

AGENDA

Committee on Development and Planning October 9, 2024 at 3:30 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.
To view the meeting live and participate in virtual public comment: <https://www.lansingmi.gov/1212/Council-Committee-Meetings>

Council Member Hussain, Chairperson
Council Member Brown, Vice Chairperson
Council Member Garza, Member

1. **Call to Order**
2. **Roll Call**
3. **Minutes**
 - A. September 25, 2024
4. **Public Comment on Agenda Items (Up to 3 Minutes)**
5. **Discussion/Action:**
 - B. ORDINANCE - Z-1-2024; 3724 Pleasant Grove Road, Rezoning from "R-3" Suburban Residential to "MFR" Multi Family Residential District
 - C. RESOLUTION - Setting a Public Hearing on SLU-1-2024; State-Licensed Adult Foster Care Small Group Home at 1950 N. Waverly Road
6. **Other**
7. **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.



MINUTES
Committee on Development and Planning
Wednesday, September 25 @ 3:30 p.m.
City Council Conference Room

CALL TO ORDER

Council Member Hussain called the meeting to order at 3:30 p.m.

PRESENT

Council Member Hussain, Chair
Council Member Brown, Vice-Chair
Council Member Garza, Member

OTHERS PRESENT

Renee Richmond, Council Administrative Assistant
Lisa Hagen–Lawrence, OCA
Greg Venker, OCA
Andy Fedewa, ED&P
Rawley VanFossen, Director ED&P
Susan Stachowiak, ED&P
Kris Klein, LEDC
Chelsea Dowler, LEDC
Alan Fox, Ingham County Treasurer
Joan Nelson
Chris Keck
Jason Lachowski

MINUTES

MOTION BY COUNCIL MEMBER BROWN TO APPROVE THE MINUTES FROM AUGUST 28, 2024. MOTION CARRIED 3-0.

Councilmember Brown asked to be excused in the minutes of September 11th, Councilmember Hussain asked if he notified office staff. Councilmember Brown stated he texted Councilmember Garza during the meeting. Councilmember Garza explained that he received the text, but it was at the end of the meeting, and they were adjourned. Councilmember Hussain noted that all excused absences must go directly to Office Staff prior to the meeting.

MOTION BY COUNCIL MEMBER GARZA TO AMEND THE MINUTES TO EXCUSE COUNCIL MEMBER BROWN ON SEPTEMBER 11, 2024. MOTION CARRIED 3-0.

Public Comment

Mr. Keck from Local 333 spoke against the PILOTS.

DISCUSSION/ACTION

ORDINANCE – Payment in Lieu of Taxes (PILOT); Riverview 220 Apartments, 220 E. Kalamazoo Street

Councilmember Hussain recapped for the Committee that Lansing Housing Commission is applying for a 5% PILOT service charges over 40 years and did receive 10% from the administration last year. However, construction costs have increased so the request for this. Noting it would be a 4-story building with 63 units, 56 would be low income.

Councilmember Garza noted he is ok with moving this out of Committee for Council, Councilmember Brown concurred.

MOTION BY COUNCIL MEMBER BROWN TO APPROVE THE ORDINANCE FOR PAYMENT IN LIEU OF TAXES (PILOT); RIVERVIEW 220 APARTMENTS, 220 E. KALAMAZOO STREET. MOTION CARRIED 3-0.

ORDINANCE – Payment in Lieu of Taxes (PILOT); Grand Vista Place, 500 Block of S. Grand Avenue

Councilmember Hussain noted this is also a 4-story building with 55 affordable subsidized units. Adding it was asked about general contractor and Mr. Fleming stated at the last meeting that one was not established yet.

Councilmember Garza asked if the city has the capacity to monitor by code and safety office. Mr. VanFossen answered yes. Councilmember Hussain asked if EDP has the capacity long term these remain clean, healthy, and affordable housing. Adding, as they add rental units do they have the capacity in compliance and if not what about budget implications. Additionally, asking if EDP was working on a policy in the administration. Mr. VanFossen noted they have an application process and supply the staff report. Councilmember Hussain noted a comment at the public hearing on the difference of multifamily and single family on what the city gets and what it costs.

Mr. VanFossen explaining first, during the application process they receive, require and include hard and soft costs for the project. Secondly, on budget priorities always open to discussion to further support the compliance department.

MOTION BY COUNCIL MEMBER BROWN TO APPROVE THE ORDINANCE FOR PAYMENT IN LIEU OF TAXES (PILOT); GRAND VISTA PLACE, 500 BLOCK OF S. GRAND AVENUE. MOTION CARRIED 3-0.

RESOLUTION – Set a Public Hearing on Obsolete Property Rehabilitation Act (OPRA) District, 1102 S. Washington Avenue, Reo Ventures, LLC

Ms. Dowler went through the presentation, mentioning this is in REO Town and the former Standard Oil building and went on to described that an OPRA provides property tax exemptions for rehabilitated commercial properties, has a two-step process, first establish the District, then get the Certificate. Councilmember Hussain asked if there was a district already, and Mr. Klein stated partially through the process but didn't go further. Ms. Dowler continued it got approval through the assessor, project investment will be \$527,000 with a proposed start date of January 1, 2025, and completion December 31, 2025. Food/Restaurant concept with a vibrant outdoor space similar to Little Fleet in Traverse City. She finished that there have not been any business operations since 2004 due to development challenges, determined obsolete by the assessor there are no bathrooms, no heat or plumbing, and other environmental contamination onsite. So the

\$527,000 will include all the cost to address and improve the conditions. Concluding with the number of years and tax abatement and tax obligation estimates.

Councilmember Hussain stated similar to the 2022 Food Trucks, Mr. Klein responded yes, this time they an identified user. Ms. Dowler added Good Truckin Diner is looking to expand. Councilmember Garza asked what the city is doing to make sure they won't be dumping grease into storm drains, and where is the dirty water and grease is going. Mr. VanFossen indicated both Fire Marshall and Building Safety Offices have been working on how food trucks operate and grease disposal. Ms. Stachowiak indicated in the ordinance it states that gray water and grease has to be disposed of properly but not sure how it's monitored, and Councilmember Garza added concern if no grease trap could cost the city lots of money. Mr. Venker responded there is a proposed amendment coming to the sewer ordinance references grease traps, that will include fees related to inspections. Ms. Dowler indicated they will inquire as well. Mr. Klein noted the food establishments already there have facilities onsite for receptacles to collect.

