



AGENDA

Committee on Development and Planning

Thursday, October 22, 2020 @ 2:00 P.M. NEW DATE/TIME

<https://us02web.zoom.us/j/83364118115> ; ID: 833 6411 8115; Dial In: (312) 626-6799
email comments prior to the meeting at sherrie.boak@lansingmi.gov

Councilmember Spitzley, Chair
Councilmember Garza, Vice Chair
Councilmember Betz, Member
Council Member Hussain, Member

1. Call to Order

2. Public Comment on Agenda Items

3. Minutes

- September 15, 2020

4. Discussion/Action:

- A.) RESOLUTION – Reset Public Hearing; Z-8-2019; Conditional Rezoning; 5400 S Cedar, F-1 Commercial and J Parking to G-2 Wholesale District
- B.) RESOLUTION – Introduction & Setting Public Hearing; Z-2-2020; 5528 S, Martin Luther King Jr. Blvd., D-1 Professional Office to F Commercial
- C.) RESOLUTION – Introduction & Setting Public Hearing; Z-3-2020; 1030 S. Holmes Street, D-1 Professional Office to DM-4 Residential
- D.) RESOLUTION – ACT-3-2020; Utility Easement; 444' north of Case Street; Laux Const.
- E.) RESOLUTION – Set Public Hearing; Commercial Rehabilitation District; 329-337 S. Washington Square
- F.) RESOLUTION – Set Public Hearing; Commercial Rehabilitation Certificate; 329-337 S. Washington Square

5. Other

6. Adjourn

To mitigate the spread of COVID-19 and to provide essential protections to vulnerable Michiganders and this State's health care system and other critical infrastructure, it is crucial that all Michiganders take steps to-limit in-person contact, particularly in the context of large groups. Therefore, the above meetings will be conducted via audio/video conference.

The meetings are being held virtually in accordance with the Open Meetings Act, as amended in an effort to protect the health and safety of the public. Members of the public wishing to participate in the meeting may do so by logging into or calling into the meetings using the website or phone number above, and meeting ID provided. To provide input or ask questions on any item that is listed on the agenda, members of the public may contact the email address listed above under each meeting.

Persons with disabilities who need an accommodation to fully participate in these meetings should contact the City Council Office at 517-483-4177 (TTY 711) 24 hour notice may be needed for certain accommodations. An attempt will be made to grant all reasonable accommodation requests.

DRAFT



MINUTES

Committee on Development and Planning

Tuesday, September 15, 2020 @ 4:00 p.m.

<https://us02web.zoom.us/j/84588148751>; ID: 845 8814 8751; Dial In: (312) 626 6799

CALL TO ORDER

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

PRESENT via audio/video

Council Member Spitzley, Chair- excused

Council Member Garza, Vice-Chair

Council Member Betz, Member

Council Member Hussain, Member

OTHERS PRESENT via audio/video

Sherrie Boak, Council Staff

Lisa Hagen, Assistant City Attorney, Council Research Assistant

Greg Venker, Assistant City Attorney

MINUTES

MOTION BY COUNCIL MEMBER BETZ TO APPROVE THE MINUTES FROM SEPTEMBER 1, 2020 AS PRESENTED. ROLL CALL VOTE, MOTION CARRIED 3-0.

PUBLIC COMMENT

DISCUSSION/ACTION

DISCUSSION – Fiscal Year 2021/2022 Budget Priorities

Council Member Garza outlined the priorities from the last meeting. Those included a façade grant program return on equity report and one (1) FTE Financial Empowerment Employee.

Council Member Betz offered another item for discussion with the Committee to consider. This was taking funds from the contract with LEAP. Council Member Hussain acknowledged the request and was also interested in see the results the City was getting out of the contract funds thus far. Council Member Betz noted it would also be useful this year to pay for research or if the City should directly reduce the contract. He then recommended to take portions of the funds from LEDC contract and hire FTE's in EDP. Council Member Garza noted he would be interested in looking into all contracts and the resources. Council Member Betz stated he would work on the exact language if the Committee concurred with his suggestions, and the Committee concurred.

Council Member Hussain amended the language for the façade grant asked that it state reactivation of the façade grant program at \$165,000. Council Member Hussain also proposed \$40,000 to initiate an RFP for Engagement of Stakeholders and Completion of Community Facilities Plan, including school and county buildings, complete with inventory of assets and goals/objectives for facilities that will serve as the basis for community facility decisions into the future.

Other

No other topics of discussion.

Adjourn

Adjourned at 4:18 p.m.

Submitted by, Sherrie Boak, Recording Secretary,
Lansing City Council

Approved by the Committee

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

WHEREAS, under Resolution 2020-179 City Council set a public hearing for October 12, 2020 for the Conditional Rezoning of Z-8-2019 for 5400 S. Cedar Street; and

WHEREAS, given the Michigan Supreme Court's ruling on October 9, 2020 about the validity of the Governor's executive orders and the then-pending Senate Bill 1108 to amend the Open Meetings Act (OMA), the Council meeting on October 12, 2020 was canceled and therefore the public hearing was not held.

THEREFORE BE IT RESOLVED, the City Council of the City of Lansing will reset the public hearing for Monday, November 30, 2020, 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-8-2019: 5400 S. Cedar Street, Rezoning from "F" Commercial & "J" Parking Districts to "G-2" Wholesale District, with conditions

BE IT FURTHER RESOLVED, due to COVID -19, the public hearing may be held electronically in accordance with the Open Meetings Act in an effort to protect the health and safety of the public. Members of the public wishing to participate in the meeting may do so by logging into or calling into the meetings using the website or phone number and Meeting ID provided on the November 30, 2020 meeting agenda.

CITY OF LANSING
NOTICE OF PUBLIC HEARING

Z-8-2019, 5400 S. Cedar Street
Conditional Rezoning from “F” Commercial & “J” Parking Districts to “G-2”
Wholesale District

The Lansing City Council will hold a public hearing on Monday, November 30, 2020 at 7:00 p.m. in Council Chambers, 10th Floor, Lansing City Hall, 124 W. Michigan Avenue, Lansing, Michigan to consider Z-8-2019. This is a request by Amerco Real Estate Company to rezone approximately 9.38 acres of the property at 5400 S. Cedar Street from “F” Commercial & “J” Parking Districts to “G-2” Wholesale District, with conditions requiring certain site improvements and restricting the allowable uses. 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, November 30, 2020 at the City Clerk’s Office, Ninth Floor, City Hall, 124 West Michigan Ave., Lansing, MI 48933 or email city.clerk@lansingmi.gov.

BE IT FURTHER RESOLVED, due to COVID -19, the public hearing may be held electronically in accordance with the Open Meetings Act in an effort to protect the health and safety of the public. Members of the public wishing to participate in the meeting may do so by logging into or calling into the meetings using the website or phone number and Meeting ID provided on the November 30, 2020 meeting agenda. Michigan Senate Bill 1108 provides for authorization of remote participation in public meetings and hearings.

Chris Swope, City Clerk

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-8-2019

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 175.78 feet, Thence West 268 feet, Thence South 326 Feet to the North line of the Consumers Power right-of-way, West 645.64 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 with the following conditions which shall run with the land and are binding upon all future owners thereof:

- * No marijuana facilities of any kind may be established on the property
- * The proposed storage building located north of the S. Cedar Street driveway will have an architectural design that is consistent with the rendering shown on the plan dated 8/29/2019
- * The site improvements shown on the plan dated 8/29/2019, which includes landscaping, a connection path to the abutting non-motorized pathway and the provision of a bicycle rest area, will be installed prior to occupancy of the existing building or any new buildings on the site.

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 _____, 2020, 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.

