict of interest because he represents entities that are directly affected by the Chapter 1300 Ordinance and requested to be recused from the discussion. Mr. Ruge requested that the Board review the Rules of Administrative Procedure section about conflicts of interest.

The Planning Board confirmed that all declared potential conflicts of interest need to be discussed by the entire Board, the Board shall hold a vote to recuse a member, and if recused that member must leave the meeting table, but not the meeting room.

Dr. Bhatti made a motion, seconded by Mr. Jackson to recuse Mr. Hovey from the discussion on Chapter 1300 Marijuana Operations Ordinance. On a voice vote the motion carried unanimously (5-0).

Mr. Fedewa explained that all industrial districts, IND-1, IND-2, and IND-3 would permit marijuana growers and microbusinesses. Planning and Zoning staff did not support including DT-2 for this use because the businesses in this area so far have generally installed fencing and blocked up the windows of their building, creating closed off pockets in the built environment. Although the DT-2 area was generally industrial zoning under the old code, DT-2 was developed with the intent of being complementary to the Downtown core and focused on redevelopment for commercial, retail, services, offices, as well as new residential and mixed-use. Many industrial businesses have left this area over the past few decades, and it no longer corresponds with the Future Land Use Plan. Mr. Fedewa stated he personally supported including DT-2 for safety compliance facilities, processors, and secure transporters because of the existing land use pattern, accessibility to commercial corridors, and to be business-friendly.

The Board discussed whether safety compliance facilities, processors, and secure transporters should be permitted in the DT-2 district when the goal of the district is to encourage customer-based redevelopment that complements the downtown.

Dr. Bhatti made a motion, seconded by Mr. Jackson to recommend approval of Chapter 1300 Marijuana Operations Ordinance Amendment, with the recommendation that the DT-2 zoning district be removed from Section 1300.11 (b). On a voice vote the motion carried unanimously (5-0).

(3) Review of Rules of Administrative Procedure

Mr. Ruge reviewed the procedure for recusing a Board member when there exists a conflict of interest. He also explained the reasons why the language was written the way it is which is essentially intended to avoid even the appearance of impropriety.

(4) Election of Chairperson, Vice-Chairperson, and Board of Zoning Appeals Representative.

Board members agreed to hold elections for officers and a Board of Zoning Appeals representative during September's regular meeting as specified in the Rules of Administrative Procedure.

8. **REPORT FROM PLANNING OFFICE** – None
9. **COMMENTS FROM THE CHAIRPERSON** – None
10. **COMMENTS FROM BOARD MEMBERS** – None
11. **PENDING ITEMS: FUTURE ACTION REQUIRED** – None
12. **ADJOURNMENT** – The meeting was adjourned at 8:10 p.m.

Act-8-2021, Sale of City-Owned Property, Lot 50 - STAFF REPORT

An Act 33 Review is a planning level review of the **location, character and extent** of public improvements and City property transactions. Act 33 Reviews are conducted by the City of Lansing pursuant to the provisions of the Michigan Planning Enabling Act (P.A. 33 of 2008) and Section 208 of the Lansing Code of Ordinances.

APPLICANT	City of Lansing – Economic Development & Planning Department
PROPOSAL:	Sale of excess City-owned land.
PARCEL(S):	0 Pere Marquette Dr PID # 33-01-01-16-277-043
CURRENT OWNER(S):	City of Lansing
EXISTING LAND USE & ZONING:	Use: Parking lot, Zoning: DT-3 Urban Core
PROPERTY SIZE AND SHAPE:	.511 acres, rectangular, see Exhibit A
SURROUNDING ZONING & LAND USE	North: DT-2, Vacant South: DT-3, Commercial West: DT-3, Commercial East: DT-3, Residential - townhomes

ANALYSIS

BACKGROUND:

The City of Lansing's Economic Development & Planning Department is proposing to sell the City-owned municipal parking lot commonly referred to as "Lot 50". The Planning Office does not have much background information on the lot's history like when it was obtained or started operations, but Lot 50 was resurfaced in 2020 as part of the Parking Services Office's 5-Year Capital Improvements Program. At the time the lot was a productive resource and EDP had no plans to decommission the lot. As the Covid-19 pandemic progressed Lot 50 has seen a drastic reduction in use levels. Nearby development pressures have resulted in a purchase offer for the parking lot.

Lot 50 revenue 2017 – 2021

2017: \$12,187
2018: \$13,565
2019: \$14,099
2020: \$ 8,878
2021: \$ 1,951

Act-8-2021, Sale of City-Owned Property, Lot 50 - STAFF REPORT

Since the beginning of Mayor Schor's 'Build Lansing Initiative' in 2021 the City has maintained a review of any and every proposal for redevelopment of non-park City-owned property. The proposed buyer has been the only entity to show an interest in Lot 50 to assist their development plans in this area.

The City will continue to sell permits in four lots in the vicinity. (See Map A). Metered parking exists along the 600 block of E Michigan Ave. and over half the stretch of Pere Marquette Dr. The Parking Services Office reports that they have leased only six permits in Lot 50 through February 2022.

LOCATION:

Lot 50 is located at the southwest corner of E Shiawassee St. and Pere Marquette Dr. The parcel is approximately 71' wide by 309' long, a total of 0.5 acres.

CHARACTER:

The subject property is currently under-utilized as a surface parking lot and is an under-utilized use within the greater context of the Downtown area of the Future Land Use Plan and Form-Based Zoning Code. The desire for this designation is the shift from auto-centric uses to a denser, urban built environment with corresponding uses and businesses.

EXTENT:

The extent of the sale is one City-administered surface parking lot. With the minimal usage (currently six leased permits) and available parking lots in the vicinity, parking operations of the City should not be significantly impacted.

As part of the purchase agreement the buyer has committed to maintaining public parking after 5:00 pm each day for two years after the date of sale or until the property is redeveloped, whichever is earlier.

AGENCY REFERRALS

Lansing Board of Water and Light (BWL)

- No comment received.

