AGENDA

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

2. APPROVAL OF AGENDA

3. COMMUNICATIONS

4. PUBLIC HEARINGS
   A. Z-5-2019, 521 W. Hilldale Street – Rezoning from "DM-4" Residential to "D-1" Professional Office

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

6. RECESS

7. BUSINESS
   A. Consent Items
      (1) Minutes for approval: June 4, 2019
      (2) Z-5-2019, 521 W. Hilldale Street – Rezoning from "DM-4" Residential to "D-1" Professional Office
   B. Old Business
   C. New Business
      (2) Act-13-2019, 600 E. Michigan Avenue, Right-of-way encroachment

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.
GENERAL INFORMATION

APPLICANT/OWNER: Shawn Watson
521 W. Hillsdale Street
Lansing, MI 48933

REQUESTED ACTION: Rezone 521 W. Hillsdale Street from “DM-4” Residential to “D-1” Professional Office

EXISTING LAND USE: Single Family Dwelling

EXISTING ZONING: “DM-4” Residential District

PROPOSED ZONING: “D-1” Professional Office District

PROPERTY SIZE & SHAPE: 49.5' x 66' = 3,267 square feet

SURROUNDING LAND USE: N: Single & 2-Family Residential
S: 2-Family Residential
E: Vacant
W: Vacant

SURROUNDING ZONING: N: “DM-4” Residential District
S: “DM-4” Residential District
E: “D-1” Professional Office District
W: “D-1” Professional Office District

MASTER PLAN DESIGNATION: The Design Lansing Comprehensive Plan designates the subject property as “Downtown Mixed Use Center: Edge”. W. Hillsdale Street is designated as a local road.

SPECIFIC INFORMATION

This is a request by Shawn Watson to rezone the property at 521 W. Hillsdale Street, legally described as:

“East 3 rods of the West 7 rods of Lot 8, Block 162, Original Plat”

from “DM-4” Residential District to “D-1” Professional Office District. The purpose of the rezoning is to permit the building at this location to be used for professional offices.
AGENCY RESPONSES:

Assessor: No comments.

BWL:

Building Safety: The Building Safety Office has no objections to the rezoning. This project is subject to building plan review.

Fire Marshal:

Parks & Rec.: No comments.

Public Service: No comments.

Transportation:

ANALYSIS

COMPATIBILITY WITH SURROUNDING LAND USE

The rezoning will allow for a zoning and land use pattern that is compatible with the area in which it is located. The surrounding area is characterized by a mix of office and varying density residential uses. The two properties to the east and the two properties to the west of the subject property are already zoned “D-1” Professional Office. As evidenced by the attached zoning map, the proposed rezoning will eliminate an inconsistent zoning pattern in the block in which it is located. Consistent zoning patterns create consistent land use patterns which is a primary goal of the Comprehensive Plan and of proper planning and zoning principles in general. Since the subject property is located between properties that are zoned “D-1” Professional Office, denying this request for “D-1” zoning would deprive the applicant of the same land use rights that are already afforded to the adjoining property owners.

The property at 527 W. Hillsdale was rezoned in 2008 from “DM-4” Residential to “D-1” Professional Office. The parcels that directly adjoin the subject property to the east and west are currently vacant, one or both of which could be combined with an adjoining parcel to create additional parking if necessary to support the proposed use(s) of the building and not overuse the on-street parking in the area. Furthermore, the “character” or appearance of the building will continue to be residential in nature and the activity generated will be minimal and not disruptive to the surrounding residential uses.

COMPLIANCE WITH MASTER PLAN

The Design Lansing Comprehensive Plan designates the subject property as “Downtown Mixed Use Center: Edge”. The purpose of this designation is:
"To support the downtown area by allowing a mix of uses and to enhance the quality of the pedestrian environment; maintain the presence of older, often historic buildings; and provide for a transition in building height and use intensity to near-downtown neighborhoods".

The Plan list the following as "typical uses" for the Downtown Mixed Use Center: Edge:

"Office, institutions, entertainment, live-work and residential. Retail and personal services as an accessory use should be located in the same building as a primary use. Automobile-oriented uses and light industrial are permitted with special approval. High rise office and residential towers with large surface parking lots and limited street frontage should not be permitted."

The applicant’s proposal is to renovate the existing building at 521 W. Hillsdale for use as a law office. The "D-1" Professional Office district allows for office use, low-density multiple family residential use or a combination of both office and residential uses. These uses are consistent with the intent and purpose of the "Downtown Mixed Use Center: Edge" as described above and are among the "typical uses" listed in the Plan for this district.

