



Andy Schor
Mayor

LANSING PLANNING BOARD
Regular Meeting
Tuesday, March 7, 2023, 6:30 p.m.
Neighborhood Empowerment Center
600 W. Maple Street, Lansing, MI 48906

AGENDA

- 1. OPENING SESSION**
 - A. Roll Call**
 - B. Excused Absences**
- 2. APPROVAL OF AGENDA**
- 3. COMMUNICATIONS**
- 4. PUBLIC HEARINGS**
 - A. LS-4-2023, 4512 & 4524 Ingham Street – Variance to the width to depth ratio restriction to permit a parcel split.....1**
 - B. LS-7-2023, 4720 Ballard Road – Variance to the width to depth ratio restriction to permit a parcel split.....2**
 - C. Z-1-2023, 4111 Aurelius Road – Rezoning from MX-1, Neighborhood Mixed-Use Center to R-2, Suburban Detached Residential3**
 - D. SLU-1-2023, 109 E. Randolph Street – Special Land Use permit for a state-licensed Adult Foster Care Group Home.....4**
 - E. Z-3-2023, Multiple Properties in the 800 & 900 Blocks of May Street & E. Saginaw Street and in the 700 Blocks of E. Park Terrace, Quaker Court, and N. Pennsylvania Avenue - Rezoning from “R-MX” Residential Mix to “DT-2” Urban Flex.....5**
- 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 7, 2023 6**
 - B. Old Business**
 - C. New Business**
 - (1) Act-1-2023, Right of Way Easements, Red Cedar Development 7**
 - (2) Act-2-2023, Purchase of Property, 520 S Washington St. 8**
 - (3) Election of Chairperson, Vice-Chairperson, and Board of Zoning Appeals Representative**

8. REPORT FROM PLANNING & ZONING OFFICE
9. COMMENTS FROM THE CHAIRPERSON
10. COMMENTS FROM BOARD MEMBERS
11. PENDING ITEMS: FUTURE ACTION REQUIRED
12. ADJOURNMENT

Next Regularly Scheduled Meeting: April 11, 2023

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/OWNER:	Ingham County Land Bank 3024 Turner Street Lansing, MI 48906
REQUESTED ACTION:	This is a request to divide the combined vacant properties located at 4512 and 4524 Ingham Street into 3 separate parcels of land of equal dimensions that would exceed the allowable width to depth ratio
EXISTING LAND USE:	The subject property is currently vacant
PROPOSED LAND USE:	3 Single Family Homes
EXISTING ZONING:	"R-3" Suburban Detached Residential
PROPERTY SIZE & SHAPE:	Existing: 198' x 305' = 60,390 sq. ft. Proposed: Parcel No. 1: 66' x 305' = 20,130 sq. ft. Parcel No. 2: 66' x 305' = 20,130 sq. ft. Parcel No. 3: 66' x 305' = 20,130 sq. ft.
SURROUNDING LAND USES	N: Single Family Residential S: Single Family Residential E: Single Family Residential W: Single Family Residential
SURROUNDING ZONING:	N: "R-3" Suburban Detached Residential S: "R-3" Suburban Detached Residential E: "R-3" Suburban Detached Residential W: "R-3" Suburban Detached Residential
MASTER PLAN:	The Design Lansing Comprehensive Plan designates the subject property for low density residential use. Ingham Street is designated as a local road.

DESCRIPTION

Note: This request involves a variance to the City's Subdivision Ordinance rather than the Zoning Ordinance which is why it is being considered by the Planning Board and ultimately will be decided upon by the City Council as opposed to going before the Board of Zoning Appeals.

This is a request by the Ingham County Land Bank for a variance to permit the combined vacant lots (4512 & 4524 Ingham Street) located between 4508 and 4600 Ingham Street to be split into 3 parcels of land for single family residential use. Section 1236.07(d) of the City of Lansing Subdivision Regulations restricts the depth of a lot to a maximum of 2.5 times the width. The proposed lots are 66 feet wide by 305 feet deep which is a width to depth ratio 1 to 4.62. A variance to exceed the restriction on the allowable width to depth ratio is therefore, being requested.

LEGAL DESCRIPTIONS

Existing Legal Description: North 54 feet of Lot 46 & South 144 feet of Lot 47, Eco Farms Subdivision

Proposed Legal Descriptions:

Parcel 1: The North 66 feet of the South 144 feet of Lot 47, Eco Farms Subdivision

Parcel 2: The South 66 feet of the North 192 feet of Lot 47, Eco Farms Subdivision

Parcel 3: The North 54 feet of Lot 46 and the South 12 feet of Lot 47, Eco Farms Subdivision

ANALYSIS

The primary consideration when evaluating requests for variances to the lot size/dimensional requirements set forth in the City's Subdivision Ordinance is whether the lots resulting from a split will be dimensionally comparable to other lots in the general vicinity of the subject property. As evidenced by the attached parcel map, there are numerous other lots in the area that exceed the allowable width to depth ratio and in some cases to a greater extent than what is proposed with this application.

The zoning of the subject property will permit the construction of 1 single family residential dwelling on each of the 3 resulting parcels which is consistent with the use allowed by the Zoning Ordinance and the land use plan being advanced in the Design Lansing Comprehensive Plan.

The proposed lots will comply with the minimum lot size dimensions of 60 feet wide and 100 feet deep which will allow for construction of single-family dwellings in compliance with building setbacks requirements and lot coverage limitations.

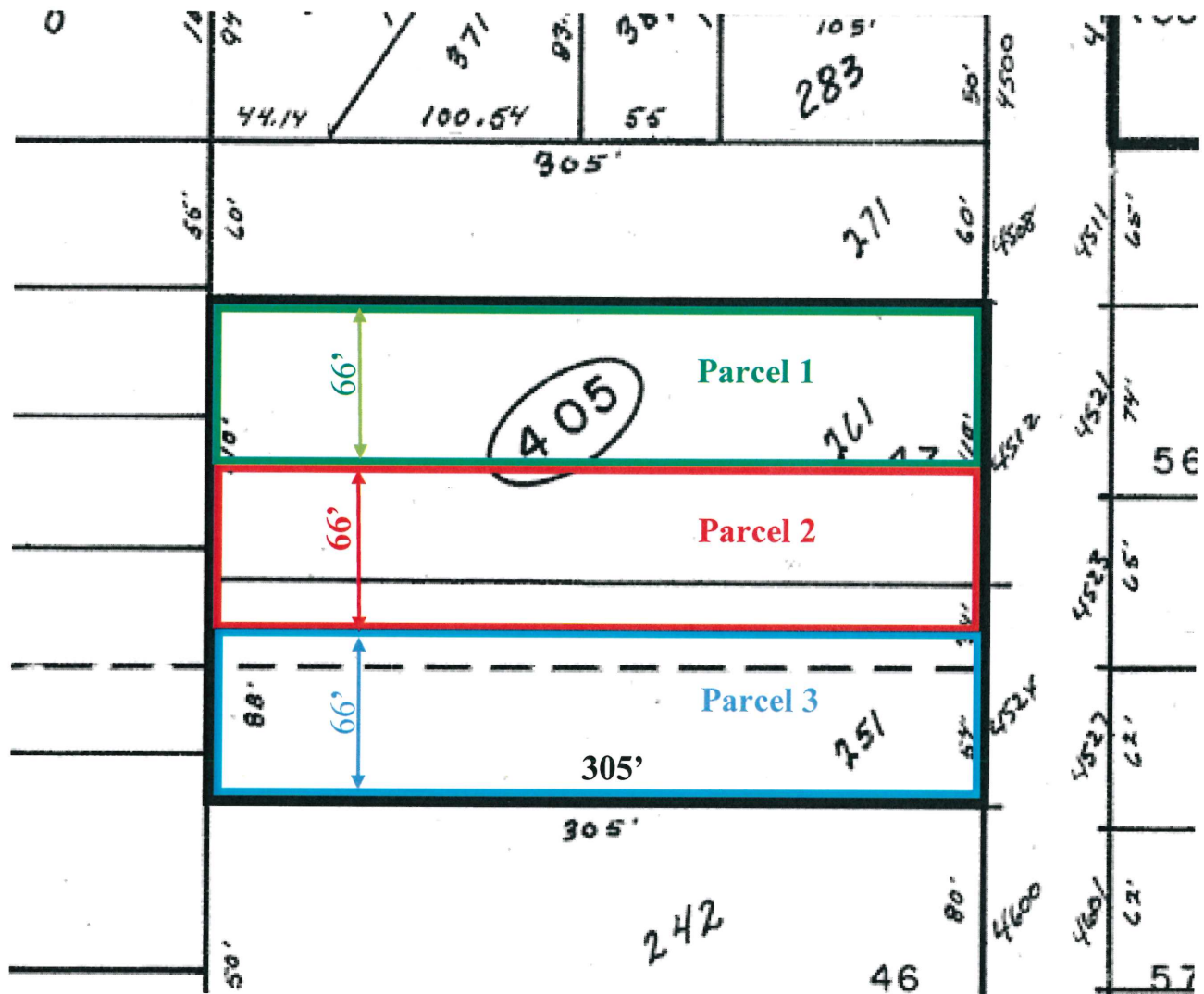
RECOMMENDATION

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 LS-7-2023 for a variance to Section 1236.07(d) of the Subdivision Regulations which restricts the depth of a lot to 2.5 times the width, to permit the division of the property located at 4512 and 4524 Ingham Street (parcel #'s.: 33-01-01-31-405-251 & 33-01-01-31-405-261) into 3 separate, 66 feet wide by 305 feet deep parcels of land, which is a width to depth ratio of 4.62."

Respectfully Submitted,

Susan Stachowiak
Zoning Administrator



Existing Legal Description: North 54 feet of Lot 46 & South 144 feet of Lot 47, Eco Farms Subdivision

Proposed Legal Descriptions:

Parcel 1: The North 66 feet of the South 144 feet of Lot 47, Eco Farms Subdivision

Parcel 2: The South 66 feet of the North 192 feet of Lot 47, Eco Farms Subdivision

Parcel 3: The North 54 feet of Lot 46 and the South 12 feet of Lot 47, Eco Farms Subdivision



- Lots that exceed the allowable width to depth ratio (the depth of a lot cannot exceed 2.5 times the width)



GENERAL INFORMATION

APPLICANT/OWNER:	Ingham County Land Bank 3024 Turner Street Lansing, MI 48906
REQUESTED ACTION:	This is a request to divide the vacant property located 4720 Ballard Road into 2 separate parcels of land of equal dimensions that would exceed the allowable width to depth ratio
EXISTING LAND USE:	The subject property is currently vacant
PROPOSED LAND USE:	2 Single Family Homes
EXISTING ZONING:	"R-3" Suburban Detached Residential
PROPERTY SIZE & SHAPE:	Existing: 141' x 305' = 43,005 sq. ft. Proposed: Parcel No. 1: 70.5' x 305' = 21,502.5 sq. ft. Parcel No. 2: 70.5' x 305' = 21,502.5 sq. ft.
SURROUNDING LAND USES	N: Single Family Residential S: Single Family Residential E: Single Family Residential W: Single Family Residential
SURROUNDING ZONING:	N: "R-3" Suburban Detached Residential S: "R-3" Suburban Detached Residential E: "R-3" Suburban Detached Residential W: "R-2" Suburban Detached Residential
MASTER PLAN:	The Design Lansing Comprehensive Plan designates the subject property for low density residential use. Ballard Road is designated as a local road.

DESCRIPTION

Note: This request involves a variance to the City's Subdivision Ordinance rather than the Zoning Ordinance which is why it is being considered by the Planning Board and ultimately will be decided upon by the City Council as opposed to going before the Board of Zoning Appeals.

This is a request by the Ingham County Land Bank for a variance to permit the vacant lot at 4720 Ballard Road to be split into 2 parcels of land for single family residential use. Section 1236.07(d) of the City of Lansing Subdivision Regulations restricts the depth of a lot to a maximum of 2.5 times the width. The proposed lots are 70.5 feet wide by 305 feet deep which is a width to depth ratio 1 to 4.32. A variance to exceed the restriction on the allowable width to depth ratio is therefore, being requested.

LEGAL DESCRIPTIONS

Existing Legal Description: Lot 9, Eco Farms Subdivision

Proposed Legal Descriptions:

Parcel 1: The South $\frac{1}{2}$ of Lot 9, Eco Farms Subdivision

Parcel 2: The North $\frac{1}{2}$ of Lot 9, Eco Farms Subdivision

ANALYSIS

The primary consideration when evaluating requests for variances to the lot size/dimensional requirements set forth in the City's Subdivision Ordinance is whether the lots resulting from a split will be dimensionally comparable to other lots in the general vicinity of the subject property. As evidenced by the attached parcel map, there are numerous other lots in the area that exceed the allowable width to depth ratio and in some cases to a greater extent than what is proposed with this application.

The zoning of the subject property will permit the construction of 1 single family residential dwelling on each of the 2 resulting parcels which is consistent with the use allowed by the Zoning Ordinance and the land use plan being advanced in the Design Lansing Comprehensive Plan.

The proposed lots will comply with the minimum lot size dimensions of 60 feet wide and 100 feet deep which will allow for construction of single-family dwellings in compliance with building setbacks requirements and lot coverage limitations.

