



AGENDA
Committee on Development and Planning
Monday, February 18, 2019@ 3:30 p.m. (note time)
Council Conference Room, 10th Floor

Councilmember Adam Hussain, Chair
Councilmember Jeremy Garza, Vice Chair
Councilmember Jody Washington, Member

- 1. Call to Order**
- 2. Public Comment on Agenda Items**
- 3. Minutes**

- February 4, 2018

4. Discussion/Action:

- A.) RESOLUTION – Reappointment; Benjamin Bakken; City of Lansing Member to the Local Development Finance Authority; Term to Expire June 30, 2021
- B.) RESOLUTION – Appointment; James A. Houthoofd, Jr.; Member; Saginaw Street Corridor Improvement Authority; Term to Expire June 30, 2021
- C.) RESOLUTION – Appointment; Gary Manns; At-Large Member; Planning Board; Term to Expire June 30, 2022
- D.) RESOLUTION – Introduction and Setting of Public Hearing; Z-8-2018; 5400 S. Cedar Street; “F” Commercial and “J” Parking to “G-2” Wholesale
- E.) RESOLUTION – Introduction and Setting of Public Hearing; Z-9-2018; ID 33-01-01-17-480-021; “C” Residential to “F” Commercial
- F.) RESOLUTION – Setting of Public Hearing; SLU-2-2018; 1609 N Larch; Residential Use in “I” Heavy Industrial
- G.) ORDINANCE - Z-5-2018; 136 E. Malcom X Street w/vacant parcel east; “DM-4” Residential and “J” Parking to “G1” Business
- H.) RESOLUTION – ACT-1-2019; 212 E. Howe Avenue; Nathan Shell
- I.) RESOLUTION – Revoke OPRA Certificate #3-08-0005; Spartan Internet Properties, LLC; 1030 S. Holmes Street

5. Other

6. Adjourn

DRAFT



MINUTES

Committee on Development and Planning
Monday, February 4, 2019 @ 4:00 p.m.
Council Conference Room, City Hall 10th Floor

CALL TO ORDER

Council Member Hussain called the meeting to order at 4:00 p.m.

PRESENT

Council Member Hussain, Chair
Council Member Garza, Vice-Chair
Council Member Washington, Member

OTHERS PRESENT

Sherrie Boak, Council Staff
Brian McGrain, Director Economic Development and Planning
Joseph Abood, Chief Deputy City Attorney
Greg Venker, Assistant City Attorney
Kris Klein, LEDC
Karl Dorshimer, LEDC
Bill Rieske, Economic Development & Planning
Susan Stachowiak, Economic Development & Planning
Robert Gibb
Robert Fryling
Mark Matus, LBWL
Kathy Miles
Pablo Maldonado, Pablo's Mexican Restaurant

PUBLIC COMMENT

Public comment taken at each agenda item.

MINUTES

MOTION BY COUNCIL MEMBER WASHINGTON TO APPROVE THE MINUTES FROM DECEMBER 3, 2018 AS PRESENTED. MOTION CARRIED 3-0.

DISCUSSION/ACTION

RESOLUTION – Appointment; Jason McCammon; Member; Michigan Avenue Corridor Improvement Authority; Term to Expire June 30, 2022

Council staff provided an email from Mr. McCammon stating he was declining the appointment at this time due to work and family obligations, and does not believe he can commit to the Board at this time.

RESOLUTION – Appointment; Brian McGrain; Member; Local Development Finance Authority; Term to Expire June 30, 2019

Council Member Hussain noted to the Committee that the Authority consists of seven (7) members from Ingham County, Lansing and East Lansing. Mr. McGrain confirmed he used to sit on the Authority as an Ingham County Representative but resigned when he came to work for the City. The Authority's function is to encourage innovative economy. Since he had not been on the Authority for two years he could not speak to what they have currently done, but noted they did focus on technology innovation as a key point. Lastly, Mr. McGrain confirmed he would be replacing Chad Gamble as the City representative. Mr. Dorshimer added to the conversation that there is a new economy division that is encouraging technology based business and partnership with MSU and joint projects with East Lansing. Council Member Washington asked how they were reaching out. Mr. Dorshimer admitted their biggest challenge was powered by tax capture in the technology zone, so there was very little funding, but with McLaren Hospital going into the area, and attracting for-profit entities, the revenue will be there. MSU is stepping up to the table on these items.

MOTION BY COUNCIL MEMBER WASHINGTON TO APPROVE THE RESOLUTION FOR THE APPOINTMENT OF BRIAN MCGRAIN TO THE LDFA. MOTION CARRIED 3-0.

RESOLUTION – Appointment; Robert Gibb; At-Large Member; Historic District Commission; Term to Expire June 30, 2021

Mr. Gibb introduced himself as a Lansing resident, licensed architect, and having past work experience in construction management, and residential renovation of historic buildings. Council Member Hussain confirmed his application noted his only interest was this Commission. Council Member Washington asked Mr. Rieske if Mr. Dale Shrader was asked to fill a position on this Commission and Mr. Rieske noted he had not, but the vacancy currently being filled by Mr. Gibb has to be filled by an architect per the Commission rules.

MOTION BY COUNCIL MEMBER GARZA TO APPROVE THE RESOLUTION TO APPOINT ROBERT GIBB TO THE HISTORIC DISTRICT COMMISSION. MOTION CARRIED 3-0.

RESOLUTION – Appointment; Robert Fryling; At-Large Member; Board of Zoning Appeals; Term to Expire June 30, 2021

Council Member Hussain noted for the Committee that the Board consists of 9 members and one has to be a Planning Board member as well.

Mr. Fryling provided details on his residency, work experience currently at Sparrow MIT and personal experience in the construction field.

Council Member Washington provided her interest in the importance of the Board and asked Mr. Fryling if he can be an independent thinker, and he confirmed.

Council Member Hussain asked Mr. Fryling how he intended to communicate with the neighbors in an area where there are zoning appeals. Ms. Stachowiak intervened and clarified that the BZA is a quasi-judicial Board, and it would border on illegal for the Board member to have communications with business owners, residents and applicants outside of the meeting.

All business on an appeal must be done in the Board meeting. Council Member Hussain acknowledged that detail, and stated to Mr. Fryling his interest is that the applicants have an involvement with the community and residential groups, he would never suggest the Board member go to a constituent meeting and discuss a specific appeal case. Ms. Stachowiak added for Mr. Fryling and the Committee that an applicant cannot come to the Board of Zoning Appeals to overturn a Council decision. Council Member Washington admitted that her concerns are with variances and particularly the marihuana variances. Council Member Hussain asked Ms. Stachowiak to list what a typical variance would be, at which she listed signs, fence heights, fence locations, setbacks for decks, garages and additions, and it wasn't until recently that they saw marihuana cases.

MOTION BY COUNCIL MEMBER WASHINGTON TO APPROVE THE RESOLUTION TO APPOINT ROBERT FRYLING TO THE BOARD OF ZONING APPEALS. MOTION CARRIED 3-0.

RESOLUTION – ACT-9-2018; Easement to Consumer Energy; East of Canal Road, West side of LBWL property in Delta Township

Mr. Matus informed the Committee that this easement would be for the construction of the natural gas at Erickson Facility in Delta Energy Park. The gas line would run from Wacousta to the new plant, and there is no cost for the easement.

Mr. Abood and Mr. Venker proposed a change to the resolution asking for a sentence be added before the "Now therefore be it resolved" to state "This easement will be granted for \$1.00". The Committee consensus was to add the line.

Council Member Hussain asked if the item was before the Commissions and Planning Board for review and was informed it did and there were no issues.

MOTION BY COUNCIL MEMBER WASHINGTON TO APPROVE THE RESOLUTION FOR ACT-9-2018 FOR THE EASEMENT TO CONSUMERS ENERGY, EAST OF CANAL ROAD IN DELTA TOWNSHIP. MOTION CARRIED 3-0.

RESOLUTION – Set Public Hearing; Brownfield Plan #62-Amended; Oliver Towers, 310 N. Seymour

Mr. Dorshimer provided a history on the project, which was once managed by the LHC and after a fire was left vacant. The City sold on behalf of the LHC to Eyde Family LLC in 2015 with intent to create residential micro-units. The current Brownfield was approved in 2015 and in 2018 they began the demolition and tear out and in early 2019 they obtained financing for the project. The Brownfield deadline was 2018, however Mr. Dorshimer noted they have more eligible activities that still need to be done so they are now asking to amend the plan. The request today is to set the public hearing. Tri Terra distributed a document that outlined the project and changes which was approved by the Brownfield Authority in December 2018. Mr. Clouse was asked to attend the Council meeting on February 11, 2019, he confirmed and provided an electronic copy of the handout to Council staff to have ready for that meeting.

MOTION BY COUNCIL MEMBER GARZA TO APPROVE THE RESOLUTION FOR SETTING THE PUBLIC HEAIRNG FOR A BROWNFIELD PLAN 62 AMENDMENT FOR 310 N SEYMOUR ON FEBRUARY 25, 2019. MOTION CARRIED 3-0.

RESOLUTION – Set Public Hearing; Lansing Economic Development Corp (LEDC) REO Town Project; Pablo's Mexican Restaurant; 1102 S Washington Avenue and W. Elm Street

Mr. Klein informed the Committee that the Council needs to approve the project plan for the LEDC Board.

Mr. Maldonado acknowledged the Committee and provided a brief history on his current business in Old Town, his expansion to Reo Town bringing in 24 new employees, and 140 seats at that restaurant. The applicants made the Committee this hearing and approval is required under the Economic Development Corporations Act, No 338 of 1974.

MOTION BY COUNCIL MEMBER GARZA TO APPROVE THE RESOLUTION TO SET THE PUBLIC HEARING FOR FEBRUARY 25TH, 2019 LEDC PABLO'S MEXICAN RESTAURANT PROJECT PLAN. MOTION CARRIED 3-0.

ORDINANCE - Z-5-2018; 136 E. Malcom X Street w/vacant parcel east; "DM-4" Residential and "J" Parking to "G1" Business

Council Member Hussain asked if Mr. Forsberg was going to be in attendance because at the public hearing he stated to the Council to believe they were ready to start work on something. Ms. Stachowiak acknowledged she expected him to attend and had not spoken to him. Council Member Hussain stated he was not comfortable with proceeding until Mr. Forsberg attended. Ms. Stachowiak assured the Committee she would reach out to Mr. Forsberg and invite him to the next meeting on February 18, 2019.

ORDINANCE - Z-6-2018; 522 Leshner Place; "DM-3" Residential to "D-1" Professional

Ms. Stachowiak confirmed this was the Neogen property. Council Member Hussain asked if once it was rezoned to D-1 Professional if they would need a SLU for their proposed use, and Ms. Stachowiak stated they would not. Council Member Hussain then stated for the record that at the public hearing there were no comments.

MOTION BY COUNCIL MEMBER WASHINGTON TO APPROVE THE ORDINANCE FOR 522 LESHER PLACE; Z-6-2018. MOTION CARRIED 3-0.

ORDINANCE - Z-7-2018; Two Vacant Parcels at NW Corner of W. Cavanaugh and Lowcroft; "A" Residential to "C" Residential

Council Member Hussain reiterated to the Committee that during the public hearing there were no comments, there was no conflict with the Master Plan and it was not a spot zone.

MOTION BY COUNCIL MEMBER GARZA TO APPROVE THE ORDINANCE FOR Z-7-2018 FOR THE TWO (2) VACANT PARCELS AT THE NW CORNER OF W CAVANAUGH AND LOWCROFT. MOTION CARRIED 3-0.

Adjourn

Adjourned at 4:55 p.m.

Submitted by, Sherrie Boak,

Recording Secretary,

Lansing City Council

Approved by the Committee on _____

Boak, Sherrie

From: gruhndC flyfsoxvfrp
Sent: P rggd|/Ghfhpehu#64/#534;#4-54#DP
To: Sexp p hu#P dub|q
Subject: R qdgh#rup #/xep lwd#Dssdfdwlrq#ru#Dssrlwp hqw#Erdu#ru#Frpp lwlrq

Application for Appointment to Board or Commission

Thank you for your interest in serving on a Lansing Board, Commission or Committee.

Certain boards, commissions or committees require appointees to be a registered elector in the City of Lansing (Charter Section 2-102) and be a resident of Lansing for one year prior to taking office (Charter Section 2-102).

Appointees to every board, commission or committee must not be in default to the City at the time of taking office (Charter Section 2-103.2) and not have been convicted, within 20 years of taking office, of a violation of the election laws of the City of Lansing, State of Michigan, or the United States; a violation of public trust; or any felony (Charter Section 2-103.1).

(Section Break)

Date	12/31/2018
First Name	Ben
Middle	Field not completed.
Last Name	Bakken
Other name(s) by which you have been known, including maiden names	Field not completed.
Date of Birth	
Address	1325 Waverly
City	Dimondale
State	MI
Zip Code	48821
Email	chewbakken@yahoo.com

Gender	Male
Ward	Regional
Precinct	<i>Field not completed.</i>
Best phone number to contact you	
Last 4 digits of social security number	
In what year did you move to Lansing?	0000
Additional information regarding experience and credentials	Re-appointment. Have served on this Board for several years.
Occupational Background	Finance / Real Estate
Educational Background	Undergrad - Wayne State Graduate - Northwood
Please attach a resume if available	<i>Field not completed.</i>
First choice for board to serve on	Local Development Finance Authority
Second choice of a board to serve on	<i>Field not completed.</i>
Third choice of a board to serve on	<i>Field not completed.</i>
Fourth choice of a board to serve on	<i>Field not completed.</i>
Please comment briefly on why you wish to serve on a particular board or commission. Please be specific as to your goals and ideas about how you wish to contribute to the work of the board or commission	Re-appointment. Helped the LDFA through some challenging transitions, now look forward to participating as the revenue is growing along with opportunities to assist with entrepreneurship efforts in the region.
Qualifications and Eligibility – At this time, if you do not meet one or	Re-appointment.

more of the qualifications
or eligibility requirements
listed at the top, please
state here the requirement
to be met and explain
how you will be qualified
or eligible before you
would be sworn in to an
appointed office

Background Check
Authorization

I agree

Please type your name in
this box to signify that
you can serve on a board
or commission and the
information in this
application is accurate to
the best of your
knowledge

Ben Bakken

Date & Time

12/31/2018 11:00 AM

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BY THE COMMITTEE ON DEVELOPMENT & PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor made the following reappointment as stated below:

Local Development Finance Authority:

Benjamin Bakken as a City of Lansing Member for a term to expire June 30, 2021; and

WHEREAS, the Mayor's office has verified that the nominees has been vetted and meets the qualifications as required by the City Charter; and

WHEREAS, the Committee on Development & Planning met on February 18, 2019 and took affirmative action.

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the reappointment as stated below:

Local Development Finance Authority:

Benjamin Bakken as a City of Lansing Member for a term to expire June 30, 2021.

From: gruhsdC flyfsævfrp
Sent: Wkxwgd|/Ghfnp ehud/534;#13-86#DP
To: Soxp p hu#P dub|q
Subject: R qdgh#Erup #/xep lwd#Dssdfdwlrq#ru#Dssrlwp hq#wr#Erdug#ru#Frpp lwlrq

Application for Appointment to Board or Commission

Thank you for your interest in serving on a Lansing Board, Commission or Committee.

Certain boards, commissions or committees require appointees to be a registered elector in the City of Lansing (Charter Section 2-102) and be a resident of Lansing for one year prior to taking office (Charter Section 2-102).

Appointees to every board, commission or committee must not be in default to the City at the time of taking office (Charter Section 2-103.2) and not have been convicted, within 20 years of taking office, of a violation of the election laws of the City of Lansing, State of Michigan, or the United States; a violation of public trust; or any felony (Charter Section 2-103.1).

