



Department of Planning &
Community Development

Staff Contact: Timothy R. Schmitt
Phone No.: 517-319-6828
PC Agenda: January 23, 2008

PRELIMINARY STAFF REPORT
January 17, 2008
Ordinance 1188

SUBJECT

An application for Ordinance 1188, a request from CADA Investment Group to rezone 1.28 acres of land along Valley Court, west of Evergreen Avenue, from C, Community Facilities, RM-32, City Center Multiple Family Residential, and B-1, General Office Business, to RM-32, City Center Multiple Family Residential and 2.87 acres of land along Evergreen Avenue, Abbot Road, and Grand River Avenue, from B-1, General Office Business, B-3, City Center Commercial, and RM-32, City Center Multiple Family Residential, to B-3, City Center Commercial.

BACKGROUND

The properties in question are a combination of properties that are already largely developed, located along the existing Evergreen Avenue and Albert Street, west of Abbot Road. The properties currently have a number of uses located on them.

The property to be rezoned to B-3 consists of the following:

- The southernmost buildings, fronting onto Grand River Avenue, include a four-story vacant office building (built in 1927 and renovated substantially in 1993) and a series of two-story mixed use buildings, with retail uses on the first floor and residential uses on the second floor (all built in 1917). These properties are already zoned B-3 and are included to make the record clear on where the project is located. Their acreage is included in the acreage to be rezoned.
- Property to the north along Albert Avenue includes a vacant, two-story former bank building (built in 1938 and renovated in 1997) and a City owned parking lot/Albert Avenue right-of-way. These properties are already zoned B-3 and are included to make the record clear on where the project is located. Their acreage are included in the acreage to be rezoned.
- The right-of-way for the existing Evergreen Avenue. The right-of-way is zoned both B-1 and RM-32.
- The westernmost portion of the properties located at 315-345 Evergreen, which includes a small portion of an existing, City owned, surface parking lot and two, three-story apartment buildings (built in 1964). These properties are all currently zoned RM-32.

The property proposed to be rezoned to RM-32 includes the following:

- The remainder of the property at 341-345 Evergreen. This property is already zoned RM-32 and is included to make the record clear on where the project is located. Its acreage is included in the acreage to be rezoned.
- The northwestern portion of 315 Evergreen. This property is currently zoned B-1 and is the location of a City owned parking lot.
- Property at 237 Valley Court Drive, which is currently zoned B-1 and is the located of a City owned parking lot.
- The existing Valley Court Drive right-of-way. Researching City records, it is somewhat unclear what the actual zoning is for the right-of-way, but the current zoning map shows a mix of C, B-1, and RM-32 zoning.
- Two small portions of Valley Court Park are proposed to be rezoned. They are currently zoned C.

The surrounding area is a fully developed portion of the western edge of the downtown. To the north of the subject properties, along Abbot Road, is the AT&T switching station, which is zoned B-3. Further north is a multiple family house at 421 Abbot, which is zoned RM-32. The northern edge of the properties along Evergreen is 420 Evergreen, a multiple family house, which is zoned RM-32. Further to the north are other multiple family houses, also zoned RM-32. To the west of the project is Valley Court Park, which is zoned C. To the south is People's Church, which is zoned B-1. Further south is Michigan State University, zoned U, University District. To the east are properties in the downtown of East Lansing, all zoned B-3.

Ordinance 1188 proposes a two part rezoning, as described above. The rezoning was compiled into one rezoning request since the requests being reviewed are all related. This request, along with Ordinances 1186 and 1187 are all related to the review of the City Center II site plan, which is reviewed under a separate heading. Please review the submitted "Proposed Zoning" map for a more clear explanation of the properties to be rezoned, their location, and how they relate to the neighboring properties.

The B-3 City Center Commercial District generally permits retail stores, with the exception of automobile intensive uses, such as drive throughs and auto service centers. Other permitted uses include offices, hotels, personal service establishments, restaurants (without alcohol sales), theaters, and various public and semi-public uses, including art galleries, as principal permitted uses. Uses permitted with a Special Use Permit include parking lots, recreational uses, drive-in facilities, any facility selling or serving alcohol, and multiple-family dwelling units, when accompanied by a principal permitted use. These uses are intended to be located in multi-story buildings (up to ten stories or 140 feet under the current ordinance) as a high intensity district. The land area available for city center commercial zoning is limited, making vertical construction preferred, with a principal use located on the first floor, at a minimum, and other uses located above.

