



# PLANNING COMMISSION

Quality Services for a Quality Community

## MEMBERS

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Sheryl Soczek

### Vice Chair

Julie Jones-Fisk

Erik Altmann  
Fred Bauries  
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Laura Goddeeris  
Lee Reimann  
Paul Stokstad  
Stephen Wooden

### City Council Liaison

Kathleen Boyle

### Staff Liaison

Darcy C. Schmitt  
(517) 319-6941

City of East Lansing  
DEPARTMENT OF  
PLANNING,  
BUILDING AND  
DEVELOPMENT  
410 Abbot Road  
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## MINUTES [Excerpt]

**August 13, 2014, 7:00 p.m.**

54-B District Court, Courtroom #2  
101 Linden Street

Present: Altmann, Bauries, Davis, Goddeeris, Jones-Fisk, Reimann  
Soczek, Stokstad, and Wooden

Absent: None

Staff Members: D. Schmitt and T. Schmitt

### 5) COMMUNICATIONS FROM CITIZENS

#### A) Oral

Dorothy Brooks, 1336 Poplar Lane, addressed the Commission and spoke in support of Ordinance 1336, Percent for Art.

#### B) Written

Pastor Curt Dwyer, Martin Luther Chapel, email dated August 13, 2014 regarding the Park District redevelopment.

### 6) PUBLIC HEARINGS

A) **Site Plan and Special Use Permit: An application from Park District Investment Group, LLC, (PDIG) for Site Plan and Special Use Permit approval for the properties at 100, 124, 128, 130, 136, and 140 West Grand River Avenue, and 303 Abbot Road to demolish the existing structures and construct a ten-story mixed-use building (Building A) containing retail and restaurant spaces, a 120 room hotel with a restaurant serving alcohol, up to 102 studio, one-, two-, and three-bedroom apartments, and two levels of underground parking for 283 cars. The property is zoned B-3, City Center Commercial District. (D. Schmitt)**

D. Schmitt described the property, the location, and the proposed application as indicated in the Staff Report.

Jones-Fisk asked the ratio of commercial to residential space. D. Schmitt replied that Staff will provide the information at the next meeting.

Altmann stated that the Staff Report indicates that this proposal meets the Comprehensive Plan's Objective 2-3: Promote diversity in downtown housing; and asked how Staff knows the project will diversify housing in the downtown. D. Schmitt replied that Staff looks at the types of housing currently available; including the number of bedrooms per unit, the occupancy of a rental license, the percent of owner-occupied units, etc. She referenced the DDA market study recommendation that there is a need for more residential units in the downtown.

Altmann further asked how this proposal differs from the residential units of The Residences and St. Anne Lofts. D. Schmitt replied that diversification is type and location of housing, style, occupancy, and number of bedrooms.

Goddeeris asked Staff to expand on the statement that the Commission should review the project as a whole instead of individually as submitted. D. Schmitt replied that while the applications were submitted separately they all affect the other as they are developing simultaneously and they are dependent on each other.

Goddeeris further asked why the number of parking spaces required changed for each proposal. D. Schmitt replied that the analysis includes the number that is required for each proposal not all the projects as a whole. She further stated that the Commission has to consider: 1) whether on-site parking is appropriate, managed well, and will work for the community; and 2) where the required off-site parking is best situated, in a new parking structure or within the City's existing public parking.

The Commission discussed how to best handle public comment since all of the hearings are inter-related and the speaker cards indicate that a majority of the public wanted to comment on the Park District as a whole.

Soczek stated that the Commission would hear Staff's presentation of a proposal, then hear from the applicant, and hear public comment after all the proposals had been presented. The Commission agreed to hold all discussion until after public comment.

Todd Arend, Bergmann Associates, the applicant's representative, addressed the Commission and asked if they wanted him to talk to the project as a whole or individually. He stated that the reason the proposal for Building A included parking was a three-pronged issue; 1) Hotel Indigo requires on-site parking; 2) residents on levels six through ten have the ability to purchase an on-site parking space; and 3) if the project as a whole is done in phases rather than simultaneously, the applicant wanted parking for Building A.