MOTION BY COUNCIL MEMBER BROWN TO APPROVE THE RESOLUTION TO SET A PUBLIC HEARING ON OBSOLETE PROPERTY REHABILITATION ACT (OPRA) DISTRICT, 1102 S. WASHINGTON AVENUE, REO VENTURES, LLC. MOTION CARRIED 3-0.

RESOLUTION – Set a Public Hearing on Obsolete Property Rehabilitation Act (OPRA) Certificate, 1102 S. Washington Avenue, Reo Ventures, LLC

Councilmember Hussain noted this has been addressed with the District portion.

MOTION BY COUNCIL MEMBER BROWN TO APPROVE THE RESOLUTION TO SET A PUBLIC HEARING ON OBSOLETE PROPERTY REHABILITATION ACT (OPRA) CERTIFICATE, 1102 S. WASHINGTON AVENUE, REO VENTURES, LLC. MOTION CARRIED 3-0.

DISCUSSION – Budget Priorities Fiscal Year 2025/2026

The Committee reviewed the document that listed what was adopted last year. The Committee consensus was to keep all items for this fiscal year.

MOTION BY COUNCIL MEMBER BROWN TO APPROVE THE BUDGET PRIORITIES FOR FISCAL YEAR 2025/2026 FOR THE COMMITTEE ON DEVELOPMENT & PLANNING. MOTION CARRIED 3-0.

RESOLUTION – Setting a Public Hearing; Amending Part 12, Title 6, Form Based Zoning Code, Second Amendment

Councilmember Hussain asked Mr. Fedewa if he had anything to add from the last meeting, he did not. All Committee members stated they were comfortable with everything to move forward. Councilmember Hussain noted this is to set a public hearing for 10/28/2024.

MOTION BY COUNCIL MEMBER BROWN TO APPROVE THE RESOLUTION TO SET A PUBLIC HEARING; AMENDING PART 12, TITLE 6, FORM BASED ZONING CODE, SECOND AMENDMENT.

Ms. Nelson spoke in support of Mr. Fox and Mr. Lachowski's help.

Mr. Lachowski spoke in support of the ADU's.

MOTION CARRIED 3-0.

RESOLUTION – Setting a Public Hearing; Amending Part 12, Title 6, Chapter 1250 to include 1250.04.08, Accessory Dwelling Units

Councilmember Hussain asked if there was any comment on this item, and the public hearing would be 10/28/2024. Mr. Fox thanked staff and Council in their efforts into this.

MOTION BY COUNCIL MEMBER BROWN TO APPROVE THE RESOLUTION TO SET A PUBLIC HEARING; AMENDING PART 12, TITLE 6, CHAPTER 1250 TO INCLUDE 1250.04.08, ACCESSORY DWELLING UNITS. MOTION CARRIED 3-0.

Other

No other topics

Adjourn

Adjourned at 4:07pm

Submitted by Renee Richmond

Recording Secretary, Lansing City Council

Approved by the Committee on

GENERAL INFORMATION

APPLICANT: Brent Wheeler
1632 Robindale Dr.
Hermitage, TN 37076

OWNER: WM Investments LLC (Resident Agent: Brent Wheeler)
515 Allen St.
Lansing, MI 48912

REQUESTED ACTIONS: Rezone from R-3 “Suburban Residential” to MFR “Multi Family Residential”

EXISTING LAND USE: Single-family residential

PROPERTY SIZE: 41,580 square feet, 0.955 acre

SURROUNDING LAND USE: N: City of Lansing Fire Station
S: BWL substation
E: Single-family residential
W: Multi-family residential

SURROUNDING ZONING: N: R-3 “Suburban Residential”
S: R-3 “Suburban Residential”
E: MFR “Multi Family Residential”
W: R-3 “Suburban Detached Residential”

MASTER PLAN: The Design Lansing Master Plan designates the future land use of the subject property for low density residential development. Pleasant Grove Rd is designated as a neighborhood connector street type.

DESCRIPTION:

This request to rezone 3724 Pleasant Grove Road from R-3 “Suburban Residential” to MFR “Multi Family Residential” is to permit two five-unit, multi-family rowhouses. Exhibit A is a proposed plot plan intended to show site layout in compliance with the density restrictions and development requirements of the proposed MFR zoning district. The existing single-family house would be demolished to facilitate the new buildings.

REZONING ANALYSIS**COMPATIBILITY WITH SURROUNDING LAND USE:**

The property is currently zoned R-3 Residential, which district permits one single-family residential dwelling unit per parcel. The proposed MFR zoning, by contrast, permits multiple family residential development with density limits that accommodate the proposed development. The acreage of the

subject property (0.955 acres) is sufficient to fit the 10-unit concept plan proposed by the applicant, under the permitted density of the proposed “MFR” zoning.

The proposed development will be compatible with and should have no negative impacts on any of the surrounding properties. Directly north of the subject parcel is a Lansing Fire Department Station, directly south is a Board of Water and Light substation, and west is an approximately 20-acre campus of two-story rowhouses similar to the proposed development.

COMPLIANCE WITH MASTER PLAN:

Although the Future Land Use Plan Map designates this area as low-density residential it fails to reflect the multi-family residential campus adjacent to the subject parcel or other multi-family developments nearby in this neighborhood.

At ten units per acre, the proposed development does fall within density norms stated in the master plan. Mid-century neighborhoods are usually six units per acre while pre-WWII are six to ten per acre. Rowhouse developments are stated as 10-20 units per acre. The existing single-family home is slightly unusual at one unit per acre and could be considered an inefficient use of land.

The proposed development meets other master plan strategies and goals such as meeting the current housing demand, compatible residential infill, diverse housing choice and middle housing (dwellings two- to six-units) and locating multi-family housing near transit.