(Section Break)

Date	12/6/2018
First Name	James Jr.
Middle	Anthony
Last Name	Houthoofd
Other name(s) by which you have been known, including maiden names	Jim
Date of Birth	
Address	5787 Green Road
City	Haslett
State	MI
Zip Code	48840
Email	jhouthoofd@neogen.com

Gender	Male
Ward	1
Precinct	non-resident business person
Best phone number to contact you	██████████
Last 4 digits of social security number	████
In what year did you move to Lansing?	0000
Additional information regarding experience and credentials	I have worked in Lansing since 1986 and have paid taxes as a non-resident. I have considerable experience (29 years) as the Neogen contact for infrastructure and economic development. Prior to Neogen, I worked as an auditor for Ernst & Young, a CPA firm, in the Lansing Office.
Occupational Background	I currently serve as Treasurer for Neogen Corporation. I am a Certified Public Accountant (CPA) and a Chartered Global Management Accountant (CGMA)
Educational Background	BA from MSU in Communications, two years of post graduate work in Accounting at U of M, Executive MBA at Northwood University.
Please attach a resume if available	<i>Field not completed.</i>
First choice for board to serve on	Saginaw St. Coordinator Improvement Authority
Second choice of a board to serve on	Michigan Avenue Corridor Improvement Authority
Third choice of a board to serve on	<i>Field not completed.</i>
Fourth choice of a board to serve on	<i>Field not completed.</i>
Please comment briefly on why you wish to serve on a particular board or commission. Please be specific as to your goals and ideas about how you wish to contribute to the	Having accumulated 30+ years of knowledge of the City of Lansing, I believe I understand what makes the City great and hope to keep the momentum moving forward. I've worked with members of the staff, in many departments, and have accumulated many positive experiences. I would hope that my business experience would be valuable to the City.

work of the board or
commission

Qualifications and
Eligibility – At this time,
if you do not meet one or
more of the qualifications
or eligibility requirements
listed at the top, please
state here the requirement
to be met and explain
how you will be qualified
or eligible before you
would be sworn in to an
appointed office

I do not live within the City, but consider myself a stakeholder and participate in the successes and failures of the City. As a representative of Neogen Corporation, I would help to bring viewpoints and opinions from the Company, into the discussion. Neogen is a growing company with an increasing workforce. A very large part of our operations are based in Lansing.

Background Check
Authorization

I agree

Please type your name in
this box to signify that
you can serve on a board
or commission and the
information in this
application is accurate to
the best of your
knowledge

James A Houthoofd

Date & Time

12/6/2018 11:45 AM

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BY THE COMMITTEE ON DEVELOPMENT & PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor made the appointment of James A. Houthoofd, Jr. 5787 Green Road, Haslett, MI 48840 as a Member of the Saginaw Street Corridor Improvement Authority with a term to expire on June 30, 2121; and

WHEREAS, the nominee has been vetted by the Mayor's Office and meets the qualifications as required by the City Charter; and

WHEREAS, the Committee on Development & Planning met on February 18, 2019 and took affirmative action.

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the appointment of James A. Houthoofd, Jr as a Member of the Saginaw Street Corridor Improvement Authority with a term to expire on June 30, 2121.

Plummer, Marilyn

From: noreply@civicplus.com
Sent: Tuesday, June 12, 2018 11:02 AM
To: Plummer, Marilyn
Subject: Online Form Submittal: Application for Appointment to Board or Commission

Application for Appointment to Board or Commission

Thank you for your interest in serving on a Lansing Board, Commission or Committee.

Certain boards, commissions or committees require appointees to be a registered elector in the City of Lansing (Charter Section 2-102) and be a resident of Lansing for one year prior to taking office (Charter Section 2-102).

Appointees to every board, commission or committee must not be in default to the City at the time of taking office (Charter Section 2-103.2) and not have been convicted, within 20 years of taking office, of a violation of the election laws of the City of Lansing, State of Michigan, or the United States; a violation of public trust; or any felony (Charter Section 2-103.1).

Online Form Submittal

Date	6/17/1960
First Name	Gary
Middle	E.
Last Name	Manns
Other name(s) by which you have been known, including maiden names	Field not completed.
Date of Birth	
Address	1832 Vassar Dr.
City	Lansing
State	Mi
Zip Code	48912
Email	Mannsg@Michigan.Gov

Gender	M
Ward	1
Precinct	<i>Field not completed.</i>
Best phone number to contact you	
Last 4 digits of social security number	
In what year did you move to Lansing?	1984
Additional information regarding experience and credentials	<i>Field not completed.</i>
Occupational Background	MDOC Administrator, Deputy Director, Human Resource Director, Training Administrator
Educational Background	B/S in Psychology
Please attach a resume if available	<i>Field not completed.</i>
First choice for board to serve on	Lansing Housing Commission
Second choice of a board to serve on	Planning Board
Third choice of a board to serve on	Police Commissioners
Fourth choice of a board to serve on	<i>Field not completed.</i>
Please comment briefly on why you wish to serve on a particular board or commission. Please be specific as to your goals and ideas about how you wish to contribute to the work of the board or commission	I would like to be on the Lansing Housing Commission because of the recent incidents involving the housing commission. I believe my background in Human Resources and Training would be an asset to the commission regarding hiring, oversight of Personnel and Budget along with training of staff.
Qualifications and Eligibility – At this time,	N/A

if you do not meet one or more of the qualifications or eligibility requirements listed at the top, please state here the requirement to be met and explain how you will be qualified or eligible before you would be sworn in to an appointed office

Background Check Authorization I agree

Please type your name in this box to signify that you can serve on a board or commission and the information in this application is accurate to the best of your knowledge Gary E. Manns

Date & Time 6/12/2018

Email not displaying correctly? [View it in your browser.](#)

BY THE COMMITTEE ON DEVELOPMENT & PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor made the appointment of Gary E. Manns, 1832 Vassar Drive, Lansing, MI 48912 as an At-Large Member of the Planning Board for a term to expire June 30, 2020; and

WHEREAS, the nominee has been vetted by the Mayor's Office and meets the qualifications as required by the City Charter; and

WHEREAS, the Committee on Development & Planning met on February 18, 2019 and took affirmative action.

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the appointment of Gary E. Manns, 1832 Vassar Drive, Lansing, MI 48912 as an At-Large Member of the Planning Board for a term to expire June 30, 2020.

INTRODUCTION OF ORDINANCES

The following ordinance of the City of Lansing, Michigan, providing that the Code of Ordinances be amended by providing for the rezoning of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the Code for property located at:

Z-8-2018: 5400 S. Cedar Street, Rezoning from “F” Commercial & “J” Parking
Districts to “G-2” Wholesale District

was introduced by the Committee on Development & Planning, read a first and second time by its title and referred to the Committee on Development and Planning.

BY THE COMMITTEE ON DEVELOPMENT & PLANNING

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, _____, 2019, at 7 p.m. in City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of approving and/or opposing the Ordinance for rezoning:

Z-8-2018: 5400 S. Cedar Street, Rezoning from “F” Commercial & “J” Parking Districts to “G-2” Wholesale District

ORDINANCE # _____

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING FOR THE REZONING OF A PARCEL OF REAL PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE OF ORDINANCES.

The City of Lansing ordains:

Section 1. That the district maps adopted by and incorporated as Section 1246.02 of the Code of Ordinances of the City of Lansing, Michigan be amended to provide as follows:

To change the zoning classification of the property described as follows:

Case Number: Z-8-2018

Parcel Number's: 33-01-05-04-202-021

Address: 5400 S. Cedar Street

Legal Descriptions: Commencing 7 feet West of the Southeast Corner of Lot 7, Jolly-Cedar Plaza, Thence South 501.78 feet to the North line of the Consumers Power right-of-way, West 913.64 feet, North 600 feet, East 405.33 feet, South 98.07 feet, East 506.14 feet to the point of beginning; Section 4, T3N R2W, from "F" Commercial & "J" Parking Districts to "G-2" Wholesale District.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance was duly adopted by the Lansing City Council on _____, 2019, and a copy is available in the office of the Lansing City Clerk, 9th Floor, City Hall, 124 W. Michigan Avenue, Lansing, MI 48933.

Section 4. This ordinance shall take effect on the 30th day after enactment.

CITY OF LANSING
NOTICE OF PUBLIC HEARING

Z-8-2018, 5400 S. Cedar Street
Rezoning from “F” Commercial & “J” Parking Districts to “G-2” Wholesale District

The Lansing City Council will hold a public hearing on Monday, , 2019 at 7:00 p.m. in Council Chambers, 10th Floor, Lansing City Hall, 124 W. Michigan Avenue, Lansing, Michigan to consider Z-8-2018. 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. 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.

For more information, please call Lansing City Council at 517-483-4177. If you are interested in this matter, please attend the public hearing or send a representative. Written comments will be accepted between 8 a.m. and 5 p.m. on City business days if received before 5 p.m., Monday, 2019 at the City Clerk’s Office, Ninth Floor, City Hall, 124 West Michigan Ave., Lansing, MI 48933 or email city.clerk@lansingmi.gov.

Chris Swope, City Clerk

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 – 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 the property at 5400 S. Cedar Street from “F” Commercial & “J” Parking Districts to “G-2” Wholesale District. 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.
Development Office:	
Fire Marshal:	
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 "G-2" zoned parcel of land to its west that is accessed via Perry Robinson Circle off of E. Jolly Road. As evidenced by the attached zoning map, however, the vast majority of the properties along S. Cedar Street, including those that surround the subject property on 3 sides, are zoned "F" Commercial. Therefore, despite the zoning of the property to the west, the proposed zoning would still be considered a "spot zone" of "G-2" Wholesale zoning along S. Cedar Street. Spot zoning is typically considered to be an inappropriate zoning practice because it affords development options to a single land owner that are not available to the adjoining properties and creates inconsistent land use patterns.

S. Cedar Street is zoned, master planned and designed for customer-oriented, commercial uses that generate a high volume of traffic on a daily basis. In other words, S. Cedar Street is intended for the types of uses that benefit from and in fact, depend on exposure to high volumes of traffic in order to provide a strong customer base for their businesses. The primary concern with self-storage uses is that

they are not customer oriented businesses and as such, they generate very little traffic on a regular basis. Self-storage facilities are destination type uses that do not depend on pass-by traffic to create and sustain a customer base. The majority of the time, the parking lots are mostly vacant, with the exception of trucks and equipment that are available for lease, which detracts rather than contributes to a healthy commercial environment.

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 residentially-scaled structures (4-6 stories) on neighborhood edges.

The proposed rezoning will not allow for the type of development that is consistent with the land use pattern being advanced in the Master Plan. While the “G-2” Wholesale district permits all of the general commercial uses that are permitted in the “F” Commercial district, it does not allow residential use, even with a special land use permit. Furthermore, the “G-2” district permits storage and warehouse facilities as a matter of right, which would be completely contrary to the Master Plan designation for the subject property and with proper planning principles in general. The applicant is requesting the rezoning for the primary purpose of converting the building at 5400 S. Cedar Street into self-storage. Self-storage is a destination type of use that generates little customer activity on a daily basis and thus, does not contribute to the vibrancy of a primary commercial corridor. The intent of both the Zoning Ordinance and the Master Plan is to concentrate the most intensive commercial land uses along major arterials, such as S. Cedar Street, where they receive maximum exposure to the highest volumes of traffic. Storage facilities, by contrast, are more appropriately located in areas where they are accessible from but not located directly on a major arterial.

IMPACT ON VEHICULAR AND PEDESTRIAN TRAFFIC:

The proposal is not anticipated to have any negative impacts on vehicular or pedestrian traffic in the area. S. Cedar Street is a major arterial that is designed to serve the traffic needs of high volume commercial uses that benefit from a high level of exposure in order to attract customers. S. Cedar Street is also a major bus route that serves many employees and customers of the businesses along the corridor. Storage facilities typically generate a very low volume of vehicular traffic, have few employees, virtually no pedestrian customer traffic and are considered destination uses which is why they are more appropriately located on secondary thoroughfares.

IMPACT ON PUBLIC FACILITIES:

With the exception of a couple of new self-storage buildings as shown on the attached aerial photograph, the applicant is not proposing any changes to the site at this time. New building area and/or new impervious surface of 1,000 square feet or more in area 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 City codes.

ENVIRONMENTAL IMPACT:

The primary purpose of the rezoning is to allow 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. If any changes are made to the site that requires site plan review at some time in the future, storm water reduction may be required.

IMPACT ON FUTURE PATTERNS OF DEVELOPMENT:

Approval of the requested rezoning may have considerable impacts on future patterns of development along S. Cedar Street and other major commercial corridors in the City as well. Since the proposed rezoning is contrary to basic planning principles and to the existing zoning and land use patterns in the area, as described in the preceding sections of this report, approval of the request will set a negative precedent for future rezoning requests of a similar nature along the City's commercial corridors.

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. 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.

The findings of fact as outlined in this staff report do not support a positive recommendation to approve the rezoning. The proposed rezoning will permit land uses that are inconsistent with the land use pattern being advanced in the Master Plan. In addition, the proposed "G-2" zoning will not be consistent with the existing zoning pattern along S. Cedar Street and may set a negative precedent for future requests to rezone properties along S. Cedar Street and elsewhere in the City to the "G-2" Wholesale district.

RECOMMENDATIONS

Pursuant to the findings described above, the following recommendation is offered for the Planning Board's consideration:

Z-8-2018 be denied to rezone the property at 5400 S. Cedar Street from "F" Commercial & "J" Parking districts to "G-2" Wholesale district, based on the findings of fact as described in this staff report.

Respectfully Submitted,

**Susan Stachowiak
Zoning Administrator**



SCALE: N.T.S.

GENERAL NOTES:

REVISIONS:

NO.	DATE	BY	REVISIONS

PROFESSIONAL SEAL

ARCHITECT LOGO

CONCEPTUAL

AMERCO

REAL ESTATE COMPANY

CONSTRUCTION DEPARTMENT

2727 NORTH CENTRAL AVENUE

PHOENIX, ARIZONA 85004

P: (602) 263-6502

F: (602) 277-1026

SITE ADDRESS:

PROPOSED U-HAUL

5400 CEDAR ST.

LANSING, MI 48911

SHEET CONTENTS:

CONCEPTUAL SITE PLAN

DRAWN: HKK

CHECKED: PB

DATE: 12.14.2018

1

1



Jolly Cedar Ct

S Cedar St

5400 S. Cedar Street

Redner St

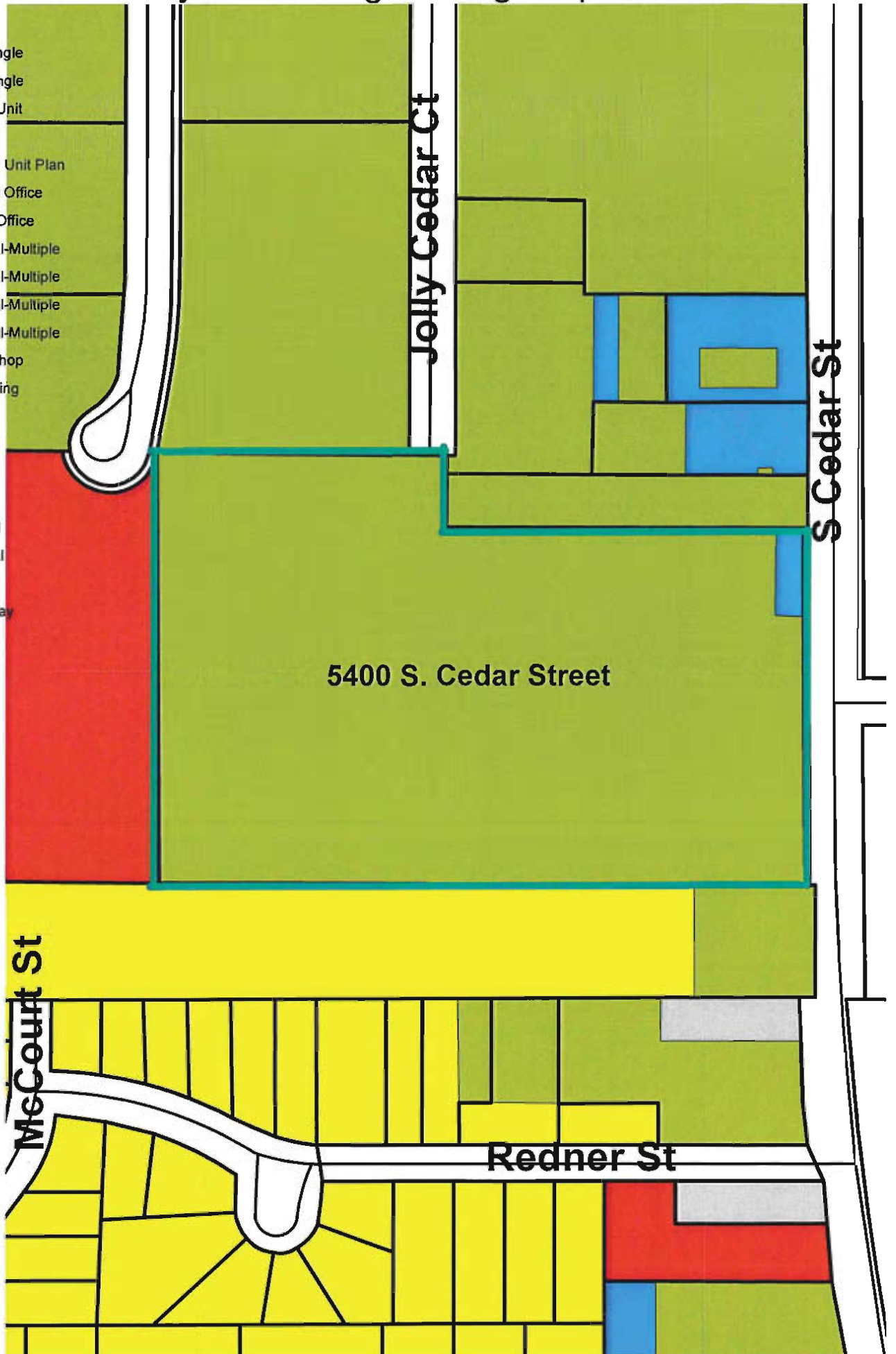
Trinity Cir



Legend

-  roads_final
-  Tax Parcels
-  A Residential-Single
-  B Residential-Single
-  C Residential-2 Unit
-  NONE
-  CUP Community Unit Plan
-  D-1 Professional Office
-  D-2 Residential/Office
-  DM-1 Residential-Multiple
-  DM-2 Residential-Multiple
-  DM-3 Residential-Multiple
-  DM-4 Residential-Multiple
-  E-1 Apartment Shop
-  E-2 Local Shopping
-  F Commercial
-  F-1 Commercial
-  G-1 Business
-  G-2 Wholesale
-  H Light Industrial
-  I Heavy Industrial
-  J Parking
-  ROW Right of Way

City of Lansing Zoning Map



BOARD OF WATER AND LIGHT MEMO

December 10, 2018

TO: City of Lansing -- Planning Department, Susan Stachowiak
FROM: Andy Baumgartner, Real Property Analyst, Legal Services, 517-702-6795
RE: COL SPR Rezoning-8-2018_5400 S. Cedar St. Comments

BWL Electric:

Approved with the following comments:

- The BWL can provide an (underground and/or overhead) electric service to serve the new development based on the Board's Rules and Regulations for Electric Service.
- A copy of the final site, grading, and electrical plans for the proposed development must be supplied to the Customer Projects Department before a final cost for electric service and service agreement can be provided to the owner/ developer.
- Owner/ developer must contact BWL Customer Projects Department, Christopher Cavin @ 517-702-7192, to initiate service agreement process.
- There are no apparent conflicts with the proposed development and the existing BWL electric distribution facilities.