Reimann asked Mr. Arend to clarify the type of hotel that is proposed. Mr. Arend replied that Hotel Indigo is a "boutique" hotel operator. He stated that the rooms on the second floor are

suites with large living rooms, a bar/kitchenette, and a second floor sleeping area. The rooms on the upper floors (three-five) do not have a second story.

Goddeeris asked if the proposed studio apartments have a kitchen area. Mr. Arend replied affirmatively and stated that they are designed to have an eight foot kitchenette. She further asked if two of the bedrooms in the three-bedroom units did not have windows. Mr. Arend replied affirmatively and described the proposed atrium.

Stokstad asked Mr. Arend to explain how the parking works. Mr. Arend replied that the parking is strictly valet service and the cars are lifted to each level of parking with a mechanical lift.

Altmann asked “who is going to live in this building and how do we know.” Mr. Arend replied that there is never any way to know but they would be marketing the units as high-end.

Wooden asked if the bedrooms without windows in the three-bedroom units included windows high toward the ceiling to utilize the natural light coming through the atrium. Mr. Arend replied affirmatively.

Davis asked if the applicant received a copy of Mr. Eliot Singer’s e-mail dated August 4, 2014 and asked Mr. Arend if he had any comments to statement number three regarding PDIG being included in the Park District project without having gone through the RFQP process. Mr. Arend replied that he did not have any comments and stated that Mr. Singer made an accurate statement.

**Public Comment:**

Christine Root, 729 Sunset Lane, addressed the Commission and stated that she has concerns with adding two restaurants that serve alcohol, traffic, and PDIG not being part of the RFQP process.

David Ledebuhr, 322 Abbot Road, addressed the Commission and stated that Peoples Church has concerns with ensuring access to the church, protecting the sanctity of the Memorial Garden, and continued access to parking.

Sheila Taylor, 801 Sunset Lane, addressed the Commission and stated that she was not against development and not against public/private partnerships but has concerns with the Park District development.

Steven W. Osborn, 1942 Tamarisk, addressed the Commission and advised them on design issues to keep in mind with the project.

Maureen McCabe-Power, 1200 Blanchette Drive, addressed the Commission and stated that she has concerns about the fairness of the selection of a developer through the RFQP process and the debt that the City would incur as part of a public/private partnership.

Reverend Andrew Pomerville, Peoples Church, addressed the Commission and echoed Mr. Ledebuhr's concerns. He thanked the Staff and DTN for including them in discussions and keeping them informed.

Altmann asked if there is an existing agreement that parking was legally "promised" by the City to the Church. Reverend Pomerville replied affirmatively.

Ralph Monsma, 1350 Red Leaf Lane, addressed the Commission and spoke in opposition to PDIG and aspects of the overall project. He provided written comments on Ordinance 1338.

Seeing no one else come forward, Soczek closed the public hearing.

Goddeeris asked if there was any additional information regarding parking other than what was provided in the Staff Reports. D. Schmitt replied that the applicants would be required to elaborate further on the preliminary shared parking analysis included in the Staff Reports.

Soczek asked if PDIG could provide color renderings of their proposed buildings since they are viewing all the proposals as interconnected. T. Schmitt replied affirmatively.

Reimann asked if Building B required parking in the municipal parking system would the DTN parking ramp be considered private or public. D. Schmitt replied that there are discussions now regarding the parking ramp to be public under the private/public partnership.

Altmann stated that parking is an issue that needs to be addressed in regard to the Peoples Church and what legally may have been promised to them. He also stated that parking for the Farmer's Market needs to be protected.

Davis stated that they should not ignore the numerous comments regarding the financial aspects of the project. He continued that they have been discouraged from talking about the financial aspect but have been told when it involves public money it becomes accessible and worthy of discussion. D. Schmitt replied that the Planning Commission's role is to review the development application under the review standards of Chapter 50, not to review or discuss the financial aspects of a project as that is City Council's role. Davis asked if there was a document stating that the Planning Commission does not review the financial aspect of a project. D. Schmitt replied that she would ask the City Attorney to write a legal opinion.

