



LANSING PLANNING COMMISSION
Regular Meeting
Tuesday, August 1, 2023, 6:30 p.m.
Neighborhood Empowerment Center
600 W. Maple Street, Lansing, MI 48906

AGENDA

- 1. OPENING SESSION**
 - A. Roll Call**
 - B. Excused Absences**
- 2. APPROVAL OF AGENDA**
- 3. COMMUNICATIONS**
- 4. PUBLIC HEARINGS & ITEMS FOR ACTION**
 - A. Z-8-2023, 415 and 421 West Kalamazoo Street, Rezoning from "DT-3" Downtown Core to "R-AR" Residential Adaptive Reuse1**
 - B. SLU-2-2023, 415 and 421 West Kalamazoo Street, Special Land Use Permit for a sheltered Care facility in the "R-AR" Residential Adaptive Reuse district1**
- 5. COMMENTS FROM THE AUDIENCE (please limit comments to 3 minutes per person)**
- 6. RECESS**
- 7. BUSINESS**
 - A. Consent Items**
 - (1) Minutes for approval: June 6, 2023 2**
 - B. Old Business**
 - C. New Business**
 - (1) Amendments to Code of Ordinances Part 12, Title 4, Subdivision Regulations3**
- 8. REPORT FROM PLANNING & ZONING OFFICE**
- 9. COMMENTS FROM THE CHAIRPERSON**
- 10. COMMENTS FROM COMMISSION MEMBERS**
- 11. PENDING ITEMS: FUTURE ACTION REQUIRED**
- 12. ADJOURNMENT**

Next Regularly Scheduled Meeting: Tuesday September 5, 2023

For special accommodations, please give 24 hours' notice prior to the meeting by calling Sue Stachowiak in the Planning Office at 517-483-4085 or by dialing (tty 711).

GENERAL INFORMATION

APPLICANT: VIRIDIS Design Group on behalf of the
City Rescue Mission of Lansing
2925 W. Main Street
Kalamazoo, MI 49006

OWNER: SET SEG Insurance Services Agency, Inc.
1520 Earl Avenue
East Lansing, MI 48823

REQUESTED ACTION: * Rezoning from “DT-3” Downtown Core to ‘R-AR’
Residential Adaptive Reuse
* Special Land Use Permit for a sheltered care facility

EXISTING LAND USE: Vacant office buildings

EXISTING ZONING: “DT-3” Downtown Core District

PROPERTY SIZE: 415 W. Kalamazoo – 26,136 square feet (.75 acres)
421 W. Kalamazoo – 32,670 square feet (.6 acres)
Total – 58,806 square feet (1.35 acres)

SURROUNDING LAND USE: N: State Office Building
S: Multiple Family Residential Apartment Building
E: Office Building & Ingham County Courthouse
W: Lansing School District Office Building

SURROUNDING ZONING: N: “DT-3” Downtown Core District
S: “DT-3” Downtown Core District
E: “DT-3” Downtown Core District
W: “DT-3” Downtown Core District

MASTER PLAN DESIGNATION: The Design Lansing Master Plan designates the subject property as “Downtown Mixed-Use Center: Edge”. W. Kalamazoo Street is designated as a prime connector.

APPLICANT’S REQUESTS

Z-8-2023: Request to rezone the properties at 415 & 421 W. Kalamazoo Street from “DT-3” Urban Core to “R-AR” Residential Adaptive Reuse

SLU-1-2022: Special land use permit to utilize 415 & 421 W. Kalamazoo Street for a sheltered care facility. A sheltered care facility is permitted by special land use permit in the “R-AR” zoning district but is not permitted under the current “DT-3” zoning of the subject properties. A “sheltered care facility” is defined by the zoning ordinance as:

“A governmental or nongovernmental establishment having as its principal function the provision of supervision, personal care, and protection for more than six (6) adults, in addition to room and board, for up to 24 hours a day, five or more days a week and for two or more consecutive weeks, with or without compensation. "SHELTERED CARE FACILITY" includes, but is not limited to, emergency shelters, facilities for persons who are homeless, parolees, ex-offenders, aged, or developmentally or physically disabled, who may require supervision on an on-going basis but do not require continuous nursing care. A SHELTERED CARE FACILITY does not include any of the following:

1. A nursing home licensed under Article 17 of Public Act 368 of 1978, as amended, being M.C.L.A. 333.20101 to 333.22181;
2. A hospital licensed under Article 17 of Public Act 368; or
3. A hospital for the mentally ill or a facility for the developmentally disabled operated by the department of mental health under Public Act 258 of 1974, as amended, being M.C.L.A. 330.1001 to 330.2106.”

AGENCY REFERRAL RESPONSES

Assessing: No objections.

Building Safety: No objections.

Parks & Recreation: No issues

Public Service Engineering: We have the vacated LSD offices use replaced with “300 adults” and “offices and other support spaces”, which from a civil engineering/sewage flow standpoint equates to a small or medium-sized apartment building. Now, the PUBLIC sewer in front on Kalamazoo is a 6-inch combined sewer, which does not have the capacity to serve this redevelopment. However, fortunately, based on past experience, I believe the existing sanitary service is to the 8-inch public sewer on Walnut.

Of note, this 8-inch sewer is also a combined sewer that currently takes roadway drainage, so we still may have inadequate capacity in the sewer on Walnut (tributary to another 8-inch combined sewer draining eastward on Kalamazoo).

I note that VIRDIS’s writeup states “CRM does not anticipate requiring new infrastructure, curb cuts, etc.”. The issue is that the existing sewer infrastructure MAY not be adequate. I emphasize “may”, because there may be no issue, but there’s some definite question marks based on what I stated above. VIRDIS should provide a sanitary basis of design as soon as possible, so we can start checking the sewer capacity.