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 of the 11.43 +/- acre parcel– 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 approximately 9.38 acres of the property at 5400 S. Cedar Street from "F" Commercial & "J" Parking Districts to "G-2" Wholesale District, with the following conditions:

- * No marijuana facilities of any kind may be established on the property
- * The proposed storage building located north of the S. Cedar Street driveway will have

an architectural design that is consistent with the rendering shown on the plan dated 8/29/2019

- * The site improvements shown on the plan dated 8/29/2019, which includes landscaping, a connection path to the abutting non-motorized pathway and the provision of a bicycle rest area, will be installed prior to occupancy of the existing building or any new buildings on the site.

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
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 parcel of land zoned "G-2" Wholesale to its west that is accessed via Perry Robinson Circle off of E. Jolly Road. The adjoining properties to the north, south and east are zoned "F" Commercial. As evidenced by the attached map, the zoning pattern along S. Cedar Street is very inconsistent. In fact, there are numerous other parcels in close proximity to the site that are zoned

“G-2” Wholesale and “H” Light Industrial, all of which could be used for storage facilities as a matter of right. The proposed rezoning, therefore, will not create an inconsistent zoning pattern along S. Cedar Street.

The primary concern with self-storage uses along a commercial corridor is that they are not customer oriented businesses and as a result, they generate very little traffic on a regular basis. This typically results in a large sea of unused parking that is unattractive and does not contribute to the vibrancy of a commercial district. In this case, however, the conditions that the applicant is offering as part of the rezoning will make the site far more attractive than what currently exists. There is virtually no landscaping/green space on the site, the parking lot is in poor condition and the building is unattractive and is showing signs of deterioration from sitting vacant. The applicant’s proposal includes a significant amount of landscaping around the perimeter and interior to the site as well as parking lot repair and improvements to the appearance of the existing building. The proposed building near S. Cedar Street north of the driveway will be designed to look like a general commercial building rather than a typical self-storage building. Also, the applicant is excluding approximately 2 acres of land along the S. Cedar Street road frontage from the rezoning so that it will be available for general commercial development. Once developed, it will provide a buffer between the street and the parking lot for the U-Haul business so that it will not appear to be a hole of little activity along a commercial corridor. When 930 W. Holmes Road was rezoned to the “G-2” Wholesale district to allow the building at that location to be used for self-storage, the frontage of the property along both W. Holmes Road and S. Washington Avenue was excluded (remained zoned “F” Commercial) for the same reason. Similarly, when the area of the property west of the building at 3512 S. MLK was rezoned to “H” Light Industrial, the property that leads from the storage area to W. Holmes Road remained zoned “F” Commercial to ensure that it would be developed for commercial purposes rather than additional storage units, in keeping with the existing zoning and land use patterns along W. Holmes Road.

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 specific type of development being advanced in the Master Plan as described above in that the “G-2” Wholesale district does not allow residential use, even with a special land use permit. The applicant’s proposal, however, allows for the adaptive reuse of and improvements to a site/building that has sat vacant for a significant amount of time and continues to fall further into a state of dilapidation. This is consistent with one of the primary goals of the Master Plan which is to improve the appearance of the City’s commercial corridors.

IMPACT ON VEHICULAR AND PEDESTRIAN TRAFFIC:

The proposal will not result in any negative impacts on vehicular or pedestrian traffic in the area. S. Cedar Street is a major arterial that is designed to carry the highest volumes of traffic. Storage facilities typically generate a very low volume of vehicular traffic, have few employees and virtually no pedestrian customer traffic.

IMPACT ON PUBLIC FACILITIES:

The proposed building and site improvements 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 applicable City codes.

ENVIRONMENTAL IMPACT:

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. The applicant's proposal to remove a significant amount of pavement in and around the site to create landscape buffers will have positive impacts on the environment.

IMPACT ON FUTURE PATTERNS OF DEVELOPMENT:

The zoning pattern along S. Cedar Street is already characterized by a myriad of zoning designations including "G-2" Wholesale and "H" Light Industrial. Given the inconsistent zoning pattern that already exists, the proposed rezoning is not anticipated to have any negative impacts on future patterns of development in the area.

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, with the following conditions:

- * No marijuana facilities of any kind may be established on the property
- * The proposed storage building located north of the S. Cedar Street driveway will have an architectural design that is consistent with the rendering shown on the plan dated 8/29/2019
- * The site improvements shown on the plan dated 8/29/2019, which includes landscaping, a connection path to the abutting non-motorized pathway and the provision of a bicycle rest area, will be installed prior to occupancy of the existing building or any new buildings on the site.

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.

RECOMMENDATION

Based on the findings of fact as described in this staff report, staff recommends approval of Z-8-2019 to rezone the property at 5400 S. Cedar Street from "F" Commercial & "J" Parking Districts to "G-2" Wholesale District, with the following conditions:

- * No marijuana facilities of any kind may be established on the property
- * The proposed storage building located north of the S. Cedar Street driveway will have an architectural design that is consistent with the rendering shown on the plan dated 8/29/2019
- * The site improvements shown on the plan dated 8/29/2019, which includes landscaping, a connection path to the abutting non-motorized pathway and the provision of a bicycle rest area, will be installed prior to occupancy of the existing building or any new buildings on the site.

Respectfully Submitted,

**Susan Stachowiak
Zoning Administrator**

AMERCO[®]

REAL ESTATE COMPANY

2727 North Central Avenue, 5-N • Phoenix, Arizona 85004
Phone: (602)263-6555 • Fax: (602)735-2082 • Email: Stephany_sheekey@uhaul.com

Project Narrative

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

The subject 11.43-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 use will consist of interior, climatized self-storage and U-Haul truck and trailer share. The interior of the building will be retrofitted to house self-storage units. U-Haul also intends to provide two outparcels along S Cedar St. for commercial development. This infill development will allow U-Haul to better serve the storage needs of the community, activate a property that is currently vacant, and allow for future commercial development along S Cedar St.

The property is presently zoned F- Commercial District. Neither self-storage nor U-Haul truck and trailer share are permitted uses within that zoning district. U-Haul is proposing to rezone an approximate 9.38-acre portion of the property to G-2 - Wholesale District in order for our uses to be permitted. The building will be used structurally as is with the exception of imaging and signage. The two outparcels along S Cedar St, approximately 1 acre per outparcel, will not be included in our rezoning request and will remain zoned as F - Commercial District. Additionally, U-Haul will provide a connection path for the abutting S Lansing Pathway leading to a bike rest area which will have a water fill-up station and bike tools for the community.

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

Explain what changes or changing conditions make the passage of this rezoning necessary:

It is important to recognize the significant changes in retail that have occurred throughout the country, namely with "big-box" retailers such as Kmart. These retailers are closing at a rapid pace leaving behind large buildings that then remain vacant for years at a time. It is becoming increasingly difficult to find retailers who are willing or able to occupy such a large footprint. A rezone of the property favors the successful and sustainable

redevelopment of this property. U-Haul has a long and proud history of revitalizing commercial properties in a sustainable way. Through reuse, we are able to meet the citizen's needs without compromising the resources and land associated with new construction. We have been met with great success in converting outdated big-box stores into productive businesses that both provide jobs and help to promote infill development.

Comment on other circumstances which justify the amendment:

Our proposal, to rezone a portion of the property G-2 for the use of self-storage and U-Haul truck and trailer share while creating two outparcels along S Cedar St to remain zoned as F, is the most beneficial use of the land. As previously mentioned, the footprint of big-box stores are not appealing to the majority of commercial developers. The building itself creates a hardship for any developer as it is extremely difficult to utilize that amount of space in a viable way. U-Haul is invested in the growth and economic well-being of your community. Our proposal allows for the creation of new retail / commercial development along S Cedar St, creating a vibrant frontage. This also allows for the vacant building to be adaptively reused to help better serve the surrounding residential neighborhoods and promote infill development. Self-storage is complementary to surrounding commercial uses and acts as an excellent buffer between commercial and residential zones.