The RM-32, City Center Multiple Family Residential, is generally a more straight forward district. It allows multiple family residences on the edges of the downtown and is the home to a large number of student rentals surrounding the downtown and Michigan

State University. Permitted uses include any type of residential development, up to a density of 450 square feet of lot area per person for a Class A rental unit (other types of housing have different densities). Limited retail and office type uses are permitted in specific circumstances, including whether or not the building in question is located in an adaptive reuse block or is permitted subject to the requirements of the B-2 district.

OBJECTIVES OF THE COMPREHENSIVE PLAN

The East Lansing Big Picture Comprehensive Plan identifies this area as the western edge of the downtown and the initial transition area into the Park District and the surrounding residential areas to the north and further to the west. The frontage along Abbot Road is specifically identified for mixed-use, urban type of development, up to ten stories in height. Traveling further from Abbot Road, the properties along Evergreen Avenue are designated for mixed use development, between two and four stories. for a variety of uses. The property is in the western half of Planning Area 7, which is downtown East Lansing. The B-3 zoning is the City's main mixed-use district currently, promoting the mixing of uses within the same building.

Specific objectives in the Comprehensive Plan that are met through this proposal include:

- Objective 3-1 – Support both commercial and residential development opportunities downtown. *The B-3 district would strongly support both commercial and residential development in the downtown.*
- Action 3-1.3 – Implement the City's January 2006 Downtown Housing Policy. *The B-3 zoning would allow for residential development to occur in the downtown area, supporting the policy.*
- Action 3-1.8 – Require any redevelopment of existing commercial areas to include mixed-use, multiple-story buildings rather than strip development. *The B-3 district strongly encourages and permits this type of development, unlike the existing zonings for some of the properties.*
- Action 4.1-3 – Research and implement incentives for the redevelopment and revitalization of underutilized properties, such as: ... 4. Downtown's west end, between Delta Street and Abbot Road. *With this rezoning, the redevelopment of a portion of this area, identified as an important redevelopment possibility, will be more likely.*
- Action 5.2-1 – Provide opportunities for concentrated residential development within and adjacent to commercial and employment centers. *The downtown continues to be adjacent to the largest employment center in the area, Michigan State University. This rezoning would allow for residential units, as part of a mixed use development, to be located in close proximity the campus.*

PRELIMINARY STAFF REVIEW

The properties in question represent an important piece of the City's vision for the downtown and they act as a focal point to the downtown area. The City's vision for the downtown as a whole is a multi-use activity center for the community where people can

live, shop, and dine. The downtown is the cultural core of the community and is home to a variety of events and gatherings. The B-3 district encourages pedestrian areas, by allowing lot coverage bonuses in exchange for unique features, and promotes density in the form of taller buildings.

The site plan application associated with this rezoning request is taking advantage of potential that the B-3 district offers and would create a unique destination for the community. The current properties are out of character with the remainder of the downtown, as many of them are underutilized, in poor shape, or generally obsolete. By mixing the uses throughout the project and in some of the individual buildings that are proposed, the intent of the B-3 district is being met.

The B-3 Zoning District has little in the way of minimum requirements, including no setbacks and lot coverage requirements. It is intended for a very urban environment and type of development. The Comprehensive Plan recognized that higher density should be encouraged, with the properties in question representing the western edge of the downtown, and designated this area for higher buildings, ten stories along Abbot, up to four stories along Evergreen. The proposal meets a number of goals and objectives that the City has spelled out over the years, from the Comprehensive Plan to the Downtown Development Authority's Strategic Goals. The City even went so far as to purchase the former bank building, in anticipation of redevelopment in the area, to encourage and partner with future developers to guide what happens to the future of the downtown.

Traffic is also an important component of this proposal, as it is with any rezoning request. The Transportation Committee has reviewed the request initially at their meeting on the 14th of January and has asked for additional information, prior to their considering it in February, where they are expected to make a recommendation on the proposal. The rezoning proposal by itself potentially increases the traffic volumes in the area, but the applicant is proposing a number of mitigation techniques and road improvements with the actual site plan.

