

LANSING PLANNING BOARD
Regular Meeting
Tuesday, June 7, 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**
 - A. **Z-1-2022 & SLU-1-2022**, 109 E. Randolph Street – Rezoning from R-6A, Urban Detached Residential to R-AR, Residential Adaptive Reuse and Special Land Use Permit for a state-licensed adult foster care, large group home for the aged providing care for up to 20 residents.....1
5. **COMMENTS FROM THE AUDIENCE (please limit comments to 3 minutes per person)**
6. **RECESS**
7. **BUSINESS**
 - A. **Consent Items**
 - (1) **Minutes for approval: April 5, 2022**.....2
 - B. **Old Business**
 - C. **New Business**
 - (1) **Z-1-2022**, 109 E. Randolph – Rezoning from R-6A, Urban Detached Residential to R-AR, Residential Adaptive Reuse
 - (2) **SLU-1-2022**, 109 E. Randolph Street - Special Land Use Permit for a state-licensed adult foster care, large group home for the aged providing care for up to 20 residents
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: July 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

GENERAL INFORMATION

APPLICANT: Bruce Hicks
1579 Picadilly Drive
Haslett, MI 48840

OWNER: Passionist Sisters Convent
109 E. Randolph Street
Lansing, MI 48906

REQUESTED ACTION: * Rezoning from “R-6A” Urban Detached Residential to ‘R-AR’ Residential Adaptive Reuse
* Special Land Use Permit for a state-licensed adult foster care, large group home for the aged. The proposal is to provide around the clock care for up to 20 senior residents

EXISTING LAND USE: Vacant convent

EXISTING ZONING: “R-6A” Urban Detached Residential District

PROPERTY SIZE: 16,296 square feet (.374 acres)

SURROUNDING LAND USE: N: Single Family Residential
S: Single Family Residential
E: Single Family Residential
W: St. Therese Parish Church

SURROUNDING ZONING: N: “R-6A” Urban Detached Residential District
S: “R-6A” Urban Detached Residential District
E: “R-6A” Urban Detached Residential District
W: “R-6A” Urban Detached Residential District

MASTER PLAN DESIGNATION: The Design Lansing Master Plan designates the subject property for low density residential use. E. Randolph Street is designated as a local road.

APPLICANT’S REQUESTS

Z-1-2022: Rezoning 109 E. Randolph Street from “R-6A” Urban Detached Residential to “R-AR” Residential Adaptive Reuse.

SLU-1-2022: Special land use permit to utilize the existing building at 109 E. Randolph Street for a state-licensed adult foster care, large group home for the aged. The proposal is to provide around the clock care for up to 20 senior residents, operated in accordance with all State of Michigan requirements for such facilities.

BACKGROUND INFORMATION

The building on the subject property has historically been used as a convent for 17 nuns. At one time it would have been located on the same property as the church to its west and the convent would have been considered an accessory use to the church. The subject property was split off from the church property somewhere along the line, although the church allowed the nuns to utilize its parking lot. The church, however, is unwilling to sell or lease any of its parking to a future owner of the property.

The capacity of the convent has decreased over the years and is now entirely vacant. The current owner would like to sell the property but has had difficulty doing so because of the parking situation and because the zoning only allows for single family residential use. There is no room on the site to construct additional parking and given the size of the building, it would be unreasonable to restrict it to a single-family dwelling. The property is located in an area that, except for the church, is almost exclusively single family residential. There needs to be some accommodation for reuse of the building and the only way to do so is to rezone the property and to authorize a variance to the parking requirement. The applicant is in the process of seeking a parking variance and that request will be considered by the Board of Zoning Appeals at its June 9, 2022, meeting. All three requests (variance, rezoning and special land use permit) must be approved in order to permit the group home.

The applicant is requesting that the property be rezoned to R-AR, Residential Adaptive Reuse and a special land use permit approved to allow for use as a state-licensed adult foster care, large group home for the aged. The proposal is to provide around the clock care for up to 20 senior residents, operated in accordance with all State of Michigan requirements for such facilities. The goal is to allow a use for the building that is reasonable and will not negatively impact the surrounding residential neighborhood. The proposed group home seems to be the best use for accomplishing those goals. It will generate a low volume of traffic which is of particular concern since all vehicles related to the facility will have no choice but to use the on-street parking, which is shared by the residents in the area.