IMPACT ON VEHICULAR AND PEDESTRIAN TRAFFIC:

The subject property is located on Pleasant Grove Road and is less than a quarter mile (approximately 5-minute walk) from Holmes Road; both are the neighborhood connector street type which is designed to accommodate local traffic as a collector street. The ideal neighborhood connector street should have bike lanes and bus service, which are present on both Pleasant Grove Rd. and Holmes Rd. do so this site is well suited to accommodate increased residential density. This location gives residents options to move about without a personal vehicle, but anticipated traffic from a 10-unit development is predicted to have a negligible impact on the circulation network. The proposed development will have 25 parking spaces, slightly more than the required 20.

IMPACT ON PUBLIC FACILITIES:

The site plan for the proposed development will require administrative review and approval. Primary components of this review are the plans for the storm sewer/drainage and all other utility systems.

ENVIRONMENTAL IMPACT:

The site plan will be reviewed for compliance with all applicable City codes and ordinances, many of which are specifically designed to ensure that the development does not have any negative impact on the environment. Furthermore, Pleasant Grove Road and Holmes Road are bus routes which will allow residents of the development 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 greenhouse gas emissions. It also results in less wear and tear on streets.

IMPACT ON FUTURE PATTERNS OF DEVELOPMENT:

The rezoning will allow for residential development on just one acre, consistent with the low-medium density standards in City's Master Plan. Because the subject property is adjacent to a 20-acre rowhouse development and between two non-residential land uses the two 5-unit buildings are not expected to have negative impacts on future patterns of development in the area nor set an unusual precedent for multi-family residential in the area.

The number of dwelling units, or density, in the MFR district is controlled by the minimum lot size per dwelling unit standard based on the number of bedrooms per unit. These standards are as follows: 2200 square feet of lot size per efficiency unit. 1-bdrm: 2600 sq. ft., 2 bdrm: 3000 sq. ft., 3+ bdrms: 3800 sq. ft. In this instance, to accommodate ten three-bedroom units the parcel would have to have at least 3,800 square feet of property per unit, or 38,000 square feet. At 41,580 sq. ft., this requirement for the subject property would be satisfied.

SUMMARY

This purpose of this request to rezone 3724 Pleasant Grove Rd. from "R-3" Suburban Residential to "MFR" Multi Family Residential is to permit two five-unit, two-story rowhouses. Attached is a proposed plot plan. The subject property is large enough to satisfy the lot size per dwelling unit and required parking standards.

The findings of fact as described in this staff report support a positive recommendation for the requested rezoning. The proposed rezoning will have no negative impacts on traffic, public services, the environment, or future patterns of development in the area. In addition, new residential units will provide much needed housing with convenient access to public transportation and bike lanes.

RECOMMENDATION

Pursuant to the findings described above, the following motion is offered for the Planning Commission's consideration:

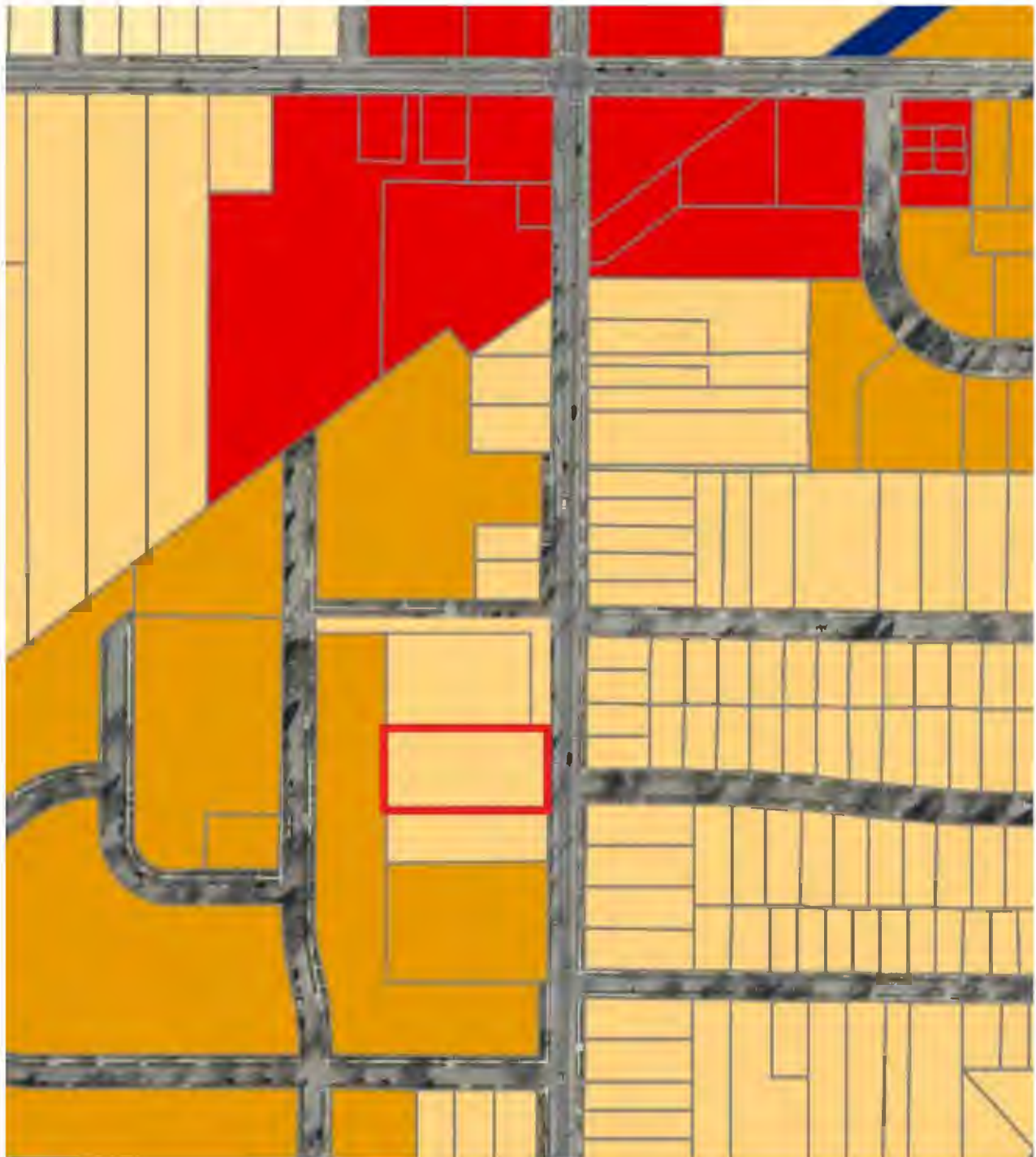
"I make a motion to recommend approval of Z-1-2024 to rezone 3724 Pleasant Grove Road from "R-3" Suburban Residential to "MFR" Multi Family Residential."

