MINUTES – Approved

1. OPENING SESSION

Dr. Bhatti called the meeting to order at 6:35 p.m.

   a. Present: Katie Alexander, Gary Manns, Marta Cerna, Farhan Bhatti, Monte Jackson
   b. Absent: John Ruge, Tony Cox, Josh Hovey
   c. Staff: Bill Rieske, Andy Fedewa

2. APPROVAL OF AGENDA

Bill Rieske requested that the Public hearing for the draft Form-Based Code be moved to after New Business.

The Board approved the revised agenda by unanimous consent.

3. COMMUNICATIONS

   o Jennie Grau, on behalf of the Prospect PLACE Neighborhood, in support of NCU-1-2019, 230 S. Holmes Street.
   o Christine Clements, in support of NCU-1-2019, 230 S. Holmes Street.
   o Lara Bruder, on behalf of fifteen members of Unity Spiritual Center, in opposition to NCU-1-2019, 230 S. Holmes Street.
   o Linda I. Garza, 216 S. Holmes St., in opposition to NCU-1-2019, 230 S. Holmes Street.
   o Janet Hershberger, 1216 Prospect St., opposition to NCU-1-2019, 230 S. Holmes Street.
   o Kimberly A. Moore, Lansing Auto Repair, in support of Z-9-2019, 5400 S. Cedar Street.
   o Kathleen Bruchill, Comerica Bank, 5226 S. Cedar St., in support of Z-9-2019, 5400 S. Cedar Street.
   o Jeffrey P. Dice, RPM Auto Sales, 5436 S. Cedar St., in support of Z-9-2019, 5400 S. Cedar Street.
   o Herb Rials, Premier Oil Shop, in support of Z-9-2019, 5400 S. Cedar Street.

4. PUBLIC HEARINGS


   Mr. Rieske stated this is a request by Jeffery and Sheryl Landgraf to conditionally rezone 3440 N East St. to allow for a medical marijuana safety compliance facility.
The applicants have requested a condition for the rezoning to prohibit the property from being used for any purpose involving marijuana with the exception of a safety compliance facility, with the condition running with the land and be binding upon the successor owners of the land.

Mr. Rieske stated that staff recommends that the conditional rezoning be approved with the condition that the property be prohibited from being used for any purpose involving marijuana with the exception of a safety compliance facility.

Sheryl Landgraf spoke on their application.

Dr. Bhatti opened the public hearing. Seeing no one wishing to speak, Dr. Bhatti closed the public hearing.


Mr. Rieske stated this is a request by Unity Spiritual Center of Lansing for Class A Nonconforming Status in order to permit the fire damaged church building to be restored/repaired. The site is currently classified as Class B Nonconforming Status which limits what can be restored/repaired and the amount of money that can be put into the building for restoration/repair to 35% of the building value prior to the damage. Additionally, the site does not conform to the minimum two (2) acre lot size and does not have access to a major or minor arterial street as required for churches on a residentially zoned parcel of land.

The request to exceed the 50% limitation for a Class A Nonconforming will be heard by the Board of Zoning Appeals on their regularly scheduled meeting, January 9, 2020.

Mr. Rieske stated that staff recommends approval of the request for Class A Nonconforming Status for the church building at 230 S Holmes Street (PID # 33-01-01-15-331-132), based on the findings of fact stated in the staff report, with the condition that the necessary permits are obtained and the work to restore/repair the fire damage commence within one (1) year from the date of this approval.

John Garlick (no address given) spoke in favor of the request.

David Otis, 3821 Dobie, Okemos, spoke in opposition to the request.

Belinda Fitzpatrick, 224 S Holmes St. Lansing, spoke in opposition to the request.

Lora Bruder, 5400 Zimmer Rd. Williamston, handed out a transcript of her comments and stated she spoke on behalf of 15 members of the church. Ms. Bruder spoke in opposition the request.
Sharon Ketchum, 1531 Osborn Rd. Lansing, is reverend for the church and spoke on the amount of money needed to repair the building. Rev. Ketchum stated that the sanctuary size is not being expanded, but they will make the building more accessible and include an elevator. Rev. Ketchum spoke on the condition of the parking area and stated that the church can simply hold additional services if the demand for parking is too great.

Dan Maynard, 2237 Luwanna Dr. Lansing, spoke in favor of the request.

Debra Otis, 3821 Dobie Rd. Okemos, spoke in opposition to the request.

Seeing no one else wishing to speak, Dr. Bhatti closed the public hearing.

5. COMMENTS FROM THE AUDIENCE – None

6. RECESS – Not taken

7. BUSINESS

A. Consent Items

(1) Minutes for approval: October 1, 2019

Without objection, the October 1, 2019 minutes were approved.

(2) 2020 Planning Board Meeting Schedule

Without objection, the 2020 Planning Board Meeting Schedule was approved.

(3) Z-9-2019, 3440 N East Street (PID # 33-01-01-03-102-002), Conditional Rezoning from “F” Commercial District to “G-2” Wholesale District

Without objection, Z-9-2019 was approved.


Mr. Jackson made a motion to deny NCU-1-2019. There was no second.

*Ms. Cerna made a motion, seconded by Mr. Jackson to table NCU-1-2019. Motion carried unanimously.*

B. Old Business – None

C. New Business

Andy Fedewa stated this application is for 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. Blvd. right-of-way (ROW), but used by the business at 2122 N MLK Jr. Blvd. Existing pavement in the ROW will be resurfaced and improved; a driving lane within the parking lot will be widened, and there will be maintenance of existing parking lot lighting. Currently, this section of the parking lot is separated from the actual street by a different elevation, a guard rail, and vegetation. No existing easement for parking use in the ROW was found.