REZONING

COMPATIBILITY WITH SURROUNDING LAND USE

Approval of the rezoning, special land use permit and the parking variance will allow the existing building at 109 E. Randolph Street to be used for a low impact residential use, similar in intensity to the historical use of the property as a convent. The proposal, therefore, will not change the general character of the neighborhood. In fact, the proposed 20-bed group home for the aged should have the least amount of impact on the surrounding residential neighborhood of any use that could potentially occupy the existing building. Traffic is expected to be light which will result in a low demand for use of on-street parking in the area and activity associated with the use should be minimal and not generate noise, fumes, light glare or other nuisances that would be disruptive to the neighborhood. If the rezoning, special land use permit or parking variance are not approved, the building will remain vacant and will deteriorate over time which will have a negative impact on the neighborhood.

While the request will result in a “spot” of R-AR zoning in an area that is exclusively zoned R-6A, all properties in the City that are zoned R-AR are spot zones. The whole intent of this zoning district is to allow for adaptive reuse of sites in residential neighborhoods that once contained institutional type that are no longer in operation. It is therefore, going to be site specific zoning rather than zoning for an entire area or multiple adjoining sites.

COMPLIANCE WITH MASTER PLAN

The Design Lansing Comprehensive Plan designates the subject property for low density residential use. It appears that when the Plan was written, it was assumed that the building would remain a convent and thus, no alternative uses for the site were considered. The reason for creating the “R-AR” Residential Adaptive Reuse zoning district was to provide for appropriate reuse of sites that contain vacant schools, churches, and other institutional type buildings in residential neighborhoods so that they can be utilized but in a manner that does not negatively impact the area in which they are located. While the proposed use of the building for a group home is not necessarily consistent with the specific low-density residential land use pattern being advanced in the Comprehensive Plan, it is consistent with a fundamental principle of planning which is to permit uses that are compatible with the area in which they are located.

IMPACT ON VEHICULAR AND PEDESTRIAN TRAFFIC

The variance is not expected to have any negative impacts on vehicular or pedestrian traffic in the area. A 20-bed home for the aged will generate a relatively low volume of traffic resulting in minimal usage of on-street parking. In fact, since the residents of the facility will not likely be in a position to drive, the traffic on a daily basis will be limited to that of visitors and staff which will only be 5-6 persons during the day and even fewer in the evenings and overnight. This level of traffic will be comparable, if not even lower, that that which was generated by the convent when it housed 17 nuns.

IMPACT ON PUBLIC FACILITIES

Since the proposal involves reuse of an existing residential building for a new residential use, there should be no impact on public facilities as the site is already adequately served by all necessary utilities, street access and on-street parking.

ENVIRONMENTAL IMPACT

No new construction is proposed for the site. It is merely a reuse of an existing building and thus, will have no impact on the natural environment. In fact, the site is not large enough to accommodate any new construction in compliance with applicable zoning ordinance development requirements such as setbacks, lot coverage and parking.

IMPACT ON FUTURE PATTERNS OF DEVELOPMENT

Approval of the rezoning will not negatively impact future patterns of development or set a negative

precedent for future requests to rezone property in the area. The subject property is unique in that it contains a large, existing building that is designed for housing multiple individuals and is located on a site that does not have any existing parking and is not large enough to accommodate any new parking. There are no other sites in the general vicinity of the subject property that share these same circumstances and could thus, make the same case for a rezoning or a parking variance.

SPECIAL LAND USE PERMIT

Section 1262.02(f) of the Zoning ordinance sets forth the criteria which must be used to evaluate a Special Land Use permit request. The criteria and evaluation are as follows.

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

The proposed group home is the use of the building that is anticipated to have the least amount of impact on the surrounding residential neighborhood. The level of traffic, on-street parking, daily number of visitors to the site and activity in general associated with the proposed use is expected to be very low, and comparable to that which was generated by the convent when it was in full use.

The facility will have to be licensed and maintain licensing by the State of Michigan, Department of Licensing and Regulatory Affairs and will be subject to its oversight and all of its regulations and requirements. The facility will also be subject to inspections by the both the State and the Ingham County Health Department. The facility will be required to provide around the clock, on-site care by qualified staff.

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

The proposal merely involves reuse of an existing building from one residential use to another. Similar to the convent, the facility will be the home for its residents so it will not involve short-term or transient occupancy. Furthermore, no new construction is proposed for the site and the level of a activity generated by the proposed use will not change the essential character of the area.

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

See responses to 1 and 2 above.