Public Service Department:

- (A. Malvetis) The Public Service Department has no objection of the sale.
 - Between the two attached as-built drawings, there's a discrepancy on where the ROW line/property line is located. Attached #5139 shows the ROW line several feet west of the west curbline, while attached #4530 shows the west curbline right on the ROW line. Assuming the first drawing is correct, we won't need an easement (the old sewer is shallow). [Further research is needed] to see which scenario is correct and let us know. Then, we'll know

Act-8-2021, Sale of City-Owned Property, Lot 50 - STAFF REPORT

whether we need to retain an easement. It's also possible we can abandon this sewer at some point in the near future.

Development Office

- No objection, supportive of sale.

Building Safety Office:

- No objection.

Lansing Fire Department:

- No objection.

Parks and Recreation Department:

- No objection.

STAFF RECOMMENDATION

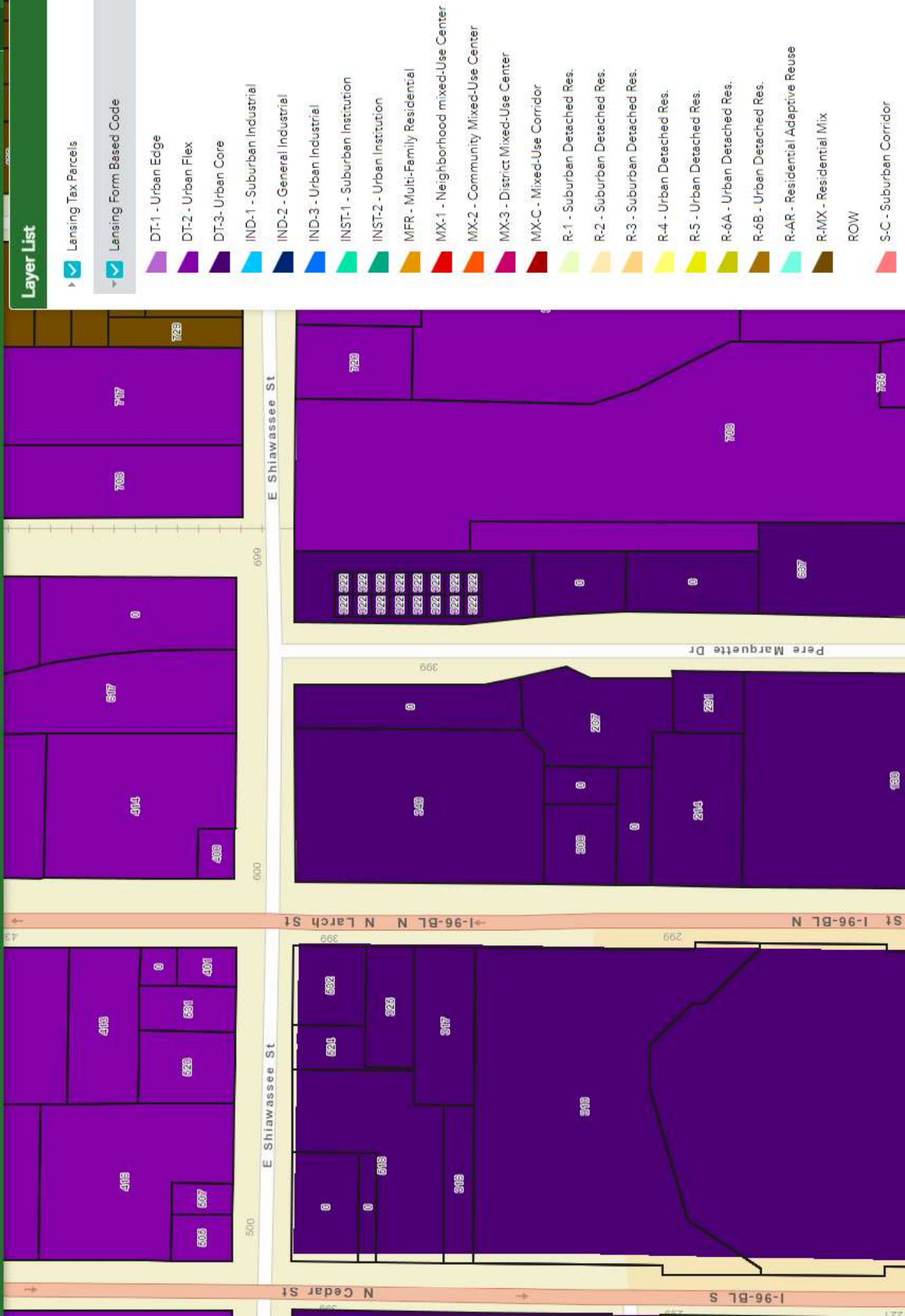
Staff recommends approval of Act-8-2021 as proposed, to facilitate returning the subject parcel to the tax rolls and to support redevelopment to a higher and better use of the property once transferred, with the following condition:

- Easements for necessary utilities (water, sanitary sewer, electric lines, street lighting, communications, etc.) shall be executed prior to vacation, subject to review and approval as to form by the City Attorney.