**IMPACT ON VEHICULAR AND PEDESTRIAN TRAFFIC**

No adverse impacts on vehicular or pedestrian traffic are anticipated to result from the proposed rezoning. The traffic generated by converting the residential building at 521 W. Hillsdale Street into a law office is anticipated to be very low and likely even less than the volume of traffic that would be generated by multi-family residential use as permitted under the current zoning designation. There is already a strong mix of residential and non-residential traffic in the neighborhood. In addition, the subject property is located a mere 85+/- feet from Pine Street which is a collector road that is designed to carry a fairly high volume of traffic.

**ENVIRONMENTAL IMPACT**

There are no physical changes proposed for the site at this time and therefore, the rezoning will have no impact on the natural environment. Employees and visitors to the site will utilize the existing, paved driveway on the west side of the building which can accommodate 3-4 vehicles in tandem. It is unclear as to whether the driveway on the east side of the building is located on the subject property or the vacant lot. Law offices typically generate a very low volume of traffic and thus, the available parking should be adequate to support the demand. While parking in tandem for non-residential uses does not comply with the requirements of the Zoning Ordinance, the alternative is for the applicant to purchase one of the adjoining vacant lots, combine it with the subject property and develop it into a paved parking lot. Parking lots are not aesthetically or environmentally desirable in predominantly residential neighborhoods, particularly when they are not necessary from a practical standpoint and are only being constructed to fulfill a code requirement. Administrative site plan review and approval is required prior to construction of additional parking on the site or on one of the adjacent properties.
IMPACT ON FUTURE PATTERNS OF DEVELOPMENT

The request to rezone the subject property to "D-1" Professional Office will not adversely impact land use patterns in the area. There is already a very strong presence of office zoning and land uses in the vicinity of the subject property. Offices are low impact uses that do not generate much traffic and do not create noise or other nuisances, thus making them compatible with adjoining or nearby residential uses.

Approval of the requested rezoning will not set a negative precedent for future requests to rezone property in the area. The "D-1" Professional Office zoning pattern has already been established and this request merely fills in a gap in the zoning along in the 500 block on the south side of W. Hillsdale Street.

SUMMARY

This is a request by Shawn Watson to rezone the property at 521 W. Hillsdale Street, legally described as:

"East 3 rods of the West 7 rods of Lot 8, Block 162, Original Plat"

from "DM-4" Residential District to "D-1" Professional Office District. The purpose of the rezoning is to permit the building at this location to be used for professional offices.

The proposed rezoning is consistent with the land use pattern being advanced in the master plan and with the zoning and land use patterns already established 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 this rezoning.

RECOMMENDATION

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

Recommend that Z-5-2019 be approved to rezone the property at 521 W. Hillsdale Street from "DM-4" 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
1. OPENING SESSION

Mr. Ruge called the meeting to order at 6:33 p.m.

a. Present: John Ruge, Katie Alexander, Marta Cerna & Gary Manns
b. Absent: Josh Hovey, Tony Cox & Farhan Bhatti
c. Staff: Susan Stachowiak

Ms. Alexander made a motion, seconded by Ms. Cerna to grant an excused absence for Dr. Bhatti. On a voice vote, the motion carried (4-0).

2. APPROVAL OF AGENDA

Mr. Ruge approved the agenda by unanimous consent.

3. COMMUNICATIONS

4. PUBLIC HEARINGS

A. Z-3-2019, 835 W. Genesee Street – Rezoning from "C" Residential to "DM-1" Residential

B. SLU-2-2019, 835 W. Genesee Street – Special Land Use Permit, Community Center

Ms. Stachowiak stated that Z-3-2019 is a request by Michael Markey to rezone the property at 835 W. Genesee Street from “C” Residential District to “DM-1” Residential District. The purpose of the rezoning is to permit the majority of the building at this location to be used for 36 residential efficiency apartments. Ms. Stachowiak said that SLU-2-2019 is also a request by Michael Markey for a special land use permit to allow the, approximately 4,000 square foot gymnasium portion of the building at 835 W. Genesee Street to be utilized by the neighborhood for recreational/athletic purposes, meeting/gathering space, and a possible location for community performing arts presentations.

