



**Special Meeting  
LANSING PLANNING BOARD  
May 17, 2016  
6:30 p.m., Conference Room  
Neighborhood Empowerment Center  
600 W. Maple Street**

## MINUTES

### 1. OPENING SESSION

**Mr. Ruge called the meeting to order at 6:30 p.m.**

- a. Present: John Ruge, Josh Hovey, Beth Graham, Lynne Martinez, Tony Cox & Marta Cerna
- b. Absent: Alisande Henry
- c. Staff: Bill Rieske, Susan Stachowiak, Bob Johnson

2. **APPROVAL OF AGENDA** – Mr. Ruge approved the agenda by unanimous consent.

### 3. COMMUNICATIONS

- A. Cassandra Nelson, April 29, 2016.
- B. Sharon Burton, May 7, 2016.
- C. Barbara Cooley, May 12, 2016.
- D. Dale Schrader, May 17, 2016.
- E. Art Hasbrook, May 17, 2016
- F. Jana Nicol, May 17, 2016
- G. Parks Board Minority Report, May 12, 2016

### 4. HEARINGS

#### A. **Design Lansing Comprehensive Plan Amendment #1, Central Substation Project.**

**Chris Knudstrup, Lansing Board of Water & Light**, gave a PowerPoint presentation of the proposed project showing:

- New substation on the site of the Scott Center and Sunken Garden.
- Relocation of the Sunken Garden to an area near the south end of the parking lot that is located just west of the future substation adjacent to Cooley Gardens.
- A viewing platform next to the proposed Sunken Garden location along the Grand River.
- A pathway through the site that would link to Townsend Street from Washington Avenue.
- A “sculpture/mural” entry at the northeast corner of the site.
- A new gateway to Cooley Gardens.
- A vertical pedestrian connection from the river trail to Washington Avenue via an stairway.
- A vehicular and pedestrian connection from the end of Capital Avenue into the Scott Center and Cooley Gardens

- A fishing / viewing platform along the south bank of the Grand River
- A loop trail system using existing and proposed sidewalks in and around the city block using wayfinding signs to direct the public

Mr. Knudstrup said that the Scott Park proposal is a component of LBWL's Lansing Energy Tomorrow initiative, which includes the Integrated Resources Plan (IRP) process that will specify how the BWL will replace the Eckert Power Station, a 1950s era-coal fired plant that will close by 2020, and prepare for the Clean Power Plan, EPA's regulations for reducing greenhouse gas emissions. The IRP process will be based on consideration of costs to customers, ensuring a reliable energy source for the region, environmental stewardship, managing future uncertainty and risks, federal regulations, local-generation capacity, and economic development. The Central Substation is the first step in allowing the retirement of the Eckert plant generation.

Mr. Knudstrup said that the Eckert plant serves downtown Lansing, General Motors and Sparrow Hospital. Eckert's distribution circuits feeding downtown are located in underground ducts that are failing, and Eckert can't be removed from service without new generation or transmission infrastructure. LBWL's Lansing Energy Tomorrow Plan, unveiled in May, 2015 also includes the five-year, \$101 million Transmission & Distribution Improvement Project, which is already underway. The Central Substation is an integral part of this improvement project.

Mr. Knudstrup reviewed the alternative sites that were considered for a new substation:

- The vacant GM office building west off of Townsend. Unavailable for purchase.
- GM property south of and adjacent to Cooley Gardens (east of Townsend). Unavailable for purchase.
- Residential property north of South Street (bounded by Platt St, Grand and Elm). Would remove several (17) properties from the tax roll and would result in the displacement of several residents that occupy houses in the area.
- 100 Block of W. South Street, behind businesses along the west side of S. Washington's 1200 block. The site is too small to accommodate the substation. Would also involve eliminating parking and the businesses along Washington and eliminate the west end of south street.
- The Seventh Day Adventist property on the NE corner of Walnut and St. Joe - across I-496. The site is too small to accommodate the substation and would require the elimination of a state registered historic house (currently the Democratic Headquarters).
- Deluxe Inn Site – the site is too small, would require eliminating an apartment building- and is under contract for private development.
- Eckert Substation site - located in the floodplain, with deteriorating underground conduits beneath railroad tracks. Utilizing the Eckert site for this purpose would increase the cost of the new substation by \$13,000,000, and delay the closing down of the coal-fired plant 7 years. The estimated cost to place the new substation at this location is \$38,500,000. The Eckert Station would need to continue operating during the construction of the new substation, which would be logistically difficult. While BWL already owns the site, it is in the 100 year flood plain and would require raising the elevation of the substation area above the base flood elevation. Additionally the site is adjacent to active railroad tracks and would require a protective wall to be built for potential train derailments. Distribution lines would need to be rebuilt under the railroad and moved out to Townsend St. north to Williams St. where it intersects the existing