Respectfully submitted,

Andy Fedewa, Planner





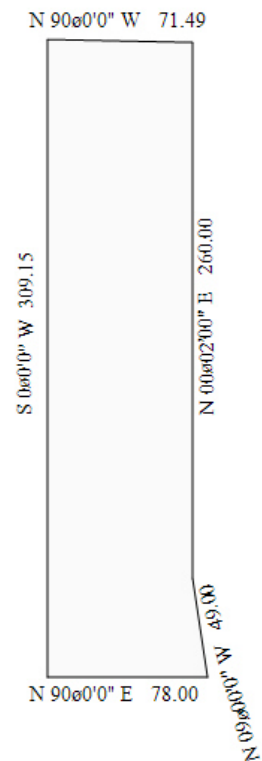
Layer List

✓ Lensing Tax Parcels

✓ Lensing Form Based Code

Image/Sketch for Parcel: 33-01-01-16-277-043

SHIAWASSEE ST



PERE MARQUETTE ST

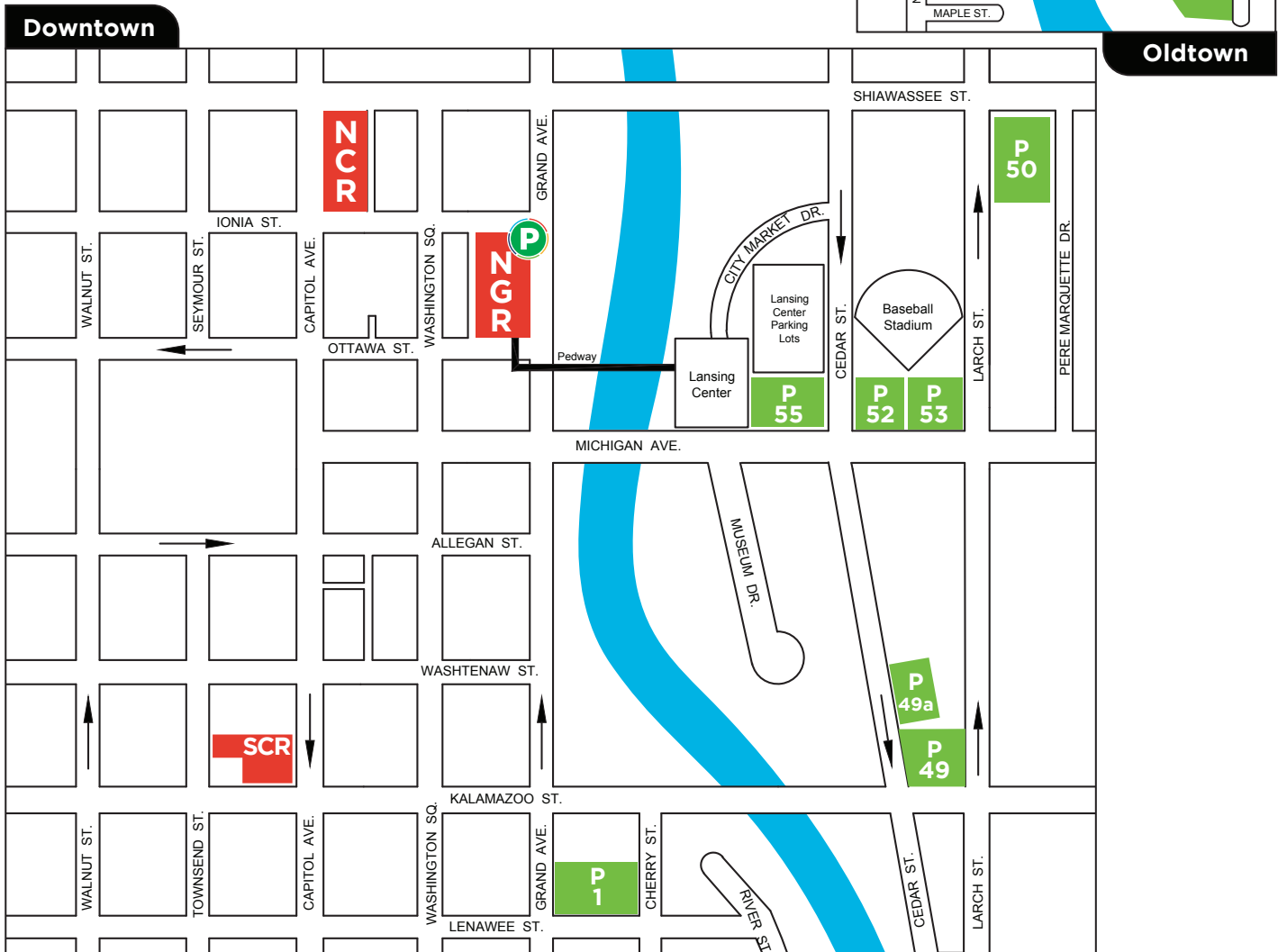
Sketch by Apex Medina™

****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.



Monthly Permit Rates and Locations

Effective July 1, 2020



City of Lansing Parking Ramps

NGR	North Grand Ramp	
	Roof	\$112
	3rd & 4th Levels	\$143
	4th Level Reserved	\$163
NCR	North Capitol Ramp	
	All Levels	\$120
SCR	South Capitol Ramp	
	Roof	\$92
	Covered	\$117
	Reserved	\$144

City of Lansing Parking Lots

P1	Lot #1	\$92
P17	Lot #17	\$40
P49	Lot #49	\$65
P49a	Lot #49a	\$65
P50	Lot #50	\$36
P52	Lot #52	\$75
P53	Lot #53	\$75
P55	Lot #55	\$87
P56	Lot #56	\$45



City of Lansing Parking Services Office

219 N. Grand Ave.

FILE NO.