Public Service Transportation
& Administration:

The Public Service Department does not have any objections to the rezoning. Traffic and parking needs should be lower compared to an

office use. As Alec indicated, changing to a residential use might create additional sanitary sewage and our department would need to confirm that there is sufficient sewer capacity to handle the anticipated flows.

REZONING

COMPATIBILITY WITH SURROUNDING ZONING PATTERNS

The applicant is requesting a rezoning of two adjoining properties at 415 and 421 W. Kalamazoo Street from “DT-3” Downtown Core to “R-AR” Residential Adaptive Reuse and a special land use permit to allow a sheltered care facility in that district. The subject properties are surrounded on all sides by “DT-3” zoning. The “R-AR” zoning is one of only a few districts that permits sheltered care facilities. It is generally considered good planning and zoning practices to create and preserve consistent zoning patterns as they result in consistent development patterns. In this case, however, there are no properties in and around the downtown that are zoned for sheltered care facilities. Shelters are essential to the community and should primarily be located in close proximity to the downtown where they can effectively serve the majority of the population in need of their services. A rezoning, therefore, is going to be necessary in order to accommodate the use, in spite of zoning pattern inconsistencies. The “R-AR” zoning district is intended to accommodate reuse of properties that are unique such as those that contain vacant school buildings and to accommodate uses that have unique locational needs such as shelters. Unlike most zoning districts, the “R-AR” district is only intended to address unique situations which is why all properties that are zoned “R-AR” are limited to very specific properties and surrounded by other zoning districts.

COMPATIBILITY WITH SURROUNDING LAND USES

The City Rescue Mission currently operates a men’s shelter at 607 E. Michigan Avenue and a shelter for women and children at 2216 S. Cedar Street. The Mission’s plan is to move the men’s shelter to 415/421 W. Kalamazoo Street and convert 607 E. Michigan into the kitchen that produces meals for the homeless. The plan also includes relocating the shelter for single adult women to W. Kalamazoo Street, thus creating additional shelter space at the 2216 S. Cedar Street location for women with children.

The men’s shelter at 607 E. Michigan Avenue has a capacity of 100 and the capacity of the women and children’s shelter at 2216 S. Cedar Street is 110. The proposed facility on W. Kalamazoo Street would accommodate 200 men and 100 women. Including the 2216 S. Cedar Street location that will remain open, the Mission’s total shelter capacity would increase from 210 to 400 to possibly 450 at some point in the future as administrative offices are relocated from one facility to another.

The Rescue Mission has been looking for a new site so that it can increase its shelter capacities for both men and women. The homeless population in Lansing has grown dramatically and the existing shelters are not sufficient to accommodate the need. Several locations have been considered by the applicant including the former YMCA building at the corner of N. Washington Square and the former Cooley Law School building in the 200 block of S. Capitol Avenue, both of which are located in the heart of the downtown business district. Planning staff informed the Rescue Mission that it would not support a rezoning and special land use permit for a shelter at those locations as

they should be reserved for uses that contribute to the vibrancy of the downtown by drawing people to the area to support existing and encourage new businesses. In other words, uses that generate a lot of customers, create new jobs, increase the tax base, and increase the need for more housing in the area.

Shelters are essential to the community and should be located primarily near the downtown where they are easily accessible to the majority of the population they serve. The site on W. Kalamazoo Street is an appropriate location for a shelter as it is in close proximity to but not directly in the core downtown business area. The site is located along two primary bus routes and within easy walking distance to a variety of businesses, institutional and civic uses, and human service agencies that provide assistance and resources to those in need. The site is surrounded on three sides by office buildings. While there is an apartment building directly to the south, the City Rescue Mission has shelters adjacent and in close proximity to residential uses in other areas of the City and they seem to effectively co-exist.

The City Rescue Mission has been in operation at 607 E. Michigan Avenue for more than 110 years and at 2216 S. Cedar Street for well over a decade. The shelters at these locations are adjacent to or in very close proximity to residential uses and there has not seemed to be any issues of incompatibility. The Mission has an established a record of doing an excellent job managing its facilities. We have been informed that incidents requiring police intervention have been generally non-violent/non-assaultive, non-destructive, and extremely rare.

COMPLIANCE WITH MASTER PLAN

The Design Lansing Comprehensive Plan designates the subject property as “Downtown Mixed-Use Center: Edge”. The Plan does not address sheltered care facilities so it cannot be determined if the proposed use is consistent with the future land use designation of the property. It appears that when the Plan was adopted in 2012, the existing shelters seemed to be adequate to serve the homeless population and thus, there was no reason to plan for more or larger facilities elsewhere in the City. Since that time, the homeless population has increased to where the existing facilities are not adequate thus, creating the need for a new shelter with greater capacity. There is no land in or near that downtown that is zoned and available for use as a sheltered care facility. Without the Plan providing specific guidance as to where shelters should be located, the basic principles of planning should be used to make that determination.

The proposed shelter location is consistent with a primary goal of master planning which is to accommodate land uses in appropriate areas where they can operate successfully without negatively impacting adjoining and nearby uses. The subject properties are surrounded by offices to the north, east and west that are in operation during typical daytime hours and workdays. They are destination type uses that do not depend on attracting customers or clients to stay in business. In fact, most of them are government owned and operated and are not accessible to anyone other than employees or those who are there for a very specific purpose. The office building at the southwest corner of W. Kalamazoo and S. Walnut is privately owned and is currently vacant. A State of Michigan office building is located on the property to the north and the Lansing School District has its offices on the property to the west. While there is a 52-unit apartment building on the adjacent property to the south, the Mission’s history with the City in terms of managing its existing facilities, including the shelter on S. Cedar Street that is surrounded on three sides by a residential neighborhood, has been positive.