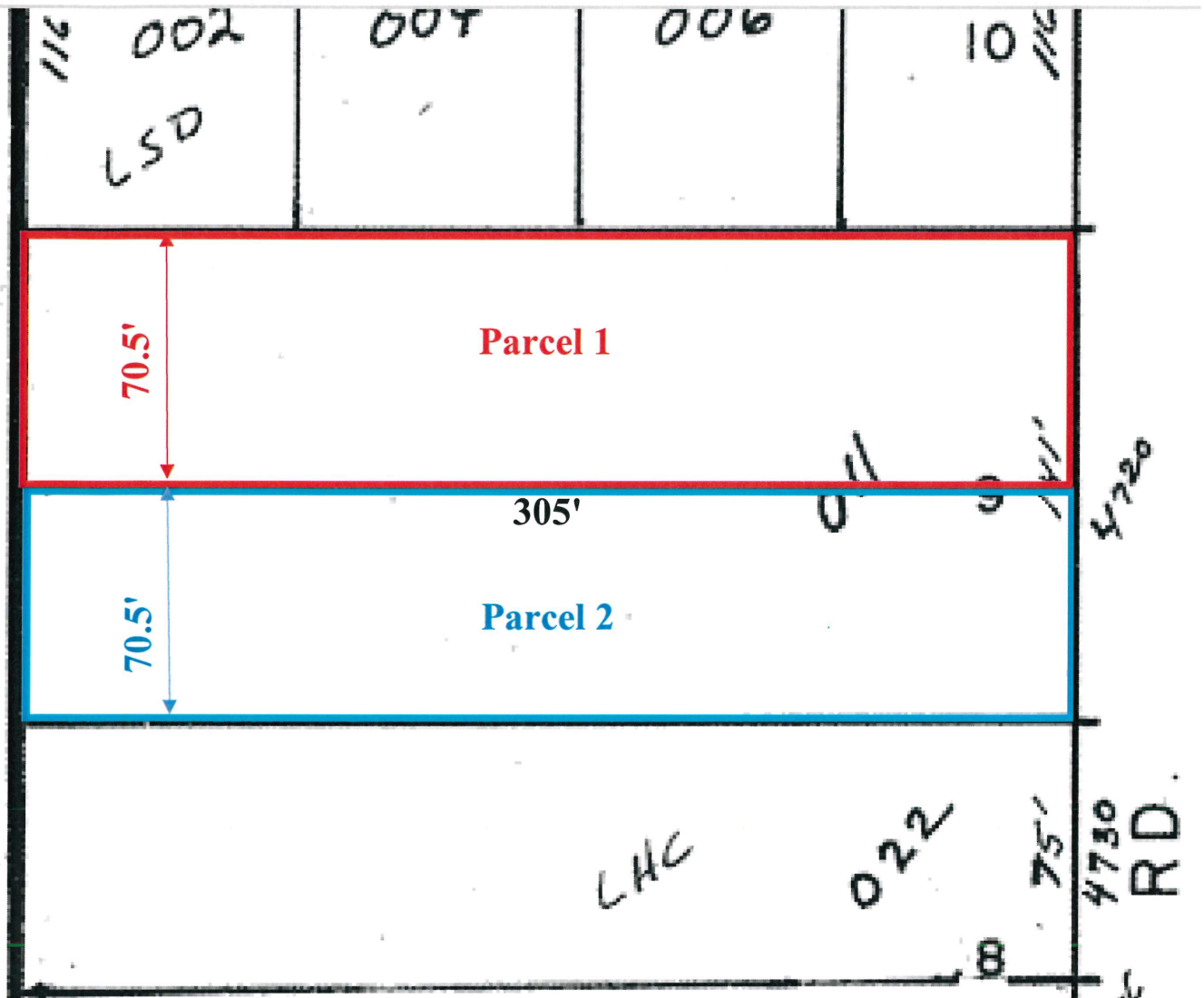
RECOMMENDATION

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 LS-7-2023 for a variance to Section 1236.07(d) of the Subdivision Regulations which restricts the depth of a lot to 2.5 times the width, to permit the division of the property located at 4720 Ballard Road (parcel #: 33-01-01-31-451-011) into 2 separate, 70.5 feet wide by 305 feet deep parcels of land, which is a width to depth ratio of 4.32."

Respectfully Submitted,

Susan Stachowiak
Zoning Administrator



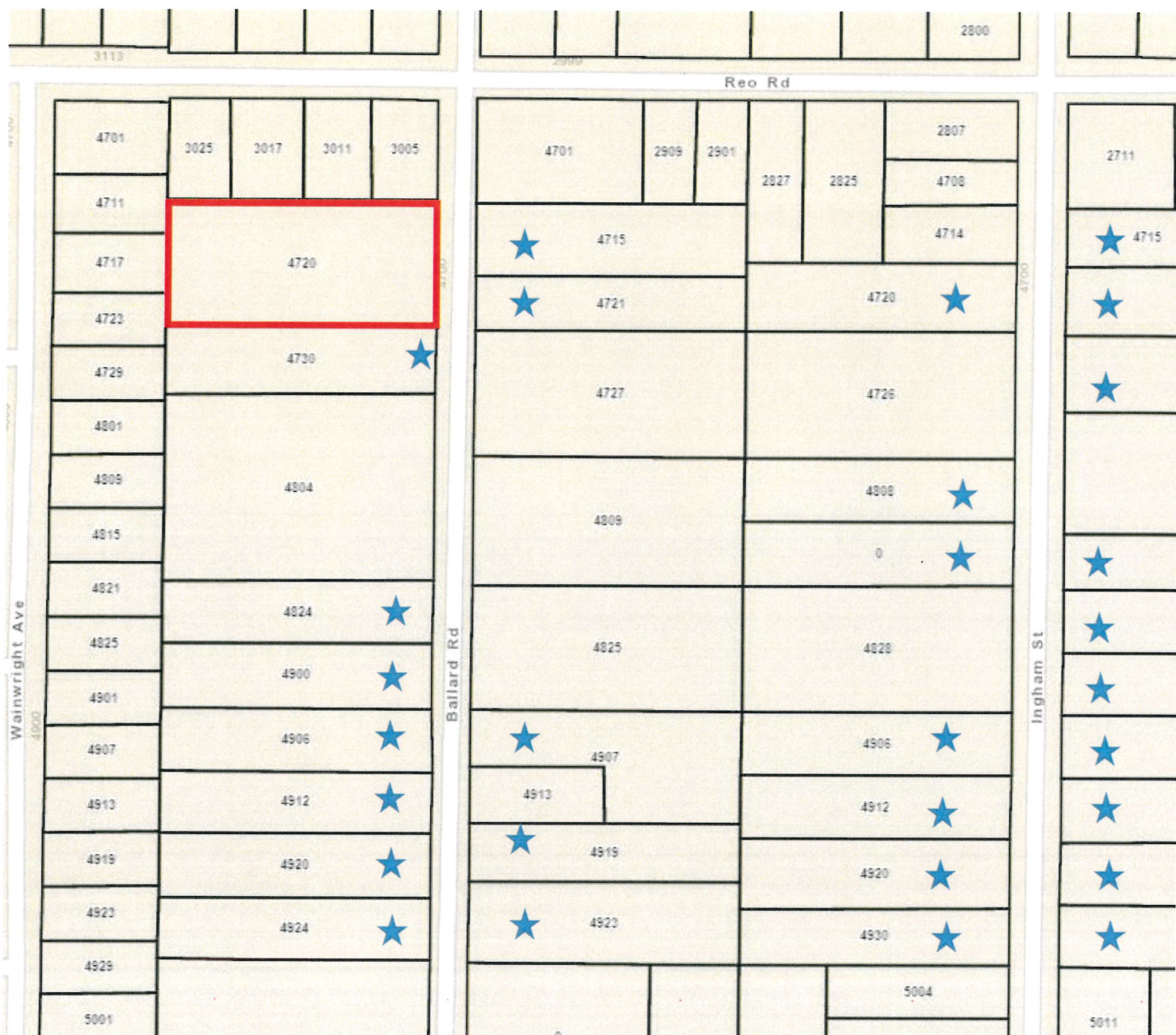
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- Lots that exceed the allowable width to depth ratio (the depth of a lot cannot exceed 2.5 times the width)



GENERAL INFORMATION

APPLICANT/OWNER:	Keavin & Lindsay (Johnson) Henson 4111 Aurelius Road Lansing, MI 48910
REQUESTED ACTIONS:	Rezone 4111 Aurelius Road from “MX-1” Neighborhood Mixed-Use Center to “R-2” Suburban Residential
EXISTING LAND USE:	1,519 square-foot Single-Family Residential Dwelling.
EXISTING ZONING:	“MX-1” Neighborhood Mixed-Use Center District
PROPOSED ZONING:	“R-2” Suburban Residential District
PROPERTY SIZE:	177' x 356.5' = 63,101 square feet – 1.314 acres
SURROUNDING LAND USE:	N: Single-Family Residential S: Single-Family Residential E: Single-Family Residential W: Multi-Family & Commercial Retail
SURROUNDING ZONING:	N: “MX-1” Neighborhood Mixed-Use Center District S: “MX-1” Neighborhood Mixed-Use Center District E: “R-2” Suburban Residential District W: “MFR” Multi-Family Residential & “MX-1” Neighborhood Mixed-Use Center Districts
MASTER PLAN:	The Design Lansing Comprehensive Plan designates the subject property for “Low-Density Residential” land use. Aurelius Road is designated as a prime connector.

DESCRIPTION:

This is a request by Keavin & Lindsay (Johnson) Henson to rezone the property at 4111 Aurelius Road, legally described as:

Commencing 265.67 feet North of the West ¼ post, thence East 356.5 feet, North 177 feet, West 356.5 feet, South 177 feet to the point of beginning; Section 35, T4N R2W

from “MX-1” Neighborhood Mixed-Use Center District to “R-2” Suburban Residential District. The purpose of the rezoning is to bring the single-family residential use of the property into compliance with the Zoning Ordinance.

COMPATIBILITY WITH SURROUNDING LAND USE:

The rezoning will not result in any changes to the subject property and thus, will have no impact on the surrounding area. The applicant is requesting the rezoning for the sole purpose of bringing the single-family residential use of the property into compliance with the Zoning Ordinance. The “MX-1” zoning district only permits single-family residential uses on local streets. Since Aurelius Road is designated as a prime connector (non-local street), the property is considered “nonconforming” and is subject to the following provisions of Chapter 1270 of the Zoning Ordinance:

- No such structure may be enlarged or increased, nor extended to occupy a greater area of land.
- Should such structure be destroyed by any means to an extent of more than 50 percent of its replacement cost at the time of destruction, it shall not be reconstructed except as may be permitted by the Board of Zoning Appeals.
- If a non-conforming use is abandoned for any reason for a period of more than twelve (12) calendar months, any subsequent use shall conform to the requirements of this Chapter. Where nonconforming use status applies to a structure and premises in combination, removal or destruction of the structure shall eliminate the nonconforming status of the land.

The rezoning will bring the building into compliance with the Zoning Ordinance so that the owner’s investment is protected in the event of damage or destruction and the building can be enlarged or reconstructed without requiring special approval by the Board of Zoning Appeals, particularly since approval by the BZA is not guaranteed.

No requests to split the lot have been proposed at this time. If such an inquiry is made at some time in the future, a variance to the width to depth ratio would be required, as would a land survey to determine where the new lot line would need to be drawn in order to comply with the side yard building setback requirements from the existing structures to the new lot line.

As evidenced by the attached zoning map, the subject property is located in an area that has a mix of commercial and residential land uses and zoning patterns. The 3 properties to the north and to the south along the east side of Aurelius Road and one of the parcels to the west are zoned MX-1, some of which are being used for commercial purposes and others of which are being used for residential purposes. There is a multiple family residential condo development to the west that is zoned “MFR” Multi-Family Residential and a single-family neighborhood to the east that is zoned R-2 which is the zoning designation being sought by the applicant. Since the site adjoins “R-2” Suburban Residential zoning to its east, the rezoning would not be considered a true “spot zone” although it would result in a spot zone of R-2 zoning in the 4000-4200 blocks on the east side of Aurelius Road as the properties to the north and south are zoned MX-1. Given the zoning pattern and the eclectic mix of land uses that already exist in the area, however, the rezoning will not create an inconsistent land use pattern or create a zoning pattern that will allow for incompatible uses.

COMPLIANCE WITH MASTER PLAN:

The Design Lansing Comprehensive Plan designates the subject property for “Low-Density Residential” land use. The Plan specifies the following for this land use classification:

“To provide an environment for low-density, single-family detached dwellings.”

The Plan lists the following as “typical uses” for the “Low-Density Residential” land use category:

“Single-family detached homes.”

The current “MX-1” Neighborhood Mixed-Use Center zoning designation of the subject property allows uses that are in direct conflict with the residential land use pattern being advanced in the master plan for the Aurelius Road corridor. The proposed “R-2” Suburban Residential zoning, by contrast, allows for low-density, single-family residential dwellings on medium to large-sized lots. The proposed rezoning to bring the single-family dwelling on the subject property into compliance with the Zoning Ordinance is therefore, supported by the master plan designation.

IMPACT ON VEHICULAR AND PEDESTRIAN TRAFFIC:

The proposed rezoning will have no negative impacts on vehicular or pedestrian traffic. The proposed rezoning merely brings the current single family residential use of the subject property into compliance with the Zoning Ordinance. The traffic generated by a single-family residential dwelling is far less than the uses permitted in the “MX-1” Neighborhood Mixed-use Center district.

IMPACT ON PUBLIC FACILITIES:

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

ENVIRONMENTAL IMPACT:

The proposed rezoning will have no impacts on the natural environment as the site is already developed and no changes are proposed at this time. Even if a proposal to split the lot were to be submitted, the newly formed lot would be limited to the same “R-2” Suburban Residential land uses, resulting in a negligible increase to public utilities.

IMPACT ON FUTURE PATTERNS OF DEVELOPMENT:

The applicant’s request will not be disruptive to the development pattern in the area which is already characterized by a variety of land uses and zoning designations. The proposed rezoning merely allows the existing single-family dwelling, which is a reasonable use of the property, to continue without the limitations that result from being a nonconforming use. The proposed request to rezone the property from “MX-1” Mixed-Use Neighborhood Center district to the “R-2” Suburban Residential district is consistent with the low-density, residential use of the area being advanced in

the Design Lansing Comprehensive Plan. In addition, it is not anticipated that the rezoning will set a negative precedent for future rezoning requests as the majority of the other properties along Aurelius Road that are zoned “MX-1” are being used for commercial purposes.

SUMMARY

This is a request by Keavin & Lindsay (Johnson) Henson to rezone the property at 4111 Aurelius Road, legally described as:

Commencing 265.67 feet North of the West ¼ post, thence East 356.5 feet, North 177 feet, West 356.5 feet, South 177 feet to the point of beginning; Section 35, T4N R2W

from “MX-1” Neighborhood Mixed-Use Center district to “R-2” Suburban Residential district. The purpose of the rezoning is to bring the single-family residential use of the property into compliance the Zoning Ordinance to eliminate the restrictions that result from the use of the property being considered “nonconforming”.

The findings of fact, as outlined in this staff report, support a positive recommendation for the requested rezoning. The proposed rezoning will be consistent with the existing zoning and land use patterns in the area and with the future land use pattern being advanced in the Design Lansing Comprehensive Plan. Additionally, the proposed rezoning will have no negative impacts on traffic patterns, the environment, or future patterns of development in the area.