Respectfully Submitted,

**Andy Fedewa
Planner**

Aerial:



Zoning:

 MX-1 - Mixed-Use Neighborhood Center

 R-3 - Suburban Residential

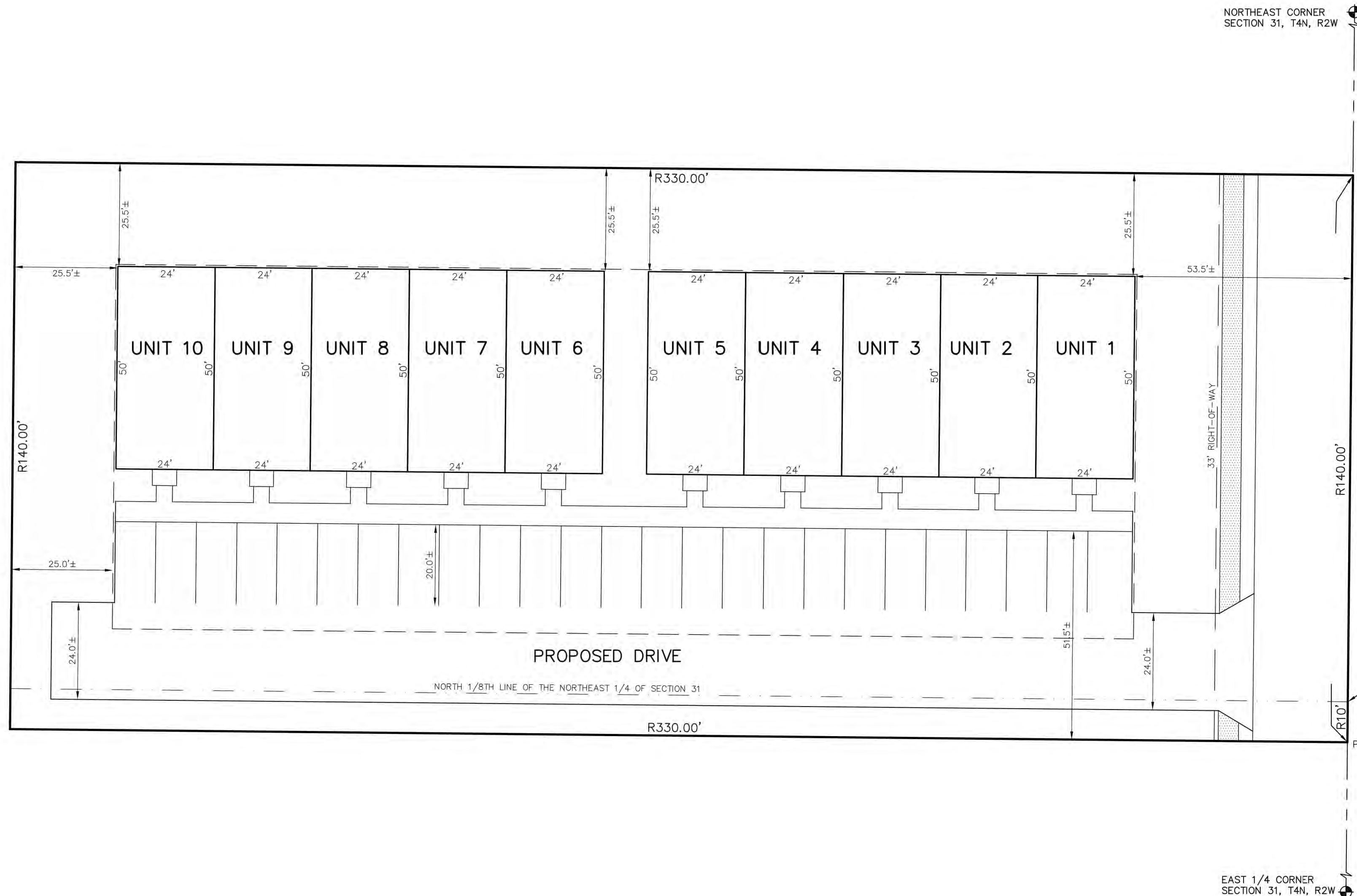
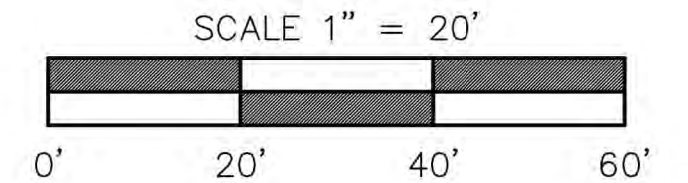
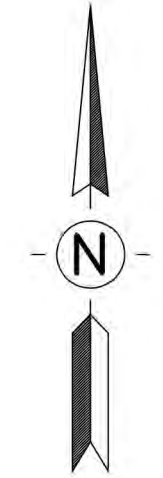
 MFR - Multi-Family Residential

SKETCH PLAN

3724 PLEASANT GROVE ROAD

For:
WM Investments, LLC
1632 Robindale Drive
Hermitage, TN 37076

Survey Address:
3724 Pleasant Grove Road
Lansing, MI 48910
ID: 33-01-01-31-231-041



Legal Description (as provided): Commencing 10 South of the East 1/8th post of the Northeast 1/4 of Section 31, T4N, R2W, City of Lansing, Ingham County, Michigan; thence North 140 feet; thence West 330 feet; thence South 140 feet; East to the point of beginning.

