AGENDA

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

2. APPROVAL OF AGENDA

3. COMMUNICATIONS

4. PUBLIC HEARINGS
   b. SLU-3-2019, 1315 Massachusetts Avenue, Special Land Use Permit, Parking lot in the “B” Residential zoning district
   c. Z-8-2019, 5400 S. Cedar Street, Conditional rezoning from “F” Commercial & “J” Parking districts to “G-2” Wholesale district

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

6. RECESS

7. BUSINESS
   A. Consent Items
      (1) Minutes for approval: October 1, 2019
      (2) 2020 Planning Board Meeting Schedule
      (3) SLU-3-2019, 1315 Massachusetts Avenue, Special Land Use Permit, Parking lot in the “B” Residential zoning district
      (4) Z-8-2019, 5400 S. Cedar Street, Conditional rezoning from “F” Commercial & “J” Parking districts to “G-2” Wholesale district
   B. Old Business
   C. New Business
      (1) Act-16-2019, 2122 N. M.L. King Jr. Blvd., Easement for private use of public right-of-way
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.
ANNUAL ACTION PLAN 2020 - 2021 - SCHEDULE OF EVENTS

ACTION PLAN, 2020 (7/1/20120- 6/30/2021) ENVIRONMENTAL REVIEW PROCESS
CONSOLIDATED ANNUAL PERFORMANCE AND EVALUATION REPORT (CAPER)

2019

1. Publish Notice of Public Hearing on housing needs, priority non-housing CD needs, use of Federal formula program funds, Community meetings
   Week of November 4

2. Public Hearing on housing needs, priority non-housing CD needs, use of Federal formula program funds.
   December 3

   Week of December 16

2020

4. Public Hearing on Proposed Statement of Community Development Objectives and Projected Use of Funds for Federal formula programs at Planning Board.
   February 4

5. Recommendation by Planning Board on the proposed program objectives and projected use of Federal formula program funds.
   End of February

6. Publish summary of proposed Consolidated Strategy and Plan Submission (CSPS) for FY 2018-19 and invite written public comments.
   March-April

7. Transmit proposed CSPS to Mayor.
   End of March

8. Mayor Transmits proposed CSPS to City Council.
   Beginning of April

9. Public Hearing on proposed CSPS at City Council
   April 13

10. Prepare and submit the Environmental Review for CDBG/HOME/ESG in HERO via IDIS
    May 11

11. ERR - Complete Request Release of Funds (RROF, 7015.15) Forms, gather Mayor’s signature on forms, submit forms including Form 7 to HUD
    May 11- May 29

12. Prepare the ERR notebook for the ER 44th Year
    May 11- May 29

13. Approval of CSPS by City Council
    No Later Than May 11

14. Deadline for submission of CSPS to HUD,
    May 14
<table>
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<tr>
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<th>Activity</th>
<th>Date</th>
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<tr>
<td>15</td>
<td>CAPER (Consolidated Annual Performance and Evaluation Report)</td>
<td>May 18 – August 31</td>
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<td>Start preparing and collecting data for the end-of-the-year report from</td>
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<td>grantees, staff, etc.</td>
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<tr>
<td>16</td>
<td>Publish Notice of Availability of CAPER 2018-19 (15-day comment period)</td>
<td>Week of September 7</td>
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<tr>
<td>17</td>
<td>Input IDIS reporting information</td>
<td>Week of September 7</td>
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<tr>
<td>18</td>
<td>Submit the CAPER via IDIS to HUD</td>
<td>September 30, 2020</td>
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**NOTE:** The above schedule is tentative and is meant to serve as a general guide. Appropriate notifications will be made to establish exact dates, times and locations of public hearings to obtain citizen input.
GENERAL INFORMATION

APPLICANT: Capital Area Community Services, Inc.
101 E. Willow Street
Lansing, MI 48906

OWNER: Ingham County Land Bank
3024 Turner Street
Lansing, MI 48906

REQUESTED ACTION: Special land use permit to construct a parking lot at 1315 Massachusetts Avenue to provide additional parking for Capital Area Community Services located to the south

EXISTING LAND USE: Vacant

EXISTING ZONING: “B” Residential District

PROPERTY SIZE & SHAPE: 33’ x 132’ = 4,356 square feet

SURROUNDING LAND USE: N: Duplex
S: Capital Area Community Services
E: Single Family Residential
W: Parking Lot

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

MASTER PLAN DESIGNATION: The Design Lansing Comprehensive Plan designates the subject property for low density residential use. Massachusetts Avenue is designated as a local road.

SPECIFIC INFORMATION

This is a request by Capital Area Community Services, Inc. for a special land use permit to construct a parking lot on the south 28 feet of the vacant property located at 1315 Massachusetts Avenue in order to provide additional parking for the Capital Area Community Services facilities to the south. Parking lots are permitted in the "B" Residential district, which is the zoning designation of the subject property, if a Special Land Use permit is approved by the Lansing City Council.
AGENCY RESPONSES:

BWL:

Building Safety:      No objections to parking lot. The project is subject to site plan review.

Parks & Recreation:  No comment.

Public Service:

Transportation:

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 applicant, Capital Area Community Services, Inc., owns the former Grand River Elementary School to the south that houses the Head Start program. The applicant has a pending offer with the Ingham County Land bank to purchase the subject property, which is located on the north side of the 20 foot wide public alley that separates it from the applicant’s property to the south. The proposal is to provide 11 additional parking spaces for the Head Start program in order to, in large part, reduce the amount of on-street parking in the area.

The proposed plan includes the installation of a 6 foot high privacy fence in the buffer area between the parking lot and the house to its north and a row of evergreen trees on the remainder of the buffer area. These improvements should mitigate any negative impacts that the parking lot may have on the house to its north. No other properties in the area that are not under the control of the applicant would be directly impacted by the proposed parking lot.