RECOMMENDATIONS

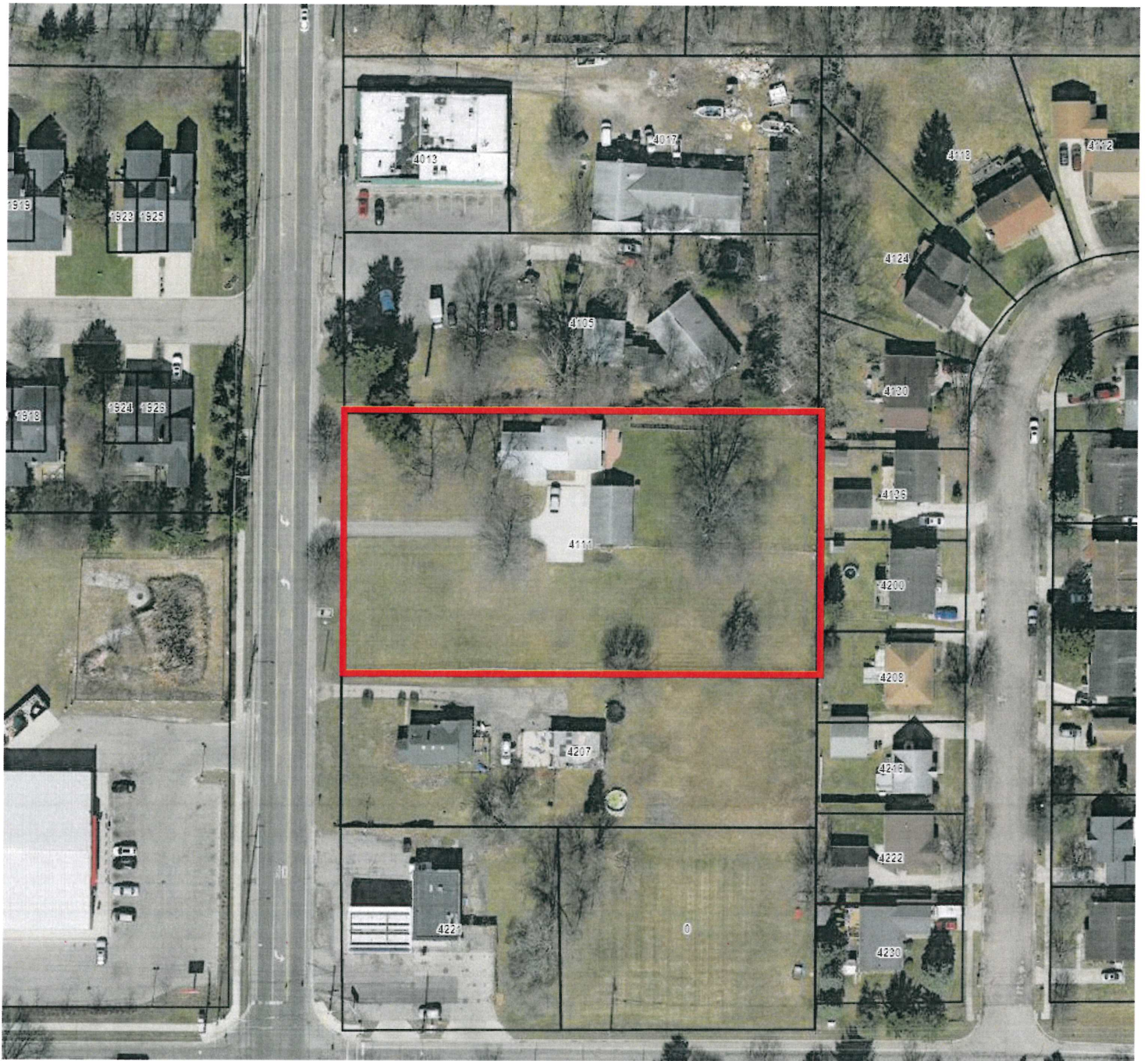
Pursuant to the findings described above, the following recommendation is offered for the Planning Board’s consideration:

Z-1-2023 be approved to rezone the property at 4111 Aurelius Road from “MX-1” Neighborhood Mixed-Use Center District to “R-2” Suburban Residential District.

Respectfully Submitted,

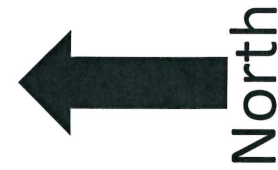
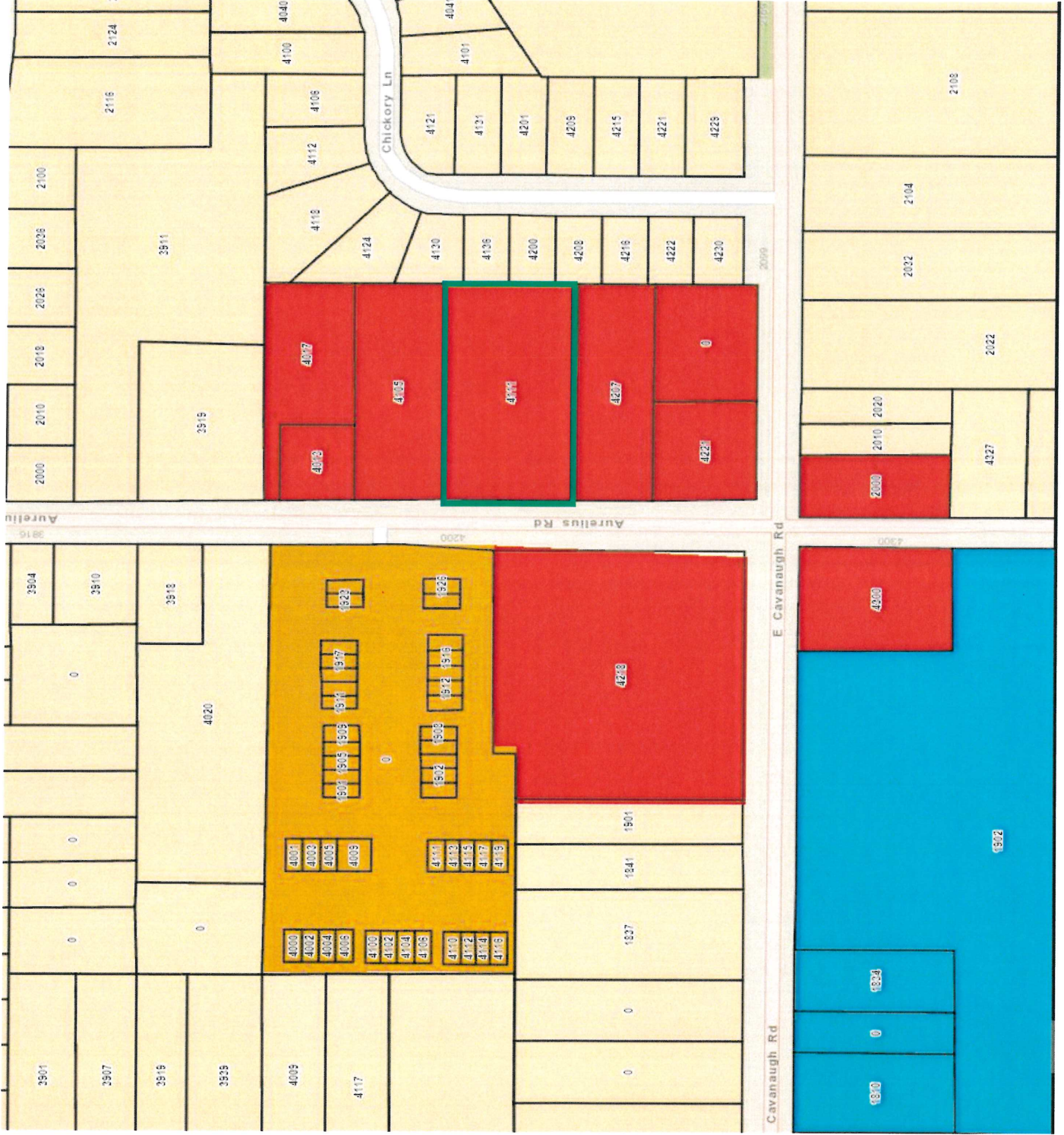
Zachary Driver
Commercial Corridor Specialist





Zoning Districts

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



North

GENERAL INFORMATION

APPLICANT: Justin Miller
Looking Glass AFC (Adult Foster Care)
1543 Dennison Road
East Lansing, MI 48823

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

REQUESTED ACTION: Special Land Use Permit for a state-licensed adult foster care, small group home for up to 12 residents in care

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

SLU-1-2023: Special land use permit to utilize the existing building at 109 E. Randolph Street for a state-licensed adult foster care, small group home. The proposal is to provide around the clock care for a maximum of 12 residents that may be developmentally delayed, need assistance with daily living activities or are dealing with issues such as dementia or Alzheimer's Disease. The home will be licensed and operated in accordance with all State of Michigan requirements for adult foster care group home facilities and subject to inspections and oversight thereby.

BACKGROUND INFORMATION

The building on the subject property has historically been used as a convent for 17 nuns. At one time it was located on the same property as the church to its west and the convent was considered an accessory use to the church. The subject property was split off from the church property more than 40 years ago, although the church allowed the nuns to continue utilizing its parking lot. At this time, the church is not unwilling to sell or lease any of its parking to a future owner of the property for several reasons including liability and the additional maintenance that would be involved in keeping the lot clear during a snow/ice event.

The capacity of the convent has decreased over the years and is now vacant or in very limited use as living quarters for nuns. 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, without a special land use permit. 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 either rezone the property or issue a special land use permit and to authorize a variance to the parking requirement which was granted by the Board of Zoning Appeals at its June 9, 2022, meeting.

There was a recent request to rezone the property to the “R-AR” Residential Adaptive Reuse zoning district and for a special land use permit to allow a 20-bed, large group adult foster care center. Those requests were withdrawn by the applicant prior to any action for approval or denial by the City Council. A rezoning is not required for the proposed small group home for up to 12 residents as it is a use permitted under the current “R-6A” zoning, with a special land use permit.

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?**

Approval of the special land use permit 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 12-bed group home 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 special land use permit is not approved, the building will remain vacant and will deteriorate over time which will have a negative impact on the neighborhood.

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, 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. 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.

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

The proposed 12-bed adult foster care home will not interfere with the enjoyment of adjacent properties. The special land use permit will allow for reuse of the existing building that is reasonable and will have as low of an impact as possible on the surrounding residential neighborhood. The proposed group home 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 that is shared by the residents in the area. It will also generate a very low volume of activity in general and will not involve noise, fumes, light glare, or any other type of nuisances that could interfere with the enjoyment of other properties in the area.

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. 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. 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. With respect to transportation, the proposed adult care home will generate a low volume of both vehicular and pedestrian traffic. A variance to the parking requirement has been granted on the basis that there is no parking on the site, no room to construct any parking and because the low volume of traffic will result in minimal usage of the on-street parking in the area. 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 likely only be about 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, than that which was generated by the convent when it housed 17 nuns.

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. Compatibility of uses is also a primary goal of the City's Comprehensive Plan and is a fundamental principle of land use planning. The proposed group home will likely have the least amount of impact on the surrounding residential area as any use that would make for reasonable use of the subject property. It will generate a low volume of traffic, will not result in overuse of on-street parking, and will not produce noise, fumes, light glare or an overall level of activity that would be disruptive to the area. The proposed use will, therefore, be consistent with the intent and purpose of the Comprehensive Plan, the Zoning Ordinance and proper planning principles in general.

Approval of the special land use permit will not negatively impact future patterns of development or set a negative precedent for additional requests to permit group homes in the area. Both the City and the State do not permit 2 such facilities to be located within 1500 feet of each other. 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 group home special land use permit or a parking variance.

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 12 beds which requires 9 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 has been granted a variance from the Board of Zoning Appeals to the required number of parking as there is no existing parking on the site or room to construct new parking in compliance with the locational provisions of the Zoning Ordinance.

SUMMARY

SLU-1-2023: Special land use permit to utilize the existing building at 109 E. Randolph Street for a state-licensed adult foster care, small group home with a maximum capacity of 12 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 special land use permit applications, as detailed in this staff report.

RECOMMENDATION

Staff recommends approval of SLU-1-2023, 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, small group home providing care for up to 12 residents, operated in accordance with all State of Michigan requirements for such facilities.

