AGENDA

1. OPENING SESSION
   A. Roll Call
   B. Excused Absences

2. APPROVAL OF AGENDA

3. COMMUNICATIONS

4. PUBLIC HEARINGS
   A. SLU-1-2019, 900 Southland Avenue, Suite 918, Special Land Use Permit, Church in the “F” Commercial district
   B. Zoning of recently annexed properties, 11097 Jolly Hwy. & 4820, 4848, 4880, 4902, 5030, 5050 & 5058 S. Waverly Road

5. COMMENTS FROM THE AUDIENCE (please limit comments to 3 minutes per person)

6. RECESS

7. BUSINESS
   A. Consent Items
      (1) Minutes for approval: March 5, 2019
      (2) SLU-1-2019, 900 Southland Avenue, Suite 918, Special Land Use Permit, Church in the “F” Commercial district
   B. Old Business
   C. New Business
      (1) Zoning of recently annexed properties, 11097 Jolly Hwy. & 4820, 4848, 4880, 4902, 5030, 5050 & 5058 S. Waverly Road
      (2) 2020-2025 Capital Improvements Program
8. REPORT FROM PLANNING MANAGER
9. COMMENTS FROM THE CHAIRPERSON
10. COMMENTS FROM BOARD MEMBERS
11. PENDING ITEMS: FUTURE ACTION REQUIRED
12. ADJOURNMENT

FOR SPECIAL ACCOMMODATIONS, PLEASE GIVE NOTICE 24 HOURS PRIOR TO THE MEETING BY CALLING 517-483-4066 OR 517-483-4088 TDD.
TO: Planning Board
FROM: Bill Rieske
DATE: March 28, 2019
RE: 2020-2025 Capital Improvements Program (CIP)

The information for the 2020-2025 CIP is not yet available as of this writing, and we hope to have it ready for presentation at the meeting.

I apologize for the inconvenience.
GENERAL INFORMATION

APPLICANT: Holiday Park/Durga Property Holdings, Inc. 6810 S. Cedar Street, Suite 3C Lansing, MI 48911

OWNERS: Durga Property Holdings, Inc. Lanprop, LLC 11320 Chester Road 2740 Bronson Blvd. Cincinnati, Ohio 45426 Kalamazoo, MI 49008

REQUESTED ACTION: Special Land Use permit to permit a church at 900 Southland Avenue, Suite 918

EXISTING LAND USE: Multi-tenant commercial building

EXISTING ZONING: “F” Commercial District

PROPERTY SIZE & SHAPE: Irregular Shape – 47,467 square feet (1.08 acres)

SURROUNDING LAND USE: N: Dollar General/Apartment Complex S: Multi-tenant commercial building E: Multi-tenant commercial building W: McDonald’s


MASTER PLAN DESIGNATION: The Design Lansing Comprehensive Plan designates the subject property as “Community Mixed Use Center”. Southland Avenue is designated as a local road.

SPECIFIC INFORMATION

SLU-1-2019. This is a request by Holiday Park/Durga Property Holdings, Inc., for a special land use permit to establish a church in the building at 900 Southland Avenue, Suite 918. Churches are permitted in the "F" Commercial district, which is the zoning designation of the subject property, if a Special Land Use permit is approved by the Lansing City Council.

According to the information provided by the applicant, the church is comprised of a pastor and 20 parishioners. Services are held on Sundays from 11:00 a.m. to 2:00 p.m. and on Tuesday and Thursday evenings from 7:00 p.m. to 8:30 p.m. The suite that would be occupied by the church is
1,845 square feet in size and located at the west end of the multi-tenant building at 900 Southland Avenue. The majority of the building is vacant, although there is a laundromat in the easternmost suite. Based on the proposed occupancy level, 7 parking spaces are required for the church. There are 62 parking spaces on the site that are shared by all of the tenants. The church will not place excessive demands on the parking, particularly since services are held at times when most businesses are not operating at peak levels. Furthermore, the 7 parking spaces required for the church are less than what would be required if the suite were being used for many of the uses that could be established in the suite as a matter of right and without the need for a special land use permit.

