

Draft to Clerk May , 2009
Approved May , 2009
To Clerk May , 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, May 19, 2009**

1. OPENING SESSION

The meeting was called to order at 6:38 p.m. by Chairman Frederick

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

Mr. Williams made a motion, seconded by Mr. Ruge to approve an excused absence for Ms. Graham. On a voice vote, the motion carried (4-0).

2. APPROVAL OF AGENDA

Mr. Williams made a motion, seconded by Mr. Ruge to approve the agenda, moving Act-4-09 to the consent agenda.

On a voice vote, the motion carried unanimously (4-0).

3. COMMUNICATIONS - none

4. HEARINGS - none

5. COMMENTS FROM THE AUDIENCE - none

6. RECESS was not taken by the Board.

7. BUSINESS SESSION

A. Consent Items

1. **Minutes for Approval:** May 5, 2009

The minutes of May 5, 2009 were approved without objection.

2. **Z-1-2009**, 1141 N. Pine Street, Rezoning from "B" Residential to "D-1" Professional Office District.

Z-1-2009, Rezoning from "B" Residential to "D-1" Professional Office District, with conditions proposed by the applicant in the letter dated May 12, 2009, was approved without objection.

3. **Act-4-2009**, 2525 E. Cavanaugh Road, Vacate Segment of Bear Swamp Drain

Act-4-2009, 2525 E. Cavanaugh Road, Vacate Segment of Bear Swamp Drain, was approved without objection.

B. Committee Reports

1. Zoning and Ordinance Committee, Mr. Ruge

Next meeting, Wednesday, June 10, 2009, at 4:00 p.m.,
316 N. Capitol Ave., Department Conference Room

2. URBAN DEVELOPMENT COMMITTEE, Ms. Cordill

Next meeting, Tuesday, May 26, 2009, at 4:00 p.m.
316 N. Capitol Ave., Department Conference Room.

3. COMMITTEE OF THE WHOLE

4. EXECUTIVE COMMITTEE

C. Old Business

1. **Z-3-2009**, 1114 W. Ionia Street, "B" Residential to "C" Residential District

Mr. Williams made a motion, seconded by Mr. Ruge to reconsider Z-3-09. On a voice vote (4-0), the motion carried unanimously.

This is a request by Rickey Cotton to rezone the property at 1114 W. Ionia Street from "B" Residential District to "C" Residential

District. The purpose of the rezoning is to permit the building at this location to be used for a duplex. Ms. Stachowiak stated that at the May 5, 2009 meeting, the Planning Board recommended that this request be approved, if it is conditioned upon the rezoning being valid only as long as the property is owned by Rickey Cotton. She said that the City Attorney's Office has determined that a rezoning cannot be conditioned upon ownership. Therefore, this case is being returned to the Planning Board for reconsideration.

Ms. Cordill stated that the rezoning would not be compatible with the surrounding zoning pattern. She also said that approval of the rezoning could set a precedent for other requests of this nature. Ms. Cordill said that the Planning Board has denied other cases that were very similar to this one.

Mr. Frederick stated that the rezoning would be inconsistent with the master plan designation as it would exceed a density of 8 units per acre. He also said that Mr. Cotton can still get value from the home as a single family dwelling. Mr. Frederick said that the duplex at this location was nonconforming and the intent of the Zoning Ordinance is to eventually bring nonconformities into conformance with the Zoning Ordinance.

Mr. Ruge made a motion, seconded by Ms. Cordill to deny Z-3-09, rezoning of 1114 W. Ionia Street from "B" Residential to "C" Residential. On a roll call vote (4-0), the motion carried unanimously.

D. 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. REPORT FROM PLANNING MANAGER

- A. Mr. Rieske stated that he, Ms. Stachowiak and Mr. Hodges attended a class on form-based codes. He said that it will be very helpful with future zoning ordinance amendments.

- B. Mr. Rieske stated that the Planning Office is moving forward with the public participation aspect of the master plan project. He said that the city has hired two individuals to assist with the public participation/workshop in a box project.

10. COMMENTS FROM CHAIRPERSON - None

11. COMMENTS FROM BOARD MEMBERS - None

12. BOARD MEMBER CODE ENFORCEMENT NOTIFICATION REPORTS

- 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)

13. ADJOURNMENT - Meeting was adjourned at 6:54 p.m.

Respectfully submitted,

William C. Rieske
Secretary, Planning Board