Goddeeris asked for Staff's perspective on how the Commission should handle the issue of "fairness" that has been mentioned in regard to the Park District RFQP process and selection of a preferred developer. D. Schmitt stated that the DDA still has to negotiate an agreement with PDIG to include a portion of the DDA's bank building at 303 N. Abbot in their project. She further stated that the property is too small to develop separately; therefore, it would not be unreasonable for the DDA to sell the property to PDIG.

Altmann stated that he was uncomfortable with the B-3 rezoning requests but feels the conditional rezoning that PDIG and DTN are willing to offer will help with the uncertainty of

what happens if one or both of the developers financing falls through and the project remains incomplete.

Altmann further stated that the special use permit requests for restaurants serving alcohol are an issue that needs to be addressed sooner than later as the conditions of the downtown when the temporary moratorium was in place have not changed. He continued that not adding more bars in East Lansing would alleviate some of the community's concerns.

Altmann continued that the financing was a piece that he believes everyone should understand given that there will be a vote to decide whether the citizens agree or disagree to sell the City owned property. He stated that a better understanding of the mechanics of the project and how the financing is going to work is a good place to start with getting the citizens on board to vote in favor of selling the City owned property.

Goddeeris asked when they could expect to see some detail or breakdown of who would be doing what on the infrastructure improvements. T. Schmitt replied that Staff has asked the applicant to follow-up.

Stokstad asked when they can expect to get a recommendation from the Transportation Commission. T. Schmitt replied that they will likely review the traffic study over more than one meeting and there is a third-party outside agency also reviewing the study.

Altmann asked if there will be a way to accommodate a pedestrian path to Valley Court from Abbot given the way Building E is proposed. T. Schmitt replied affirmatively and stated that the applicant's representative will be evaluating this.



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## MINUTES [Excerpt]

**September 24, 2014, 7:00 p.m.**

54-B District Court, Courtroom #2

101 Linden Street

Present: Altmann, Bauries, Davis, Goddeeris, Reimann, Soczek, Stokstad, and Wooden

Absent: Jones-Fisk

Staff Members: T. Dempsey, W. Longpre, D. Schmitt, and T. Schmitt

### 5) COMMUNICATIONS FROM CITIZENS

#### A) Oral

Christine Root, 729 Sunset Lane, addressed the Commission and stated concerns with reviewing Park District Investment Group's (PDIG) Building A application separate from the entire project, the building height, and parking.

Altmann stated that if there were to be a 10 story building built in the downtown it is hard to imagine a better location than this location. Ms. Root replied that she recognizes that the location is a good place for a tall building but the area would be too intense.

Davis asked for Ms. Root to clarify if she was saying that she believes the entire project (PDIG and DTN's proposals) should be reviewed as a whole for building size, intensity, and parking. Ms. Root replied affirmatively.

Wooden stated that the public hearing this evening is for the parking plan portion of the PDIG proposal for Building A. He further stated that the Commission is not obligated to take action on the Site Plan and Special Use Permit proposal from PDIG this evening and it will continue to be reviewed as part of the entire project as a whole. D. Schmitt stated that the PDIG proposal has not changed since the public hearings in August whereas the DTN proposal is being changed considerably and one project cannot be held up because the other projects are not ready.

**A) Oral (continued)**

Mark Sullivan, 1125 Daisy Lane, addressed the Commission and stated that he has concerns with the Park District project in terms of the process, parking and non-motorized traffic, financing, and the proposed uses.

**B) Written**

Eliot Singer, email dated September 24, 2014 regarding PDIG proposal.

