

Draft to Clerk March, 2009
 Approved March, 2009
 To Clerk March, 2009

**Minutes of the Regular Meeting
 LANSING PLANNING BOARD
 6:30 p.m., Main Level
 Fire Station #1, Community Room
 120 E. Shiawassee Street
 Tuesday, February 17, 2009**

1. OPENING SESSION

The meeting was called to order at 6:40 p.m. by Chairman Frederick

- A. Roll call: Present: Frederick, Graham, Williams, Ruge & Bruch
- B. Staff Attending: Stachowiak, Stanley
- C. Excused Absences: Nelson, Cordill, Tobe

Mr. Williams made a motion, seconded by Ms. Graham to approve an excused absence for Ms. Nelson. On a voice vote, the motion carried (5-0).

Mr. Williams made a motion, seconded by Ms. Graham to approve an excused absence for Ms. Cordill. On a voice vote, the motion carried (5-0).

2. APPROVAL OF AGENDA

Mr. Williams made a motion, seconded by Ms. Graham to approve the agenda as printed. On a voice vote, the motion carried unanimously (5-0).

3. COMMUNICATIONS – None.

4. HEARINGS

A. Act-20-08, Alley Conveyances, 300 Block, S. Capitol Avenue

This is a request by Cooley Law School to acquire the north-south and east-west public alleys located within the block bounded by Washtenaw Street to the north, Kalamazoo Street to the south, Washington Square to the east and Capitol Avenue to the west. The alleys are owned by the City of Lansing but are not platted alleys. Cooley Law School would use the north-south alley to facilitate the construction of a building addition across the alley, connecting the Town Center Building and the Brennan Law Library. The east-west alley would be used to provide access to the Cooley Law School parking lot.

Jim Robb, Cooley Law School, explained how the building additions will be used. In response to a question from Mr. Ruge, Mr. Robb stated that they cannot build a second floor connection between the two buildings because the floors do not match up.

Ms. Stachowiak said that the Board of Water & Light has stated that a second floor walkway would not provide enough clearance for their equipment trucks. She also said that BWL may have to remove anything, including the building addition, if it interferes with their ability to make repairs in the event of an emergency.

Mr. Robb stated that access to Washington Square will be closed off, but for a break-away gate and/or rolled curb in case fire trucks need to get in or out. He said that the parking lot will be repaved and landscaped, but the BWL steam and power lines will remain in their current location. He also said that they will be providing an 8-foot buffer strip, with a hedge row along Washington Square.

Tim Murphy, Cooley Law School, reviewed the site plan which included a turn-around for accessing the Knapp's building loading area. He said that this plan has been provided to the Eyde Company for their review.

Mr. Murphy stated that the building will be LEED certified. He also said that the area north of the Town Center building will be a green area with various plantings and benches that will create a park atmosphere and help with storm water run-off.

Mr. Ruge asked what Cooley will be doing with the old library building.

Don LeDuc, Cooley Law School, stated that the addition will provide more space for the library as it is currently overcrowded.

Dr. Bruch asked if the parking area will also adhere to LEED standards.

Mr. LeDuc said that they are going to do as much as possible but permeable asphalt is costly to install and difficult to maintain.

Seeing no one else wishing to speak, Mr. Frederick closed the public hearing for Act-20-08 and referred the case to the Planning Board at the March 3, 2009 meeting.

B. SLU-4-08, 5405 S. ML King, Wireless Communications Tower

This is a request by Vertical Properties for a special land use permit to construct a 155 foot high, monopole, telecommunications tower in the rear yard at 5405 S. ML King Blvd. The area of the site where the tower would be located is zoned "A" Residential district, which permits public/private

utility facilities, with a special land use permit, if approved by the Lansing City Council.

Ms. Stachowiak stated that the Planning Board has already acted on this case once, but since the new ordinance went into effect, all pending cases have to adhere to the new standards. She said that this includes notifying the neighbors within 1,000 feet, rather than 300 feet. She also said that this matter is on the consent agenda for this evenings meeting.

In response to a questions from Dr. Bruch, Ms. Stachowiak said that she will verify the applicants claims that Consumer's Energy will not allow antennas on the existing utility towers.