SUMMARY COMMENTS

Following the Public Hearing on Ordinance 1188 the Planning Commission will have an opportunity to have staff address any questions or request additional information and clarification. The Planning Commission will be granted an additional opportunity to discuss and ask questions of this proposal at the scheduled work session on January 30th. Staff expects to bring the request back to the Planning Commission's next meeting for this recommendation. The Transportation Committee is currently reviewing the overall site plan for the City Center II project and will provide comments and a recommendation regarding that project, including Ordinances 1187 and 1188, prior to the Planning Commission's next meeting.

SKETCH PLAN

C ZONING
SEE SHEET 5
FOR DETAILS

VALLEY COURT
RM-32 ZONING SEE
SHEET 2 FOR DETAILS

C ZONING
SEE SHEET 5
FOR DETAILS

P ZONING SEE SHEET
3 FOR DETAILS

B-3 ZONING SEE
SHEET 4 FOR DETAILS

EVERGREEN AVENUE

ABBOTT ROAD

GRAND RIVER AVENUE

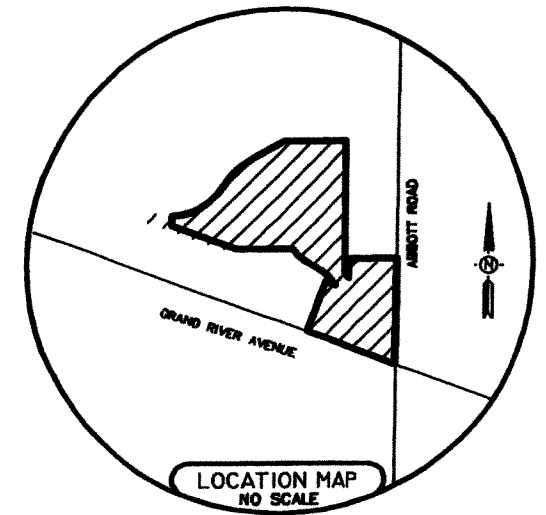
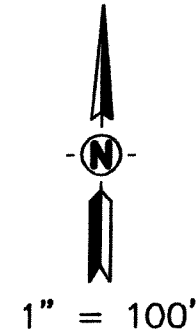



EXHIBIT DRAWINGS.DWG

 KEBS, INC. KYES ENGINEERING BRYAN LAND SURVEYS	
2116 HASLETT ROAD, HASLETT, MI 48840 PH. 517-339-1014 FAX. 517-339-8047	
Charlotte Office Ph. 517-543-7076	Marshall Office Ph. 269-781-9800
DRAWN BY SLH	SECTION 13, T4N, R2W
FIELD WORK BY RDF	JOB NUMBER:
SHEET 1 OF 5	80761.BND-1