**6) PUBLIC HEARINGS**

**B) Site Plan and Special Use Permit: An application from Park District Investment Group, LLC, for the properties at 100, 124, 128, 130, 136, and 140 West Grand River Avenue, and 303 Abbot Road to demolish the existing structures and construct a ten-story mixed-use building (Building A) containing retail and restaurant spaces, a 120 room hotel with a restaurant serving alcohol, up to 102 studio, one-, two-, and three-bedroom apartments, and two levels of underground parking for 283 cars. The property is zoned B-3, City Center Commercial District. (T. Schmitt)**

T. Schmitt described the property, the location, and the proposal as indicated in the Staff Report.

Goddeeris asked if the PC would have an opportunity to see the seven story alternate plan for Building A if the currently proposed plan fails. T. Schmitt replied affirmatively and stated that the alternative plan was requested by the DDA in the event that they chose to sell the smaller bank building at 303 Abbot. Goddeeris paraphrased the DDA letter and asked if they reviewed the seven story alternative plan. T. Schmitt deferred to T. Dempsey.

T. Dempsey, Director of Planning, Building and Development, addressed the Commission and stated that while the DDA requested the alternative, it was decided that Staff would not process the plan any further as having two plans for the same property creates legal issues and confusion in the community that become problematic.

Reimann stated that a letter from a bank was submitted with the application but it did not state that financing was approved. She asked if it was correct that the PC's role is not to review financing but the DDA has the authority to ask for additional financial information before making their recommendation to City Council. T. Schmitt replied affirmatively and referenced the Memo from September 2, 2014 addressed the financing question in depth as a project's financing does not fall under the purview of the PC.

Stokstad stated that he counts an eleven story building. T. Schmitt deferred to the applicant.

Mr. Arend addressed the Commission and stated that the company that did the renderings prepared an eleven story building and they used Photoshop to eliminate the eighth floor so it was correct. When Staff asked for an electronic version of the plan they forgot to remove the extra

floor. Mr. Arend stated that a new ten story rendering will be provided for the Commission's review. Stokstad asked if the height was correct with an extra floor. Mr. Arend replied negatively and stated that the additional floor added additional height that is incorrect.

Davis stated that he apologizes for bringing up review of the finances again but he has some questions in regard to the directions that were giving and how it relates to the ordinance, the state law, and the U.S. Constitution. He stated that he thinks it can be argued that the PC can discuss the financial aspect of a project. D. Schmitt replied affirmatively and stated that they can discuss the financials but the PC cannot weigh their decision on the financial information. Davis replied that he would not come to that same conclusion.

Davis further asked if a TIF was involved with the project. T. Dempsey replied that the DDA and Staff have had conversations with the developer in regarding to a TIF for infrastructure costs but at this time they have not submitted a tax increment financing plan; although, Staff expects that they will be submitting one. T. Dempsey further stated that the DDA and BRA will both likely consider the TIF plan for this project. Davis asked if the City would have an opportunity to inquire into the financing. T. Dempsey replied that if a TIF plan is submitted then the City will have an opportunity to review the financials of the project. He continued that depending on the request and of the level of commitment by those bodies they may enter in a development agreement which would potentially require even further review financial due diligence.

Davis stated that based on the plans it looks as though the City is going to close a portion of Evergreen Avenue, which in essence, is helping support the project. He stated that the citizens of the City own the streets. T. Dempsey replied that streets are not owned by the City but rather they are in the public right of way and State law requires that if you vacated right of way, that right of way is split down the center and half goes to the adjoining property owner. T. Dempsey continued that the plans call for a public pedestrian walkway in that proposed closed area of Evergreen Avenue, which would still be a public right of way and as such, not vacated.

Davis asked if the property owned by the DDA is essentially owned by the City as the DDA is a branch of the City. T. Dempsey replied negatively and stated that State statute grants the DDA certain powers; one of which is the ability to acquire and dispose of property and they can do that without the same requirements as the City. He further stated that the decision to buy or sell DDA property is the decision of the DDA and not required to have voter approval.

Wooden explained the benefit of having various Board and Commissions that simultaneously review a project under their own guidelines and stated that the entity that is most knowledgeable about a specific aspect of a proposal is the entity that needs to make that recommendation to City Council.

Altmann stated that a project with a low probability of obtaining financing has a low probability of being successful. He continued that a project with low probability of being successful has a direct effect on how successful the City meets the goals and objectives of the Comprehensive Plan. He further stated that separating functions that interact is a problem.