**AGENCY RESPONSES:**

**BWL:**

**Building Safety:** The Building Safety Office has no objections. This project will be subject to building plan review as set forth by the State Construction Code Act.

**Development:**

**Fire Marshal:**

**Parks & Recreation:** No comment.

**Public Service:** Public Service Engineering I & E Group has no comments on the SLU

**Transportation:** No objection to this request, or requirements related to it. Will not affect public infrastructure associated with the site.

**ANALYSIS**

Section 1282.03(f)(1)-(2) sets forth the criteria which must be used to evaluate a Special Land Use permit request. The criteria and evaluation are as follows.

1. **Is the proposed special land use designed, constructed, operated and maintained in a manner harmonious with the character of adjacent property and the surrounding area?**

   The proposed church would occupy one small suite in a multi-tenant commercial building located on a side street that extends between S. ML King and S. Washington Avenue. The subject property and the majority of the adjoining properties are zoned “F” Commercial. Given its small size and location on a side street, the proposed church is not anticipated to have any negative impacts on the surrounding area. There is more than enough parking on the site to accommodate the church as well as all existing and future tenants in the building, particularly since church activities typically occur during times when business/commercial activity is not operating at peak levels.
The proposed church will not negatively impact the commercial area in which it is located. One of the greatest impacts that a church can have on a commercial environment is that they have the ability to object to and possibly prevent the issuance of liquor licenses within 500 feet of their building. Liquor store, bars, taverns and restaurants, which are uses permitted by right in all commercial zoning districts, contribute to the economic vibrancy of commercial corridors as they are customer-oriented businesses that generate traffic on a regular basis. In this case, however, it is unlikely that there would be a request to establish a liquor license type business within 500 feet of the proposed church since the commercial properties within that area are not located on a major corridor where there is exposure to potential customers.

2. **Will the proposed special land use change the essential character of the surrounding area?**

   The proposed church will not “change” the essential character of the area. It will, however, have a positive impact on the area by filling a suite and bringing some much needed activity to an area that is primarily characterized by vacant buildings. The properties along Southland Avenue contain multi-tenant buildings, all of which have been mostly vacant for the past several years. It is assumed that one of the challenges involved in attracting and retaining tenants to these buildings is the lack of exposure to even low levels of traffic, thus, making them more desirable for destination type businesses such as offices and churches, as opposed to retail stores, restaurants, gas stations, salons and other uses that depend on pass-by traffic to establish a customer base.

3. **Will the proposed special land use interfere with the enjoyment of adjacent property?**

   The primary concern with churches in terms of interfering with the enjoyment of adjacent properties is the potential conflicts with liquor licenses. By state law, a church has an opportunity to object to all new liquor licenses within 500 feet of its building. The proposed church would be located in the middle of an area that is zoned “F” Commercial, which district permits alcohol establishments (retail, bar, tavern, restaurant, etc.) as a matter of right. In this case, the properties that are within 500 feet of the proposed church are all located along Southland Avenue which is a side street that experiences very low volumes of traffic. Given the lack of exposure from high volumes of traffic, the properties along Southland Avenue would not be very desirable for the types of businesses that would need a liquor license. In order ensure, however, that there will not be any conflicts in the future, if the special land use permit is approved, it should be conditioned upon the church agreeing, in writing that it will not object to the issuance of liquor licenses in the area. The City of Lansing has a standard format that is used for such an agreement.

4. **Will the proposed special land use represent an improvement to the use or character of property under consideration and the surrounding area in general, and will the use be in keeping with the natural environment of the lot?**

   No physical changes will be made to the site as a result of the special land use permit and thus, it will have no impacts on the natural environment. The proposed church will represent an improvement to the use and character of site and the surrounding area in general as it will bring some much needed activity to a building that is otherwise predominately vacant.
5. **Will the proposed special land use be hazardous to adjacent property or involve uses, activities, materials or equipment which are detrimental to the health, safety or welfare of persons or property through the excessive production of traffic, noise, smoke, odor, fumes or glare?**

The church will not generate any nuisances or hazardous conditions.