Respectfully Submitted,

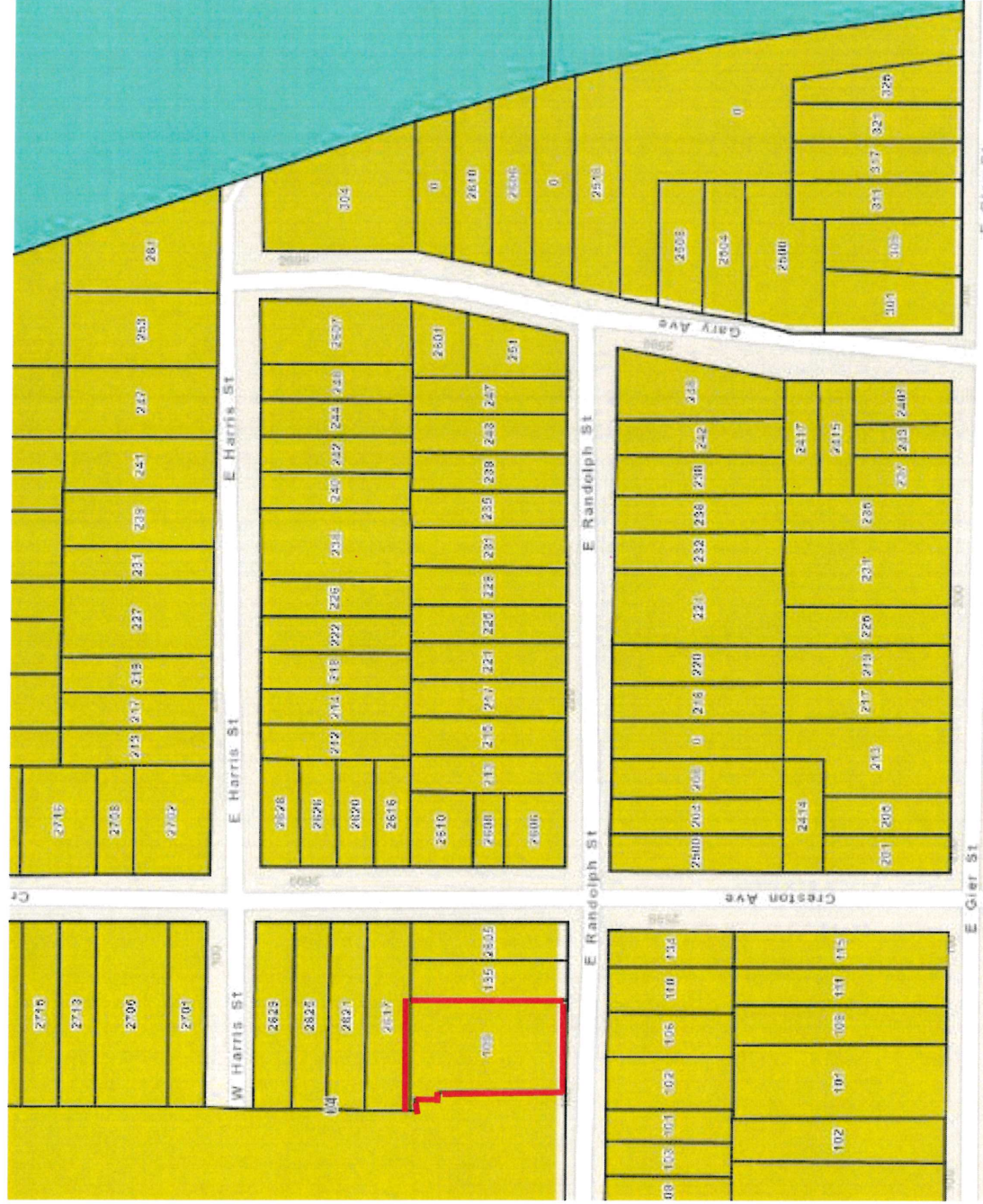
Susan Stachowiak
Zoning Administrator







City of Lansing Zoning Map



Zoning Districts

- 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

GENERAL INFORMATION

APPLICANT/OWNER:	H, Inc. P.O. Box 12147 Lansing, MI 48901
REQUESTED ACTIONS:	Rezone from “R-MX” Residential Mix to “DT-2” Urban Flex
EXISTING LAND USE:	Multiple vacant and single-family residential parcels
EXISTING ZONING:	“R-MX” Residential Mix District
PROPOSED ZONING:	“D-2” Urban Flex District
PROPERTY SIZE:	Approximately 5.5 acres total
SURROUNDING LAND USE:	N: Single family residential S: Various commercial uses, City Park E: Retail/commercial, single, and multiple family residential, vacant parcel W: Single/multiple family residential & offices
SURROUNDING ZONING:	N: “R-MX” Residential Mix S: “R-MX” Residential Mix & “R-6A” Urban Detached Residential E: “R-MX” Residential Mix & “DT-2” Urban Flex W: “R-MX” Residential Mix & “DT-2” Urban Flex
MASTER PLAN:	The Design Lansing Master Plan designates the subject property for a combination of medium/low residential use and as “Residential Corridor”. N. Pennsylvania Avenue and W. Saginaw Street are designated as arterial corridors, East Park Terrace and May Streets are designated as local roads and Quaker Court is a private drive.

DESCRIPTION:

This is a request by H, Inc. to rezone 818, 820, 908, 914, May Street, 821, 823, 827, 843 & 901 E. Saginaw Street, 0, 711, 713, 714, 717, 718, 721, 723, 724, 725, 727, East Park Terrace, 709, 713, 714, 718, 717, 721, 722, 725, 729 Quaker Court, and 711, 715, 721, 727, 737, 800 N. Pennsylvania Avenue from “R-MX” Residential Mix to “DT-2” Urban Flex. The purpose of the rezoning is to permit a 240-unit multiple family residential development. The parcels shown in green on the attached map are the parcels that are controlled by the applicant. 8 of the parcels that will be included in the proposed development area are already zoned “DT-2”. These are shown on the attached aerial map.

The attached conceptual development plan for phase 1 shows 84 buildings; each of which would contain more than 1 unit. The applicant is in the process of trying to obtain several other properties in

the area so that ultimately there could ultimately be up to 240 units in total. The applicant will have to file a new rezoning application for the properties that are not included in this request. The attached plan does not provide enough detail to determine if it complies with the building setback and parking requirements and allows enough room for compliance with landscaping requirements. It is merely intended to demonstrate the applicant's vision for the first phase of the development.

REZONING ANALYSIS

COMPATIBILITY WITH SURROUNDING LAND USE:

The proposal is to rezone several properties located in the area bounded by Prudden Street to the west, N. Pennsylvania Avenue to the east, May Street to the North and E. Saginaw Street to the south from "R-MX" Residential Mixed Use to "DT-2" Urban Flex. The purpose of the rezoning is to allow for redevelopment of the area into a multiple family residential complex consisting of 3-story buildings (1st floor garages and upper floor apartments). There are several single-family residential houses on the subject properties that would need to be demolished in order to accommodate the new development. While multiple family use is permitted in the existing "R-MX" zoning district, the density restrictions of that district would make the project financially unfeasible. There are no density restrictions in the "DT-2" zoning district. There are also no lot coverage restrictions, very low setback requirements and substantial relief from parking requirements.

Use of the properties for a multiple family housing development will bring a renewed sense of vitality to the area east of the Motor Wheel lofts and office building site in the 700 block of E. Saginaw Street. The proposed project may also be the catalyst for more redevelopment projects that will further the goals of the Master Plans to create vibrant residential districts in the areas surrounding the core downtown. The proposed development will continue the housing pattern that currently exists along Saginaw Street east of N. Larch Street, beginning with the Prudden Place apartments at 620 May Street that were constructed in 2005 and the renovation and adaptive reuse of the former Motor Wheel factory to its east into residential loft condominiums and office space in the late 1990's. Those properties are both zoned "DT-2" as is a significant amount of land in the surrounding area as depicted on the attached zoning map. The proposed zoning will therefore, be consistent with the zoning and land use patterns that already exist in the area.

COMPLIANCE WITH MASTER PLAN:

The Design Lansing Master Plan designates the subject properties for a combination of medium/low residential use and as "Residential Corridor". The purpose of these designations as described in the Plan are:

Medium-Low Density Residential: "To provide an environment for medium-low-density single-family detached; single-family attached (townhomes); and two-family dwelling units"

Residential Corridor: "To allow medium-density residential development in a variety of urban formats, rather than a conversion of residential to commercial use, along certain high-traffic streets that also serve as transit routes or are within easy walking distance (1/4 mile)."

The majority of the property within the area to be rezoned is designated as “Residential Corridor”. The typical uses listed in the Plan for this designation are “Townhomes, stacked flats, multi-family apartments and lofts.” The Plan calls for a density of 20 to 50 units per acre in 2-3 story buildings. The proposed density is 43.6 units per acre and the proposed buildings are 3 stories in height (1st floor garages and 2 upper-level apartments). The proposed development will, therefore, be consistent with the land use plan being advanced in the Comprehensive Plan and the rezoning is necessary to permit the density necessary to make the development feasible.

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 sufficient to accommodate large volumes of pedestrian traffic in a safe manner.

The subject properties are located on two major bus routes (E. Saginaw Street and N. Pennsylvania Avenue), which will allow the future occupants of buildings to be less dependent on privately owned automobiles. The site is located within walking and bicycling 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 restaurants, personal service establishments, city parks and various other commercial, recreational, and civic uses. While the proposed “DT-2” zoning permits a significant reduction in the number of required parking spaces, the proposed plan provides for adequate parking to accommodate the future residents and visitors of the development so that it should not result in overuse of the on-street parking in the area.

IMPACT ON PUBLIC FACILITIES:

New development will require administrative site plan review during which the specific details of the the utility systems to accommodate the development will be evaluated.

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, E. Saginaw Street and N. Pennsylvania Avenue 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 multiple family residential development, in a manner consistent with the City’s Master Plan and with the multiple family residential land use pattern that has already been established in the area west of the subject properties. The properties that front along E. Saginaw

Highway for several blocks to the east and to a certain extent along N. Pennsylvania Avenue are designated for multiple family residential land use in the City's Master Plan. In addition, and as evidenced by the attached zoning map, the majority of the area surrounding the subject properties is already zoned "DT-2" so that it can be developed as multiple family residential as a matter of right. Given these circumstances, approval of the rezoning will not set a negative precedent for future rezoning requests. In fact, it may encourage more redevelopment in the area that is consistent with the Master Plan and the existing zoning and land use patterns.

SUMMARY

This is a request by H, Inc. to rezone 818, 820, 908, 914, May Street, 821, 823, 827, 843 & 901 E. Saginaw Street, 0, 711, 713, 714, 717, 718, 721, 723, 724, 725, 727, East Park Terrace, 709, 713, 714, 718, 717, 721, 722, 725, 729 Quaker Court, and 711, 715, 721, 727, 737, 800 N. Pennsylvania Avenue from "R-MX" Residential Mix to "DT-2" Urban Flex. The purpose of the rezoning is to permit a 240-unit multiple family residential development.

The findings of fact as described in this staff report support a positive recommendation for the requested rezoning. The proposed "DT-2" 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 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. 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. The occupants of the residential units will also have convenient access to public transportation and will provide additional customer base for the existing commercial uses in the area.

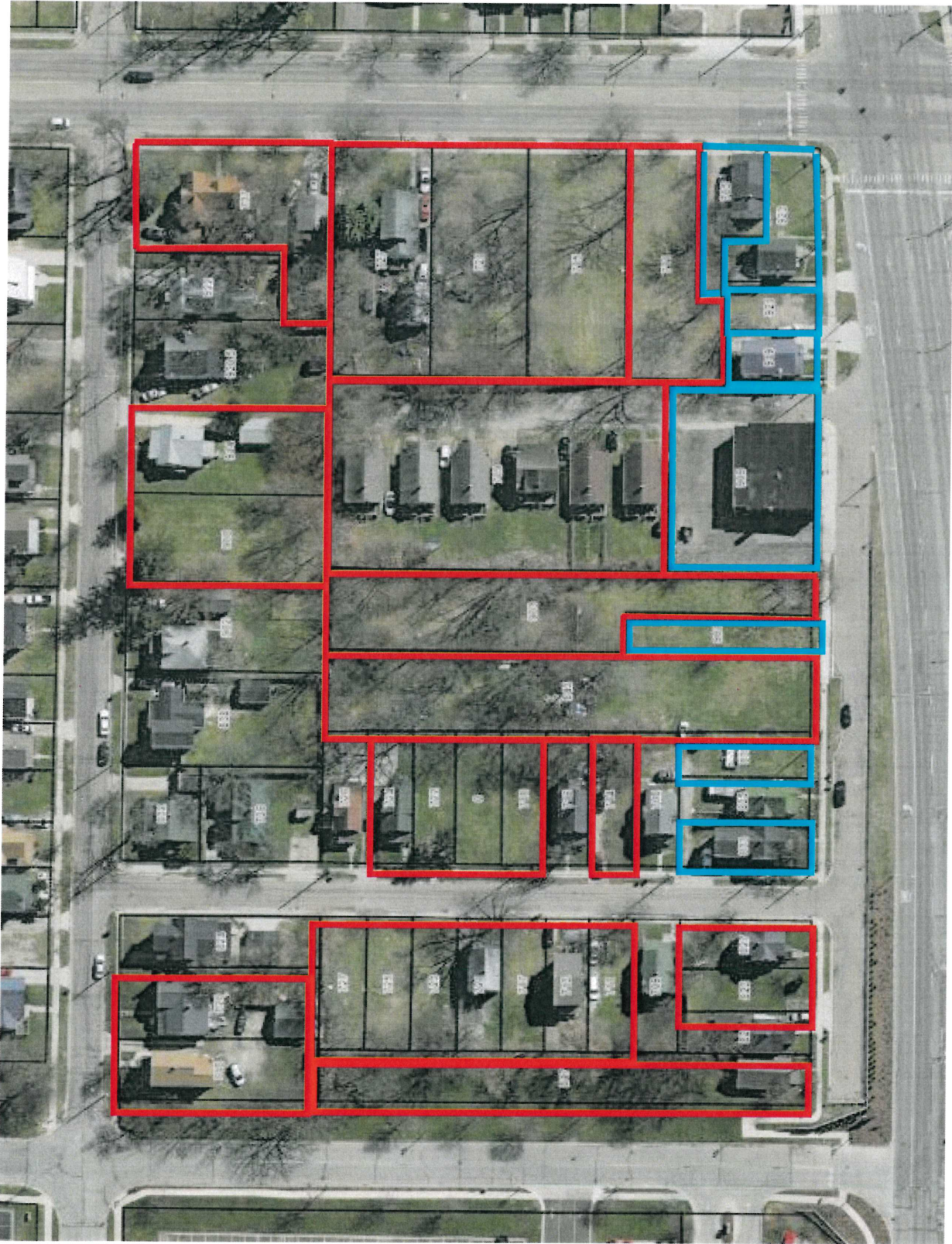
RECOMMENDATION

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-3-2023, a request by H, Inc. to rezone 818, 820, 908, 914, May Street, 821, 823, 827, 843 & 903 E. Saginaw Street, 0, 711, 713, 714, 717, 718, 721, 723, 724, 725, 727, East Park Terrace, 709, 713, 714, 718, 717, 721, 722, 725, 729 Quaker Court, and 711, 715, 721, 727, 737 & 800 N. Pennsylvania Avenue from "R-MX" Residential Mix to "DT-2" Urban Flex."