Mr. Fedewa mentioned some of the comments of concern and property details made by the Lansing Public Service Department. 1948 a 15” sanitary sewer was constructed along the river. In 1960 the City accepted the southern 30’ of the parcel for river improvements. Staff recommends approval of the applicant’s limited use of the N M.L. King Jr. Blvd. ROW on the condition that a license agreement is drafted, reviewed, and signed with the Public Service Department’s stipulations.

**Dr. Bhatti made a motion, seconded by Ms. Alexander to approve Act-16-2019 with the condition that a license agreement is created with the following conditions:**

- 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

*Motion carried unanimously.*
Mr. Rieske stated that the public hearing for this case was advertised for December 3, 2019, but no quorum was present. It would be up to the Board to take action or not at this meeting.

Pat Lennon, attorney on behalf of the applicant, presented the application. He stated that this is a conditional rezoning to “G-2” to allow for U-Haul self-storage, truck and trailer sharing, and a moving and storage retail store. The conditions would prohibit marijuana facilities of any kind on the property, the proposed storage building located north of the S Cedar St. driveway will have an architectural design consistent with the rendering shown on the plan dated 8/29/2019, and the site improvements shown on the plan dated 8/29/2019 will be installed prior to occupancy.

Board Member Jackson clarified that two (2) outlots will remain “F” Commercial district.

Bruce Gershenson, property owner, stated this redevelopment is a $10m investment. The site currently has issues with graffiti and homeless persons.

Board Member Alexander expressed appreciation for the applicants revisions to the application and architectural design based on previous discussions.

Board Member Cerna asked for clarification about the locations of nearby facilities and questioned the demand for such businesses.

Jon Gilmore, U-Haul Company of Western Michigan president, spoke on the demand for U-Haul services they have experienced. Mr. Gilmore stated they intend to hire 12-15 employees for this location and he estimated there would be 20-40 temporary construction jobs during redevelopment.

Dr. Bhatti made a motion, seconded by Mr. Manns to approve Z-8-2019, a request 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. to rezone the property at 5400 S. Cedar Street from “F” Commercial to “G-2” Wholesale district with the condition that no marijuana facilities of any kind be established on the property, the proposed storage building located north of the S Cedar Street driveway have an architectural design consistent with the rendering shown on the plan dated 8/29/2019, and the site improvements shown on the plan dated 8/29/2019 be installed prior to occupancy of the existing buildings or any new buildings on the site.

Motion carried by a vote of 4-1. Ms. Cerna cast the dissenting vote.

(3) SLU-3-2019, 1315 Massachusetts Avenue (PID # 33-01-01-10-180-161), Special Land Use Permit, Parking lot in “B” Residential district.

Mr. Rieske stated the request for a Special Land Use Permit to allow parking in the “B” Residential district is requested by Capital Area Community Services, Inc. A parking lot would be constructed on the south 18.5 feet of the vacant lot of 1315 Massachusetts Ave. with an eight (8) feet landscape buffer and a six (6) foot tall privacy fence. This new parking would be used by Capital Area Community Services for their Head Start program in the old Grand River Elementary School, just south of the subject property. If approved by the City and the Ingham County Land bank, the remaining section of the land would be split and transferred to the neighbor at 1319 Massachusetts Ave. for driveway usage.

Diane Hickens, 1319 Massachusetts Ave., property owner spoke in opposition.

Miguel Rodriguez, Head Start, spoke on the application and the need for additional parking.

Roger Donaldson, architect, stated that the parking would only be for one aisle and 11 spaces.

Mr. Jackson inquired of what material the fence would be made.

Mary Farrand, Head Start, stated that additional parking could not be placed south of the main building due to underground conditions.

Ms. Alexander asked about the rationale for the parking. Ms. Farrand
answered that they hope to stop people from parking along Massachusetts Ave. in front of the building.

Mr. Manns made am motion, seconded by Mr. Jackson to recommend approval of SLU-3-2019 to permit a parking lot on the property at 1315 Massachusetts Avenue.

Motion carried unanimously.

PUBLIC HEARINGS

c. Form-Based Code

Mr. Rieske reviewed the status of the Form-Based Code. A new final draft will be sent to the board members and posted on the City website. Some language has been revised and there is a master use table. Mr. Rieske stated an additional Public hearing is scheduled for the next regularly-scheduled Planning Board meeting, February 4, 2019 at which the Board can take action on the Code. If approved, the Zoning Code will be sent to the City Council Planning Committee.

Ms. Cerna said a training on the Form-Based Code would be beneficial to the Board members so that they can discuss it with the community.

Dr. Bhatti opened the public hearing. Seeing no one wishing to speak, Dr. Bhatti closed the public hearing.

8. REPORT FROM PLANNING MANAGER - None

9. COMMENTS FROM THE CHAIRPERSON - None

10. COMMENTS FROM BOARD MEMBERS

Ms. Cerna stated that the Board members are appointed and serve the community on a voluntary basis. She decried the treatment she received during the processing of her reappointment. She had no idea she would be asked to speak ‘off the cuff’ on such matters as the Comprehensive Plan or the form based code proposal, and to hold special meetings with people in their neighborhoods. Had she been told ahead of time that she would be asked such questions, she would have been better prepared for them.

11. PENDING ITEMS: FUTURE ACTION REQUIRED - None

12. ADJOURNMENT – The meeting was adjourned at 8:20 p.m.