6. **Will the proposed special land use be adequately served by essential public facilities and services, or is it demonstrated that the person responsible for the proposed special land use is able to continually provide adequately for the services and facilities deemed essential to the special land use under consideration?**

The subject property is currently served by all necessary public services and utilities. Inspections may be necessary to determine if the structure complies with current building code and fire code requirements for an assembly use.

7. **Will the proposed special land use place demand on public services and facilities in excess of current capacity?**

The proposed special land use will not increase the demand on public services and facilities in excess of current capacity.

8. **Is the proposed special land use consistent with the intent and purpose of this Zoning Code and the objectives of any currently adopted Comprehensive Plan?**

The Design Lansing Master Plan designates the subject property and the surrounding area as a “Community Mixed-Use Center”. The purpose of this district, as stated in the plan, is to encourage the transformation of large commercial concentrations into mixed-use districts consisting of offices, institutions, live-work, retail, personal services, entertainment, hotel and residential uses. Since a church is considered an “institution” the proposal is consistent with the intent and purpose of the Master Plan.

The proposed church is also consistent with the intent and purpose of the Zoning Ordinance. Churches are permitted by special land use permit in all zoning districts. The Zoning Ordinance establishes 9 criteria to evaluate whether a particular location is appropriate for a church. Churches in general do not contribute to the vibrancy of commercial areas because they generate very little activity on a daily basis and they have the ability to object to the issuance of liquor licenses within 500 feet of their location. In this case, the proposed church will be located on a side street rather than a major commercial corridor and because of its small size, the lack of daily activity will not impact the commercial vibrancy of the area in which it is located. Furthermore, it is unlikely that an establishment that would need a liquor license would desire to locate within 500 feet of the proposed church because of its lack of exposure from a major corridor.

9. **Will the proposed special land use meet the dimensional requirements of the district in which the property is located?**
The only dimensional requirement that applies to this request is parking. Section 1284.13(b)(1) of the Zoning Ordinance requires 1 parking space for each 3 seats in the sanctuary. Based on the current membership (20) of the church, 7 parking spaces are required. The 62 space parking lot on the site is more than adequate to accommodate the current membership of the church and any growth that may occur, while not placing a burden on the site’s parking that would negatively impact existing or future tenants in the remainder of the building.

**SUMMARY**

This is a request by Holiday Park/Durga Property Holdings, Inc., for a special land use permit to establish a church in the building at 900 Southland Avenue, Suite 918. Churches are permitted in the "F" Commercial district, which is the zoning designation of the subject property, if a Special Land Use permit is approved by the Lansing City Council.

Based on the findings contained in this staff report, the proposal complies with all of the criteria of Section 1282.03(f)(1)-(9) of the *Zoning Code* for evaluating Special Land Use permits.

1. The proposed Special Land Use will be harmonious with the character of adjacent properties and surrounding uses.
2. The proposed Special Land Use will not change the essential character of the surrounding properties.
3. The proposed Special Land Use will not interfere with the general enjoyment of adjacent properties.
4. The proposed Special Land Use does represent an improvement to the existing lot.
5. The proposed Special Land Use will not be hazardous to adjacent properties.
6. The proposed Special Land Use can be adequately served by public services and utilities.
7. The proposed Special Land Use will not place any demand on public services and facilities in excess of current capacities.
8. The proposed Special Land Use is consistent with the intent and purpose of the Zoning Code and the Design Lansing Comprehensive Plan.
9. The proposed Special Land Use will comply with the dimensional requirements of the Zoning Ordinance.

**RECOMMENDATION**

Staff recommends approval of SLU-1-2019, a special land use permit to allow a church at 900 Southland Avenue, Suite 918, based upon the findings of fact as outlined in this staff report, with the condition that the applicant agrees, in writing, that it will not object to the issuance of liquor licenses in the area.