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.

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

Sincerely,

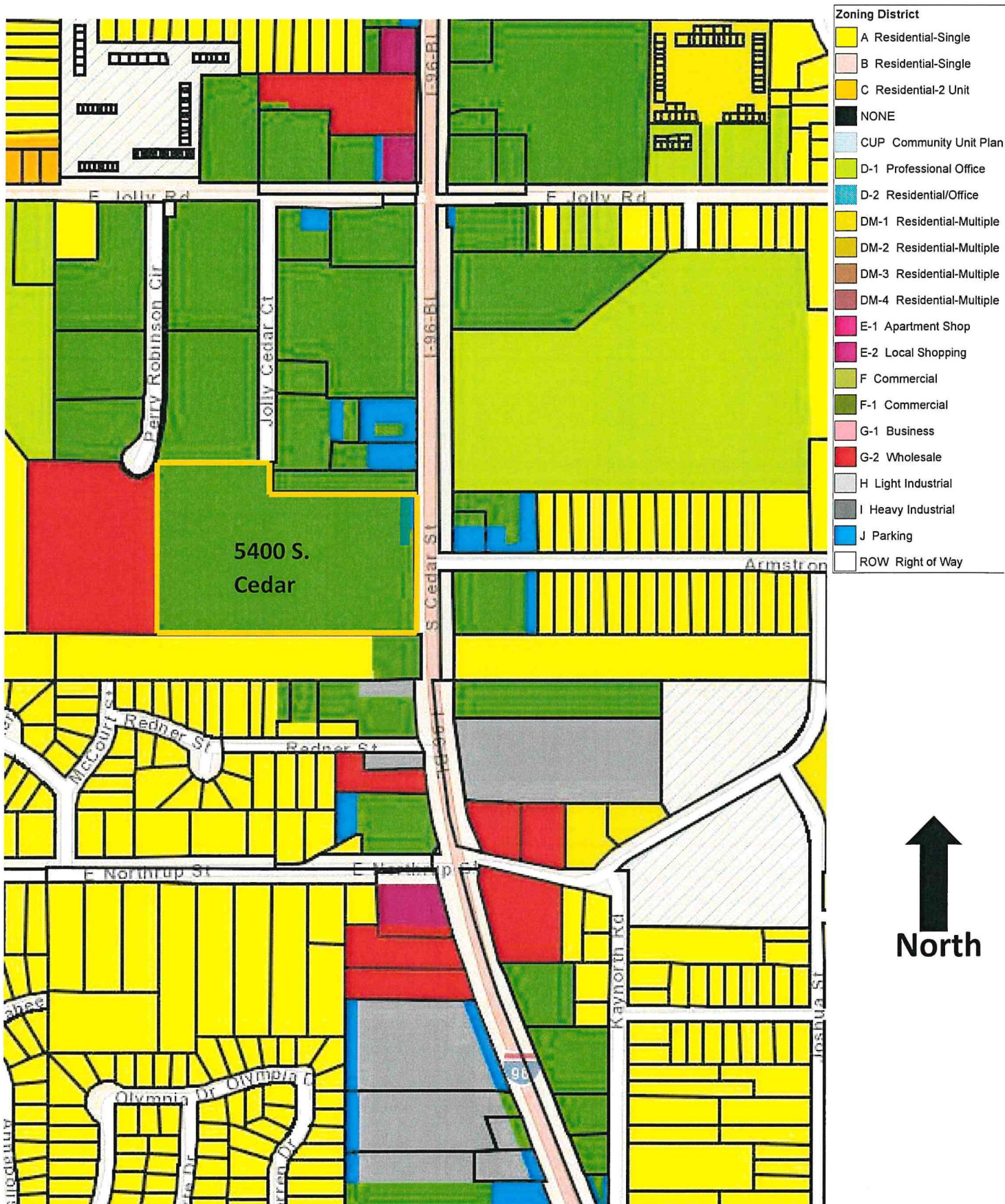
Stephany Sheekey
AMERCO Real Estate Company- Planner





Zoning District	
	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





GENERAL INFORMATION

APPLICANT/OWNER: Steve Hanks Trust
6400 Quail Ridge Lane
Dimondale, MI 48821

REQUESTED ACTIONS: Rezone the west, approximately 2/3 of the property at 5528 S. Martin Luther King Jr. Boulevard from “D-1” Professional Office district to “F” Commercial District

EXISTING LAND USE: 1,139 sq. ft. Residential/Office Building & 520 sq. ft. Utility Shed

EXISTING ZONING: “D-1” Professional Office & “F” Commercial Districts

PROPOSED ZONING: “F” Commercial District

PROPERTY SIZE: Irregular Shape
138,485 sq. ft. - 3.179 acres

SURROUNDING LAND USE: N: Commercial Building
S: Motor Vehicle Repair Facility
E: Urgent Care Facility & Multi-Family Residential
W: Consumer’s Energy Right-of-Way

SURROUNDING ZONING: N: “F” Commercial District
S: “D-1” Professional Office & “F” Commercial Districts
E: “F” Commercial & “DM-1 Residential Districts
W: “DM-1” Residential District

MASTER PLAN: The Design Lansing Comprehensive Plan designates the subject property for “Suburban Commercial” land use. S. M L King Jr. Blvd. is designated as a Suburban Corridor.

DESCRIPTION:

This is a request by Steve Hanks to rezone the west, approximately 2/3 of the property at 5528 S. M L King Jr. Blvd. from “D-1” Professional Office District to “F” Commercial district. The east, approximately 1/3 of the property is currently zoned “F” Commercial. The intent of the rezoning is to allow for commercial use of the entire parcel.

AGENCY RESPONSES

BWL:

Building Safety: The Building Safety Office has no objections. The project will be subject to site and building plan reviews as set forth by the State Construction Code.

Fire Marshal:

Parks & Recreation: No comments

Public Service:

Traffic Engineer:

COMPATIBILITY WITH SURROUNDING LAND USE

The west, approximately 2/3 of the subject property is zoned “D-1” Professional Office and the east, approximately 1/3 of the property is zoned “F” Commercial district. The purpose of the zoning is to allow the entire property to be used for commercial purposes, although a specific purpose has not been identified at this time. The property to the north of the subject property is already entirely zoned “F” Commercial and thus, the proposed zoning will be consistent with the pattern that has already been established by that property. There does not appear to be any reasonable explanation as to why only the frontage of the rest of the properties along the west side of MLK in the 5500 and 5600 blocks were zoned “F” Commercial and the remainder, which is the majority of the land, were zoned “D-1” Professional Office. Step-down or transitional zoning patterns are typically established to provide a buffer between commercial zoning/land uses and adjoining residential land uses. In this case, however, the transitional zoning pattern serves no purpose as there are no adjoining land uses that could be negatively impacted by commercial development. The area of the site that is zoned “D-1” Professional Office adjoins a 300+ wide Consumer’s Energy right-of-way and the nearest residential use is located almost 600 feet from the west property line and buffered by a densely wooded area.

It is difficult to develop a property that has different zoning designations. In this case, a commercial use could be established along the road frontage but the majority of the property to its west could only be in accordance with the “D-1” Professional Office district zoning. The “D-1” district permits such uses as banks, offices, funeral homes, clinics and residential uses, none of which, except maybe a multiple family residential development, would be appropriate to be located behind a commercial use with limited exposure from the street.

COMPLIANCE WITH MASTER PLAN

The Design Lansing Comprehensive Plan designates the subject property for “Suburban Commercial” land use. The Plan specifies the following for this land use classification:

“To allow for general retail and commercial use, including large footprint and automobile – oriented uses, in a suburban development format that also encourages a mix of uses and accommodates pedestrians, cyclists and transit users.”

