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 in 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.