Respectfully Submitted,

Susan Stachowiak  
Zoning Administrator
We have 20 parishioners, I have been a pastor for 5 years.

We have Service:
Sunday 11:00am - 2:00pm
Tuesday 7:00pm - 8:30pm
Thursday 7:00pm - 8:30pm

Pastor Mary Allen
Thank you. February 6th 2019
Zoning of Annexed Properties

11097 Jolly Hwy. & 4820, 4848, 4880, 4902, 5030, 5050 & 5058 S. Waverly Road

Location & Use

On November 6, 2018, 8 contiguous parcels of land located at the northwest corner of S. Waverly Road & Jolly Highway were annexed into the City of Lansing from Delta Township. There is a single family residential dwelling on the property at 11907 Jolly Highway. The other 7 parcels, all of which have frontage on S. Waverly Road, are being used for various commercial purposes as follows:

4820 S. Waverly Road: Quicky convenience store
4848 S. Waverly Road: Vacant multi-tenant commercial building
4880 S. Waverly Road: Vacant commercial building
4902 S. Waverly Road: Vacant restaurant building
5030 S. Waverly Road: Savemore Meat & Dairy Market
5050 S. Waverly Road: Vacant commercial building
5058 S. Waverly Road: Family Dollar retail store

Zoning Ordinance Provisions

Section 1246.03 of the City of Lansing Zoning Ordinance describes the procedures for zoning land that has been annexed into the City:

(a) All territory which is annexed to the City shall be given an interim zoning by the Planning Division with a district enumerated in Section 1246.01, which most closely resembles the zoning which the territory maintained prior to annexation. Such interim zoning shall only be in effect until the rezoning pursuant to subsection (b) hereof is completed.

(b) The Planning Board shall, within 180 days after the territory is annexed, and pursuant to the procedures described in Section 1240.04, review and recommend to Council the appropriate zoning of the territory, with consideration being given to the existing land use and the land use policies of the Comprehensive Plan. This section shall not preclude a person from at any time seeking a boundary amendment pursuant to Section 1240.04.
All of the above-referenced properties were zoned commercial under the Delta Township Zoning Ordinance except for 11907 Jolly Highway which was zoned "Very Low Density Residential". Pursuant to paragraph (a) above, the interim zoning for 11907 Jolly Highway is "A" Residential. The other 7 parcels have an interim zoning classification of "F" Commercial. These are the zoning designations in the City that most closely match the zoning that the subject properties had when they were located in Delta Township.

**Master Plan Designation**

The City of Lansing Master Plan designates the Jolly/Waverly intersection for "Neighborhood Mixed-Use Center" land use. The Plan describes the purpose of this designation as:

"To encourage the location of convenience retail and services within walking distance of neighborhoods."

The Plan lists the following as typical uses for this designation:

"Retail, personal services, office, live-work and residential. Automobile-oriented uses not permitted."

The City's Master Plan is not parcel specific and does not cover the entire area that was annexed into the City as it was in Delta Township at the time that the Plan was written. Based on the future land use map pattern for the area, however, it appears that the intent is to designate the commercial properties at or near the Jolly/Waverly intersection for Neighborhood Mixed-Use Center land use but not to extend this designation/future land use into the adjoining residential areas.

**Zoning Designations**

The interim zoning designation of "A" Residential for the single family residential property at 11907 Jolly Highway is appropriate and should be made permanent. The property contains a single family residential dwelling which is a use that is permitted by right in the "A" Residential zoning district.

The interim zoning of the commercial properties is "F" Commercial as that is the zoning designation that most closely matches the zoning of the properties when they were in Delta Township. As depicted on the attached zoning map, the properties at the southeast and southwest corners of the Jolly/Waverly intersection are zoned "F"
Commercial. The property at the northeast corner of the intersection is zoned “E-2” Local Shopping district. The Zoning Ordinance describes the intent of the 2 zoning districts as follows:

“E-2” Local Shopping District: “The intent of the E-2 Local Shopping District is to provide convenience retail stores.”