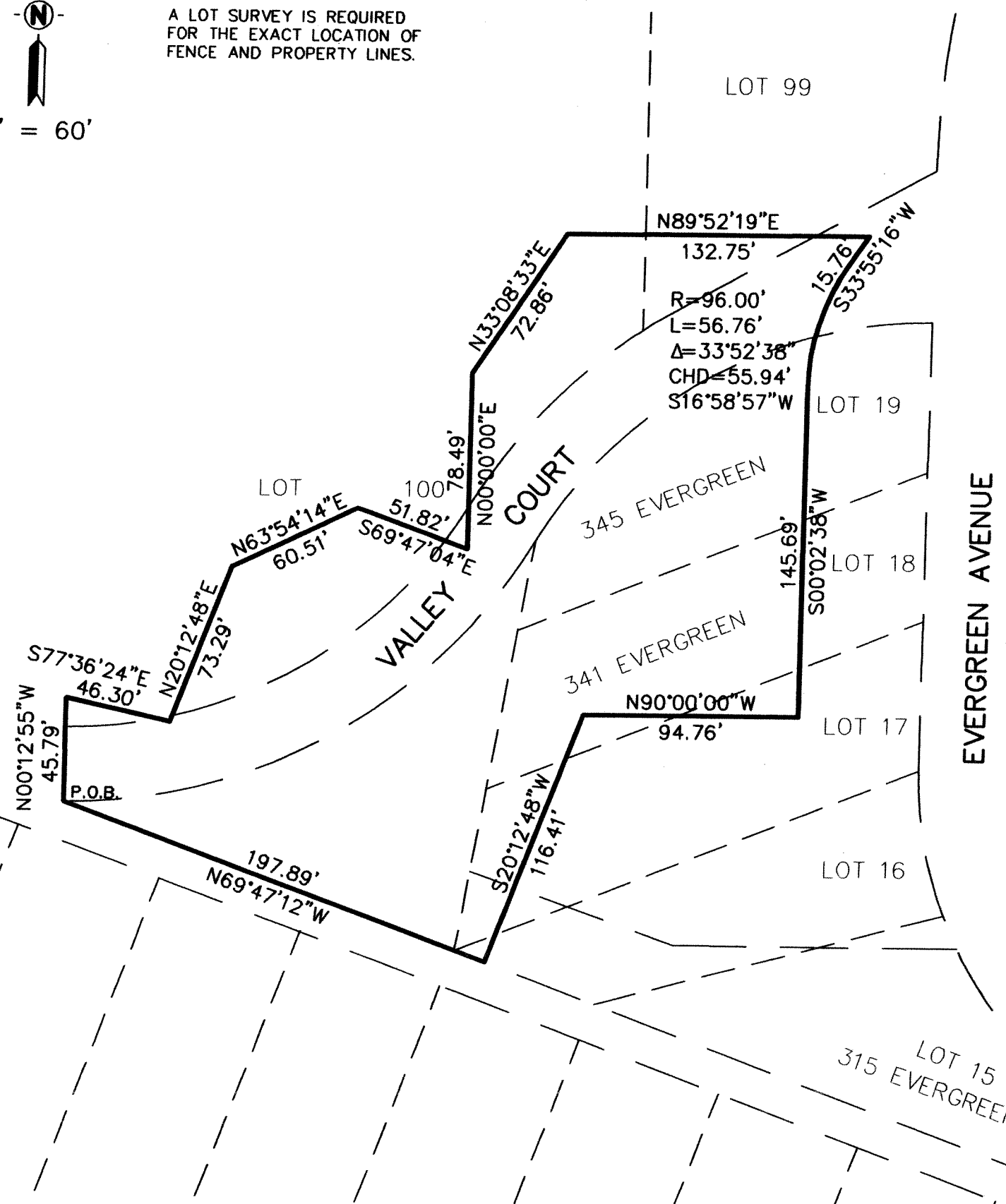
Scott E. Koch 12-18-07
 SCOTT E. KOCH DATE
 PROFESSIONAL SURVEYOR No. 41103

SKETCH PLAN



1" = 60'

A LOT SURVEY IS REQUIRED
FOR THE EXACT LOCATION OF
FENCE AND PROPERTY LINES.



LEGAL DESCRIPTION FOR AREA TO BE ZONED RM-32:

A parcel of land located in the Northeast 1/4 of Section 13, Town 4 North, Range 2 West, being a part of Lots 15, 16, 17, 18 and 19, and all of Lot 20 of the Plat of Oakwood, City of East Lansing, Ingham County, Michigan according to the recorded plat thereof, as recorded in Liber 2 of Plats, Page 33, Ingham County Records, also a part of Lots 99 and 100 of the Subdivision of Lot 83 of the Plat of Oakwood, City of East Lansing, Ingham County, Michigan, as recorded in Liber 3 of Plats, Page 9, Ingham County Records being described as: Beginning at the Southwest Corner of Lot 20 of said Plat of Oakwood; thence N00°12'55\"W, 45.79 feet to the Northerly right-of-way line of a proposed road; thence S77°36'24\"E, 46.30 feet along said proposed right-of-way line; thence N20°12'48\"E, 73.29 feet; thence N63°54'14\"E, 60.51 feet; thence S69°47'04\"E, 51.82 feet; thence N00°00'00\"E, 78.49 feet; thence N33°08'33\"E, 72.86 feet; thence N89°52'19\"E, 132.75 feet to the centerline of a proposed road; thence along said proposed centerline, and its Southerly extension for the following three courses: 1) S33°55'16\"W, 15.76 feet, 2) Southerly, 56.76 feet along the arc of a curve to the left, said curve having a radius of 96.00 feet, a delta angle of 33°52'38\", and a chord bearing S16°58'57\"W, 55.94 feet, 3) S00°02'38\"W, 145.69 feet; thence N90°00'00\"W, 94.76 feet; thence S20°12'48\"W, 116.41 feet to the Southerly right-of-way line of a proposed road; thence N69°47'12\"W, 197.89 feet along said proposed right-of-way line to the Southwest Corner of Lot 20 of said Plat of Oakwood, and the point of beginning; said parcel contains 1.28 acres, more or less; said parcel being subject to any easements or restrictions of use or record, if any.