BWL Street Lighting: Approved

- There are no apparent conflicts with the proposed development and BWL Street Light Service. For BWL Street Light questions contact Karen Carter office: 517-702-7080 cell: 517-285-8455, karen.carter@lbwl.com

BWL Water & Steam Distribution:

Approved

Please note that this approval does not constitute an agreement for service, and is subject to the following conditions:

- Site Specific Comments:
 - The proposed rezoning does not appear to have an impact on the existing water service or any other BWL water facility.
 - Should the customer require changes to the water service in order meet new zoning requirements, the customer will be required to submit an application to the BWL utility service department at (517)-702-6700. The customer will be required to enter a service agreement, meet BWL requirements and pay applicable fees prior to receiving service. Additional information can be found online at <http://www.lbwl.com/Commercial/Water-Services/Water-Service-Installation/>
- General Comments:
 - Prior to receiving service, the customer must submit an application to the BWL Utility Service Department at 517-702-6700 for any new service or alterations to existing services or metering. The customer will be required to enter a service agreement, meet BWL requirements, and pay applicable fees prior to receiving service. Additional information can be found online at <http://www.lbwl.com/Commercial/Water-Services/Water-Service-Installation/>
 - The customer is responsible for all costs of water service installation and removals, including connection fees, installation, metering, and engineering and administration costs for the work.
 - It is the applicant's responsibility to determine the estimated water demand (including fire flow requirements) of this project, and sizing services accordingly. The BWL will not take responsibility for inadequately sized services or metering specified by the applicant.
- Any questions about specific water service requirements may be directed to the BWL Water Distribution Department; Jerrod Wade, via e-mail at Jerrod.Wade@lbwl.com.

BWL Water Operations: R. Roost

I have no comments or concerns.

BWL Environmental Wellhead Protection: Angie Goodman, Water Quality

This project lies within the Board of Water & Light Wellhead Protection Area. Care must be exercised during construction to minimize the exposure of contaminated soils to weather and subsequent loss to the groundwater. Construction machinery should be parked on paved areas when not in use, and leakage of petroleum products and other potential contaminants must be immediately cleaned up and properly disposed of. Newly exposed soil could offer a route for contaminants into local groundwater.

Note: Any site plan approval does not constitute an agreement for service. All customers must meet BWL requirements and enter a service agreement prior to receiving service.

Rejuvenating South Lansing

Where Everyone is a Neighbor

Elaine Womboldt, Facilitator
4815 Tressa Drive
Lansing, MI 48910

December 4, 2018

Susan Stachowiak, Zoning Administrator
City of Lansing, Planning Office
316 N. Capitol, Ave, Suite D-1
Lansing, MI 48933-1234

Ms. Stachowiak and Planning Board Members,

Rejuvenating South Lansing strongly opposes the request Z-8-2018, 5400 S. Cedar Street, Rezoning from "F" Commercial & "J" Parking districts to "G-2" Wholesale district. This was the former K-Mart property.

According to the on-line packet it states "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.

The following are some of the reasons, but not all, Rejuvenating South Lansing opposes the request for rezoning:

- South Lansing is approaching a saturation mark for self-storage units in our area. There are statistics to prove this statement.
- There is one located at 5814 S. Pennsylvania, 3512 S. MLK, 5830 S. Pennsylvania, the new development at 930 W. Holmes that will have a very large self-storage business. Of course there is the U-Haul on South Cedar and U-Haul is developing another self-storage on Penn and Cedar Street.
- If the rezoning is approved at 5400 S. Cedar for the purpose of self-storage there will be an additional 100,000 sq ft for storage space, South Lansing will have an oversupply of this type of business.
- South Lansing needs to have different businesses to help bring a better economic development to our residents and area to entice other businesses to buy into South Lansing.
- The Planning Board need to be responsible stewards for South Lansing and look to helping us have diverse business owners who will bring in more people for buying power and help us develop a stronger community through its various types of businesses.

Rejuvenating South Lansing opposes the request for the rezoning of 5400 S. Cedar Street and urges the Planning Board members to oppose the rezoning tonight.

Sincerely,



Elaine Womboldt, Facilitator
Rejuvenating South Lansing
Where Everyone is a Neighbor

Stachowiak, Susan

From: Nancy Mahlow <nmahlow2012@gmail.com>
Sent: Tuesday, December 04, 2018 10:14 AM
To: Stachowiak, Susan
Cc: Hussain, Adam; Washington, Jody; Wood, Carol
Subject: Rezoning of the Old Kmart Property

This rezoning will set a precedent for any future developments along Cedar Street. There are already several U-haul facilities within this area and they don't need anymore. This is simply a sneaky way to put in any type of marijuana business.

This is a huge piece of property and should be developed accordingly to fit the area such as businesses that would promote the growth of the area for the surrounding neighborhoods.

As a resident of Lansing, I do not support this rezoning and would like my email added to the packet. Thank you

--

Nancy Mahlow
nmahlow2012@gmail.com
517-372-3249

Stachowiak, Susan

From: irvinemari@comcast.net
Sent: Tuesday, December 04, 2018 2:29 PM
To: Stachowiak, Susan
Cc: Garza, Jeremy; Wood, Carol
Subject: Rezoning of K-Mart Property

Hello Ms. Stachowiak,

First let me say, thank you, for all the service you provide to our city and all the very important information you have responsibility for.

I would like to give **my opinion to not allow the "rezoning change of K-Mart Property, on S. Cedar", to be granted.** I don't believe we need another self-storage provision on the south side. I do believe we need some businesses that will generate a more positive environment for the other existing businesses on S. Cedar, as well as the people living in South Lansing. We could use shops, restaurants, quality apartments or hotel that would be inviting into our area of town.

When looking at the "Master Plan" that was developed for the city's south side, that had some possibilities. Honestly, I hate to invite my large extended families, that basically live in the downriver Detroit area and westward, as there are no quality hotels and such in my south end.

I am sorry, I will not be able to attend tonight's meeting to give verbal comment, but hope this can be added.

Thank you -

Marilyn Irvine

5211 Tulip Avenue

Lansing, MI 48911



2727 North Central Avenue, 5-N • Phoenix, Arizona 85004
Phone: 602.263.6555 • Fax: 602.277.5824 • Email: holly_reading@uhaul.com

Narrative Project Summary

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 Rezoning for the property located at 5400 Cedar St. Lansing, MI. AREC is the wholly owned real estate subsidiary of the U-Haul System.

The proposed 9.380 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 uses consist of self-storage and U-Haul truck and trailer 24/7 sharing. The interior of the building will be retrofitted to house self-storage units. This infill development will allow U-Haul to better serve the storage needs of the community and activate a property that is vacant.

The property is currently zoned F- Commercial. The use of self-storage and truck and trailer sharing isn't permitted. U-Haul is proposing to apply for a petition the rezone the property to G-2, in order for our uses to be permitted. The building will be used structurally as is with the exception of imaging and signage.

U-Haul will be providing a valuable service to the city, as we are a one-stop shop for the moving and storage needs of our customers. It is important to recognize the significant economic and community development changes that have occurred throughout the United States. A perfect example of this is the outdated "big-box" retailer such as Kmart. These retailers are closing at a rapid pace leaving behind large buildings that then remain vacant for years at a time. By converting this building through an adaptive reuse, we are continuing a long and proud history of revitalizing commercial properties. We have been met with great success in turning these properties into productive businesses that both provide jobs and help promote infill development.

Custom site design for every U-Haul store assures that the facility compliments 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.

U-Haul is more of a commercial type use that serves the residential communities within a 3-5-mile radius. We feel the U-Haul would be an appropriate use for the property and there are proven benefits for allowing self-storage facilities in communities:

- Self-storage facilities are quiet
- They provide an excellent buffer between zones
- They create very little traffic
- They have little impact on utilities
- They have no impact on schools
- They provide a good tax revenue
- They provide a community service

U-Haul Moving and Storage is a convenience business. Our philosophy is to place U-Haul stores in high growth residential areas, where we fill a need for our products and services. Customers are made aware of the U-Haul store, primarily via drive-by awareness, much like that of a convenience store, restaurant or hardware store. Attractive imaging and brand name recognition bring in area residents — by our measures, those who live within a four-mile radius of the center.

The U-Haul Store:

U-Haul stores characteristically serve the do-it-yourself household customer. The U-Haul Store will be staffed with 10-15 employees, both full-time and part-time. Families will generally arrive in their own automobiles, enter the showroom and may choose from a variety of products and services offered there. When situated near public transit, approximately 50% of those families utilize alternative transportation to access U-Haul equipment and services.

- Families typically use U-Haul Self-Storage rooms to store furniture, household goods, sporting equipment, or holiday decorations. During transition periods between moves, moving to a smaller home, combining households, or clearing away clutter to prepare a home for sale, storage customers will typically rent a room for a period of two months to one year.
- U-Haul stores also provide truck and trailer sharing for household moving, either in-town or across country.
- Families who need packing supplies in advance of a move or to ship personal packages can choose from a variety of retail sales items, including cartons, tape and sustainable packing materials.
- Families who tow U-Haul trailers, boats, or recreational trailers can select, and have installed, the hitch and towing packages that best meet their needs.
- Moving and storage are synergistic businesses. Over half of our storage customers tell us they used U-Haul storage because of a household move. Customers will typically use U-Haul equipment or their personal vehicle to approach the loading area and enter the building through the singular customer access. All new U-Haul stores are designed with interior storage room access, giving the customer the

added value of increased security, and the community the benefit of a more aesthetically pleasing exterior.

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-swipe 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.

Traffic Study:

- U-Haul stores generate less vehicular traffic volume while still embodying an active-use site. Truck and trailer sharing and self-storage all represent dynamic transitions from one customer to another. DIY moving customers are presented with opportunities to utilize equipment and storage on a temporary basis, supporting a shared-economy, an effective economic model and an environmentally-sound way to conduct business.

USE COMPARISON					
Use	Square Feet	Traffic	Volume	Typical Hours	Days
		Weekday	Weekend		
Fast Food Restaurant	3,000 sq ft	3,161 trips	3,430 trips	18 hours - 24 hours	7
Gas Station w/ Convenience Store	2,200 sq ft	1,200 trips	2,200 trips	18 hours - 24 hours	7
Hotel	50,000 sq ft	905 trips	901 trips	24 hours	7
Casual Dining	5,000 sq ft	1,075 trips	1,258 trips	11 am - 11 pm 12 hours	7
U-Haul Center	80,000 sq ft	31 trips	53 trips	7 am - 7 pm 12 hours	7

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

Sincerely,

Holly Reading Keilman
AMERCO Real Estate - Planner

INTRODUCTION OF ORDINANCES

The following ordinance of the City of Lansing, Michigan, providing that the Code of Ordinances be amended by providing for the rezoning of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the Code for property located at:

Z-9-2018: Parcel No. 33-01-01-17-480-021, Rezoning from “C” Residential District to “F” Commercial District

was introduced by the Committee on Development & Planning, read a first and second time by its title and referred to the Committee on Development and Planning.

BY THE COMMITTEE ON DEVELOPMENT & PLANNING

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, _____, 2019, at 7 p.m. in City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of approving and/or opposing the Ordinance for rezoning:

Z-9-2018: Parcel No. 33-01-01-17-480-021, Rezoning from “C” Residential District to “F” Commercial District

ORDINANCE # _____

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING FOR THE REZONING OF A PARCEL OF REAL PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE OF ORDINANCES.

The City of Lansing ordains:

Section 1. That the district maps adopted by and incorporated as Section 1246.02 of the Code of Ordinances of the City of Lansing, Michigan be amended to provide as follows:

To change the zoning classification of the property described as follows:

Case Number: Z-9-2018

Parcel Number's: 33-01-01-17-480-021

Address: Vacant parcel of land located immediately south of 601 S. M.L. King Jr. Blvd.

Legal Descriptions: The South 31 feet of the West ½ of Lot 9, the South 31 feet of Lot 10, and the North 2 feet of Lot 11, Block 7, Bush, Butler & Sparrow's Addition to the City of Lansing, from "C" Residential District to "F" Commercial District.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance was duly adopted by the Lansing City Council on _____, 2019, and a copy is available in the office of the Lansing City Clerk, 9th Floor, City Hall, 124 W. Michigan Avenue, Lansing, MI 48933.

Section 4. This ordinance shall take effect on the 30th day after enactment.

CITY OF LANSING
NOTICE OF PUBLIC HEARING

Z-9-2018, Vacant Parcel South of 601 S. ML King Jr. Blvd.
Rezoning from “C” Residential District to “F” Commercial District

The Lansing City Council will hold a public hearing on Monday, , 2019 at 7:00 p.m. in Council Chambers, 10th Floor, Lansing City Hall, 124 W. Michigan Avenue, Lansing, Michigan to consider Z-9-2018. This is a request by Bryant Hill to rezone the vacant parcel of land located immediately south of 601 S. M.L. King Jr. Blvd. from “C” Residential District to “F” Commercial District. The purpose of the request is to make the zoning of the subject property consistent with the zoning of the adjoining parcels to the north and south.

For more information, please call Lansing City Council at 517-483-4177. If you are interested in this matter, please attend the public hearing or send a representative. Written comments will be accepted between 8 a.m. and 5 p.m. on City business days if received before 5 p.m., Monday, 2019 at the City Clerk’s Office, Ninth Floor, City Hall, 124 West Michigan Ave., Lansing, MI 48933 or email city.clerk@lansingmi.gov.

Chris Swope, City Clerk

GENERAL INFORMATION

APPLICANT/OWNER:	Bryant Hill on behalf of the Gilbert M. Hill Trust 421 Curtis Road East Lansing, MI 48823
REQUESTED ACTIONS:	Rezone the vacant lot south of 601 S. ML King, Jr. Blvd. from "C" Residential District to "F" Commercial District
EXISTING LAND USE:	Vacant
EXISTING ZONING:	"C" Residential
PROPOSED ZONING:	"F" Commercial
PROPERTY SIZE:	Slightly Irregular Shape 2,657 square feet - 122 acres
SURROUNDING LAND USE:	N: Vacant commercial building S: Office building E: Single Family Residential W: Union Missionary Baptist Church
SURROUNDING ZONING:	N: "F" Commercial S: "F" Commercial E: "C" Residential W: "E-2" Local Shopping
MASTER PLAN:	The Design Lansing Comprehensive Plan designates the subject property for medium-density residential-urban land use. S. M.L. King is designated as a major arterial

SPECIFIC INFORMATION

This is a request by Bryant Hill to rezone the vacant parcel of land located immediately south of 601 S. M.L. King Jr. Blvd., legally described as:

South 31 Feet of the West ½ of Lot 9, the South 31 Feet of Lot 10 & the North 2 Feet of Lot 11, Block 7, Bush, Butler & Sparrows Addition (Parcel No. 33-01-01-17-480-021)

from "C" Residential District to "F" Commercial District. The purpose of the request is to make the zoning of the subject property consistent with the zoning of the adjoining parcels to the north and south.