Respectfully Submitted,

Susan Stachowiak
Zoning Administrator

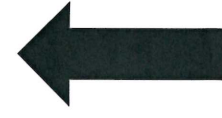


Parcels outlined in red are proposed for rezoning from R-MX, Residential Mix to DT-2, Urban Flex

Parcels outlined in blue are part of the proposed development area but are already zoned DT-2, Urban Flex

Zoning Districts

- 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
- DT-1 - Urban Edge
- DT-2 - Urban Flex
- DT-3 - Urban Core
- IND-1 - Suburban Industrial
- IND-2 - General Industrial
- IND-3 - Urban Industrial
- INST-1 - Suburban Institution
- INST-2 - Urban Institution

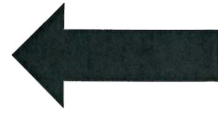


North



Zoning Districts

- | | | | | | | | | | | | | | | | | | | | | | | |
|------------------------------|------------------------------|------------------------------|---------------------------|---------------------------|----------------------------|----------------------------|------------------------|--------------------------------|-----------------------------------|-------------------------|---------------------------|--------------------------------------|-----------------------------------|----------------------------------|-------------------|-------------------|-------------------|-----------------------------|----------------------------|--------------------------|-------------------------------|----------------------------|
| 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 | DT-1 - Urban Edge | DT-2 - Urban Flex | DT-3 - Urban Core | IND-1 - Suburban Industrial | IND-2 - General Industrial | IND-3 - Urban Industrial | INST-1 - Suburban Institution | INST-2 - Urban Institution |
|------------------------------|------------------------------|------------------------------|---------------------------|---------------------------|----------------------------|----------------------------|------------------------|--------------------------------|-----------------------------------|-------------------------|---------------------------|--------------------------------------|-----------------------------------|----------------------------------|-------------------|-------------------|-------------------|-----------------------------|----------------------------|--------------------------|-------------------------------|----------------------------|



North

Parcels outlined in red are proposed for rezoning from R-MX, Residential Mix to DT-2, Urban Flex



1,421 SF. units

4'-1 1/2" x 6'-0" CLE

4'-1 1/2" x 6'-0" CLE

8'-1 1/2" x 6'-0" CLE



1,421 SF. units

4'-1 1/8" CL@

4'-1 1/8" CL@

4'-1 1/8" CL@



farhat design
10775 N. Knappton Rd.
Grand Lodge, MI 48837

revision date
2-23-23

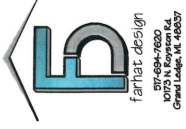
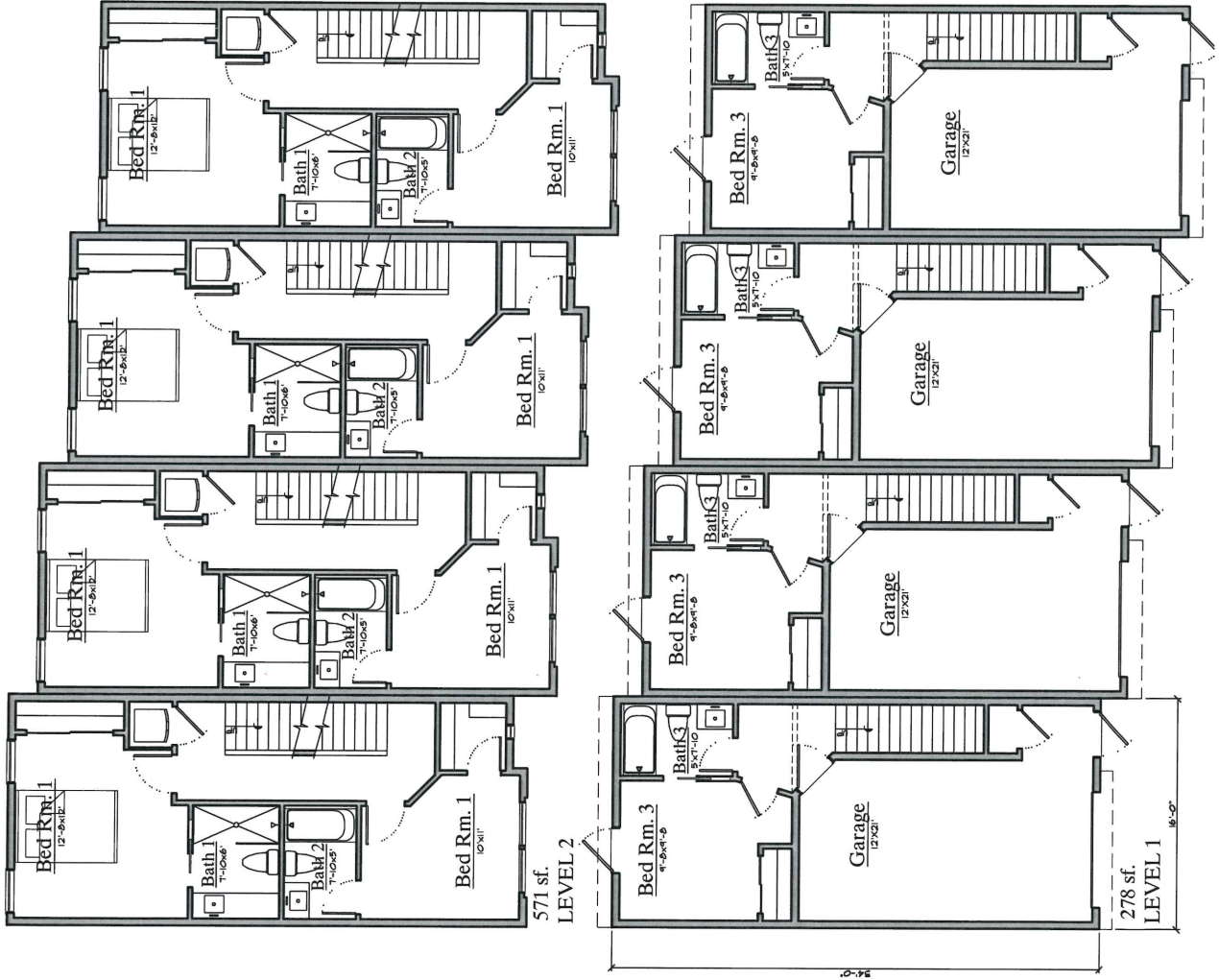
Harry Hepler Inc.
Lansing, MI.



drawn by : PAUL J. FARHAT
date : 2-20-23
scale : 1/8" = 1'-0"
job # : 11623

sheet contents :

sheet # :
OF 8 SHEETS



revision date

2-25-23

Harry Hepler Inc.

Lansing, MI.



drawn by:

PAUL J. FARHAT

date:

2-20-23

scale:

1/8" = 1'-0"

job #:

11623

sheet contents:

1,421 SF.

sheet #:

OF 8 SHEETS



farhat design

575 694-9800

10725 N. Kaysom Rd.

Grand Lodge, MI 48037

revision date
2-25-25

Harry Hepler Inc.

Lansing, MI.



drawn by :

PAUL J. FARHAT

date :

2-20-25

scale :

1/8" = 1'-0"

job # :

1625

SHEET CONTENTS :

1,421 SF.

sheet # :

OF 8 SHEETS



Site plan showing the proposed 240-unit development. The plan includes a large rectangular building footprint with multiple wings and courtyards. The building is oriented with its long side along Park Terrace. The site is bounded by Park Terrace to the north, Saginaw St. to the east, and an unnamed street to the south. The plan includes parking spaces, landscaping, and a small structure labeled 'PARK TERRACE' near the center. The total area is 6.58 acres.



Andy Schor
Mayor

LANSING PLANNING BOARD
Regular Meeting
February 7, 2022 – 6:30 p.m
Neighborhood Empowerment Center
600 W Maple Street, Lansing, MI

MINUTES – DRAFT

1. OPENING SESSION

Mr. Hovey called the meeting to order at 6:32 p.m.

- a. Present: Katie Alexander, Farhan Bhatti, Josh Hovey, Monte Jackson
- b. Absent: Tony Cox, Thomas Morgan (excused), John Ruge (excused)
- c. Staff: Barb Kimmel, Doris Witherspoon, Andy Fedewa, Stephen Bezold

2. APPROVAL OF AGENDA – The agenda was approved by unanimous consent.

3. COMMUNICATIONS – None

4. PUBLIC HEARINGS

- a. **City of Lansing Annual Action Plan, FY 2023 – 2024 Proposed Funding Allocations – CDBG, HOME, ESG Resources.**

Ms. Witherspoon stated that the purpose of the public hearing is to receive input on the proposed funding allocations for the Community Annual Action Plan for the fiscal year of 2023 - 2024. She said that the amount of the appropriations that the City will be receiving for fiscal year 2023 - 2024 are estimated to be the same as last year, but exact numbers are not available at this time. 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.

Ms. Witherspoon stated that CDBG funds can be used to fund housing rehabilitation, public service programs, and economic development that benefits persons of low to moderate income. She said that the HOME program provides down payment assistance for home buyers as well as funding for new housing and housing rehabilitation. ESG eligible activities include rapid re-housing, homelessness prevention, street outreach and emergency shelter operations.

Dr. Bhatti referenced Objective d. in the agenda packet, "*maintain at current levels the number of public and assisted housing units available to low and moderate-income households*" to ask if the department will only maintain current levels or if there is the opportunity to increase the number of these housing units.

Mr. Hovey asked if the number of housing units would ever decrease based on funding. Ms. Kimmel answered that that would only happen through demolition. Ms. Kimmel added that of the main three programs under the Community Development Block Grant (CDBG), funding for blight removal decreased slightly while funding for homeowner housing rehabilitation and for rental unit rehabilitation had increased slightly.

Mr. Hovey asked if the recent news about CDBG funds being administered by the Michigan State Housing Development Authority would affect Lansing. Ms. Kimmel replied no since

these funds are directly from the federal government and that state changes will not affect this funding for entitlement communities.

Dr. Bhatti asked if all funds for down payment assistance were used last year. Ms. Kimmel answered that they were not and that the remainder was rolled over to this year.

Mr. Hovey opened the public hearing.

Susan Cancro, Advent House Ministries, spoke in favor of the proposed funding allocations and remarked on how her organization has utilized funds to accomplish their goals.

Karalyn Grimes, 517 Can't Wait, spoke on 517 Can't Wait's 10-point plan and urged the city to increase funding for unhoused programs.

Nancy Oliver, Holy Cross New Hope Community Center, spoke in favor of the proposed funding allocations and asked if there is a plan to increase funding broadly across the program. With Board consent, Ms. Kimmel answered that there are actually two funding allocations that the city receives and spoke briefly about HOME-ARP funds.

Seeing no one else wishing to speak, Mr. Hovey closed the public hearing.

5. COMMENTS FROM THE AUDIENCE – None

6. RECESS – Not taken

7. BUSINESS

A. Consent Items

(1) Minutes for approval: December 6, 2022

The minutes from the December 6, 2022 Planning Board meeting were approved without objection.

B. Old Business – None

C. New Business

(1) City of Lansing Annual Action Plan, FY 2023 – 2024 Proposed Funding Allocations

Mr. Jackson made a motion, seconded by Ms. Alexander, to approve City of Lansing Annual Action Plan, FY 2023 – 2024 Proposed Funding Allocations. On a voice vote the motion passed unanimously (4-0)

(2) Code of Ordinances, Chapter 1212, renaming of “Planning Board” to “Planning Commission”.

Mr. Fedewa reminded members of Mr. Morgan's effort to align this body more with the Michigan Planning Enabling Act, specifically, Article II, 125.3811, Section. 11. (1), which reads in part “... *The planning commission of a local unit of government shall be officially called "the planning commission", even if a charter, ordinance, or resolution uses a different name such as "plan board" or "planning board"*. Like all planning related cases the Committee on Development and Planning has requested that the Planning Board make a formal vote on the matter before Council action.

Mr. Jackson made a motion, seconded by Dr. Bhatti, to recommend approval of Code of Ordinances, Chapter 1212, renaming of “Planning Board” to “Planning Commission”. On a voice vote the motion passed unanimously (4-0)

- (3) Selection of Chairperson, Vice-Chairperson, and Board of Zoning Appeals Representative.

With three members absent the Board debated postponing the votes.

Ms. Alexander made a motion, seconded by Dr. Bhatti, to table selection of Selection of Chairperson, Vice-Chairperson, and Board of Zoning Appeals Representative until the next regular meeting. On a voice vote the motion passed unanimously (4-0)

8. REPORT FROM PLANNING MANAGER

Mr. Fedewa introduced Stephen Bezold who recently joined the Economic Development and Planning Department as a Planner.

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 6:51 p.m.

Act-1-2023, Right of Way Easements, Red Cedar Development - 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 Article 5, Section 5-602 of the Lansing City Charter.

APPLICANT	Continental/Ferguson Lansing LLC
PROPOSAL:	To formalize easements for encroachments into the E Michigan Ave. right-of-way for public use and access, as part of the Red Cedar Development.
PARCEL(S):	Red Cedar Development PID # 33-01-01-14-426-006 (aka 3108 – 3140 E Michigan Ave) PID # 33-01-01-14-426-008 (3150 – 3170 E Michigan Ave.) PID # 33-01-01-14-426-003 (3204 – 3215 E Michigan Ave.)
CURRENT OWNER(S):	Continental/Ferguson Lansing LLC
EXISTING LAND USE & ZONING:	Use: Mixed-use development; ROW, Zoning: MX-2
PROPERTY SIZE AND SHAPE:	Multiple
SURROUNDING ZONING & LAND USE	North: MX-2, commercial shopping center South: MX-2, Parks and Recreation property West: MX-2, apartment, senior housing East: n/a, East Lansing

ANALYSIS

BACKGROUND:

Continental/Ferguson Lansing LLC is proposing to formalize easements for multiple forms of encroachments into the City's E Michigan Ave. right-of-way across multiple parcels as part of its overall the Red Cedar Development. Temporary licenses were granted to allow for these encroachments, and they have already been built and/or installed. More information is detailed under the 'Extent' section. At this time the Planning Office does not have a copy of the temporary license agreements.

April 5, 2022 the Planning Board reviewed and recommended approval of Act-4-2022, the dedication of parcels created for streets within the Red Cedar Development to the City.

LOCATION:

The Red Cedar Development is along the 3100 block of E Michigan Ave., south of the Frandor Shopping Center, previously known as the Red Cedar Golf Course. A portion of the easterly part of the new Red Cedar Parkway lies within the USGS defined floodway. Please see Exhibit A for the parcel diagram.

CHARACTER:

Please note that the building developments have already been installed through previous temporary licenses. The proposed easements are connected to buildings within the Red Cedar Development but extend into rights-of-way through different forms such as patios, ramps, stairs, retaining walls, building footings, and roof overhangs. By virtue of the easements relating to building footings, most of the relevant work is buried underground and not seen. Please see Exhibit B for the encroachment diagrams.

