AGENDA
Committee on Development and Planning
Monday, May 13, 2019 @ 4:00 P.M.
Council Conference Room, 10th Floor

Councilmember Adam Hussain, Chair
Councilmember Jeremy Garza, Vice Chair
Councilmember Jody Washington, Member

1. Call to Order

2. Public Comment on Agenda Items

3. Minutes
   - April 15, 2019

4. Discussion/Action:
   A.) ORDINANCE – Z-1-2019; 901 Cleveland Street; Rezoning from “B” Residential to “F” Commercial District
   B.) ORDINANCE – Z-2-2019; 714 N. Pine Street; Rezoning from “C” Residential to “D-1” Professional Office

5. Other

6. Adjourn
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<td>Susan Stachowiak</td>
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CALL TO ORDER
Council Member Hussain called the meeting to order at 4:01 p.m.

PRESENT
Council Member Hussain, Chair
Council Member Garza, Vice-Chair
Council Member Washington, Member

OTHERS PRESENT
Sherrie Boak, Council Staff
Susan Stachowiak, Economic Development & Planning
Greg Venker, Assistant City Attorney
Brett Kaschinske, Parks & Recreation Director
Bill Rieske, Economic Development & Planning
Pastor Mary Allen
Emily Jefferson
Karl Dorshimer, LEAP
Eric Helzer, Red Cedar
Chris Stralkowski, Red Cedar

PUBLIC COMMENT
No public comment at this time

Minutes
MOTION BY COUNCIL MEMBER WASHINGTON TO APPROVE THE MINUTES FROM MARCH 25, 2019. MOTION CARRIED 3-0.

DISCUSSION/ACTION
RESOLUTION – By-Laws: Michigan Avenue Corridor Improvement Authority
Mr. Klein defined for the Committee that this item along with the By-Laws for the next item are necessary for the authorities. This Authority was established in 2009, and per the statute these need to be approved by the Authority Board and the City Council as the governing unit.
MOTION BY COUNCIL MEMBER GARZA TO APPROVE THE RESOLUTION FOR THE BY-LAWS FOR THE MICHIGAN AVENUE CORRIDOR IMPROVEMENT AUTHORITY. MOTION CARRIED 3-0.
RESOLUTION – By-Laws; Saginaw Corridor Improvement Authority
MOTION BY COUNCIL MEMBER GARZA TO APPROVE THE RESOLUTION FOR THE BY LAWS FOR THE SAGINAW CORRIDOR IMPROVEMENT AUTHORITY. MOTION CARRIED 3-0.

RESOLUTION – Set Public Hearing; SLU-1-2019; 900 Southland Avenue, Suite 918; Church Use in a “F” Commercial District
Ms. Stachowiak confirmed the location in a building where most units are currently vacant, and acknowledged that usually the staff would be opposed to churches in commercial however with this traffic restricted location there is no traffic conflict. They have also requested they do not object to any future liquor licenses for commercial properties that apply.

Council Member Hussain spoke briefly on the history of the site in 2018 where there were illegal establishments and another church. Ms. Stachowiak confirmed it was not the same owners as the illegal church use. Council Member Hussain asked her to invite the Pastor to the meeting on April 22nd when the SLU public hearing will be introduced.

MOTION BY COUNCIL MEMBER WASHINGTON TO APPROVE THE RESOLUTION TO SET THE PUBLIC HEARING FOR SLU-1-2019 FOR MAY 13, 2019. MOTION CARRIED 3-0.

RESOLUTION – SLU 2-2018; 1609 N Larch Street; Residential Use in I-Heavy Ind.
Council Member Hussain confirmed the required hearing was held, there were no comments, no emails or calls to the Council. The location is the old electrical substation near the overpass on Larch and was purchased in 2018 for $70,000. At the first meeting the Committee was informed the applicant wants to convert it to four (4) market rate apartments. The applicant does own the adjacent parcel to accommodate parking, and environment assessment was done and asbestos abatement was done.

MOTION BY COUNCIL MEMBER GARZA TO APPROVE THE RESOLUTION FOR THE SLU-2-2018 FOR 1609 N LARCH. MOTION CARRIED 3-0.

ORDINANCE – Z-9-2018; ID#33-01-01-17-480-021; C Residential to F Commercial
Council Member Hussain noted that this had its public hearing with no comments and it appeared to staff that it was a historical mapping error. Ms. Stachowiak confirmed the applicant owns a neighboring parcel north will need to combine to make a larger site.