AGENCY RESPONSES

Assessor:

BWL: See attached.

Building Safety: The Building Safety Office has no objections to the rezoning.
New development is subject to building plan review.

Fire Marshal:

Parks & Rec.: No comments.

Public Service: No objections to the rezoning. If the property is developed in the future, a site plan would be required for review.

Transportation:

COMPATIBILITY WITH SURROUNDING LAND USE:

The subject property is currently vacant and is surrounded to the north and south by property that is zoned "F" Commercial. The property in the 600 block on the west side of S. M. L King is zoned "F" Commercial as well, but for one parcel of land that is zoned "E-2" Local Shopping district. The applicant's proposal to rezone the subject property to "F" Commercial will, thus, make it consistent with the zoning pattern already established in the area.

The subject property is too small on its own to be developed for any type of commercial land use. Even under the current zoning, the site would only be able to accommodate a very small single family home. Given the street system in the area and the surrounding zoning and land use patterns, it is highly unlikely that the site would be deemed desirable for the construction of a new home. The proposed rezoning allows the owner to make use of the property by combining it with one of the adjoining properties for expansion of their existing facilities or to create a larger site for redevelopment.

COMPLIANCE WITH MASTER PLAN:

While the Design Lansing Comprehensive Plan designates the subject property for medium-density residential use-urban land use, it has the same designation for the adjacent properties to the north and south that are currently zoned "F" Residential. Therefore, despite the Comprehensive Plan designation, the proposed zoning will make the subject property consistent with the zoning pattern that already exists in the area. Consistent zoning patterns create consistent land use patterns which is a primary goal of the Comprehensive Plan and of proper planning and zoning principles in general.

IMPACT ON VEHICULAR AND PEDESTRIAN TRAFFIC:

Given the small size of the site and the close proximity that a new driveway would be to the existing driveways to the north and south, it may be necessary to secure an easement from one of the adjoining property owners to allow a connection to one of the existing driveways.

IMPACT ON PUBLIC FACILITIES:

Any new construction on the property will have to be reviewed and approved through the City's administrative site plan review process. The site plan review process is intended, in part, to determine whether public utility systems in the area are adequate to support the proposed development. A primary component of the site plan review process is a storm water management plan to ensure that run-off from the site does not negatively impact the surrounding properties or place demands on the storm sewer system in excess of its capacity.

ENVIRONMENTAL IMPACT:

The site is currently vacant. As noted above, new construction will have to be reviewed and approved through the City's administrative site plan review process to ensure compliance with all applicable City codes and ordinances and to mitigate any negative impacts on the environment.

IMPACT ON FUTURE PATTERNS OF DEVELOPMENT:

Approval of the requested rezoning will not have any negative impacts on future patterns of development in the area. As evidenced by the attached zoning map, the properties to the north and south of the subject property are currently zoned "F" Commercial and thus, the proposed rezoning will merely create consistency in the zoning pattern that already exists in the area.

SUMMARY

This is a request by Bryant Hill to rezone the vacant parcel of land located immediately south of 601 S. M.L. King Jr. Blvd. from "C" Residential District to "F" Commercial District. The purpose of the request is to make the zoning of the subject property consistent with the zoning of the adjoining parcels to the north and south.

The findings of fact as outlined in this staff report support a positive recommendation for the requested rezoning. The proposed rezoning will be consistent with the existing zoning and land use patterns in the area and with the future land use pattern being advanced in the Design Lansing Comprehensive Plan. Additionally, the proposed rezoning will have no negative impacts on traffic patterns, the environment or future patterns of development in the area.

RECOMMENDATION

Pursuant to the findings described in this staff report, staff recommends approval of Z-9-2018, a request by Bryant Hill to rezone the vacant parcel of land located immediately south of 601 S. M.L. King Jr. Blvd. from "C" Residential District to "F" Commercial District.

Respectfully Submitted,

**Susan Stachowiak
Zoning Administrator**



BOARD OF WATER AND LIGHT MEMO

January 9, 2019

TO: City of Lansing – Planning Department, Susan Stachowiak
FROM: Andy Baumgartner, Real Property Analyst, Legal Services, 517-702-6795
RE: COL Rezoning- Z-9-2018_Comments

BWL Electric: Approved.

- No Comments. Contact person: Jerry Wheeler, Electric Utility Designer, LBWL, PH: 517-702-6644

BWL Street Lighting: Approved.

- No comments. Contact person: Karen Carter, phone: 517-702-7080

**BWL Water & Steam Distribution:
Approved**

Please note that this approval does not constitute an agreement for service, and is subject to the following conditions:

- Site Specific Comments:
 - The proposed rezoning does not appear to impact existing BWL water facilities.
 - Should the customer require changes to the water service to meet new zoning requirements, then the customer will be required to submit an application to the BWL Utility Service Department at 517-702-6700. The customer will be required to enter a service agreement, meet BWL requirements, and pay applicable fees prior to receiving service. Additional information can be found online at <http://www.lbwil.com/Commercial/Water-Services/Water-Service-Installation/>.
- General Comments:
 - A BWL Service Agreement shall be established with payment prior to performing work. All services up to and including the meter are part of the water system and cannot be installed or altered without a BWL Water Service Agreement in place. Service risers to the building will only be constructed by BWL forces or a BWL approved contractor. The plumbing contractor is not to stub services out of the building. Water services stubbed out of the building by a non-approved contractor, and without inspection by the BWL, will not be acceptable.
 - It is the applicant's responsibility to determine the estimated water demand (including fire flow requirements) of this project, and sizing services accordingly. The BWL will not take responsibility for inadequately sized services or metering specified by the applicant.
 - The customer is responsible for verifying the precise location and depths of the existing water mains or services prior to construction. The BWL will not be responsible for unanticipated conflicts caused by inaccuracies in the customer's design documents or MISS-DIG staking in the field.
 - Services, mains, and meter settings shall conform to BWL Rules & Regulations. <http://www.lbwil.com/Commercial/Rules-Regulations-for-Service/>.
 - The customer is responsible for all costs of water service installation and removals, including connection fees, installation, metering, and engineering and administration costs for the work.
- Any questions about specific water service requirements may be directed to the BWL Water Distribution Department; Jerrod Wade via e-mail at: Jerrod.Wade@lbwl.com.

BWL Water Operations: Randall Roost-Approved
I have no concerns with the proposed rezoning.

BWL Environmental Wellhead Protection: Angie Goodman, Water Quality-Approved
I have no concerns.

Note: Any site plan approval does not constitute an agreement for service. All customers must meet BWL requirements and enter a service agreement prior to receiving service.

CERTIFICATE OF SURVEY

For: Gilbert Hill
3044 Scarborough Drive
Lansing, MI 48910

S M L King Jr Blvd

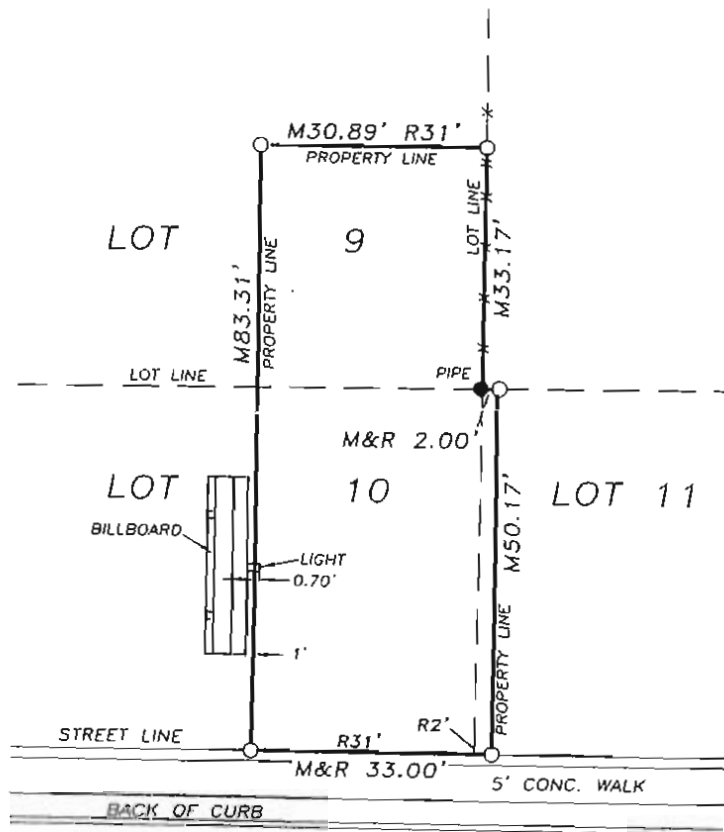
Parcel 33-01-01-17-480-021

Legal Description:

The South 31 feet of the West 1/2 of Lot 9, the South 31 feet of Lot 10, and the North 2 feet of Lot 11, Block 7, Bush, Butler and Sparrow's Addition to the City of Lansing, Ingham County, Michigan.



1"=20'



MARTIN LUTHER KING BLVD.

D = Deeded
M = Measured
P = Platted

● Found as noted
○ Set Iron & cap #12034

We hereby certify that we have surveyed the property herein describe; that the buildings and improvements as shown are entirely within the property lines; and that there are no visible encroachments upon the above described property, except as shown hereon.

FRED WHITE ENGINEERING COMPANY
2300 North Grand River Avenue
Lansing, Michigan 48906
Phone (517) 321-7111

Fred N. White
Fred N. White P.E. & P.S. No. 12034
Survey No. 030877-1
Date: 12 July 2004







City of Lansing Zoning Map

Legend

-  roads_final
-  Tax Parcels
-  A Residential-Single
-  B Residential-Single
-  C Residential-2 Units
-  NONE
-  CUP Community Unit Plan
-  D-1 Professional Office
-  D-2 Residential Office
-  DM-1 Residential Multiple
-  DM-2 Residential Multiple
-  DM-3 Residential Multiple
-  DM-4 Residential Multiple
-  E-1 Apartment Shop
-  E-2 Local Shopping
-  F Commercial
-  F-1 Commercial
-  G-1 Business
-  G-2 Wholesale
-  H Light Industrial
-  I Heavy Industrial
-  J Parking
-  ROW Right of Way

S Martin Luther King Jr Blvd

W Hillsdale St

"C"
Residential

W Saint Joseph St

N



BY THE COMMITTEE ON DEVELOPMENT & PLANNING

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, , 2019, at 7 p.m. in City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of approving and/or opposing the Ordinance for rezoning:

SLU-2-2018: 1609 N. Larch Street, Special Land Use Permit, Residential use in the “I”
Heavy Industrial zoning district

CITY OF LANSING
NOTICE OF PUBLIC HEARING

SLU-2-2018, 1609 N. Larch Street
Special Land Use Permit - Residential Use in the “H” Light Industrial District

The Lansing City Council will hold a public hearing on Monday, , 2019 at 7:00 p.m. in Council Chambers, 10th Floor, Lansing City Hall, 124 W. Michigan Avenue, Lansing, Michigan to consider SLU-2-2018. This is a request by Adam Brewer, Larch Street, LLC, for a special land use permit to convert the building at 1609 N. Larch Street into residential apartments. Residential use is permitted in the "I" Heavy Industrial district, which is the zoning designation of the subject property, if a Special Land Use permit is approved by the Lansing City Council.

For more information, please call Lansing City Council at 517-483-4177. If you are interested in this matter, please attend the public hearing or send a representative. Written comments will be accepted between 8 a.m. and 5 p.m. on City business days if received before 5 p.m., Monday, 2019 at the City Clerk’s Office, Ninth Floor, City Hall, 124 West Michigan Ave., Lansing, MI 48933 or email city.clerk@lansingmi.gov.

Chris Swope, City Clerk

GENERAL INFORMATION

APPLICANT/OWNER:	Adam Brewer Larch Street, LLC 2547 W. Main Street Lansing, MI 48917
REQUESTED ACTION:	Special Land Use Permit for residential use in the “H” Light Industrial District
EXISTING LAND USE:	Vacant Board of Water & Light power substation building
EXISTING ZONING:	“I” Heavy Industrial District
PROPOSED ZONING:	No change
PROPERTY SIZE & SHAPE:	Irregular Shape, 11,238 square feet - .25 acres
SURROUNDING LAND USE:	N: Vacant, Freeway Right-of-Way S: Parking Lot E: Manufacturing Facility W: Manufacturing Facility
SURROUNDING ZONING:	N: “I” Heavy Industrial District S: “I” Heavy Industrial District E: “I” Heavy Industrial District W: “I” Heavy Industrial District
MASTER PLAN DESIGNATION:	The Design Lansing Master Plan designates the subject property for general industrial land use. N. Larch Street is designated as a principal arterial.

Request

This is a request by Adam Brewer, Larch Street, LLC, for a special land use permit to convert the building at 1609 N. Larch Street into residential apartments. Residential use is permitted in the "I" Heavy Industrial 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: See attached.

Building Safety: The Building Safety Office has no objections. This project will be subject to site and building plan reviews.

Development:

Fire Marshal:

Parks & Recreation: No comments.

Public Service: No objections. The developer should submit an estimated sanitary\ sewer usage to this department to ensure there is adequate capacity for the prospective development. The site will require a site plan for review.

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 purchased the subject property from the City in 2018, following approval of an Act 33 request (Act-3-2018) authorizing its disposition. The property contains a 2-story, 5,040 square foot masonry building that was formerly used as a Board of Water & Light electrical substation. The building has been vacant for more than 10 years. The applicant proposes to convert the building into 5 residential apartments. Since the property is zoned "I" Heavy Industrial, a special land use permit is required for the proposed residential use.

The subject property is located in an area that is entirely zoned heavy industrial and being used exclusively for heavy industrial uses. Given the nature of the surrounding area, the ideal use of the building would be for some type of industrial business. The building and the site, however, are too small to reasonably accommodate an industrial business and thus, without a special land use permit to allow for residential use, the building may continue to sit vacant which is not beneficial to the area in which it is located.

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

Converting the building at 1609 N. Larch Street into residential apartments will not necessarily change the character of the surrounding area. The applicant's proposal will introduce a residential use into an industrial area, however, the building and its appearance will be preserved. The small size of the site and the building present significant challenges with regard to its reuse. Allowing the building to be converted to residential apartments will make use of the building so that it does not continue to sit vacant and further deteriorate over time.

3. Will the proposed special land use interfere with the enjoyment of adjacent property?

Residential use of the site will not interfere with the enjoyment of adjacent properties. The surrounding properties are industrial and are more intensive than the use proposed by the applicant.

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 applicant's plan for the site includes constructing a 9-space parking lot on the site, north of the building. Since the proposed parking lot will result in more than 1,000 square feet of new impervious surface, a site plan will have to be reviewed and approved through the City's administrative site plan review process before any construction of the parking lot can commence. A storm-water management plan is a required component of the site plan review submission to the City.

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?

No nuisances are anticipated to result from the proposed residential use of the buildings on the site. In fact, residential use would be a very low impact use of the property, particularly in comparison to many of the uses that would be permitted by right in the "I" Heavy Industrial district (storage yard, salvage yard, heavy automobile repair facility, manufacturing, vehicle sales, etc.).

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 negative comments have been received from any of the reviewing departments or agencies with regard to impacts on public facilities and services.

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

The City's Public Service Department will require an estimate of the sanitary\ sewer usage in order to determine if there is adequate capacity for the proposed use. The applicant/developer will be responsible for any upgrades to the systems necessary to accommodate the development.

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 Zoning Ordinance permits residential land use in the "I" Heavy Industrial district, with a special land use permit when it can be determined through an analysis of the criteria contained in Section 1282.03(f)(1)-(9) of the Zoning Ordinance that such use is appropriate for the proposed location. In this particular case, conversion of the building at 1609 N. Larch Street to residential apartments can comply with the applicable criteria used for evaluating special land use permits.