“F” Commercial District: “The intent of the F and F-1 Commercial Districts is to allow general retail commercial uses.”

The “E-2” zoning district permits “convenience” retail stores which are the type of stores that draw their customer base from a relatively small geographic area surrounding the business. The “F” Commercial district, by contrast, permits uses such as vehicles sales, theaters, medical marijuana dispensaries, motels/hotels and “comparison” retail stores that draw their customer base from a much larger geographic area. A Rite Aid pharmacy, for example, is a “convenience” retail store whereas, a Target store is a comparison retail store. It is unlikely that someone would travel from north Lansing to shop at a Rite Aid pharmacy on S. Waverly Road as there would be a more convenient pharmacy located much closer to the customer’s location of origin. It is likely, however, that someone would travel from north Lansing to visit the Target store on Edgewood Blvd. as one can obtain merchandise from Target that are not necessarily available from stores closer to their location of origin. All of the existing businesses located within the annexed area would be permitted by right in the “F” Commercial district and since they are all “convenience” type uses, they would also be permitted by right in the “E-2” Local Shopping district.

Based on the following findings, the “A” Residential zoning, which is the interim zoning designation, is the most appropriate zoning for the property at 11907 Jolly Highway:

* The “A” Residential zoning is consistent with the “very low density residential” zoning designation that the property had while it was located in Delta Township.

* The subject property contains a single family residential dwelling which is a use that is permitted by right in the “A” Residential zoning district and therefore, the use will conform to the zoning district in which it will be located.
The two zoning designations that merit consideration by the Planning Board for the zoning of the properties at 4820, 4848, 4880, 4902, 5030, 5050 & 5058 S. Waverly Road are the “E-2” Local Shopping district and the “F” Commercial district. The following findings are offered for the Board to take under advisement in making its recommendation to the City Council on the zoning of these properties:

* The “F” Commercial district has been assigned as the interim zoning designation of the properties as it is the zoning that most closely matches the zoning that the properties had in Delta Township prior to annexation into the City.

* The uses currently located on the subject properties are permitted by right in both the “F” Commercial & the “E-2” Local Shopping districts and thus, no nonconformities will be created under either zoning designation.

* The parcel of land at the northeast corner of the Jolly/Waverly intersection is zoned “E-2” Local Shopping district and the properties at the southeast and southwest corners are zoned “F” Commercial. Neither zoning designation for the subject properties will therefore, create a “spot zoning” situation which is typically considered to be an unacceptable planning and zoning practice.

* The “E-2” Local Shopping district is the most appropriate zoning designation to facilitate the future land use pattern being advanced in the Master Plan for the Jolly/Waverly intersection which is to: “encourage the location of convenience retail and services within walking distance of neighborhoods.” The primary distinction between the two zoning districts being offered for consideration is that, in contrast to the “F” Commercial district, the “E-2” Local Shopping is restricted to “convenience” type uses.
DESCRIPTION DIAGRAM
A PART OF THE SOUTHEAST 1/4 OF
SECTION 36, T.4N, R.3W, DELTA
TOWNSHIP, EATON COUNTY, MICHIGAN.

NOTES
1) THIS DRAWING IS NOT A CERTIFIED SURVEY
   BUT IS COMPILED FROM EXISTING FIELD SURVEY
   DATA. THE DRAWING DOES NOT COMPLY WITH MCL
   54:211-54:213.
2) THE DESCRIPTION IS BASED ON RECORD
   DESCRIPTIONS AND FIELD OBSERVATIONS OF THE
   SECTION CORNER MONUMENTS. NO
   MONUMENTATION WAS SET FOR THIS DESCRIPTION.
3) SEE SHEET 2 OF 2 FOR THE DESCRIPTION
4) NOT ALL EASEMENTS OF PUBLIC RECORD MAY
   BE SHOWN.
5) NOT ALL IMPROVEMENTS MAY BE SHOWN.
6) ALL DISTANCES ARE IN FEET AN DECIMALS
   THEREOF.

