

AGENDA

Committee on Development and Planning AGENDA FOR APRIL 5, 2023 AT 4:00 PM



Lansing City Hall, City Council Conference Room
124 W. Michigan Avenue, 10th Floor

To provide input or ask questions on any item that is listed on the agenda,
members of the public may contact the City Council at city.council@lansingmi.gov or (517) 483-4177 prior to the meeting.

Council Member Spitzley, Chairperson
Council Member Brown, Vice Chairperson
Council Member Garza, Member

- 1. Call to Order**
- 2. Roll Call**
- 3. Minutes**
 - A. March 15, 2023
- 4. Public Comment on Agenda Items (Up to 3 Minutes)**
- 5. Presentations:**
 - B. Tri-County Regional Planning Commission Audits and Financial Statements
- 6. Discussion/Action:**
 - C. RESOLUTION - Act-1-2023; East Michigan Avenue, Right of Way Easements
 - D. RESOLUTION - LS-4-2023; Lot Split Application for 4512 & 4524 Ingham Street
 - E. RESOLUTION - LS-7-2023; Lot Split Application for 4720 Ballard Road
 - F. RESOLUTION - Introduction and Set a Public Hearing; Z-1-2023; 4111 Aurelius Road, MX-1, Neighborhood Mixed-Use Center to R-2, Suburban Detached Residential District
 - G. RESOLUTION - Introduction and Set a Public Hearing; Z-3-2023; 818, 820, 908, 914, May Street, 817, 821, 823, 827, 843 & 903 E. Saginaw Street, 711, 713, 714, 0, 717, 718, 0, 721, 722, 723, 724, 725, 727, East Park Terrace, 709, 713, 714, 718, 717, 721, 722, 725, 729 Quaker Court, and 711, 715, 721, 727 & 737 N. Pennsylvania Avenue , Rezoning from "R-MX" Residential Mix to "DT-2" Urban Flex District
 - H. RESOLUTION - Set a Public Hearing; SLU-1-2023; Special Land Use Permit, 109 E. Randolph Street
- 7. Other**
- 8. Adjourn**

Persons with disabilities who need an accommodation to fully participate in these meetings should contact the City Council Office at 517-483-4177 (TTY 711) 24 hour notice may be needed for certain accommodations. An attempt will be made to grant all reasonable accommodation requests.

DRAFT



MINUTES
Committee on Development and Planning
Wednesday, March 15, 2023 @ 4:00 p.m.
City Council Conference Room

CALL TO ORDER

Council Member Spitzley called the meeting to order at 4:00 p.m.

PRESENT

Council Member Spitzley, Chair

Council Member Brown, Vice-Chair -arrived at 4:02 p.m.

Council Member Garza, Member – left the meeting at 4:33 p.m.

OTHERS PRESENT

Sherrie Boak, Council Office Manager

Lisa Hagen-Lawrence, OCA

Greg Venker, OCA

Barb Kimmel, EDP

Kris Klein, LEDC

Cathleen Edgerly, DLI

Julie Reinhardt, DLI

Ashlee Willis, DLI

Brad Krabel, Consumers Energy

Jessica Tramortara, Consumers Energy

Taylor Master, Consumers Energy

MINUTES

MOTION BY COUNCIL MEMBER GARZA TO APPROVE THE FEBRUARY 15, 2023 MINUTES AS PRESENTED. MOTION CARRIED 2-0.

Public Comment

No public comment on this time.

Presentations

Downtown Lansing Inc

Ms. Reinhardt, Ms. Willis and Ms. Cathleen Edgerly went through the comprehensive market analysis noting and expected deliverable the end of June. Council Member Spitzley asked those deliverables to be provided to the full Council. Ms. Edgerly highlighted the project data for downtown, REO Town and Old Town. Ms. Willis state that when the study is done, it will be in a language that the community can understand. Ms. Edgerly stated they have awarded \$840,000 but not fully expended to 22 businesses in the downtown district. The business development

team is working on how to maintain, have been strategic in recruiting, and reducing the vacancy rate. Ms. Reinhardt spoke on the work they did on reducing the vacancy rate and the Middle Village Retail Market. In addition to that incubator, in April they will be announcing an incubator program which was part of a recent grant. Council Member Brown distributed flyers on lifting up local entrepreneurs and on building the future that was provided earlier in the meeting to Committee chairperson. Ms. Edgerly informed the Committee of the upcoming State of Downtown and stated she would send an invite.

Council Member Brown asked about the entrepreneur work they are doing. Ms. Reinhardt spoke on a few of the resources that are helping the businesses succeed. They have developed a small business training program that meets monthly to help grow the small business; banking, classes, retail purchasing and social media marketing. Ms. Edgerly noted that when Middle Village businesses decide to move out, they continue to receive 2 years of training. Ms. Reinhardt added that this year they have also received a one year membership with chamber. Council Member Brown asked what challenges they are facing with entrepreneurs. Ms. Reinhardt stated they continue to work on services and opportunities. Ms. Edgerly highlighted the challenges with the population downtown and admit they are at the beginning of a 10 year road of growth. Council Member Brown asked about the rental rate. Ms. Reinhardt acknowledged the landlords on addressing the rental rates and the work they have done with the area. Ms. Edgerly concluded by stating there are still challenges ahead and perception to change.

Council Member Spitzley asked Council Member Garza (Council Vice President) about having DLI to the COW meeting on April 24, 2023 to provide an update.

Discussion/Action

RESOLUTION – Introduction and Setting a Public Hearing; Ordinance to Increase the number of members to the Principal Shopping District Board dba Downtown Lansing Inc.

Ms. Edgerly explained the reason for the request noted that there has usually been eight (8) members, so by increasing there will be an odd number on the board and the work of the board can be done without tie votes. This would increase to nine (9) members, which includes members from downtown residents and businesses.

Council Member Brown stated that his choice would be to change the DLI Board to have a member from each Ward and the remaining At Large members. Mr. Venker explained that the Board is established by State Statue, at least five (5) have to be representatives from businesses in the location of the DLI Districts and others have to be residents of the residential area adjacent to the DLI Districts. Council Member Brown reiterated that he believed there should be representatives from all Wards since every resident in Lansing comes downtown.

MOTION BY COUNCIL MEMBER BROWN TO APPROVE THE RESOLUTION TO SET THE HEARING FOR THE AMENDMENT TO THE ORDINANCE TO INCREASE THE NUMBER OF MEMBERS OF THE PRINCIPAL SHOPPING DISTRICT BOARD (DLI) FOR APRIL 10, 2023.
MOTION CARRIED 3-0.

RESOLUTION – Set a Public Hearing; IDD-01-2023 Industrial Development District; 7000 Canal Rd., Diamondale, Consumers Energy

RESOLUTION – Set a Public Hearing; PPE-1-2023 Personal Property Tax Exemption; 7000 N Canal Road, Diamondale, Consumers Energy

Mr. Klein explained to the Committee that these two requests are for the property in Windsor Township the Council recently took action on, and as part of that 425 there was a discussion with the City at that time for a PPE – Personal Property Tax Exemption. The hearings of these

two request can both be done at the same time, however when action is taken, Council will need to act on the IDD (District) before the PPE.

Council Member Spitzley asked them to present at the public hearing on April 10th to the City Council meeting. She requested any information ahead of time to Council offices so Council has time to review prior to the hearing. As part of the presentation materials she requested the impact on taxes, the impact on the City as a whole, what the need for it is, why they want it, and what the timeline will be. Ms. Tramatora noted that with the PPE, the City of Lansing will receive more taxes than they are currently getting on the property. Mr. Klein summarized that this is a 25 year term, and the City would continue to see the benefit.

MOTION BY COUNCIL MEMBER BROWN TO APPROVE THE RESOLUTION TO SET THE PUBLIC HEARING FOR APRIL 10, 2023 ON THE IDD-01-2023 INDUSTRIAL DEVELOPMENT DISTRICT FOR 7000 N CANAL ROAD. MOTION CARRIED 3-0.

MOTION BY COUNCIL MEMBER BROWN TO APPROVE THE RESOLUTION TO SET THE PUBLIC HEARING FOR APRIL 10, 2023 ON THE PPE-01-2023 PERSONAL PROPERTY TAX EXEMPTION FOR 7000 N CANAL

ORDINANCE – Rename Planning Board to Planning Commission

MOTION BY BROWN TO APPROVE THE ORDINANCE TO AMEND THE PLANNING BOARD TO PLANNING COMMISSION. MOTION CARRIED 3-0.

Council Member Garza left the meeting.

Presentation

Economic Development and Planning Update

Council Member Spitzley acknowledged Ms. Kimmel for her duties as Interim Director for EDP. She then asked Ms. Kimmel to evaluate the size of the Department because Council has a concern with the number of divisions in the department. Ms. Kimmel acknowledged that she has already begun discussions with Ms. Frayer to evaluate the needs and challenges of all divisions, however no decision have been made and but no idea is off the table. The Administration is entertaining a variety of opportunities, one keeping the department together and one splitting into two departments. Council Member Brown asked how long it was established in its current format. Council Member Spitzley stated since Mayor Schor came into office. Ms. Kimmel confirmed that Neighborhoods and Citizen Engagement is its own department already. Council Member Brown asked who was talking about splitting the current department into two departments. Ms. Kimmel confirmed she has been talking to Ms. Frayer and they are thinking of two divisions; one of code and one division of planning. Out of these two divisions, one is looking towards growth and future, and the other is enforcement (code and parking). Council Member Spitzley asked about a timeline for this change, and Ms. Kimmel was not able to provide a timeline. Council Member Spitzley asked for the discussion in Ms. Kimmel's office during this restructuring to include a discussion on privatizing parking, noting that since COVID parking is costing funds, and she does not support \$5 million of ARPA funds to shore up parking. Council Member Spitzley stated at the March 27th Council meeting she will update Council and ask for any suggestions to be provided to Ms. Frayer. Ms. Kimmel acknowledged the interest and stated this restructuring review is just beginning.

Council Member Spitzley mentioned in the Ad Hoc on Homelessness there were discussions on funding and then asked Ms. Kimmel what accounts, programs or grants is the City the fiduciary

for. Ms. Kimmel outlined the MSHDA programs, HUD, EMG, ESG and COC. She summarized the participation of the EDP staff and HRCS staff in those programs and funding.

Adjourn

Adjourned at 4:53 p.m.