Altmann also stated that the DDA and the BRA are populated by people that are not necessarily

East Lansing tax payers and East Lansing tax payers are in fact the people who are on the hook for TIF agreements.

Goddeeris reiterated the need to have the DLZ memo regarding transportation issues. She also asked if Staff could provide some expertise with the landscaping condition recommended by the Parks and Recreation Commission.

Mr. Arend, Bergmann Associates, addressed the Commission and stated that they read the Staff Report and are accepting of most of the conditions but have a few minor exceptions. Soczek asked him what the exceptions were. Mr. Arend replied that condition 7 talks about the exterior lighting and they would like a fourth comma that states that upward lighting shall be directed to the top of the building and not the sky or adjacent buildings. Condition 12 stated that person under 21 years shall not be permitted to access the premises; they would like the words “premises” to read “restaurant/bar area”. He continued that they believe condition 16 does not apply as the restaurant would be exempt from the 50/50 rule.

Stokstad asked Mr. Arend to explain the bike and pedestrian pathway as discussed by the TC. Mr. Arend replied that the bike lane heading south of Abbot (toward campus) would need to be moved from the outside right lane to the middle through lane as there will be two lanes of traffic turning west on Grand River from Abbot. He continued that the suggestion was to reroute the bike lane west from Abbot at the new Albert to a dedicated bike lane on the 30’ open space (pedestrian walkway) between Building A and Peoples Church.

Reimann stated that she would like to see something other than the bike lane rerouted west down Albert as she believes that some bikers will continue south on Abbot regardless of the lane. Mr. Arend replied that bikers will have to contend with the drop off lane of Building A in addition to the two lanes of traffic turning west on Grand River. He stated that they would be happy to discuss an alternative with anyone who has a suggestion.

Altmann stated that he, as a biker, would not take the building all the way around but rather would cross at Abbot and Grand River. He stated that a concern is that there will be six lanes of traffic on Abbot without an island in the middle which would allow for pedestrians to “hop” through. He further stated that another concern is the valet drop off on the east side of the building as people heading north on Abbot will make an “urban left” to access the valet drop off. Mr. Arend replied that he cannot design a building that would prevent people from making illegal maneuvers. He further stated that he would look into the possibility of adding a small island to help discourage “U” turns.

Mr. Arend continued that they also take exception to Condition 18, which states that the restaurant closes no later than midnight, is not possible as the hotel requires the restaurant to remain open until 2:00 AM. Soczek asked if only residents and hotel guests would be using the restaurant past midnight. Mr. Arend replied negatively. Wooden stated that the Marriott closes at midnight. Altmann stated that he would support Condition 18 as outlined in the Staff Report due to the analysis that was presented during review of the ordinance that put a moratorium on the request of restaurants serving alcohol and staying open past midnight to add additional seats in the downtown.

Stokstad stated that a requirement of a SUP review that the new building be compatible with its surrounding and asked if there was any attempt to make the building architecturally compatible with Peoples Church. Mr. Arend replied that the design is complimentary to the Peoples Church.

Ralph Monsma, 1350 Red Leaf Lane, addressed the Commission and spoke in opposition to the proposed application.

Bauries stated that he is not aware that the Commission has seen the traffic plan for the first block of Abbot. T. Schmitt replied that sheet C100 shows the first and second block and sheet C101 zooms in for a closer view showing how much wider the street will be.

The Commission discussed the proposed traffic patterns and alternatives to the bike lane as recommended by the TC.



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## MINUTES [Excerpt]

**October 8, 2014, 7:00 p.m.**

54-B District Court, Courtroom #2  
101 Linden Street

**Present:** Altmann, Davis, Goddeeris, Jones-Fisk, Reimann, Soczek, Stokstad, and Wooden

**Absent:** Bauries

**Staff Members:** T. Dempsey, D. Schmitt, and T. Schmitt

### 7) OLD BUSINESS

- B) Site Plan and Special Use Permit: An application from Park District Investment Group, LLC, for the properties at 100, 124, 128, 130, 136, and 140 West Grand River Avenue, and 303 Abbot Road to demolish the existing structures and construct a ten-story mixed-use building (Building A) containing retail and restaurant spaces, a 120 room hotel with a restaurant serving alcohol, up to 102 studio, one-, two-, and three-bedroom apartments, and two levels of underground parking for 283 cars. The property is zoned B-3, City Center Commercial District. (T. Schmitt)**

T. Schmitt reminded the Commission that they held a public hearing in August and a follow up meeting in September on the project and he would be addressing the information that the Commission asked Staff to follow up on and as indicated in the Staff Report.