WEST 1/4 CORNER
SECTION 31, T4N, R2W
LIBER 15, PAGE 333
5/8" STEEL BAR AND
CAP #47942

SCALE: 1"=150'

SOUTH 89°41'32" EAST 580.80'
JOLLY ROAD
66' PUBLIC RIGHT OF WAY

DESCRIPTION CONTAINS
479157.16 S.F.
10.9999 ACRES

BEARING BASE
BEARINGS ARE BASED ON THE SOUTH LINE
OF SECTION 36 OBSERVED AS BEARING
NORTH 89°41'32" WEST.
DESCRIPTION

A parcel of land situated in the State of Michigan, County of Eaton, Township of Delta (Township 4 North, Range 3 West), Section 36, residing entirely within the Southeast one-quarter of said Section 36, further described as follows:

Beginning at the Southeast corner of Section 36, said point being a steel bar and cap #25387 as recorded in liber 1989, page 165 of corners, Eaton County records;

Thence North 89°41'32" West, 580.80 feet along the south line of Section 36 (said line being a straight line between the said Southeast corner and a steel bar and cap #47942 at the South 1/4 Corner of Section 36 as recorded in liber 2546, page 1102 of corners, Eaton County records);

Thence North 00°06'38" East, 825.00 feet parallel with the east line of said Section 36 (said east line being a straight line between the said Southeast corner of Section 36 and a steel bar and cap #47942 at the East 1/4 Corner of Section 36, as recorded in liber 2546, page 1117 of corners, Eaton County records);

Thence South 89°41'32" East, 580.80 feet parallel with the said south line of Section 36, to the east line of said Section 36;

Thence South 00°06'38" West, 825.00 feet along said east line to the point of beginning.

This description contains 479157.16 square feet, 10.9999 acres, more or less.

OWNER INFORMATION

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GEOCETIC DESIGNS INCORPORATED
2300 N. GRAND RIVER AVE.
LANSING, MI 48906
PHONE: (517) 908-0008
FAX: (517) 908-0009
www.geodeticdesigns.com

REVISION DATE: JUNE 4, 2018
FIELD: — DRAWN BY: RW
DATE: APRIL 12, 2018
FILE: S043-2018
SHEET 2 OF 2
Delta Township Zoning

Zoning Districts
- NR - Natural Resources
- AG1 - Agricultural
- AG2 - Agricultural / Residential
- RA - Very Low Density Residential
- RB - Low Density Residential
- RC - Moderate Density Residential
- RM - Multiple Family Residential
- C - Commercial
- O - Office
- I - Industrial
1. OPENING SESSION

   Mr. Ruge called the meeting to order at 6:35 p.m.

   a. Present: John Ruge, Josh Hovey, Tony Cox, Katie Alexander, Marta Cerna, Farhan Bhatti & Gary Manns

   b. Staff: Bill Rieske, Susan Stachowiak & Brett Kaschinske

2. APPROVAL OF AGENDA

   Mr. Ruge approved the agenda by unanimous consent, with the removal of Act-9-2019 which has been withdrawn.

3. COMMUNICATIONS

4. PUBLIC HEARINGS

   A. Z-1-2019, Part of 901 Cleveland Street, Rezoning from “B” Residential to “F” Commercial

   Ms. Stachowiak said that this is a request by Ahptic Productions, LLC to rezone the west 5,295.5 square feet of 901 Cleveland Street from “B” Residential District to “F” Commercial District. She stated that the subject property contained a single family home that was demolished by the Ingham County Land Bank in 2015. The applicant purchased the property from the Land Bank in 2017 and subsequently combined it with the adjoining property to the east at 901 Cleveland Street. She said that the two properties are now one parcel of land with two different zoning designations. The property that has the Ahptic building on it is zoned “F” and the property that was purchased from the Land Bank is zoned “B” Residential. The request is to rezone the area of the site that is zoned “B” Residential to “F” Commercial for the purpose of constructing a storage building or additional parking to support the existing production studio or for another commercial building with associated parking.