Another important planning principle to consider when determining where certain uses should be located is accessibility by various modes of transportation. For example, in order to generate and maintain a strong customer base, commercial uses such as restaurants, gas stations, and retail establishments should be located along major thoroughfares where they are visible to large volumes of traffic and can be readily accessed by private vehicles and public transportation. Other uses, such as the proposed shelter, do have those same needs but do need to be located where they are easily accessible by foot and public transportation since the overwhelming majority of the people who utilize shelters do not have private transportation. Access to public transportation is also very important so that the occupants of the shelter can secure employment and utilize human service resources that can assist with transitioning out of homelessness. The subject property is located along two major bus routes, is within walking distance of the downtown business district and near many facilities that provide services to those in need.

IMPACT ON VEHICULAR AND PEDESTRIAN TRAFFIC

While the sheltered care facility will generate additional pedestrian traffic in the area, the amount of vehicular traffic will likely be less than what was generated when the office buildings on the sites were in full operation. According to the special land use permit application, the maximum number of employees that will be in the facility at one time is 18. The applicant has stated that approximately 10% of the people that stay in its shelters have privately owned vehicles for transportation. The majority access them by foot or public transportation. The two sites combined contain approximately 90 spaces which is more than adequate to accommodate the proposed parking needs. In addition, the new shelter should create a safer pedestrian environment for those using the facility as vehicular traffic is much lighter along W. Kalamazoo Street than it is in the vicinity of the E. Michigan Avenue location.

IMPACT ON PUBLIC FACILITIES

See agency referral comments from Public Service on page 2 of this report. The Board of Water & Light will also be providing comments with regard to the utility services that it provides. Use of the buildings for an overnight shelter with a capacity of 300 persons will significantly increase the usage of certain utilities from when the buildings were being used for office purposes, particularly with regard to water and sanitary sewer services. The need for upgrading or expanding utility systems to serve the use will need to be determined between the applicant and the relevant service providing agency.

ENVIRONMENTAL IMPACT

The proposal will have no negative impacts on the natural environment. The only proposed change to the site is an addition connecting the two buildings. This will require combining the two properties into one parcel, which is a simple administrative procedure. It will also require review and approval of a site plan prepared by a civil engineer. Since the proposed addition will result in an increase in the amount of impervious surface on the site, a storm water management plan will need to be provided as part of the site plan review submission. This is to ensure that the additional stormwater runoff resulting from the building addition is properly managed within the boundaries of the site.

IMPACT ON FUTURE PATTERNS OF DEVELOPMENT

Shelters are essential to the community and need to be accommodated in locations where their mission can be carried out most effectively. Shelters are unique in that they need to be centrally located with convenient access to public transportation, businesses, and human service agencies. There is a significant need for additional shelter space in the City and there are no properties in or near the downtown that are zoned for that use. The subject properties, as described in the proceeding paragraphs of this report, are an appropriate location for a shelter as they are located on the fringe of, but not in the core downtown which should be reserved commercial, office and residential uses that are essential to its vibrancy. It is located along W. Kalamazoo and S. Walnut Streets, both of which are primary bus routes, and in an area where there is access to various civic, institutional, religious, and medical facilities that can help those in need to transition out of homelessness. Since the circumstances surrounding this request are based upon the very specific and unique needs of a shelter, approval of the rezoning will not set a precedent for approval of future rezoning requests in the area and thus, will not have any impacts on patterns of development in the area.

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?**

The Rescue Mission has been operating in the City for more than a century and has a proven track record of doing an excellent job of operating, managing, and maintaining its facilities. The existing locations have existed harmoniously with both the residential and nonresidential uses in the areas in which they are located.

- 2. Will the proposed special land use change the essential character of the surrounding area?**

The proposed shelter will not change the essential character of the surrounding area surrounding the subject properties. With the exception of an addition to connect the 2 buildings at 415 & 421 W. Kalamazoo Street, the physical site will remain unchanged.

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

There is nothing to indicate that the shelter will interfere with the “enjoyment” of adjacent properties as that does not seem to have been the case in the areas surrounding the Mission’s other locations. The properties to the north and west are being used for government office purposes. There is a vacant office building on the adjoining property to the east and a courthouse on the property further to the east in the 300 block of W. Kalamazoo Street, which draws a large number of people to the area on a daily basis. The operations for all of these uses are confined to typical workdays and hours which means that they are closed in

the evenings when people are arriving at the shelter for overnight stay. During the day, the vast majority of the people using the shelter are working at a job, looking for or training for employment, and seeking assistance from various human service agencies to address the issues that led to their homelessness. The only adjoining properties that are occupied outside of normal business hours are the apartment building to the south and an apartment in the office building to the east.

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 proposed rezoning and special land use permit will allow for adaptive reuse of the two vacant offices buildings at 415 & 421 W. Kalamazoo Street. This will not only represent an improvement to the use and character of the property, it will also represent an improvement in general by fulfilling a very important need in the community.

The only proposed change to the physical development of the site is an addition connecting the two existing buildings. A site plan for this addition will be reviewed by the City for compliance with all applicable codes and ordinances.

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 shelter will produce very little vehicular traffic and will not generate smoke, odors, fumes, glare, or any other conditions that would be detrimental to the health, safety, and welfare of the community.

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 issue of whether existing utilities serving the subject properties are adequate to accommodate the shelter has not yet been determined. This will take more study on behalf of the City engineers and the Board of Water & light and will require additional information from the applicant regarding the proposed usage.