Submitted by Sherrie Boak

Recording Secretary, Lansing City Council

Approved by the Committee on



Chris Swope

Lansing City Clerk

March 23, 2023

President and Council Members
10th Floor City Hall
Lansing, MI 48933

Dear President and Council Members:

My office has received and placed on file this document:

[Tri County Regional Planning Commission Financial Statements Year End Sept 2022 \(PDF\)](#)

[Tri County Regional Planning Commission Single Audit Act Year End Sept 2022 \(PDF\)](#)

This document is available for review at the office of the City Clerk or at <http://www.lansingmi.gov/clerk> under the heading of [Public Notices & Documents Placed on File.](#)

Sincerely,

A handwritten signature in black ink that reads "Chris Swope".

Chris Swope, MMC/MiPMC
Lansing City Clerk

Act-1-2023, East Michigan Avenue, Right of Way Easements - 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, East Michigan Avenue, Right of Way Easements - 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, LLC**

Address (including zip code): **150 E. Broad St., #500, Columbus, OH 43215**

Phone 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 Way**

Location description: **See attached**

Permanent parcel #: **33-01-01-14-426-003, 33-01-01-14-426-006, 33-01-01-14-426-008, and 33-01-01-14-426-010**

Legal description (see note below): **See attached**

Applicant'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.

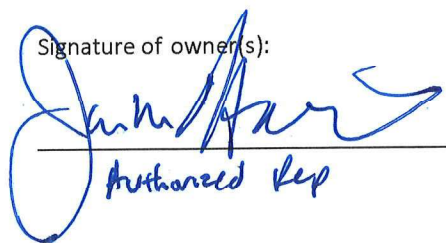
FEES:

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):

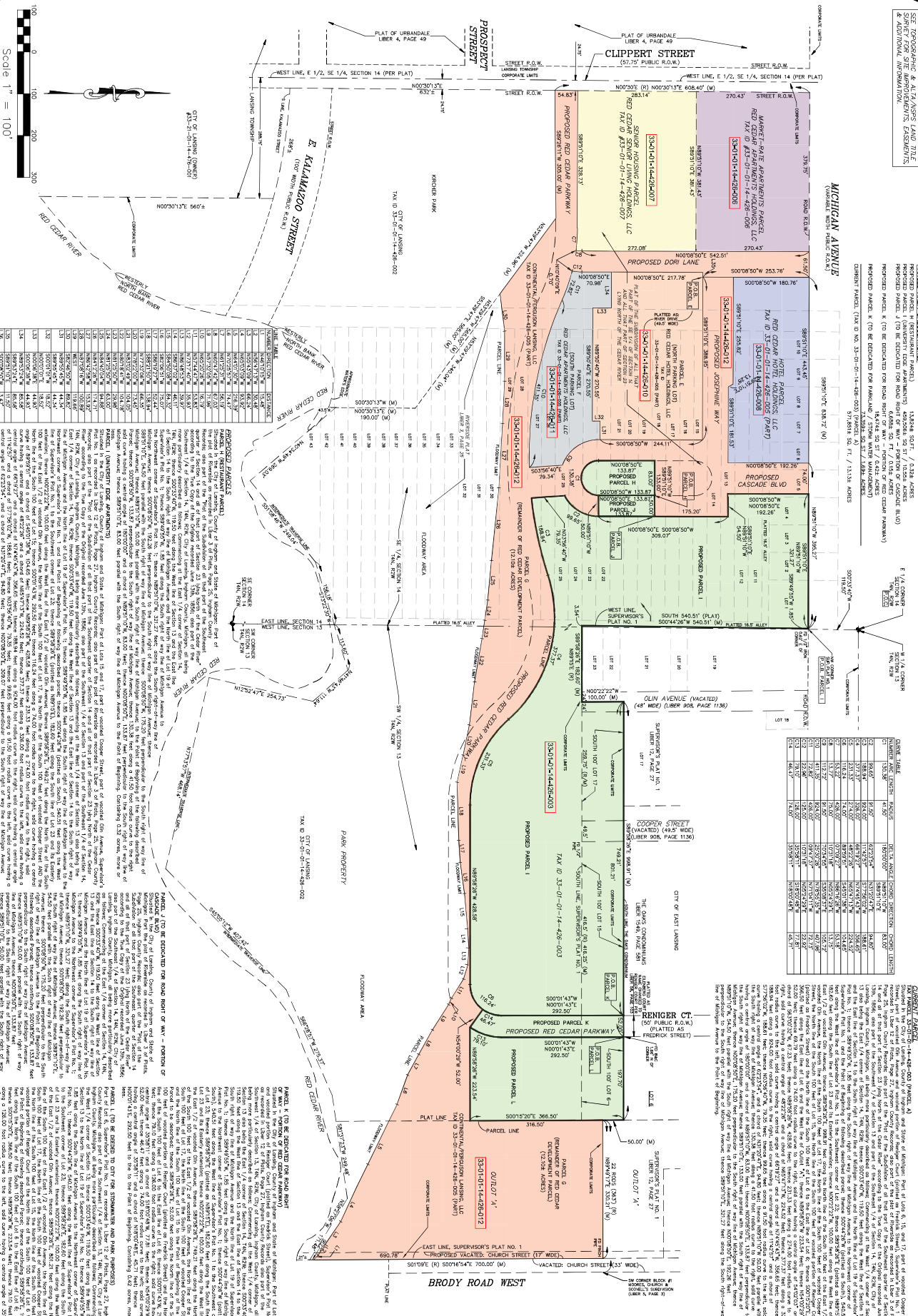
 / 02/20/23
Date
Authorized Rep
_____/_____
Date
_____/_____
Date

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

FILE: \\10.6.15\SHARED\PROJECTS\2021\2021-1062 RED CEDAR\EXHIBIT A LAND DIVISION-6.DWG - PLOT DATE: 4/26/2022 9:49 AM BY: Wendy Fuller SCALE: 1:1



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

PROJECT NO. 0002
SCALE 1" = 100'
DATE 2/1/2022

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

3155 PINE TREE ROAD
LANSING, MI 48206
PH: (313) 383-2802
FAX: (313) 383-2808

LSG
Engineers
& Surveyors

DATE	REVISIONS
2/1/2022	COMPLETED SURVEYING DATA
4/26/2022	REVISED CLIPPERT STREET EASEMENT
5/19/2022	UPDATED PARCEL OWNERS NAMES
7/17/2022	REVISED PARCEL 1 & ADJACENT PARCELS 1-14

CLIPPERT STREET

MICHIGAN AVENUE

DORI LANE

MICHIGAN AVENUE

ENLARGED DETAIL
B
CS.10

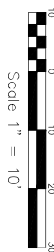
MATCH LINE

PROPOSED RETAIL/
MKT.-RATE APARTMENTS

PROPOSED RETAIL/
MKT.-RATE APARTMENTS

ENLARGED DETAIL
A
CS.10

MATCH LINE



SUBMITTED FOR APPROVAL



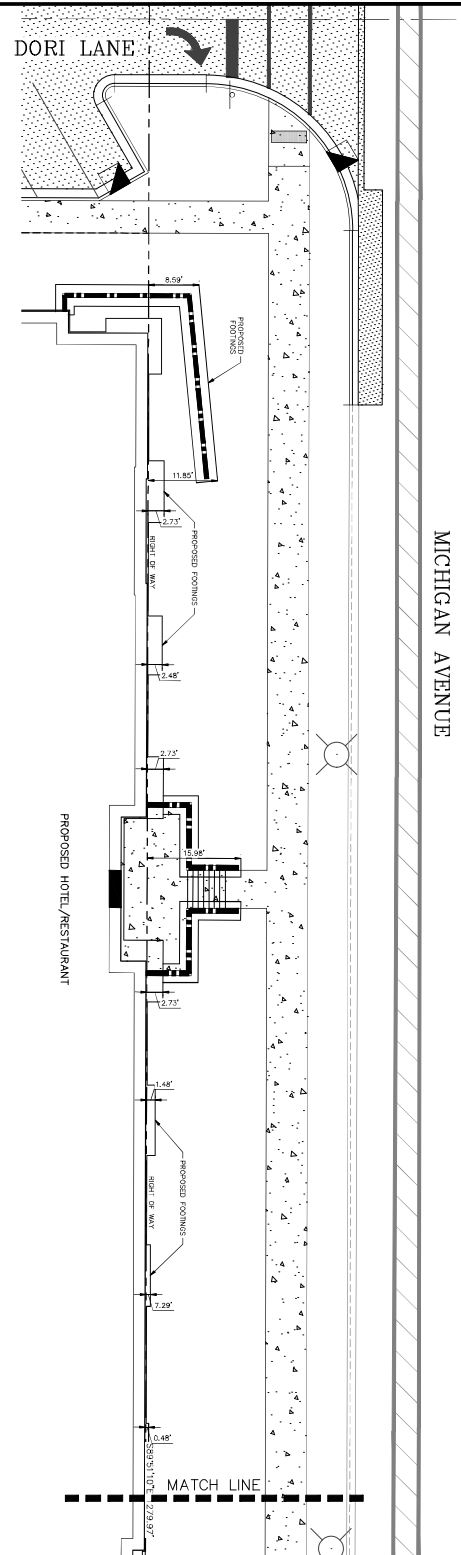
**SITE PLAN - MARKET-RATE APARTMENTS
AND SENIOR HOUSING ENLARGED DETAIL**
FOR
RED CEDAR DEVELOPMENT
MICHIGAN AVENUE AND CLIPPERT STREET
LANSING, MICHIGAN

PREPARED FOR:
CONTINENTAL/FERGUSON LANSING, LLC
CONTINENTAL REAL ESTATE COMPANIES
150 EAST BROAD STREET #500
COLUMBUS, OHIO 43215
PH: (614) 591-1865
FERGUSON DEVELOPMENT LLC
1223 NORTH TURNER STREET
LANSING, MICHIGAN 48206