duct banks. Island Street is the site's only access point and if closed for any reason would put the substation at risk.

- Underground – an underground substation would cost \$45.6 million, plus \$5-10 million for burying the transmission lines.

Mr. Knudstrup said that the Scott Center is available to be relocated off-site and restored. An RFP (request for proposals) process is being utilized to find a qualified buyer for the Center and the Board of Water & Light will provide up to \$100,000 for relocation costs. Mr. Knudstrup also said that the Sunken Garden will be relocated to a prominent, ADA accessible location within the park as part of this project. LBWL staff is working with the Garden Club of Greater Lansing on plans to maintain and safeguard the vegetation in preparation for this relocation. LBWL will also establish a \$40,000 endowment for the maintenance of the Garden.

Mr. Rieske reported that the City is initiating an amendment to the Design Lansing Future Land Use Plan to change the future land use designation of the east, approximately 4 acres of the Scott Park property at the SW Corner of Washington Ave. and Malcom X Street (125 W. Malcolm X Street), from "Open Space -Dedicated Park" to "Open Space – Quasi-Public / Utility". -Thehis purpose of the amendment is to permit the construction of a \$26,000,000 Board of Water and Light substation on the eastern portion of the site, with park improvements to the remaining open space.

Mr. Rieske said that the Lansing park system includes three National Register properties: the Turner-Dodge Mansion, the Moores Park Natatorium, and Reutter Park. LBWL has one National Register property: the newly-restored Depot building on S. Washington Ave. He said that neither the Scott Center nor the Sunken Garden are either listed on the National Register of Historic Places or located in local Historic Districts.

Mr. Rieske said that the City of Lansing is the current and future owner of the subject property. He said that the Lansing City Charter Section 8-402.6 states: "No park, recreation, cemetery, or waterfront land may be sold without the approval, by a majority vote, of the electors of the City voting on the question at a regular or special election". Both LBWL and the Parks and Recreation Department are divisions of the City of Lansing in accordance with the Lansing City Charter. Mr. Rieske said that this is not a land sale – title to the property is and will continue to be vested in the City of Lansing. There are no deed restrictions that would prevent the substation project and the City Charter does not require a vote of the people for this project as the property will remain under the control and ownership of the City.

Mr. Rieske said that the Parks Board voted to recommend approval of the proposal. He stated that BWL officials have met with members of the public more than a dozen times on this project, including holding a design charrette, a meeting with Preservation Lansing and 2 meetings with the Garden Club that maintains the Sunken Garden. He said that based on Parks Department reservation records, the Cooley Gardens Pavilion gets more than six times the use of the Sunken Garden. Relocating the Sunken Garden to a prominent location adjacent to Cooley Gardens and making Americans with Disability Act and parking improvements as proposed may increase the visits to the Sunken Garden and enhance its benefit to the public.

Mr. Rieske stated that an Act 33 review evaluating the location, character and extent of a public building is required prior to authorizing its construction. He said that for based

~~On~~ this review, staff is recommending approval of the Act 33 request based on the following findings:

- LBWL is phasing out the Eckert Power Station due to the obsolescence of the facility and anticipated regulatory changes.
- LBWL and City staff have conducted a thorough search for an appropriate location for the substation.
- The subject property is the most appropriate location for a substation to serve LBWL's customers in the downtown area, including LCC, the Accident Fund and Sparrow Hospital, with the impending decommissioning of the Eckert Power Station.
- The proposed project will include several amenities to benefit the public including pathways, public art, viewing platforms and ADA access to both Cooley Gardens and the relocated Sunken Garden.
- The proposed substation will be designed to minimize its adverse impact on the remainder of the site.
- The substation is designed for reliability and to meet the current and future needs of downtown Lansing, including its major employers and central business center.