- R = Recorded Dimension
- = Deed Line
- = Distance Not to Scale
- ▨ = Deck, Porch, Sidewalk, & Patio Areas

EAST 1/8TH CORNER OF THE NORTHEAST 1/4 OF SECTION 31, T4N, R2W

P.O.B.

EAST 1/4 CORNER SECTION 31, T4N, R2W

This plan was made at the direction of the parties hereon and intended solely for their immediate use and no survey has been made and no property lines were monumented, all easements recorded or unrecorded may not be shown, unless specifically noted, and no dimensions are intended for use in establishing property lines.

PRELIMINARY

ERICK R. FRIESTROM
PROFESSIONAL SURVEYOR

DATE
NO. 53497

REVISIONS	COMMENTS	KEBS, INC. KYES ENGINEERING BRYAN LAND SURVEYS	
06/11/2024	SKETCH	2116 HASLETT ROAD, HASLETT, MI 48840 PH. 517-339-1014 FAX. 517-339-8047	
		13432 PRESTON DRIVE, MARSHALL, MI 49068 PH. 269-781-9800 FAX. 269-781-9805	
		DRAWN BY SLH	SECTION 31, T4N, R2W
		FIELD WORK BY —	JOB NUMBER:
		SHEET 1 OF 1	102666.PLT



PETITION FOR RE-ZONING

CITY OF LANSING
PLANNING OFFICE

Reset Form

Print

To the Honorable Mayor and City Council:

FILE NUMBER: _____

DATE SUBMITTED: _____

The undersigned do hereby petition for approval to rezone the following described property:

3724 Pleasant Grove Rd, Lansing, MI 48910

Street address, including zip code, of property to be rezoned

From _____ district to _____ district.

Legal
description:

COM 10 FT S OF E 1/8 POST OF NE 1/4 SEC 31, TH N 140 FT, W 330 FT, S 140 FT, E TO
BEG; SEC 31 T4N R2W

Applicant: **Brent Wheeler**

Address (including zip code): **3724 Pleasant Grove Rd**

Phone number(s): **517-881-5655**

Fax number: _____ Email: **wminvestmentsllc@gmail.com**

Name of owner: **Brent Wheeler**

Address (including zip code): **1632 Robindale Dr, Hermitage, TN 37076**

Phone number: **517-881-5655**

Interest in Property (please check one):

- ☐ Option to buy ☒ Owner
☐ Lessee ☐ Represent owner
☐ Other (please specify): _____

IF MORE SPACE IS NEEDED FOR THE ITEMS LISTED BELOW, PLEASE ATTACH EXTRA SHEETS

Do you have a specific plan for using this property? ☒ Yes ☐ No

If so, describe and / or
explain the specific land use
proposed for this property:

Build two separate 5 unit buildings for a total of 10 units

Please answer the following:

☒ Check here if residential

Number of bedrooms:	<u>Bedrooms</u>	<u># of Units</u>	<u>Total Bedrooms</u>
Efficiency			
One bedroom			
Two bedrooms		10	20
Three bedrooms			
TOTAL UNITS			

of accessible onsite parking spaces: 25

☐ Check here if non-residential

Number of employees (largest shift):

Number of accessible onsite parking spaces:

Hours and days / week of operation:

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

Home is surrounded by other multi-family properties. No direct contact with any other single family homes. Would allow for more affordable housing units within the city.

Comment on other circumstances which justify the amendment:

New development of homes in the area would help lift the neighborhood. Raising the value of homes would allow for higher tax revenue in which the city could use to reinvest in the area.

A site plan is always helpful in analyzing the petition to rezone land.

A site plan, if appropriate at this time, should be attached to each copy of not less than 1" = 100', identifying the land which would be affected by the rezoning, the existing zoning classification of all abutting land within 300 feet, all public and private rights-of-way and easements. also, show the proposed development on the land with setbacks, access points, locations of accessory structures, trash receptacles, and parking spaces. A Landscape Screening and Buffering plan must be submitted in accordance with Chapter 1290.

If exhibits are to be furnished late, please indicate date of submittal: _____

If exhibits are not submitted in a timely manner, the petition may be tabled or the process delayed.

FEES:

Less than one (1) acre:	\$500.00
One (1) to three (3) acres:	\$650.00
Greater than three (3) acres:	\$800.00

Please have the petition reviewed by and filed with the Planning Office. The Planning Office will transmit it to the City Clerk for official submission.

Signature of applicant:  _____

Name: **Brent Wheeler** _____

For assistance, please contact:

PLANNING OFFICE
316 N. CAPITOL AVE., SUITE D-1
LANSING, MI 48933-1236
(517) 483-4066
FAX: (517) 483-6036

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:

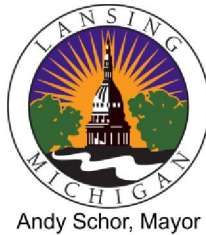
To change the zoning classification of the property described as follows:

Case Number:	Z-1-2024
Parcel Number's:	33-01-01-31-231-041
Addresses:	3724 Pleasant Grove Road
Legal Descriptions:	COM 10 FT S OF E 1/8 POST OF NE 1/4 SEC 31, TH N 140 FT, W 330 FT, S 140 FT, E TO BEG; SEC 31 T4N R2W, from "R-3" Suburban Residential to "MFR" Multi Family 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 _____, 2024, 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.



MEMORANDUM

TO: City of Lansing City Council
FROM: Andy Fedewa, Planner
DATE: September 30, 2024
SUBJECT: SLU-1-2024, 1950 N Waverly Rd.

SLU-1-2024 is a request for a Special Land Use permit for an adult foster care facility with 12 residents at 1950 N Waverly Rd. The home currently operates as an adult foster care facility with six residents (licensed December 2022), which is a permitted land use in all residential districts, per State of Michigan law.