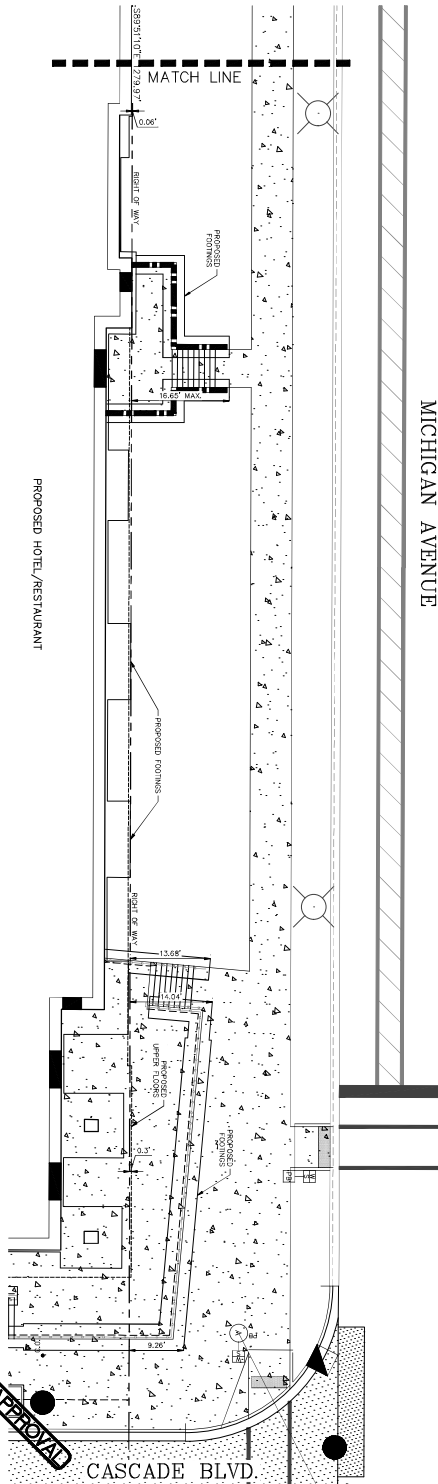
3155 PINE TREE ROAD
SUITE B-48971
LANSING, MI 48215
PH: (313) 383-2802
FAX: (313) 383-2808
WWW.FERGUSONMI.COM

LSC
Engineers
& Surveyors

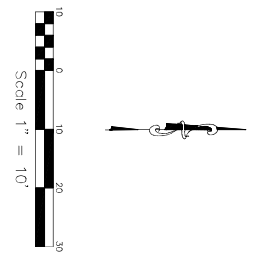
DATE	DESCRIPTION	BY



ENLARGED DETAIL A
CS-2a



ENLARGED DETAIL B
CS-2a



SUBMITTED FOR APPROVAL



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

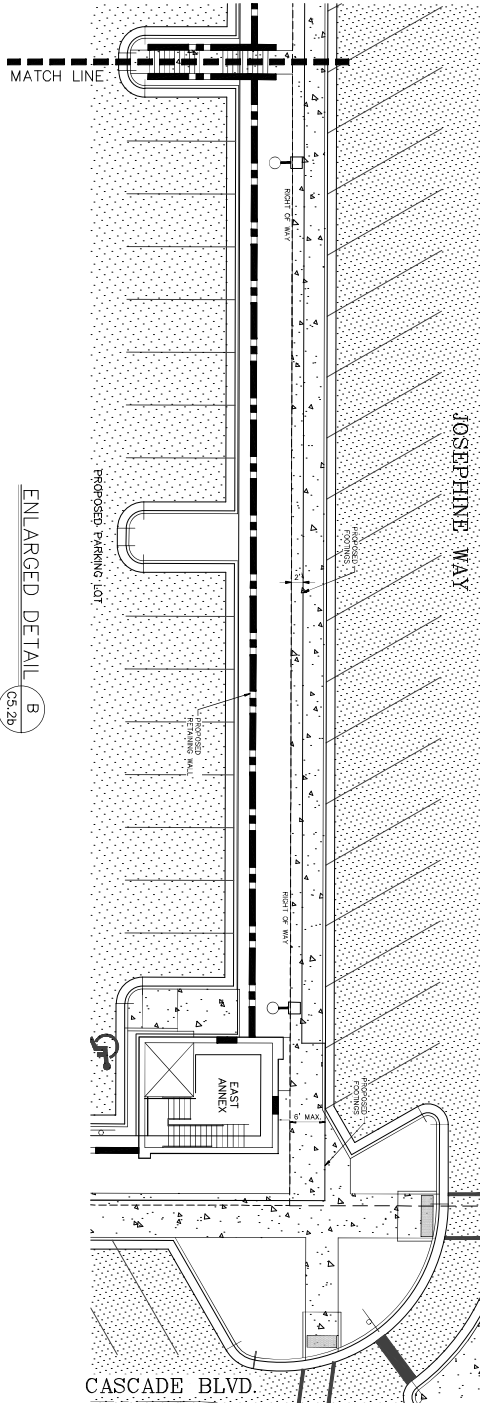
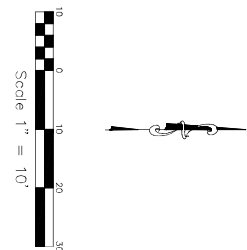
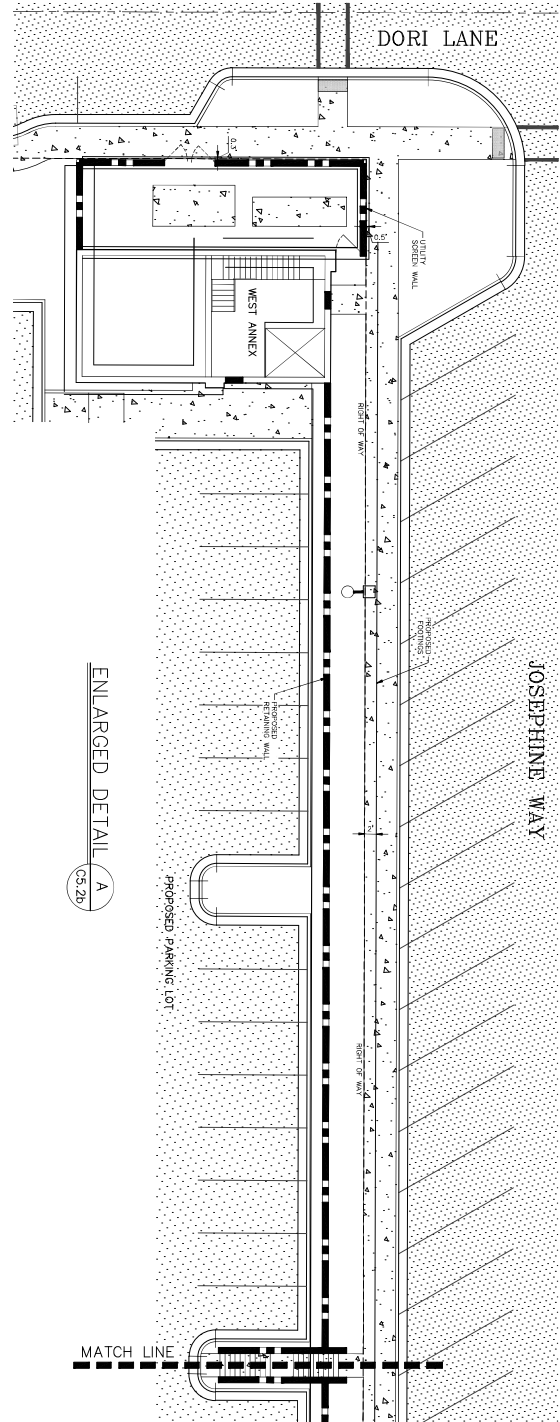
PREPARED FOR:
CONTINENTAL/FERGUSON LANSING, LLC
CONTINENTAL REAL ESTATE COMPANIES
150 EAST BROAD STREET #500
COLUMBUS, OHIO 43215
PH (614) 381-1885
FERGUSON DEVELOPMENT LLC
1223 NORTH TURNER STREET
LANSING, MICHIGAN 48206

3155 PINE TREE ROAD
LANSING, MI 48201
PH (313) 383-2800
FAX (313) 383-2808
WWW.FERGUSONMICHIGAN.COM

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Engineers
& Surveyors

DATE	DESCRIPTION	BY

DATE: 1/11/2023
DRAWN BY: JLP
CHECKED BY: JLP
DATE: 1/11/2023
SCALE: 1" = 10'
SHEET NO.: 1062
PROJECT NO.: CS-2a



SUBMITTED FOR APPROVAL



DATE: 2/21/2023	BY: SP
CHECKED BY: SP	DATE: 2/21/2023
SCALE: 1" = 10'	PROJECT NO: 1062
DATE: 2/21/2023	SHEET NO: CS-2B

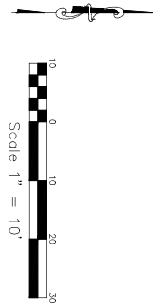
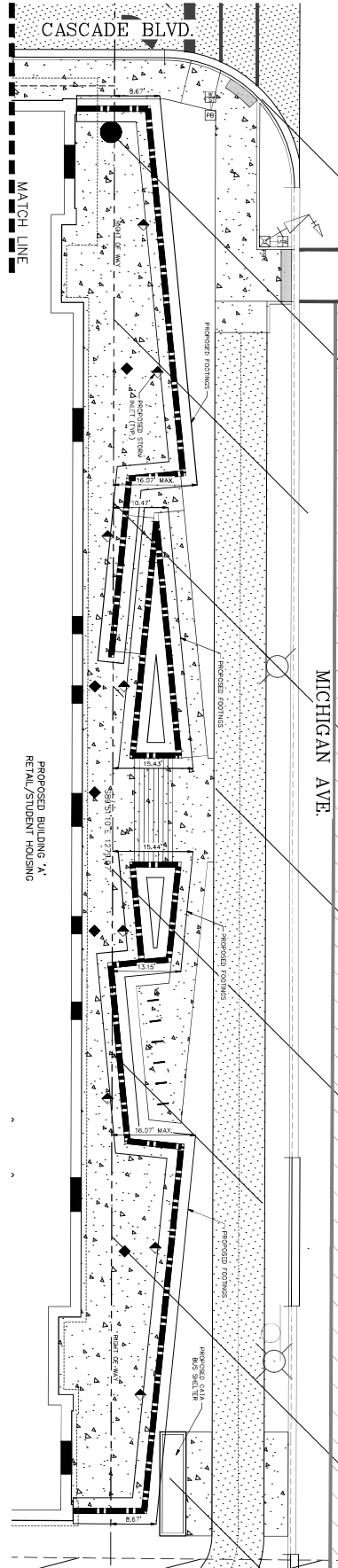
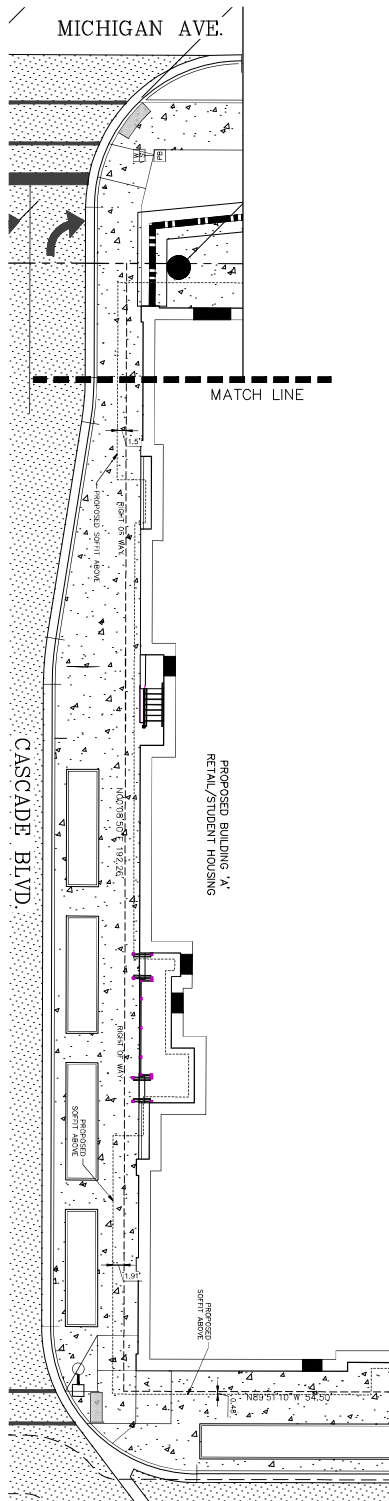
SITE PLAN - HOTEL AND PARKING LOT
ENLARGED DETAIL
 FOR
RED CEDAR DEVELOPMENT
 MICHIGAN AVENUE AND CLIPPERT STREET
 LANSING, MICHIGAN