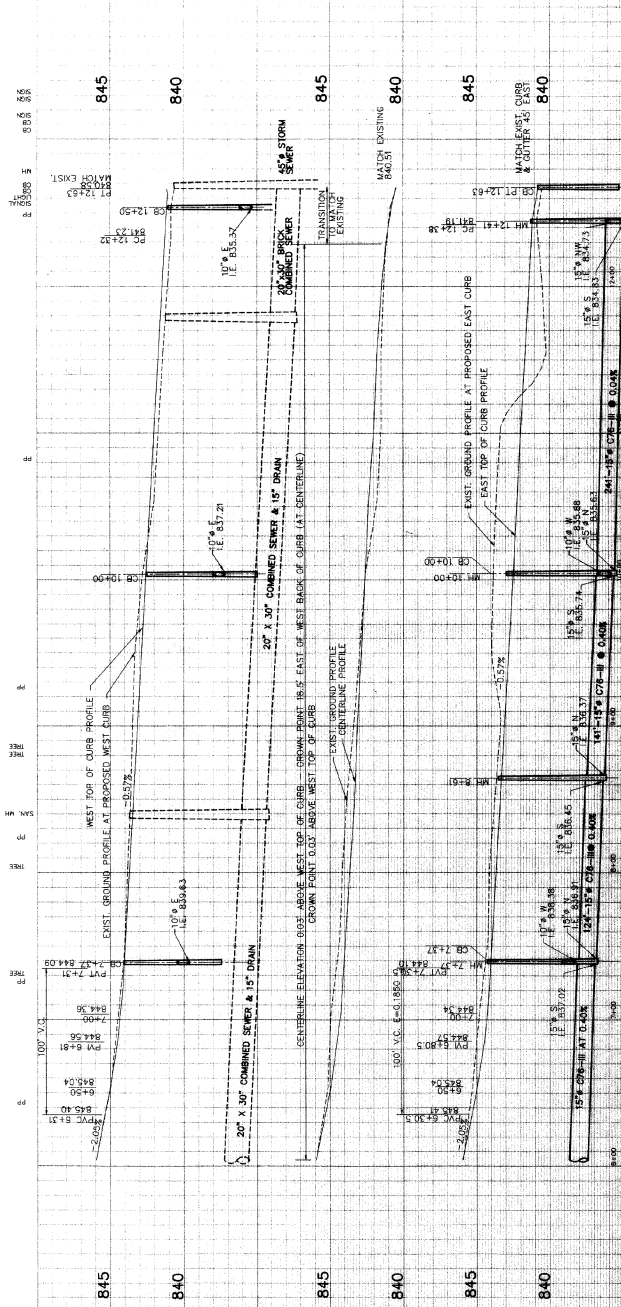
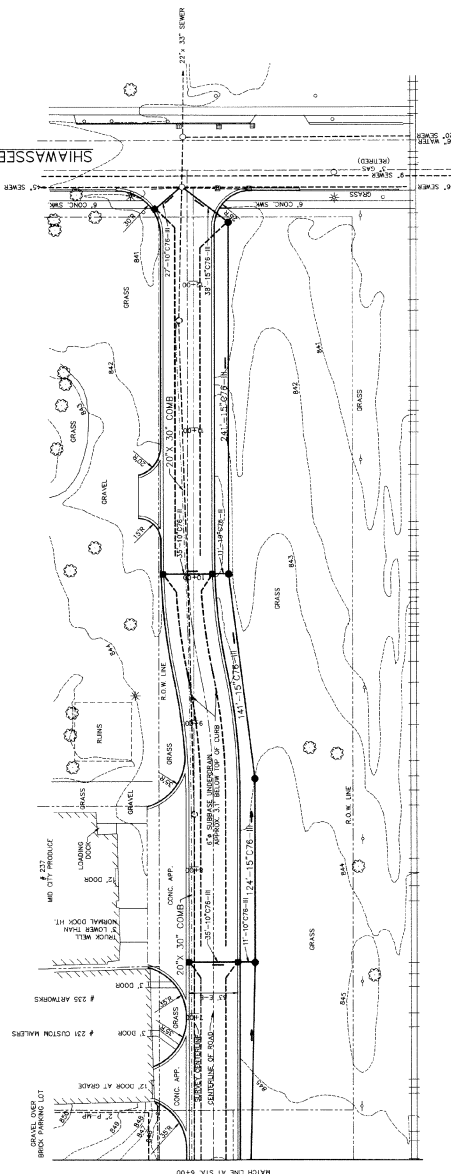
PERE MARQUETTE STREET

CURVE NO. 3 & DATA	CURVE NO. 4 & DATA	BENCH MARK #05 ELEV. 844.95 (AND LAND (NEAR-THREAT DAMAGED))
R = 150.0' C = 114.000' O = 114.000' P.C. = 74+14.00 P.T. = 74+14.00 PT BACK = 94.50	R = 150.0' C = 114.000' O = 114.000' P.C. = 74+14.00 P.T. = 74+14.00 PT BACK = 94.50	BENCH MARK #06 ELEV. 843.21 (NORTHWEST CORNER OF INTERSECTION OF SHAWWASSSE ST. AND PERE MARQUETTE STREET)

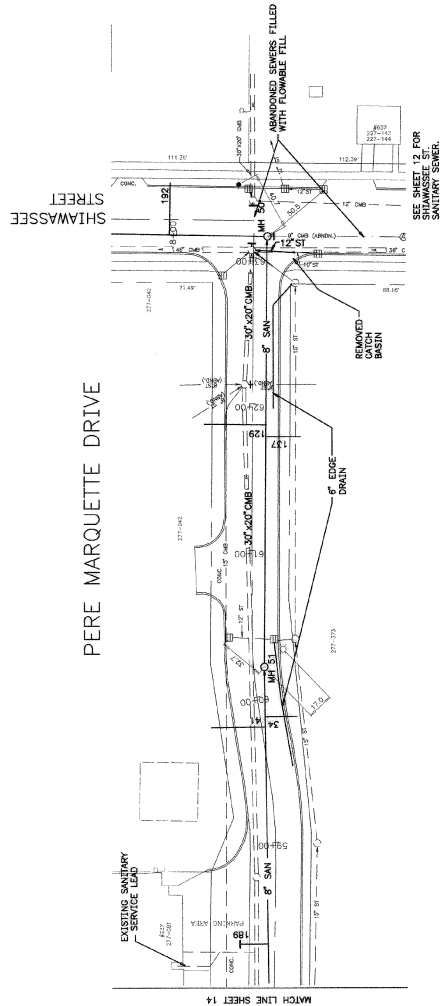
DRIVE REPLACEMENT SCHEDULE			
DATE & STATION	PAVEMENT REMOVAL QUANTITY (CONCRETE ONLY)	CONCRETE REPLACEMENT QUANTITY (CONCRETE ONLY)	REMOVED ORIGINAL SECTIONAL WIDTH (FT)
STA. 6+55 WEST	122.0	122.0	28.0
STA. 7+80 WEST	—	382.0	112.0
STA. 10+55 WEST	—	64.9	30.0
STA. 10+55 WEST	—	—	85.0

SIDEWALK REPLACEMENT SCHEDULE			
LOCATION	REMOVED ORIGINAL SECTIONAL WIDTH (FT)	PROPOSED #7 REPLACEMENT SECTIONAL WIDTH (FT)	REMOVED ORIGINAL SECTIONAL WIDTH (FT)
1/2 QUADRANT OF SHAWWASSSE ST.	46.7	—	80.0
1/2 QUADRANT OF SHAWWASSSE ST.	—	—	80.0
1/2 QUADRANT OF SHAWWASSSE ST. AND PERE MARQUETTE ST.	—	—	80.0

SIDEWALK, DRIVE APPROACHES, CURB, CURB & GUTTER, ASPHALT ROADWAY, CATCH BASINS, CATCH BASIN LEADS, AND ALL NECESSARY CONCRETE, PAVER & RECONSTRUCTION. ALL CONSTRUCTION CO. 1988 & 1989. WORKED BY WAYNE J. BUCK, SHAWWASSSE R. OLIVER, STATION L. TERRY, LARSEN CONSULTANTS, INC.