The “F” Commercial zoning is the most appropriate zoning designation to facilities the land use pattern being advanced in the Comprehensive Plan for the subject property. The proposed zoning will also allow for a land use pattern that is consistent with one of the primary goals of planning principles in general which is to concentrate commercial land uses along major arterials that are already characterized by commercial land uses, where there is a transportation system in place to accommodate the traffic and where there are no adjoining low density residential uses that could be negatively impacted by the effects of certain commercial uses.

IMPACT ON VEHICULAR AND PEDESTRIAN TRAFFIC

The proposed rezoning will have no impact on traffic in the area. The site is located on S. M. L. King Jr. Boulevard which is a major arterial designed to carry a high volume of traffic.

IMPACT ON PUBLIC FACILITIES

New development will have to be reviewed and approved through the City’s administrative site plan review process, at which time the adequacy of utilities will be available. Any extension or upgrades necessary to serve the proposed development will be the responsibility of the applicant/owner.

ENVIRONMENTAL IMPACT

A storm-water management plan will need to be reviewed and approved by the City Engineers as part of the site plan review process.

IMPACT ON FUTURE PATTERNS OF DEVELOPMENT

Approval of the requested rezoning will not negatively impact future patterns of development in the area. In fact, the request to rezone the entire subject property to “F” Commercial may set a positive precedent for future requests to rezone the other parcels south of the subject property that have dual “F” Commercial and “D-1” Professional Office zoning in order to facilitate future development of those sites as well.

SUMMARY

This is a request by Steve Hanks to rezone the west, approximately 2/3 of the property at 5528 S. M L King Jr. Blvd. from “D-1” Professional Office District to “F” Commercial district. The east, approximately 1/3 of the property is currently zoned “F” Commercial. The intent of the rezoning is to allow for commercial use of the entire parcel.

The proposed “F” Commercial zoning will be consistent with the general zoning pattern already established in the area. It is also the most appropriate zoning designation for facilitating the land use pattern being advanced in the Design Lansing Comprehensive Plan and for facilitating reasonable development of the property. The proposed zoning will have no negative impacts on adjoining land uses, future patterns of development or traffic.

RECOMMENDATIONS

Pursuant to the findings described above, staff recommends approval of Z-2-2020 to rezone the west, approximately 2/3 of the property at 5528 S. M.L. King Jr. Boulevard from “D-1” Professional Office District to “F” Commercial District.

Respectfully Submitted,

**Susan Stachowiak
Zoning Administrator**

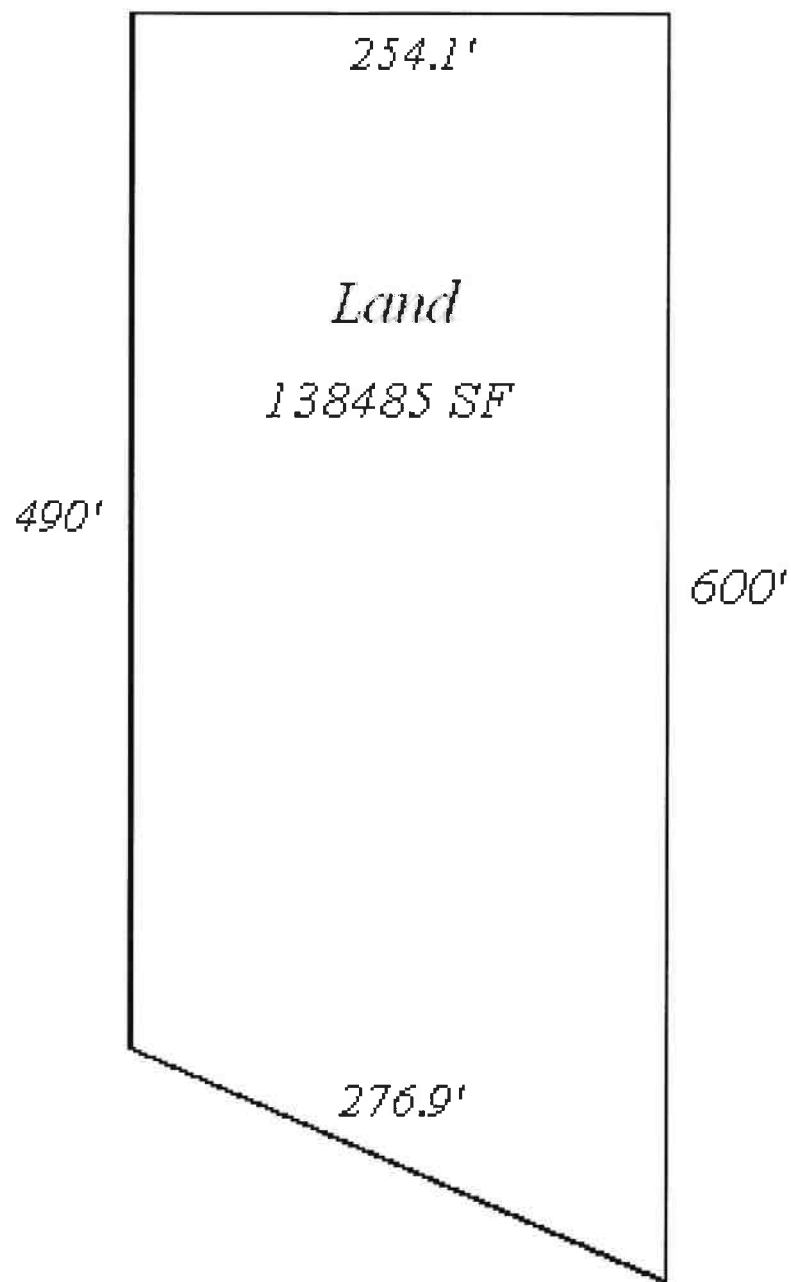
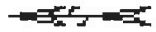
Z-2-2020 is a request by Steve Hanks to rezone the west, approximately 2/3 of the property at 5528 S. M.L. King Jr. Blvd. from “D-1” Professional Office district to “F” Commercial district. The east, approximately 1/3 of the property is currently zoned “F” Commercial.

The intent of the rezoning is to allow the entire parcel to be used for commercial purposes (nothing planned at this time). The property does not adjoin any residential parcels of land and the parcel to the north is already entirely zoned “F” Commercial.

On September 1, 2020, the Planning Board voted unanimously to recommend approval of the request.

The owners, taxpayers and occupants of all real property within 300 feet of the site were notified of the public hearing. No comments, either in support or opposition to the request were received and only the applicant’s representative spoke at the public hearing.

S ML KING JR BLVD



Image/Sketch for Parcel: 33-01-05-05-126-101



Image/Sketch for Parcel: 33-01-05-05-126-101



City of Lansing Zoning Map



Zoning District	
	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





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, _____, 2020, 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-2-2020: 5528 S. M.L. King Jr. Blvd. Rezoning from "D-1" Professional Office district to "F" Commercial district

BE IT FURTHER RESOLVED, due to COVID -19, the public hearing may be held electronically in accordance with the Open Meetings Act in an effort to protect the health and safety of the public. Members of the public wishing to participate in the meeting may do so by logging into or calling into the meetings using the website or phone number and Meeting ID provided on the _____, 2020 meeting agenda.

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-2-2020: 5528 S. M.L. King Jr. Blvd. Rezoning from “D-1” Professional Office district to “F” Commercial district

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

CITY OF LANSING
NOTICE OF PUBLIC HEARING

**Z-2-2020 5528 S. M.L. King Jr. Blvd.
Rezoning from “D-1” Professional Office to “F” Commercial**

The Lansing City Council will hold a public hearing on Monday, 2020 at 7:00 p.m. to consider Z-2-2020. This is a request by Steve Hanks to rezone the west, approximately 2/3 of the property at 5528 S. M.L. King Jr. Blvd. from “D-1” Professional Office district to “F” Commercial district. The east, approximately 1/3 of the property is currently zoned “F” Commercial.