**B. SLU-3-2016, Central Substation, 125 W. Malcolm X Street.**

Ms. Stachowiak stated that SLU-3-2016 is a request for a Special Land Use permit to authorize the construction of an LBWL power substation at 125 W. Malcolm X Street. She said that the subject property is zoned "C" & "DM-4" Residential, which districts permit "a structure which is owned or operated by a public utility", if a Special Land Use permit is approved by the Lansing City Council. Ms. Stachowiak stated that staff is recommending approval of the request based upon its compliance with the criteria contained in Section 1282.03(f) of the Zoning Ordinance for evaluating SLU's.

Ms. Stachowiak said that the Sunken Garden has limited visibility from beyond the property lines and prior to this project, most residents likely were not even aware that it exists. She said that the Board of Water & Light has selected the most suitable and cost effective site in keeping with its fiduciary responsibility to its rate payers. She also said that the BWL, as evidenced by the presentation that was just given, has gone to great lengths to ensure that the site will be designed properly and will include new and enhanced recreational assets.

Ms. Stachowiak said that the majority of the proposed substation will be located within the area of the site that is in the Overlay district which has no setback, lot coverage or parking requirements and allows a maximum building height of 40 feet. The west, approximately 1/3 of the proposed substation is located within the area of the site that is zoned "C" Residential and is not within the Overlay district. The "C" Residential district requires a 50 foot front yard setback, a 30 foot rear yard setback, a maximum lot coverage of 40% by structures and 60% total lot coverage, a parking requirement of 2 spaces for each employee within the largest shift and a 35 foot building height limitation. Based on a review of the preliminary plans for the substation, a variance to the building setback requirement from the front property line along W. Malcolm X Street will be required. This will be supported by the Planning Office staff as it would be more appropriate and desirable, from a planning standpoint, to have the building located at or very near the front property line along both streets. It will also allow the building to have a consistent setback as it crosses the 2 zoning districts on the site.

Ms. Martinez asked if the walls will block the view of the substation itself.

Mr. Knudstrup said that the substation itself involves 2 or 3 structures that will be in the 50 foot tall range. The walls will not be as tall as the power structures themselves, but the height of the wall, combined with narrow setbacks from the property lines, will remove the vast majority of the substation from view including the transformers, "H" frame and most of the infrastructure (hardware) of a typical substation.

**Dick Peffley, Board of Water & Light**, said that the underground lines are already in place on the site and have been there for 50 years.

Mr. Cox asked if any lines will go over the Sunken Garden.

Mr. Knudstrup said that the new transmission lines will be moved just west of the Garden. He added that the electric fields in a typical family kitchen are double what they would be for this project. He also said that there are no studies to show that the power lines would be harmful to humans.

Mr. Hovey asked about the cost differential between the sites that were considered for this project.

Mr. Peffley said that the only fall-back site is the current site of the Eckert Station and it would add 42 million dollars to the project. The other sites are either not available or are too small to accommodate the project. He also said that reusing the Eckert Station would add about a year to the project as well as require the Eckert site to be relicensed.

Mr. Ruge asked if the BWL has considered condemnation proceedings against General Motors for use of their property for the substation.

Mr. Knudstrup said that the BWL has not considered condemnation proceedings against GM.

**Steve Serkaian, Board of Water & Light**, said that the BWL has had a cooperative relationship with GM and does not wish to take a hostile action against them. He said that the GM property is reserved for future development/investment. Mr. Serkaian said that GM made a good faith effort to work with the BWL on this matter but the decision to not allow it was made by the GM corporate offices in Detroit. He said that GM is the BWL's largest customer.

Mr. Ruge asked the BWL representatives if they have any experience with regard to relocating a historic garden.

**Robert Ford, Landscape Architects and Planners**, said that he has worked on many historic projects and was employed by the City when the Garden Club took over the Sunken Garden. He said that he helped restore the Turner Dodge site as well as other historic restoration projects outside of the City. Mr. Ford said that the key is to remove the mortar by water-blasting it off and then reassembling the walls in the new location.