To accommodate the increase in residents the applicants are proposing to build a house addition of 770 square feet, including three bedrooms, a bathroom, and a living room.

During the public hearing at the August 7, 2024 Planning Commission meeting, two neighbors of the subject property expressed concerns about the current operation of the Adult Foster Care home with the six existing residents. Based on these concerns Planning Commission members tabled the application and requested Planning and Zoning Office staff research any violations of the facility with the Michigan Department of Licensing and Regulatory Affairs (LARA) and if the Lansing Police Department (LPD) has responded to calls to the address since the facility was licensed in December 2022.

The Planning Commission was provided the Original Licensing Study Report, the Renewal Inspection Report, and a Special Investigation Report from March 26, 2024, which are all publicly available on the LARA website. The Special Investigation Report was initiated after a complaint was made that a resident was locked out of the dwelling for an extended period. LARA conducted an unannounced site visit to interview four residents that were on site as well as the applicants and cleared the complaint without elevating it. During this visit LARA also found that common over the counter medication was stored improperly, which was corrected. Staff confirmed that LPD has responded to calls to the subject address 23 times since January 2023.

After reviewing the updated information at their September 3, 2024 regular meeting, Commission members commented on a number of their concerns including having 12 residents in a single-family home, the need to enlarge the house to accommodate the increase in occupants, the relatively short tenure of the business at this location before proposed expansion, the lack of outreach by the applicants to notify the neighborhood and to provide contact information to address concerns, and the lack of information about a staffing plan for the increase in residents. Based on the nine evaluation criteria of Section 1262.02 (f) of the Zoning Ordinance, the Planning Commission voted to recommend denial of SLU-1-2024 on a roll call vote, 5-1. One member was absent.

GENERAL INFORMATION

APPLICANT: Asnakech Mengistu and Ketema Beshah
1950 N Waverly Road
Lansing, MI 48906

OWNER: Asnakech Mengistu and Ketema Beshah
5875 Green Road
Haslett, MI 48840

REQUESTED ACTION: Special Land Use Permit for a state-licensed adult foster care, small group home, for up to 12 residents in care

(Note: this use is called a ‘small group home’ in the Lansing Zoning Ordinance, but a ‘medium group home’ by the State of Michigan)

EXISTING LAND USE: Single-family residential

EXISTING ZONING: “R-2” Suburban Residential

PROPERTY SIZE: 16,296 square feet (.374 acres)

SURROUNDING LAND USE: N: Single Family Residential
S: Single Family Residential
E: Single Family Residential
W: Delta Township, vacant

SURROUNDING ZONING: N: “R-2” Suburban Residential
S: “R-2” Suburban Residential
E: “R-2” Suburban Residential
W: Delta Township, Multiple Family Residential

MASTER PLAN DESIGNATION: The Design Lansing Master Plan designates the subject property for low density residential use. N Waverly Road is designated a suburban corridor street type.

REQUEST

Special land use permit to utilize the existing building at 1950 N Waverly Road 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. The home will be licensed and operated in accordance with all State of Michigan Department of Licensing and Regulatory Affairs (LARA) requirements for adult foster care group home facilities and subject to inspections and oversight thereby.

BACKGROUND INFORMATION

The building on the subject property is currently operated as a state-licensed adult foster care home with up to six residents, which was issued December 20, 2022. The house is 1,630 square feet with three bedrooms, a living room, a dining room, and a den. Two residents occupy each of the three bedrooms. LARA has stated that the two co-applicants share 24-hour a day care and staffing. LARA standards require one staff member per six residents so the co-applicants will be required to hire additional staff. The applicants are proposing to build an addition of approximately 770 square feet onto the house to form an L-shape which will include three new bedrooms, a full bathroom, and a living room. The addition will be subject to all zoning and building code requirements, but there appears to be enough property space to accommodate the increased building size.

According to an online search through LARA conducted July 24, 2024 there do not appear to be any licensed AFC, small group homes near the subject property.

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-2” 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?

Large parcels with large homes are common within the Tecumseh River neighborhood but the proposed house addition doubling the existing number of bedrooms and shared space as well as doubling the number of residents to 12 will increase the intensity of the subject property relative to the surrounding neighborhood so care must be taken to maintain existing building setbacks and screening as much as possible. It does appear that some nearby single-family houses are similar in size to the subject house including the proposed addition.

Although the existing adult foster care home is relatively new at this location, there are no substantiated violations by the co-applicants.

Vehicle use by residents is typically very low given the nature of the land use, but the existing house has double-wide garage and enough driveway space to accommodate a minimum of four vehicles parked in tandem. This will be enough space for staff vehicles. There is no space for on-street parking on either N Waverly Road or Tecumseh River Road so no parking will be allowed there or on the yard of the subject property.

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 to guarantee that all operations will be harmonious with the surrounding neighborhood.

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

Although the co-applicants are proposing a house addition doubling the amount of living space and increasing the number of residents to 12, large parcels with large homes are common in this neighborhood. Like any other single-family home, the dwelling will be the home for its residents so it will not involve short-term or transient occupancy. The level of residential activity generated by the proposed use is not expected to change the essential character of the area as residents are under the ‘aged, developmentally disabled, mentally ill’ category from LARA. The level of traffic, 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 a normal household.

The proposed use may benefit from the expansion of the privacy fence and/or evergreen trees for the privacy and screening of both the residents at the site and nearby neighbors.

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

The proposed 12-bed adult foster care home is not expected to interfere with the enjoyment of adjacent properties. The special land use permit will allow for use of the existing building + addition that is reasonable and will have as low of an impact as possible on the surrounding residential neighborhood. It will 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 proposed house addition could be considered an improvement for the subject property. A six-bedroom house is unusual in the city and it may increase its value if the special land use ever ceased and it was put on the market as a single-family home. The addition will be subject to all zoning and building code requirements to maintain the required setbacks and lot coverage maximums. The subject site is fortunate to have more than an average number of large trees so the co-applicants are encouraged to site the addition in such a way to save as many trees as possible.

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. 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 but the subject property is near bus stops on N Waverly and Delta River Drive.

