

**Minutes of the Special Meeting
LANSING PLANNING BOARD
8:00 a.m., Development Office Conference Room
316 N. Capitol Avenue, Suite D-2
Lansing, MI 48933
Tuesday, May 25, 2010**

1. OPENING SESSION

The meeting was called to order at 8:05 a.m. by Chairman Frederick

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

2. APPROVAL OF AGENDA

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

3. COMMUNICATIONS

- A. Email from John Ruge regarding questions about Act-2-2010, Sale of Oak Park Field Office - Response from Bill Rieske explaining the factors that lead up to the recommendation to sell the property.

Mr. Ruge expressed concerns about the details of the project and whether the sale of the property is in the best interest of the city.

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: April 6, 2010**

The minutes of April 6, 2010 were approved without objection.

2. SLU-3-2010, Church on Vacant Property located west of 815 W. Edgewood Blvd.

SLU-3-2010, Special Land Use Permit, Church on vacant property located directly west of 815 W. Edgewood Blvd., was approved without objection.

B. Committee Reports -None**1. ZONING AND ORDINANCE COMMITTEE****2. URBAN DEVELOPMENT COMMITTEE****3. COMMITTEE OF THE WHOLE****4. EXECUTIVE COMMITTEE****C. Old Business****D. Pending Items: Future action required**

1. Zoning and Ordinance Committee
2. Urban Development Committee
 - a. Master Plan Project
3. Committee of the Whole
4. Planning Board

8. NEW BUSINESS**A. Act-2-2010, 717 E. Shiawassee Street, Sale of Oak Park Field Office**

Mr. Rieske reviewed the location, character and extent of the proposal. He said that Neogen is a high-technology company that has a history of rehabbing, retrofitting, and locating in older buildings in established residential areas; they are known for working with neighborhoods and cooperative problem-solving. The subject property is located near two other Neogen properties, and acquiring it would be a good fit for Neogen.

Mr. Rieske said that the property is zoned "A" Residential District (as is the Oak Park parcel), so rezoning would be required for its proposed private-sector use. He also said that from the City's viewpoint, the ability to have a "pool" of vehicles and equipment under one roof offers greater flexibility and eliminates needless bureaucracy. The consolidation would improve the ability to match equipment that is in working order with available crew members. Thus the cost savings consist of more than just the net sale proceeds minus relocation and remodeling costs.

Mr. Sherrey said that the Neogen proposal is to acquire, rehab, and reuse the buildings, repave the parking lot, and add landscaping where appropriate. The impact of proposal is expected to be favorable with the rehab of the facilities. Mr. Rieske added that the rezoning process will provide more opportunities to review the neighborhood character, as well as to receive public input.

Mr. Rieske stated that the property on which the Field Office is not dedicated parkland – Lansing's inventory of dedicated parkland would remain unaffected, and no vote of the people is required for the disposition of the property.

Mr. Rieske said that the Act 33 review is the method used in accordance with Section 208 of the Administration Code to determine the public interest in retaining surplus property. In the Agency Referral stage of this review, no agency stepped up and indicated any public purpose for the property. Mr. Rieske said that the City operations housed in the buildings on this property are proposed to be relocated and consolidated with the Central Garage and Operations & Maintenance equipment under the management of the Public Service Department. This transfer has already been approved with the City Council adoption of the FY11 Budget. With the consolidation nearly in progress and no other agency indicating an interest, it's reasonable to conclude that the public purpose is not served by retaining the building. Based on this conclusion, Mr. Rieske recommended approval of Act-2-2010.

Mr. Ruge said that he did not realize that the building would be vacant if it remained under the city's ownership. He asked about the price of the building.

Karl Dorshimer, Lansing EDC, stated that the sale price is \$200,000. Mr. Dorshimer said that Neogen has been very active in the Eastside area. He said that their operations are very quiet, making them a good neighbor in predominantly residential areas. Mr. Dorshimer said that Neogen employs 250 people and will continue to grow in Lansing. He also said that the Oak Park Field House site needs to be cleaned up and rehabbed and Neogen has an excellent history of doing just that in the City of Lansing.

Mr. Ruge asked if this proposal has come before the Parks Board yet.

Murdock Jemerson, Director of Parks and Recreation, stated that it has not come before the Parks Board yet, however, they will take up this matter at the June 9, 2010 meeting. The Chairman of the Parks Board, Rick Kibbey, wanted

this matter to be discussed and acted upon by the other agencies first. He said that the forestry operations are being moved the Operations and Maintenance Facility. Mr. Jemerson said that the Forestry Division is understaffed and combining the Forestry employees with the O&M employees will make the operations more efficient and allow more work to be done.