Due to COVID -19, the public hearing may be held electronically in accordance with the Open Meetings Act in an effort to protect the health and safety of the public. Members of the public wishing to participate in the meeting may do so by logging into or calling into the meetings using the website or phone number and Meeting ID provided on the _____ meeting agenda. Michigan Executive Order 2020-154 provides for temporary authorization of remote participation in public meetings and hearings.

For more information, please call Lansing City Council at 517-483-4177. Written comments can be emailed to **city.clerk@lansingmi.gov** or sent by regular mail to the City Clerk’s Office, 124 W. Michigan Avenue, 9th Floor, City Hall, Lansing, MI 48933. Comments will be accepted if received by 5 p.m., Monday, 2020.

Chris Swope, City Clerk

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-2-2020

Parcel Number's: 33-01-05-05-126-101

Address: 5528 S. M.L. King Jr. Blvd.

Legal Descriptions: Commencing at the Southerly corner of Lot 6 on the Westerly line of M-99, thence Northwesterly along the Southerly lot line 650 feet, Northeast to a point on the Northeasterly lot line 550 feet Northwesterly from the Easterly corner, Southerly 550 feet to the Easterly corner, Southwesterly to the point of beginning; Creyts Subdivision, from "D-1" Professional Office 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 _____, 2020, 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.

GENERAL INFORMATION

APPLICANT/OWNER: Blackboard District, LLC
503 Mall Court, Suite 312
Lansing, MI 48912

REQUESTED ACTION: Rezoning from “B” Residential & “D-1” Professional Office districts to “DM-4” Residential district

EXISTING LAND USE: Vacant School Building

EXISTING ZONING: “B” Residential & “D-1” Professional Office districts

PROPOSED ZONING: “DM-4” Residential District

PROPERTY SIZE & SHAPE: Slightly Irregular
96,500 sq. ft. - 2.21 Acres

SURROUNDING LAND USE: N: Single Family Residential
S: Single Family Residential
E: Single Family Residential
W: Single Family Residential

SURROUNDING ZONING: N: “B” Residential District
S: “B” Residential District
E: “B” Residential District
W: “B” Residential District

MASTER PLAN DESIGNATION: The Design Lansing Comprehensive Plan designates the subject property for use as a community facility. Holmes Street is designated as a collector and Mechanics Street and Hazel Street are designated as local streets.

APPLICANT’S REQUEST

This is a request by Blackboard District, LLC to rezone the property at 1030 S. Holmes Street from “B” Residential district and “D-1” Professional Office district to “DM-4” Residential district to permit use of the property for 108 multiple family residential apartments.

BACKGROUND INFORMATION

The building on the site was built for and used as a school until it was vacated approximately 2 decades ago. It has remained vacant ever since. In 2006, Teen Challenge applied for a special land use permit to utilize the building for a substance abuse recovery facility. That request was

withdrawn based on strong objections by the residents of the surrounding neighborhood. In 2007, the east 360 feet of the property at 1030 S. Holmes Street was rezoned from "B" Residential to "D-1" Professional Office. The applicant for that request intended to utilize the building for an internet consulting service but was never able to bring the project to fruition. The west 24,500 square feet was not rezoned in order to prevent it from being developed so that it would remain green space for use by the residents of the area.

AGENCY RESPONSES:

BWL:

Building Safety: The Building Safety Office has no objections. The project will be subject to site and building plan reviews as set forth by the State Construction Code

Development:

Fire Marshal:

Parks & Recreation: No comments.

Public Service:

Transportation:

ANALYSIS

COMPATIBILITY WITH SURROUNDING LAND USE

The area is characterized by single family residential houses on small lots. The housing stock in the area is improving and more homes are becoming owner-occupied. Reuse of the existing building on the site, especially for residential purposes, will be compatible with and will have a positive impact on the surrounding neighborhood. Vacant buildings are a target for vandalism and the longer they sit vacant, the more they deteriorate and have the potential to become a blight on the neighborhood in which they are located.

In addition to the reuse of the existing school building for 47 residential apartment units, the applicant proposes to construct an additional 61 units on the site for a density of 48.8 dwelling units per acre which is why the "DM-4" zoning is necessary. The factors that determine exactly how many units could be established on the property include how many of them will be efficiencies, 1-bedrooms, 2-bedrooms and 3+ bedrooms and whether, based on these numbers, the site can accommodate the required number of parking spaces, given that the maximum allowable lot coverage on the site (structures and pavement) is 75% and no parking is permitted within the 20 foot front yard setback around the entire perimeter of the site. These limitations will ensure that the new development on the property will not result in overuse/overdevelopment of the site, thus, keeping it compatible, to the extent possible, with the surrounding neighborhood.

COMPLIANCE WITH MASTER PLAN

The Design Lansing Comprehensive Plan designates the subject property for use as a community facility, presumably since it was still owned by the Lansing School District when the Plan was enacted. Now that it is in private ownership and thus, will not be used for a “community facility”, an alternative use needs to be considered. The applicant’s proposal is to convert the vacant school building into 47 apartments and construct 5 additional multi-family residential buildings on the site for a total of 108 apartment units. While the proposed reuse of the building is not consistent with the “community facilities” land use being advanced in the Comprehensive Plan for the site, it will be consistent with a fundamental principle of planning which is to permit development and redevelopment that is compatible with the area in which it is located. In this case, since the site is located in the middle of a residential neighborhood, residential use would be the most appropriate use of the property.

IMPACT ON VEHICULAR AND PEDESTRIAN TRAFFIC

The proposed development will have no negative impacts on vehicular or pedestrian traffic in the area. Access to the site is currently via one driveway along Hazel Street. Additional driveways will need to be constructed on the site to accommodate parking for the proposed development. No traffic associated with the subject property has been generated for many years while the property has been vacant. The applicant intends to develop the site for 108 apartment units which will increase traffic in the area, particularly along Hazel and Mechanic Streets. The amount of traffic generated by 108 apartments, however, will likely be less in terms of volume and intensity than what was generated by staff, parents picking up and dropping off children, busses and delivery vehicles when the school was in full operation. It could also be less than the traffic generated by use of the building for medical offices which would be permitted by right under the existing “D-1” Professional Office zoning.

IMPACT ON PUBLIC FACILITIES

New development will have to be reviewed and approved through the City’s administrative site plan review process, at which time the adequacy of utilities will be available. Any extension or upgrades necessary to serve the proposed development will be the responsibility of the applicant/owner. A storm-water management plan will need to be reviewed and approved by the City Engineers as part of the site plan review process.

ENVIRONMENTAL IMPACT

The majority of the site is currently green space. While the additional buildings and parking lots will significantly reduce the amount of green space on the site, there is a maximum lot coverage restriction of 75% under the proposed “DM-4” zoning. The conceptual plan provided by the applicant shows a fair amount of green space on the site including a courtyard in the center of the future buildings. The amount of green space shown may need to be reduced, however, to accommodate the number of parking spaces required by Section 1284.13 of the Zoning Ordinance. At a minimum, 108 parking spaces will be required and that is if all of the units are efficiencies. It is unclear as to how many parking spaces can be provided under the conceptual plan. The number

of units may need to be reduced if the site is not large enough to accommodate the required number of parking spaces. No parking is permitted within 20 foot front yard setback area around the entire perimeter of the site.