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

The proposal does not involve any new construction on the site and thus, will have no impact on the natural environment. As described in the above paragraphs of this report, the proposed group home is one of, if not the most appropriate use of the site as the volume of traffic and outdoor activity that it is anticipated to generate will not be at a level that is disruptive to the surrounding residential neighborhood.

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

The proposed group home will produce very little traffic and no smoke, odors, fumes, glare or anything else at a level that would be detrimental or disruptive to the surrounding neighborhood. Furthermore, it is not anticipated that the facility will generate outdoor activities that result in noise from large numbers of people congregating on the site.

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

The site is already served by all necessary public facilities.

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

The proposed facility is very similar to the historical use of the property as a convent and thus, the demand on public services and facilities should not increase to the extent that the demand exceeds current capacity.

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

The Design Lansing Comprehensive Plan designates the subject property for low density residential use. It appears that when the Plan was written, it was assumed that the building would remain a convent and thus, no alternative uses for the site were considered. The reason for creating the “R-AR” Residential Adaptive Reuse zoning district was to provide for appropriate reuse of sites that contain vacant schools, churches, and other institutional type buildings in residential neighborhoods so that they can be utilized but in a manner that does not negatively impact the area in which they are located. While the proposed use of the building for a group home is not necessarily consistent with the specific low-density residential land use pattern being advanced in the Comprehensive Plan, it is consistent with a fundamental principle of planning which is to permit uses that are compatible with the area in which they are located.

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

Since this request does not involve any new construction, the only dimensional requirement that applies is the number of parking spaces required for the proposed use. Section 1254.01.03 of the Zoning Ordinance requires .5 parking spaces for every 2 beds in the facility, plus .25 spaces per unit for visitor/employee parking. The proposed facility will have 20 beds which requires 10 parking spaces. In addition, the current Zoning Ordinance does not permit parking in a front yard and as evidenced by the attached aerial photograph, there is no room in the side or back yards, to accommodate any new parking. The applicant is seeking a variance from the Board of Zoning Appeals to the required number of parking spaces and that request is being given a favorable staff recommendation.

SUMMARY

The applicant, Bruce Hicks is requesting a rezoning of the property at 109 E. Randolph Street from “R-6A” Urban Detached Residential to “R-AR” Residential Adaptive Reuse and a special land use permit to allow for use of the existing building at this location for a state-licensed adult foster care, large group home for the aged, providing around the clock care for up to 20 senior residents, operated in accordance with all State of Michigan requirements for such facilities.

The available information supports a finding the requests satisfy all of the criteria set forth in the Zoning Ordinance for evaluating rezoning and special land use permit applications, as detailed in this staff report.