DEPARTMENT OF PUBLIC SERVICE LANSING, MICHIGAN PERE MARQUETTE STREET 6+00 TO 13+00	APPROVED DIRECTOR OF PUBLIC SERVICE FILE NO. 4530 P.S. 36232P
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[illegible]



ACT 33 REVIEW APPLICATION

CITY OF LANSING
PLANNING OFFICE

[Reset Form](#)[Print](#)

FILE NUMBER: ACT-_____

DATE SUBMITTED: _____

Applicant: City of Lansing - Economic Development & Planning Dept.

Address (including zip code): 316 N Capitol Ave. Lansing, MI 48933

Phone number: 517-483-4066

Fax number: _____

Email: _____

Interest in Property:

☐ Owner

☐ Represent owner

☐ Option to buy

☐ Other: _____

If applicant of not the owner, or if there is more than one owner, provide the following information (attach additional sheets if necessary):

Name of owner(s): City of Lansing - Lansing Building Authority

Address (including zip code): 219 N Grand Ave. Lansing, MI 48933

Phone number(s): _____

Fax number: _____

Email: _____

SUBJECT PROPERTY GENERAL INFORMATION:

Address (if any): Pere Marquette Dr. Lansing, MI 48912

Location description: SW corner of E Shiawassee St. and Pere Marquette Dr.

Permanent parcel #: 33-01-01-16-277-043

Legal description (see note below): PARTS OF LOTS 40 & 41 COM NW COR LOT 40, TH S 309.15 FT, E 78 FT +/- TO W LINE
PERE MARQUETTE DR R/W, N 09DEG W 49 FT +/-, N 00DEG 02MIN E 260 FT TO N LINE
LOT 40, W 71.49 FT TO BEG; ASSESSORS PLAT NO 36

Applicant's proposal: Sale of surplus City of Lansing property to GG Acquisitions LLC, with purchase offer
drafted.

REQUESTED ACTION: (please check one)

_____ City Acquisition of Property

_____ Street or Alley Closure

☒ City Sale of Property

_____ Vacation of R.O.W

_____ Significant Change of Use of City Property

_____ Other: _____

What positive impacts (if any) will occur as a result of approving this proposal?

The City will sell surplus land that is currently vacant and return it to the tax rolls and productive use.

What negative impacts (if any) will occur if this proposal is not approved?

The parcel will continue to sit unused and no property taxes collected.

What negative impacts (if any) will occur as a result of approving and implementing your proposal?

There are no foreseen negative impacts.

Please fill out this application **COMPLETELY** and make sure that the following items are included:

Maps describing proposal. Maps should be readable and drawn to a specific scale.

Any other materials, brochures, pictures, etc. which will further explain the proposal.

NOTE:

If the action applied for will result in transfer of legal title from the City to the applicant or another or if the City otherwise requires, the applicant agrees to provide at the applicant's expense:

- A certified legal description
- Title insurance
- An appraisal
- An environmental report for the property

or to pay for same at closing, whichever the City determines.

FEES:

Involving land sales over \$50,000	\$100.00
Involving land sales under \$50,000	\$50.00

Signature of applicant:

_____/_____
Date

Signature of owner(s):

_____/_____
Date

_____/_____
Date

_____/_____
Date

SUBMIT THE FULLY COMPLETED APPLICATION TO THE ADDRESS BELOW.

For assistance, please contact:

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

Act-2-2022, Sale of City-Owned Property, “Lot 48 Richfield Park” of North Cemetery - STAFF REPORT

An Act 33 Review is a planning level review of the **location, character and extent** of public improvements and City property transactions. Act 33 Reviews are conducted by the City of Lansing pursuant to the provisions of the Michigan Planning Enabling Act (P.A. 33 of 2008) and Section 208 of the Lansing Code of Ordinances.

APPLICANT	City of Lansing – Parks & Recreation Department
PROPOSAL:	Sale of unused City-owned land.
PARCEL(S):	845 E Miller Rd. PID # 33-01-05-03-352-452
CURRENT OWNER(S):	City of Lansing
EXISTING LAND USE & ZONING:	Use: Vacant, Zoning: R-3 Residential
PROPERTY SIZE AND SHAPE:	90’ x 188’ rectangular lot
SURROUNDING ZONING & LAND USE	North: R-MX, Residential South: SC, Commercial West: SC, Commercial East: R-3, Institutional - cemetery

ANALYSIS

BACKGROUND:

The City of Lansing’s Parks & Recreation Department is proposing to sell a vacant portion of the City-owned and operated North Cemetery. This portion is a platted lot legally described as “Lot 48 Richfield Park Subdivision”, that is not an original part of the cemetery, but a parcel that was donated to the City. The former property owner requested to donate the then undeveloped property to the Cemetery for a ‘cremation only’ site in 2002. The request was heard and approved by the Parks Board and the Planning Board in 2002 and 2003, respectively. City Council adopted Resolution #221 and accepted the property at their regular meeting May 24, 2004.

Over the last 20 years the property has continued to be vacant and undeveloped. The Parks and Recreation Department is responsible for the maintenance and operations of North Cemetery and confirm this lot is not necessary or desired for cemetery operations. With the new development of two ‘quadplexes’ just west of the subject property and that owner’s desire to buy this lot for additional development this is an opportunity to relieve the City of unnecessary grounds maintenance, add additional dwelling units in the Southside, and return property to the tax rolls.

Act-2-2022, Sale of City-Owned Property, “Lot 48 Richfield Park” of North Cemetery - STAFF REPORT

The Parks and Recreation Department stated that the old parcel was appraised at \$30,000 at the time in 2004, but the parcel adjoined to the west, which is larger, just sold for \$5,000 in 2021.