The Design Lansing Master Plan designates the subject property for "General Industrial" use. The intent of this designation as stated in the Plan is:

"To provide an environment for industrial facilities that are larger in scale and require outdoor materials or equipment storage."

The Master Plan lists the following as typical uses for this designation:

"Power plants, automobile component manufacturing and assembly; scrap processing/recycling; and outdoor storage of equipment or materials. Light industrial uses should also be permitted."

While the Master Plan does not promote residential use in the "general industrial" land use category, the preservation and adaptive reuse of existing buildings is strongly encouraged.

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

The attached site plan demonstrates compliance with all applicable dimensional requirements of the Zoning Ordinance. The Ordinance requires 9 parking spaces for the proposed 2, 1-bedroom units and 3, 2-bedroom units. At this time the only parking that exists on the site is a 12-foot wide driveway off of N. Larch Street. If approved, the applicant intends to construct a 9 space parking lot on the north side of the building.

SUMMARY

This is a request by Adam Brewer, Larch Street, LLC, for a special land use permit to convert the building at 1609 N. Larch Street into residential apartments. Residential use is permitted in the "I" Heavy Industrial 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 contained in this staff report, the proposal complies with most 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.
7. It has not been determined whether the proposed Special Land Use will place demands on public services and facilities in excess of current capacities.
8. The proposed Special Land Use is not consistent with the intent and purpose of the Design Lansing Comprehensive Plan.
9. The proposed Special Land Use will comply with the dimensional requirements of the Zoning Ordinance.

RECOMMENDATION

Staff recommends approval of SLU-2-2018, based on the findings of fact described in the staff report.

Respectfully Submitted,

Susan Stachowiak
Zoning Administrator



BOARD OF WATER AND LIGHT MEMO

January 9, 2019

TO: City of Lansing – Planning Department, Susan Stachowiak
FROM: Andy Baumgartner, Real Property Analyst, Legal Services, 517-702-6795
RE: COL 51U-2-2018 Agency Referral_Comments

BWL Electric: Approved with the following comments:

- The BWL can provide an (underground and/or overhead) electric service to serve the new development based on the Board's Rules and Regulations for Electric Service.
- A copy of the final site, grading, and electrical plans for the proposed development must be supplied to the Customer Projects Department before a final cost for electric service and service agreement can be provided to the owner/ developer.
- Owner/ developer must contact BWL Customer Projects Department, Jerry Wheeler @ 517-702-6644, to initiate service agreement process.
- The BWL will need to cut and fill the underground duct bank system that currently exists at the proposed development.

BWL Street Lighting: Approved.

- There are no apparent conflicts with the proposed development and the existing BWL Street Light Service. For BWL Street Light Design contact Karen Carter, 517-702-7080 or: karen.carter@lbwl.com

BWL Water & Steam Distribution:

Approved

Please note that this approval does not constitute an agreement for service, and is subject to the following conditions:

- Site Specific Comments:
 - The proposed rezoning does not appear to impact existing BWL water facilities.
 - If, during the course of the parking lot construction, it is determined that any water facilities are impacted, the customer will be responsible for the costs of protecting those facilities as well as any repairs and/or relocations.
 - The customer is responsible for verifying the precise location and depths of the existing water mains or services prior to construction. The BWL will not be responsible for unanticipated conflicts caused by inaccuracies in the customer's design documents or MISS-DIG staking in the field.
 - Should the customer require changes to the water service to meet new zoning requirements, then the customer will be required to submit an application to the BWL Utility Service Department at 517-702-6700. The customer will be required to enter a service agreement, meet BWL requirements, and pay applicable fees prior to receiving service. Additional information can be found online at <http://www.lbwl.com/Commercial/Water-Services/Water-Service-Installation/>.
- General Comments:
 - A BWL Service Agreement shall be established with payment prior to performing work. All services up to and including the meter are part of the water system and cannot be installed or altered without a BWL Water Service Agreement in place. Service risers to the building will only be constructed by BWL forces or a BWL approved contractor. The plumbing contractor is not to stub services out of the building. Water services stubbed out of the building by a non-approved contractor, and without inspection by the BWL, will not be acceptable.
 - It is the applicant's responsibility to determine the estimated water demand (including fire flow requirements) of this project, and sizing services accordingly. The BWL will not take responsibility for inadequately sized services or metering specified by the applicant.
 - Services, mains, and meter settings shall conform to BWL Rules & Regulations. <http://www.lbwl.com/Commercial/Rules-Regulations-for-Service/>.
 - The customer is responsible for all costs of water service installation and removals, including connection fees, installation, metering, and engineering and administration costs for the work.
- Any questions about specific water service requirements may be directed to the BWL Water Distribution Department; Jerrod Wade via e-mail at Jerrod.Wade@lbwl.com.

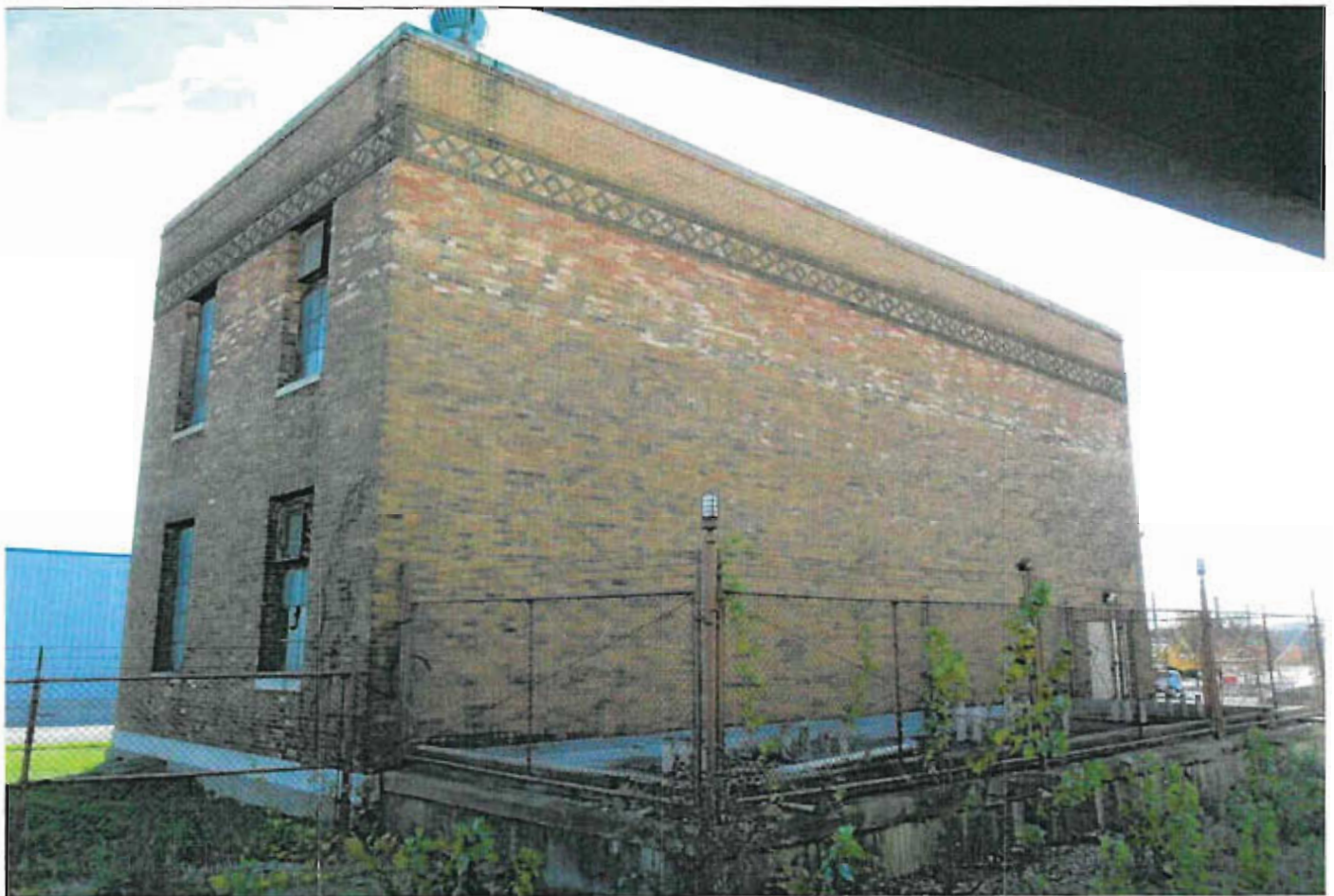
BWL Water Operations: Randall Roost-Approved

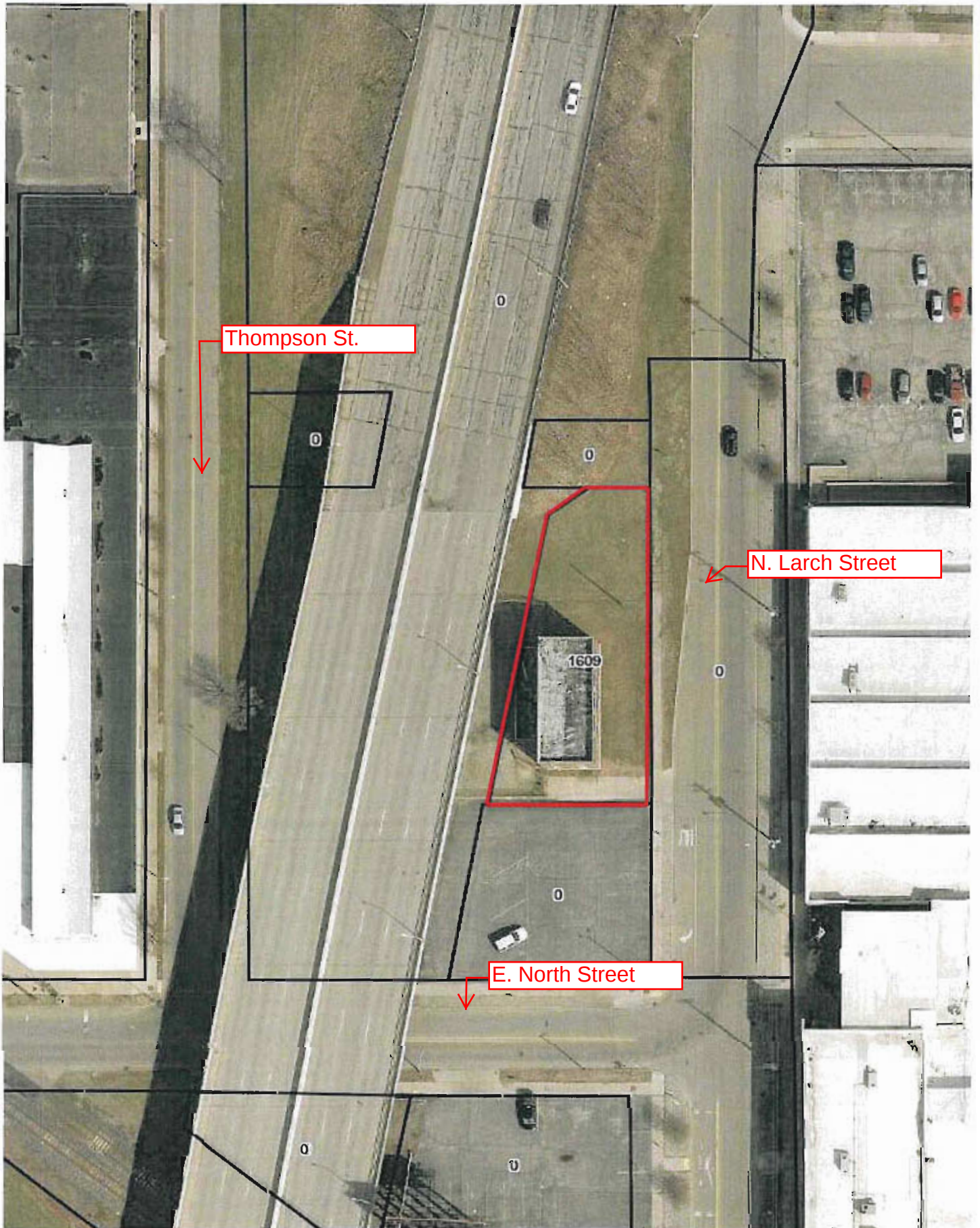
I have no comments or concerns.

Note: Any site plan approval does not constitute an agreement for service. All customers must meet BWL requirements and enter a service agreement prior to receiving service.

BWL Environmental Wellhead Protection: Angie Goodman, Water Quality

This project lies within the Board of Water & Light Wellhead Protection Area. Care must be exercised during construction to minimize the exposure of contaminated soils to weather and subsequent loss to the groundwater. Construction machinery should be parked on paved areas when not in use, and leakage of petroleum products and other potential contaminants must be immediately cleaned up and properly disposed of. Newly exposed soil could offer a route for contaminants into local groundwater.





GENERAL INFORMATION

APPLICANT: REO Gateway LLC & Funk Zone Investors, LLC
2422 Jolly Road, Suite 200
Okemos, MI 48864

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

REQUESTED ACTIONS: Rezone from “DM-4” Residential & “J” Parking districts to
“G-1” Business District

EXISTING LAND USE: 136 E. Malcolm X – vacant land
East of 136 E. Malcolm X – vacant commercial building

EXISTING ZONING: “DM-4” Residential & “J” Parking Districts

PROPOSED ZONING: “G-1” Business District

PROPERTY SIZE: 2.531 acres – total area to be rezoned

SURROUNDING LAND USE: N: I-496
S: River/Apartment Building
E: Apartment Building
W: BWL Substation

SURROUNDING ZONING: N: “G-1” Business District
S: “DM-4” Residential District
E: “DM-4” Residential District
W: “DM-4” Residential District

MASTER PLAN: The Design Lansing Master Plan designates the subject property for District Mixed-Use Center. S. Washington and E. Malcolm X are designated as minor arterials.

DESCRIPTION:

This is a request by Reo Gateway, LLC & Funk Zone Investors, LLC to rezone the property at 136 E. Malcolm X Street and the vacant 2.086 parcel to its east from “DM-4” Residential & “J” Parking Districts to “G-1” Business District. The purpose of the rezoning is to permit a mixed-use (hotel, retail/commercial and multiple family residential) development on the subject properties.

AGENCY RESPONSES

Assessing:	No concerns
BWL:	See attached.
Building Safety:	The BSO has no objections. Project will be subject to site and building plan reviews.
Development Office:	
Fire Marshal:	
Parks & Recreation:	No comment.
Public Service:	* Sanitary sewer is located on the north side of Malcolm X Street. It is recommended that the developer reuse existing sanitary sewer leads if possible to avoid lane/street closures of Malcolm X. * There is storm sewer in Washington Avenue. * The property has a private storm sewer that discharges directly to the Grand River. * Prior to being allowed to connect to the public sewers, the developer will have to provide sanitary and storm sewer flow rates from the development.
Traffic Engineer:	No objections to, or conditions on, the rezoning. Any site issues can be addressed during the site plan development process.

REZONING ANALYSIS**COMPATIBILITY WITH SURROUNDING LAND USE:**

The proposal is to rezone the property at 136 E. Malcolm X and the property to its west from "DM-4" Residential and "J" Parking districts to the "G-1" Business district. The purpose of the rezoning is to permit a mixed-use development on the subject properties, although a specific development plan has not been provided. A very basic concept plan was provided by the applicant and is attached to this report. The concept plan shows 1, 5-story building and 1, 2-story building. The application states that the plan is to develop the properties with a hotel, retail/commercial and multiple family residential uses. A breakdown of the number of proposed apartment units by bedroom count has not been provided to determine if the proposed density is within what is allowed under the "G-1" Business district. The "G-1" district permits multiple family residential use to the density of the "DM-4" Residential district which is the predominant current zoning of the subject property.

A mixed-use development on the subject property would be compatible with the surrounding area and with the land use pattern being advanced in the master plan as described below. The majority of the subject property was previously used for a motel and the dominant land use in the area is multiple family residential. The subject property is primarily zoned "DM-4" Residential and is surrounded by "DM-4" zoning, which district permits multiple family residential up to 87 dwelling units per acre. The rezoning is necessary in order to accommodate the other proposed uses on the site (hotel, commercial, office). The "G-1" district allows for a mix of office, commercial and residential uses to the highest density permitted under the Zoning Ordinance. It also has no setback, height or parking requirements which is why the overwhelming majority of the land in and around the core downtown area is currently zoned "G-1" Business.

The proposed mixed use development will provide a renewed sense of vitality to an area that is somewhat devoid of activity (north of the river and south of the freeway). In fact, the site is a strategic location for the realization of the overall mixed-use pattern being advanced in the Master Plan for the area. The residential component of the project will provide housing for people who work, attend school or simply choose to live in an area that is within walking distance of the goods, services and entertainment already available in Lansing's core.