Ms. Stachowiak said that while the subject property is surrounded by “C” Residential zoning, it is unique in that it is significantly larger than any other lot in the immediate vicinity and it contains a large building that is in need of being repurposed and cannot be put into any reasonable use under the existing zoning. Since the circumstances that warrant a rezoning are unique to the property in question, its approval will not set a negative precedent for future rezoning requests in the area.
Ms. Stachowiak stated that under the current "C" Residential zoning, the property can only be used for 2 residential units. The use of the building over the years for offices has been legally nonconforming and since the building has been vacant for more than 1 year, it can no longer be used for that purpose. She said that since the area is already characterized by multi-family residential use, it is reasonable to allow the building on the subject property to be used for that same purpose. Ms. Stachowiak said that the "DM-1" zoning is necessary to permit more than 2 units on the site while at the same time limiting the density to that which is consistent with the general density of the area given that most of the parcels are relatively small and contain more than 1 residential unit.

Ms. Stachowiak said that the existing parking lot contains approximately 48 parking spaces. She said that 36 parking spaces are required for the proposed 36 efficiency units. This leave 12 parking spaces for the community center which is more than adequate since it is intended for use by the surrounding neighborhood which means that most people will walk or bicycle to the center. Ms. Stachowiak said that previous owners of the subject property have made the gymnasium and the outdoor playground available to the neighborhood but without the required special land use permit, which is necessary to comply with the zoning ordinance requirement for a private recreational use. She said that the special land use permit is merely the formal approval for the activities that have historically occurred on the property for many, many years without incident.

Ms. Stachowiak stated that staff is recommending approval of both the rezoning and the special land use permit for the community center. She said that a condition of approval for the SLU should be that the owner or owner's representative will be solely responsible for operating and maintaining the center. Ms. Stachowiak said that the City will not participate in its operations in any respect.

Mr. Ruge stated that the applicant could have more than 36 units on the property and in fact, could construct additional buildings since it is not a conditional rezoning. He also asked about other uses for the gym if it were not made available to the neighborhood.

Ms. Stachowiak said that the proposed 36 units result in a density of 16.6 units per acre and the maximum allowed in the "DM-1" district is 19.8 units per acre so the applicant could construct additional units. She said that the applicant could also construct additional buildings but is limited to 55% lot coverage for both buildings and other impervious surfaces on the site. Ms. Stachowiak also said that the gym could be used for storage or recreational use by the residents on the site. She said that the SLU is only necessary if it is to be made available to non-residents of the site.

Ms. Stachowiak said that she received a communication from MC Rothhorn on behalf of the Butler Corridor Coalition that is

Mr. Ruge opened the public hearing.

Michael Markey, 835 Genesee, LLC, 1402 Cooper Avenue spoke in support of his request. He said that there is a need for a community playhouse which is one of the uses that they would allow in the existing gymnasium. Mr. Markey said that the gym has always
been made available to the neighborhood when the main building was in use so this is not introducing anything new to the area. He said that the gym does not add anything to the main building and architecturally, it looks like it was an afterthought.

Mr. Ruge asked about use of the gym for a community theatre.

Ms. Stachowiak said that she intended for that use to fall under the category of recreation and/or gathering space.

Ms. Alexander asked about the size of the units and the target demographic.

Mr. Markey said that they will have no more than 36 units and while the exact dimensions of the units have not been determined, they will all be around 700 square feet in area. He said that they cannot go any further with the designs until the zoning is in place. He also said that there is no target demographic.

Robert Johnson, 800 W. Shiawassee Street, expressed concerns about the proposal. He spoke about the history of the building and his involvement, as the previous City of Lansing Director of Planning & Neighborhood Development, with selling and getting tenants into the building. Mr. Johnson spoke about Zero Day which was one of the most recent owners of the property and the negative impacts of their operations on the surrounding area. He also spoke about traffic patterns and the need for changes to the on-street parking in the area.

Marshall Clabeaux, 731 W. Genesee Street, stated that he supports something happening with the property/building and is very supportive of the gymnasium being available to the neighborhood and community in general. Mr. Clabeaux said that there is a beautiful mural on the gymnasium that should be preserved. He stated that he lives in the house directly adjacent to the subject property to the east. Mr. Clabeaux said that he is glad that there will not be any more parking constructed on the site. He said that some changes to the on-street parking on Genesee Street is necessary. He also said that he is concerned about the green space on the site continuing to be available to the neighborhood for gardening.