Mr. Ruge stated that he owns some stock in the Neogen Corporation, but is not a majority stock holder. The Board members agreed that this does not constitute a conflict of interest.

The Planning Board found that:

1. Neogen is a high-technology company that has a history of rehabbing, retrofitting and locating in older buildings in established residential areas. They are known for working with neighborhoods and cooperative problem-solving. The subject property is located near two other Neogen properties, and acquiring it would be a good fit for Neogen.
2. The Neogen proposal is to acquire, rehab, and reuse the buildings, repave the parking lot, and add landscaping where appropriate.
3. The City operations housed in the buildings on this property are proposed to be relocated and consolidated with the Central Garage and Operations & Maintenance equipment. This transfer has already been approved with the City Council adoption of the FY11 Budget.
4. Upon completion of this consolidation, the property will become vacant and unnecessary for City operations.

Based on these findings, the Board made the following recommendation

Mr. Ruge made a motion, seconded by Mr. Cox to recommend approval of Act 2-10, to sell the Oak Park Field Office, 717 E. Shiawasee Street, to the Neogen Corporation, 620 Leshar Place. On a roll call vote (5-0), the motion carried unanimously.

9. REPORT FROM PLANNING MANAGER

Mr. Rieske stated that there is only one item, Act-3-10, for the Planning Board meeting on June 1, 2010. Act-3-10 is a request by 414 E. Michigan, L.L.C. to construct a deck on City property and public right-of-way (ROW). This City property is located west of and adjacent to the building at 414 E. Michigan Ave., east of Museum Drive.

Mr. Rieske said that the property is comprised of two triangular parcels. The one on the east is adjacent to the building, is held under the Board of Water and Light (LBWL), and contains a large steam pipe which runs in a N-S direction through the property. The western property contains an unplatted portion of the Museum Drive ROW, and is held by the Department of Public Service. The steam pipe runs through the northern portion of this property before extending under Michigan Avenue. The current plans for the deck are to place footings and decking on City property to support the structure.

Mr. Rieske stated that this project is similar to the Troppo's deck at Michigan and Washington (Act-8-04) in that it is a private improvement over public ROW. It differs

from the Troppo's case in that the proposed improvements are of a smaller scale, and the Museum Drive ROW is acquired real estate, rather than a platted right-of-way.

Mr. Ruge asked how far the deck will extend from the building.

Mr. Rieske said that he is not sure exactly how far out it will come but it will not obstruct the pedestrian pathway. He also said that City Council will have to approve the liquor license for the outdoor patio.

Mr. Frederick asked if the applicant is aware that the patio may need to be removed if the Board of Water & Light needs access to the steam pipe.

Mr. Rieske said that they are aware of this. The applicant and the Board of Water and Light have already agreed on a license for the use of the LBWL property.

Mr. Williams made a motion, seconded by Ms. Graham to add Act-3-10 to the agenda. On a roll call vote (5-0), the motion carried unanimously.

The Planning Board found that a similar agreement could be made for the remainder, and that City Council approval is required for both parcels. The Board also found that the deck and outdoor seating would contribute to the character of the entertainment district, and that it would be useful in providing barrier-free access to the commercial properties to the east. Based on these findings, the Board made the following recommendation:

Mr. Williams made a motion, seconded by Ms. Graham to recommend approval of Act-3-10, a request by 414 E. Michigan, L.L.C. to construct a deck on City property located west of and adjacent to the building at 414 E. Michigan Ave., east of Museum Drive, and on the unplatted Museum Drive public right-of-way (ROW). On a voice vote (5-0), the motion carried unanimously.

10. COMMENTS FROM CHAIRPERSON - None

11. COMMENTS FROM BOARD MEMBERS - None

12. BOARD MEMBER CODE ENFORCEMENT NOTIFICATION REPORTS

- a. W. Willow Street - Grace Tabernacle Church - no landscaping (May 4, 2004)
- b. 2702 S. Cedar Street - no landscaping (May 18, 2004)
- c. The Firm – review requirements for fenced outdoor patio (December 5, 2006 & February 20, 2007)
- d. Washington Square Tavern – permanent outdoor patio & not adequate room on sidewalk (November 20, 2007)
- e. Clayborn & Waverly - Junk, trash, junk vehicles (September 15, 2009)
- f. E. Michigan & Lathrop - Shaggin Wagon Taxi Service - Screening & Buffering (September 15, 2009)

13. ADJOURNMENT - Meeting was adjourned at 8:40 a.m.

Respectfully submitted,

William C. Rieske
Secretary, Planning Board