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

The proposed parking lot will not change the essential character of the area as it will merely provide additional and much needed parking for the Head Start facility to its south. The applicant owns the existing parking lot to its west and the property to its south which currently has a row of parking that is accessed via the alley that separates it from the subject property. The proposed parking will be located on the north side of the alley and will be accessed via it as well.
3. Will the proposed special land use interfere with the enjoyment of adjacent property?

The residential property to the north is the only property that would be directly affected by the parking lot. In order to mitigate any potential problems, particularly with regard to headlights shining into the windows, the applicant is proposing to install a 6 foot high privacy fence that would extend the length of the house to provide screening from the parking lot. The remainder of the buffer area will contain a row of evergreen trees. The overall proposal also includes deeding the north, approximately 6 feet of the subject property to the property to the north in order to accommodate its driveway/parking needs.

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?

The proposed parking lot will provide much needed off-street parking for the facility to its south and thus, it would be considered and improvement to the surrounding area. If the special land use permit is approved, the parking needs for the adjoining residential property to the north will be vastly improved by the addition of a 6+- foot wide strip of land. The proposed landscaping and fencing will enhance the appearance of the site and mitigate any negative impacts that could result from the new parking lot.

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 parking lot will not generate any nuisances or hazardous conditions. The traffic is anticipated to be relatively light and headlight glare will be mitigated by the installation of an opaque fence and a row of evergreen shrubs in the buffer area between the parking lot and the house to the north.

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?

No comments have been received from any of the reviewing departments with regard to the parking lot negatively impacting public facilities and services. The proposed parking lot will need to be reviewed through the City’s administrative site plan review process during which a storm water management plan will be reviewed by the City engineers.

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

The proposed special land use is not expected to increase the demand on public services and facilities in excess of current capacity. The proposed parking lot will not draw additional
traffic to the site but merely provide more off-street parking to accommodate the needs of the Capital Area Community Services Head Start facility to the south. The only other public service that will be impacted by this proposal is storm water management which will be reviewed during the site plan review process.

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 Comprehensive Plan designates the subject property for low density residential use. The proposed parking is intended to serve the needs of the Capital Area Community Services/Head Start property to its south, which is the former site of the Grand River Elementary School. Both the subject property and the property to its south are zoned “B” Residential which is the appropriate zoning designation for elementary schools and for the Head Start program that currently occupies the property. Adaptive reuse of vacant elementary school buildings is one of the goals of the City’s Master Plan and providing adequate off-street parking to support these uses minimizes the use of on-street parking which can create issues along residential streets (blocking driveways, obstructing the free-flow of 2-way traffic, eliminating on-street parking that residents may need, etc.). Since the school sites are in residential neighborhoods, so is the parking lot that support the uses operating thereon. The reason that parking lots in residential neighborhoods require a special land use permit is so that the City can ensure that the location is appropriate and that it is will be designed to be compatible with adjoining uses and the surrounding residential area in general. With the landscape, screening and buffering plan proposed by the applicant, it is not anticipated that the parking lot will negatively impact the area in which it is located.

9. Will the proposed special land use meet the dimensional requirements of the district in which the property is located?

The proposed parking plan demonstrates compliance with the dimensional requirements for parking spaces (9’ x 18.5’). The subject property is zoned “B” Residential, which district does not permit parking within the required 20 foot front yard setback. The proposed parking lot will need to be shifted slightly further to the west to accommodate this requirement. The area between the parking lot and the front property line along Massachusetts Avenue must be landscaped in accordance with Section 1290.08 of the Zoning Ordinance which requires 5 shrubs for each 20 linear feet of landscape buffer area and 1 tree for each 30 linear feet of landscape buffer area. Shrubs must have a minimum starting size of 24 inches in height and spread and trees must have a minimum starting size of 2 caliper inches.

The plan demonstrates compliance with the 8-foot wide landscape buffer that is required between the parking lot and the north property line. The applicant is proposing to construct a 6 foot high privacy fence in the buffer area that would extend the length of the house and provide screening from headlights so that they do not shine into its windows. The plan shows a row of arborvitae for the remainder of the buffer area to be planted approximately 4 feet on center. Staff supports the proposed buffering plan as it is designed to protect the property to the north from any negative impacts of the proposed parking lot.
OTHER

The applicant has submitted an application to split off the north, approximately 6 feet of the subject property and to combine it with the adjoining residential property to its north. While a “purchase offer” is sufficient interest in a property to apply for a special land use permit, a lot split application can only be made by the owner of the property. The subject property is still owned by the Ingham County Land Bank. It is assumed that the applicant’s purchase agreement is conditioned upon receiving the necessary zoning approvals to allow the parking lot so that the applicant is not locked into the sale in the event that it is not permitted to use it for that purpose.

If the special land use permit is denied, the subject property could only be used for the construction of a single family dwelling. The property is 33 feet wide which is the minimum width necessary to construct a single family home and therefore, if the property is not used for a parking lot, no portion of it can be split off as it would render the property completely unbuildable. To that end, the lot split application, even if it were to be made by the Land Bank, cannot be approved until such time as the parking lot is constructed.

SUMMARY

This is a request by Capital Area Community Services, Inc. for a special land use permit to construct a parking lot on the south 28 feet of the vacant property located at 1315 Massachusetts Avenue in order to provide additional parking for the Capital Area Community Services facilities to the south. Parking lots are permitted in the "B" Residential 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 described 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 lot as it currently exists.
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 goals of the Zoning Code and the Design Lansing Comprehensive Plans.
9. The proposed Special Land Use will comply with the dimensional requirements of the Zoning Ordinance.
RECOMMENDATION

Staff recommends approval of SLU-3-2019, to permit a parking lot on the property at 1315 Massachusetts Avenue, based on the findings of fact as described in this staff report.