PREPARED FOR:
CONTINENTAL/FERGUSON LANSING, LLC
 CONTINENTAL REAL ESTATE COMPANIES
 150 EAST BROAD STREET #500
 COLUMBUS, OHIO 43215
 PH: (614) 391-1800
FERGUSON DEVELOPMENT LLC
 1223 NORTH TURNER STREET
 LANSING, MICHIGAN 48206

3155 PINE TREE ROAD
 LANSING, MI 48201
 PH: (313) 381-2800
 FAX: (313) 381-2808
 WWW.LZSG.COM

LZSG
 Engineers
 & Surveyors

DATE	DESCRIPTION	BY



SUBMITTED FOR APPROVAL



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

PREPARED FOR:
CONTINENTAL/FERGUSON LANSING, LLC
CONTINENTAL REAL ESTATE COMPANIES
 100 EAST BROAD STREET #500
 COLUMBUS, OHIO 43215
 PH (614) 381-1880
FERGUSON DEVELOPMENT LLC
 1223 NORTH TURNER STREET
 LANSING, MICHIGAN 48206

3155 PINE TREE ROAD
 LANSING, MI 48211
 PH (313) 383-2800
 FAX (313) 383-2808
 WWW.FERGUSONLLC.COM

LSC
Engineers
& Surveyors

DATE	FOR POINTS	BY
5/26/21	REVISION	BP
SALE	REVISIONS/SUBMITTALS	BT

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



Eric A. Iversen, PE
Senior Project Manager

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

Act-1-2023, East Michigan Avenue, Right of Way Easements

WHEREAS, Continental/Ferguson Lansing LLC, applicant, has requested to formalize easements for the use of building encroachments into the East Michigan Avenue right of way within its Red Cedar Development; and

WHEREAS, the applicant has temporary license agreements with the City of Lansing's Public Service Department to use the East Michigan Avenue right of way to facilitate the construction of multiple buildings; and

WHEREAS, the City recognizes that all building encroachments have been constructed; and

WHEREAS, on March 7, 2023, the Planning Board reviewed the location, character, and extent of the proposal in accordance with its Act 33 Review procedure, and voted unanimously (6-0) to recommend approval of Act-1-2023, East Michigan Avenue, Right of Way Easements; and

WHEREAS, the Committee on Development and Planning has reviewed the report and recommendation of the Planning Board and concurs therewith.

NOW THEREFORE BE IT RESOLVED, the Lansing City Council hereby approves Act-1-2023, and approves the easements for the use of building encroachments into the East Michigan Avenue right of way, described as:

At 3108 – 3140 E Michigan Ave. (PID # 33-01-01-14-426-006): Patios, ramps, stairs, and retaining walls 17.76' into ROW, footing 19.85' into ROW.

And,

At 3150 – 3170 E Michigan Ave. (PID # 33-01-01-14-426-008): Building 0.30' into ROW, footings 2.73' into ROW. Patio, stairs, and retaining walls 16.15' into ROW, footings 16.65' into ROW.

And,

At 155 Cascade Blvd. and 3204 – 3214 E Michigan Ave. (PID # 33-01-01-14-426-003): Patios, ramps, stairs, and retaining walls 13.88' into ROW, footings 16.07' into ROW.

BE IT FURTHER RESOLVED, that the Mayor, on behalf of the City, is hereby authorized to sign and execute all documents to complete this transaction, subject to prior approval as to content and form by the City Attorney.

LS-4-2023 is a request by the Ingham County Land Bank for a variance to the width to depth ratio restriction to permit the division of the 2 adjoining vacant properties located at 4512 and 4524 Ingham Street into 3 separate parcels of land

The Subdivision Ordinance restricts the depth of a lot to 2.5 times the depth.

The resulting parcels will be 66 feet wide by 305 feet deep which is a width to depth ratio of 1 to 4.62

Variances to the Subdivision Ordinances are approved by the City Council rather than the Board of Zoning Appeals.

The Planning Commission voted unanimously to recommend approval of the request.

If approved, 1 single family dwelling would be permitted on each of the 3 resulting parcels

The City Council is not required to hold a public hearing.

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



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

LS-4-2023, 4512 and 4524 Ingham Street
Lot Split Application

WHEREAS the Ingham County Land Bank has filed an application to split the two adjoining vacant properties at 4512 and 4524 Ingham Street (Parcel No.'s: 33-01-01-31-405-261 and 33-01-01-31-405-251) into 3 separate parcels of land; and

WHEREAS the resulting parcels will be 66 feet wide by 305 feet deep which is a width to depth ratio of 1 to 4.62; and

WHEREAS Section 1236.07(d) of the Subdivision Ordinance restricts the depth of a lot to 2.5 times the width; and

WHEREAS the dimensions of the proposed lots will not result in a significant deviation from the dimensions of many other lots in the area; and

WHEREAS the lot split will permit the construction of single-family homes on each of the resulting lots; and

WHEREAS the Planning Board, at its meeting held on March 7, 2023, voted (6-0) to recommend approval of the requested lot split; and

WHEREAS the Committee on Development and Planning has reviewed the recommendation of the Planning Board and concurs therewith.

NOW THEREFORE BE IT RESOLVED that pursuant to Section 1236.11 of the Subdivision Ordinance, the Lansing City Council hereby approves a variance to the width to depth ratio restriction to authorize LS-4-2023, a request by the Ingham County Land Bank to divide the adjoining vacant properties at 4512 and 4524 Ingham Street (Parcel No.'s: 33-01-01-31-405-261 and 33-01-01-31-405-251) into 3 separate parcels of land, legal described as follows:

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

LS-7-2023 is a request by the Ingham County Land Bank for a variance to the width to depth ratio restriction to permit the division of the vacant property located at 4720 Ballard Road into 2 separate parcels of land

The Subdivision Ordinance restricts the depth of a lot to 2.5 times the depth.

The resulting parcels will be 70.5 feet wide by 305 feet deep which is a width to depth ratio of 1 to 4.32

Variances to the Subdivision Ordinances are approved by the City Council rather than the Board of Zoning Appeals.

The Planning Commission voted unanimously to recommend approval of the request.

If approved, 1 single family dwelling would be permitted on each of the 2 resulting parcels

The City Council is not required to hold a public hearing.

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.