   Ms. Stachowiak stated that staff is recommending denial of the request. She said that the proposed rezoning will not be consistent with the existing zoning and land use patterns in the area or with the residential land use pattern being advanced in the master plan for the E. Oakland corridor. Ms. Stachowiak said that with the exception of the area of 901 Cleveland Street that is currently zoned “F” Commercial, the subject property is completely surrounded by properties that are zoned “B” Residential and are being used for single family residential purposes. The requested rezoning would
create a significant intrusion of non-residential land use/development into the residential area. She said that this could have significant impacts on the residences through light glare, noise and diminished privacy as a result of an increased level of activity on the site.

Mr. Ruge opened the public hearing.

See no one wishing to speak, Chairman Ruge closed the public hearing.

B. Z-2-2019, 714 N. Pine Street, Rezoning from “C” Residential to “D-1” Professional Office

Ms. Stachowiak stated that this is a request by Capital Area Housing Partnership to rezone the property at 714 N. Pine Street from “C” Residential District to “D-1” Professional Office District. She said that the purpose of the rezoning is to permit use of the building at this location for a combination of office and residential uses. Ms. Stachowiak stated that the applicant, which also owns the adjoining apartment building at 516 W. Saginaw Street, recently purchased the property with the intent of renovating it into office space and a 1-bedroom apartment unit that would be utilized/occupied by the manager of the apartment building.

Ms. Stachowiak said that the apartment building adjoins single family residential uses to its north and east. She said that high density residential uses can have a negative impact on single family residential uses simply due to the vast difference in the level of activity associated with the two uses. Providing on-site management (which has not been provided in the past for 516 W. Saginaw Street) is a very positive step towards mitigating any negative impacts on the surrounding area and thus, strengthening the compatibility between the two uses. To that end, approval of the rezoning to accommodate on-site management for the apartments will have a positive effect on the surrounding area.

Ms. Stachowiak stated that staff is recommending approval of the request. She said that the request to rezone the subject property to the “D-1” Professional Office district is not anticipated to have any negative impacts on future land use patterns in the area. Ms. Stachowiak said that the rezoning will not result in any actual changes to the area from what currently exists. It will merely provide an office and an apartment for the manager of the adjoining apartment building so that it can be continuously monitored and any issues addressed in a timely manner.

Mr. Ruge stated that there is a great deal of pavement on the site and very little landscaping/green space. He asked if the rezoning will trigger and landscaping requirements.

Ms. Stachowiak said that the rezoning only involves the property at 714 N. Pine Street and it contains more than enough green space to meet the Zoning Ordinance requirements. She said that staff cannot impose any requirements on the adjoining apartment property because it is not part of the rezoning.
Mr. Ruge opened the public hearing.

**Mikki Droste, Housing Links, 2404 Webster, Lansing, MI 48917**, representing the applicant, spoke in support of the request. She said that they are applying to the State of Michigan for funding to renovate the apartments at 516 W. Saginaw and were able to acquire 714 N. Pine Street recently so that they can apply for funding to improve that property as well.

See no one else wishing to speak, Chairman Ruge closed the public hearing.

5. **COMMENTS FROM THE AUDIENCE**

6. **RECESS** – Not taken

7. **BUSINESS**

   A. **Consent Items**

   (1) **Minutes for approval**: February 5, 2019

   Without objection, the February 5, 2019 minutes were approved.

   (2) **Z-2-2019, 714 N. Pine Street, Rezoning from “C” Residential to “D-1” Professional Office**


   B. **Old Business – None**

   C. **New Business**

   (1) **Z-1-2019, Part of 901 Cleveland Street, Rezoning from “B” Residential to “F” Commercial**

   Ms. Alexander said that she would like to abstain from voting on this matter as she has recently utilized the applicant’s services in a professional capacity.

   Chairman Ruge recused Ms. Alexander and asked that she leave the room until the Board is finished deliberating on this matter.

