



LANSING PLANNING COMMISSION
Regular Meeting
January 7, 2025 - 6:30 p.m.
Neighborhood Empowerment Center
600 W Maple Street, Lansing, MI

MINUTES – *Approved 3/4/2025*

1. OPENING SESSION

Ms. Alexander called the meeting to order at 6:32 p.m.

- a. Present: Katie Alexander, Tony Cox (arrived 6:35 p.m.), Josh Hovey, Tim Klont, Shane Muchmore, Ted O'Dell, John Ruge
- b. Absent: Monte Jackson (excused)
- c. Staff: Andy Fedewa, Planner

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

3. COMMUNICATIONS - None

4. PUBLIC HEARINGS & ITEMS FOR ACTION

A. Form-Based Zoning Code, Accessory Dwelling Unit Amendment, Councilmember Hussain version

Mr. Fedewa introduced an amendment to the draft ordinance that would allow accessory dwelling units (ADUs), to require either the principal or accessory dwelling to be occupied by the property owner. This amendment was proposed by Councilmember Hussain during discussion in the Council Committee on Development and Planning. Mr. Fedewa stated that staff had considered this requirement when they were drafting the proposed ordinance but ultimately chose not to include it. Staff found that although many communities include a homeowner requirement within their ADU ordinance, most seem to eventually rescind it to encourage the building of new housing units. Mr. Fedewa stated that city staff would have to verify the occupancy status for these properties going forward and inform residents the necessity of deed restrictions or covenants.

Mr. O'Dell commented that too many regulations may discourage new housing units from being built.

Mr. Muchmore spoke on his experience living in a community that allowed ADUs, some of the issues they created, and his agreement that a property owner living on-site makes them more responsible for the condition of the units and available to address issues.

Mr. Hovey opened the public hearing.

Jeff Deehan, Dymaxion Development, spoke in support of accessory dwelling units being legalized.

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

Mr. Ruge made a motion, seconded by Mr. Muchmore, to approve the Councilmember Hussain version of the Form-Based Zoning Code, Accessory Dwelling Unit Amendment.

Mr. Ruge stated that Councilmember Hussain's amendment is only one change and it is sensible for the property owner to be available for maintenance.

Ms. Alexander and Mr. Hovey spoke on their support for the original draft to encourage the building of new housing units.

On a roll call vote the motion failed 2-5. Ms. Alexander, Mr. Cox, Mr. Hovey, Mr. Klont, and Mr. O'Dell cast the dissenting votes.

5. **COMMENTS FROM THE AUDIENCE** – None

6. **RECESS** – Not taken.

7. **BUSINESS**

A. **Consent Items**

(1) Minutes for approval: December 3, 2024

The minutes from the December 3, 2024 Planning Commission meetings were approved without objection.

B. **Old Business** – None

C. **New Business**

(1) **Act-7-2024, 1801 N Washington Ave., Utility Easement**

Mr. Fedewa introduced a request from Consumers Energy to create a 12-foot wide easement along the southwest, west, and north borders of Reasoner Park at 1801 N Washington Ave. Consumers would install new natural gas distribution lines within unimproved parkland that would service the surrounding neighborhood. N Capitol Ave. between Russell St. and W Reasoner St. was vacated in 1966 and will also hold utility infrastructure, but has an existing utility easement.

Mr. Muchmore asked if any park improvements will be affected by the utility work. Mr. Fedewa stated that the easement area is unimproved and that the proposed agreement will prohibit the City from installing any amenities within the area.

Mr. Muchmore made a motion, seconded by Mr. Cox, to recommend approval of Act-7-2024, 1801 N Washington Ave. Utility Easement, as proposed. On a voice vote the motion carried unanimously (7-0).

(2) **Act-8-2024, 520 S Washington Ave., Use of Rights-of-Way**

Brendan Fox, Dymaxion Development, introduced Dymaxion Development's request for easements to permit building encroachments in the W Lenawee St. and S Washington Ave. rights-of-way. These easements would facilitate the new Ovation Center for Music and Arts (the Ovation), as designed by Albert Kahn Associates. The building encroachments as proposed would allow for two roof overhangs 50 feet above finished grade along W Lenawee St. and S Washington Ave, two ramps at the

northeast entrance and an accompanying roof overhang, and a building overhang that would serve as space for a black box theater.

Mr. Fedewa spoke on some of the comments made by the Public Service Department. Public Service stated the city does not have any existing infrastructure under the proposed overhangs and that sewer separation work under the S Washington Ave. and W Lenawee St. is scheduled for 2029 and 2034, respectively so the Ovation utility plan is being reviewed under site plan review. Mr. Fedewa stated that building code compliance is also being verified under site plan review.

There were comments made about sidewalk maintenance and a statement that the City is ultimately the owner and operator of the Ovation. Mr. Fox stated that explicit directions can be included in the operating agreement that is being drafted.

Mr. Fedewa stated that Public Service recommends that a reverter clause be included in the easement agreement to return the use of the subject rights-of-way back to the City if the building is ever demolished. The clause will be verified the Office of the City Attorney.

Mr. O'Dell asked for the occupant capacity. Dominic Cochran answered that occupancy will range from around 100 for the black box theater, to 800 to 2000+ in the main area for seated and unseated events. Mr. Cochran stated that building information and floor plans are included on the Ovation's website.

Mr. O'Dell asked if there will be on-site parking. Mr. Cochran answered that during the planning and design phase of the development it was determined that the venue would need up to 800 parking spaces. Over 1,600 parking spaces are in the vicinity within a city-operated parking ramp, and on on-street parking spaces that will not be collecting fees after 6:00 p.m. on weekdays or at all during weekends.

Mr. Muchmore made a motion, seconded by Mr. Cox, to recommend approval of Act-8-2024, 520 S Washington Ave., use of rights-of-way, as proposed. On a voice vote the motion carried unanimously (7-0).

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 7:05 p.m.