Diane Demers, 731 W. Genesee Street, said that she is concerned that there is no legal mechanism for ensuring that the gymnasium, playground and gardening space will continue to be available to the neighbors. She expressed concerns about traffic in the area and whether the developer will install noisy air conditioners that would negatively impact adjoining property owners.

Ms. Stachowiak stated that the City cannot require a private property owner to make their facilities available to the general public. She said that the applicant's insurance company may have serious concerns about his plans to do so.

Amanda Adams, 731 W. Genesee Street, said that she likes the idea of the building being put into use. She said that the facilities are important to and get a lot of use by kids in the area and she would not want to see the site cut off from use by the neighborhood.
Mr. Johnson said that when Zero Day owned the property they had a use agreement wherein the City would maintain the playground at no liability to the owner and it would be available to the public.

Mark Graham, 1615 S. Genesee, spoke in support of the request. He thanked the applicant for taking on this project and said that it will provide a place for new residents to come to the area where they can support nearby businesses and take advantage of public transportation systems in the area. Mr. Graham said that a childcare facility occupied the former Verlinden Street school building and it has worked out very well. He also said that the traffic generated by the proposed uses will be minimal and thus, will not have any negative impacts on the area.

Greg Lyman, Pretty Pink Houses, LLC, 306 Norris Road, Dewitt, MI stated that he owns several rentals in the area and would like to know how many units will be in the building and how many people will be living there. He said that he agrees with the residents in the area that have spoken at this meeting with regard to the playground on the subject property being a real asset to the neighborhood and he expressed appreciation for the effort to continue making it available. Mr. Lyman said that he is concerned about the condition of Butler Blvd. about the over use of on-street parking in the area by State employees.

Bob Johnson stated that the on-street parking along Genesee was changed to 2-hour meters to make it inconvenient for use by State workers and the City needs to do the same thing on Butler.

Ms. Stachowiak said that there is no way to know how many people will occupy the building but since all 36 units will be efficiencies, it will likely be 1 or 2 occupants in each units.

Michael Markey stated that the parking lot on the site can accommodate over 50 vehicles which is more than adequate for the proposed use of the building and therefore, the proposal should have no impact on the on-street parking in the area.

Sue Dorocher, no address given, stated that she is a landlord for a property on Sycamore Street and she is concerned about the applicant no following through on allowing the gym/playground to be available to the neighborhood. She also asked about pets on the property.

Diane Demers expressed concerns about the applicant’s ability to demolish the gymnasium.

Seeing no one else wishing to speak, Mr. Ruge closed the public hearing.


Ms. Stachowiak stated that staff is recommending approval of this request by Joseph Vitale to rezone the property at 213 W. Malcolm X Street from “C” Residential District to “F” Commercial District. She said that the purpose of the rezoning is to permit the building at
this location to be used for space to educate about and sell building materials harvested from historic buildings. The applicant for this request has a purchase offer with the City that is contingent on the property being rezoned for the intended purpose. Ms. Stachowiak said that the building has been vacant for several years and is need of significant repair/rehabilitation. The costs to rehabilitate and maintain the building exceed the funding the City has available. It is also not ADA accessible, and as such it is not well suited to be a public facility.

Ms. Stachowiak said that under the current “C” Residential zoning, the only allowable use for the building is 2 residential units. Given the size of the building, its location on a high traffic volume minor arterial and the amount of money it will take to renovate the building, limiting its use to 2 residential units is not reasonable or practical. She said that without a rezoning to allow reasonable use of the building, it will likely continue to sit vacant and eventually deteriorate to the point where it would have to be demolished which would be very undesirable given its architectural and historical significance.

Ms. Stachowiak said that there are 10 parking spaces on the subject property which is more than adequate to support the proposed uses. She said that the driveway in front of the building will be ideal for loading and unloading of materials related to the business. Ms. Stachowiak also said that the proposed uses of the building will not generate any noise or odors, will not create excessive traffic and will be consistent with the goals of the Master Plan which include the preservation and adaptive reuse of buildings that have significant architectural and historical character.

Mr. Ruge opened the public hearing.

Jospeh Vitale, 227 N. Sycamore Street, spoke in support of his request. He said that the building at 213 W. Malcolm X is one of the original mansions that once lined Malcolm X Street. Mr. Vitale said that he has a strong interest in preserving historic buildings and this project not only allows him to preserve the historical integrity of the structure but to use it to store and sell materials that have been salvaged from historic structures and to provide education on how to go about doing this. He said that he hopes that there is a policy change at some point to allow removal of parts buildings before they are demolished.