IMPACT ON FUTURE PATTERNS OF DEVELOPMENT

The proposed development and hence, the rezoning will not negatively impact future patterns of development in the area. While the number of units that the applicant is proposing is on the high end of the density allowed under the “DM-4” district, the property is located in one of the more single family residential neighborhoods in the City as most of the lots are only 35 feet wide by 100 feet deep. Also, the proposed rezoning will not set a negative precedent for future requests to rezone property in the area for multi-family residential purposes. The subject property is the only one that is not zoned industrial within a 3+ block radius of the site that is large enough to accommodate anything other than single family residential use.

SUMMARY

This is a request by Blackboard District, LLC to rezone the property at 1030 S. Holmes Street from “B” Residential district and “D-1” Professional Office district to “DM-4” Residential district to permit use of the property for 108 multiple family residential apartments. The proposed “DM-4” Residential zoning will allow for conversion of the existing school building into residential apartments and allow for additional units to be constructed on the site.

The subject property is uniquely large in the area in which it is located and thus, the rezoning will not set a negative precedent for future requests to rezone property in the area for multi-family residential use. In addition, the proposed development is not anticipated to have any negative impacts on traffic, public services or the environment. Finally, while the residential uses is not consistent with the future “community facilities” land use being advanced in the Comprehensive Plan for the property, it is consistent with planning principles in general by allowing for a use that is compatible with the surrounding neighborhood.

RECOMMENDATION

Pursuant to the findings described above, staff recommends approval of Z-3-2020 to rezone the property at 1030 S. Holmes Street from “B” Residential and “D-1” Professional Office districts to “DM-4” Residential.

Respectfully Submitted,

**Susan Stachowiak
Zoning Administrator**

Z-3-2020 is a request by Blackboard District, LLC to rezone the property at 1030 S. Holmes Street from “B” Residential district and “D-1” Professional Office district to “DM-4” Residential district.

The purpose of the rezoning is to permit the conversion of the vacant, former Holmes Street School building into 47 apartments and to permit the construction of additional multiple family residential apartment buildings on the subject property to the allowable density of the “DM-4” district.

On September 1, 2020, the Planning Board voted unanimously to recommend approval of the request.

The owners, taxpayers and occupants of all real property within 300 feet of the site were notified of the public hearing. The only communication that has been received is an email from the owner of 1023 S. Holmes Road in support of the rezoning. The applicant’s representative was the only speaker at the public hearing.



DETAILED DESCRIPTION OF REHABILITATION

- Electrical
- Plumbing
- HVAC
- Kitchen Cabinets/Countertops
- Exterior Lighting
- Suppression
- Landscaping
- Asphalt

DESCRIPTIVE LIST OF FIXED BUILDING EQUIPMENT

- Drywall
- Doors
- Flooring
- Light/Plumbing Fixtures
- Appliances
- Windows
- Roof Repairs
- Masonry Repair
- Paint



1030 S
Holmes

108 Total Units Residential
124 Total Beds

Image/Sketch for Parcel: 33-01-01-22-133-102



City of Lansing Zoning Map





North

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, _____, 2020, 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-3-2020: 1030 S. Holmes Street, Rezoning from "B" Residential & "D-1" Professional Office districts to "DM-4" Residential district

BE IT FURTHER RESOLVED, due to COVID -19, the public hearing may be held electronically in accordance with the Open Meetings Act in an effort to protect the health and safety of the public. Members of the public wishing to participate in the meeting may do so by logging into or calling into the meetings using the website or phone number and Meeting ID provided on the _____, 2020 meeting agenda..

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-3-2020: 1030 S. Holmes Street, Rezoning from “B” Residential & “D-1” Professional Office districts to “DM-4” Residential district

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

CITY OF LANSING
NOTICE OF PUBLIC HEARING

Z-3-2020, 1030 S. Holmes Street
Rezoning from “B” Residential & “D-1” Professional Office to “DM-4” Residential

The Lansing City Council will hold a public hearing on Monday, 2020 at 7:00 p.m. to consider Z-3-2020. This is a request by Blackboard District, LLC to rezone the property at 1030 S. Holmes Street from “B” Residential district and “D-1” Professional Office district to “DM-4” Residential district. The purpose of the rezoning is to permit the conversion of the vacant, former Holmes Street School building into apartments and to permit the construction of additional multiple family residential apartment buildings on the subject property.

BE IT FURTHER RESOLVED, due to COVID -19, the public hearing may be held electronically in accordance with the Open Meetings Act in an effort to protect the health and safety of the public. Members of the public wishing to participate in the meeting may do so by logging into or calling into the meetings using the website or phone number and Meeting ID provided on the _____ meeting agenda. Michigan Executive Order 2020-154 provides for temporary authorization of remote participation in public meetings and hearings.

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Chris Swope, City Clerk

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-3-2020

Parcel Number's: 33-01-01-22-133-102

Address: 1030 S. Holmes Street

Legal Descriptions: Lots 1 through 13 inclusive & Lots 21 through 34 inclusive, Block 11, Manufacturers Addition No. 2, from "D-1" Professional Office and "B" Residential districts to "DM-4" Residential 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 _____, 2020, 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.

Act-3-2020, Case St. Utility Easement Vacation - STAFF REPORT

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: Laux Construction, 1018 Hogsback Rd. Mason, MI, on behalf of 1401 Case Holdings LLC., is requesting the vacation of a utility easement within the vacated section of Case Street. The easement is completely within the confines of the property at 1401 Case Street.

LOCATION: 1401 Case Street (PID # 33-01-01-10-156-003)

CURRENT OWNER(S): 1401 Case Holdings LLC.
2290 Science Pkwy., Okemos, MI

EXISTING LAND USE & ZONING: Industrial Use
“I” Heavy Industrial & “J” Parking Zoning

PROPERTY SIZE AND SHAPE: 9.33 acres, Irregular

SURROUNDING LAND USE & ZONING: North: I, Heavy Industrial
East: C, 2-Unit Residential
South: H, Light Industrial
West: I, Heavy Industrial

ANALYSIS

LOCATION:

1401 Case St. is located north of the intersection of Case St. and E Cesar E. Chavez Avenue, immediately east of Lansing’s Old Town neighborhood. The section of the utility easement extends through the center of the subject parcel and is 66 feet wide by approximately 444 feet in length.

CHARACTER:

1401 Case Street is an industrial property that contains two buildings. A new, 36,500 square foot marijuana grow facility is proposed to be built between the two existing buildings. The proposed building would be located over an obsolete utility easement that extends north from the north terminus of Case Street. The public sanitary and storm pipes within the easement only serve once customer which is the applicant for this request. The applicant will be relocating the utilities to allow for the new building construction and the utilities will then become privately owned by the property owner.

EXTENT:

The extent of the utility easement vacation is completely within the subject property of 1401 Case Street and is 66 feet wide by approximately 444 feet in length.

AGENCY REFERRALS

Lansing Board of Water and Light (BWL)

- See attached.

Public Service Department:

- No issue with the request to vacate this utility easement based on considerations for Public Service Department's sewer utilities. There appears to have been other entities utilities within this easement (water, natural gas) and we obviously aren't commenting on any other utilities there. Actually, the request to vacate this easement is a boon to the City in that these sewers should have been "vacated" years ago based on the fact that, consistent with the statement in the application, these public sewers are serving only this property. Therefore, they are essentially acting as private service pipes for the existing site, so we don't need to be operating & maintaining these pipes as public sewers.

Building Safety Office:

- No concerns.

Lansing Fire Department:

- No concerns.

Lansing Parks and Recreation:

- No concerns.

STAFF RECOMMENDATION

Based on a review of the location, character, and extent of the proposal, staff recommends the approval of the vacation of the utility easement as requested.

Cover Sheet - Act-3-2020

1401 Case Street – Utility Easement Vacation

Act-3-2020 is a request by Laux Construction to vacate an obsolete 66 foot wide utility easement extending 444 feet north from the north terminus of Case Street.