COMPLIANCE WITH MASTER PLAN:

The Design Lansing Comprehensive Plan designates the subject property for District Mixed-Use Center, the purpose of which is:

"To support the mixed-use character and pedestrian scale of the existing Old Town, East Michigan Avenue and REO Town districts, and to encourage the consolidation of retail and commercial uses in walkable, mixed-use centers located at key intersections along high ridership transit routes and within walking distance of neighborhoods."

With respect to placemaking characteristics, the Plan states that:

"Buildings should be located to frame the street with parking located to the rear. Shared parking should be encouraged. Reductions in required parking should be offered as an incentive. Primary building entrances should be oriented to the street. Retail should be clustered to create a shopping core with ground floor retail storefronts. Residentially-scaled and detailed structures should be encouraged on neighborhood edges."

The G-1 Business district is the zoning designation that would most effectively allow for the mixed use development strategy being advanced in the Design Lansing Comprehensive Plan. The "District Mixed-Use Center" land use designation is specifically designed for areas such as Old Town and Reo Town that have characteristics similar to the downtown but on a smaller scale. These areas are characterized by mixed use buildings (commercial, office, residential), small lots that cannot accommodate much if any on-site parking and buildings that have an urban design and are located at the front property lines. The "G-1" Business district is the only designation in the current Zoning Ordinance that would accommodate this type of development in that it allows for buildings to be located at the front property line; parking can be accommodated via shared public facilities; and mixed uses of retail, office, and high density residential are permitted as a matter of right.

IMPACT ON VEHICULAR AND PEDESTRIAN TRAFFIC:

The proposed development is anticipated to generate additional pedestrian traffic which is very positive for the area. Furthermore, by providing residential units within walking distance of the downtown and on two bus routes, the occupants of the units can be less dependent on automobiles. The current pedestrian walkway system and traffic controls in the area are designed to accommodate pedestrian traffic in a safe manner. With respect to vehicular traffic, access to the site will be from E. Malcolm X and S. Washington Avenue, both of which are designated as minor arterials that are designed to carry a high volume of traffic.

Although no on-site parking is required under the "G-1" Business zoning, the applicant is proposing to construct 128 surface parking spaces and underground parking for one of the buildings. The proposed number of parking spaces should be adequate to accommodate the needs of the proposed development since the parking demands for the commercial/office uses will primarily occur during normal business hours while the peak parking demands for the residential and hotel component of the project will typically occur after normal business hours.

IMPACT ON PUBLIC FACILITIES:

The adequacy of the utility systems to accommodate the proposed development will be evaluated during the administrative site plan review process.

ENVIRONMENTAL IMPACT:

The proposed development will be required to go through an administrative site plan approval process, during which the drainage system as well as all other physical aspects of the development will be reviewed for compliance with all applicable city codes. Furthermore, S. Washington Avenue and E. Malcolm X are primary bus routes which allows residents of the development to be less dependent on private transportation. Reducing motorized traffic has a positive impact on the environment since less traffic results in less pollution created by the greenhouse gas emissions that motorized vehicles produce and less wear and tear on the roads.

IMPACT ON FUTURE PATTERNS OF DEVELOPMENT:

The proposal is anticipated to have a positive impact on future development patterns in the area. The "G-1" zoning classification will facilitate the mixed use development pattern of commercial and residential uses being advanced in the Design Lansing Comprehensive Plans. Furthermore, the proposed project may encourage more redevelopment projects in the area that will further the goals of the Comprehensive Plan to create a more vibrant Reo Town. A mixed use development on the subject property would strengthen the linkage between the core downtown to the north and the area south of I-496. The proposed development will provide convenient housing for people who work and attend the various educational institutions in Lansing's downtown. The development will also provide for a hotel in close proximity to the downtown which will bring more people to the area. This creates an additional customer base for the existing businesses in the area and may result in new businesses coming to the area as well.

SUMMARY

This is a request by Reo Gateway, LLC & Funk Zone Investors, LLC to rezone the property at 136 E. Malcolm X Street and the vacant 2.086 parcel to its east from “DM-4” Residential & “J” Parking Districts to “G-1” Business District. The purpose of the rezoning is to permit a mixed-use (hotel, retail/commercial and multiple family residential) development on the subject properties.

The findings of fact as outlined in this staff report support a positive recommendation for the requested rezoning. The proposed rezoning will be consistent with the existing land use patterns in the area and with the future land use pattern being advanced in the Design Lansing Comprehensive Plan. Additionally, the proposed rezoning will have no negative impacts on traffic patterns, the environment or future patterns of development in the area.

RECOMMENDATIONS

Pursuant to the findings described above, the following recommendation is offered for the Planning Board’s consideration:

Z-5-2018 be approved to rezone the property at 136 E. Malcolm X Street and the vacant property to its east from “DM-4” Residential District to “G-1” Business District.

Respectfully Submitted,

Susan Stachowiak
Zoning Administrator

BOARD OF WATER AND LIGHT MEMO

September 27, 2018

TO: City of Lansing – Planning Department, Susan Stachowiak

FROM: Andy Baumgartner, Real Property Analyst, Legal Services, 517-702-6795

RE: COL Rezoning Z-5-2018_136 E. Malcolm X Comments

BWL Electric: Rezoning Request- Approved

- Contact person: Jerry Wheeler, Electric Utility Designer, LBWL, phone: 517-702-6644.

BWL Street Lighting: Rezoning Request- Approved

- Contact person: Karen Carter Street Light Utility Designer: 517-702-7080.

BWL Water & Steam Distribution: Approved

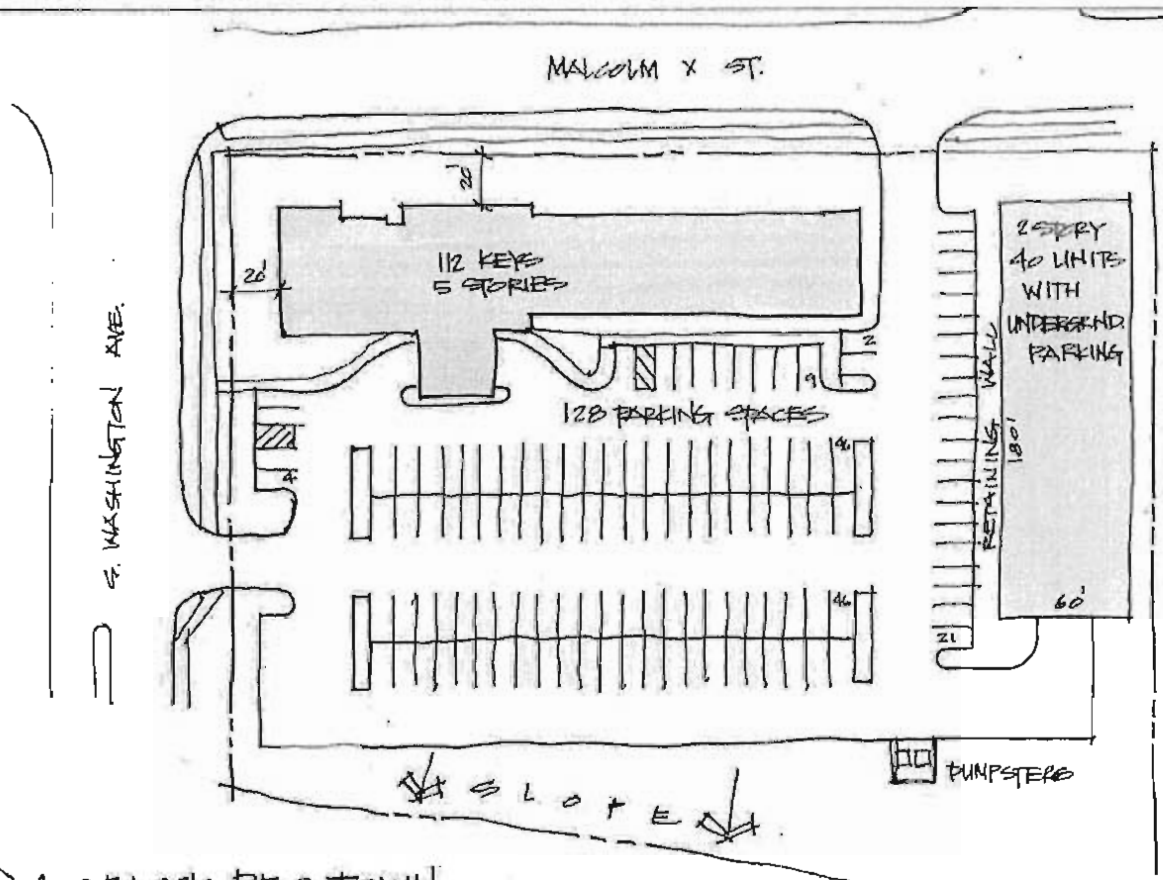
- Contact person: Steve Conn, Utility Designer: 517-702-6726

BWL Water Operations: Randall Roost- Approved

- I have no comments or concerns with the proposed rezoning.

BWL Environmental Wellhead Protection: Angie Goodman, Water Quality- Approved

- This project lies within the Board of Water & Light Wellhead Protection Area. Care must be exercised during construction to minimize the exposure of contaminated soils to weather and subsequent loss to the groundwater. Construction machinery should be parked on paved areas when not in use, and leakage of petroleum products and other potential contaminants must be immediately cleaned up and properly disposed of. Newly exposed soil could offer a route for contaminants into local groundwater.



(C) 800 BLOCK RED TOWN
LANSING, MI

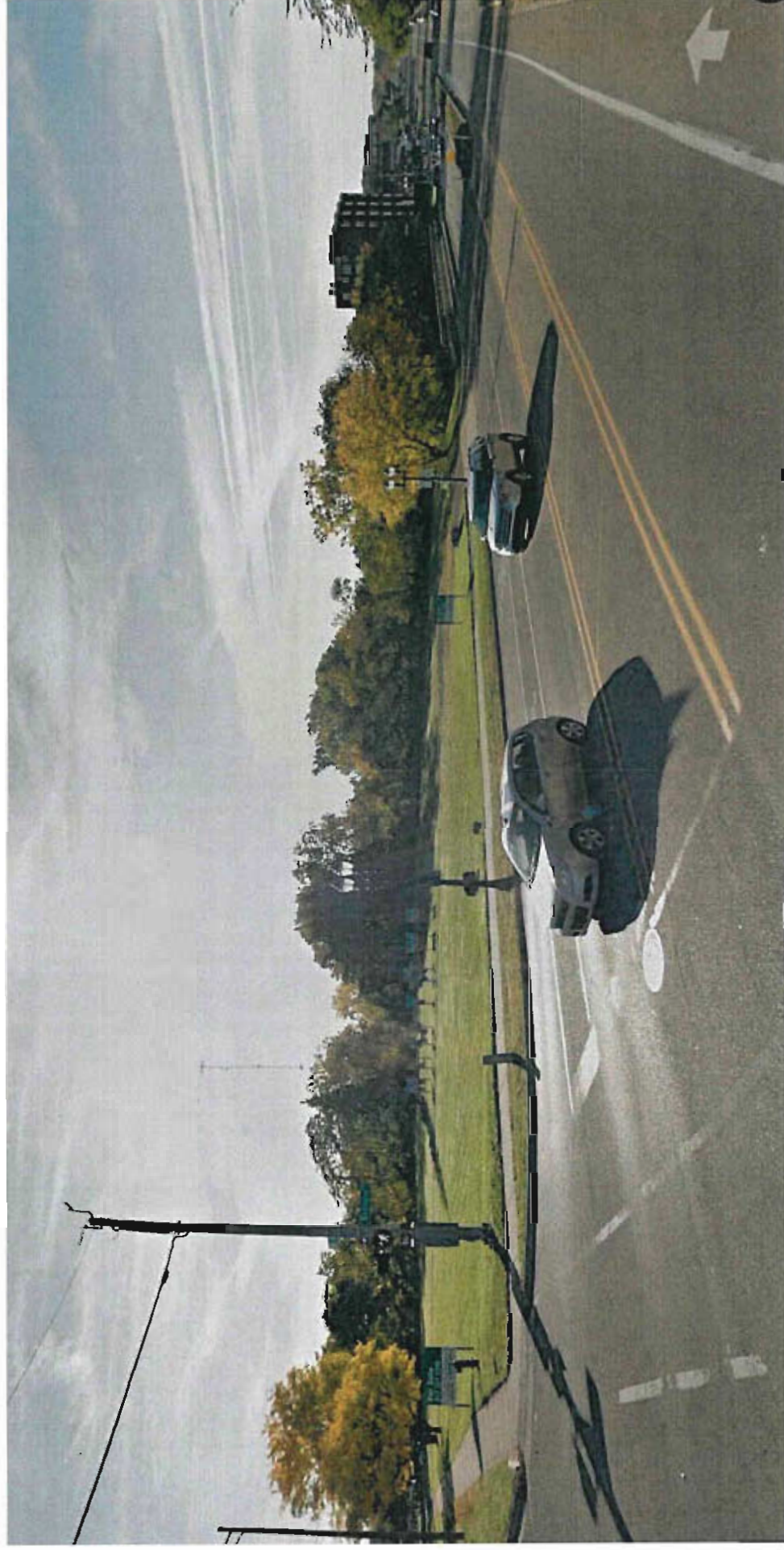
PAE 6/26/18

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Buildings at 136 E. Malcolm X



Vacant site (former motel) at the southeast corner of S. Washington & E. Malcolm X





Zoning

Legend

- roads_final
- Tax Parcels
- A Residential-Single
- B Residential-Single
- C Residential-2 Unit
- NONE
- CUP Community Unit Plan
- D-1 Professional Office
- D-2 Residential/Office
- DM-1 Residential-Multiple
- DM-2 Residential-Multiple
- DM-3 Residential-Multiple
- DM-4 Residential-Multiple
- E-1 Apartment Shop
- E-2 Local Shopping
- F Commercial
- F-1 Commercial
- G-1 Business
- G-2 Wholesale
- H Light Industrial
- I Heavy Industrial
- J Parking
- ROW Right of Way



ORDINANCE # _____

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING FOR THE REZONING OF A PARCEL OF REAL PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE OF ORDINANCES.

The City of Lansing ordains:

Section 1. That the district maps adopted by and incorporated as Section 1246.02 of the Code of Ordinances of the City of Lansing, Michigan be amended to provide as follows:

To change the zoning classification of the property described as follows:

Case Number: Z-5-2018

Parcel Number's: 33-01-01-21-203-003 & 33-01-01-21-203-020

Address: 136 E. Malcolm X Street & Vacant Parcel to its East

Legal Descriptions: Lots 6 through 11, Inclusive, Block 177 Original Plat, from "DM-4" Residential & "J" Parking Districts to "G-1" Business District.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance was duly adopted by the Lansing City Council on _____, 2019, and a copy is available in the office of the Lansing City Clerk, 9th Floor, City Hall, 124 W. Michigan Avenue, Lansing, MI 48933.

Section 4. This ordinance shall take effect upon the expiration of seven (7) days from the date this notice of adoption is published in a newspaper of general circulation.

RESOLUTION #_____

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Act-1-2019, 212 E. Howe Ave., Easement

WHEREAS, Nathan Shell, owner of 212 E. Howe Avenue, requests a 15' wide easement across a 66' City Sewer ROW for the purpose of providing driveway access to 212 E. Howe Ave., which is currently land-locked; and

WHEREAS, East Howe Ave. is a discontinuous street - the east end of the west leg of Howe Avenue ends with a sewer ROW, and 212 E. Howe Ave. lies just east of the sewer ROW; and

WHEREAS, on January 22, 2019, the Planning Board reviewed the proposal in accordance with its Act 33 Review procedures, and found that

- the easement is necessary and appropriate to provide access for 212 E. Howe Ave.,
- the Public Service Department has no objection,
- any paving or structures on the easement would be subject to Public Service Dept. approval; and

WHEREAS, the Planning Board voted unanimously (7-0) to recommend approval of the proposed easement; and

WHEREAS, the Committee on Development and Planning has reviewed the report and recommendation of the Planning Board and concurs therewith;

NOW THEREFORE BE IT RESOLVED, the Lansing City Council hereby approves Act-1-2019, and grants of the proposed easement to Nathan Shell, said easement being legally described as:

That part of the Northeast one-quarter of Section 4, T4N, R2W, Lansing Township, Ingham County, Michigan, described as follows:

Commencing at the Northeast corner of Lot 126, Supervisor's Plat of Walker Heights No. 1, as recorded in Plat Book 13, Page 4, Ingham County Records;

Thence Northwesterly along the West line of said Plat, 18.14 feet on a curve to the right, said curve having a radius of 5763.00 feet, a delta angle of 00°10'49", and a chord bearing North 20°08'02" West, 18.14' feet, to the Point of Beginning;

Thence continuing Northwesterly along the West line of said Plat, 15.96 feet on a curve to the right, said curve having a radius of 5763.00 feet, a delta angle of 00°09'31", and a chord bearing North 19°57'52" West, 15.96 feet;

Thence South 89°58'49" East, 38.21 feet, parallel with the centerline of Howe Street;

Thence North 77°49'58" East, 30.37 feet, to the East line of the Former Michigan Urban Railroad, said line also being the Westerly line of a parcel recorded in Document No. 20166035465, Ingham County Records;

Thence Southeasterly along said East line, 15.15 feet along a curve to the left, said curve having a radius of 5697.00 feet, a delta angle of 00°09'08", and a chord bearing South 20°07'59" East, 15.15 feet;

Thence South 77°49'58" West, 34.07 feet;

Thence North 89°58'49" West, 34.36 feet, parallel with the centerline of Howe Street to the Point of Beginning.