Mr. Ruge asked if Mr. Vitale would be storing salvaged materials in the building.

Mr. Vitale said that the smaller items would be stored on the subject property but the larger items would need to be stored elsewhere.

Seeing no one else wishing to speak, Mr. Ruge closed the public hearing.

Mr. Ruge asked about other uses that could potentially occupy the property if it were to be zoned “F” Commercial.

Ms. Stachowiak said that any of the uses permitted in the “F” Commercial district could occupy the property, however, given the small size of the lot, the lack of parking and its location on a one-way street where traffic moves at a fairly fast pace, it is not desirable for
most commercial uses. She said that it is most suited to destination type uses such as what the applicant is proposing as opposed to the type of uses that depend on pass-by traffic for a customer base.

5. COMMENTS FROM THE AUDIENCE

6. RECESS – Not taken

7. BUSINESS

A. Consent Items

(1) Minutes for approval: May 7, 2019

Without objection, the May 7, 2019 minutes were approved.

(2) Z-3-2019, 835 W. Genesee Street – Rezoning from “C” Residential to “DM-1” Residential

Without objection, Z-3-2019 was approved.

(3) SLU-2-2019, 835 W. Genesee Street – Special Land Use Permit, Community Center

Without objection, SLU-2-2019 was approved with the condition that the facility/center is operated and maintained by the owner or owner’s representative for the property.

(4) Z-4-2019, 213 W. Malcolm X Street – Rezoning from “C” Residential to “F” Commercial

Without objection, Z-4-2019 was approved.

B. Old Business - None

C. New Business – None

8. REPORT FROM PLANNING MANAGER - None

9. COMMENTS FROM THE CHAIRPERSON - None

10. COMMENTS FROM BOARD MEMBERS

Ms. Cerna asked if the applicant for Z-3-2019 will return to the Planning Board once the plans are finalized.
Ms. Stachowiak said that the plans will not come before the Planning Board. She said that review and approval of the plans is an administrative process.

11. PENDING ITEMS: FUTURE ACTION REQUIRED - None

12. ADJOURNMENT – The meeting was adjourned at 7:40 p.m.
Act-11-2019, 700 River St. Parcel #33-01-01-21-202-011, and  
Act-12-2019, 342 E. St. Joseph St. Parcel #33-01-01-21-202-001 Acquire for Parkland  
STAFF REPORT  

An Act 33 Review is a planning level review of the location, character and extent of public improvements and City property transactions. Act 33 Reviews are conducted by the City of Lansing pursuant to the provisions of the Michigan Planning Enabling Act (P.A. 33 of 2008) and Section 208 of the Lansing Code of Ordinances.

APPLICANT AND PROPOSAL: The City of Lansing Parks and Recreation Department proposes to purchase two parcels with vacant houses at the SW corner of River and St. Joe Streets, near Cherry Hill Park, for additional parkland.

The parcels are:

- Act-11-2019, 700 River St, PPN 33-01-01-21-202-011, E 27 FT OF N 69 FT LOT 1 BLOCK 174 ORIG PLAT, and

LOCATION: This parcels are located on the southwest corner of River and St. Joseph Streets (just north of I-496)

CURRENT OWNER(S): 700 River St. – Judith Morella, 700 River St.


PROPERTY SIZE AND SHAPE: Rectangular, 69’ deep X 27’ and 39’ wide, respectively.

SURROUNDING LAND USE & ZONING
North: Residential (Cherry Hill neighborhood) zoned “DM-4” Residential District
East: Parkland zoned “DM-4” Residential District
South: Interstate 496
West: Vacant land (part of I-496 ROW)

AGENCY REFERRALS

Building Safety Office: No objection.
Parks and Recreation: Properties are part of a Michigan Department of Natural Resources Trust Fund Acquisition grant with 25% in matching funds. City Council approved applying for the grant. The River Street and St. Joe properties are located near Cherry Hill Park. The properties are in the flood plain, the buildings are vacant and would be demolished. The options for the land would include possible expanded parking or green space; both options would also assist emergency management by removing the structures. The price is the appraised value and there is be no negotiation. Property owners are willing to sell. The Park Board has also approved this request.

Public Service, Engineering and Infrastructure: If the properties are redeveloped, a site plan may be required.

ANALYSIS

LOCATION: The subject properties are located in the floodplain, west of Cherry Hill Park, south and east of the Cherry Hill Historic District.