Respectfully Submitted,

Susan Stachowiak
Zoning Administrator
GENERAL INFORMATION

APPLICANT: AMERICO Real Estate Company
2727 N. Central Avenue, Suite 500
Phoenix, AZ 85004

OWNER: A & W Greshenson
31500 Northwestern Hwy., Suite 100
Farmington Hills, MI 48334

REQUESTED ACTIONS: Rezone the property at 5400 S. Cedar Street (former K-Mart Building) from “F” Commercial & “J” Parking district to “G-2” Wholesale district

EXISTING LAND USE: Vacant Commercial Building

EXISTING ZONING: “F” Commercial & “J” Parking Districts

PROPOSED ZONING: “G-2” Wholesale District

PROPERTY SIZE: 9.380 +/- acres of the 11.43 +/- acre parcel– Irregular Shape

SURROUNDING LAND USE: N: Commercial/Vacant
S: Consumer’s Energy Right-of-Way/Parking Lot
E: Commercial
W: Vacant

SURROUNDING ZONING: N: “F” Commercial District
S: “F” Commercial & “A” Residential Districts
E: “F” Commercial & “J” Parking Districts
W: “G-2” Wholesale District

MASTER PLAN: The Design Lansing Master Plan designates the subject property for “Community Mixed-Use Center”. S. Cedar Street is designated as a major arterial.

DESCRIPTION:

This is a request by AMERICO Real Estate Company to rezone approximately 9.38 acres of the property at 5400 S. Cedar Street from “F” Commercial & “J” Parking Districts to “G-2” Wholesale District, with the following conditions:

* No marijuana facilities of any kind may be established on the property
* The proposed storage building located north of the S. Cedar Street driveway will have
an architectural design that is consistent with the rendering shown on the plan dated 8/29/2019

* The site improvements shown on the plan dated 8/29/2019, which includes landscaping, a connection path to the abutting non-motorized pathway and the provision of a bicycle rest area, will be installed prior to occupancy of the existing building or any new buildings on the site.

The purpose of the rezoning is to permit the property to be used for self-storage, U-Haul truck and trailer sharing and a moving and storage retail store.

**AGENCY RESPONSES**

**BWL:**
See attached.

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

**Parks & Recreation:**
I have concerns about the sight lines for people using the pathway if the proposed storage unit goes to the road.

**Public Service:**
The use for proposed self-storage facility does not typically generate any significant sanitary flows that I'm aware of. Further, the redevelopment uses the existing building structure that would have had to have been served by bathroom facilities, so, historically, there would have been existing flows from the building. I believe this building would be connected to the 10-inch sanitary sewer in Cedar Street. Based on the above, it appears there are no sanitary service issues considering the info we have. Also, since there does not appear to be increased impervious areas (same building, etc.), stormwater requirements should not be an issue here.

**Traffic Engineer:**
No comments or requirements relative to the rezoning request.

**REZONING ANALYSIS**

**COMPATIBILITY WITH SURROUNDING LAND USE:**

The subject property adjoins a parcel of land zoned “G-2” Wholesale to its west that is accessed via Perry Robinson Circle off of E. Jolly Road. The adjoining properties to the north, south and east are zoned “F” Commercial. As evidenced by the attached map, the zoning pattern along S. Cedar Street is very inconsistent. In fact, there are numerous other parcels in close proximity to the site that are zoned
“G-2” Wholesale and “H” Light Industrial, all of which could be used for storage facilities as a matter of right. The proposed rezoning, therefore, will not create an inconsistent zoning pattern along S. Cedar Street.

The primary concern with self-storage uses along a commercial corridor is that they are not customer oriented businesses and as a result, they generate very little traffic on a regular basis. This typically results in a large sea of unused parking that is unattractive and does not contribute to the vibrancy of a commercial district. In this case, however, the conditions that the applicant is offering as part of the rezoning will make the site far more attractive that what currently exists. There is virtually no landscaping/green space on the site, the parking lot is in poor condition and the building is unattractive and is showing signs of deterioration from sitting vacant. The applicant’s proposal includes a significant amount of landscaping around the perimeter and interior to the site as well as parking lot repair and improvements to the appearance of the existing building. The proposed building near S. Cedar Street north of the driveway will be designed to look like a general commercial building rather than a typical self-storage building. Also, the applicant is excluding a significant area of the property along the S. Cedar Street road frontage from the rezoning so that it will be available for general commercial development. Once developed, it will provide a buffer between the street and the parking lot for the U-Haul business so that it will not appear to be a hole of little activity along a commercial corridor. When 930 W. Holmes Road was rezoned to the “G-2” Wholesale district to allow the building at that location to be used for self-storage, the frontage of the property along both W. Holmes Road and S. Washington Avenue was excluded (remained zoned “F” Commercial) for the same reason. Similarly, when the area of the property west of the building at 3512 S. MLK was rezoned to “H” Light Industrial, the property that leads from the storage area to W. Holmes Road remained zoned “F” Commercial to ensure that it would be developed for commercial purposes rather than additional storage units, in keeping with the existing zoning and land use patterns along W. Holmes Road.

**COMPLIANCE WITH MASTER PLAN:**

The Design Lansing Master Plan designates the subject property for 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.”

The Plan recommends development that includes first floor retail uses clustered to create a shopping core with residually-scaled structures (4-6 stories) on neighborhood edges.

The proposed rezoning will not allow for the specific type of development being advanced in the Master Plan as described above in that the “G-2” Wholesale district does not allow residential use, even with a special land use permit. The applicant’s proposal, however, allows for the adaptive reuse of and improvements to a site/building that has sat vacant for a significant amount of time and continues to fall further into a state of dilapidation. This is consistent with one of the primary goals of the Master Plan which is to improve the appearance of the City’s commercial corridors.
IMPACT ON VEHICULAR AND PEDESTRIAN TRAFFIC:

The proposal will not result in any negative impacts on vehicular or pedestrian traffic in the area. S. Cedar Street is a major arterial that is designed to carry the highest volumes of traffic. Storage facilities typically generate a very low volume of vehicular traffic, have few employees and virtually no pedestrian customer traffic.