EXTENT:

The following is taken from Exhibit C to detail the extent of the easements:

- **Retail / Market Rate Apartments (3108 – 3140 E. Michigan Ave.) (Parcel # 33-01-01-14-426-006)**
Michigan Ave.: Patios, ramps, stairs and retaining walls 17.76' into ROW, footing 19.85' into ROW
- **Hotels / Restaurant (3150 – 3170 E. Michigan Ave.) (Parcel # 33-01-01-14-426-008)**
Michigan Ave.: Building 0.30' into ROW, footings 2.73' into ROW. Patios, stairs and retaining walls 16.15' into ROW, footings 16.65' into ROW
- **Student Housing - Building A (155 Cascade Blvd.) and Retail (3204 – 3214 Michigan Ave.) (Parcel # 33-01-01-14-426-003)**
Michigan Ave.: Patios, ramps, stairs and retaining walls 13.88' into ROW, footings 16.07' into ROW

AGENCY REFERRALS

Lansing Board of Water and Light (BWL)

- No comment received.

Public Service Department: [Dan Danke, Project Engineer]

In June of 2021, Public Service issued a permit to the Red Cedar Development for the construction of the stairs/ramps in the public ROW of Michigan Avenue. Several things to note:

- Red Cedar Development or its successor is to be responsible for the removal of the encroachments if the building is removed.

Act-1-2023, Right of Way Easements, Red Cedar Development - STAFF REPORT

- If the building is removed, a reverter clause to return the property to public ROW should be considered.
- Michigan Building Code allows minor encroachments into the public right-of-way for building foundations and overhangs. Some of the encroachments in Act-1-2023 appear to exceed what is allowed under Code. A Code Official needs to make the final determination on what encroachments are allowed under Michigan Building Code.
- Act 1-2023 should cover only right-of way that is currently under the jurisdiction of the City of Lansing. At this time, the following streets are under the jurisdiction of the City of Lansing:
 - Michigan Avenue
 - Clippert Street
 - Red Cedar Parkway from Cascade Boulevard to Reniger Ct.
 - Cascade Boulevard except the southeast quadrant.
- Unless there is a requirement in the development agreement, the right-of-way for streets not yet accepted by the City (parts of Red Cedar Parkway, parts of Cascade Boulevard, Dori Lane, Josephine Way) should be adjusted to exclude the encroachments when the streets are accepted.
- Utilities under the encroachments should have been relocated per the ROW permit. If these utilities have not been relocated, an easement for them may be required.

Building Safety Office:

- No objection.

Development Office

- No comment received.

Lansing Fire Department:

- No comment received.

Parks and Recreation Department:

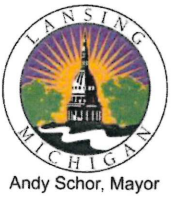
- No objection.

STAFF RECOMMENDATION

Staff recommends approval of Act-1-2023 as proposed, to formalize the previously agreed upon temporary licenses for building right of way encroachments.

- All outstanding work items shall be executed prior to easements being finalized, subject to review and approval as to form by the City Attorney.

Respectfully submitted,
Andy Fedewa, Planner



ACT 33 REVIEW APPLICATION

CITY OF LANSING
PLANNING OFFICE

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

FILE NUMBER: ACT- _____

DATE SUBMITTED: _____

Applicant: Continental/Ferguson Lansing, LLCAddress (including zip code): 150 E. Broad St., #500, Columbus, OH 43215Phone number: 614-883-1007

Fax number: _____

Email: jhockstok@continental-realestate.com**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): Same

Address (including zip code): _____

Phone number(s): _____

Fax number: _____ Email: _____

SUBJECT PROPERTY GENERAL INFORMATION:Address (if any): 3108 - 3140, 3150 - 3170, and 3204 - 3214 E. Michigan Ave., 155 and 210 Cascade Blvd., and Josephine WayLocation description: See attachedPermanent parcel #: 33-01-01-14-426-003, 33-01-01-14-426-006, 33-01-01-14-426-008, and 33-01-01-14-426-010Legal description (see note below): See attachedApplicant's proposal: Permanent approval of temporary licensed encroachments into the public road right-of-ways.

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: Approval of building, patios, and ramps into right-of-ways

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

Approval allows buildings (above floodplain) to be placed as shown on the site plan with pedestrian access from grade level of roadways (below floodplain). Temporary licenses were granted previously.

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

Encroachments have been built under temporary licenses and would be in non-compliance if not approved.

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

The encroachments are built, therefore 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.

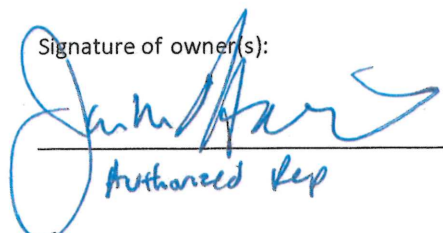
FEES:

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

Signature of applicant:

 / 02/20/23
Date

Signature of owner(s):

 / 02/20/23
Date

Authorized Rep

Date

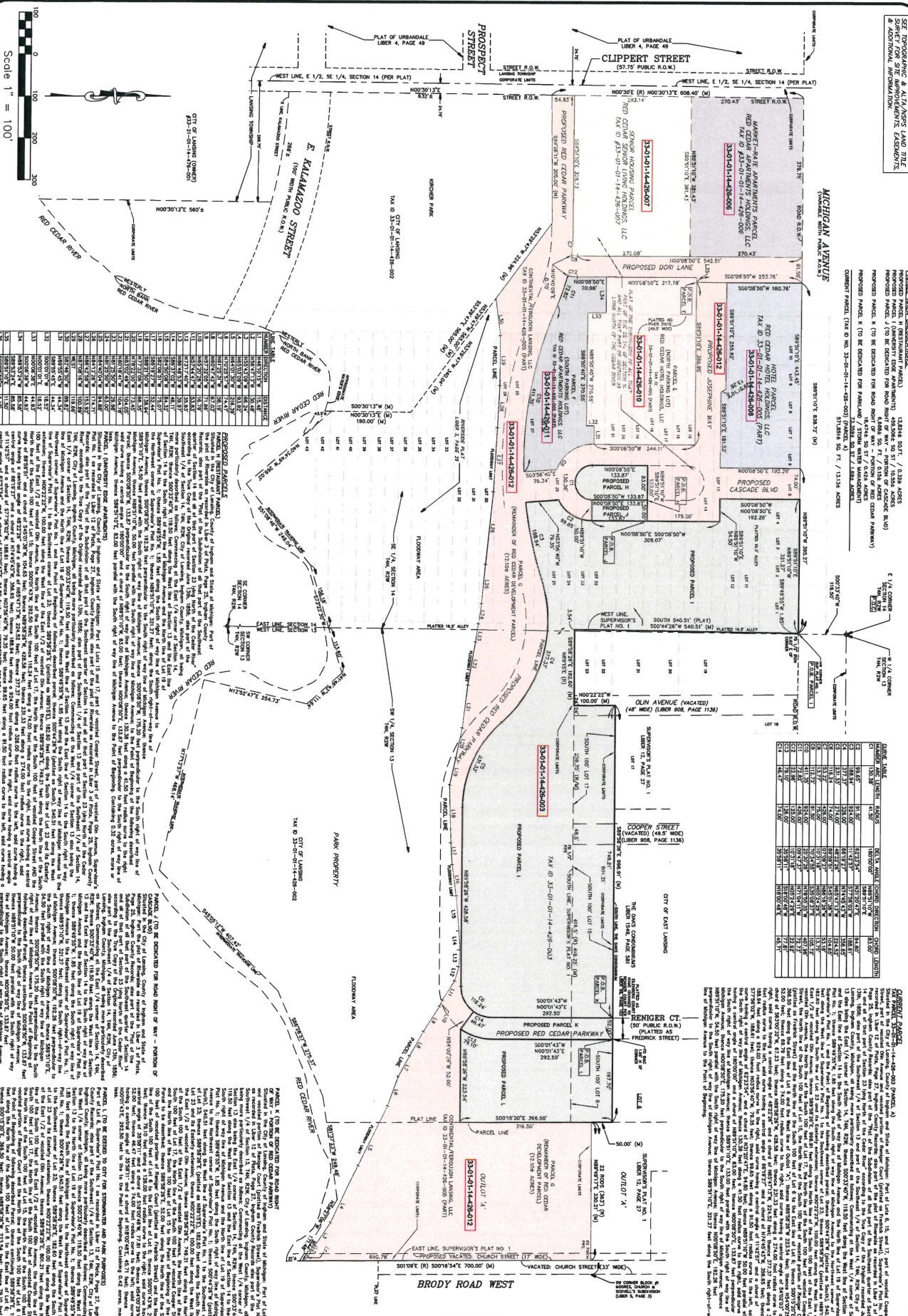
Date

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



PROPOSED LAND DIVISION-6
FOR
RED CEDAR DEVELOPMENT PROPERTY
MICHIGAN AVENUE & CLIPPER STREET
LANSING, MICHIGAN

PREPARED FOR:
CONTINENTAL / FERGUSON
LANSING, LLC
150 E. BROAD STREET, SUITE 200
COLUMBUS, OHIO 43215

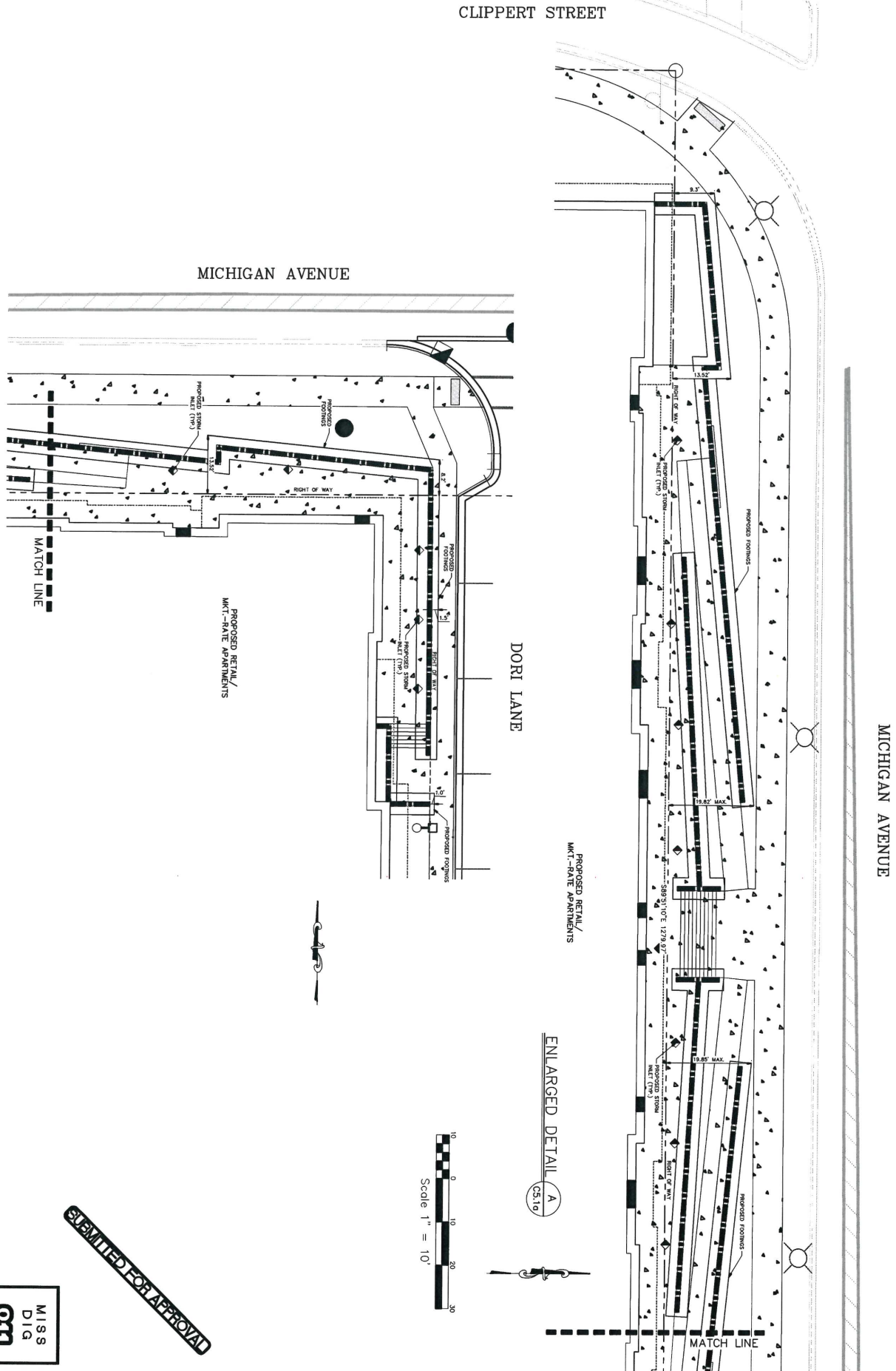
3125 PINE TREE ROAD
LANSING, MI 48211
TEL: (313) 353-2608
WWW.CFL-LLC.COM

2022 LAND DIVISION-6
DRAWN BY: WFF
CHECKED BY: WFF
DATE: 4/27/2022
SCALE: 1"=100'
PROJECT NO: 1062
SHEET NO: 1 OF 1

LSG
Engineers & Surveyors

REVISIONS

NO.	DATE	DESCRIPTION
1	4/27/2022	REVISED PARCELS 1 & 2 - ADDED PARCELS 1 & 2
2	4/27/2022	REVISED PARCELS 1 & 2 - ADDED PARCELS 1 & 2



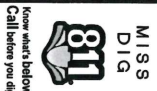
ENLARGED DETAIL
B

CS.10

ENLARGED DETAIL
A

CS.10

SUBMITTED FOR APPROVAL



**SITE PLAN - MARKET-RATE APARTMENTS
AND SENIOR HOUSING ENLARGED DETAIL**
FOR
RED CEDAR DEVELOPMENT
MICHIGAN AVENUE AND CLIPPERT STREET
LANSING, MICHIGAN

PREPARED FOR:
CONTINENTAL/FERGUSON LANSING, LLC
CONTINENTAL REAL ESTATE COMPANIES
150 EAST BROAD STREET #600
COLUMBUS, OHIO 43215
FERGUSON DEVELOPMENT LLC
1223 NORTH TURNER STREET
LANSING, MICHIGAN 48206

