



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

MINUTES – *Approved 4/4/23*

1. OPENING SESSION

Mr. Ruge called the meeting to order at 6:31 p.m.

- a. Present: Katie Alexander, Tony Cox, Josh Hovey, Monte Jackson, Thomas Morgan, John Ruge
- b. Absent: Farhan Bhatti
- c. Staff: Sue Stachowiak, Zach Driver, Andy Fedewa, Greg Venker (Office of the City Attorney), Dominic Cochran (Public Media Center)

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

3. COMMUNICATIONS – None

4. PUBLIC HEARINGS

- A. **LS-4-2023**, 4512 and 4524 Ingham Street, Variance to the width to depth ratio restriction to permit a parcel split

Ms. Stachowiak stated this application is for a variance to the City's Subdivision Ordinance rather than the Zoning Ordinance, which requires consideration from the Planning Board and approval from City Council rather than the Board of Zoning Appeals. This request is to divide the combination of two parcels (4512 Ingham St. and 4524 Ingham St.) into three parcels of equal dimensions to facilitate the building of new single-family residential homes:

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.

These dimensions however would exceed the stated width to depth ratio allowed in the Subdivision Ordinance, which restricts the depth of a parcel to a maximum of 2.5 times its width. The proposed parcels of 66 feet wide by 305 feet deep have a ratio of 1:4.62. Ms. Stachowiak stated that the proposed width of the parcels is wider than the district's minimum of 60 feet and referenced an aerial picture in the agenda packet to show that multiple properties in the vicinity have equal or similar dimensions. The Planning Office recommends approval of LS-4-2023.

Mr. Ruge opened the public hearing and seeing no one wishing to speak closed the public hearing.

Mr. Morgan made a motion, seconded by Mr. Hovey, to recommend approval of LS-4-2023, 4512 and 4524 Ingham Street, Variance to the width to depth ratio restriction to permit a parcel split. On a voice vote the motion passed unanimously (5-0).

- B. **LS-7-2023**, 4720 Ballard Road, Variance to the width to depth ratio restriction to permit a parcel split

Ms. Stachowiak stated this application is another variance to the City's Subdivision Ordinance rather than the Zoning Ordinance. This request is to divide 4720 Ballard St. into two parcels of equal dimensions to facilitate the building of new single-family residential homes:

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.

These dimensions would exceed the stated width to depth ratio allowed in the Subdivision Ordinance, which restricts the depth of a parcel to a maximum of 2.5 times its width. The proposed parcels of 70.5 feet wide by 305 feet deep have a ratio of 1:4.32. Ms. Stachowiak stated that the proposed width of the parcels is wider than the district's minimum of 60 feet and referenced an aerial picture in the agenda packet to show that multiple properties in the vicinity have equal or similar dimensions. The Planning Office recommends approval of LS-7-2023.

Mr. Ruge opened the public hearing.

Wayne Whiting, stated his concern for making smaller parcels and asked if the proposed houses will be for low-income housing.

Eddie Williams, stated his concern for making smaller parcels and concern if the proposed houses will be rented.

Valerie Black, Reo Rd., stated her concern for making smaller parcels and her impression of crime in the neighborhood.

Vincent Black, Reo Rd. stated his concern for making smaller parcels and adding new housing to the neighborhood.

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

Mr. Thomas made a motion, seconded by Mr. Hovey, to recommend approval of LS-7-2023, 4720 Ballard Road, Variance to the width to depth ratio restriction to permit a parcel split.

David Burns, Ingham County Land Bank, spoke on the Land Bank's established procedures to enter agreements with contractors that build single-family houses. Mr. Burns answered an earlier question to state that sometimes there is an owner-occupancy covenant when the Land Bank sells a house, but they are not used for vacant land.

Mr. Hovey spoke on Michigan's housing crises and that he supports the building of two new homes with a property size equal to other parcels in the neighborhood.

Mr. Ruge stated his support for building new housing in the City and that new residents will add 'eyes on the street' a concept that residents naturally monitor their streets.

On a voice vote the motion passed unanimously (6-0).