MOTION BY COUNCIL MEMBER GARZA TO APPROVE ORDINANCE Z-9-2018 FOR 33-01-01-17-480-021. MOTION CARRIED 3-0.

Ms. Stachowiak introduced Pastor Allen who arrived and is the applicant for the SLU 1-2019. Pastor Allen introduced herself and stated they were not related to the church that was located there earlier illegally and their intention is to make a difference in the neighborhood with the Church of Amazing Grace.

RESOLUTION – Appointment; Emily Jefferson; At-Large Member Board of Zoning Appeals; Term to Expire June 30, 2021
Ms. Jefferson introduced herself and outlined her career with the Attorney General Office as an Assistant where she currently works on licensing and regulations, and deals with public health code, and veteran affairs. She admitted she did not choose the Board of Zoning Appeals but when approached by the Mayor stated she would serve wherever needed.
Council Member Garza asked her about her 4th choice on the application which would have been the Medical Marihuana Commission and asked if she had any connections to the business, which she stated no.

Council Member Washington asked Ms. Jefferson if she could be an independent voice, and gave her opinion that Members on the Planning Board and Board of Appeals want marihuana everywhere, so she asked if Ms. Jefferson could be reasonable in her decisions. Ms. Jefferson stated she has no beliefs for or against it, but is a new and interesting area of law. She confirmed she had no strong affiliations and believed she could be impartial.

MOTION BY COUNCIL MEMBER WASHINGTON TO APPROVE THE RESOLUTION FOR THE APPOINTMENT OF EMILY JEFFERSON TO THE BOARD OF ZONING APPEALS. MOTION CARRIED 3-0.

RESOLUTION – ACT-10-2019; Simken Triangle Acquisition; 3427 Pleasant Grove
Mr. Kaschinske noted to the Committee that properties in this area had been before the Council before and this was a triangle parcel that would open Pleasant Grove into the park. They met with the land owner and a price was agreed upon for $1,000. They will install buffering and this would allow signage to the entrance of the park.

MOTION BY COUNCIL MEMBER GARZA TO APPROVE THE RESOLUTION FOR ACT-10-2019; SIMKEN TRIANGLE ACQUISITION; 3427 PLEASANT GROVE. MOTION CARRIED 3-0.

RESOLUTION - Brownfield Plan #72; Red Cedar Development; 203 S. Clippert
Council Member Hussain asked the applicants if there were any changes to the Brownfield and asked the Committee if they had any questions or concerns. Mr. Helzer referenced handouts from the last Committee meeting which reflected the annual taxes paid in 2024 at $3,537,889 and new tax revenue for public use at $17,292,135.

Council Member Washington asked what would happen if the Brownfield does not go through, would the residents north of Frandor be effected on the drain assessment. Mr. Helzer stated the estimates 17-20% the developer would bear, and Mr. Stralkowski stated it would be proportional. Once all five (5) municipalities have been allotted their share, then their amount would come out of just the City of Lansing cost for the repair, on top of what they are paying anyways.

MOTION BY COUNCIL MEMBER WASHINGTON TO APPROVE THE RESOLUTION FOR BROWNFIELD PLAN #72 FOR THE RED CEDAR DEVELOPMENT. MOTION CARRIED 3-0.

Adjourn
Adjourned at 4:37 p.m.
Submitted by, Sherrie Boak,
Recording Secretary,
Lansing City Council
Approved by the Committee on ________________
GENERAL INFORMATION

APPLICANT/OWNER: Ahptic Productions, LLC
901 Cleveland Street
Lansing, MI 48906

REQUESTED ACTION: Rezone the west 5,295.5 square feet of 901 Cleveland from “B” Residential District to “F” Commercial District

EXISTING LAND USE: Vacant – Single family home was demolished in 2015

EXISTING ZONING: “B” Residential District

PROPOSED ZONING: “F” Commercial District

PROPERTY SIZE: “L” Shaped lot – 10,902.5 square feet (.25 acres)
West 5,295.5 square feet – area to be rezoned

SURROUNDING LAND USE: N: Single Family Residential
S: Single Family Residential
E: Single Family Residential
W: Single Family Residential

SURROUNDING ZONING: N: “B” Residential District
S: “B” Residential District
E: “B” Residential District
W: “B” Residential District

MASTER PLAN: The Design Lansing Comprehensive Plan designates the subject property as “Residential Corridor”. E. Oakland is designated as a principal arterial.