IMPACT ON PUBLIC FACILITIES:

The proposed building and site improvements will require administrative site plan review, during which the drainage system as well as all other physical aspects of the property will be reviewed for compliance with all applicable City codes.

ENVIRONMENTAL IMPACT:

Reuse of the existing building for indoor, self-storage which will have no impact on the physical environment. The site is almost entirely covered by impervious surface which generates a great deal of storm water run-off. The applicant’s proposal to remove a significant amount of pavement in and around the site to create landscape buffers will have positive impacts on the environment.

IMPACT ON FUTURE PATTERNS OF DEVELOPMENT:

The zoning pattern along S. Cedar Street is already characterized by a myriad of zoning designations including “G-2” Wholesale and “H” Light Industrial. Given the inconsistent zoning pattern that already exists, the proposed rezoning is not anticipated to have any negative impacts on future patterns of development in the area.

SUMMARY

This is a request by AMERICO Real Estate Company to rezone the property at 5400 S. Cedar Street from “F” Commercial & “J” Parking Districts to “G-2” Wholesale District, with the following conditions:

* No marijuana facilities of any kind may be established on the property
* The proposed storage building located north of the S. Cedar Street driveway will have an architectural design that is consistent with the rendering shown on the plan dated 8/29/2019
* The site improvements shown on the plan dated 8/29/2019, which includes landscaping, a connection path to the abutting non-motorized pathway and the provision of a bicycle rest area, will be installed prior to occupancy of the existing building or any new buildings on the site.

The purpose of the rezoning is to permit the property to be used for self-storage, U-Haul truck and trailer sharing and a moving and storage retail store.
RECOMMENDATION

Based on the finding so fact as detailed in this staff report, staff recommends approval of Z-8-2019 to rezone the property at 5400 S. Cedar Street from “F” Commercial & “J” Parking Districts to “G-2” Wholesale District, with the following conditions:

* No marijuana facilities of any kind may be established on the property
* The proposed storage building located north of the S. Cedar Street driveway will have an architectural design that is consistent with the rendering shown on the plan dated 8/29/2019
* The site improvements shown on the plan dated 8/29/2019, which includes landscaping, a connection path to the abutting non-motorized pathway and the provision of a bicycle rest area, will be installed prior to occupancy of the existing building or any new buildings on the site.

Respectfully Submitted,

Susan Stachowiak
Zoning Administrator
AMERCO Real Estate Company (AREC) has prepared this application package for the opportunity to receive the City of Lansing’s participation and counseling in regards to a Conditional Rezone for the property located at 5400 Cedar St. Lansing, MI. AREC is the wholly owned real estate subsidiary of the U-Haul System.

The subject 11.43-acre property is located at 5400 Cedar St. U-Haul is proposing an adaptive reuse of the existing 119,650 SF building by converting it into a U-Haul Moving and Storage Store. Our use will consist of interior, climatized self-storage and U-Haul truck and trailer share. The interior of the building will be retrofitted to house self-storage units. U-Haul also intends to provide two outparcels along S Cedar St. for commercial development. This infill development will allow U-Haul to better serve the storage needs of the community, activate a property that is currently vacant, and allow for future commercial development along S Cedar St.

The property is presently zoned F- Commercial District. Neither self-storage nor U-Haul truck and trailer share are permitted uses within that zoning district. U-Haul is proposing to rezone an approximate 9.38-acre portion of the property to G-2 - Wholesale District in order for our uses to be permitted. The building will be used structurally as is with the exception of imaging and signage. The two outparcels along S Cedar St, approximately 1 acre per outparcel, will not be included in our rezoning request and will remain zoned as F - Commercial District. Additionally, U-Haul will provide a connection path for the abutting S Lansing Pathway leading to a bike rest area which will have a water fill-up station and bike tools for the community.

Custom site design for every U-Haul store assures that the facility complements the community it serves. Adherence to community objectives is key in order to ensure each U-Haul store is both a neighborhood asset and an economic success.

**Explain what changes or changing conditions make the passage of this rezoning necessary:**

It is important to recognize the significant changes in retail that have occurred throughout the country, namely with “big-box” retailers such as Kmart. These retailers are closing at a rapid pace leaving behind large buildings that then remain vacant for years at a time. It is becoming increasingly difficult to find retailers who are willing or able to occupy such a large footprint. A rezone of the property favors the successful and sustainable
redevelopment of this property. U-Haul has a long and proud history of revitalizing commercial properties in a sustainable way. Through reuse, we are able to meet the citizen's needs without compromising the resources and land associated with new construction. We have been met with great success in converting outdated big-box stores into productive businesses that both provide jobs and help to promote infill development.

Comment on other circumstances which justify the amendment:

Our proposal, to rezone a portion of the property G-2 for the use of self-storage and U-Haul truck and trailer share while creating two outparcels along S Cedar St to remain zoned as F, is the most beneficial use of the land. As previously mentioned, the footprint of big-box stores are not appealing to the majority of commercial developers. The building itself creates a hardship for any developer as it is extremely difficult to utilize that amount of space in a viable way. U-Haul is invested in the growth and economic well-being of your community. Our proposal allows for the creation of new retail/commercial development along S Cedar St, creating a vibrant frontage. This also allows for the vacant building to be adaptively reused to help better serve the surrounding residential neighborhoods and promote infill development. Self-storage is complementary to surrounding commercial uses and acts as an excellent buffer between commercial and residential zones.