BE IT FINALLY RESOLVED, that the Mayor, on behalf of the City, is hereby authorized to sign and execute all documents to complete this transaction, subject to prior approval as to content and form by the City Attorney.

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:	Cindy Rase, on behalf of Nathan Shell, owner of 212 E. Howe Avenue, requests a 15' wide easement across a 66' City Sewer ROW for the purpose of providing driveway access to 212 E. Howe Ave., which is currently land-locked.
LOCATION:	East Howe Ave. is a discontinuous street. The east end of the west leg of Howe Avenue ends with a sewer ROW. 212 E. Howe Ave. lies just east of the sewer ROW.
EXISTING and SURROUNDING LAND USE & ZONING:	"A" Single-Family Residential District.
PROPERTY SIZE AND SHAPE:	The property consists a 15' wide roughly rectangular easement across a 66' wide City sewer ROW.

AGENCY REFERRALS

Board of Water & Light:	No response received.
Parks and Recreation:	No comment.
Public Service Department:	No issues with this as long as no structures/paving/etc. are installed without City approval. The applicant has worked with the Engineering office on the alignment and description of the proposed easement.

BACKGROUND AND ANALYSIS

The applicant wishes to sell the property, which is land-locked. A formal easement agreement would provide assured access for the future owner(s).

STAFF RECOMMENDATION

Staff recommends approval of the following finding and recommendation

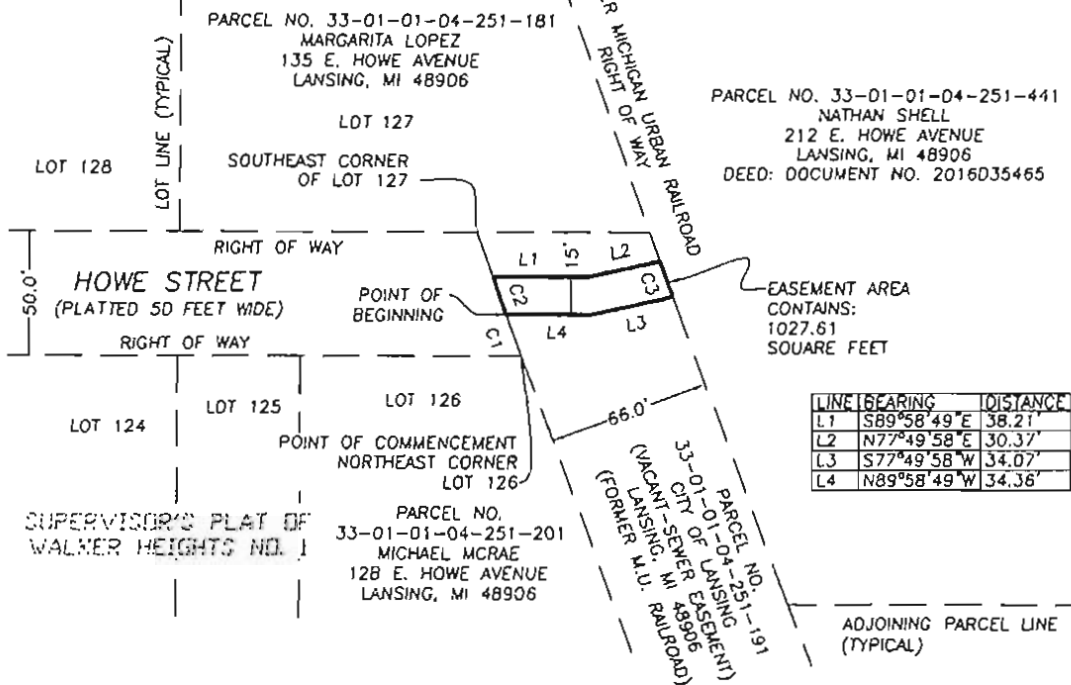
Finding:	The applicant requires access. The Public Service Department has no objection, and any paving or structures on the easement would be subject to Public Service Dept. approval.
Recommendation:	Approval as proposed.

PREPARED FOR:
CITY OF LANSING
NATHAN SHELL

EASEMENT DIAGRAM

A PART OF THE NORTHEAST
ONE-QUARTER, SECTION 4, T.4N,
R.2W, LANSING TOWNSHIP, CITY OF
LANSING, INGHAM COUNTY, MICHIGAN.

SUPERVISOR'S PLAT OF
WALKER HEIGHTS NO. 1



0' 30' 60'
SCALE: 1"=60'

LINE	BEARING	DISTANCE
L1	S89°58'49"E	38.21'
L2	N77°49'58"E	30.37'
L3	S77°49'58"W	34.07'
L4	N89°58'49"W	34.36'

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	18.14'	5763.00'	0°10'49"	N20°08'02"W	18.14'
C2	15.96'	5763.00'	0°09'31"	N19°57'52"W	15.96'
C3	15.15'	5697.00'	0°09'08"	S20°07'59"E	15.15'

NOTES

1) THIS DOCUMENT IS CREATED FOR AN EASEMENT DESCRIPTION ONLY
AND MUST NOT BE USED TO CONVEY TITLE OR DETERMINE TITLE LINES.

THIS DRAWING IS NOT A CERTIFIED SURVEY BUT IS COMPILED FROM
EXISTING FIELD SURVEY DATA. THE DRAWING DOES NOT COMPLY WITH
MCL 54.211-54.213.

2) BEARINGS ARE BASED ON THE SOUTH LINE OF HOWE AVENUE
OBSERVED AS BEARING SOUTH 89°58'49" EAST PER FWE SURVEY JOB NO.
988850.

3) ALL DISTANCES ARE IN INTERNATIONAL FEET AND DECIMALS THEREOF.

4) SEE SHEET 2 FOR THE EASEMENT DESCRIPTION.



Gilbert M Barish

GEODETIC DESIGNS INCORPORATED
2300 N. GRAND RIVER AVE.
LANSING, MI 48906
PHONE: (517) 906-0008
FAX: (517) 906-0009
www.geodeticdesigns.com



REVISION DATE: 03-DEC-2018
FIELD: GB DRAWN BY: GB
DATE: 29-NOV-2018
FILE: S241-2018
SHEET 1 OF 2

PREPARED FOR:
CITY OF LANSING
NATHAN SHELL

EASEMENT DIAGRAM
A PART OF THE NORTHEAST
ONE-QUARTER, SECTION 4, T.4N,
R.2W, LANSING TOWNSHIP, CITY OF
LANSING, INGHAM COUNTY, MICHIGAN.

INGRESS/EGRESS DESCRIPTION

That part of the Northeast one-quarter of Section 4, T4N, R2W, Lansing Township, Ingham County, Michigan, described as follows:

Commencing at the Northeast corner of Lot 126, Supervisor's Plot of Walker Heights No. 1, as recorded in Plot Book 13, Page 4, Ingham County Records;

Thence Northwesterly along the West line of said Plot, 18.14 feet on a curve to the right, said curve having a radius of 5763.00 feet, a delta angle of $00^{\circ}10'49''$, and a chord bearing North $20^{\circ}08'02''$ West, 18.14 feet, to the Point of Beginning;

Thence continuing Northwesterly along the West line of said Plot, 15.96 feet on a curve to the right, said curve having a radius of 5763.00 feet, a delta angle of $00^{\circ}09'31''$, and a chord bearing North $19^{\circ}57'52''$ West, 15.96 feet;

Thence South $89^{\circ}58'49''$ East, 38.21 feet, parallel with the centerline of Howe Street;

Thence North $77^{\circ}49'58''$ East, 30.37 feet, to the East line of the Former Michigan Urban Railroad, said line also being the Westerly line of a parcel recorded in Document No. 20166035465, Ingham County Records;

Thence Southeasterly along said East line, 15.15 feet along a curve to the left, said curve having a radius of 5697.00 feet, a delta angle of $00^{\circ}09'08''$, and a chord bearing South $20^{\circ}07'59''$ East, 15.15 feet;

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REVISION DATE: 03-DEC-2018
FIELD: GB DRAWN BY: GB
DATE: 29-NOV-2018
FILE: S241-2018
SHEET 2 OF 2



Lansing Parcel Viewer

Search Address or Parcel



Legend

Lansing Tax Parcels



Lansing Zoning

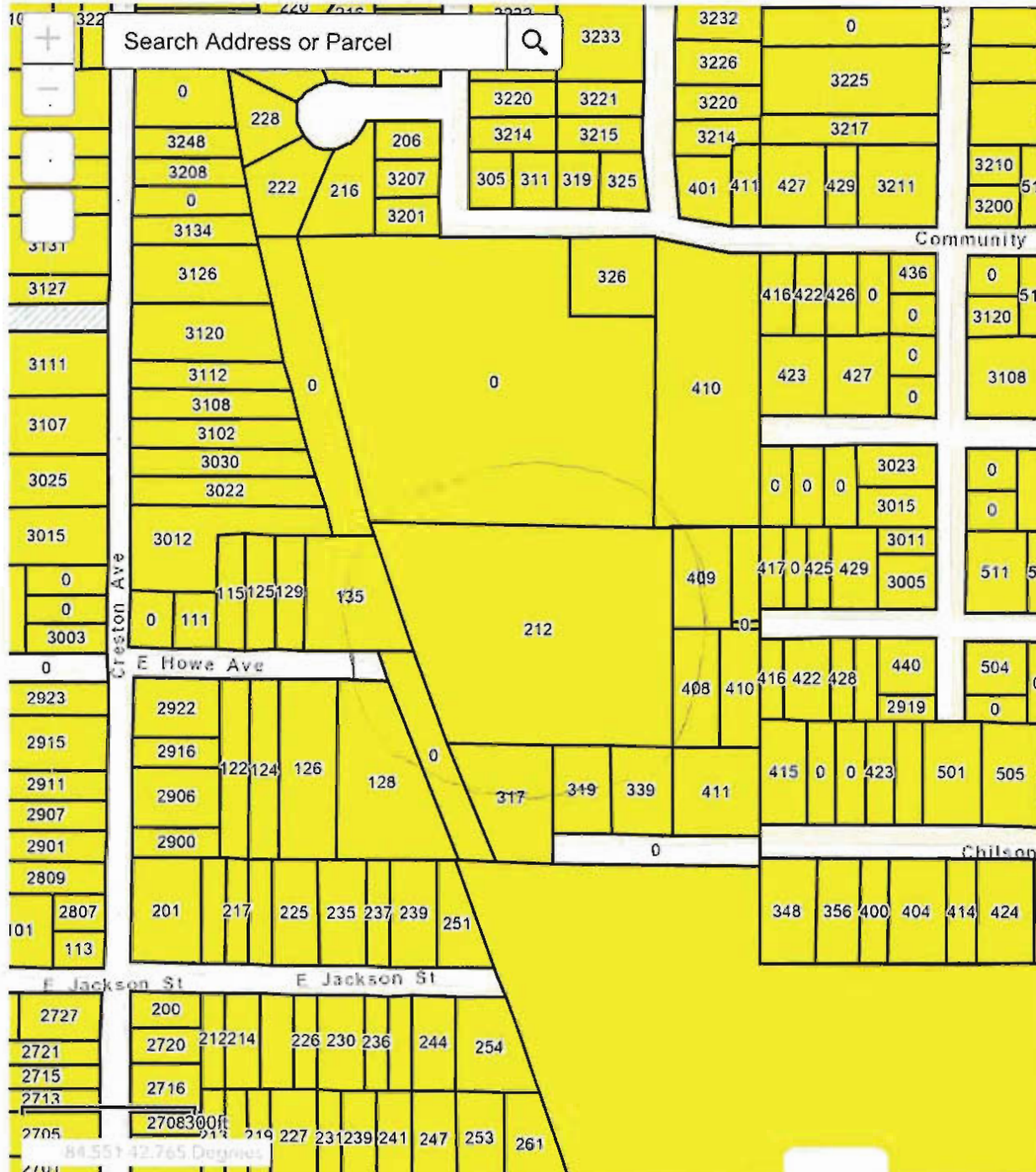
Lansing.GIS.ZoningDistrict_Dissolve

<Null>

- A
- B
- C
- CUP
- D-1
- D-2
- DM-1
- DM-2
- DM-3
- DM-4
- E-1
- E-2
- F
- F-1
- G-1
- G-2
- H
- I
- J

NONE

ROW



BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, on March 24, 2008, the Lansing City Council adopted Resolution #2008-111 to approve an application filed by Spartan Internet Properties, LLC requesting an Obsolete Property Rehabilitation Exemption Certificate (OPRA Certificate) for a period of 12 years on property legally described as LOTS 1 THRU 13 INCL & LOTS 21 THRU 34 INCL BLOCK 11 MANUFACTURERS ADD NO 2, commonly known as 1030 South Holmes Street, Lansing, Michigan (Property) pursuant to Public Act 146 of 2000, as amended (the OPRA Act); and

WHEREAS, on May 12, 2008, the State Tax Commission approved the OPRA Certificate #3-08-0005 for Spartan Internet Properties, LLC for the Property, beginning December 31, 2008, and ending December 30, 2020; and

WHEREAS, Section 12 of the OPRA Act states that the legislative body of the qualified local governmental unit may, by resolution, revoke the OPRA Certificate of a facility if it finds that the completion of rehabilitation of the facility has not occurred within the time authorized by the legislative body; and

WHEREAS, Spartan Internet Properties, LLC has failed to proceed in good faith with the rehabilitation of the facility within the construction period allowed; and

WHEREAS, the Lansing Economic Development Corporation and the City of Lansing Administration both recommend and request that OPRA Certificate #3-08-0005 be revoked.

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby revokes OPRA Certificate #3-08-0005 previously granted to Spartan Internet Properties, LLC for property located at 1030 South Holmes Street, Lansing, Michigan.

BE IT FINALLY RESOLVED that the City Clerk shall immediately cause a certified copy of this resolution to be filed with the Michigan State Tax Commission.

2008
RESOLUTION#111

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Obsolete Property Rehabilitation Tax Exemption Certificate Approval, 1030 S. Holmes St.

WHEREAS, pursuant to the Michigan Obsolete Property Rehabilitation Act, being Public Act 146 of 2000 (PA 146 of 2000), Spartan Internet Properties LLC has filed an application for an Obsolete Property Rehabilitation Exemption Certificate (OPT Certificate) with the Lansing City Clerk, for a proposed obsolete facility at 1030 S. Holmes Street, Lansing, Michigan (Obsolete Property); and

WHEREAS, Spartan Internet Properties LLC (the Developer) owns the proposed Obsolete Property; and

WHEREAS, the proposed Obsolete Property is located within an Obsolete Property Rehabilitation District legally established by resolution adopted December 10, 2007, after a public hearing was held, as provided by section 3 of PA 146 of 2000; and

WHEREAS, a public hearing was held on March 10, 2008 on the Developer's application for an OPT Certificate, after proper notice was made, pursuant to section 4(2) of PA 146 of 2000; and

WHEREAS, the Developer has represented and committed to the City to undertake, and complete not later than December 31, 2010, the rehabilitation, renovation, and reconstruction of the Obsolete Property into office and training center use throughout the structure;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby approves of the issuance of an Obsolete Property Rehabilitation Exemption Certificate to Spartan Internet Properties LLC, for the Obsolete Property located at 1030 S. Holmes Street, Lansing, Michigan, legally described as:

LOTS 1 THRU 13 INCL & LOTS 21 THRU 34 INCL BLOCK 11
MANUFACTURERS ADD NO 2

for the period of twelve (12) consecutive years.