Ms. Cerna asked if the BWL representatives could describe the economic impacts of this project on the area.

**Karl Dorshimer, LEAP**, stated that they have been working with a developer on the redevelopment of the former Deluxe Inn site. He said that this redevelopment, along with the new substation will make for a really great gateway to Reo Town. Mr. Dorshimer said that LEAP is supportive of the proposed power station as it is not in the floodplain and is an option that controls costs and provides reliable power.

**Ronda Oberlin, City of Lansing Emergency Management Office**, stated that the majority of the Eckert Station site is in the 100 year floodplain. She said that increasingly erratic weather conditions have made flooding unpredictable. In August of 2015, an extreme rain event caused the Grand River to rise almost 5 feet in 3 hours. There have been 3 extreme rain events in Lansing in the past 5 years. Ms. Oberlin said that the decommissioning of the Eckert Station also raises the risk of ice jam flooding because the heat generated by the station right now prevents ice build-up. She said that the City's Hazard Mitigation Plan names removing critical infrastructure from the floodplain as a priority project. The critical infrastructure currently located in the floodplain was built before flood risk was fully understood. Ms. Oberlin said that in light of the knowledge that we now have about flood risk today, our reliance on the electrical grid to ensure basic public health and safety, and our uncertainty about weather patterns in the future, it would be ill-advised to build any further critical infrastructure in this high risk area.

**Mr. Ruge opened the public hearings.**

**Art Hasbrook, 2216 Beal Avenue**, said that he would like to have more than 3 minutes to speak. He said that he has attended some of the meetings on this project. Mr. Hasbrook stated that Rick Kibbey said that he did not realize that this property was on the riverfront and had he known, he would not have voted for it just as he voted against the sale of Willoughby Park. He said that the Women's Hall of Fame is planning to move. Mr. Hasbrook said that the Sunken Garden is the floor of the house that belonged to a civil war hero (Cahill) and is eligible to be recognized as a national landmark.

**Shawn Burton, 1235 N. Washington**, said that there are many reasons not to approve the project in a location that was selected because it is cheap. She said that it is immoral to take a donated piece of parkland and use it for a public utility. Ms. Burton said that she would not want this as an entrance to Reo Town. She said that this is a historic waterfront park. She also said that the Scott Center could be restored but the City does not take care of its parks.

**Loretta Stanaway, 546 Armstrong**, asked why the project includes 4 acres of the site when the required amount of area for the substation is 2 acres. She said that the City needs to take a different attitude with GM since they have been given plenty of tax breaks by the City. Ms. Stanaway said that she has been to the Sunken Garden 5 times in the last month and one of the best things about it is the solitude which cannot be replicated in a different location. She said that the citizens, not the City, owns the BWL and the 42 million dollars needed to build the substation at the Eckert Station site is not a one-time cost. It is spread out over the years. Ms. Stanaway said that she does not trust the numbers or the process.

**Diane Sanborn, 720 Seymour Avenue**, said that she is the treasurer of Preservation Lansing and Friends of Durant Park. She said that if no money is changing hands, how much money will come back to the City when the Eckert Station is sold. She expressed her opposition to the proposed substation.

**Anne Schrader, 1107 Seymour**, asked if there will be a wall between the pathway and the river. She said that if there will be, that does not seem like a safe situation. Ms. Schrader said that the Sunken Garden is in a location that is serene and calming and changing its location will destroy its serenity.

**Paul Holland, 1536 Spencer**, said that he is a member of the Parks Board and he voted in favor of the proposal. He said that the project involves disposing of 40% of a park and enhancing the remainder of the site. Mr. Holland said that the alternative of constructing a new station on the site of the current Eckert Station adds 7 years and several million dollars to the project. The delay in closing the current Eckert Station means that the pollutants from burning coal will continue to be generated at that plant. This project is about clean energy. He said that the idea is to “think globally and act locally”.

**Jana Nicol, 1612 Furbes**, said that she is disappointed in Mr. Holland voting in favor of this project. She said that 78% of the people who took the on-line survey were opposed to this project. Ms. Nicol said that she finds it shocking that the City is monitoring its park usage.