1401 Case Street is an industrial property that contains two buildings. A new, 36,500 square foot marijuana grow facility is proposed to be built between the two existing buildings. The proposed building would be located over an obsolete utility easement that extends north from the north terminus of Case Street. The public sanitary and storm pipes within the easement only serve once customer which is the applicant for this request. The applicant will be relocating the utilities to allow for the new building construction and the utilities will then become privately owned by the property owner.

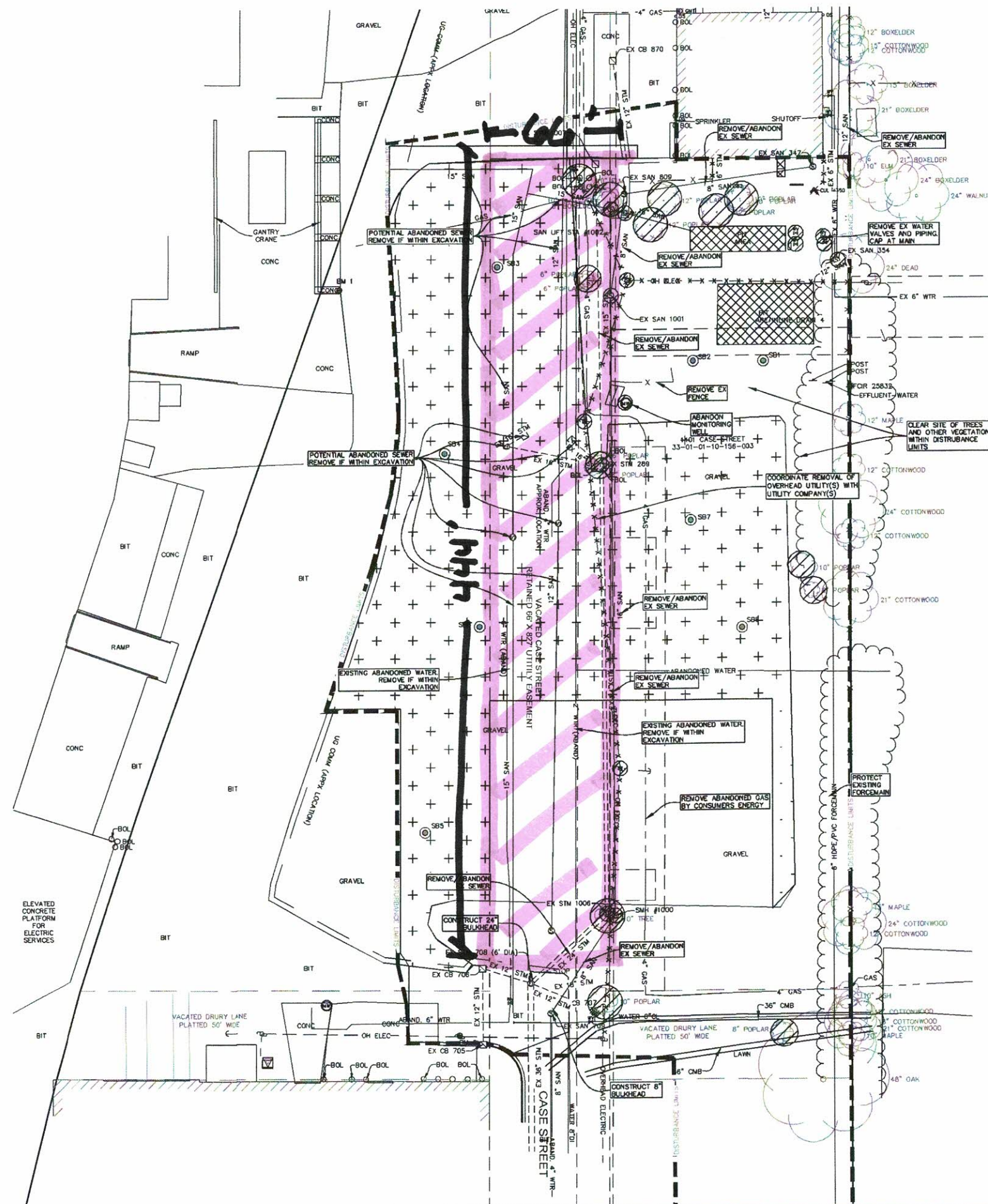
The Planning Board voted unanimously at its September 1, 2020 meeting to recommend approval of Act-3-2020.

1401 CASE ST PROPOSED EASEMENT

DEMOLITION NOTES

1. SAW CUT EXISTING EDGE OF PAVEMENT IMMEDIATELY PRIOR TO NEW PAVEMENT.
2. DAMAGED EDGES SHALL BE RE-CUT PRIOR TO CONSTRUCTION OF NEW PAVEMENT.
3. CONTRACTOR RESPONSIBLE FOR DISPOSAL OF ALL MATERIAL REMOVED FROM SITE.
4. BURNING IS NOT APPROVED.
5. CONTRACTOR SHALL OBTAIN PERMIT WITH CITY OF LANSING FOR ABANDONMENT OF ALL SANITARY SERVICES.
6. CONTRACTOR SHALL OBTAIN PERMIT FROM LANSING BOARD OF WATER AND LIGHT FOR ABANDONMENT OF ALL WATER SERVICES.

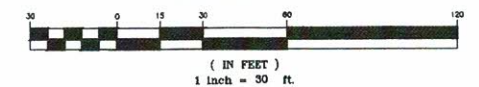
ABANDONMENT



SUPPLEMENTAL LEGEND:

- DEMO LIMITS
- ***X*** OVERHEAD ELECTRICAL REMOVAL
- CONCRETE REMOVAL
- BITUMINOUS PAVEMENT REMOVAL
- ITEM TO BE REMOVED