   Mr. Hovey asked if the property at the corner would lose its commercial status if it were to be sold.

   Ms. Stachowiak said that ownership has no effect in zoning. She said that the Form-Based Code would change the zoning from commercial to residential, thus making it a legally nonconforming property/use.
Mr. Hovey made a motion to recommend denial of Z-1-2019 to rezone the west 5,295.5 square feet of the property at 901 Cleveland Street from “B” Residential District to “F” Commercial District, based on the findings of fact as outlined in the staff report. On a voice vote, the motion carried 7-0.

(2) Act-10-2019, Simken Drive, Parcel No. 33-01-01-32-101-011, Acquisition of property for park access

Mr. Rieske said that in 2017, the City of Lansing purchased several parcels on Simken Drive for the future “Beacon Park”. These parcels are accessible from Simken Drive, but lack access from Pleasant Grove. He said that the Parks and Recreation Department proposes to acquire the southwest corner of the property to the north at 3427 Pleasant Grove to provide access that would be approximately 20 feet in width, to the recently-acquired Simken parcels.

Mr. Rieske said that staff is recommending approval of the request. He said that the subject property’s location offers the only opportunity for connecting Beacon Park with Pleasant Grove, and improve access to the park. Mr. Rieske stated that the proposed acquisition will have a minimal effect on the parent property although the entrance to the park would likely involve some tree removal. He said that the proposed acquisition is limited to the minimum necessary to install a park entrance on Pleasant Grove.

Brett Kaschinske, Director of Parks & Recreation, said that the access from Pleasant Grove will be for pedestrians only. He also said that all of the necessary negotiations for the property have been worked out.

Mr. Ruge asked Mr. Kaschinske what will be done to protect the adjoining residential property from people trespassing to cut-through to the Park.

Mr. Kaschinske said that goal is to create a defined entrance to funnel people into the park. He said that this could include landscaping but may also include extending the fence that already exists on the common property line between the residence and the Park property. Mr. Kaschinske said that there will also be signage directing people into the Park.

Mr. Ruge asked where the parking is for the Park.

Mr. Kaschinske said that there is no on-site parking but there is on-street parking on Simken Drive and visitors to the site can also park at the Southside Community Coalition Center located at 2101 W. Holmes Road.

Ms. Alexander asked if there will be a walking path through the Park.

Mr. Kaschinske said that a future phase of the project may include a pathway through the Park. He said that there are no other pathways in the area for it
to connect to but it could loop through the Park which would accommodate a pathway about ½ mile in length.

Dr. Bhatti made a motion, seconded by Mr. Cox to recommend approval of Act-10-2019, a request by the City’s Parks and Recreation Department to acquire the southwest corner of 3427 Pleasant Grove Road for the purpose of providing pedestrian access from Pleasant Grove Road to the future site of Beacon Park on Simken Drive. On a voice vote, the motion carried (7-0).

(3) Recommendation to reappoint Josh Hovey as the Planning Board representative to the Board of Zoning Appeals

Ms. Stachowiak said that a member of the Planning Board must also serve as a member of the Board of Zoning Appeals. She said that Josh Hovey has served as the Planning Board representative to the BZA for many years. His term has expired and before the Mayor can make the reappointment, the Planning Board needs to recommend that Josh continue serving in this capacity.

Mr. Hovey said that the Mayor contacted him about the reappointment. He also said that he is willing to continue serving in this role.

Dr. Bhatti made a motion, seconded by Ms. Alexander to recommend that Josh Hovey be reappointed as the Planning Board representative to the Board of Zoning Appeals. On a voice vote, the motion carried (7-0).

8. REPORT FROM PLANNING MANAGER

Ms. Stachowiak introduced Gary Manns as the newly appointed member to the Planning Board.

9. COMMENTS FROM THE CHAIRPERSON - None

10. COMMENTS FROM BOARD MEMBERS - None

11. PENDING ITEMS: FUTURE ACTION REQUIRED

12. ADJOURNMENT – The meeting was adjourned at 7:07 p.m.