- C. **Z-1-2023, 4111 Aurelius Road, Rezoning from MX-1 "Mixed-Use Neighborhood Center" to R-2 "Suburban Residential"**

Zach Driver, Commercial Corridor Specialist, stated this application from the property owner is to rezone their parcel from MX-1 "Mixed-Use Neighborhood Center" to R-2 "Suburban

Residential” to comply with its continued use as a single-family residence. This area was marked as a ‘neighborhood center’ in the Future Land Use Plan of the 2012 *Design Lansing* Comprehensive Plan to facilitate small-scale, neighborhood-based commercial uses, and this parcel specifically is a continuation of the former “F” commercial zoning district designation.

A rezoning would not only allow for the continued use as a single-family residence but also no longer make the structure legally non-conforming thus allowing its rebuild in the event of an unfortunate incident that destroys the structure to an extent of more than 50 percent of its replacement value. The Planning Office recommends approval of Z-1-2023.

Mr. Ruge opened the public hearing.

Keaven Henson, applicant, spoke in support of the rezoning, and stated that the application is to have the zoning reflect its historic use, which will protect his investment by allowing the property to be more easily financed and insured.

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

Mr. Thomas made a motion, seconded by Mr. Jackson, to recommend approval of Z-1-2023, 4111 Aurelius Road, Rezoning from MX-1 “Mixed-Use Neighborhood Center” to R-2 “Suburban Residential”.

Mr. Ruge asked if the next buyer of the property wanted to establish a commercial use. Ms. Stachowiak answered that the Planning Office would be supportive of rezoning it back to commercial if it had a good redevelopment plan.

On a voice vote the motion passed unanimously (6-0).

D. **SLU-1-2023**, 109 E Randolph Street, Special Land Use Permit for a state-licensed Adult Foster Care Group Home

Ms. Stachowiak informed the Planning Board that although they have seen numerous applications for this property the most recent applicant abandoned his project and withdrew the case from City Council consideration.

Ms. Stachowiak stated this application from Looking Glass Adult Foster Care is for a Special Land Use Permit to allow the property to be used as a state-licensed adult foster care – small group home with up to 12 residents in care. The proposal is to provide around the clock care for those residents that may be developmentally delayed, may need daily assistance, or may have an illness such as dementia or Alzheimer’s Disease.

Ms. Stachowiak stated that the application will not require a rezoning and that the variance for parking (CASE #) approved last year is still active, but the Planning Office encourages the applicant to discuss an agreement for parking spaces with the church. The Planning Office recommends approval of SLU-1-2023.

Mr. Ruge opened the public hearing.

Colleen Bueller, spoke in support of the application.

John Vein, Randolph St., spoke in support of the application and stated his concern for the site’s parking.

Tommy Deluca, stated his concern about the supervision of residents that may have special needs.

Justin Miller, applicant, spoke in support of the application and stated that they have two other facilities in the metro Lansing area so they will abide by all state regulations, which includes having at least one staff person per 12 residents. The facility cannot lock doors due to fire requirements, but all residents have a keycard on them that alerts staff should they leave the building.

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

Ms. Alexander made a motion, seconded by Mr. Thomas, to recommend approval of SLU-1-2023, 109 E Randolph Street, Special Land Use Permit for a state-licensed Adult Foster Care Group Home. On a voice vote the motion passed unanimously (6-0).

- E. **Z-3-2023**, Multiple Properties in the 800 & 900 Blocks of May Street and E Saginaw Street, and in the 700 Blocks of E Park Terrace, Quaker Court, and N Pennsylvania Avenue, Rezoning from R-MX “Mixed Residential” to DT-2 “Urban Flex”

Ms. Stachowiak stated this application from H, Inc. is to rezone 27 properties within the block bordered by E Park Terrace, E Saginaw St., Quaker Ct., N Pennsylvania Ave., and May St. to facilitate a redevelopment project. Ms. Stachowiak asked Board members to reference the parcel aerial in the agenda packet to illustrate those properties owned by the applicant and the Ingham County Land Bank (ICLB) that are a part of the request. The DT-2 zoning district would facilitate a denser development with no lot size per dwelling unit stipulation, shorter setbacks, and no maximum lot coverage.

H, Inc. included a conceptual plan in the agenda packet for up to 240 dwelling units with renderings of what the buildings could look like. Ms. Stachowiak stated that the 2012 Comprehensive Plan designated this area as a combination of medium/low residential use and as ‘Residential Corridor’ which are to provide for low-medium density of single-family detached dwellings, two-family dwellings, townhomes, and a mix of ‘urban’ housing forms such as townhomes, stacked flats, small apartments, and lofts. The Plan states a standard density of 20 to 50 dwelling units per acre in 2-3 story buildings. The proposed density is 43.6 units per acre. With this criterion, the proposed development will be consistent with the Plan.