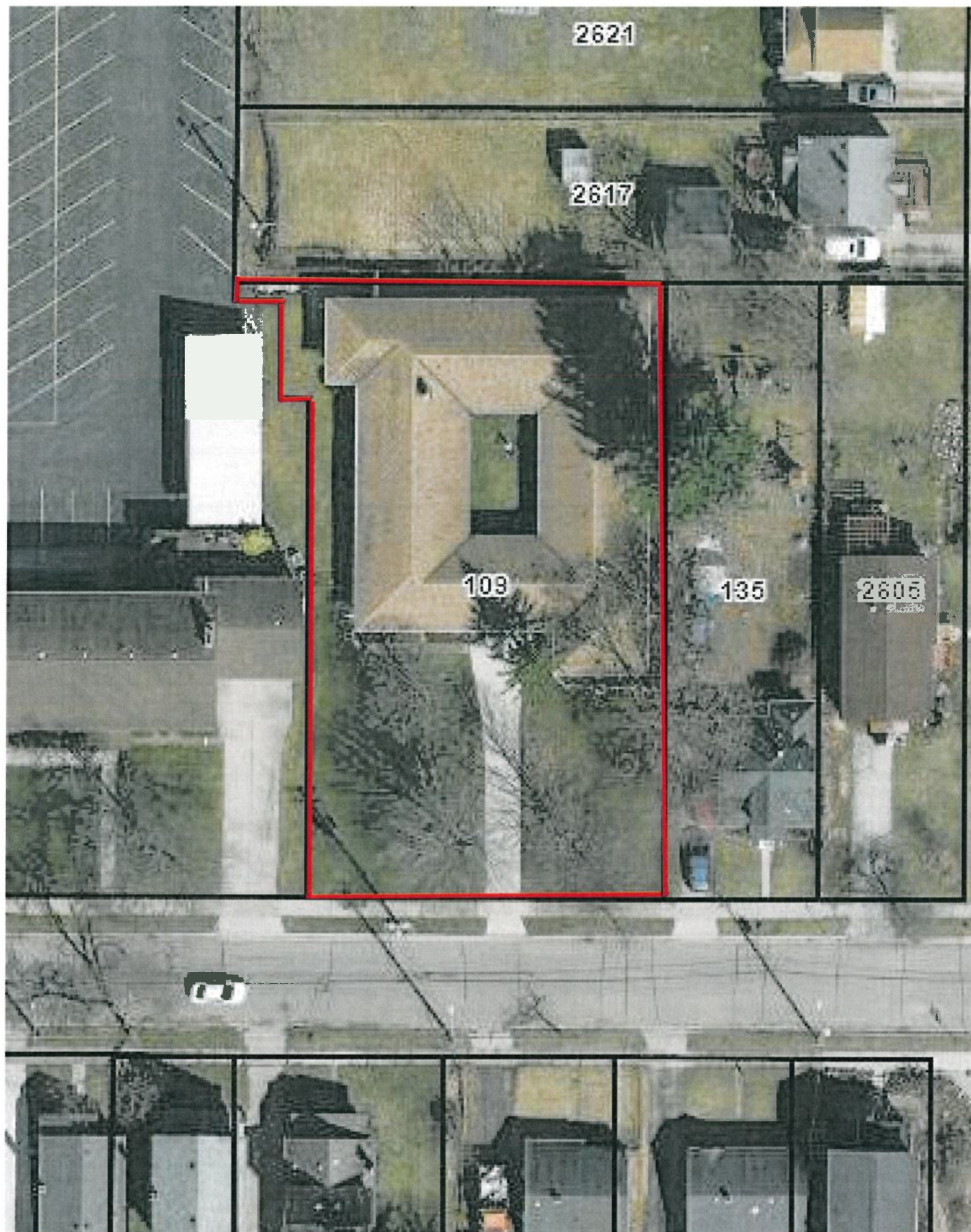
RECOMMENDATIONS

Staff recommends approval of Z-1-2022 to rezone the property at 109 E. Randolph Street from “R-6A” Urban Detached Residential to “R-AR” Residential Adaptive Reuse and SLU-1-2022, for a special land use permit to allow for use of the existing building at 109 E. Randolph Street for a state-licensed adult foster care, large group home for the aged, providing around the clock care for up to 20 senior residents, operated in accordance with all State of Michigan requirements for such facilities.

Respectfully Submitted,

**Susan Stachowiak
Zoning Administrator**







R-1 - Suburban Detached Res.
R-2 - Suburban Detached Res.
R-3 - Suburban Detached Res.
R-4 - Urban Detached Res.
R-5 - Urban Detached Res.
R-6A - Urban Detached Res.
R-6B - Urban Detached Res.
R-MX - Residential Mix
MFR - Multi-Family Residential
R-AR - Residential Adaptive Reuse
S-C - Suburban Corridor
MX-C - Mixed-Use Corridor
MX-1 - Mixed-Use Neighborhood Center
MX-2 - Mixed-Use Community Center
MX-3 - Mixed-Use District Center



North



Andy Schor
Mayor

LANSING PLANNING BOARD

Regular Meeting

April 5, 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 6:43 p.m.

- a. Present: John Ruge, Katie Alexander, Tony Cox, Josh Hovey, and Monte Jackson
- b. Absent: Thomas Morgan (excused), Marta Cerna, Farhan Bhatti
- c. Staff: Andy Kilpatrick (Director of Public Service), Andy Fedewa

2. APPROVAL OF AGENDA

Act-3-2022 Use of Air Rights over Pennsylvania Ave. was tabled until the May 3rd regular meeting.
The agenda was approved as amended.

3. COMMUNICATIONS – None

4. PUBLIC HEARINGS – None

5. COMMENTS FROM THE AUDIENCE

Roxanne Case, Executive Director, Ingham County Land Bank, spoke in support of Act-5-2022.