7. Will the proposed special land use place demand on public services and facilities in excess of current capacity?

See agency referral comments from Public Service on page 2 of this report. The Board of Water & Light will also be providing comments with regard to the utility services that it provides. Use of the buildings for an overnight shelter with a capacity of 300 persons will significantly increase the usage of certain utilities from when the buildings were being used for office purposes, particularly with regard to water and sanitary sewer services. The need for upgrading or expanding utility systems to serve the shelter will need to be determined between the applicant and the relevant service providing agency.

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 zoning code is the primary tool for implementing the future land use component of the City's Comprehensive/Master Plan and thus, the intent and purpose of the 2 documents are the same in that regard. A detailed description of this request as it relates to the Master Plan is provided in the "Compliance with Master Plan" section on pages 3 and 4 of this report.

9. Will the proposed special land use meet the dimensional requirements of the district in which the property is located?

The only proposed change to the site is the construction of an addition to connect the 2 buildings. This will require combining the 2 parcels which is a simple administrative procedure. The location of the proposed addition will comply with the setback requirements of the proposed R-AR zoning district. There are no other dimensional requirements that apply to this request.

SUMMARY

The applicant is seeking to rezone the properties at 415 & 421 W. Kalamazoo Street from "DT-3" Urban Core to "R-AR" Residential Adaptive Reuse. The applicant is also requesting a special land use permit to the allow use of the subject properties for a sheltered care facility.

The available information supports a finding that the requests satisfy all of the criteria set forth in the Zoning Ordinance for evaluating rezoning and special land use permit applications, as detailed in this staff report.

RECOMMENDATIONS

Staff recommends approval of Z-8-2023 to rezone the properties at 415 & 421 W. Kalamazoo Street from "DT-3" Urban Core to "R-AR" Residential Adaptive Reuse and SLU-2-2023, for a special land use permit to allow the properties to be utilized for a sheltered care facility.

Respectfully Submitted,

**Susan Stachowiak
Zoning Administrator**

7/9/2023

RE-ZONING APPLICATION ADDENDUM

Prepared by VIRIDIS Design Group, on behalf of the City Rescue Mission of Lansing

415 and 421 West Kalamazoo Street, Lansing, Michigan 48933

Current Owners (note: City Rescue Mission of Lansing has option to purchase both properties)

415 W Kalamazoo St: SET SEG Agency, 1520 Earl Ave, East Lansing, MI 48823 (800) 292-5421

421 W Kalamazoo St: Michigan Corrections Org, 421 W. Kalamazoo St, Lansing, MI 48933 (517) 485-3310

Describe and/or explain the specific land use proposed for this property:

The City Rescue Mission of Lansing (CRM) has been seeking an opportunity to secure a larger facility so as to be able to expand services to those in the Lansing community who are at-risk and most in need. Ideally, CRM is seeking to place a shelter in or near the downtown core, where the majority of the at-risk population currently live. The 415-421 West Kalamazoo location provides an ideal location for continuation of the CRM mission.

CRM intends to remodel the (2) existing buildings on these parcels, and construct a new addition connecting the two buildings. This facility is being programmed to provide services for up to 300 adults (both men and women). The new facility will also include offices and other support spaces.

Parking is expected to be more than adequate for the intended re-use of the property. CRM does not anticipate requiring new infrastructure, curb cuts, etc. as part of this project.

Explain what changes or changing conditions make the passage of this rezoning necessary:

The subject parcels are currently zoned DT-3 (Urban Core) which does not allow Sheltered Care Facilities. We propose to re-zone the subject parcels to R-AR (Residential Adaptive Reuse) which allows Sheltered Care Facilities by Special Use. We note that the proposed rezoning would move these parcels from a less-restrictive to a more-restrictive zoning district, however, CRM anticipates this facility being home to their program for the foreseeable future and is a very good fit at this location.

Comment on other circumstances which justify the amendment:

CRM recognizes a significant need in the community to provide food, shelter and other services to the less-fortunate. CRM has diligently searched for a location within the central Lansing core in order to expand its facilities to serve those who are most at-risk in the community. This proposed location provides appropriate space and is well-located within the CRM service area. We ask that the City approve the re-zoning of the parcels to allow CRM to continue its mission of service to others.

Thank you for your consideration.

7/9/2023

SPECIAL LAND USE APPLICATION ADDENDUM

Prepared by VIRIDIS Design Group, on behalf of the City Rescue Mission of Lansing

415 and 421 West Kalamazoo Street, Lansing, Michigan 48933

Current Owners (note: City Rescue Mission of Lansing has option to purchase both properties)

415 W Kalamazoo St: SET SEG Agency, 1520 Earl Ave, East Lansing, MI 48823 (800) 292-5421

421 W Kalamazoo St: Michigan Corrections Org, 421 W. Kalamazoo St, Lansing, MI 48933 (517) 485-3310

Size of Parcels:

415 W. Kalamazoo St: Irregular – 0.57 Acre

421 W. Kalamazoo St: 165' x 198' – 0.75 Acre

Describe your proposal:

The City Rescue Mission of Lansing (CRM) has been seeking an opportunity to secure a larger facility so as to be able to expand its services to those in the Lansing community who are at-risk and most in need. Ideally, CRM is seeking to place a shelter in or near the downtown core, where the majority of the at-risk population currently live. The 415-421 West Kalamazoo location provides an ideal location for continuation of the CRM mission.