BE IT FURTHER RESOLVED that the Lansing City Council, in approving the Developer's application by this resolution, finds and determines all of the following;

1. The taxable value of the property proposed to be exempt plus the aggregate taxable value of the property already exempt under PA 146 of 2000 and under Public Act 198 of 1974 (IFT's) does exceed five percent (5%) of the total taxable value of the City of Lansing
2. The applicant is not delinquent in any taxes related to the facility.
3. All of the items described on line 9 of the Application for Obsolete Property Rehabilitation Exemption Certificate have been provided to the City of Lansing by the applicant.

4. The application is for obsolete property as defined in section 2(h) of PA 146 of 2000.
5. The commencement of rehabilitation activities of the facility did not occur prior to the establishment of the Obsolete Properties Rehabilitation District.
6. The application relates to the rehabilitation program for the building located at 1030 S. Holmes Street., Lansing, Michigan and, when completed, will constitute a rehabilitated facility within the meaning of PA 146 of 2000 and the facility is situated within the Obsolete Property Rehabilitation District established by the City of Lansing, which is a Qualified Local Governmental Unit eligible under PA 146 of 2000 to establish such a district.
7. The completion of the rehabilitated facility is calculated to, and will at the time of issuance of the certificate, have the reasonable likelihood to, increase commercial activity, create some employment, and revitalize an urban area.
8. The rehabilitation includes improvements aggregating ten percent (10%) or more of the true cash value of the property at the commencement of the rehabilitation as provided by section 2(L) of PA 146 of 2000.
9. The rehabilitation must be completed not later than December 31, 2010 as evidence by the issuance of a Certificate of Occupancy from the City of Lansing Building Safety Office.

BE IT FINALLY RESOLVED that the City Clerk shall cause the Application for Obsolete Property Rehabilitation Certificate to be completed, including the "Clerk Certification" and shall file the completed application, together with a certified copy of this resolution with the State Tax Commission.

By Councilmember Wood

Motion Carried

October 23, 2007

Lansing City Clerk
City Hall
124 West Michigan Ave.
Lansing, MI 48933

RECEIVED

OCT 24 2007

ECONOMIC DEVELOPMENT CORP.

RECEIVED

2007 OCT 24 AM 11:15

LANSING CITY CLERK

Re: Obsolete Property Rehabilitation Act District Application
1030 S. Holmes Street

General Project Description

The undersigned applicant, being the future owner of the above property, hereby requests the establishment of an OPRA District covering this property. The Holmes Street School, which was constructed in 1923, has been vacant for approximately five (5) years, and was last utilized by the Lansing Public School District as an elementary school. The applicant, Spartan Internet Consulting Corp. (the applicant) is currently located at 115 W Allegan St. and intends to expand their business into the building to ensure the long term growth of the company in Lansing. The company has offices in the Detroit area as well as Washington D.C. and Ft. Lauderdale, FL. The applicant will renovate the obsolete building for use as a modern office building. The building will require many electrical, HVAC, and structural renovations including the addition of an elevator and repairs to the roof. The applicant also plans to work with faculty from Michigan State University and neighborhood leadership to provide space for an Information Technology empowerment center on the main floor of the building. The renovation process would include minimal exterior and significant interior redevelopment of the property resulting in a valuable asset to the neighborhood and the City of Lansing. In an effort to retain the atmosphere of the neighborhood and as a show of good corporate citizenship, Spartan Internet is committed to preserve and enhance the green space on site for neighborhood use.

District Establishment Purpose

Spartan Internet Consulting will incur considerable renovation costs to transform the former school into a state of the art office space. The establishment of the OPRA District, with its multi-year property tax deferment benefit, would provide the inducement necessary for this development to occur. It would also facilitate the creation of approximately 30-50 new jobs within the city, all the while renovating an obsolete facility in this high visibility neighborhood. Due to the financial and logistical challenges of the renovation Spartan Internet will be seeking a 12 year OPRA Certificate before construction begins.

Community Benefits

Redevelopment of the vacant Holmes Street school building would provide numerous benefits to the City. While the specific facility would undergo considerable renovation,

the entire area would benefit from the added job growth and positive impact on the neighborhood. The school will act as the headquarters and primary employee base for Spartan Internet securing the companies place in Lansing for many years to come. The opportunity to bring an IT Empowerment Center to Lansing on the first floor of the building will provide kids with an environment to explore and learn about careers in IT and create the infrastructure necessary for Lansing based companies to compete in the global market. The OPRA designation will allow the applicant to continue their growth in Lansing and allow them to show a commitment to the surrounding community. The applicant's company has a long standing philosophy of being a beneficial and productive participant in community enrichment, particularly in the area of education.

Basis of Eligibility

The property has been assessed and declared "functionally obsolete" by a Level 3 assessor within the City of Lansing Assessor's Office.

Project Costs and Phasing

The OPRA tax abatement is a significant component of the funding of this project. The petitioner has estimated the renovation costs at \$950,000. Renovations are scheduled to be completed by December 31, 2010. The renovation estimate includes:

HVAC Upgrades and Replacements	\$ 300,000
Installation of an Elevator	\$ 70,000
Upgrades for APA Compliancy	\$ 30,000
Interior Renovations	\$ 400,000
Electrical Upgrades	\$ 100,000
Landscaping and Exterior Improvements	\$ 50,000

Property Taxable Value and Legal Description

This proposal covers one property listed with the address of 1030 S. Holmes St. in the city of Lansing's assessment records. Due to the fact that the building is currently owned by the Lansing School District the property does not currently generate tax revenue. The figures listed below were calculated by the city of Lansing Assessor's Office as valuation estimates for 2007 if the property would have been on the assessment rolls.

1030 S. Holmes St.

Owner: Lansing School District

Acreage of Land: 2.22

Sq Feet of Building: Approximately 27,500 s.f.

Tax ID Number: 33-01-01-22-133-102

Tax Value Land: \$48,300 (projected 2007)

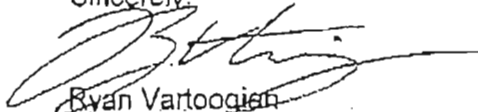
SEV Value Land: \$48,300 (projected 2007)

OCT-24-2007 09:58 From:5173338074

Tax Value Building: \$125,400 (projected 2007)
SEV Value Building: \$125,400 (projected 2007)
Legal Description:
LOTS 1 THRU 13 INCL & LOTS 21 THRU 34 INCL BLOCK 11
MANUFACTURERS ADD NO 2

Thank you in advance for your assistance and consideration in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Ryan Vartoogian", written over the printed name.

Ryan Vartoogian
President, Spartan Internet Consulting
517-333-9727
115 W. Allegan St., 8th Floor
Lansing, MI 48933

Executive Summary
Spartan Internet Consultants
Holmes St. School
Obsolete Property Rehabilitation

Location:
1030 S. Holmes Street

Due to the fact that the building is currently owned by the Lansing School District it does not generate tax revenue. The figures listed below were calculated by the Lansing Assessors Office as valuation estimates for 2007 if the property would have been on the assessment rolls.

Building Taxable:	\$125,400
Land Taxable:	<u>\$48,300</u>
Total Taxable Value:	\$173,700

Developer Investment:
Rehab Cost: **\$950,000 (est.)**

Developer Incentive:
Total 12 year savings: **\$213,621**

Taxes Paid:

School Taxes Paid:	\$ 181,236
Other Taxes Paid:	<u>\$ 85,522</u>
Total Taxes Paid:	\$ 266,758

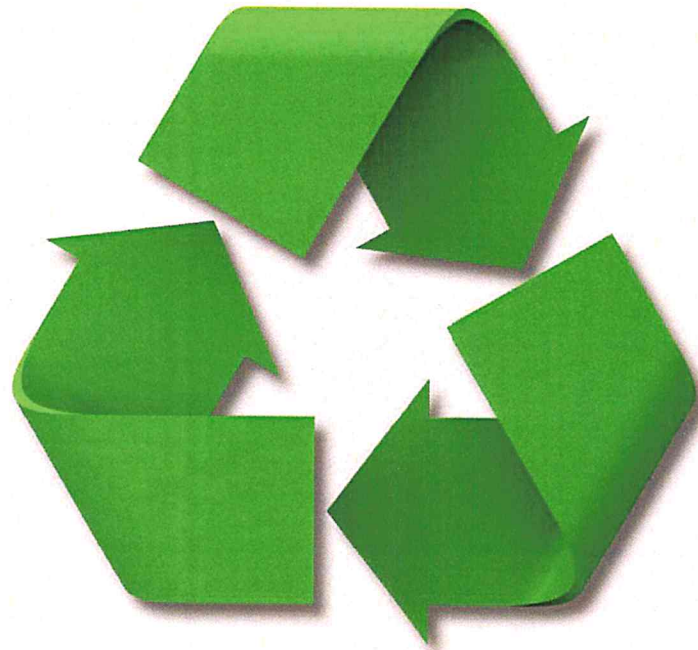
This project is anticipated to create a minimum of **30 jobs in the City of Lansing.**

Summary:

Spartan Internet Consultants plans to purchase and renovate the Holmes St. School for the creation of a new corporate HQ and facilitate the addition of 30-50 new employees over the next two years. In addition it is the intent of Spartan Internet to house the newly formed ITEC Lansing - IT learning center in public private partnership with MSU faculty, area IT companies, and many others. The renovation of the facility will be extensive including major interior renovations, landscaping, and extensive infrastructure improvements.

U-Haul Sustainability Programs

**Working with You to Support Safe, Thriving,
Sustainable, Communities**



Re-Use Centers

To reduce the amount of used goods being dumped, we provide centers in which our customers can leave their unwanted but reuseable belongings, such as furniture, for others to take.

U-Haul has implemented more than 450 Storage Re-use Centers across the United States and Canada.

Annually, the existing re-use centers facilitate local residents reusing more than 135,000 household goods, which equates to avoiding:

- 4.6 million pounds of materials being dumped in landfills
- 720,000 pounds of GHG/CO₂ emissions from municipal waste trucks which would have been used to transport the materials to landfills.



Take A Box, Leave A Box

We designate a place at our center for our customers where they can leave their used moving boxes for future customers to reuse. Our idea is that while recycling is great, reuse should occur first to ensure more efficient use of our resources.

Box Exchange & Take A Box Leave A Box -2007

- Both programs encourage reuse of U-Haul boxes, which are built to be reused again and again
- Nearly 1 million boxes are reused every year.



Biodegradable Packing Peanuts

U-Haul uses packing peanuts made of starch mixture, replacing Styrofoam and reducing landfill waste.

Biodegradable Packing Peanuts -Since 1993

Made primarily of corn and potato starch, the peanuts dissolve/degrade in water as an eco-friendly alternative to Styrofoam. Annual diversion of more than 407,000 cubic feet of materials formerly destined for landfills.

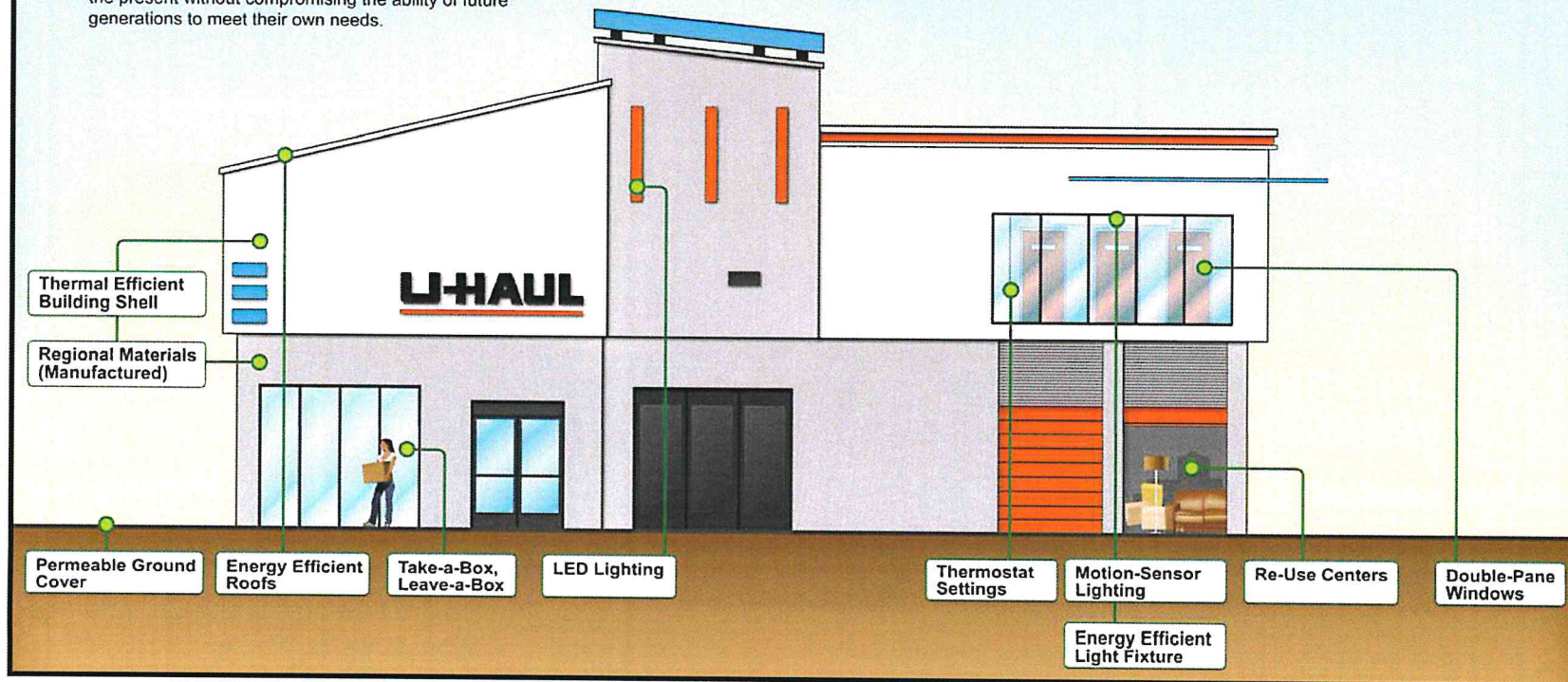


Green Building

U-Haul Sustainable Development

At U-Haul, we are committed to sustainable development through environmental protection, social responsibility, and economic efficiency.

For us, sustainability means embracing our responsibility to act as a good corporate citizen. We are continually refining our products, services, and activities to meet the needs of the present without compromising the ability of future generations to meet their own needs.



Go Zero

To help protect and restore America's special places, U-Haul has partnered with **The Conservation Fund's Go Zero^(SM)** program to plant trees to help "zero out" carbon footprint. We ask customers to donate to the fund, in which The Conservation Fund receives 100% of the donation.

Since 2007, U-Haul and more than 840,000 customers have chosen to offset moving emissions with a donation to The Conservation Fund's Go Zero program.

We've passed along 100% of those contributions, which have planted nearly 300,000 native trees. As they grow, these new forests restore habitat for wildlife, preserve natural ecosystems and clean the air we breathe.



THE CONSERVATION FUND

America's Partner in Conservation

Awards

- **2009-** U-Haul earned AAMVA's Environmental Leadership Award for Climate Change and Energy & Resource Conservation.
- **2009-** U-Haul earned Valley Forward's Environmental Stewardship Award of Merit.
- **2010-** U-Haul earned The Conservation Fund's Heroes of Go Zero® Award for addressing climate change and restoring America's forest legacy.
- **2010-** U-Haul earned The Alliance to Save Energy's Galaxy Star of Energy Efficiency Award
- **2011-** U-Haul earned Valley Forward's Crescordia Award for Energy Efficiency Program of the Year
- **2011-** U-Haul named finalist of International Platts *Global Energy Awards* for Energy Efficiency Program of the Year: Commercial End-User award.
- **2012-** U-Haul earned Valley Forward's Crescordia Award for Contributions to Environmental Education and Awareness.
- **2012-** U-Haul named one of seven finalists for the world-class Platts *Global Energy Awards*, nominated for the prestigious Energy Efficiency Program of the Year: Commercial End-User award.
- **2012-** U-Haul named one of twelve finalists for the world-class Platts *Global Energy Awards*, nominated for the prestigious Corporate Social Responsibility award.
- **2014-** U-Haul was named a finalist for the Platts 2014 Global Energy Awards "Efficiency Initiative – Commercial End-User".
- **2015-** U-Haul earned Arizona Forward's Award of Merit as a "Healthy Community, Sustainable Workplace."