6. RECESS – Not taken

7. BUSINESS

A. Consent Items

- (1) **Minutes for approval:** March 1, 2022

The minutes from the March 1, 2022 Planning Board meeting were approved without objection

B. Old Business - None

C. New Business

- (1) **Act-4-2022, Street Dedication, Red Cedar Development**

Mr. Fedewa stated this is a request from Continental/Ferguson Lansing LLC to dedicate newly created streets and another parcel of land within the Red Cedar Development to the City. This transfer would complete a requirement of the Development Agreement approved by City Council and will guarantee public access to residents, businesses, and visitors.

The newly created rights-of-way are wholly within the Red Cedar Development. According to the Public Service Department, the streets will be most similar to local

streets, with a low traffic volume and some on-street parking so there will not be any bike lanes. A portion of the easterly part of the new Red Cedar Parkway lies within the USGS defined floodway. According to Public Service Department staff, the street could flood a few times a year which would take a toll on its condition and lifespan.

Mr. Kilpatrick stated that because these streets will be considered the same as any other local street to the city, the short-term day-to-day maintenance of them will be the developer's responsibility. Long-term capital improvements will have to also be agreed upon. The City and the developer are still negotiating this 'operations and maintenance' agreement, which will have to be finalized before the dedication is heard and voted on by City Council.

Jason Hockstok, Continental Real Estate Companies, reviewed the site map with the Planning Board. Mr. Hockstok stated that the developers were not able to increase the elevation of the portion in the floodway due to federal regulations. Mr. Hockstok confirmed that the developer has a vested interest in the condition of the streets as a reflection of the whole development, so they are committed to a high standard of maintenance.

Mr. Ruge asked what the expected lifespan of the street will be. Eric Iversen, Senior Project Manager, PEA Group, replied that saturated pavement during winter freezes will be the greatest contributor to street wear. Mr. Kilpatrick stated that they will explore closing portions of the street to allow the water to drain which should help the lifespan.

Ms. Alexander made a motion, seconded by Mr. Cox, to recommend approval of Act-4-2022, Street Dedication, Red Cedar Development, with the condition that an operation and maintenance agreement will be finalized before a vote by City Council. On a roll call vote, the motion carried 5-0.

(2) Act-5-2022, Purchase of Property, 927 S Grand Ave.

Mr. Fedewa stated there is a request by the City's Parks and Recreation Department to purchase 927 S Grand Ave. in the REO Town neighborhood and add the property to Riverpoint Park. This property is currently owned by the Ingham County Land Bank which has agreed to sell it to the City for \$1 plus closing costs.

Mr. Fedewa said that the residential house formerly on the property was demolished during 2021. Mr. Fedewa stated that he would not usually recommend removing buildable parcels from the City's inventory, but this property is relatively small at 44' wide by 99' in depth, a total of 4,356 square feet, and it is within the current and proposed 100-year floodplain. These factors make redevelopment difficult and unlikely.

The Fire Department staff is supportive of the purchase and stated this would improve their access to the Grand River in emergency situations. The addition of the subject property to Riverpoint Park supports the Parks and Recreation Department goal of increasing the amount of riverfront/river adjacent land and helping to reduce flood

damages. Planning and Zoning staff supports the recommendation of approval and would encourage Parks and Recreation to plant more trees on the property if feasible.

Ms. Hovey made a motion, seconded by Mr. Cox to recommend approval of Act-5-2022, Purchase of Property, 927 S Grand Ave. On a voice vote, the motion carried 5-0.

8. REPORT FROM PLANNING OFFICE

Mr. Fedewa noted that this year marks the 10th anniversary of the *Design Lansing* Comprehensive Plan. The Planning and Zoning Office has noted various efforts and implementation progress like hundreds of new housing units, improved parks and placemaking projects, and new economic developments, along with the passage of the main implementation tool of the Plan, the Form-Based Zoning Code in 2021.

The 2012 Plan had many objectives focused on the physical development of the city centered on the plan elements of Economic Development, Neighborhoods, Green Infrastructure, Transportation, and Placemaking. While many objectives and recommendations were grounded in best planning practices for its time the plan left out many important discussions and analysis of social inequalities, environmental and health outcomes, and access to services and opportunities. Planning and Zoning Staff recommends that the current goals remain and supports continued progress, but a new update should be conducted that focuses on equity and the livability of City residents. Staff would also like to create a template for neighborhood/sub-area plans so that eventually every area of the City will have a short-term development plan of its own.

Mr. Fedewa asked the Planning Board to review the objectives of 2012 and make note of anything that may have been missing from the conversations and to recommend any stakeholder, organization, or resident that might be willing to serve on a steering committee.

- 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 7:35 p.m.**