CHARACTER: The properties are currently occupied by vacant houses. As a result of the acquisition the houses will be removed from the floodplain and replaced by either vacant land or additional parking for Cherry Hill Park.

EXTENT: The proposed acquisitions are limited to the subject parcels.

The proposed acquisitions and demolitions also coordinate well with City efforts to remove housing from the floodplain.

STAFF RECOMMENDATION

Staff recommends the following finding and recommendation:

Finding:

- The purchase of the parcel would fall into the Parks & Recreations 2015-2020 Master Plan of purchasing land adjacent to parks,
- The proposed acquisitions and demolitions also coordinate well with City efforts to remove housing from the floodplain,
Act-11-2019, 700 River St. Parcel #33-01-01-21-202-011, and
Act-12-2019, 342 E. St. Joseph St. Parcel #33-01-01-21-202-001 Acquire for Parkland

STAFF REPORT

- Both houses proposed for acquisition are vacant, and would be purchased for fair market value from willing sellers,
- Neither property is located within the Cherry Hill Historic District,
- The City has applied for $120,000 in DNR grant funds to assist with the cost of these acquisitions.

Recommendation: Approval of the acquisitions as proposed.
Image/Sketch for Parcel: 33-01-01-21-202-011

River Street

St. Joe Street

69.0'

27.0'

Land
1863.0 sf

27.0'

69.0'

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Image/Sketch for Parcel: 33-01-01-21-202-001

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E ST JOSEPH ST

Land
2691 SF

69'

39'

Sketch by Apex IV®

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APPLICANT AND PROPOSAL: 600 E MICHIGAN-LANSING L L C, 330 MARSHALL ST SUITE #100, LANSING, MI proposes to install the north wall footing and foundation system for their building at 600 E. Michigan Ave. within the right of way (ROW), but below the sidewalk, approximately 30” north of the property line. The north wall itself would be constructed on private property.

LOCATION: This ROW encroachment is proposed for the 600 Block of Michigan Avenue (south side), just east of Larch Street.

EXISTING LAND USE & ZONING: Michigan Avenue: Use: City-owned ROW, unzoned.

600 E. Michigan Ave. Use: Vacant development site.
Zoning: “G-1” Business District

PROPERTY SIZE AND SHAPE: Rectangular, Approx. 30” deep (2.5’) X 372’69’ wide.

SURROUNDING LAND USE & ZONING: Commercial and industrial mix, zoned “G-1” Business and “H” Light Industrial.

AGENCY REFERRALS

A.T.&T. No response received.

Board of Water and Light: No response received.

Building Safety Office: No objection.

Consumers Energy: Based on the location you are inquiring about Consumers Energy does not currently have any gas facilities located within the sidewalk on the Southside of Michigan Ave between Larch and the Railroad Tracks. In additionally looking further into the request it appears that we previously abandoned a gas main 40’ N of 600 E Michigan Northern property line which would have that facility located beneath travel lanes of Michigan Ave. Please note the developer / contractor will need to coordinate with our New Business group at the time they are looking to have gas facilities installed to serve the property.
Parks and Recreation: No comments.

Public Service Department: The Public Service Department does not have any objection to the proposed encroachment into the Michigan Avenue public right of way, which will be granted through a permanent easement following approval by City Council. The price for the easement will be based on the land value of the adjacent parcel. Dimensions for the easement area and the legal description will be finalized with the applicant based on engineering plans and specifications.

ANALYSIS

LOCATION: The subject property is a narrow strip of land in front of the proposed Meijer building on the south side of E. Michigan Ave. (600 E. Michigan Ave.)

CHARACTER: The character of the building, upon completion, will be a four story mixed use building. The requested easement will be paved over with sidewalk, and would thus have no effect on the character of the area.

EXTENT: The proposed easement is limited to the amount necessary for the proposed footings.

According to the applicant, the proposed easement is important for the financial feasibility of the project.

STAFF RECOMMENDATION

Staff recommends the following finding and recommendation:

Finding:

- The proposed easement facilitates the construction of a 150,500 square foot mixed-use development including a Meijer, a 120-124 room hotel, and 36 apartments.
- The City rezoned 600 E. Michigan Ave. to “G-1” Business (Z-1-2018) and vacated an alley (Act-1-2018) for the purpose of permitting the proposed development,
- The E. Michigan Ave. ROW width at the 600 block is 115.5’, and agencies or utilities objected to the ROW encroachment proposal.

Recommendation: Approval of a permanent easement to accommodate the proposed footings.