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

The proposed facility is similar to the historical use of the property as a single-family home 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. Compatibility of uses is 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. 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.

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

The proposed house addition will be subject to and comply with all applicable zoning and building code requirements.

SUMMARY

Special land use permit to utilize the existing building at 1950 N Waverly Road 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.

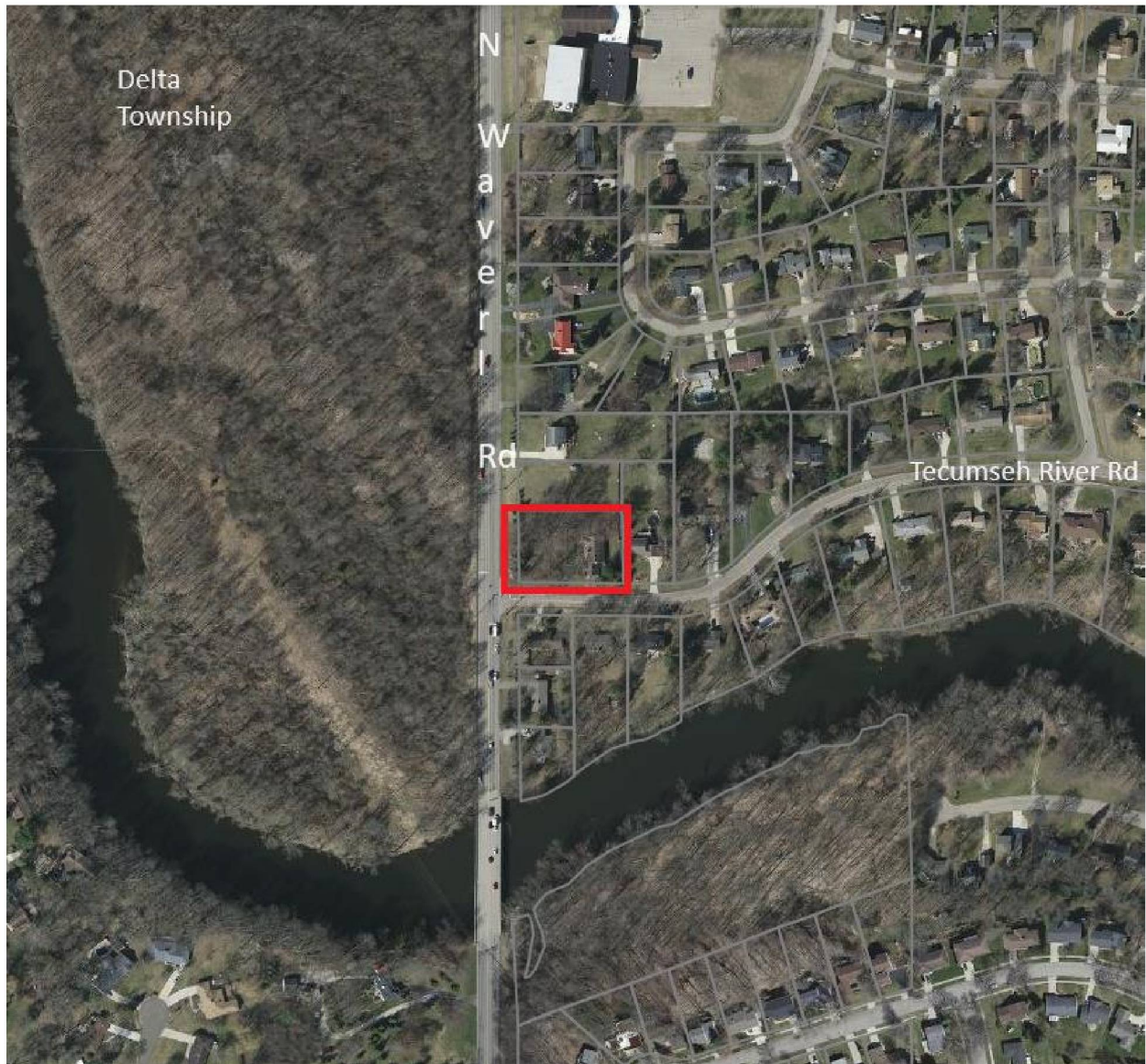
RECOMMENDATION

Staff recommends approval of SLU-1-2024, for a special land use permit to allow for use of 1950 N Waverly Road 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,

Andy Fedewa
Planner

Aerial



Zoning:





Andy Schor, Mayor

PETITION FOR SPECIAL LAND USE

CITY OF LANSING
PLANNING OFFICE

Reset Form

Print

FILE NUMBER: _____

DATE SUBMITTED: _____

To the Honorable Mayor and City Council:

The undersigned do hereby petition for approval of a Special Land Use on the following described property:

1950 W. Waverly Road, Lansing, MI 48906

full street address, including zip code, or location of property

Legal
description:

LOT 118 & W 9FT OF S 148,7 FT LOT 117; WAVERLY HEIGHTS NO 6

Applicant: **Asnakech Mengistu and Ketema Beshah**

Address (including zip code): **1950 W. Waverly Road, Lansing. MI 48906**

Phone number(s): **Ketema - 517-515-2695 and Asnakech - 517-515-3060**

Name of owner(s): **Asnakech Mengistu and Ketema Beshah**

Owner address (including zip code): **5875 Green Road, Haslett, MI 48840**

Owner phone number(s): **Ketema - 517-515-2695 and Asnakech - 517-515-3060**

Interest in property (please check one):

- ☐ Option to buy ☒ Owner
☐ Lessee ☐ Represent owner

☐ Other (please specify): _____

IF MORE SPACE IS NEEDED FOR THE ITEMS LISTED BELOW, PLEASE ATTACH EXTRA SHEETS

Proposed Special Land Use: **12 person Adult Foster Care Residence**

- ☐ Child Care (13 or more) ☒ Residential Care Facility (7 or more)

Zoning of the property: **R2**

Size of Parcel:

Width: **148** ft. Length: **211** ft. Area: **31,228** Sq. ft.