Significant Policies:

- **Hours of Operation:**
  
  Mon. - Thurs.  7:00 a.m. to 7:00 p.m.
  
  Fri.           7:00 a.m. to 8:00 p.m.
  
  Sat.          7:00 a.m. to 7:00 p.m.
  
  Sun.        9:00 a.m. to 5:00 p.m.

- All U-Haul storage customers are issued a card-sweep style identification card that must be used to gain access to their room. This is but one of many security policies which protect the customer's belongings and decrease the ability of unauthorized access to the facility.

- It is against policy for a business to be operated from a U-Haul storage room.

- Customers and community residents who wish to use the on-site dumpsters for disposing of refuse must gain permission to do so, and are assessed an additional fee.

- Items that may not be stored include: chemicals, flammables, and paints.

- U-Haul stores are protected by video surveillance.
• U-Haul stores are non-smoking facilities.

• U-Haul will provide added services and assistance to our customers with disabilities.

U-Haul looks forward to working with the City of Lansing as you consider the Rezone we are currently submitting.

Sincerely,

Stephany Sheekey
AMERCO Real Estate Company- Planner
MINUTES

1. OPENING SESSION

Mr. Ruge called the meeting to order at 6:30 p.m.

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

b. Absent: Tony Cox

c. Staff: Bill Rieske & Susan Stachowiak

2. APPROVAL OF AGENDA

Mr. Ruge approved the agenda by unanimous consent.

3. COMMUNICATIONS

4. PUBLIC HEARINGS

a. Z-7-2019, 1310 Knollwood Avenue, Rezoning from “F” Commercial to “B” Residential

Ms. Stachowiak stated that this is a request to rezone the property at 1310 Knollwood Avenue from “F” Commercial District to “B” Residential District. The purpose of the rezoning is to bring the residential use of the property into compliance with the Zoning Ordinance. She said that since a single family dwelling is not a permitted use in the “F” Commercial district, it is considered “nonconforming”. As a nonconforming use, if the building is damaged beyond 50% of its pre-catastrophic value, it could not be rebuilt as a single family residential dwelling. In addition, the applicant is limited to 35% of the value of the building that can be put into it for repairs, improvements, etc. Ms. Stachowiak said that the rezoning will bring the building into compliance with the Zoning Ordinance so that the owner’s investment is protected and the building can be improved without any monetary restrictions.

Ms. Stachowiak said that staff is recommending approval of the request. She said that the current “F” Commercial zoning of the subject property allows uses that are in direct conflict with the residential land use pattern being advanced in the master plan for the W. Willow Street corridor. Ms. Stachowiak said that the subject property is too small on its own to be developed for any type of commercial land use. The only way to make use of the property in conformance with the “F” Commercial district is to consolidate it with the adjoining properties that are currently zoned “F Commercial to create a site large enough to accommodate a commercial use with associated parking. She said that if such a proposal were to be presented to the City at some
time in the future, rezoning the property back to the “F” Commercial district could be considered at that time.

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

Mr. Ruge asked about the difference between the “A” and the “B” Residential zoning districts.

Ms. Stachowiak said that the only difference between the two zoning districts is that the minimum lot size in the “A” Residential district is 6000 square feet whereas in the “B” district it is 4000 square feet. She said that the permitted uses are exactly the same for both zoning districts.

5. COMMENTS FROM THE AUDIENCE - None

6. RECESS – Not taken

7. BUSINESS

A. Consent Items

(1) Minutes for approval: September 3, 2019

Without objection, the September 3, 2019 minutes were approved.

(2) Act-15-2019, Addition to Edmore Park

Without objection, Act-15-2019 was approved.

(3) Z-7-2019, 1310 Knollwood Avenue, Rezoning from “F” Commercial to “B” Residential

Without objection, Z-7-2019 was approved.

8. REPORT FROM PLANNING MANAGER - None

9. COMMENTS FROM THE CHAIRPERSON - None

10. COMMENTS FROM BOARD MEMBERS - None

11. PENDING ITEMS: FUTURE ACTION REQUIRED - None

12. ADJOURNMENT – The meeting was adjourned at 6:36 p.m.
# PLANNING BOARD

**MEETING SCHEDULE 2020**

<table>
<thead>
<tr>
<th>DATE</th>
<th>TIME</th>
<th>PLACE</th>
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<tbody>
<tr>
<td>Tuesday, January 7, 2020</td>
<td>6:30 PM</td>
<td>Neighborhood Empowerment Center 600 W. Maple St.</td>
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<tr>
<td>Tuesday, February 4, 2020</td>
<td>6:30 PM</td>
<td>Neighborhood Empowerment Center 600 W. Maple St.</td>
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<tr>
<td>Tuesday, March 3, 2020</td>
<td>6:30 PM</td>
<td>Neighborhood Empowerment Center 600 W. Maple St.</td>
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<tr>
<td>Tuesday, April 7, 2020</td>
<td>6:30 PM</td>
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<tr>
<td>Tuesday, May 5, 2020</td>
<td>6:30 PM</td>
<td>Neighborhood Empowerment Center 600 W. Maple St.</td>
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<td>Tuesday, June 2, 2020</td>
<td>6:30 PM</td>
<td>Neighborhood Empowerment Center 600 W. Maple St.</td>
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<tr>
<td>Tuesday, July 7, 2020</td>
<td>6:30 PM</td>
<td>Neighborhood Empowerment Center 600 W. Maple St.</td>
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<tr>
<td>Tuesday, August 4, 2020</td>
<td>6:30 PM</td>
<td>Neighborhood Empowerment Center 600 W. Maple St.</td>
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<td>Tuesday, September 1, 2020</td>
<td>6:30 PM</td>
<td>Neighborhood Empowerment Center 600 W. Maple St.</td>
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<td>Tuesday, October 6, 2020</td>
<td>6:30 PM</td>
<td>Neighborhood Empowerment Center 600 W. Maple St.</td>
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<tr>
<td><strong>Wednesday, November 4, 2020</strong></td>
<td><strong>6:30 PM</strong></td>
<td>Neighborhood Empowerment Center 600 W. Maple St.</td>
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<tr>
<td>Tuesday, December 1, 2020</td>
<td>6:30 PM</td>
<td>Neighborhood Empowerment Center 600 W. Maple St.</td>
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**Meeting date and/or time changed due to holiday or Election Day**
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: Applicant, 2122 N MLK Holdings, LLC proposes the creation of an easement to repair/replace and use of a portion of the existing parking lot that is within the N Martin Luther King Jr. (MLK Jr.) Blvd. right-of-way. Existing pavement in right-of-way will be resurfaced and improved; a driving lane within parking lot will be widened, and there will be maintenance of existing parking lot lighting.