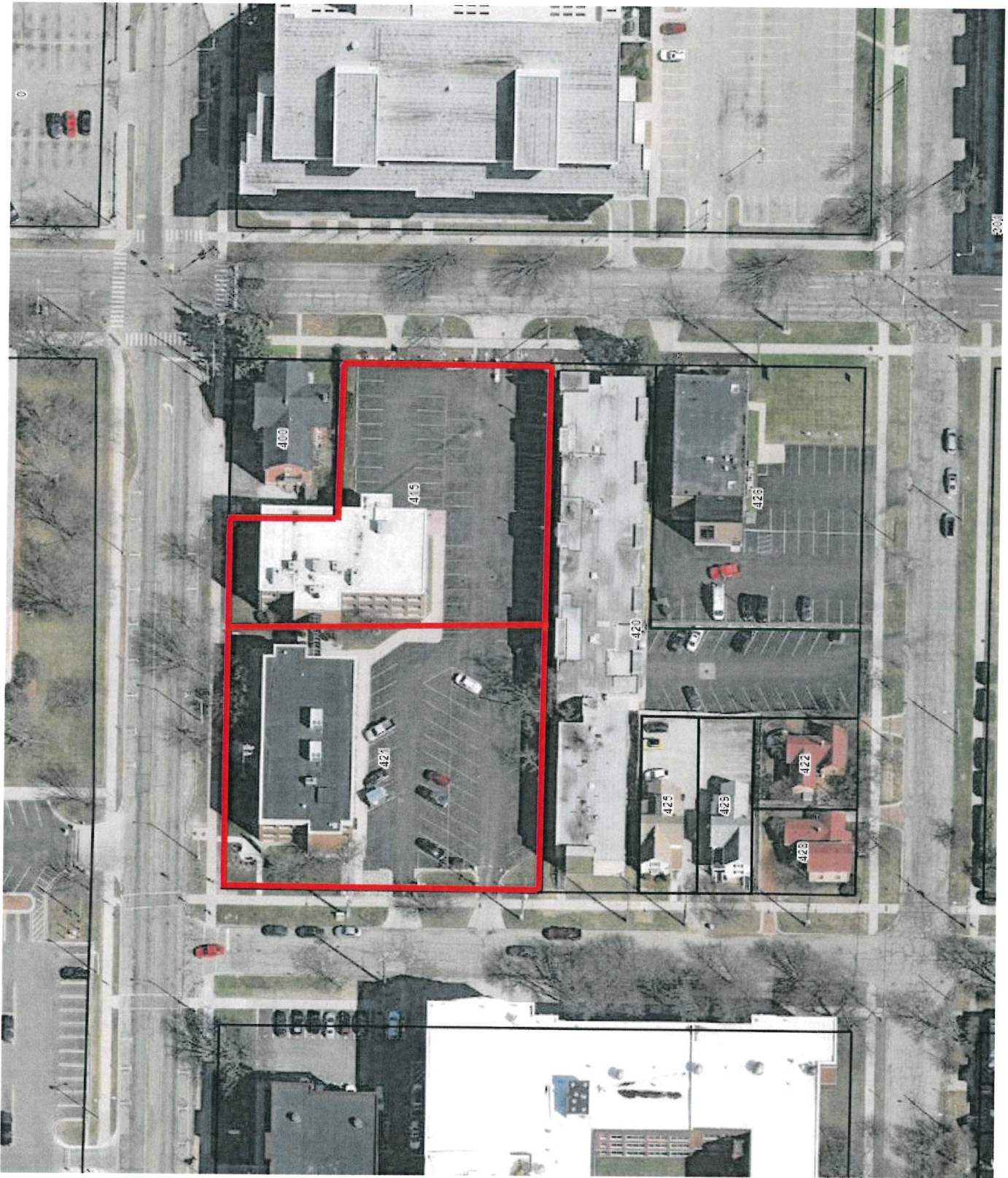
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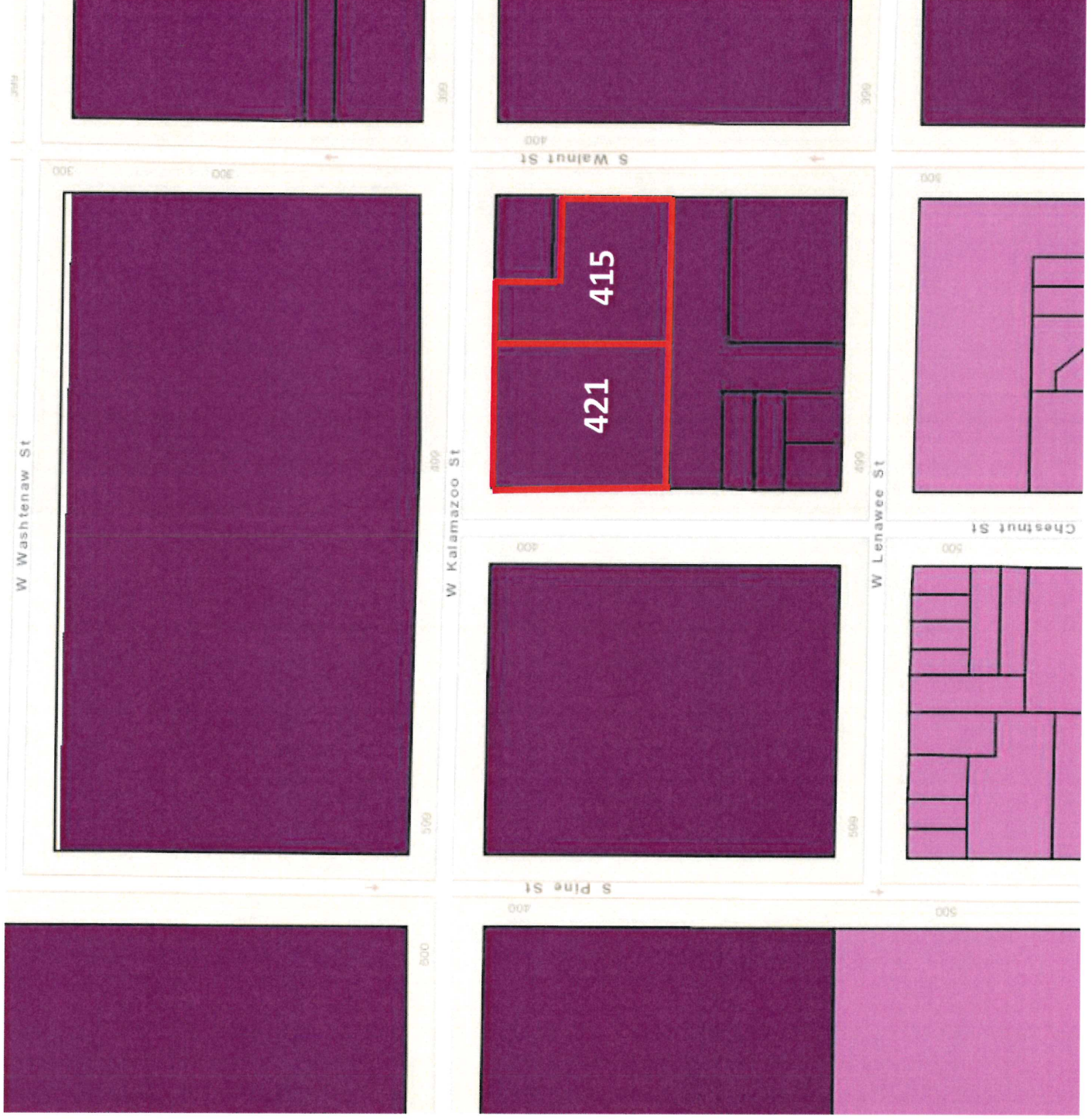
Thank you for your consideration.

