



MINUTES
Committee on Development and Planning
Wednesday, April 5, 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

Council Member Garza, Member

OTHERS PRESENT

Sherrie Boak, Council Office Manager

Greg Venker, OCA

Susan Stachowiak, EDP

Andrew Fedewa, EDP

Eric Iversen, Engineering with Red Cedar Development

Council Member Spadafore- arrived at 4:24 p.m. left at 4:43 p.m.

Emily Linden – arrived at 4:25 p.m left at 4:43 p.m.

Harry Hepler

MINUTES

MOTION BY COUNCIL MEMBER BROWN TO APPROVE THE MARCH 15, 2023 MINUTES AS PRESENTED. MOTION CARRIED 3-0.

Public Comment

No public comment on this time.

Presentations

Tri-County Regional Planning Commission Audits and Financial Statements

Council Member Spitzley discharged this item to the Committee on Ways and Means.

Discussion/Action

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

Mr. Fedewa stated the developer is formalizing easements as part of a multiple property license. This is for the encroachment into the City's E. Michigan Avenue right of way across multiple parcels as part of the overall Red Cedar Development. Now all the projects in the easement are complete or close to completion and building footings have been installed through previous temporary licenses. Mr. Fedewa referenced the maps in the packet and the area of

encroachments where buildings have extended into the right of way through different forms such as patios, ramps, stairs, retaining walls, building footings, and roof overhangs. Mr. Iversen was acknowledged for working with Public Service to determine the calculations and space for the easement. Council Member Spitzley asked if this is permanent. Mr. Venker stated he has not seen the easement language, but it was confirmed in the group these are permanent due to the permanent structures.

Mr. Fedewa noted for the Committee there were errors in the resolution due to at the time of the temporary license application addresses were provided and since that time units have been added. The resolution should reflect the addition of 187 Cascade, 3142 E Michigan Avenue.

Council Member Spitzley noted the changes to be amended in the resolution.

Mr. Fedewa made the Committee aware that there are additional encroachments in the development, since there were acquisitions of streets, those have not been formally finalized. At this time the Public Service Department is in talks with the developer on the other areas.

Council Member Garza referenced the staff report, which stated "the planning office does not have a copy of the temporary license agreements." Mr. Fedewa stated Public Service has them, but the Planning office does not, it was noted that way in the report because he wanted the Planning Board to be aware. Council Member Spitzley asked if those were needed to take action and Mr. Fedewa stated they are not.

MOTION BY COUNCIL MEMBER GARZA TO APPROVE THE AMENDED RESOLUTION FOR ACT-1-2023; EAST MICHIGAN AVENUE AND CASCADE RIGHT OF WAY EASEMENTS. MOTION CARRIED 3-0.

RESOLUTION - LS-4-2023; Lot Split Application for 4512 & 4524 Ingham Street

Ms. Stachowiak explained to the Committee that both lots in this proposed lot split are owned by the Ingham County Landbank, along with next application on the agenda for 4720 Ballard. They want to combine two lots and then divide them into three buildable lots. The issue is that they will exceed the depth to width ratio. These properties are all 305' deep in this area. Ms. Stachowiak referred the committee to the maps in the packet, explaining that the depth to width ratio exceeds it by 2 times. Lastly, she noted that the staff and the Planning Commission support the action, and the Planning Commission held the public hearing but the Council is not required to hold one. Council Member Spitzley asked if the Landbank has a buyer and was informed they do not have a sale yet but once this is split they are setting up for a listing. Council Member Garza asked if they are proposed single family units and Ms. Stachowiak stated the property is zoned single family. Council Member Brown referenced the map noting that once split the lots will match the standard of the other lots in the neighborhood.

MOTION BY COUNCIL MEMBER BROWN TO APPROVE THE RESOLUTION FOR LS-4-2023 LOT SPLIT FOR 4512& 4524 INGHAM STREET. MOTION CARRIED 3-0.

RESOLUTION - LS-7-2023; Lot Split Application for 4720 Ballard Road

Ms. Stachowiak confirmed this is one lot and will be split into two. Council Member Spitzley asked if the Landbank had buyers for these two lots, and Ms. Stachowiak stated they do not.

MOTION BY COUNCIL MEMBER BROWN TO APPROVE THE RESOLUTION FOR LS-7-2023; LOT SPLIT FOR 4720 BALLARD ROAD. MOTION CARRIED 3-0.