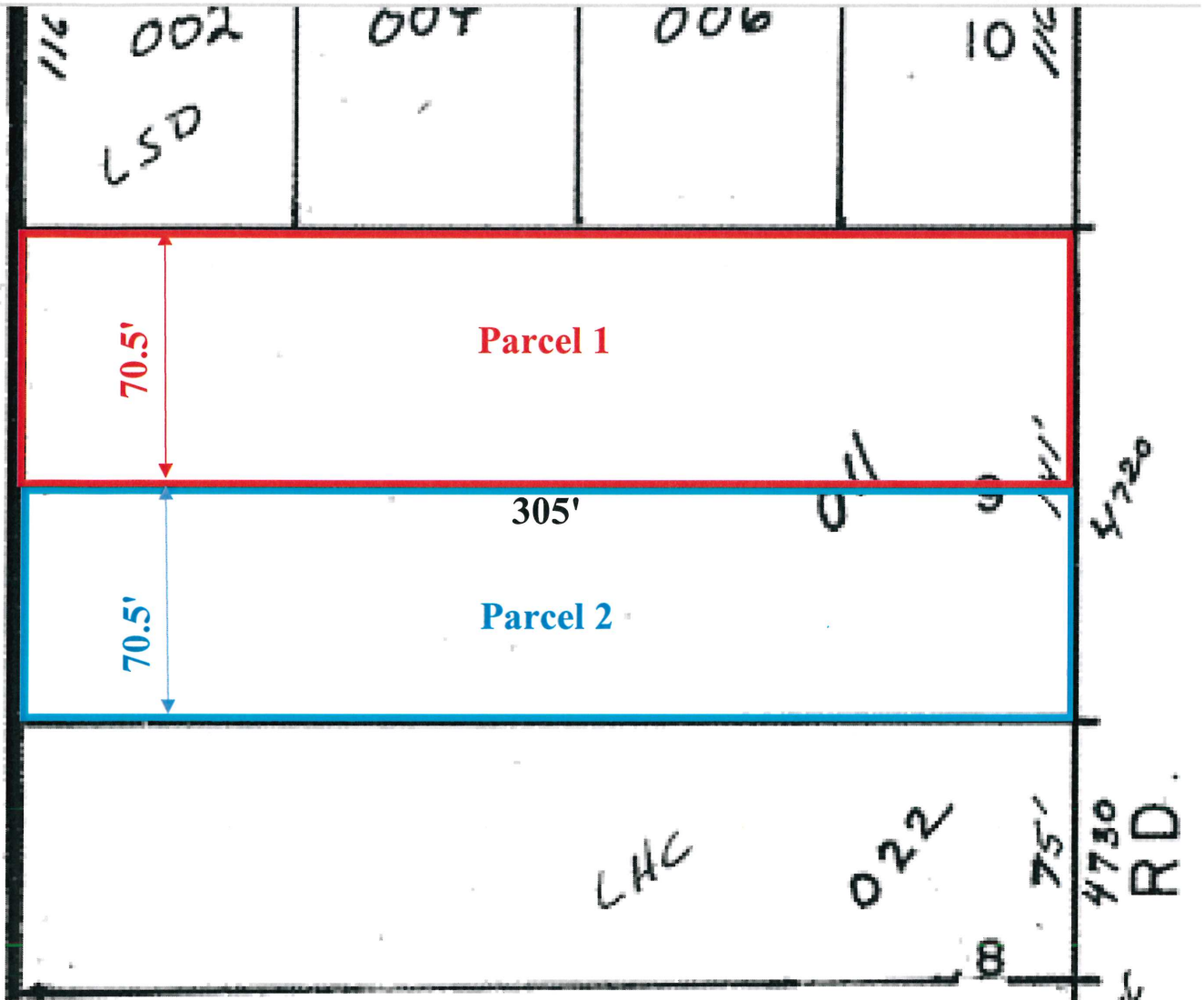
RECOMMENDATION

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



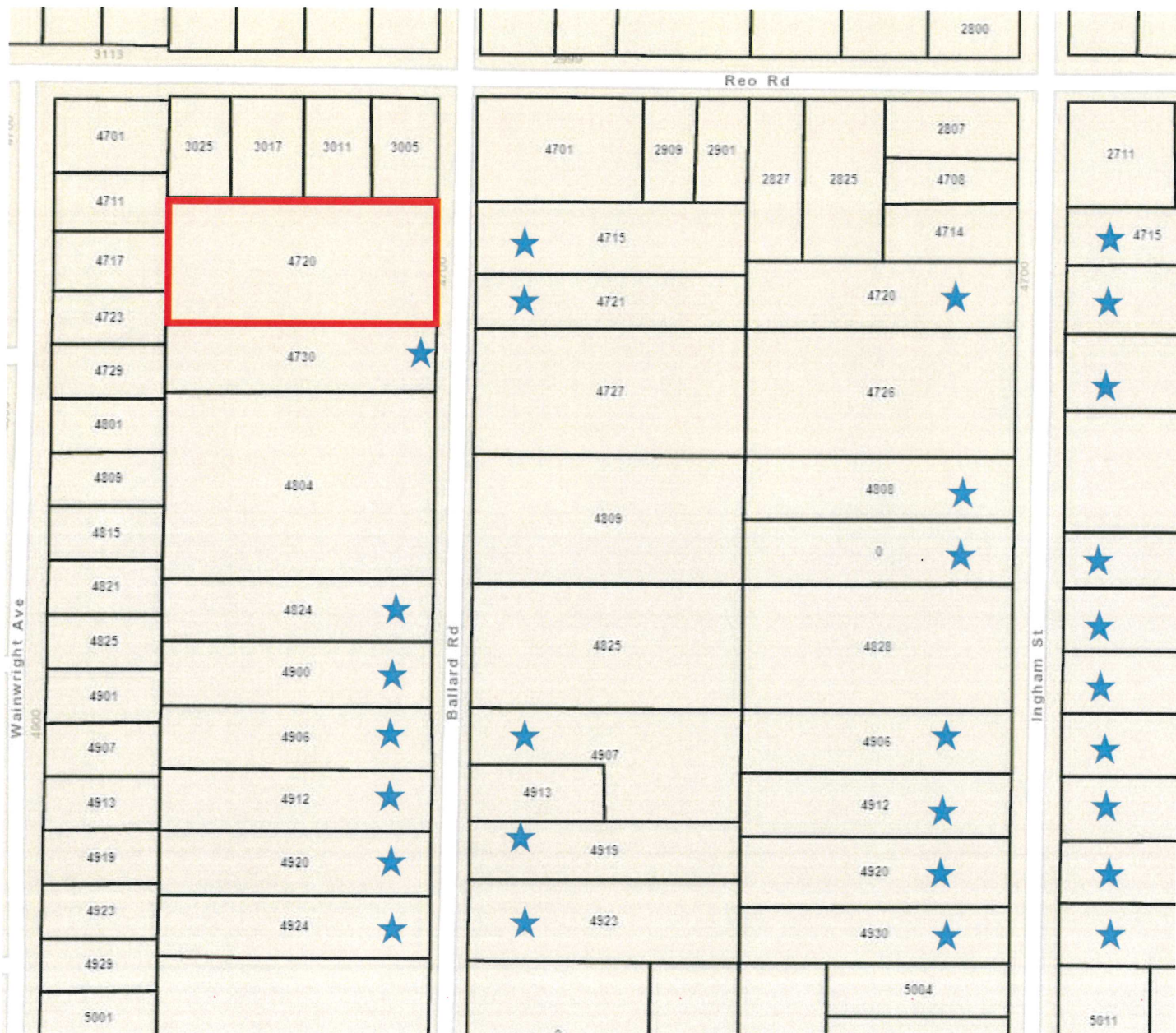
LEGAL DESCRIPTIONS

Existing Legal Description: Lot 9, Eco Farms Subdivision

Proposed Legal Descriptions:

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

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



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



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

LS-7-2023, 4720 Ballard Road
Lot Split Application

WHEREAS the Ingham County Land Bank has filed an application to split the vacant property at 4720 Ballard Road (Parcel No.: 33-01-01-31-451-011) into 2 separate parcels of land; and

WHEREAS the resulting parcels will be 70.5 feet wide by 305 feet deep which is a width to depth ratio of 1 to 4.32; and

WHEREAS Section 1236.07(d) of the Subdivision Ordinance restricts the depth of a lot to 2.5 times the width; and

WHEREAS the dimensions of the proposed lots will not result in a significant deviation from the dimensions of many other lots in the area; and

WHEREAS the lot split will permit the construction of single-family homes on each of the resulting lots; and

WHEREAS the Planning Board, at its meeting held on March 7, 2023, voted (6-0) to recommend approval of the requested lot split; and

WHEREAS the Committee on Development and Planning has reviewed the recommendation of the Planning Board and concurs therewith.

NOW THEREFORE BE IT RESOLVED that pursuant to Section 1236.11 of the Subdivision Ordinance, the Lansing City Council hereby approves a variance to the width to depth ratio restriction to authorize LS-7-2023, a request by the Ingham County Land Bank to divide the vacant property at 4720 Ballard Road (Parcel No.: 33-01-01-31-451-011) into 2 separate parcels of land, legal described as follows:

Parcel 1: The North ½ of Lot 9, Eco Farms Subdivision

Parcel 2: The South ½ of Lot 9, Eco Farms Subdivision

Z-1-2023 – 4111 Aurelius Road

At its March 7, 2023 meeting, the Planning Board voted unanimously to recommend approval of Z-1-2023 to rezone the property at 4111 Aurelius Road from “MX-1” Neighborhood Mixed-Use Center to “R-2” Suburban Detached Residential. No changes will be made to the property. The sole purpose of the rezoning is to bring the single-family residential use of the property into compliance with the Zoning Ordinance so that it is not subject to the restrictions that result from being a nonconforming use.

The Planning Board held a public hearing at its March 7, 2003, meeting at which the applicant spoke in favor of the rezoning and no other comments were received.

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,

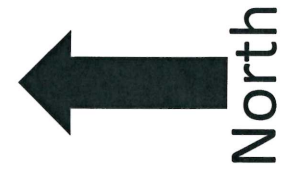
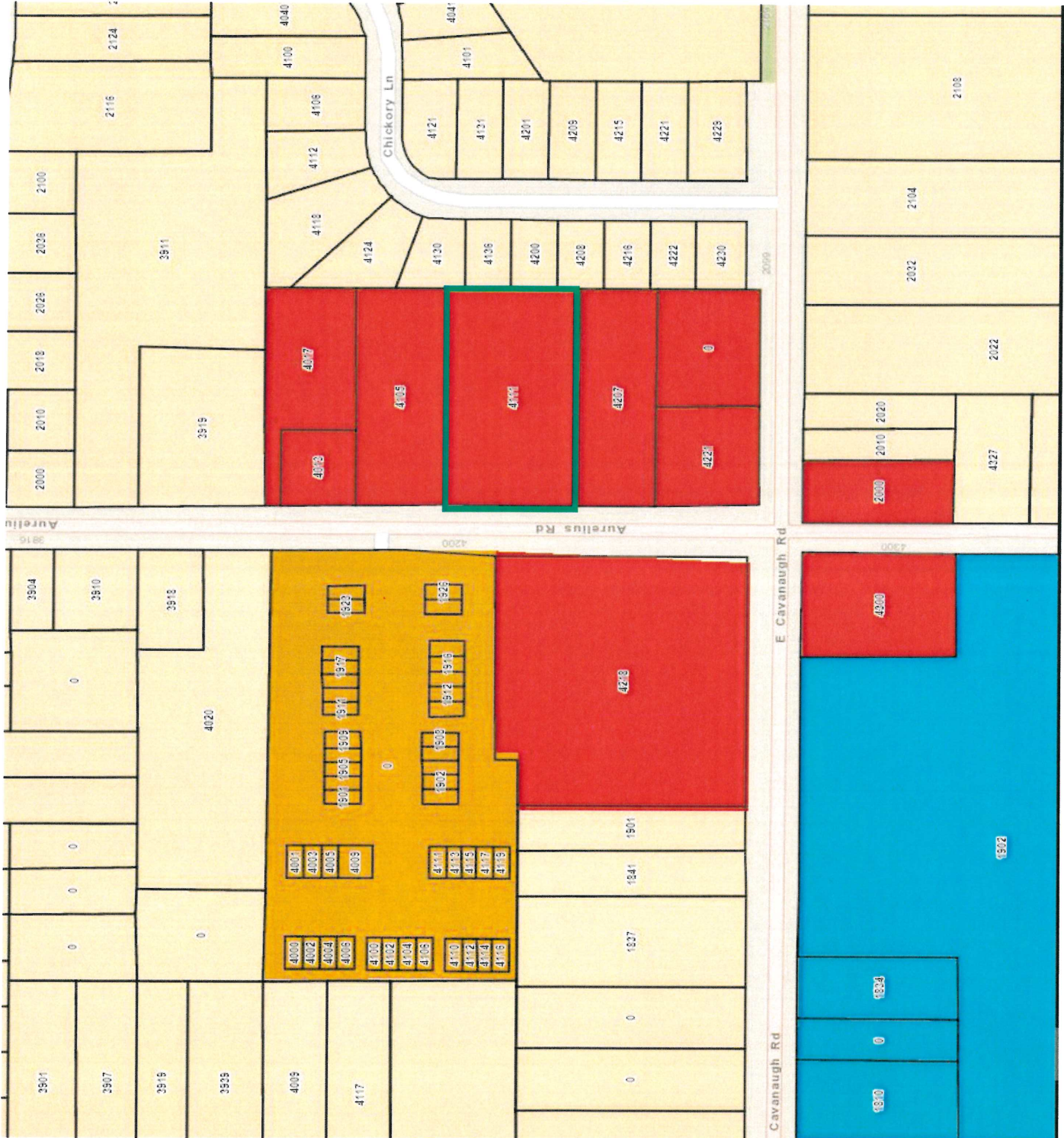
Zachary Driver
Commercial Corridor Specialist





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



INTRODUCTION OF ORDINANCE

The following ordinance of the City of Lansing, Michigan, for amending the Code of Ordinances by providing for the rezoning of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1242.02 of the Zoning Ordinance for property located at:

Z-1-2023: 4111 Aurelius Road, from “MX-1” Neighborhood Mixed-Use Center to “R-2” Suburban Detached Residential

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

**CITY OF LANSING
NOTICE OF PUBLIC HEARING**

Z-1-2023, 4111 Aurelius Road

Rezoning from “MX-1” Neighborhood Mixed-Use Center to
“R-2” Suburban Detached Residential

The Lansing City Council will hold a public hearing on Monday, May 8, 2023 at 7:00 p.m. in the Tony Benavides Lansing City Council Chambers, 10th Floor, Lansing City Hall, 124 W. Michigan Avenue, Lansing, Michigan to consider a request by Keaven Henson and Lindsay (Johnson) Henson to rezone 4111 Aurelius Road from “MX-1” Neighborhood Mixed-Use Center to “R-2” Suburban Detached Residential. The purpose of the rezoning is to bring the single-family residential use of the property into compliance with the Zoning Ordinance.