3135 ONE TREE ROAD
SUITE 200
LANSING, MI 48206
PHONE (313) 361-2611
FAX (313) 361-2608
WWW.FERGUSON-LLC.COM

LSG
Engineers
& Surveyors

NO.	REVISION/SUBMITTALS

PROJECT NO. 1062
SHEET NO. CS.10

DORI LANE

MICHIGAN AVENUE

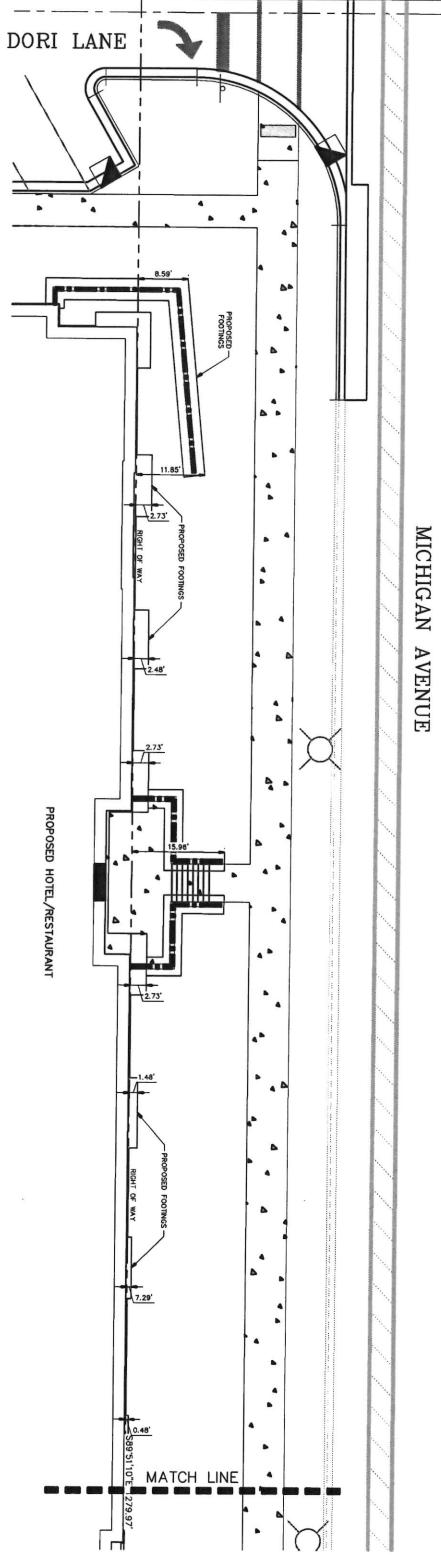
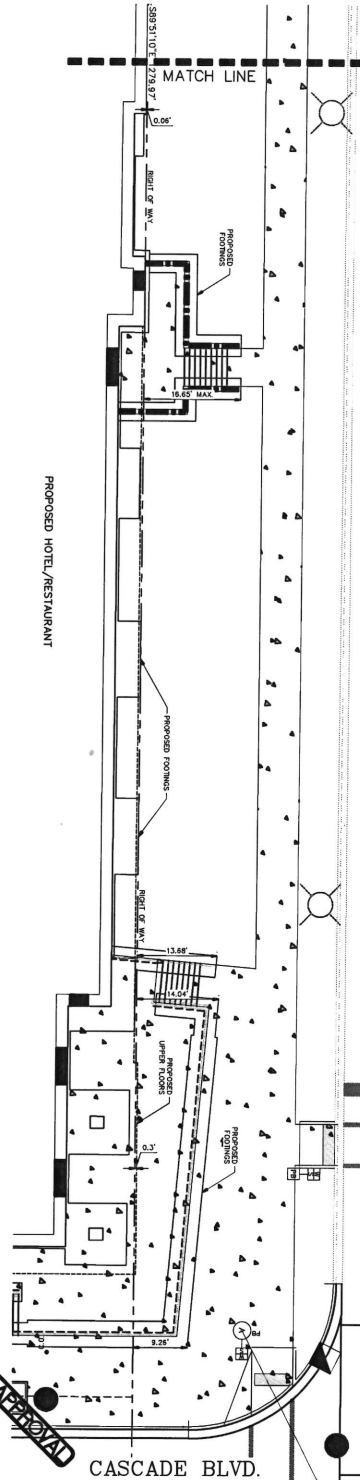
MICHIGAN AVENUE

PROPOSED HOTEL/RESTAURANT

PROPOSED HOTEL/RESTAURANT

ENLARGED DETAIL A
CS-2a

ENLARGED DETAIL B
CS-2a



Scale 1" = 10'

MISS DIG
811
Know what's below.
Call before you dig.

**SITE PLAN - HOTEL AND PARKING LOT
ENLARGED DETAIL**
FOR
RED CEDAR DEVELOPMENT
MICHIGAN AVENUE AND CLIPPERT STREET
LANSING, MICHIGAN

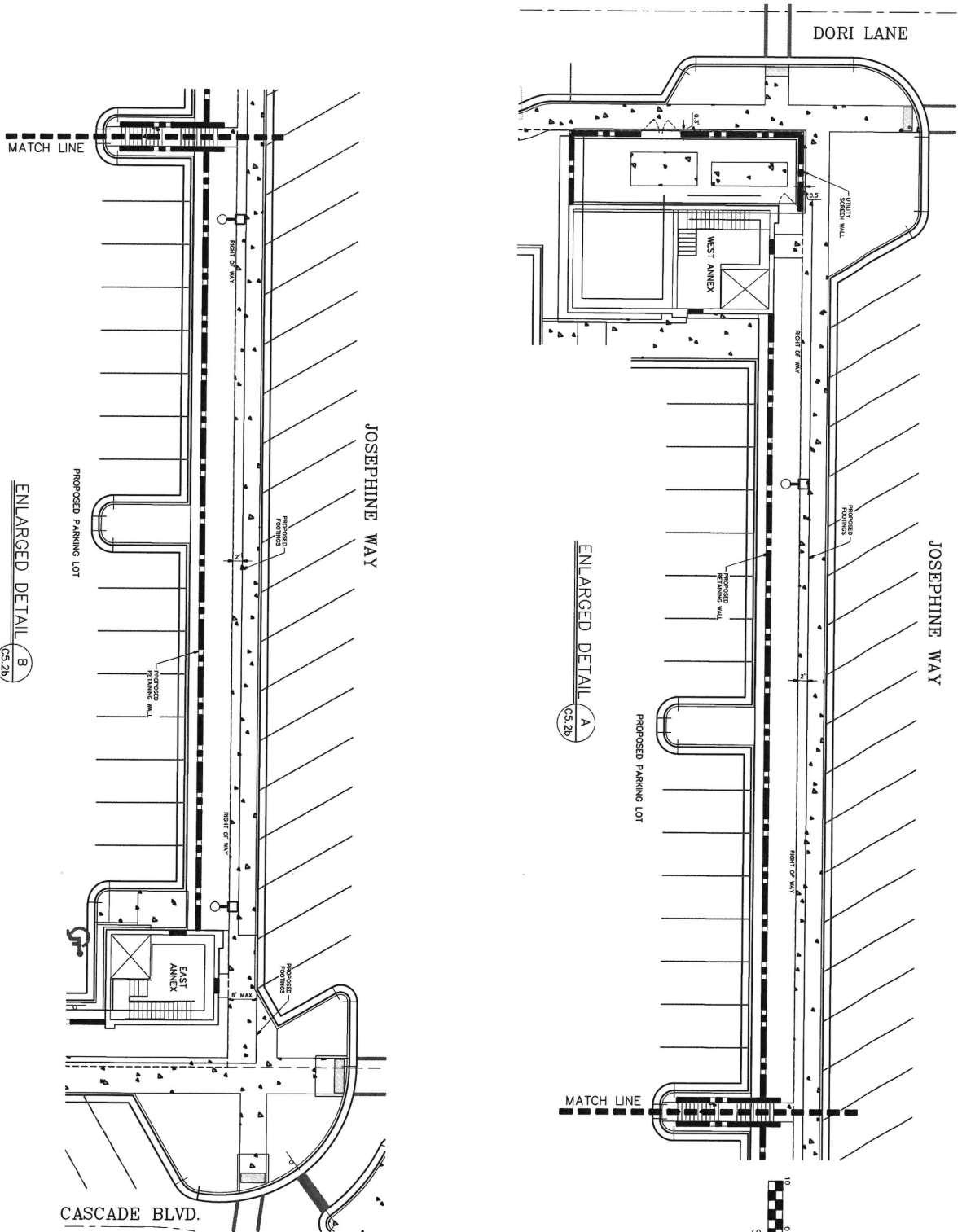
Prepared For:
CONTINENTAL/FERGUSON LANSING, LLC
CONTINENTAL REAL ESTATE COMPANIES
150 EAST BROAD STREET #600
COLUMBUS, OHIO 43215
TEL: 614-441-1100
FERGUSON DEVELOPMENT LLC
1223 NORTH TURNER STREET
LANSING, MICHIGAN 48906

3135 PINE TREE ROAD
LANSING, MI 48911
TEL: (313) 381-5600
FAX: (313) 381-5606
www.lsg-engineers.com

LSC
Engineers
& Surveyors

DATE	REVISION/SUBMITTALS

PROJECT NO.	1062
SHEET NO.	CS-2a
DATE	2/21/2023
BY	SHANNON PAGE
CHECKED BY	
APPROVED BY	
DATE	
SCALE	AS SHOWN
PROJECT	1062
SHEET	CS-2a



ENLARGED DETAIL B
CS.2b

ENLARGED DETAIL A
CS.2b

SUBMITTED FOR APPROVAL



**SITE PLAN - HOTEL AND PARKING LOT
ENLARGED DETAIL**
FOR
RED CEDAR DEVELOPMENT
MICHIGAN AVENUE AND CLIPPERT STREET
LANSING, MICHIGAN

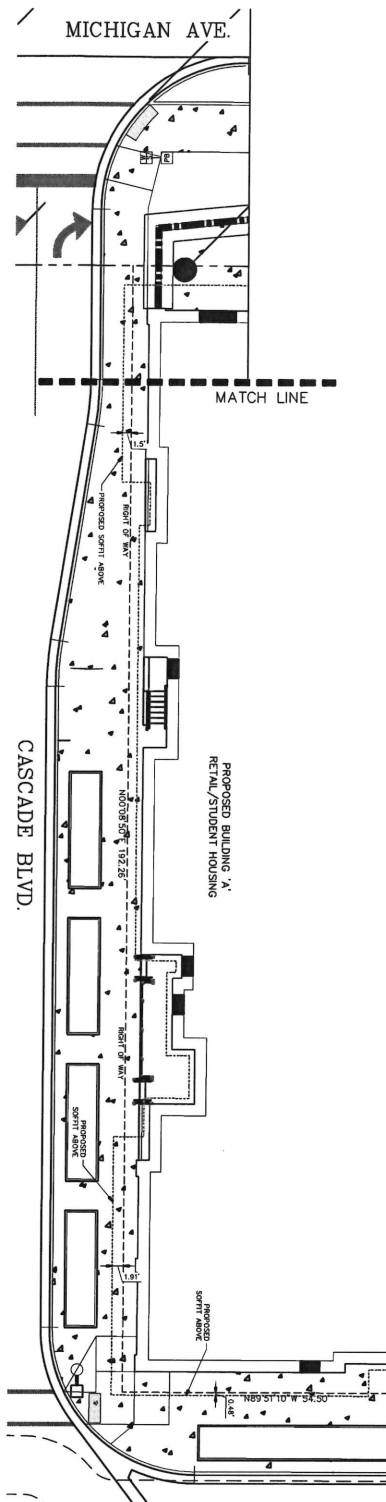
CONTINENTAL/FERGUSON LANSING, LLC
CONTINENTAL REAL ESTATE COMPANIES
150 EAST BROAD STREET #500
COLUMBUS, OHIO 43215
TEL: 614.466.8888
FERGUSON DEVELOPMENT LLC
1223 NORTH TURNER STREET
LANSING, MICHIGAN 48206

3135 ONE FINE DRIVE #200
LANSING, MI 48213
TEL: (313) 333-2800
FAX: (313) 333-2808
www.lsg-engineers.com

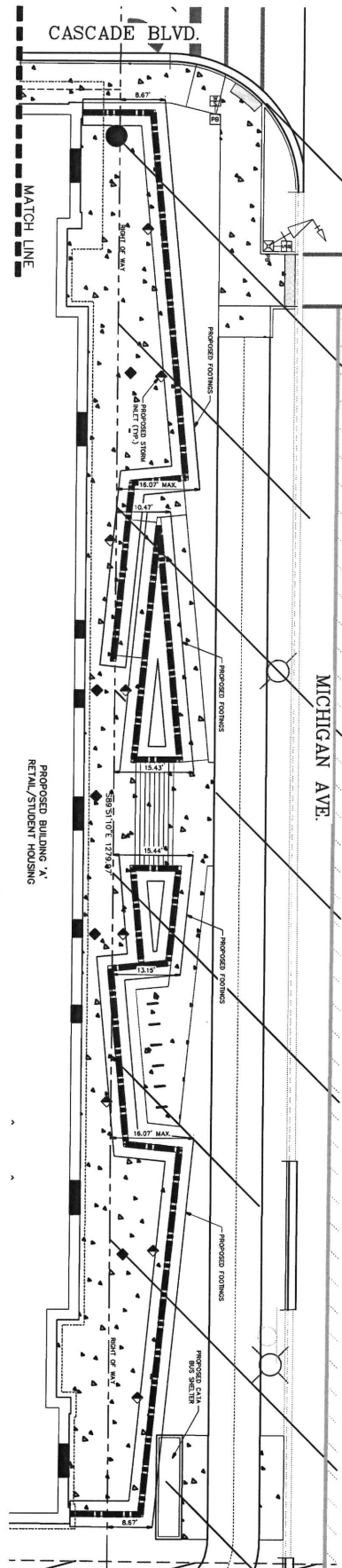
LSE
Engineers
& Surveyors

NO.	REVISION

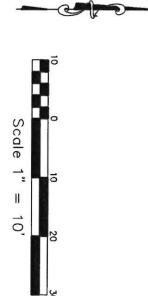
DATE: 8/21/2023
DRAWN BY: [redacted]
CHECKED BY: [redacted]
SCALE: 1" = 10'
SHEET NO.: 1062
SHEET TOTAL: CS.2b



ENLARGED DETAIL B
CS-3a



ENLARGED DETAIL A
CS-3a



SUBMITTED FOR APPROVAL



SITE PLAN - STUDENT HOUSING BUILDING 'A' PATIO
ENLARGED DETAIL
FOR
RED CEDAR DEVELOPMENT
MICHIGAN AVENUE AND CLIPPERT STREET
LANSING, MICHIGAN

DESIGNED FOR
CONTINENTAL/FERGUSON LANSING, LLC
CONTINENTAL REAL ESTATE COMPANIES
150 EAST BROAD STREET #600
COLUMBUS, OHIO 43215
PH: 614.845.8000
FERGUSON DEVELOPMENT LLC
1223 NORTH TURNER STREET
LANSING, MICHIGAN 48206

3135 ONE TREE ROAD
SUITE 200
LANSING, MI 48206
PH: (313) 355-2800
FAX: (313) 355-2808
www.lsg-engineers.com

LSG
Engineers
& Surveyors

DATE	BY	REVISION

PROJECT NO.	1062
SHEET NO.	CS-3a
DATE	8/21/2023
SCALE	1" = 10'
DESIGNED BY	JLA
CHECKED BY	JLA
APPROVED BY	JLA
DATE	8/21/2023



3135 Pine Tree Road, Suite D
Lansing, MI 48911

517.393.2902
peagroup.com

February 21, 2023

RED CEDAR DEVELOPMENT

ACT 33 LIST

Project History

Continental/Ferguson Lansing LLC entered into a real estate purchase and development agreement with the City of Lansing for the former Red Cedar Golf Course property. The property was rezoned from A Residential to E-1 Apartment Shop District in March 2016. The original site plan submittal under the former Zoning Code occurred in August 2019 with the most recent resubmittal occurring in March 2021 which has been conditionally approved.