The Planning Office recommends approval of Z-3-2023.

Mr. Ruge opened the public hearing.

Terri Niblock, May St., spoke in opposition of the application and about conditions in the neighborhood.

Kayla Medina, May St., spoke in opposition of the application and about conditions in the neighborhood.

Kraig Medina, May St., spoke in opposition of the application and about conditions in the neighborhood.

Michael Larrabee, May St., spoke in opposition of the application and about conditions in the neighborhood.

Cathy Sheets, rental owner in neighborhood, spoke in opposition of the application and stated she does not believe the proposed development will be consistent with the Comprehensive Plan in terms of housing affordability, dwelling unit accessibility, strategies for compatible housing infill, and goals for mixed-income and diverse dwelling types.

Nancy Mahlow, Eastside Neighborhood Organization, May St., spoke in opposition of the application and about conditions in the neighborhood.

Alex White, May St., May St., spoke in opposition of the application and about conditions in the neighborhood. Mr. White asked if the proposed development will incorporate commercial uses and if the City had tools to hold the developer accountable.

Harry Hepler, applicant spoke on his business' history of historic preservation and adaptive reuse; their redevelopment in the area with Motor Wheel Lofts and Prudden Place as well as other businesses in Lansing. Mr. Hepler requested to address a comment about a police precinct leaving the area and stated they did not vacate the Police Department, but lost them to another facility which offered a \$1 rental agreement. Mr. Hepler stated his business is not a low-income landlord and they work to end leases with tenants that cause problems. Mr. Hepler spoke on the challenges of evictions during the Covid-19 Epidemic and rehabbing of housing stock they have acquired because of age and lack of maintenance.

Mr. Hepler stated that the conceptual plan and renderings included in the agenda packet were meant to illustrate the maximum possible and referenced some constraints such as E Saginaw St. street design, traffic noise, landscaping and fenestration, planned solar panels, expected rents, and a rental/homeowner ratio. H, Inc. will have to adjust the development based on many factors but this is meant as a first step to getting started. Mr. Hepler expressed a willingness to adjust building designs based on neighborhood input.

Mr. Ruge asked when the construction will start. Mr. Hepler answered they are acquiring enough contiguous parcels to begin the first phase which could be up to 160 units and stated that they will be ADA accessible.

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

Mr. Morgan made a motion, seconded by Mr. Hovey, to recommend approval of Z-3-2023, Multiple Properties in the 800 & 900 Blocks of May Street and E Saginaw Street, and in the 700 Blocks of E Park Terrace, Quaker Court, and N Pennsylvania Avenue, Rezoning from R-MX "Mixed Residential" to DT-2 "Urban Flex".

Mr. Ruge asked about the properties within the block that have not sold to H, Inc. and questioned the expected impact of the proposed development on neighbors' quality of life with such a drastic change. Mr. Hepler replied that concept will be adapted to stated concerns.

Mr. Ruge asked about the plan for street trees. Mr. Hepler replied that trees may not be as frequent or as large as usual because of root concerns and front setbacks. Mr. Ruge stated his concern that there be enough trees and landscaping due to the lot coverage maximum.

[Mr. Morgan stepped away at 7:51 pm]

Mr. Hepler referenced the conceptual plan to show that the first phase will be at the south half along E Saginaw St. and not May St. where there are more residents. The plan is meant to be modular and adaptable to growth as land is acquired.

[Mr. Morgan returned at 7:53 pm]

Mr. Ruge asked if it is possible to require longer front setbacks. Ms. Stachowiak answered that the applicant would have to propose a conditional rezoning for any Planning Board stipulations. Mr. Hepler restated that the plan can change due to market conditions, development design, the Neighborhood Enterprise Zone application, and neighborhood input.

Mr. Ruge asked if H, Inc. is open to a conditional rezoning. Mr. Hepler stated that could be a discussion. Ms. Stachowiak reminded the Board that as of right now this application will not have conditions to move forward and that a conditional rezoning would be for the second phase of rezoning requests.

Mr. Jackson asked if there is a possibility that the project will fall through. Mr. Hepler answered that they have an equity partner to help finance. H, Inc. has a list of items to work out with Public Service and other City departments, but wanted to reassure the neighbors that blight will be removed from the block through demolition of five houses that cannot be rehabilitated.