Soczek asked if the Commission could take action on the proposal. D. Schmitt replied affirmatively and stated that the conditions of approval are worded in such a way that they could take action without having taken action on the parking plan.

Davis asked if the Commission could place a condition on the project that both the PDIG and DTN projects must be approved in order for one to be approved. D. Schmitt replied negatively and stated that a condition cannot be added that both projects have to be approved in order for one to be approved.

Stokstad asked how the parking spaces nonconformities on the zoning analysis correspond to the parking plan. T. Schmitt replied that the nonconformities go away if the parking plan is approved because the parking plan addresses those concerns except for the bicycle parking which the developer would still need to address.

Goddeeris stated that given the proposed condition number 21, she feels that the parking plan should be completely understood and “nailed down” before trying to tackle the approval of the project.

Altmann asked how wide the sidewalks are on the west side of Abbot near Grand River and what the circle on the plans is proposed to be. T. Schmitt replied that the sidewalk is 56’ and the circle is an architectural feature of sorts; similar to a fountain. Altmann stated that the narrowest sidewalk seems to be at the entrance to the hotel. T. Schmitt agreed and stated that it looks to be about ten feet wide.

Altmann asked if the Commission would be seeing more renderings. T. Schmitt replied that the applicant would be providing a rendering of the correct height of the building. Altmann stated that a rendering to include Buildings A, C, and D would be useful.

Altmann stated that he is still in search of evidence of diversity in housing. He asked if we know how the occupancy patterns have been at The Residences. T. Schmitt replied that the sense is that there are a fair number of students but the City does not keep track of who lives where. Altmann asked if the City has taken a survey. T. Schmitt replied that he is unaware of the City ever surveyed any apartment building for the residents.

Davis asked Staff to state the reason why it is being recommended that the restaurant close at midnight. T. Schmitt replied that Staff of many departments spent an extensive amount of time reviewing liquor licenses in the downtown last summer as part of the moratorium to not accept applications requesting a special use permit to sell alcohol after midnight. He stated that the police department was not in favor of adding additional seats given that a majority of incidents requiring police involvement occurs shortly after 2:00 AM when all the establishments serving alcohol close.

Davis asked what utilities traverse Evergreen Avenue where it is proposed to be vacated. T. Schmitt replied that the standard utilities are present and if vacated they would need to be moved. He further stated that the sanitary has to be moved anyway because they need to build a substantially bigger sanitary line and connect into the tunnel. He continued that the other utilities are also easy to move.

Jones-Fisk asked if the City has been provided with a letter of intent from Hotel Indigo. T. Schmitt replied that if one exists it has not been provided. She further asked what protections the City has if the hotel pulls out and the developer asks for the hotel portion to become residential. T. Schmitt replied that the approval is for a hotel and if they want to change it the project will have to come back through the process for review.

Todd Arend, Bergmann Associates, addressed the Commission and stated that the renderings are now correct at 10 stories.

Altmann asked if they are agreeable to the 25 conditions as indicated in the Staff Report. Mr. Arend replied that they have no issue with the conditions except for condition 18 that indicates that the restaurant close no later than midnight. He stated that they have a franchise agreement with Hotel Indigo that the restaurant will remain open until 2:00 AM. He continued that they may decide that they do not need to be open that late.

Goddeeris stated that she Googled two other Hotel Indigo locations (Chicago and Athens) and both restaurants closed at 10:00 PM.

Soczek stated that she believed she stayed at a Hotel Indigo that had a very small bar; two two-top table and bench seating around the bar for four or five people, and the restaurant area was at the far back.