DESCRIPTION:

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, legally described as:

Entire Parcel: “Lot 11 & the West 43 feet of Lot 10, Block 2, Rouses Subdivision”

Area to be rezoned: “West 43 feet of Lot 10 & the West 42 feet of Lot 11, Block 2, Rouses Subdivision”

The purpose of the rezoning is to permit development of the subject property for parking and/or a building that would be used for commercial purposes or storage.
BACKGROUND INFORMATION

The property that is the subject of the rezoning 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. The two properties are now one parcel of land with two different zoning designations. The property at the corner of Cleveland and E. Oakland is zoned “F” Commercial and contains a video/film production studio. 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.

AGENCY RESPONSES

Assessing: No objections.

BWL:

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

Development Office:

Fire Marshal:

Parks & Recreation: No comment.

Public Service: For a parking lot where the residential property at 1215 E. Oakland Ave. resided, they should be made aware up-front that they will not simply be able to pave a parking lot with sheet flow stormwater runoff. A site plan submittal would be required, and they will have to meet stormwater requirements, which, at a minimum, will include at least one catch basin in the new parking lot with a hard-piped connection to the public storm sewer. Now, assuming they are combining the parcels, they are fortunate in that we left a storm stub connection for their business at 901 Cleveland (this is shown on the attached drawing). In addition to the catch basin and piped connection and pending a review of what they are proposing, requirements for stormwater solids treatment and stormwater retention will likely apply. Lastly, any new driveway approaches would have to be reviewed in conjunction with the site plan submittal.
Traffic Engineer: No objection as long as a sufficient buffer is provided. All parking should use the existing drive of the commercial property. If the demolished house used a shared drive, the rezoned property should not be permitted to do so.

REZONING CRITERIA

Compatibility with Surrounding Land Use

The proposed rezoning will not be consistent with the existing zoning and land use patterns in the area. 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. As evidenced by the attached maps, the requested rezoning would allow for a significant intrusion of non-residential land use/development into the residential area. Nonresidential development on the subject property could result in negatively impacting the surrounding residential environment through light glare, noise and diminished privacy as a result of an increased level of activity on the site. Approval of the rezoning could also set a negative precedent for future rezonings in the vicinity of the subject property and along the E. Oakland Avenue corridor in general.

Compliance with Master Plan

The Design Lansing Comprehensive Plan designates E. Oakland Avenue from Ballard Street to the west to the E. Cesar Chavez/E. Oakland Avenue intersection to the east, which includes the subject property, as “Residential Corridor”. The intent of this land use designation is:

“To allow medium-density residential development in a variety of urban formats, rather than a conversion of residential to commercial use, along certain high-traffic streets that also serve as transit routes or are within easy walking distance (¼ mile).”

The Plan described the following as the typical location criteria for this designation:

“Typical location/location criteria: Located on or within walking distance of an existing transit route currently developed for low-density or medium-low-density residential use where some commercial uses have also been developed, indicating pressure to transition from residential to commercial use.”

The Design Lansing Comprehensive Plan clearly discourages rezoning residential parcels along the “Residential Corridor” to commercial zoning designations. The applicant’s request, therefore, is in direct conflict with the intent and purpose of the Plan.
Impact on Vehicular and Pedestrian Traffic

No new driveways will be permitted along E. Oakland Avenue. Any new development will be required to utilize the E. Oakland Avenue driveway on the area of the site that is currently zoned “F” Commercial. Non-residential traffic will not be permitted to utilize the joint driveway that provides access to 1211 E. Oakland Avenue and previously provided access to the single family home on the subject property.

Impact on Public Facilities

See comments from the Public Service Department on page 2 of the report. The Board of Water & Light will provide comments relative to water and electric service.

Environmental Impact

Any new development that results in 1,000 square feet of new impervious surface being added to the site will have to be reviewed and approved through the City’s administrative site plan review process.