**Ryan Wert, 222 Elm Street, President, Reo Town Commercial Association**, spoke in support of the project. He said that the Reo Town Commercial Association Board voted unanimously to support this project. Mr. Wert said that most people do not know that the Sunken Garden even exists and yet, the BWL is willing to go to great lengths and significant expense to ensure that it will be relocated to a more accessible location on the site. He said that the new location will increase its visibility and provide for proper access as well. Mr. Wert said that the sentiment of the surrounding neighborhood is generally positive where this project is concerned.

**Dale Schrader, 226 W. Maple Street**, spoke in opposition to the project. He said that the property is a very nice location that could be used for a restaurant, a location for weddings, receptions, a bed and breakfast and other uses as well. Mr. Schrader stated that the City cannot lose 4 acres of park land. He said that the number one priority of the Master Plan is the preservation of parks. Mr. Schrader said that the proposed substation is ugly and the proposed fishing platform is on the opposite side of the river.

**Hillary Waliko, 1138 S. Grand Avenue**, stated that she has been a resident of Reo Town for 13 years. She set that this project is a net positive for the neighborhood. Ms. Hilary stated that the Sunken Garden is not visible or properly accessible in its current location.

**Ryan Smith, 215 E. St. Joseph Street**, stated that he is the President of the Cherry Hill Neighborhood Association and he is not supportive of this project. Mr. Smith said that the public keeps getting different dollar amounts (42 million versus 13 million) for constructing the station at the site of the current Eckert Station. He asked what the financial impact is to the rate payers. Mr. Smith said that the BWL needs to reach out to the neighborhoods. He asked why this issue is not being put on the ballot so that

the voters can decide if the substation should be built at the Scott Center site. Mr. Smith said that the downtown parks are in terrible shape and nobody is going to go to the new park.

**Jennifer Grau, 201 Lathrop Street**, stated that after listening to the presentation this evening, she is still opposed to the project but is impressed that the Reo Town Commercial Association and LEAP are supportive of the project. She said that she is also impressed with the environmental and floodplain concerns. Ms. Grau said that she is not impressed with the walls and is concerned about the site plan. She stated that she does not like the idea of a power substation as a gateway to Reo Town and while \$42 million dollars is a lot of money, the City should not be rewarded for neglecting its parks/facilities. She also stated that the City should be as concerned about protecting its historic resources as it is about the environmental issues, particularly since there are other sites in the area that could be utilized for this project.

**Karen Shulick, 1433 Comfort Street**, spoke in opposition to the request. She said that she has lived in Reo Town for 25 years and there has never been a flood in the area. Ms. Shulick stated that the entire area is not in a floodplain and there has not even been any high water around the Eckert Station. She said that the proposed building will look like a prison with its high brick walls.

Mr. Ruge said that Mr. Hasbrook has requested an additional 3 minutes to speak.

Mr. Hovey asked the audience if there were any others that would like an additional 3 minutes.

Several members of the audience raised their hands, at which time Mr. Ruge decided not to allow additional public comment from those who already spoke.

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

## 5. BUSINESS

Ms. Martinez said that she would like the Parks Board minority report to be an official part of the record along with the other communications that were included in the packet.

Mr. Ruge suggested tabling the Comprehensive Plan Amendment, SLU and Act 33 cases until the Board has a chance to absorb the information provided at this meeting and obtain additional information if necessary.

Mr. Hovey said that this is an important issue and a lot of good information has been provided at this meeting. He said that he would appreciate more time to consider this matter.

Ms. Martinez encouraged the Board members to visit the site and walk around as it looks and feels much different from inside the property than it does just driving past. She suggested taking the map that the BWL provided so that the Board members could see how the changes will affect the site as it currently exists.

**Mr. Hovey made a motion, seconded by Ms. Graham, to table the Design Lansing Comprehensive Plan Amendment #1, Act-7-2016 and SLU-3-2016. On a voice vote (6-0), the motion carried unanimously.**

- 6. ADJOURNMENT** – Chairman Ruge adjourned the meeting at 8:48 p.m.