Current Zoning

The City of Lansing adopted a form-based code that took effect on May 1, 2021 which has been updated effective January 1, 2022. The entire Red Cedar Development property is zoned MX-2 Mixed-Use Community Center.

The following is a list of Act 33 approvals requested for each parcel:

Retail / Market Rate Apartments (3108 – 3140 E. Michigan Ave.) (Parcel # 33-01-01-14-426-006)

Michigan Ave.: Patios, ramps, stairs and retaining walls 17.76' into ROW, footing 19.85' into ROW – **Act 33 approval required.**

Dori Ln.: Patios, stairs and retaining walls footings 1.50' into ROW – **Act 33 approval required.**

Hotels / Restaurant (3150 – 3170 E. Michigan Ave.) (Parcel # 33-01-01-14-426-008)

Michigan Ave.: Building 0.30' into ROW, footings 2.73' into ROW - **Act 33 approval required.**
Patios, stairs and retaining walls 16.15' into ROW, footings 16.65' into ROW - **Act 33 approval required.**

Student Housing

Building A (155 Cascade Blvd.) and Retail (3204 – 3214 Michigan Ave.) (Parcel # 33-01-01-14-426-003)

Michigan Ave.: Patios, ramps, stairs and retaining walls 13.88' into ROW, footings 16.07' into ROW - **Act 33 approval required.**

Cascade Blvd.: Roof overhang 1.91' into ROW - **Act 33 approval required.**

Old Bag of Nails Restaurant (210 Cascade Blvd.) (To be split from Parcel # 33-01-01-14-426-003)

Cascade Blvd.: Edge of roof 1.58' into ROW, footings 0.92' into ROW - **Act 33 approval required.**

Lower-Level Parking Northern Parcel (Hotel Parking) (Parcel # 33-01-01-14-426-010)

West Annex and Utility Screen Wall

Josephine Way: Footing 0.50' into ROW - **Act 33 approval required.**
Dori Ln.: Footing 0.30' into ROW - **Act 33 approval required.**

East Annex

Josephine Way: Footing 6.00' into ROW - **Act 33 approval required.**

Retaining Wall

Josephine Way: Footing 2.00' into ROW - **Act 33 approval required.**

Let me know if you have any questions or if you need anything else. Thank you.

Sincerely,

PEA Group

A handwritten signature in blue ink, appearing to read "E. A. Iversen", with a long horizontal stroke extending to the right.

Eric A. Iversen, PE
Senior Project Manager

Act-2-2023, Purchase of Property, S Washington Ave - 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
PROPOSAL:	Purchase of Real Property, parts of 501 S Capitol Ave. and 520 S Washington Ave.
PARCEL(S):	Parts of 501 S Capitol Ave. - PID # 33-01-01-16-381-005 & 520 S Washington Ave. - PID #33-01-01-16-381-007
CURRENT OWNER(S):	-005: 502 Block LLC -007: 500 S Washington LLC
EXISTING LAND USE & ZONING:	Use: Vacant, off-street surface parking, Zoning: DT-3
PROPERTY SIZE AND SHAPE:	~168.5' x 263.34', 0.91 acres, rectangular
SURROUNDING ZONING & LAND USE	North: DT-3; office, parking South: DT-3, office, parking West: DT-3, office, parking East: DT-3, office, parking

ANALYSIS

BACKGROUND:

The City of Lansing and the Public Media Center propose to purchase portions of two parcels to facilitate the building of a new music venue and media center downtown. Arts, cultural, and entertainment initiatives are part of numerous economic development, neighborhood, placemaking, and district development goals in the 2012 *Design Lansing* Comprehensive Plan. A venue and media center could play a part in multiple different efforts and would help implement specifically:

- Maximize synergy between downtown and the Capitol Complex,
- Promote Lansing as a regional center for arts/culture,
- Enhance Lansing's competitiveness by focusing quality of life and placemaking efforts on arts and culture,
- Promote compatible infill and renovation [Downtown], and
- Build a wide array of arts and cultural venues;

Act-2-2023, Purchase of Property, S Washington Ave - STAFF REPORT

[The following has been taken from numerous public news sources]: It has been reported that the music venue will be a two-story, 50,852-square-foot facility, built on approximately 0.91 acres of vacant property. The box-style concert venue would hold 1,400 seats or 2,000 standing concertgoers and fill a mid-sized hole in the local arts and entertainment market. The project team was planning for groundbreaking to take place during spring 2023, with opening day set for fall 2024. The existing building on 520 S Washington Ave. will be adaptively reused to house the Public Media Center facilities.

[The following has been taken from numerous public news sources]: The last reported estimated costs were at \$17.5 million, which are expected to be covered by: \$2 million in direct State of Michigan funding, and other bonding, grant, and fundraising efforts. The City will be developing the center with a local property developer and an ownership model has yet to be finalized.

Both subject parcels are currently owned by the same ownership group under two different LLCs. The agreed upon purchase price is not yet public. A purchase agreement will be reviewed by the City Council.

LOCATION:

The subject property is at the northeast corner of the block bordered by W Lenawee St. (N), S Washington Ave. (E), W Hillsdale St. (S), and S Capitol Ave (W). Please see Exhibit A for parcel layout.

CHARACTER:

The subject property has long been vacant, off-street parking. However, this block has been through redevelopment efforts since the former Lake Trust Credit Union building was vacated. That main building at 501 S Capitol Ave. is being converted to mixed-use and apartments, while a new apartment building to the south is currently being built. The new venue and media center at the northeast corner would add to the complete transformation of this block from underutilized surface parking lots to a dynamic part of the downtown with new uses, over 150 new dwelling units, and new entertainment options.

EXTENT:

The extent of the acquisition is portions of two parcels, roughly 0.91 acres which would facilitate the building of a new venue and media center with a capacity of 1,400 seats / 2,000 standing, multiple rooms for rent, and the headquarters for the Public Media Center. Specific questions about the building layout will have to be directed to the Public Media Center.

AGENCY REFERRALS

Lansing Board of Water and Light (BWL)

- No comment received.

Lansing Economic Development Corporation (LEDC)

- No comment received.

Public Service Department:

[Public Service Engineering comments]

- Sewer separation is scheduled for Washington Avenue in 2029.
- Lenawee Street is scheduled for sewer separation in 2034.
- Sewer connection for both storm and sanitary should be to the combined sewers in Washington Avenue. The 6" combined sewer in Lenawee Street is inadequate for any sewer connection.
- Washington Avenue is a 4- lane cross-section with angled parking. It was last paved in 2009 and currently has a PASER rating of 3. It is a Major Street for ACT 51 purposes. Its pavement structure is HMA over brick. It is likely that when Washington Avenue is next constructed it will be given a road diet. As a major street, this may result in the angled parking being replaced with parallel parking.
- Lenawee Street is a 2-lane cross section with parallel parking on both sides. It was last paved in 2019 and currently has a PASER Rating of 6. It is a Local street for ACT 51 purposes. Its pavement structure is HMA over concrete.

Development Office

- No objection, supportive of purchase.

Building Safety Office:

- No objection.

Lansing Fire Department:

- No comment received.

Parks and Recreation Department:

- No objection.

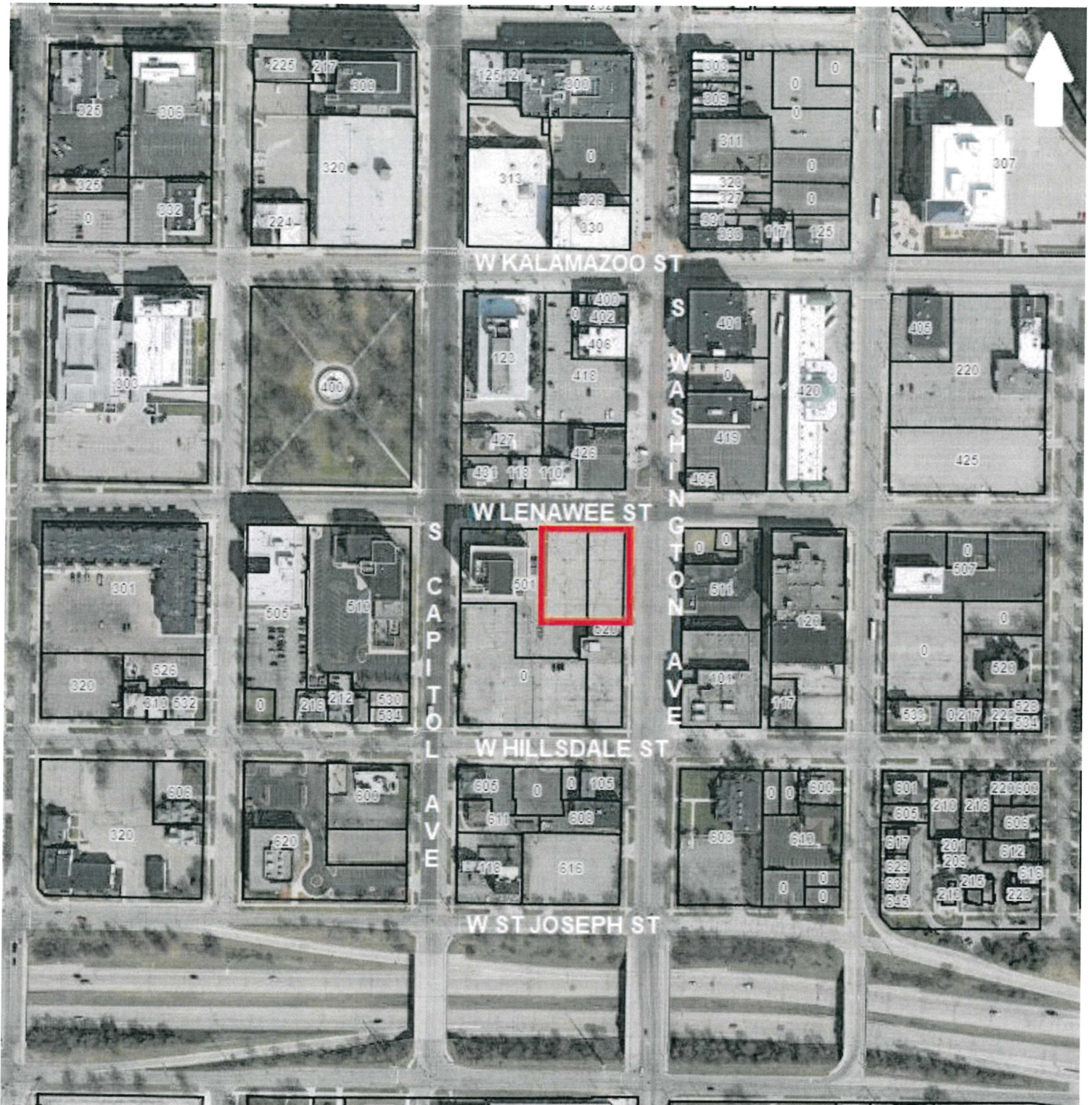
STAFF RECOMMENDATION

Staff recommends approval of Act-2-2023 as proposed, to support the goals of the City of Lansing and the Comprehensive Plan.

Respectfully submitted,
Andy Fedewa, Planner

Act-2-2023, Purchase of Property, S Washington Ave - STAFF REPORT

AERIAL



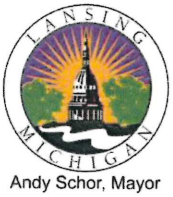
Act-2-2023, Purchase of Property, S Washington Ave - STAFF REPORT

ZONING



EXHIBIT A – PARCEL LAYOUT





ACT 33 REVIEW APPLICATION

CITY OF LANSING
PLANNING OFFICE

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

FILE NUMBER: ACT-_____

DATE SUBMITTED: _____

Applicant: City of Lansing

Address (including zip code): 124 W. Michigan Ave.

Phone number: _____

Fax number: _____

Email: gregory.venker@lansingmi.gov

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): 500 S. Washington LLC

Address (including zip code): _____

Phone number(s): _____

Fax number: _____

Email: _____

SUBJECT PROPERTY GENERAL INFORMATION:

Address (if any): _____

Location description: NE Corner of Lenawee and South Washington

Permanent parcel #: Pending

Legal description (see note below): See attached

Applicant's proposal: City would like to acquire site for construction and operation of Performing Arts Venue and Lansing Public Media Center.

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?

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

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

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.