Impact on Future Patterns of Development

Rezoning the subject property from “B” Residential to “F” Commercial could have a negative impact on future patterns of development in the area. The proposed “F” Commercial zoning is contrary to the residential land use pattern being advanced in the Master Plan as described on page 3 of this report. Furthermore, development of the subject property for nonresidential purposes could infringe on the enjoyment and privacy of the surrounding residential area. Many of the uses permitted by right in the “F” Commercial district would significantly increase the level of activity on the site and generate noise and light glare that would negatively impact adjoining residential uses. Approval of the rezoning request, in spite of its conflict with the Master Plan and incompatibility with the surrounding zoning and land use patterns, could set a negative precedent for future requests to rezone residential properties along E. Oakland Avenue to commercial zoning designations.

SUMMARY

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, legally described as:

Entire Parcel: “Lot 11 & the West 43 feet of Lot 10, Block 2, Rouses Subdivision”

Area to be rezoned: “West 43 feet of Lot 10 & the West 42 feet of Lot 11, Block 2, Rouses Subdivision”

The purpose of the rezoning is to permit development of the subject property for parking and/or a building that would be used for commercial purposes or storage.
Rezoning the subject property to the "F" Commercial district would not be consistent with the established zoning pattern in the area and would allow for land uses that are not compatible with the surrounding residential neighborhood. The "F" Commercial zoning would also be contrary to the residential land use pattern being advanced in the Design Lansing Comprehensive Plan. In addition, approval of the rezoning could impact future patterns of development by setting a negative precedent for future rezoning requests in the vicinity of the subject property and along the E. Oakland Avenue corridor in general.

RECOMMENDATION

Pursuant to the findings described above, the following recommendations are offered for the Planning Board’s consideration:

Recommend that Z-1-2019 be **denied** 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 this staff report.

Respectfully Submitted,

Susan Stachowiak  
Zoning Administrator
area to be rezoned

house has been demolished

901 Cleveland
ORDINANCE # ________

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING FOR THE REZONING OF A PARCEL OF REAL PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE OF ORDINANCES.

The City of Lansing ordains:

Section 1. That the district maps adopted by and incorporated as Section 1246.02 of the Code of Ordinances of the City of Lansing, Michigan be amended to provide as follows:

To change the zoning classification of the property described as follows:

Case Number: Z-1-2019
Parcel Number: 33-01-01-10-331-192
Address: West 5,295.5 square feet of 901 Cleveland Street
Legal Descriptions: West 43 feet of Lot 10 & the West 42 feet of Lot 11, Block 2, Rouses Subdivision, from “B” Residential District to “F” Commercial District.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance was duly adopted by the Lansing City Council on ________, 2019, and a copy is available in the office of the Lansing City Clerk, 9th Floor, City Hall, 124 W. Michigan Avenue, Lansing, MI 48933.

Section 4. This ordinance shall take effect on the 30th day after enactment.
GENERAL INFORMATION

APPLICANT: Capital Area Housing Partnership
600 W. Maple Street, Suite D
Lansing, MI 48906

OWNER: Niowave Properties, LLC
1012 N. Walnut Street
Lansing, MI 48906

REQUESTED ACTION: Rezone 714 N. Pine Street from “C” Residential to “D-1” Professional Office

EXISTING LAND USE: Single Family Dwelling

EXISTING ZONING: “DM-3” Residential District

PROPOSED ZONING: “D-1” Professional Office District

PROPERTY SIZE & SHAPE: 29’ x 100.9’ = 2,927 square feet

SURROUNDING LAND USE:
N: Single Family Residential
S: Parking Lot/Commercial Building
E: Multiple Family Residential Building
W: Single Family Residential

SURROUNDING ZONING:
N: “C” Residential District
S: “J” Parking & “F” Commercial Districts
E: “DM-3” Residential District
W: “C” Residential District

MASTER PLAN DESIGNATION: The Design Lansing Comprehensive Plan designates the subject property for medium-low density residential use. Pine Street, north of E. Oakland Avenue, is designated as a local road.

SPECIFIC INFORMATION

This is a request by Capital Area Housing Partnership to rezone the property at 714 N. Pine Street, legally described as:

“North 29 feet of the West 100 feet, 11 inches of Lot 9, Block F, Subdivision of Blocks 26 & 27, Original Plat”

from “C” Residential District to “D-1” Professional Office District. The purpose of the rezoning is to permit use of the building at this location for a combination of office and residential uses.
AGENCY RESPONSES:

Assessor: No objections.

BWL:

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

Fire Marshal:

Parks & Rec.: No comments.

Public Service: No comments.

Transportation: No objection to the rezoning. If the current house is demolished now or in the future, a sufficient buffer should be required between the D-1 structure and the adjacent residential use.