For more information, please call Lansing City Council at 517-483-4177. If you are interested in this matter, please attend the public hearing or send a representative. Written comments will be accepted between 8 a.m. and 5 p.m. on City business days if received before 5 p.m., Monday, May 8, 2023 at the City Clerk’s Office, Ninth Floor, City Hall, 124 West Michigan Ave., Lansing, MI 48933 or email city.clerk@lansingmi.gov.

Chris Swope, City Clerk

ORDINANCE # _____

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING FOR THE REZONING OF A PARCEL OF REAL PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE OF ORDINANCES.

The City of Lansing ordains:

Section 1. That the district maps adopted by and incorporated as Section 1242.02 of the Code of Ordinances of the City of Lansing, Michigan be amended to provide as follows:

To change the zoning classification of the property described as follows:

Case Number:	Z-1-2023
Parcel Number's:	33-01-01-35-154-051
Addresses:	4111 Aurelius Road
Legal Descriptions:	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 to "R-2" Suburban Residential

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance was duly adopted by the Lansing City Council on _____, 2023, and a copy is available in the office of the Lansing City Clerk, 9th Floor, City Hall, 124 W. Michigan Avenue, Lansing, MI 48933.

Section 4. This ordinance shall take effect on the 30th day after enactment.

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

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, May 8, 2023, at 7 p.m. in the Tony Benavides Lansing City Council Chambers, 10th Floor, Lansing City Hall, 124 W. Michigan Avenue, Lansing, Michigan, for the purpose of approving and/or opposing the Ordinance for rezoning:

Z-1-2023: 4111 Aurelius Road, from "MX-1" Neighborhood Mixed-Use Center
to "R-2" Suburban Detached Residential

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

At its March 7, 2023, meeting, the Planning Board voted unanimously to recommend approval of Z-3-2023. This is a request by Harry Hepler of H. Inc. to rezone 818, 820, 908, 914, May Street, 817, 821, 823, 827, 843 & 903 E. Saginaw Street, 711, 713, 714, 0, 717, 718, 0, 721, 722, 723, 724, 725, 727, East Park Terrace, 709, 713, 714, 718, 717, 721, 722, 725, 729 Quaker Court, and 711, 715, 721, 727 & 737 N. Pennsylvania Avenue from “R-MX” Residential Mix to “DT-2” Urban Flex.

The purpose of the rezoning is to permit a multiple family residential development of up to 240 units 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 project would be developed in phases as the applicant continues his efforts to obtain more properties in the area.

The Planning Board held a public hearing at its March 7, 2003, meeting at which the applicant spoke in favor of the rezoning and 7 individuals spoke in opposition to the request.

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, 817, 821, 823, 827, 843 & 903 E. Saginaw Street, 711, 713, 714, 0, 717, 718, 0, 721, 722, 723, 724, 725, 727, East Park Terrace, 709, 713, 714, 718, 717, 721, 722, 725, 729 Quaker Court, and 711, 715, 721, 727 & 737 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, 817, 821, 823, 827, 843 & 903 E. Saginaw Street, 711, 713, 714, 0, 717, 718, 0, 721, 722, 723, 724, 725, 727, East Park Terrace, 709, 713, 714, 718, 717, 721, 722, 725, 729 Quaker Court, and 711, 715, 721, 727 & 737 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, 817, 821, 823, 827, 843 & 903 E. Saginaw Street, 711, 713, 714, 0, 717, 718, 0, 721, 722, 723, 724, 725, 727, East Park Terrace, 709, 713, 714, 718, 717, 721, 722, 725, 729 Quaker Court, and 711, 715, 721, 727 & 737 N. Pennsylvania Avenue from "R-MX" Residential Mix to "DT-2" Urban Flex."

Respectfully Submitted,

**Susan Stachowiak
Zoning Administrator**

Branded Construction Fence - 890 ft

May St

Blvd

4.25 Acres Contiguous
EA, LLC

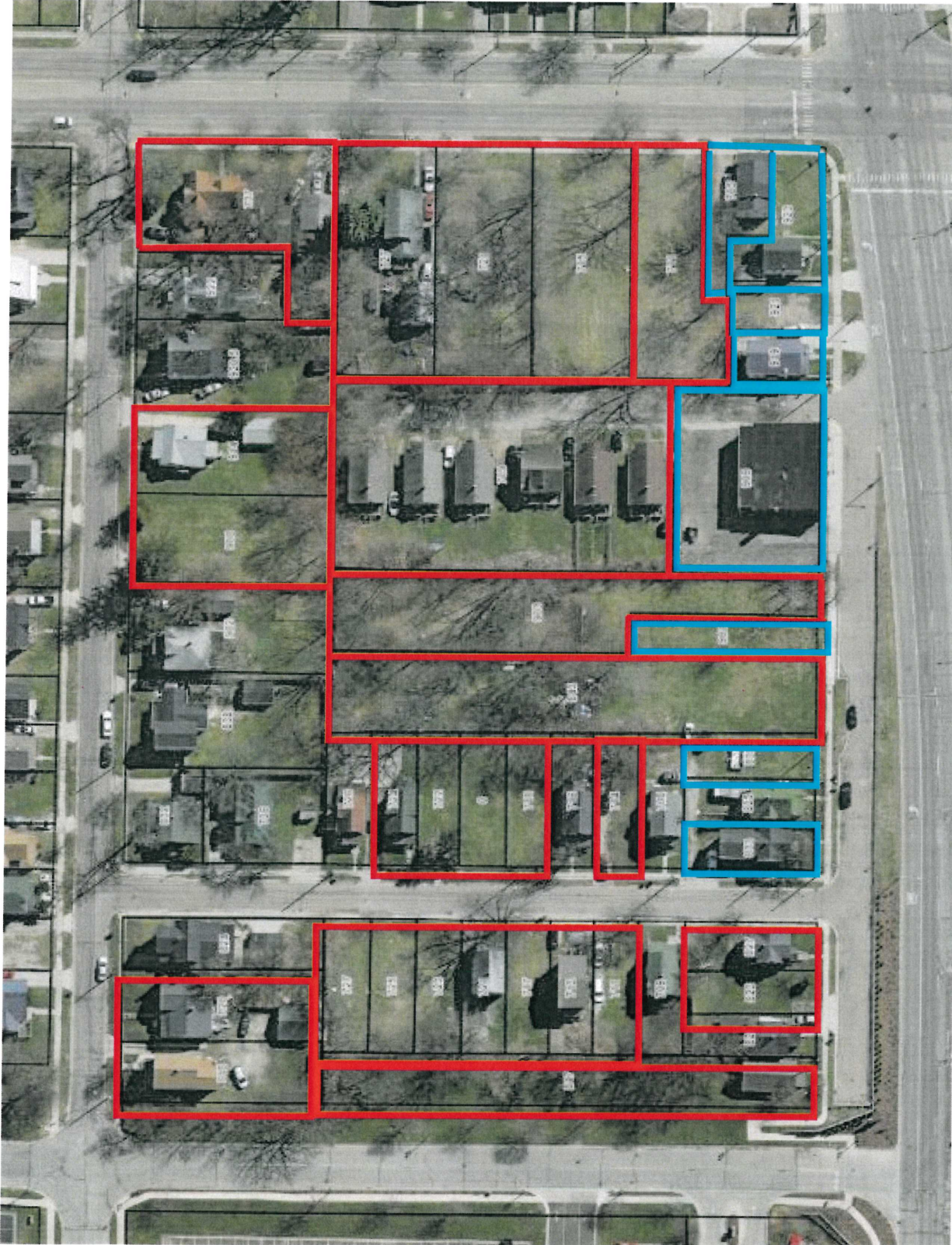
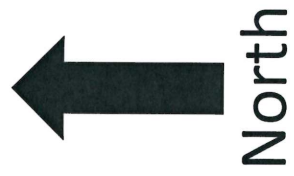
Gate

Branded Construction Fence

E Park Terrace

1.25 Acres Contiguous

Prudden St

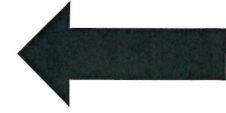


Parcels outlined in red are proposed for rezoning from R-MX, Residential Mix to DT-2, Urban Flex

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

8'-1 1/8" CLE

8'-1 1/8" CLE

8'-1 1/8" CLE



1,421 SF. units

4'-1 1/8" CL@

4'-1 1/8" CL@

4'-1 1/8" CL@

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 #:

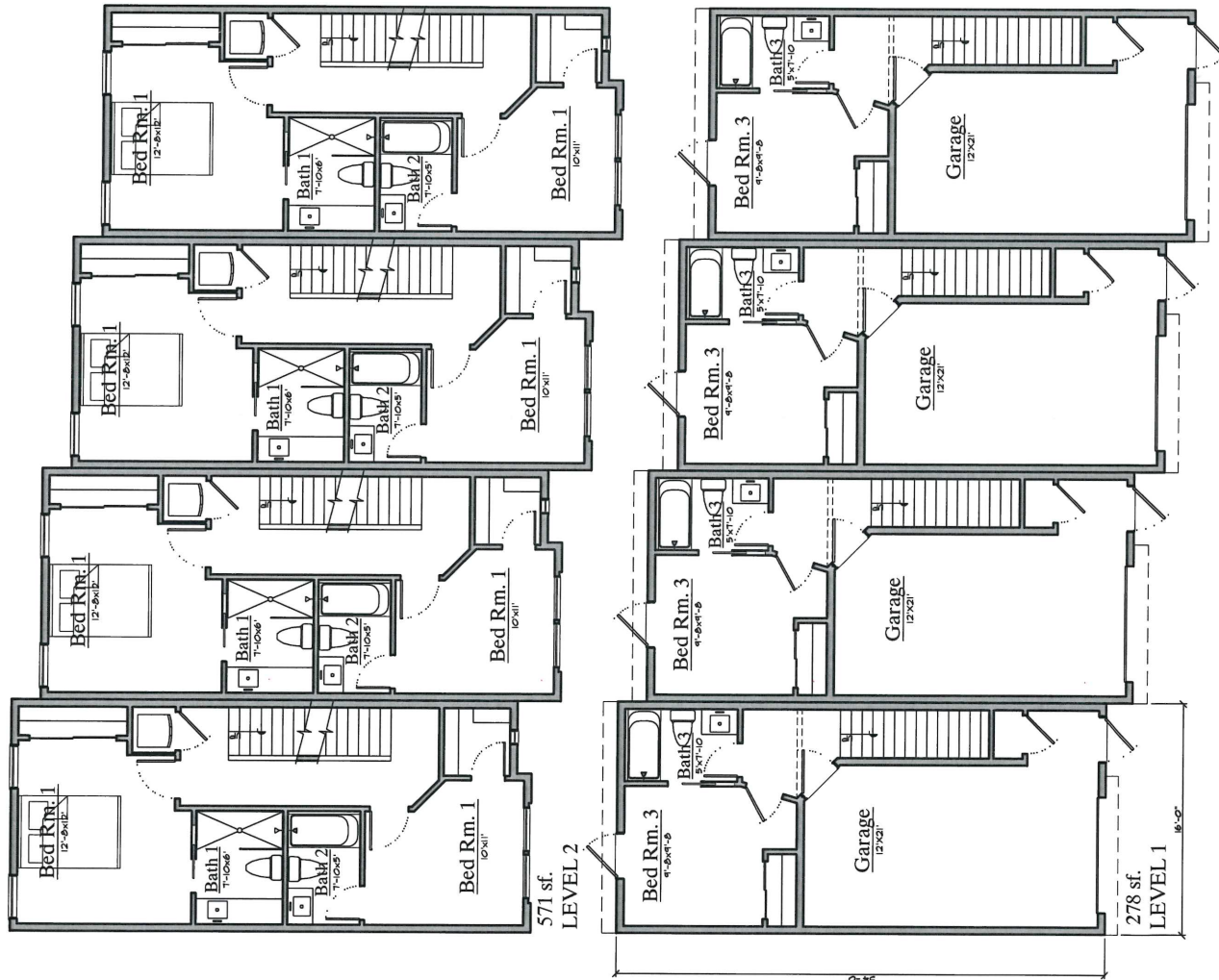
11623

sheet contents:

1,421 SF.

sheet #:

OF 8 SHEETS





farhat design
575 604-9800
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 # :

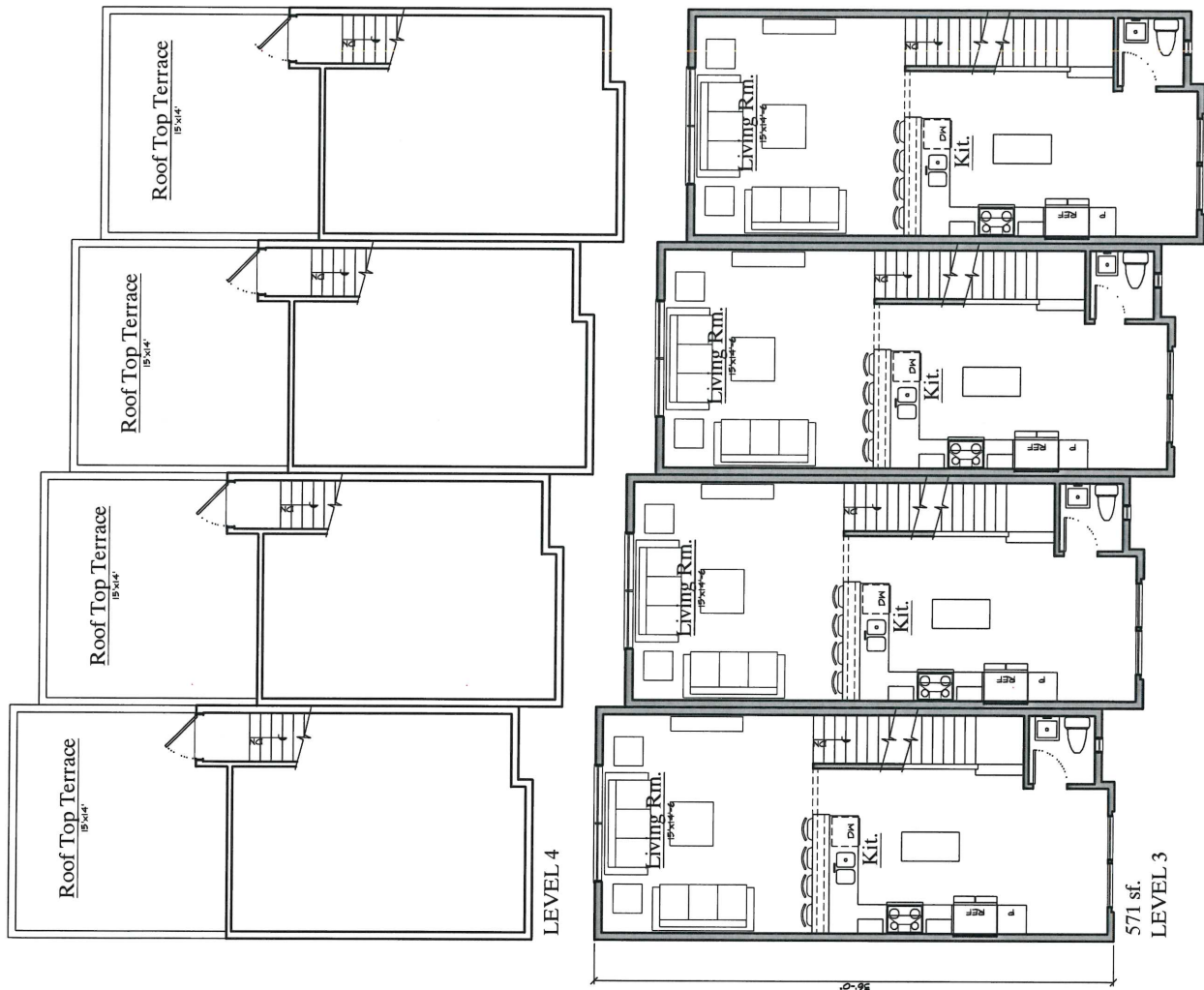
1625

sheets contained :

1,421 SF.

sheet # :

OF 8 SHEETS



Phase 1 – Conceptual Preliminary Development Plan



INTRODUCTION OF ORDINANCE

The following ordinance of the City of Lansing, Michigan, for amending the Code of Ordinances by providing for the rezoning of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1242.02 of the Zoning Ordinance for property located at:

Z-3-2023: This is a request by H, Inc. to rezone 818, 820, 908, 914, May Street, 817, 821, 823, 827, 843 & 903 E. Saginaw Street, 711, 713, 714, 0, 717, 718, 0, 721, 722, 723, 724, 725, 727, East Park Terrace, 709, 713, 714, 718, 717, 721, 722, 725, 729 Quaker Court, and 711, 715, 721, 727 & 737 N. Pennsylvania Avenue from "R-MX" Residential Mix to "DT-2" Urban Flex

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

CITY OF LANSING
NOTICE OF PUBLIC HEARING

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

The Lansing City Council will hold a public hearing on Monday, May 8, at 7:00 p.m. in the Tony Benavides Lansing City Council Chambers, 10th Floor, Lansing City Hall, 124 W. Michigan Avenue, Lansing, Michigan to consider a request H, Inc. to rezone 818, 820, 908, 914, May Street, 817, 821, 823, 827, 843 & 903 E. Saginaw Street, 711, 713, 714, 0, 717, 718, 0, 721, 722, 723, 724, 725, 727, East Park Terrace, 709, 713, 714, 718, 717, 721, 722, 725, 729 Quaker Court, and 711, 715, 721, 727 & 737 N. Pennsylvania Avenue from “R-MX” Residential Mix to “DT-2” Urban Flex. The purpose of the rezoning is to permit a multiple family residential development of up to 240 units.

For more information, please call Lansing City Council at 517-483-4177. If you are interested in this matter, please attend the public hearing or send a representative. Written comments will be accepted between 8 a.m. and 5 p.m. on City business days if received before 5 p.m., Monday, May 8, 2023 at the City Clerk’s Office, Ninth Floor, City Hall, 124 West Michigan Ave., Lansing, MI 48933 or email city.clerk@lansingmi.gov.

Chris Swope, City Clerk

ORDINANCE # _____

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING FOR THE REZONING OF A PARCEL OF REAL PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE OF ORDINANCES.

The City of Lansing ordains:

Section 1. That the district maps adopted by and incorporated as Section 1242.02 of the Code of Ordinances of the City of Lansing, Michigan be amended to provide as follows:

To change the zoning classification of the property described as follows:

Case Number: Z-3-2023

Parcel Number's: 33-01-01-10-353-101, -121, -131, -151, -161, -171, -181, -191, -201, -211, -231, -241 & 33-01-01-10-354-031, -041, -051, -061, -081, -131, -151, -165, -221, -231, -241, -251, -261, -291 & -301

Addresses: 818, 820, 908, 914, May Street, 817, 821, 823, 827, 843 & 903 E. Saginaw Street, 711, 713, 714, 0, 717, 718, 0, 721, 722, 723, 724, 725, 727, East Park Terrace, 709, 713, 714, 718, 717, 721, 722, 725, 729 Quaker Court, and 711, 715, 721, 727 & 737 N. Pennsylvania Avenue

Legal Descriptions: Lot 10, Block 2, Prines Subdivision, Lot 1, Lathrop's Addition, Lots 2, 3, 4, 5, 7, 12, 13, 16, 17, 18, 19, 20, 21 & 22, Young, Stabler and Youngs, East Park Addition, Lots 16 & 17, Lot 19, except the north 94 feet of the west 45 feet thereof, & Lot 20, Wiley's Subdivision, Lots 27, 28 & 29, Lot 30, except the South 18 feet of the east 101 feet thereof, Lot 35, except the south 99 feet thereof, Lots 36 & 38, Assessor's Plat No. 22, from "R-MX" Residential Mix to "DT-2" Urban Flex

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance was duly adopted by the Lansing City Council on _____, 2023, and a copy is available in the office of the Lansing City Clerk, 9th Floor, City Hall, 124 W. Michigan Avenue, Lansing, MI 48933.