Dr. Bruch said that the shrubs around the compound area should be staggered to provide better screening.

James Cody, Local 333, Plumbers & Pipe Fitters Union, explained that the site is heavily wooded to provide good screening to the north and east. He said that the tower will be virtually unnoticeable once the trees grow up around it.

Donna Forbush, 1211 Ferley Street, stated that she lives directly north of the site and has done a lot of work on her property and she is concerned about the view of the tower from here property. Ms. Forbush said that there is a lot of trash on the Union Hall property that she would like to see cleaned up. She also expressed concern about the affects of the tower on wildlife in the area.

Ronald Clark, 5316 S. ML King, stated that he is concerned about the microwave signals from the cell phone.

Mr. Frederick said that the tower should not affect the wildlife as the tower will only consume a small portion of the property. He explained how the site will be laid out and how the tower will look. Mr. Frederick said that the tower puts out about the same amount of microwave signals when you are standing right next to the tower as a typical household microwave oven. He said that this is similar to the microwave signals that are emitted from individual cell phones. He also said that signals from the tower will not interfere with other telemetry equipment.

Seeing no one else wishing to speak, Mr. Frederick closed the public hearing for SLU-4-08 and stated that the case will be on the consent agenda later this evening.

5. COMMENTS FROM THE AUDIENCE

Mr. Cody said that the trees should provide adequate screening from Ms. Forbush's house. He also said that he would check into the trash complaint.

6. RECESS was not taken by the Board.

7. BUSINESS SESSION

A. Consent Items

1. Minutes for Approval: February 3, 2009

The minutes of February 3, 2009 were approved without objection.

2. SLU-4-2008, 5405 S. ML King, Wireless Communications Tower

SLU-4-2008, 5405 S. ML King was approved without objection, as depicted on the plans most recently revised on 1/28/09, subject to the following conditions:

- A. The proposed monopole tower provide for at least 3 co-locations of antennas.
- B. The tower shall not interfere with telemetry communications of local hospitals and emergency services
- C. The tower be appropriately accessible and fenced for security, without the use of barbed wire.

B. Committee Reports

1. Zoning and Ordinance Committee, Dr. Bruch

Next meeting, Wednesday, March 11, 2009, at 4:00 p.m.,
316 N. Capitol Ave., Department Conference Room

2. URBAN DEVELOPMENT COMMITTEE, Ms. Cordill

Next meeting, Tuesday, February 24, 2009, at 4:00 p.m.
316 N. Capitol Ave., Department Conference Room.

3. COMMITTEE OF THE WHOLE

4. EXECUTIVE COMMITTEE

C. **Old Business** – None.

D. **Report from Planning Manager** – None.

E. **Pending Items: Future action required**

1. Zoning and Ordinance Committee
2. Urban Development Committee
 - a. Master Plan Project
3. Committee of the Whole
 - a. SLU-5-2008, 528 N. Pine Street
4. Planning Board

8. **NEW BUSINESS** - None

9. **COMMENTS FROM CHAIRPERSON** - None

10. **COMMENTS FROM BOARD MEMBERS**

Dr. Bruch stated that she will be at the March 3, 2009 meeting but will not be at the March 17, 2009 meeting.

11. **BOARD MEMBER CODE ENFORCEMENT NOTIFICATION REPORTS** – None.

- a. Dollar Store - Willow Street & MLK Blvd. - landscaping & buffering (May 20, 2003)
- b. W. Willow Street - Grace Tabernacle Church - no landscaping (May 4, 2004)
- c. 2702 S. Cedar Street - no landscaping (May 18, 2004)
- d. 2410 S. Pennsylvania Ave. - no landscaping (November 3, 2004)
- e. The Firm – review requirements for fenced outdoor patio (December 5, 2006)
- f. Washington Square Tavern – permanent outdoor patio & inadequate room on the sidewalk (November 20, 2007)

12. **ADJOURNMENT** - Meeting was adjourned at 7:40 p.m.

Respectfully submitted,

William C. Rieske
Secretary, Planning Board