EXHIBIT DRAWINGS.DWG



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DRAWN BY SLH

SECTION 13, T4N, R2W

FIELD WORK BY RDF

JOB NUMBER:

SHEET 2 OF 5

80761.BND-1

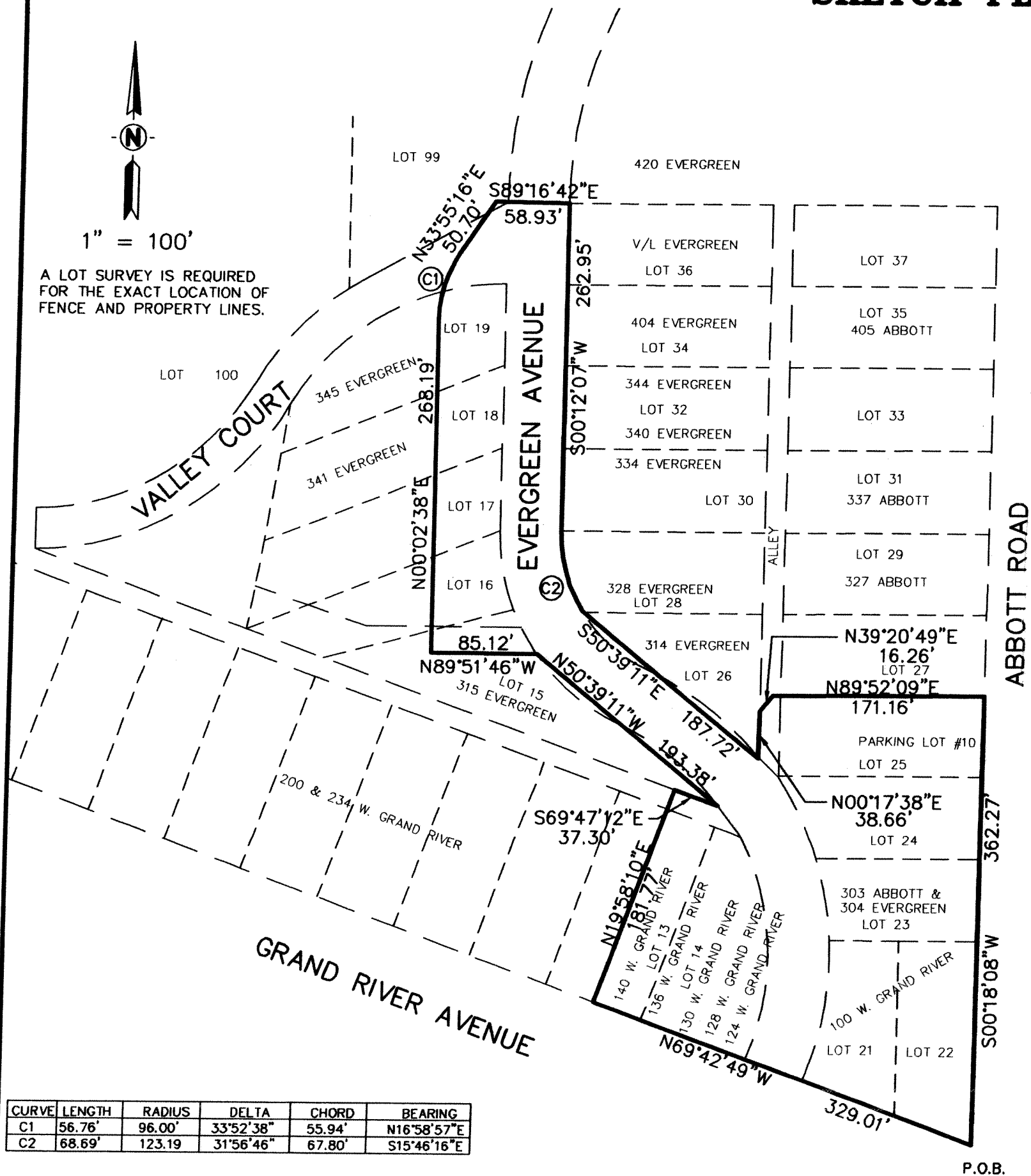
SCOTT E. KOCH
PROFESSIONAL SURVEYOR

DATE
No. 41103

SKETCH PLAN

LEGAL DESCRIPTION FOR AREA TO BE ZONED B-3:

A parcel of land located in the Northeast 1/4 of Section 13, Town 4 North, Range 2 West, being a part of Lots 13, 15, 16, 17, 18, 19, 26 and 28, and all of Lots 14, 21, 22, 23, 24, and 25 of the Plat of Oakwood, City of East Lansing, Ingham County, Michigan according to the recorded plat thereof, as recorded in Liber 2 of Plats, Page 33, Ingham County Records, also a part of Lot 99 of the Subdivision of Lot 83 of the Plat of Oakwood, City of East Lansing, Ingham County, Michigan according to the recorded plat thereof, as recorded in Liber 3 of Plats, Page 9, Ingham County Records being described as: Beginning at the Southeast Corner of Lot 22 of said Plat of Oakwood, thence N69°42'49"W, 329.01 feet along the Northerly right-of-way line of Grand River Avenue to the West line of the East 1/2 of Lot 13 of said Plat of Oakwood; thence N19°58'10"E, 181.77 feet along said West line to the North line of an alley; thence S69°47'12"E, 37.30 feet along said North line to the Westerly right-of-way line of a proposed road; thence along said proposed right-of-way line for the following two courses: 1) N50°39'11"W, 193.38 feet, 2) N89°51'46"W, 85.12 feet to the Southerly extension of the centerline of a proposed road; thence along said proposed centerline and its Southerly extension for the following three courses: 1) N00°02'38"E, 268.19 feet, 2) Northerly, 56.76 feet along the arc of a curve to the right, said curve having a radius of 96.00 feet, a