Reimann asked if the hotel was being run by Holiday Hospitality or a franchisee. Mr. Arend replied that it is a franchise.

**Motion:** Stokstad moved to defer action until such time that the Commission has more information on the parking plan. The motion was seconded by Goddeeris. **Vote:** All yeas. Motion passed unanimously.



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## MINUTES [Excerpt]

**October 22, 2014, 7:00 p.m.**  
54-B District Court, Courtroom #2  
101 Linden Street

**Present:** Altmann, Bauries, Davis, Goddeeris, Jones-Fisk, Reimann, Soczek, Stokstad, and Wooden

**Absent:** None

**Staff Members:** T. Dempsey, Mullins, D. Schmitt, and T. Schmitt

### 5) COMMUNICATIONS FROM CITIZENS

**A) Oral - None**

**B) Written**

- Rezoning letter dated September 12, 2014 from DTN Park District
- InterContinental Hotels Groups letters dated October 16, 2014 and October 20, 2014 regarding PDIG proposal, Building A.
- Eliot Singer email dated October 22, 2014 regarding PDIG proposal and Strathmore record

### 6) PUBLIC HEARINGS

### 7) OLD BUSINESS

**C) Site Plan and Special Use Permit: An application from Park District Investment Group, LLC, for the properties at 100, 124, 128, 130, 136, and 140 West Grand River Avenue, and 303 Abbot Road to demolish the existing structures and construct a ten-story mixed-use building (Building A) containing retail and restaurant spaces, a 120 room hotel with a restaurant serving alcohol, up to 102 studio, one-, two-, and three-bedroom apartments, and two levels of underground parking for 283 cars. The property is zone B-3, City Center Commercial District. (T. Schmitt)**

T. Schmitt gave a brief overview of the project which is located at the northwest corner of Abbot and Grand River Avenue. He stated there were no follow-up items for Staff from the last Planning Commission meeting except to provide letters from InterContinental Hotels Group regarding Hotel Indigo and a 3-D fly-through. T. Schmitt stated Staff recommends approval of Site Plan and Special Use Permit, subject to 25 conditions.

Soczek asked if there might be an issue with InterContinental Hotels Group with required closure of hotel bar at midnight. T. Schmitt replied it is currently the City's policy.

Goddeeris asked about a condition to place recycling containers on site. T. Schmitt replied that is an ordinance requirement.

Altmann commented on the possibility of procuring five additional feet for bikes lane, safety of street crossing and turning, and placement of weave lanes. T. Schmitt replied this is something that could continue to be studied.

Bauries referenced the letter from IHG group regarding closing time of bar in hotel. T. Schmitt replied Staff's position is to consider the long term and potential future uses and a midnight closing is clear from Staff's perspective.

Todd Arend, Bergmann Associates, applicant, addressed the Commission and said the only condition they take exception to is condition #18 regarding closure time of hotel bar.

Stokstad asked where bicycle parking will be located. Arend replied it will be a mixture of interior and exterior, split between courtyard on the west side, inside the building, and some in the parking ramp.

Altmann asked if exterior bicycle parking could be covered. Arend replied they could possibly come up with something. Wooden referenced vertical, covered bike racks in Grand Rapids.

Stokstad asked where bicycle parking would be located in their parking lots. Arend replied as mechanical/electrical is determined in the corners, they could use some of that space for bike parking. Wooden suggested using wall space.

Ralph Monsma, 1350 Red Leaf Lane, addressed the Commission and commended them for their effort in discussing parking. He said he does not recommend this project for this location and other questions and ideas will come forward over the next six months.

Davis said there will be an enormous amount of traffic congestion and activity at the corner of Abbot and Grand River and suggested the City and MDOT work to address the issue with signage, lowering of speed limit, and modifying traffic signals.

Stokstad asked for interpretation of condition #22 regarding applicant shall participate in cost of the crossing, if one should be placed there. T. Schmitt replied this is a quote from the Transportation Commission with the expectation that the applicant will make modifications immediately adjacent to their site. He said there could be City, MSU, MDOT, CATA, and private developer pieces to this site. Stokstad asked what leverage the City has for not allowing

\$1 to mean shall participate. T. Schmitt said it is a site plan violation if the City thinks a condition is not being met.