ANALYSIS

COMPATIBILITY WITH SURROUNDING LAND USE

The subject property has historically been used for a single family residential dwelling. 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.

The apartment building adjoins single family residential uses to its north and east. 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.

COMPLIANCE WITH MASTER PLAN

The Design Lansing Comprehensive Plan designates the subject property for medium – low density residential use. Since the proposed “D-1” Professional Office zoning permits medium-low density residential uses as a matter of right, the applicant’s proposal is consistent, at least in part, with the specific land use designation being advanced in the
Master Plan. It is entirely consistent with one of the central goals of Master Plan which is to enhance the City’s commercial corridors while preserving and protecting its residential neighborhoods.

The applicant for this request owns the adjoining multiple family residential property at 516 W. Saginaw Street which is located on one of the City’s primary commercial corridors and directly adjoins a single family residential neighborhood to its north and east. If approved, the applicant intends to renovate the building at 714 N. Pine Street so that the manager of the adjoining apartment building would have an office on the first floor and could live in a second story 1-bedroom apartment. By providing continuous on-site management, any issues that arise can be promptly addressed so that the apartment building does not negatively impact the adjoining single family residential uses or the commercial corridor upon which it is located.

**IMPACT ON VEHICULAR AND PEDESTRIAN TRAFFIC**

No impacts on vehicular or pedestrian traffic are anticipated to result from the proposed rezoning. The traffic generated by converting the building at 714 N. Pine Street into living space and office space for the manager of the adjoining apartment building will be no greater than what has historically been generated by use of the building for a single family dwelling. In fact it may even be less since the building will only house a 1-bedroom apartment for the person who will also operate the office, whereas, the house could have had multiple occupants.

Four parking spaces are required for the proposed first floor office space and the upper floor 1-bedroom residential apartment. The existing parking area behind the building can accommodate 4, possibly 5 parking spaces which is more than adequate to support the proposed uses.

**ENVIRONMENTAL IMPACT**

There are no physical changes proposed for the site and therefore, the rezoning will have no impact on the natural environment. Occupants and visitors to the site will utilize the existing parking behind the building, which is more than adequate to support the proposed residential/office uses.

**IMPACT ON FUTURE PATTERNS OF DEVELOPMENT**

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. 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.
SUMMARY

This is a request by Capital Area Housing Partnership to rezone the property at 714 N. Pine Street, legally described as:

“North 29 feet of the West 100 feet, 11 inches of Lot 9, Block F, Subdivision of Blocks 26 & 27, Original Plat”

from “C” Residential District to “D-1” Professional Office District. The purpose of the rezoning is to permit use of the building at this location for a combination of office and residential uses.

The proposed rezoning is consistent with the goals of the Master Plan and the established land use pattern in the area. In addition, no adverse impacts on vehicular and pedestrian traffic, the environment or future patterns of development are anticipated to result from approval of the rezoning.

RECOMMENDATION

Pursuant to the findings described above, the following recommendation is offered for the Planning Board’s consideration:

Recommend that Z-2-2019 be approved to rezone the property at 714 N. Pine Street from “C” Residential District to “D-1” Professional Office District, based on the findings of fact as outlined in this staff report.

Respectfully Submitted,

Susan Stachowiak
Zoning Administrator
Apartment building at 516 W. Saginaw adjoining 714 N. Pine Street
ORDINANCE #________

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING FOR THE REZONING OF A PARCEL OF REAL PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE OF ORDINANCES.

The City of Lansing ordains:

Section 1. That the district maps adopted by and incorporated as Section 1246.02 of the Code of Ordinances of the City of Lansing, Michigan be amended to provide as follows:

To change the zoning classification of the property described as follows:
Case Number: Z-2-2019
Parcel Number’s: 33-01-01-09-363-041
Address: 714 N. Pine Street
Legal Descriptions: North 29 feet of the West 100 feet, 11 inches of Lot 9, Block F, Subdivision of Blocks 26 & 27, Original Plat, from “C” Residential District to “D-1” Professional Office District.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance was duly adopted by the Lansing City Council on ________, 2019, and a copy is available in the office of the Lansing City Clerk, 9th Floor, City Hall, 124 W. Michigan Avenue, Lansing, MI 48933.

Section 4. This ordinance shall take effect on the 30th day after enactment.