delta angle of 33°52'38", and a chord bearing N16°58'57"E, 55.94 feet, 3) N33°55'16"E, 50.70 feet; thence S89°16'42"E, 58.93 feet to the Northwest Corner of Lot 36 of said Plat of Oakwood; thence along the Easterly right-of-way line of Evergreen Avenue for the following two courses: 1) S00°12'07"W, 262.95 feet, 2) Southerly, 68.69 feet along the arc of a curve to the left, said curve having a radius of 123.19 feet, a delta angle of 31°56'46", and a chord bearing of S15°46'16"E, 67.80 feet to the Easterly right-of-way line of a proposed road; thence S50°39'11"E, 187.72 feet along said proposed right-of-way line to the Southerly extension of the West line of an alley; thence thence N00°17'38"E, 38.66 feet along said West line and its Southerly extension to the East line of a proposed alley; thence N39°20'49"E, 16.26 feet along said proposed East line to the Westerly extension of the North line of Lot 25 of said Plat of Oakwood; thence N89°52'09"E, 171.16 feet along said North line and its Westerly extension to the Northeast Corner of said Lot 25; thence S00°18'08"W, 362.27 feet along the Westerly right-of-way line of Abbott Road to the Southeast Corner of Lot 22 of said Plat of Oakwood, and the point of beginning; said parcel contains 2.87 acres, more or less; said parcel being subject to any easements or restrictions of use or record, if any.



CURVE	LENGTH	RADIUS	DELTA	CHORD	BEARING
C1	56.76'	96.00'	33°52'38"	55.94'	N16°58'57"E
C2	68.69'	123.19	31°56'46"	67.80'	S15°46'16"E

EXHIBIT DRAWINGS.DWG



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SHEET 4 OF 5

80761.BND-1


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 SCOTT E. KOCH
 PROFESSIONAL SURVEYOR

12-18-07

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PAGE _____

No. 41103