The Parks Board reviewed the proposed parcel split, potential sale, and redevelopment plan on February 9, 2022 and found that the original donor of the property dissolved their company shortly after the transfer, the lot is too small and not ideal for a dedicated park, and concurred with the Parks and Recreation Department that it should not be used for cemetery purposes. The Parks Board voted unanimously 5-0 to recommend the split and sale of the lot.

LOCATION:

North Cemetery, 845 E Miller Rd., is located at the southern end of the City between S Cedar St. and S Pennsylvania Ave. The portion of the property under review is a platted lot 90’ wide by 188’ long connected to the cemetery property at the southwest corner.

CHARACTER:

The subject portion of the cemetery property has long been vacant and is not part of any cemetery operations. The subject portion is also separated from the main cemetery property by a difference in elevation. Currently the land is left in a natural state overgrown and populated by many trees.

The property is large enough to be buildable for a variety of uses. With the implementation of the Form-Based Zoning Code all cemetery property was unified as R-3 residential which allows for a single-family detached dwelling. Any other development for multi-family or commercial uses will require a rezoning.

EXTENT:

The extent of the disposal is one platted lot, 90’ wide by 188’ long, connected to the City-owned and operated North Cemetery. The property will be sold, returned to the tax rolls, and new dwelling units could be developed. No cemetery operations will be affected and since the lot is not connected to any recreational opportunities, passive or active, no Parks and Recreation operations will be affected either. The Friends of Lansing Historic Cemeteries asked that the proceeds be used for North Cemetery.

AGENCY REFERRALS

Lansing Board of Water and Light (BWL)

- No response.

Public Service Department:

- (D. Danke) The Public Service Department has no objection of the sale.

**Act-2-2022, Sale of City-Owned Property, "Lot 48 Richfield Park" of North Cemetery -
STAFF REPORT**

- There is no public infrastructure easement on the property
- The site is serviced by an 8" sanitary sewer. There is a lead to the property
- No storm sewer services the site. The nearest storm sewer is at Orchard Ct.

Development Office

- No response.

Building Safety Office:

- Any development will be subject to site and building reviews. As set forth by the State Construction Code Act.

Lansing Fire Department:

- No response.

Parks and Recreation Department:

- Supportive of sale

City Assessor's Office

- No response.

STAFF RECOMMENDATION

Planning and Zoning staff recommends approval of Act-2-2022 as proposed, to support returning the subject property to the tax rolls and to support redevelopment to a higher and better use of the property once transferred. Any redevelopment will have to go through the standard process of Site Plan Review for approval and permits. The developer will have to work with the proper organizations for utility placement and installation.

Respectfully submitted,

Andy Fedewa, Planner

FBC_Type

- DT-1
- DT-2
- DT-3
- IND-1
- IND-2
- IND-3
- INST-1
- INST-2
- S-C
- MX-C
- MX-1
- MX-2
- MX-3
- R-1
- R-2
- R-3
- R-4
- R-5
- R-6A
- R-6B
- R-MX
- MFR
- R-AR

P E N N S Y L V A N I A A v e

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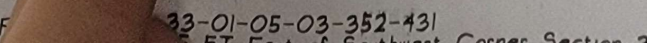


Google

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Surveyor & Civil Engineering



to acting on this request. The MRB does want to honor citizens but not all requests are possible. Ramey noted he had known Moore for many years and felt he did great things for the City of Lansing.

MOTION: Ramey moved the request to rename Filley Park to “Harold A. Moore Park” be approved; seconded by Lott.

Terrell again asked about alternative memorials the family would consider. The application lists alternate names for the park, not alternative memorials such as plaques. Terrell’s concern is relative to the finite number of parks.

Motion carried.

The Park Board’s recommendation will be referred to the Memorial Review Board.

PARK BOARD RECOMMENDATION ON COUNCIL PRIORITIES FOR FY 04

The Board had the responses provided by the Director to Council regarding their priorities for FY 04. Council had asked for an increase in tree trimming efforts, an increase in beautification efforts, improve downtown parks, maintain park amenities, increase safety in parks, Oak Park Garage facility, emphasize park improvements over park land acquisition. Staff has been working to improve all of these areas but many are related to finances and staff.

MOTION: Lott moved to support the responses of the Director regarding Council Priorities for FY 04; seconded by Ramey.

Motion carried.

DONATION OF PROPERTY BY NORTH CEMETERY

Jemerson explained the property is adjacent to North Cemetery and the department is interested in having this property as a buffer between the cemetery and the community. The property is a downward slope and it is being investigated as an area to contain cremations only.

Lott asked about upkeep and if this was in conflict with the Council priority. Staff explained this is a donation and the upkeep will be extremely low.

MOTION: Lott moved the Park Board support the acceptance of the donation of property next to North Cemetery by accepting the draft resolution; seconded by Terrell.

Motion carried.

RIVER TRAIL SOUTH EXTENSION - Shubel Loop Development from Potter Park

The Board reviewed and accepted the conceptual plan for the River Trail South at the October 2001 area. The Schubel Loop of the trail would start from the west side of Aurelius Road, where the trail runs along the Red Cedar River, connecting with the recently constructed bike path along Aurelius Road, then east through Shubel Park behind the cemetery office, then northwest through Shubel Park and finally crossing the Red Cedar River into Potter Park connecting with the existing trail. The department would like to apply for a MDNR Trust Fund

NEW BUSINESS**North Cemetery**

Kaschinske reviewed the process for the sale of park land, which is request is presented to the board to approve recommendation to sell, Planning Board reviews and does an ACT33, it is presented to Council who will vote to put it on the election ballot or not and the public will vote to approve the sale or not. The recommendation would need to be to Council and approved by them prior to May 9 to be on the August ballot.

Kaschinske stated the property was donated in 2004 and at the time the property was appraised high at over \$30,000, however the developer just purchased a parcel on Orchard from the land bank for \$5,000. This lot is 89' x 188' and the land bank parcel is 205' x 115'.

He clarified this parcel does not and should not ever contain graves. It was donated for the purpose of using it for cremains. This has been presented to Friends of Lansing Historic Cemeteries and they are receptive of the sale and asked for the proceeds to be used for North Cemetery.

