



Andy Schor
Mayor

LANSING PLANNING BOARD

Regular Meeting

February 1, 2022

6:30 p.m.

Neighborhood Empowerment Center 600 W Maple St.

MINUTES – *Approved 3/1/22*

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.