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



421 W. Kalamazoo



Image capture Aug 2010 © 2023 Google

415 W. Kalamazoo





Andy Schor
Mayor

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

MINUTES – *DRAFT*

1. OPENING SESSION

Mr. Hovey called the meeting to order at 6:36 p.m.

- a. Present: Katie Alexander, Tony Cox, Josh Hovey, Monte Jackson,
- b. Absent: Farhan Bhatti, (excused), John Ruge
- 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-7-2023, 3712 S Cedar Street, Rezoning from “MX-C “Mixed-Use Urban Corridor” to SC “Suburban Commercial”.

Ms. Stachowiak stated that this is a request to rezone 3712 S. Cedar Street from MX-C “Mixed-Use Urban Corridor” to S-C “Suburban Commercial” to permit use of the property for a ‘Motor Vehicle Repair Station’. She explained that a motor vehicle repair station is more intensive than a motor vehicle service station because it permits body work, painting and repair of wrecked or junk vehicles and is therefore, only permitted in the S-C and industrial zoning districts which are generally located along the edges of the city where they do not directly adjoin residential properties. Ms. Stachowiak said that the subject property adjoins a residential neighborhood to its west. She also said that there are no other properties in the area that are zoned “S-C” making this a spot zoning situation which is generally an unacceptable planning practice since it affords land use rights to one property owner that are not afforded to other in the same area. There are also concerns noise, fumes and the appearance of junk vehicles on the site that could negatively impact the adjoining residential neighborhood. Ms. Stachowiak stated that for all of these reasons, staff is recommending denial of the request.

Saevan Kesto, 3712 S. Cedar, spoke about previous lessees of the building and the nature of their work being in line with this request; engine and repair work. Mr. Kesto stated that the new tenant had reactivated the previous use, not introduced a new intensity and he does not believe that there have been any complaints about noise, fumes, or anything else associated with the property at its use.

Mr. Hovey asked if privacy fencing exists around the property. Mr. Kesto stated that there are trees along the property line adjoining the residences.

Mr. Cox asked if parking was adequate or if they block drive aisles. The applicant stated that there are 16 spaces on the site and it is adequate

Mr. Hovey opened the public hearing.

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

Mr. Jackson made a motion, seconded by Ms. Alexander, to recommend approval of Z-7-2023, 3712 S Cedar Street, rezoning from MX-C “Urban Corridor” to SC “Suburban Commercial”.

Mr. Jackson stated that while he understands the concern about spot zoning, the use does seem similar to what has been at the subject location, and it is not causing any problems. Ms. Alexander concurred.

Mr. Hovey stated that he is sensitive to the needs of businesses, but the SC zoning district allows other uses that may not be appropriate on the subject property. Mr. Cox concurred.

Mr. Jackson stated that the commission considers if a rezoning will result in a new use being introduced to the neighborhood and if people buying houses expected that to be there or not. Mr. Jackson said that people who have moved to the area near the subject property knew that there was an automotive repair business at this location.

On a roll call vote, the motion failed by a vote of 2-2. Mr. Cox and Mr. Hovey cast the dissenting votes.

B. LS-10-2023, 2024 Ferrol Street, Variances to permit a parcel division.

Ms. Stachowiak stated that the applicant has amended his request from splitting the lot into 3 parcels to splitting it into 2 parcels, thus decreasing the extent of the variances. She said that this amendment changes the dimensions of the subject parcels to 76.95 feet in width and 258.4 feet in depth. Ms. Stachowiak stated that a variance to the minimum width requirement is no longer necessary and the new width to depth ratio is 1 to 3.35. She referenced the aerial photograph in the meeting packet showing numerous other parcels in the area that are the same dimensions as the requested parcels. Staff recommends approval of the request, as amended.

Mr. Hovey asked if the new houses will be single-family detached and if they will be for sale or for rental. Bruce Nicola, applicant, stated that they will be single-family homes and will be sold rather than rented..

Mr. Hovey opened the public hearing.

Carol Quimby, Ferrol Street, spoke in support of the amended application.