Kaschinske provided pictures and a map of the location showing the difference between the cemetery and this parcel, the proximity to Meijer and Miller Road, a busy street. Council approved the plans for the land bank parcel and the neighbors are aware of the plan.

Kaschinske is aware and prepared for the news headlines to read "Parks selling cemetery", yes, but again there are no graves and no plans to have graves or cremains.

Ahlstrom inquired if the appraisal was done by a third party. Kibbey inquired if anyone has spoken to the donor. Kaschinske stated it was donated by a corporation. Ahlstrom did a Google search and discovered the company dissolved in 2007.

Dombrowski inquired if there is any discussion to make this a park. Kaschinske stated no, there would be issues with the location on Miller Road and the traffic. Parks in the surrounding area were reviewed.

Kibbey inquired if soil borings have been done; Kaschinske stated no. Kibbey clarified this is not disjointed from the cemetery, but adjacent.

Kaschinske stated this is approximately ten feet lower than the cemetery, he is uncomfortable with putting another drive out on to Miller Road and there is plenty of burial space at the other cemeteries and there is still space at North.

Dombrowski clarified not having this parcel would not stop the developer's project. Kaschinske stated that is correct. Dombrowski asked it at anytime this would be a park. Kaschinske stated to the north, but there is no master plan for a new park in the area. There was a proposal from a neighbor to make the community garden into a park, but they dropped the idea.

Ahlstrom noted the narrowness of the parcel. Kaschinske stated with the project this would be similar to Reola Park, which is basically a private park for an apartment complex due to the location and access.

Scramlin stated this most likely would not be conducive to being a park and moved to recommend the sale of the parcel; seconded by Whitfield. 5 yeas; 0 nay

Motion carried.



ACT 33 REVIEW APPLICATION

CITY OF LANSING
PLANNING OFFICE

Reset Form

Print

FILE NUMBER: ACT- _____

DATE SUBMITTED: _____

Applicant: City of Lansing Parks and Recreation

Address (including zip code): 200 N. Foster Avenue, Lansing MI 48912

Phone number: 517-483-4277

Fax number: 517-377-0180

Email: brett.kaschinske@lansingmi.gov

Interest in Property:

☐ Owner

☐ Represent owner

☐ Option to buy

☒ Other: Sell property

If applicant of not the owner, or if there is more than one owner, provide the following information (attach additional sheets if necessary):

Name of owner(s): City of Lansing

Address (including zip code): _____

Phone number(s): _____

Fax number: _____

Email: _____

SUBJECT PROPERTY GENERAL INFORMATION:

Address (if any): 845 E MILLER RD LANSING, MI 48911

Location description: South side of Lansing

Permanent parcel #: 33-01-05-03-352-452

Legal description (see note below): LOT 48 RICHFIELD PARK SUB,

Applicant's proposal: The City of Lansing Parks and Recreation Department would like to dispose of this property.

REQUESTED ACTION: (please check one)

☐ City Acquisition of Property

☐ Street or Alley Closure

☒ City Sale of Property

☐ Vacation of R.O.W

☐ Significant Change of Use of City Property

☐ Other: _____

What positive impacts (if any) will occur as a result of approving this proposal?

Disposal of the property will reduce the required maintenance of cemetery park property.

What negative impacts (if any) will occur if this proposal is not approved?

None.

What negative impacts (if any) will occur as a result of approving and implementing your proposal?

None.

Please fill out this application **COMPLETELY** and make sure that the following items are included:

Maps describing proposal. Maps should be readable and drawn to a specific scale.

Any other materials, brochures, pictures, etc. which will further explain the proposal.

NOTE:

If the action applied for will result in transfer of legal title from the City to the applicant or another or if the City otherwise requires, the applicant agrees to provide at the applicant's expense:

- A certified legal description
- Title insurance
- An appraisal
- An environmental report for the property

or to pay for same at closing, whichever the City determines.

FEES:

Involving land sales over \$50,000	\$100.00
Involving land sales under \$50,000	\$50.00

Signature of applicant:

Burt G. Smith, 2/11/22
Date

Signature of owner(s):

Burt G. Smith, 2/11/22
Date

_____/_____
Date

_____/_____
Date

SUBMIT THE FULLY COMPLETED APPLICATION TO THE ADDRESS BELOW.

For assistance, please contact:

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

INGHAM COUNTY
REGISTER OF DEEDS
RECEIVED

2004 OCT 12 P 2: 18

Paula Johnson-
INGHAM COUNTY
REGISTER OF DEEDS
OFFICIAL SEAL



L-3134 P-917
101 15.00 2004-064541



2004-064541
Page: 1 of 1
10/14/2004 08:52 A

INGHAM COUNTY TREASURER'S CERTIFICATE
I HEREBY CERTIFY that there are no TAX LIENS or TITLES held
by the state or any individual against the within description, and all
TAXES on same are paid for five years previous to the date of this
instrument as appears by the records of this office except as stated.

10-12-04 Eric Schertzberg, Ingham County Treasurer
Sec. 135, Act 206, 1893 as amended

ER

TNT # S91607T

WARRANTY DEED

FSK Incorporated, a Michigan corporation, of 801 S. Waverly Road, Ste. 300, Lansing, Michigan 48917-4200, conveys and warrants to The City of Lansing, 124 W. Michigan Avenue, Fifth Floor, Lansing, Michigan 48933, the property in the City of Lansing, Ingham County, Michigan which is described as follows:

Lot Number 48, Richfield Park, a Subdivision of a part of the SW ¼ of Sec. 3, T3N, R2W, City of Lansing, County of Ingham, State of Michigan, subject to all building, use and other restrictions of record.

The consideration is No Dollars (\$0). This transfer is exempt from tax under MCL 207.526(a); and MCL 207.505(a).

The grantor grants to grantee the right to make any remaining divisions permitted under MCL 560.108 and MCL 560.109.

This property may be located within the vicinity of farmland or a farm operation. Generally accepted agricultural and management practices which may generate noise, dust, odors, and other associated conditions may be used and are protected by the Michigan right to farm act.

Dated 7/20/04, 2004.