**Motion:** Wooden moved to approve Site Plan and Special Use Permit application from Park District Investment Group on 100 Grand River Avenue, subject to the 25 conditions provided by Staff. The motion was seconded by Jones-Fisk.

**Motion to amend:** Reimann moved to amend condition #22 to read: The applicant shall cooperate with MDOT and the City if it is decided that a grade level crossing of Grand River Avenue can be installed on the west side of Abbot Road and shall pay for the cost of the installation of the crossing as it relates to the subject property. The motion to amend was seconded by Stokstad.

**Vote:** *Yeas:* Altmann, Bauries, Davis, Goddeeris, Jones-Fisk, Reimann, Soczek, Stokstad, and Wooden. *Nays:* None. Motion to amend passed unanimously.

**Motion to amend:** Davis moved to amend condition #20 to read: The applicant shall work with City Staff and MDOT with signal timing related to work with this project along Michigan and Grand River Avenues, also regarding appropriate signage to alert motorists that they are entering a congested area with major pedestrian and bicycle traffic. The motion to amend was seconded by Bauries.

**Vote:** *Yeas:* Bauries and Davis. *Nays:* Altmann, Goddeeris, Jones-Fisk, Reimann, Soczek, Stokstad, and Wooden. Motion to amend failed by a vote of 2 to 7.

**Motion to amend:** Altmann moved to add an additional condition to read: Curbs along Abbot Road shall be constructed so as to make Abbot Road wide enough to accommodate a bike lane, subject to approval of the Engineering department. The motion to amend was seconded by Stokstad.

**Vote:** *Yeas:* Altmann, Bauries, Davis, Goddeeris, Reimann, Stokstad, and Wooden. *Nays:* Jones-Fisk and Soczek. Motion to amend passed by a vote of 7 to 2.

Stokstad asked out of the 111 required bicycle spaces, what is the appropriate number of indoor parking spaces. T. Schmitt replied at least 80 is a fair number.

**Motion to amend:** Stokstad moved to amend condition #6 by adding a sentence to read: Space sufficient for at least 80 bicycles shall be made available in a convenient location inside the building. The motion to amend was seconded by Goddeeris.

**Vote:** *Yeas:* Altmann, Bauries, Davis, Goddeeris, Jones-Fisk, Reimann, Soczek, Stokstad, and Wooden. *Nays:* None. Motion to amend passed unanimously.

**Vote on: Site Plan and Special Use Permit application from Park District Investment Group on 100 Grand River Avenue, subject to 26 conditions, as amended:** *Yeas:* Altmann, Bauries, Davis, Goddeeris, Jones-Fisk, Reimann, Soczek, Stokstad, and Wooden. *Nays:* None. The motion passed unanimously.

**Motion:** Davis moved to send a memorandum to City Council associated with this approval for Site Plan and Special Use Permit concerning Building A, including previous language of:

D. Schmitt: "if developer requests tax increment financing for this project, Council shall do their due diligence in verifying financial capability of the developer." and previous language of:

Davis: "transparency of economic issues related to the project, including complete information of principals at all levels and their experience, including failures."

The motion was seconded by Altmann.

Soczek said she would not vote for including in the memo a request from the developer financial history of other projects. She said she would vote for requesting what is your current financial situation and can you support the financials for this particular project.

Davis said past history may or may not be a guide, and he would be willing to eliminate that portion of the motion.

The Commission discussed public interest, private endeavor, and recommendation to City Council. Stokstad requested language of the motion.

D. Schmitt paraphrased the motion: to send a memorandum to City Council asking, if tax increment financing money were requested for this project, that City Council would do their due diligence in verifying the financial ability for the developers to complete the project as planned, and including Davis' wording as well.

**Vote:** *Yeas:* Altmann and Davis *Nays:* Bauries, Goddeeris, Jones-Fisk, Reimann, Soczek, Stokstad, and Wooden. Motion failed by a vote of 2 to 7.