Rachel Hatt, Ferrol Street, spoke in support of the amended application.

Timothy Reynolds, Ferrol Street, spoke in support of the amended application.

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

Ms. Alexander made a motion, seconded by Mr. Cox, to recommend approval of LS-10-2023, 2024 Ferrol Street, for variances to permit the parcel to be divided into 2 parcels that would have a width to depth ratio of 1 to 3.35. On a voice vote the motion carried unanimously (4-0).

5. **COMMENTS FROM THE AUDIENCE** – None
6. **RECESS** – Not taken

7. BUSINESS**A. Consent Items****(1) Minutes for approval: May 2, 2023**

Mr. Hovey pointed out some typographical errors in the 5th paragraph on page 5.

The minutes from the May 2, 2023, Planning Commission meeting were approved with corrections noted by Mr. Hovey.

B. Old Business – None**C. New Business – None****8. REPORT FROM PLANNING & ZONING OFFICE – None****9. COMMENTS FROM THE CHAIRPERSON – None****10. COMMENTS FROM COMMISSION MEMBERS – None****11. PENDING ITEMS: FUTURE ACTION REQUIRED – None****12. ADJOURNMENT – The meeting was adjourned at 7:10 p.m.**

The Subdivision Regulations Ordinance Part 12, Title 4

Basis: the Land Division Act, Public Act 288 of 1967, governs subdivision developments (plats), land divisions (lot splits) of established land, and construction of infrastructure improvements such as streets and utilities.

Issue: PA 288 of 1967 has a provision that restricts the depth of a parcel to a maximum of 4 times the width. A municipality can create a more restrictive ratio standard and in fact, the City of Lansing has done so by restricting the depth of a lot to 2.5 times the width. They can also set a less restrictive ratio, if based on some standard.

There are many platted parcels in the City that exceed the width to depth ratio restriction. Since there is a market for new housing in the City, we are receiving requests for variances to the width to depth ratio restriction, all of which are being approved and should continue to be approved. By eliminating the restriction on depth to width ratio, it will drastically reduce the number of variance requests. These lot splits can be approved administratively. The only exceptions will be to lots that do not comply with the minimum lot width and/or depth. Those requirements, however, are also outdated and need to be changed.

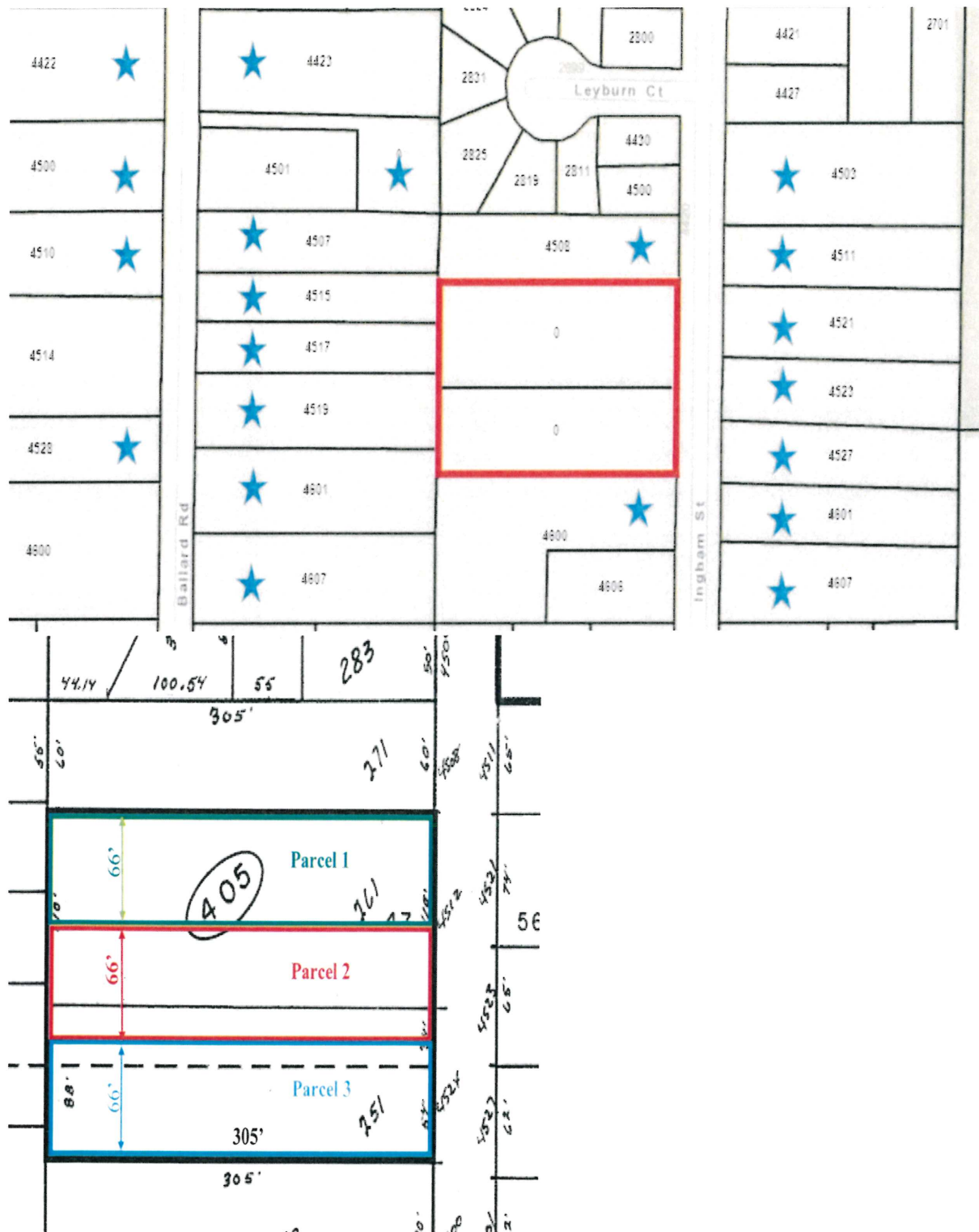
Reasoning: PA 288 is meant *to promote better utilization of land while maintaining rural character. reduce sprawling and fragmented development that often results from the division of large parcels of land. A minimum lot width-to-depth ratio prevents the creation of long and narrow lots, as well as the crowding of buildings along access roads while leaving the land behind buildings vacant and unserviceable.* These concerns are not relevant to Lansing.