FSK Incorporated

By: Gary Rainsberger
Gary Rainsberger, authorized Agent of FSK
Incorporated pursuant to Unanimous Written
Consent of the Board of Directors dated
November 18, 2000

Acknowledged before me in Ingham County, Michigan, on July 20, 2004, by Gary Rainsberger, authorized Agent pursuant to Unanimous Written Consent of the Board of Directors dated November 18, 2000.

Dean E. Brodberg
Notary Public
County of Ingham, State of Michigan
Commission Expires 5-28-07

Dean E. Brodberg
Notary Public
County, Michigan
My commission expires:
Acting in the County of Ingham

Drafted by & when Recorded Return to:
Richard C. Lowe
Foster Zack & Lowe, P.C.
PO Box 27337
Lansing, MI 48909-7337
(517) 706-0000

Send Subsequent Tax Bills To:
City of Lansing
124 W. Michigan Avenue, Fifth Floor
Lansing, Michigan 48933

Tax Parcel #33 05 03 352 441 1

Recording Fee: \$14

Transfer Tax: \$0

T.R.

SEP. -22' 04(WED) 14:52 D A RAINSBERGER C
09/22/2004 WED 13:32 FAX

TEL:517 327 8324

P.002
002/002

SEP.22.2004 1:11PM TRANSNATION TITLE ST JOSEPH

NO.245 P.2

TRANSNATION TITLE INSURANCE COMPANY

Page 1 of 2

Date: September 23, 2004
Escrow Number: 501607TH

Property Address: E. Miller Rd.
Lansing, MI

PURCHASER'S STATEMENT			SELLER'S STATEMENT		
	DEBIT	CREDIT		DEBIT	CREDIT
Purchase Price	\$	\$	Purchase Price	\$	\$
Rent Adjustment			Rent Adjustment		
CLOSING FEES	250.00		Deposit of earnest money		
OWNERS PREMIUM	302.00		CLOSING FEES		
Recording Fees	15.00		OWNERS PREMIUM		
Real Estate Commission			Recording Fees		
			Real Estate Commission		
Sub Total	\$ 567.00	\$			
Pay from Purchaser		\$ 567.00	Amount Due Seller	\$	
TOTALS	\$ 567.00	\$ 567.00	TOTALS	\$	\$

The undersigned Purchaser(s) acknowledge Receipt of a copy of this statement and agree to the correctness thereof, and authorize and ratifies the disbursement of the funds as stated therein.

Purchaser(s) Signature(s):

City of Lansing

BY Robert J. Engel
Robert J. Engel, Broker

Brokers City of Lansing

The undersigned Seller(s) acknowledge Receipt of a copy of this statement and agree to the correctness thereof, and ratifies the disbursement of the funds as stated therein.

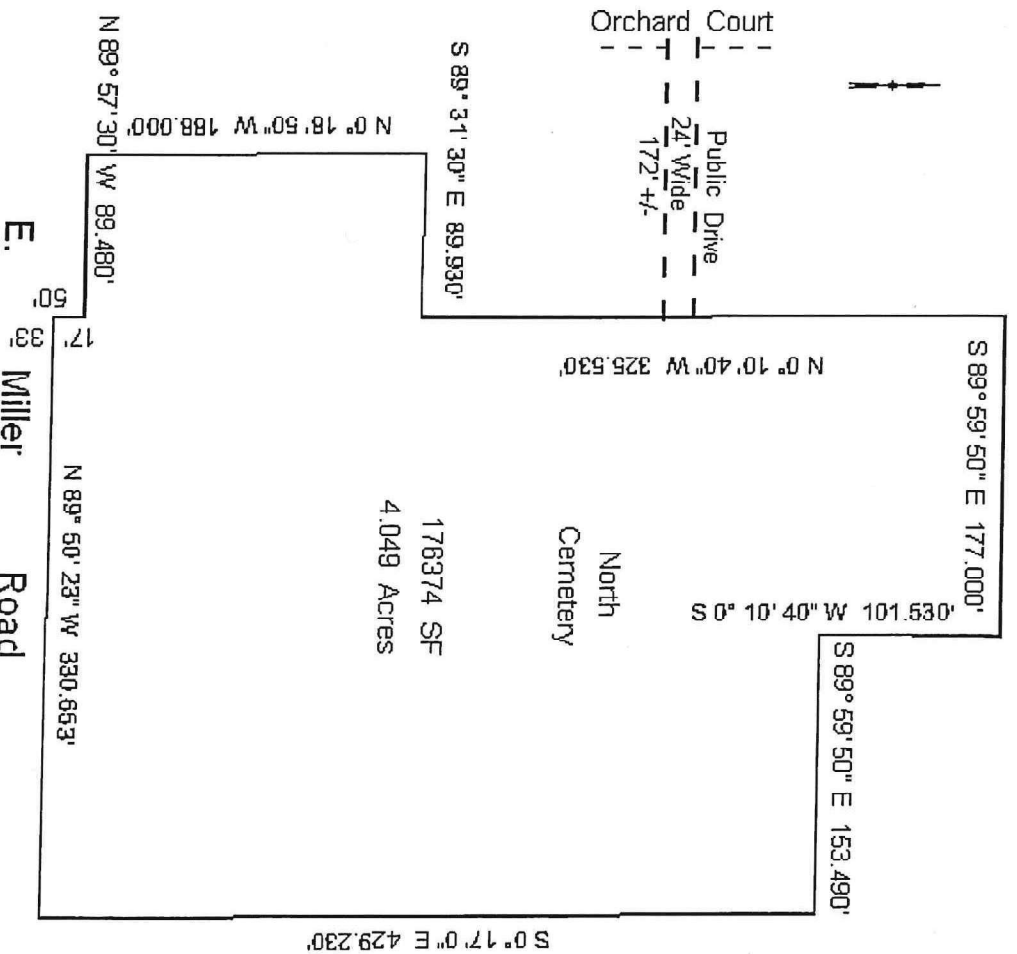
Seller(s) Signature(s):

BY David Rainsberger, Agent
David Rainsberger, Agent

BY _____
Name/Title

Brokers City of Lansing

Image/Sketch for Parcel: 33-01-05-03-352-452



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