Irregular: (specify and attach scale drawing with dimension)

Please describe
your proposal:

We are planning to add three bedrooms, a full bath and family room to our current home all ADA Compliant.

include specific background information and copies of permits, approvals, and program information

Submit the following:

- Lot Plan (showing location of existing structure and include adjacent properties and setback dimensions).
- Site Plan (showing parking areas, driveways, accessory buildings, trash receptacles).
- Landscape, screening, and buffering plan in accordance with Chapter 1290.
- Photographs of the site.
- Flood plain elevations, if applicable.
- Copies of permits from other agencies, if applicable.

FEES:

Less than one (1) acre:	\$500.00
One (1) to three (3) acres:	\$650.00
Greater than three (3) acres:	\$800.00

Please review the application and file it with the Planning Office. The Planning Office will transmit it to the City Clerk for official submission.

Signature of applicant:_____

Name: Asnakech Mengistu and Ketema Beshah

For assistance, please contact:

PLANNING OFFICE
316 N. CAPITOL AVE., SUITE D-1
LANSING, MI 48933-1236
(517) 483-4066
FAX: (517) 483-6036

Fedewa, Andrew

From: Karen Dietrich <karendietrich@kw.com>
Sent: Friday, August 23, 2024 1:39 PM
To: Fedewa, Andrew
Subject: [EXTERNAL] 1950 Waverly Road Additional Information

Hello Andrew,

I met with the owners of 1950 Waverly Road to discuss how we would like to proceed for the upcoming meeting on September 3rd. Here are a few bullet points

- LARA is very strict on the requirements to obtain a license for an Adult Foster Care home
- If there are any violations the license will be revoked
- Inspections are ongoing usually 3-4 times per month. The owners have received glowing reviews
- If a resident is in need of urgent medical care they are required to call 911. The ambulance and fire trucks do not sound their sirens.
- If a resident does not fit into the environment the owners can give them a 30 day notice to find a new facility.

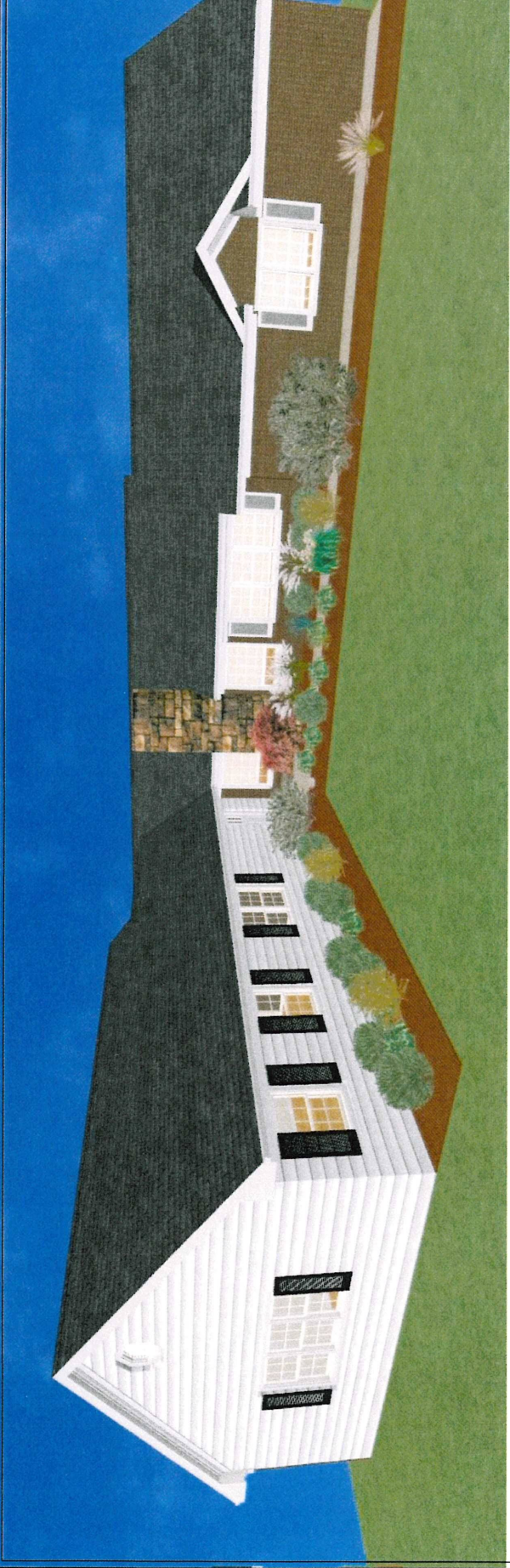
I hope this gives you and the board a better understanding of their situation.

--

Enjoy Today,

Karen Dietrich
Keller Williams Realty
3490 Belle Chase Way, Suite 130
Lansing, MI 48911
517-204-4002

My business is built upon excellence. Strong negotiating power and communication provides my clients with education to make sound decisions. Are you ready to partner with excellence.



1 of 0

SHEET:

1/4"=1'

SCALE:

9/3/2024

DATE:

Drawings provided by

Custom Built

Project Description: Beshah, Ketema & Asmy

NO.	DESCRIPTION	BY	DATE

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, November 18, 2024, at 7 p.m. in City Council Chambers, Tenth Floor, Lansing City Hall, 124 W Michigan Avenue, Lansing, Michigan, for the purpose of approving and/or opposing the request for a special land use permit:

SLU-1-2024: 1950 N Waverly Road, Special Land Use permit authorizing a 12-bed, state-licensed adult foster care, small group home

**CITY OF LANSING
NOTICE OF PUBLIC HEARING**

**SLU-1-2024, 1950 N Waverly Road
Special Land Use Permit – Adult Foster Care Small Group Home**

The Lansing City Council will hold a public hearing on Monday, November 18, 2024, at 7:00 p.m. in Council Chambers, 10th Floor, Lansing City Hall, 124 W. Michigan Avenue, Lansing, Michigan to consider a request by Asnakech Mengistu and Ketema Beshah for a special land use permit to utilize the building at 1950 N Waverly Road for 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, November 18, 2024, 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