Process: Lot splits are reviewed and approved by the Zoning Administrator if they comply with the minimum lot requirements in terms of width, depth, and depth to width ratio.

If a proposal exceeds the ratio or does not comply with the required lot width or depth, the necessary variances to those requirements must be reviewed by the Planning Commission which will make a recommendation to the City Council after holding a public hearing. The Council has the final authority to approve or deny the request. Sometimes this results in two variances; the ratio and if the resulting parcel width is less than 60'.

Bottom Line: The City ordinance is even more restrictive than the 1967 state statute and limits lot dimensions to an extent that is contrary to proper planning for an urban environment. This is not protecting the built environment since the minimum width of residential districts is still required. Most City parcels are platted between 33' - 60' wide and 100' – 305 feet in depth. Removing the width to depth ratio restriction will result in creating more buildable lots and additional much needed housing.

Example:



Two parcels combined and split to make three, resulting in identical parcels of 66' x 305', a ratio of 1:4.62.

21 other properties in the direct vicinity exceed the ratio by a similar amount.

Proposal:

1232.02: Change fee language to that which can be updated by City Council's annual review. Currently stuck at rate decided in 1968.

1236.02 Floodplain Development, no changes except to reference the current chapter number. Chapters were changed during the form-based zoning code.

1236.03 Streets (g) remove language about curvilinear street design. This is not an actual rule, only a recommendation. An ordinance must have actual rules or allowances, not recommendations. Further, requiring curvilinear streets results in sprawl-like development patterns.

1236.07 Lot Area (b) minimum lot width. Change from minimum of 60' to reference that which is in the zoning code. FBC has a range from 40' – 60' based on if a residential zoning district is more urban (central neighborhoods) or developed post-1950s and have more space. The proposed change is meant to maintain the nature of different neighborhoods and not introduce a hardship of a second variance during lot splits. (e.g. some applicants would have to apply for a second variance if their split resulted in parcels less than the current minimum of 60')

1236.07 (c) minimum lot depth. Remove 135' minimum on major streets. Unnecessary because all districts have the same front setback. Minimum depth set at 100'.

1236.07 (d) general depth to width ratio. Removal of 2.5:1 language and statement that every parcel can exceed state's standard of 4:1 if the minimum width and minimum depth are met.

1230.03 Legal Basis.

These Subdivision Regulations are enacted pursuant to the statutory authority granted by Public Act [288](#) of 1967, as amended, Public Act ~~285 of 1931~~ **33 of 2008**, as amended, and Public Act [222](#) of 1943, as amended.

1230.05 Definitions

~~*Planning Board.* “Planning Board” means the Planning Board of the City, established under Public Act 285 of 1931, as amended.~~ ***Planning Commission.* Planning Commission means the Planning Commission of the City, established under Public Act 33 of 2008 and the City Charter.**

1232.01 Administration by Planning Board **Commission**

These Subdivision Regulations shall be administered by the Planning ~~Board~~ **Commission** by the authority granted in the City Charter and in accordance with Public Act ~~285 of 1931~~ **33 of 2008**, as amended, and Public Act 288 of 1967, as amended.

1232.02 Fees

~~(a) *Filing Fees.* When a preliminary plat is submitted to the City Clerk pursuant to [Section 1234.03](#)(c), the subdivider shall deposit a filing fee of \$20.00 which is nonreturnable.~~

~~(b) *Examination and Inspection Fees.* In addition to the filing fee, the subdivider, at the time of final plat approval, shall pay a fee according to the following schedule:~~

1 to 25 lots — \$ 50.00
26 to 50 lots — 75.00
51 to 100 lots — 100.00
Each additional 25 lots or portion thereof — 10.00

Fees for all plat submittals, divisions, and combinations shall be established by resolution of City Council.

1236.02 Floodplain Development (a) No building shall be located on any portion of a lot lying within a floodplain, unless approved in accordance with ~~Chapter 1288~~ **Section 1250.06**.

1236.03 Streets (g) ~~Local streets shall be so arranged as to discourage their use by through traffic. Curvilinear street design is recommended for residential streets to discourage excessive speeds and to provide attractive vistas.~~

1236.07 Lot Area (b) The minimum lot width of all **residential** lots **platted of record** or created from existing parcels, lots, or unplatted land shall be ~~60 feet~~ **that which is required per each zoning district of Chapter 1244**, at the building line, except on corner lots where the minimum lot width shall be ~~70~~ **60** feet, except as provided in Sections [1236.10](#)(a) and [1236.11](#).

(c) The minimum lot depth for residential lots shall be 100 feet ~~and 135 feet on major streets,~~ except as provided in [Section 1236.11](#).

(d) The general ~~width to depth~~ **depth to width** ratio of lots shall ~~not exceed one to 2.5, except as provided in [Section 1236.11](#).~~ **all residential lots of record or created from existing parcels may exceed four to one as permitted in Public Act 288 of 1967, as amended, if the minimum width of Section 1236.07 (b) and minimum depth of Section 1236.07 (c) are met.**