Ms. Alexander asked if H, Inc. would hold neighborhood meetings focused on the design of the development because of the concerns that have been stated to Planning Board that night. Mr. Hepler answered that they are open to charettes with the surrounding property owners.

Mr. Hovey referenced the recently released State of Michigan Housing Plan and its declaration that 75,000 dwelling units are needed in the state. Mr. Hovey believes the City needs housing of all types.

On a roll call vote the motion passed unanimously 6-0.

5. COMMENTS FROM THE AUDIENCE

Ms. Mahlow stated that the City currently has at least 700 red-tagged dwelling units which do not allow habitation until all code violations are resolved. Returning these units to productive use could help satisfy the housing need.

6. RECESS – Not taken

7. BUSINESS

A. Consent Items

(1) Minutes for approval: February 7, 2023

The minutes from the February 7, 2022 Planning Board meeting were approved without objection.

B. Old Business – None

C. New Business

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

Mr. Fedewa stated this application from Continental/Ferguson Lansing LLC is to formalize easements for multiple forms of encroachments into the E Michigan Ave. right-of-way. Temporary licenses between the applicant and Public Service for the encroachments were granted earlier to allow construction to begin with the stipulation that the developer would secure formal easements. The encroachments are currently built and/or installed.

Mr. Fedewa and Mr. Venker pointed out the diagrams in the agenda packet that illustrate the locations in the right-of-way. With Public Service's comments and consent the Planning Office recommended approval of Act-1-2023.

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.

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.

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.

Mr. Morgan made a motion, seconded by Mr. Hovey, to recommend approval of Act-1-2023, East Michigan Avenue, Right of Way Easements. On a voice vote the motion passed unanimously (6-0).

- (2) **Act-2-2023**, Northeast corner of S Washington Avenue and Lenawee Street, Purchase of Property

Mr. Fedewa stated this application from the City of Lansing and the Public Media Center is to purchase parts of two properties to facilitate the building of a new performance venue and media center downtown. The proposal includes the northeast portion of 501 S Capitol Ave. and the north half of 520 S Washington Ave. to create a new parcel roughly 0.91 acres, while the new building will have a footprint of 32,325 square feet, the bulk of the new parcel.

The purchase will include the existing building on 520 S Washington Ave. which will be repurposed for the headquarters of the Public Media Center and additional offices.

The Public Service Department included comments stating that sewer separation and street work is scheduled for this area in the next few years and the department is working to move up their timeframe to complete it along side the building construction schedule, but these agreements are not yet finalized.

The Planning Office recommended approval of Act-2-2023 on the finding that a new performance venue and media center will play a part in multiple *Design Lansing* Comprehensive Plan arts, cultural, and entertainment efforts.

Mr. Morgan made a motion, seconded by Ms. Alexander, to recommend approval of Act-2-2023, Northeast corner of S Washington Avenue and Lenawee Street, Purchase of Property. On a voice vote the motion passed unanimously (6-0).

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

Mr. Morgan nominated Mr. Hovey for Chairperson. Mr. Hovey consented to the nomination.

Mr. Ruge asked if conflicts of interest due to Mr. Hovey's full-time business might interfere with his chairmanship. Mr. Morgan stated that Mr. Hovey would recuse himself as he has always done if that situation arises. Mr. Cox agreed.

Mr. Morgan called the question.

Mr. Hovey was elected Chairperson by a 4-1 roll call vote. Mr. Ruge cast the dissenting vote.

Mr. Jackson nominated Ms. Alexander for Vice-Chairperson. Ms. Alexander consented to the nomination. Ms. Alexander was elected Vice-Chairperson by unanimous consent on a roll call vote (5-0).

Ms. Alexander nominated Mr. Jackson for Board of Zoning Appeals Representative. Mr. Jackson consented to the nomination. Mr. Jackson was elected Board of Zoning Appeals Representative by unanimous consent on roll call vote (5-0).

- 8. REPORT FROM PLANNING & ZONING OFFICE – None**
- 9. COMMENTS FROM THE CHAIRPERSON – None**
- 10. COMMENTS FROM BOARD MEMBERS – None**
- 11. PENDING ITEMS: FUTURE ACTION REQUIRED – None**
- 12. ADJOURNMENT – The meeting was adjourned at 8:30 p.m.**