



Andy Schor
Mayor

LANSING PLANNING COMMISSION
Regular Meeting
April 4, 2023 – 6:30 p.m
Neighborhood Empowerment Center
600 W Maple Street, Lansing, MI

MINUTES – *Approved 5/2/2023*

1. OPENING SESSION

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

- a. Present: Katie Alexander, Josh Hovey, Monte Jackson, John Ruge
- b. Absent: Farhan Bhatti, Tony Cox (excused), Thomas Morgan (excused)
- c. Staff: Sue Stachowiak, Andy Fedewa

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

3. COMMUNICATIONS – None

4. PUBLIC HEARINGS

- A. **Z-4-2023**, N Larch St., Rezoning six properties from R-2 “Suburban Residential” to IND-1 “Suburban Industrial”.

Ms. Stachowiak presented, stating applicant Tews Properties LLC, has requested to rezone their parcels from R-2 “Suburban Residential” to IND-1 “Suburban Industrial” to facilitate the open storage of their business materials. The applicant has been using their vacant land for storage of their business materials. Ms. Stachowiak stated that there is no other industrial zoning districts in the vicinity and when the area was platted it was intended that the parcels be developed as single-family housing. The current comprehensive plan’s future land use map identified the area as a single-family area as well.

The Planning Office recommends denial of Z-4-2023 based on the intensity of the proposed use and the intensity of the other allowable uses permitted in IND-1.

Mr. Ruge asked if the properties on this block along N East St. are SC “Suburban Commercial” and if the IND-1 zoning allows for open storage use. Ms. Stachowiak confirmed that the properties along N East St. are “S-C” districts and that Open Storage as defined in the zoning ordinance can only be allowed as a stand-alone, principal use in the IND-1 and IND-2 industrial zoning districts. Mr. Ruge questioned the ownership of the remaining two properties to the south of this request. Ms. Stachowiak replied that the property owners along N Cedar St. directly west of the vacant parcels own their adjoining vacant parcels.

Mr. Jackson asked for clarification about required screening and buffering. Ms. Stachowiak confirmed that all open storage materials are required to be screened by an opaque fence or landscaping or some combination thereof so as to not be visible and that material storage cannot exceed the height of the screening.

Darren Tews, applicant, requested to speak. Mr. Tews stated that his business purchased the property where his business is nine years ago and stated that the subject six properties all went through the foreclosure process with Ingham County before being purchased by Pro-Soil. Mr. Tews stated that they submitted plot plans displaying the screening. Mr. Tews stated that their screening fence is erected and that they have cleared prior premise violations. Mr. Tews stated

that his business is growing and that they would like to stay in this location so this request is to facilitate their storage and growth.

Mr. Ruge asked how the applicant has been accessing the vacant properties. Mr. Tews answered that they have been using the clearing off E Frederick Ave. and egress from their business property. Mr. Tews stated a wiliness to use only their business property for sole access.

Mr. Hovey opened the public hearing.

Michael Zwlenzky, E Frederick Ave, spoke in opposition of the request. Mr. Zwlenzky stated he was a neighbor directly adjacent to the subject parcels and noted a nuisance with materials and noise and claimed the applicant has removed vegetation in the area.

Kristopher Graham, N Cedar St., spoke in opposition of the request. Mr. Graham stated he was a neighbor directly adjacent to the subject parcels and noted a nuisance with the materials, noise, and heavy equipment creating potholes. Mr. Graham claimed the applicant's fence extends over property lines.

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

Mr. Ruge made a motion, seconded by Ms. Alexander, to recommend denial of Z-4-2023, N Larch Street, Rezoning six properties from R-3 "Suburban Residential" to IND-1 "Suburban Industrial".

Mr. Ruge stated he does not want to hamper the applicant's business growth and that he had concerns about landlocking the two remaining properties not owned by the applicant.

Ms. Alexander stated her opinion that it would be difficult to rezone the properties back to a residential zoning district if any industrial uses take place. Ms. Alexander questioned whether there are strategies to mitigate potential nuisances.

Mr. Ruge questioned if a storage building can be built in the "S-C" district. Ms. Stachowiak answered yes as an accessory building, but it cannot be the sole building or sole use. It has to be incidental to the primary building and use.

Mr. Hovey confirmed that all allowable uses in the IND-1 district would be allowed on these parcels if the request is approved.

Mr. Tews requested to ask if a pole barn type building would be allowed on the vacant properties if the current zoning remained. Ms. Stachowiak replied no because there is no primary use present.

On a roll call vote the motion passed unanimously (4-0).

5. COMMENTS FROM THE AUDIENCE -

6. RECESS – Not taken

7. BUSINESS

A. Consent Items

(1) Minutes for approval: March 7, 2023

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

B. Old Business – None**C. New Business****(1) Act-3-2023, N Larch St., Street Vacation**

Mr. Fedewa presented, stating applicant Tews Properties LLC, has requested to vacate an unimproved section of N Larch Street, south of E Frederick Avenue right of way. This section is a “paper street” meaning it exists on maps, but no pavement nor infrastructure has been installed. Currently, the applicant has been using the land as an access drive to store materials from their business.

This stretch of right-of-way runs 618.74 feet and theoretically provides access to seven buildable residential properties, that are also currently vacant. Five of the parcels are owned by the applicant while the remaining two are each owned by the respective adjoining property owner to the west along N Cedar St. Street vacations by their nature would see the entirety of the land split with each adjacent property owner getting the adjoining piece of land, unless an alternate agreement is decided on by the parties. There are five other property owners that would get a portion of the vacated right-of-way if approved. The street vacation would allow the applicant connected access to five parcels of their rezoning request.

The vacation would not impact the circulation network in anyway due to this section being unimproved. No easements for water, electric, street lighting, or communications would be necessary.

Mr. Fedewa recognizes that the applicant has purchased six parcels from Ingham County and that it makes sense that there has not been development interest due to the lack of street access. However, the City has seen an increase in single-family house building recently and paving a small section of a local street is likely not insurmountable. Mr. Fedewa stated that he does not support recommend approval of the street vacation on the basis that its approval would remove the development potential of seven buildable residential properties.

Ms. Alexander asked what would happen to the two southernmost properties if approved. Mr. Fedewa responded that they would be landlocked from E Frederick Ave. but as of right now they can be accessed since the adjacent property owners to the west own them, respectively.

Ms. Alexander made a motion, seconded by Mr. Jackson, to recommend denial of Act-3-2023, N Larch St., Street Vacation. On a roll call vote the motion passed unanimously (4-0).

- 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 7:09 p.m.**