CURRENT OWNER(S): City of Lansing


PROPERTY SIZE AND SHAPE: Irregular, ~5.8 acres

SURROUNDING LAND USE & ZONING
North: Street ROW
South: The Grand River
West: Businesses (Zoned “H” Light Industrial)
East: Businesses (Zoned “F” Commercial)

AGENCY REFERRALS

Lansing Board of Water and Light
BWL Electric: Approved, No Comments. Gerald Wheeler – 517-702-6644

BWL Water & Steam Distribution: Approved

- The proposed parking lot addition does not appear to impact existing BWL water facilities.
- During construction, if it is determined that work will expose, disturb, or otherwise carries the risk of damage to existing BWL Water Distribution facilities, including change of soil cover, is subject to review by the BWL. The owner is responsible for the costs of preparing a plan to protect these facilities, as well as the costs of inspection and/or repair, if deemed necessary by the BWL.
Any questions about specific water service requirements may be directed to the LBWL Water Distribution Department; Jerrod Wade via phone at 517-702-6564 or e-mail @ Jerrod.Wade@lbwl.com.

BWL Environmental Wellhead Protection: No concerns.

Public Service Department
- It was noted, during Engineering’s review of the site plan for 2122 N MLK, that there was a significant encroachment of the sites parking lot. The issue was flagged for further review.
- The 1964 aerial photograph (see attached) indicates that the encroachment dates back to when the former bowling alley was constructed in the early 1960s.
- MLK (formerly Logan) did not connect with Grand River Avenue until 1960, when the bridge over the Grand River was constructed. The bridge plans (drawn in 1957 and reviewed in 1959) did not show the bowling alley.
- In 1946, the City started obtaining property in this area. The property obtained was a gravel pit. It is not known if the City used it as a gravel pit or was obtaining property in anticipation of extending Logan (now MLK) to Grand River Avenue.
- In 1960, the City swapped some property to obtain additional right-of-way (see attached 1-18-1960 council resolution). The Council resolution reserved a public utility easement over this property. The swapped property became part of the bowling alley property.
- In 1948, Landel constructed a 15” sanitary sewer along the river. No easement was found for this sewer has been found. However, the 1-18-1960 Council Resolution reserves for the City the right of ingress and egress for the sewer.
- Also in the 1-18-1960 Council Resolution, the City accepted the southern 30 feet of the parcel to be used for river improvement. That is why property at 2122 N MLK does not extend to the Grand River.
- A review of the MLK right-of-way indicates that there is more ROW than what is required for the bridge. With that said, access to the river is likely the reason for the extra ROW on the east side of the north approach. This is based on the Council reserving 30 feet along the river in the 1-18-1960 resolution. Other reasons for retaining extra ROW include the Consumers Energy gas main that runs through the property as well as the City’s potential need to access the 15” sanitary sewer.
- A review of the Council proceedings from the early 1960s did not find a license agreement or easement to allow the encroachment of the bowling alley parking. With that said, the open and obvious encroachment of the parking was likely permitted by the City.
- The use of the right-of-way for parking does not interfere with the City’s use of the right-of-way for access to the bridge and for access to the sanitary sewer.
- Consumers Energy may have a gas main in the MLK ROW. Any license agreement should protect the rights of utilities to use the MLK ROW.
Recommendations:

- Public Service can foresee potential future uses for that property. These uses include, but are not limited to, bridge construction, sewer construction, and access to the Grand River. As such, Public Service does not recommend the vacation or selling of the right-of-way.
- The use of the ROW for parking does not interfere with current operations of Public Service in regards to the bridge and to the sewers. A license agreement for the parking encroachment is an acceptable option.
- The City should, in the license agreement, protect its right to develop the right-of-way (bridge, river access, sewers).
- The City should formalize the easement for the 15” sanitary sewer. Although the Council Resolution provides us access to the sewer, it is a weak document compared to the City’s current easement language. The proposed Council resolution should include language that will authorize Public Service to obtain an easement for the 15” sewer.
- The developer does have some property along the river. Obtaining a river trail easement on that property should be considered.
- The Applicant should provide a detailed description for the boundaries of the proposed license agreement.
- The Applicant should draft an easement plan for the 15” sanitary sewer. It should be a 40-foot wide easement centered on sewer pipe. It should also include a right of access on the paved surfaces of the property.

ANALYSIS

LOCATION: In addition to the paved area of MLK Blvd. the street right-of-way extends further east past the embankment. The area has vegetation growth and some parking lot area presumably created by a former owner of 2122 N MLK Jr. Blvd. The existing area that is paved for parking has no current effect on the actual street since they are of different elevations and separated by a guard-rail and a row of trees. The southern area of the right-of-way also has a 15” sanitary sewer. The portion of the right-of-way at the southern border provides the City with additional river access.