Section 4. This ordinance shall take effect on the 30th day after enactment.

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

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, May 8, 2023, at 7 p.m. in the Tony Benavides Lansing City Council Chambers, 10th Floor, Lansing City Hall, 124 W. Michigan Avenue, Lansing, Michigan, for the purpose of approving and/or opposing the Ordinance for rezoning:

Z-3-2023: This is a request by H, Inc. to rezone 818, 820, 908, 914, May Street, 817, 821, 823, 827, 843 & 903 E. Saginaw Street, 711, 713, 714, 0, 717, 718, 0, 721, 722, 723, 724, 725, 727, East Park Terrace, 709, 713, 714, 718, 717, 721, 722, 725, 729 Quaker Court, and 711, 715, 721, 727 & 737 N. Pennsylvania Avenue from “R-MX” Residential Mix to “DT-2” Urban Flex

SLU-1-2023, 109 E. Randolph Street

At its March 7, 2023, meeting, the Planning Board voted unanimously to recommend approval of SLU-1-2023, a Special Land Use Permit to allow the existing building at 109 E. Randolph Street to be used for a state-licensed adult foster care, small group home, providing care for up to 12 residents.

At its March 7, 2023, meeting, the Planning Board held a public hearing at which the applicant and two other persons spoke in support of the request. No other comments were received.

Staff has recommended approval of the request as the proposal seems to be a reasonable use of the property and the one which will have the least amount of impact on the surrounding residential neighborhood in terms of traffic, use of on-street parking and level of activity in general.

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.

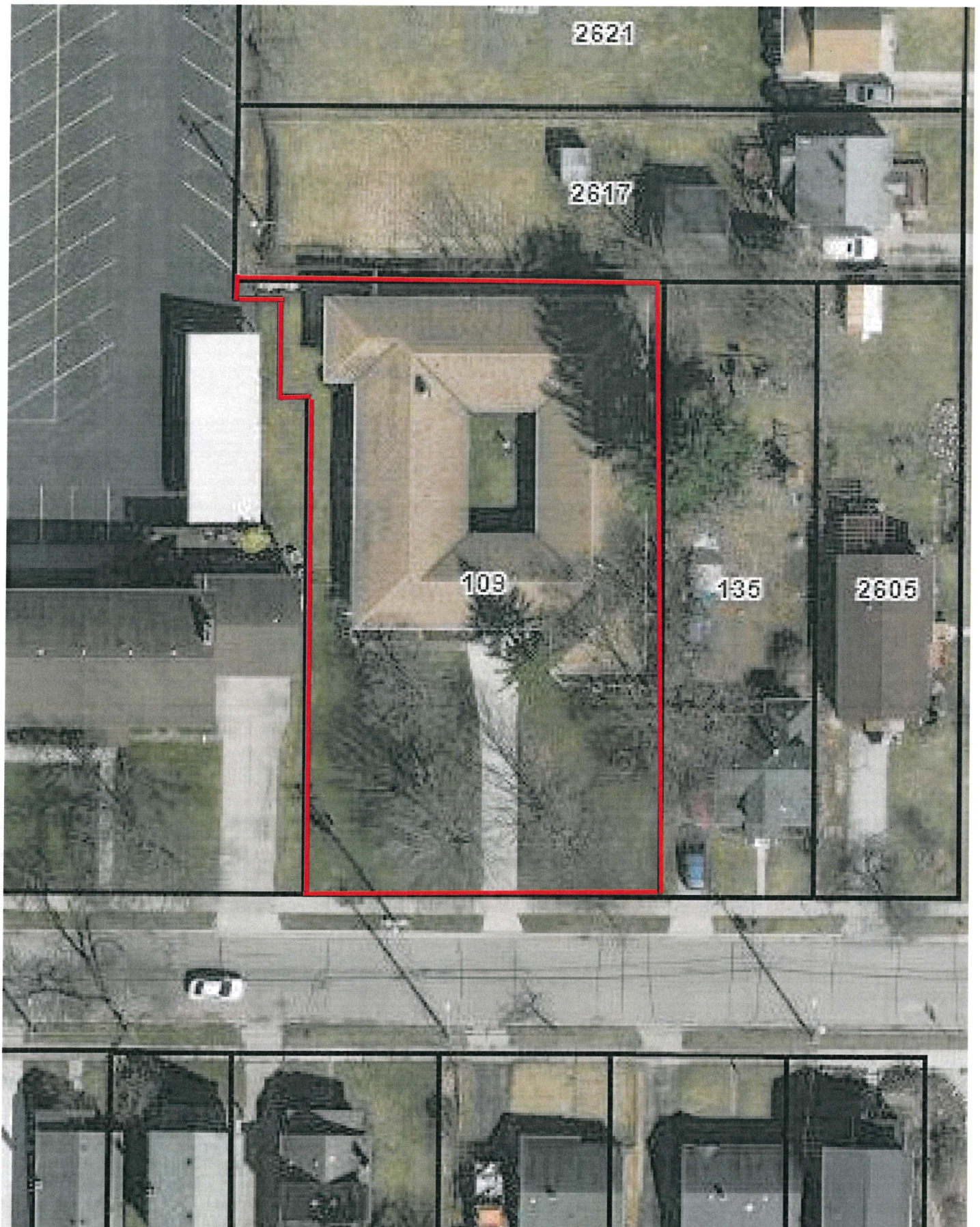
RECOMMENDATION

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,

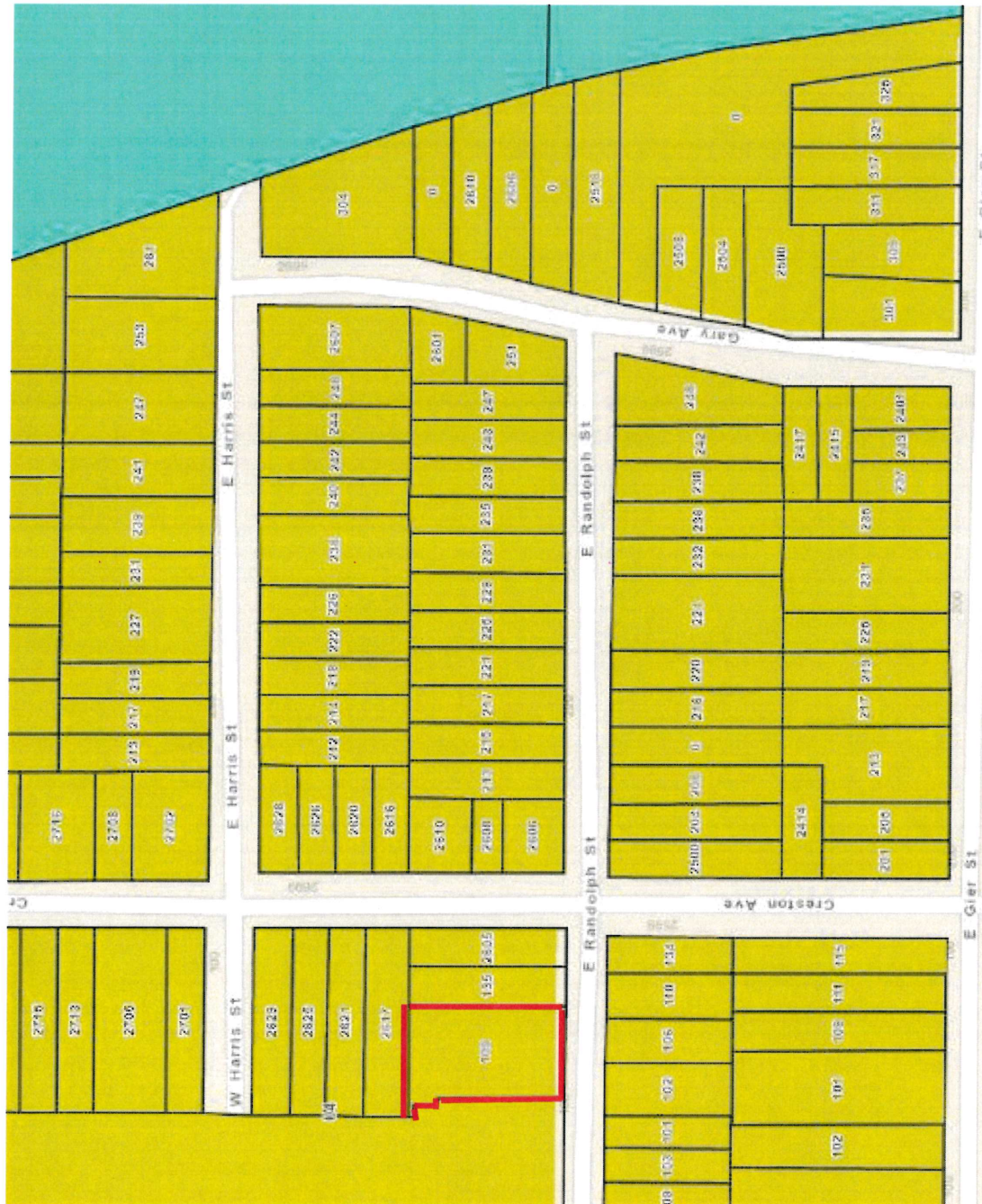
**Susan Stachowiak
Zoning Administrator**







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

CITY OF LANSING
NOTICE OF PUBLIC HEARING

SLU-1-2023, 109 E. Randolph Street
Special Land Use Permit – Adult Foster Care Small Group Home

The Lansing City Council will hold a public hearing on Monday, May 8, 2023 at 7:00 p.m. in the Tony Benavides Lansing Council Chambers, 10th Floor, Lansing City Hall, 124 W. Michigan Avenue, Lansing, Michigan to consider a request by Justin Miller, Looking Glass Adult Foster Care for a special land use permit to utilize the building at 109 E. Randolph Street a state licensed adult foster care, small group home for up to 12 residents.

For more information, please call Lansing City Council at 517-483-4177. If you are interested in this matter, please attend the public hearing or send a representative. Written comments will be accepted between 8 a.m. and 5 p.m. on City business days if received before 5 p.m., Monday, May 8, 2023 at the City Clerk's Office, Ninth Floor, City Hall, 124 West Michigan Ave., Lansing, MI 48933 or email city.clerk@lansingmi.gov.

Chris Swope, City Clerk

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

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, May 8, 2023, at 7 p.m. in the Tony Benavides Lansing City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of approving and/or opposing the request for a special land use permit:

SLU-1-2022: 109 E. Randolph Street, Special Land Use permit authorizing a 12-bed, state-licensed adult foster care, small group home.