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

Ms. Stachowiak explained that when the Form Based Code was adopted this parcel was rezoned to MX-1, however it is a single family unit. Therefore the purposed is to bring into conformity with the use, because right now it is legally non-conforming. If something happens such as fire or act of nature, to the home that makes it past the 50% pre-damage value, they cannot rebuild it as a home. Their investment is not protected, it would make it hard to sell for financing purposes and therefore staff supports this rezoning. Council Member Spitzley asked if this was the only single family home in the area, and it was confirmed. Council Member Garza asked the OCA why it was not "grandfathered" and Mr. Venker explained that "pre-existing on conformity" you can continue the use until the use stops or is abandoned for more than 12 months. If a structure is destroyed to point of routine repair or maintenance, then the new zoning designation takes over and overrides. In this case there is currently someone living in the home.

MOTION BY COUNCIL MEMBER GARZA TO APPROVE THE RESOLUTION TO INTRODUCE AND SET THE PUBLIC HEARING FOR Z-1-2023 FOR MAY 8, 2023. MOTION CARRIED 3-0.

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

Ms. Stachowiak stated to the Committee that this addresses several properties that are proposed for part of development. The applicant does not own or have any interest in all the parcels in the block, so this is for the specific ones they own. The map in the packet was referenced for clarification. The Committee reviewed the packet which included renderings of a tentatively proposed development of market rate units. Mr. Hepler spoke on his other developments in the area near the Motor Wheel Development and Prudden Place. This area is 35 acres of historic site, and the housing stock would be replaced with newer housing. The current occupants have been made aware and continue to live in the homes rent free on a month to month lease. Currently the OPRA Council approved for the Prudden Place is underway and in the demolition phase. Council Member Garza asked what the neighboring zoning was, and was told DT-2 to the East towards Pennsylvania and with this rezoning the entire stretch would then all be DT-2. She stated at the next Committee meeting after the hearing she can bring a larger zoning map to depict the area in whole. Council Member Spitzley asked Mr. Hepler what has doing with the homes currently on the lots, and he acknowledged for the Committee that he is working with inspectors, addressing safety, and again all leases are month to month. He has control of all 20 homes and has one closing in May, and then the next two has under option with the Landbank, bringing the total to 23. Council Member Spitzley asked Mr. Hepler to reach out to the City Housing Ombudsman and make him aware of the housing needs for those residents. Council Member Garza asked how many new units will be added, and Mr. Hepler stated that this is tentatively planned for up to 240. Council Member Garza asked if this will increase the tax value for the surrounding home and it was confirmed. He then asked if there was any opposition, and Ms. Stachowiak acknowledged some comments by residents but those comments spoke more to the general conditions and crime in the area. No one spoke specifically to this rezoning change. Council Member Spitzley asked if there was a timeline for the project and Mr. Hepler stated they are in the planning phases. Council Member Garza asked if once tenants move out what they are doing, and Mr. Hepler stated they are immediately boarding them up and working on the demolition.

MOTION BY COUNCIL MEMBER BROWN TO APPROVE THE RESOLUTION TO INTRODUCE AND SET THE PUBLIC HEARING FOR Z-3-2023 FOR MAY 8, 2023. MOTION CARRIED 3-0.

Council Member Spitzley asked Mr. Hepler to attend the May 8, 2023 Council meeting for a special presentation on the project before the public hearing. The presentation should include details on the condition of the homes, what and when to address homes, and the proposed development.

RESOLUTION - Set a Public Hearing; SLU-1-2023; Special Land Use Permit, 109 E. Randolph Street

Ms. Stachowiak confirmed for the Committee this is a different applicant from the other two the Council saw for the property over the last year. This applicant is proposing a 12 bed small group adult foster care. This falls under a different category in the ordinance and the licensing in the State of Michigan. This use is permitted in the existing zoning, however requires this Special Land Use. Ms. Stachowiak confirmed that staff supports this SLU. Council Member Spitzley asked about the conditions on parking, and Ms. Stachowiak confirmed they are working with the neighboring church and have been granted a variance.

MOTION BY COUNCIL MEMBER BROWN TO APPROVE THE RESOLUTION TO SET THE PUBLIC HEARING FOR SLU-1-2023 FOR 109 E RANDOLPH. MOTION CARRIED 3-0.

Other

No other topics.

Adjourn

Adjourned at 4:46 p.m.

Submitted by Sherrie Boak

Recording Secretary, Lansing City Council

Approved by the Committee on April 19, 2023