CHARACTER: The part of property directly adjacent to 2122 N MLK Jr. Blvd. is paved for parking, but in a state of great disrepair. There is vegetation growth and debris in the area. Although there is no known record of permission to use this area as parking, if resurfaced and repaired, the continued use as parking/interior drive lane will have no expected impact on the current paved area of N MLK Jr. Blvd. The street and the parking area are of a different elevation and separated by a guard-rail and vegetation.
EXTENT: The parking lot encroachment ranges from 50 feet to 75 feet into the N MLK Jr. Boulevard. The proposed easement is limited to the eastern edge of the street right-of-way, separate of the paved area of N MLK Jr. Blvd. Legal description of the land will be detailed in City Council’s resolution.

STAFF RECOMMENDATION

Staff recommends approval of Applicant’s limited use of the N M L King Jr. Blvd. right-of-way (ROW) on the condition that a license agreement is drafted, reviewed, and signed with the following stipulations:

- The Applicant shall provide a detailed description for the boundaries of the proposed easement.
- The City of Lansing reserves the right to use and develop all land within the M L King Jr. Blvd. ROW for street maintenance, bridge construction, sewer construction, other utility construction and maintenance, and access to the Grand River, as necessary.
- The City of Lansing reserves the right of access to all land within the M L King Jr. Blvd. ROW, including paved surface of the parking lot, as necessary.
- The Applicant’s use of the ROW is confined to the existing area of parking and that such use does not interfere with current or future operations of the City of Lansing Public Service Department in regards to the bridge and to the sewers.
- The Applicant shall work with the City of Lansing Public Service Department to formalize a 40-foot wide easement centered on the 15” sanitary sewer.
- The Applicant and City of Lansing shall explore a River Trail easement agreement for the use of the Applicant’s property along the Grand River
ACT 33 REVIEW APPLICATION
CITY OF LANSING
PLANNING OFFICE

FILE NUMBER: ACT-
DATE SUBMITTED:

Applicant: 2122 N MLK Holdings, LLC
Address (including zip code): 5815 S. Pennsylvania Ave., Lansing, MI 48911
Phone number: (937) 469-1442
Fax number: __________________________ Email: micahsiegal@gmail.com

Interest in Property:
☑ Owner □ Represent owner □ Option to buy

If applicant of not the owner, or if there is more than one owner, provide the following information (attach additional sheets if necessary):

Name of owner(s): N/A
Address (including zip code):
Phone number(s):
Fax number: __________________________ Email:

SUBJECT PROPERTY GENERAL INFORMATION:
Address (if any): 2122 N. Martin Luther King, Jr. Blvd., Lansing, MI 48906
Location description: Western property line bordering N. MLK Blvd.
Permanent parcel #: 33-01-01-05-476-063
Legal description (see note below): See attached.
Applicant's proposal: See attached.
REQUESTED ACTION: (please check one)

- City Acquisition of Property
- Street or Alley Closure
- City Sale of Property

- Vacation of R.O.W
- Significant Change of Use of City Property

☑️ Other: Easement to repair/replace and use a portion of parking lot within the MLK Blvd. right-of-way

What positive impacts (if any) will occur as a result of approving this proposal?

1. Existing pavement in ROW will be resurfaced and improved;
2. Wider driving lane within parking lot,
3. Maintenance of existing parking lot lighting

What negative impacts (if any) will occur if this proposal is not approved?

Owner will be required to shrink its existing parking lot surface area, thus eliminating a drive lane for its facility's primary parking lot, elimination of some parking lot lighting, and potentially requiring the addition of new parking facilities (and related non-permeable surfaces) in another area of the owner's property.

What negative impacts (if any) will occur as a result of approving and implementing your proposal?

None known. The portion of the parking lot within the right-of-way pre-exists the current owner's ownership of the subject property.

Please fill out this application COMPLETELY and make sure that the following items are included:

Maps describing proposal. Maps should be readable and drawn to a specific scale.

Any other materials, brochures, pictures, etc. which will further explain the proposal.
NOTE:

If the action applied for will result in transfer of legal title from the City to the applicant or another or if the City otherwise requires, the applicant agrees to provide at the applicant’s expense:

- A certified legal description
- Title insurance
- An appraisal
- An environmental report for the property

or to pay for same at closing, whichever the City determines.

FEES:

- Involving land sales over $50,000: $100.00
- Involving land sales under $50,000: $50.00

Signature of applicant:

_________________________ / Date

Signature of owner(s):

_________________________ / Date

_________________________ / Date

_________________________ / Date

SUBMIT THE FULLY COMPLETED APPLICATION TO THE ADDRESS BELOW.

For assistance, please contact:

PLANNING OFFICE
316 N. CAPITOL AVE., SUITE D-1
LANSING, MI 48933
(517) 483-4066
FAX: (517) 483-6036
Act 33 Application of 2122 N. MLK Holdings, LLC

Legal Description of Property Involved:

SPLIT/COMBINED ON 01/04/2018 FROM 33-01-01-05-476-062, 33-01-01-05-476-122; BEARINGS SHOWN ON THIS SURVEY WERE DETERMINED IN THE FOLLOWING MANNER; THE EAST LINE OF LOT 24, TOWSEND'S SUBD WAS ASSUMED AS BEING S.00'-55'-16"W., PER EODETIC DESIGNS SURVEY DATED MAY 24, 2017 PART OF LOTS 21 AND 24 OF TOWSEND'S SUBDIVISION OF PART OF SECTIONS 4, 5, 8 AND 9, T.4 N.-R.2 W., CITY OF LANSING INGHAM COUNTY, MICHIGAN, AS RECORDED IN LIBER 37 OF PLATS, PAGE 150, INGHAM COUNTY RECORDS, DESCRIBED AS FALLS: BEGINNINGS AT A POINT ON THE SOUTH LINE OF LOGAN ACCESS ROAD, WHICH IS 322.00 FEET, ON SAID EAST LINE OF LOT 24, S.00'-55'-19"W., OF THE INTERSECTION OF SAID EAST LINE AND THE SOUTH LINE OF GRAND RIVER AVENUE; THENCE CONTINUING S.00'-55'-19"W. ON SAID EAST LINE AND SIAD SOUTH LINE OF LOGAN ACCESS ROAD, 29.80 FEET; THENCE N.58'-46'-46"E., ON SAID SOUTH LINE, 9.97 FEET; THENCE S.00'-55'-19"W., PARALLEL WITH SAID EAST LINE OF LOT 24, 366.64 FEET; THENCE S.89'-19'-52"E., 30.75 FEET; THENCE S.00'-40'-08"W., PARALLEL WITH THE EAST LINE OF LOT 21, TOWSEND'S SUBDIVISION, 353.00 FEET; THENCE S.89'-16'-52"E., 295.00 FEET TO EAST LINE OF SAID LOT 21; THENCE S.00'-40'-08"W., ON SAID EAST LOT LINE, 474.11 FEET TO A TRAVERSE LINE ALONG THE NORTHERLY BANK OF THE GRAND RIVER, IT IS THE INTENTION OF THIS SURVEY TO INCLUDE ALL LANDS BETWEEN SAID TRAVERSE LINE AND THE WATER'S EDG OF SAID GRAND RIVER; THENCE N.64'-45'-38"W., ALONG SAID TRAVERSE LINE, 370.57 FEET TO A POINT ON THE EAST LINE OF SAID LOT 24; THENCE N.00'-55'-19"E., ON SAID EAST LINE, 30.00 FEET; THENCE N.57'-07'-25"W., 240.00 FEET TO A POINT ON THE EAST LINE OF MARTIN LUTHER KING JR. BOVLEVARD; THENCE N.00'-46'-53"E., ON SAID EAST LINE, 765.00 FEET TO THE SOUTH LINE OF SAID LOGAN ACCESS ROAD; THENCE ON THE SOUTH LINE OF SAID LOGAN ACCESS THE FOLLOWING TWO COURSES: NORTHEASTERLY 127.00 FEET, ON THE ARC OF A 260 FEET RADIUS CURVE TO THE RIGHT. SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF N.49'-15'-43"E., 125.75 FEET THENCE N.63'-15'-19"E., 126.00 FEET TO THE POINT OF BEGINNING, CONTAINING 7.74 ACRES OF LAND WITHIN TRAVERSE BOUNDARY AND 8.0+- ACRES TO WATER'S EDGE SUBJECT TO ANY EASEMENTS OF RECORD.

Applicant's Proposal:

Introduction

2122 N MLK Holdings, LLC ("MLK Holdings" or "Applicant") is a real property holding company which owns the former "Pro Bowl" complex on North Martin Luther King, Jr. Blvd. near its intersection with Grand River Avenue.

MLK Holdings acquired the facility in 2018 and closed on the sale and acquired title in April 2019 in connection with the construction of a licensed medical marihuana grower facility to be operated by PG Manufacturing, LLC ("Pro Gro"). Pro Gro won eight (8) Class C licenses from the City of Lansing medical marihuana licensing program in 2018.

In the time since Pro Gro was awarded this local approval, MLK Holdings and Pro Gro have been constructing improvements on the Pro Gro complex. These efforts have
included asbestos remediation, installation of new electrical, plumbing, HVAC, foundation, flooring, and grow room demising walls within the facility. These and other improvements will permit Pro Gro to execute on its plans to operate the largest grow facility within the City of Lansing in Q1 2020.

Since the Pro Gro facility will have employment levels ranging between 100-250 employees and will, on a routine basis, be visited by third parties such as customers and regulators, Pro Gro needs to provide a substantial, well-maintained parking lot. The parking lot left behind by the former bowling alley user was in a serious state of disrepair. Applicant is committed to improve the parking lot.

_The MLK Blvd. Right-Of-Way_

In connection with surveying the property and obtaining quotes to resurface the parking lot running parallel with MLK Blvd., Applicant discovered that a portion of the parking lot depicted in the attached site plan was built within the MLK Blvd. right-of-way by a prior owner of the property.

An examination of the title records did not indicate that a license or other easement was ever executed in favor of a previous property owner permitting the construction of the parking lot within the ROW.

MLK Holdings wishes to maintain the parking lot as it is located now because removal of the parking lot within the ROW will require elimination of a drive lane for the parking lot.

The impact on the City and the integrity of the ROW is minimal: the impacted portion of the parking lot, as currently located, has likely been within the ROW since the bowling alley was constructed with little or no negative impact on the City and motorists on MLK Blvd.

In fact, as can be seen in the attached photographs, MLK Blvd. is between twelve and three feet above the grade of the parking lot. In other words, the lands located within the ROW which are impacted by the parking lot are not currently needed by the City, nor will it likely ever be needed, for expansion of the roadway or shoulder.

On the other hand, requiring Applicant to remove the parking lot will work a substantial hardship on MLK Holdings. It will require shrinking the parking lot and
removing a drive lane, resulting in cars and pedestrians having less room to navigate the remaining parking lot. It may also necessitate construction of additional parking facilities elsewhere on the parcel, resulting in additional non-permeable surfaces and more unnecessary storm water runoff.

In short, balancing the pros and cons of granting the license/easement to maintain and improve the parking lot – but not expand it – clearly results in a conclusion that this Act 33 application should be granted in favor of the Applicant.

MLK Holdings welcomes the opportunity to provide additional information regarding this application. The undersigned serves as MLK Holding’s representative regarding this matter. His contact information appears below.

Respectfully submitted

Micah M. Siegal
5815 S. Pennsylvania Ave.
Lansing, MI 48911
(937) 469-1442 (cell)
micahsiegel@gmail.com