GRAPHIC SCALE



REVISIONS
2020-08-07 SITE PLAN REVIEW



1210 N. CEDAR ST. SUITE B
LANSING, MICHIGAN 48906
PH: (517) 853-7866

1401 CASE STREET
CIVIL-DEMOLITION

PLANS PREPARED FOR:
LAUX CONSTRUCTION
1018 HOGSBACK RD
MASON, MI 48854
(517) 694-0117

SCALE: 1"=30' DRAWN BY: CRM REVIEWED BY: KRK
DATE: 04/14/2020 SHEET: 2 OF 8



LAUX - 1401 CASE ST



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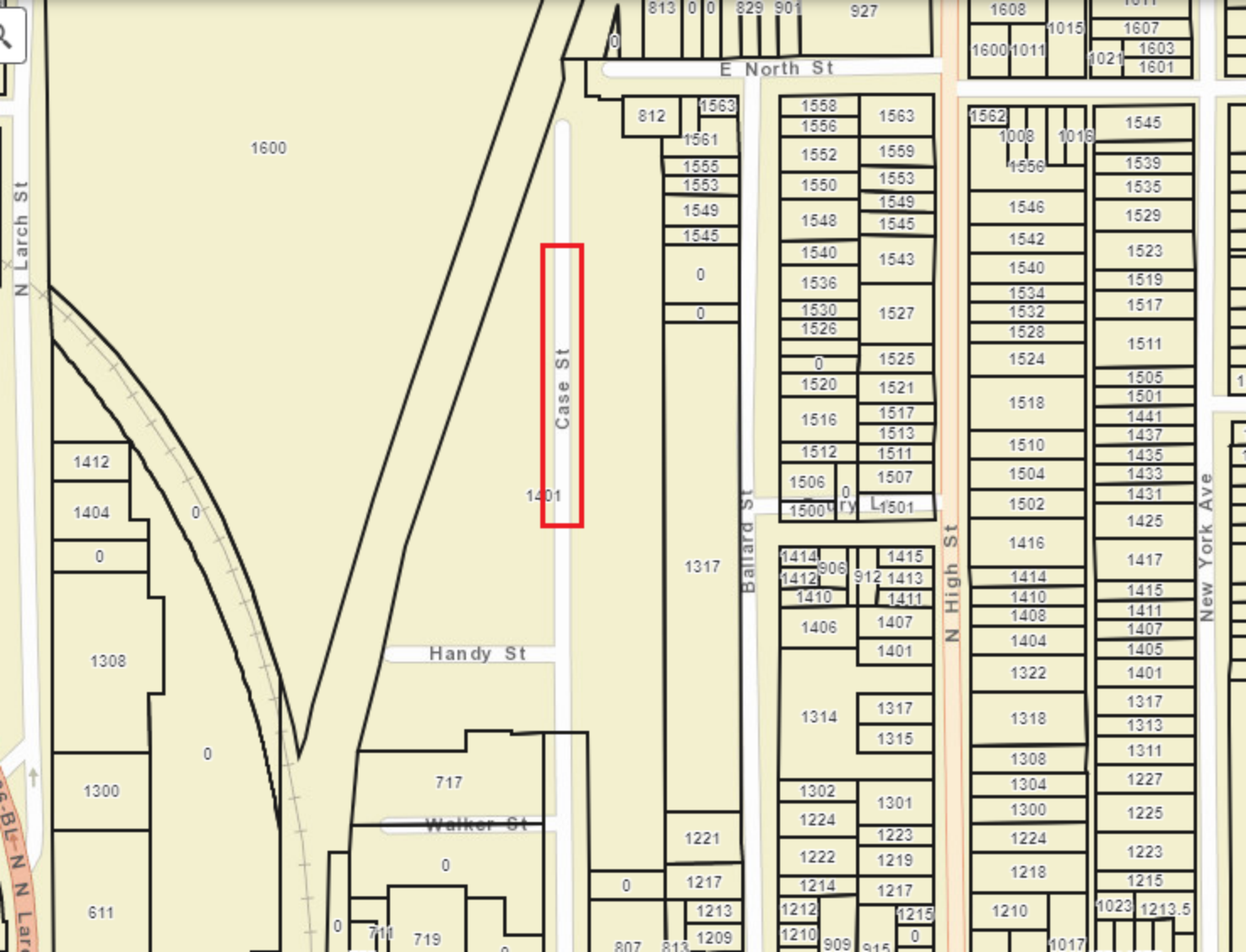
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BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Act-3-2020, 1401 Case St. Utility Easement Vacation

WHEREAS, Laux Construction, 1018 Hogsback Rd. Mason, MI 48854, has requested that the City vacate an obsolete utility easement extending 444 feet north from the northern edge of Case Street; and

WHEREAS, the utility easement is located entirely within the property 1401 Case Street; and

WHEREAS, on September 1, 2020, the Planning Board reviewed the proposal for the vacation of the utility easement, and found that:

- The utility easement is within a vacated section of Case Street,
- The utility easement currently serves one customer, effectively making it a private service,
- The extent of the utility easement vacation is 444' in length by 66' in width; and

WHEREAS, the Planning Board voted unanimously (5-0) on the proposal to recommend the vacation of the utility easement within 1401 Case Street; 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-3-2020, and approves the vacation of the utility easement located within 1401 Case Street legally described as:

Commencing at the Southeast corner of Lot 1, Block 7, Handy Home Addition as recorded in Liber 2 of Plats, Page 19, Ingham County Records, thence Northerly 519.29 feet on the west line of former Case Street right-of-way, also being the west line of existing utility easement and to the Point of Beginning, thence Northerly along said west line of former Case Street right of way a distance of 439.44 feet; thence Easterly, being perpendicular to said west line 66.00 feet; thence Southerly 439.44 feet along the east line of former Case Street right-of-way, also being the east line of existing utility easement; thence Westerly 66.00 feet perpendicular to said east line and to the Point of Beginning.

BE IT FINALLY RESOLVED, that the City Clerk shall forward certified copies of the resolution to the Ingham County Register of Deeds for recording and upon return, transmit a copy of the recorded resolution to the Michigan Department of Licensing and Regulatory Affairs, Office of Land Survey and Remonumentation (OLSR), the Planning and Assessor's Offices, the Department of Public Service, and the applicant. The vacation

shall be effective upon the date of recording of the resolution with the Ingham County Register of Deeds.

329-337
**SOUTH WASHINGTON SQUARE
REHABILITATION**

Act 210 Commercial Rehabilitation Act Application

Washington Square at Kalamazoo, LLC

Project Summary

Renovate/replace building envelope and major systems:

- (1) Not performed in the 2007 rehabilitation;
- (2) Has deteriorated since 2007; and
- (3) Achieves modern energy standards.

Description	Cost
<i>Exterior Wall Repair & Painting – Brick repair, tuckpointing, reconstruction</i>	\$23,000
<i>HVAC Replacement – Replace HVAC Units.</i>	\$57,500
<i>Appliance Replacement.</i>	\$28,750
<i>Electric Efficiency Upgrades</i>	\$2,875
<i>Roof Repair/Replacement</i>	\$51,750
<i>Common Area Remodel – New paint & Flooring. Bathroom Remodel.</i>	\$17,250
<i>Apartment Remodels – New Paint, Granite Counter tops, miscellaneous.</i>	\$23,000
<i>Conference Room</i>	\$7,475
<i>Plumbing – Replace water heaters, toilets w/ lower water consumption.</i>	\$28,750
<i>Building Access and Parking Resurface</i>	\$23,000
<i>Windows – Repair operational function and glass with broken seals.</i>	\$9,775
TOTAL	\$273,125

Street Facades



South Wall Structural Problems



South Wall Structural Problems



Roof Insulation



HVAC



Questions?



Thank You!

WASHINGTON SQUARE AT KALAMAZOO, LLC

September 4, 2020

City of Lansing
124 West Michigan Avenue
Lansing, Michigan 48933

SUBJECT: Request for Establishment of Commercial Rehabilitation District
329-337 South Washington Square – Downtown Lansing

Honorable Mayor and City Council:

Please accept this letter as a request for establishing a Commercial Rehabilitation District at the properties located at 329-337 South Washington Square in Downtown Lansing.

General Project Description

The subject parcels are located at the northeast corner of South Washington and Kalamazoo streets in Downtown Lansing. The building is comprised of two (2) story structures upon three (3) separate parcels which are internally connected. The first-floor commercial spaces retain the original addresses of 329, 331, 333 and 337 South Washington. On the second floor are seven (7) loft apartments of 1-2 bedrooms each. In the first-floor rear are two commercial suites. The building has at-property-line frontage along South Washington and East Kalamazoo. The buildings were originally constructed in 1887. Historical use has included a mix of manufacturing and mercantile retail, then predominately professional offices between 1960 and 2000. A basic rehabilitation was performed in 2007 to upgrade the first-floor commercial units and convert the second floor to loft apartments.

This project is proposed to renovate or replace building envelope and major systems work that (1) was not performed in the 2007 rehabilitation, (2) requires replacement due to wear or code changes, or (3) upgrades to meet LEED/Energy Star efficiency standards. Property-Assessed Clean Energy (PACE) financing shall be sought for the project and, if successfully received, will be a first for Downtown Lansing's main commercial street. The work scope summary includes exterior masonry, tuckpointing and foundation reconstruction, HVAC system/unit replacements, roof replacement, and window repair/replacement. Interior work will include removal/replacement of HVAC lines, electrical, mechanical, and insulation, along with internal fittings and fixtures replacement.

District Establishment Purpose

To maximize energy efficiency of the structure, thereby reducing its carbon footprint and associated community and climate costs, a considerable investment will be incurred. The establishment of a Commercial Rehabilitation District with its multi-year property tax deferment benefit is vital to making the economics of this project work.

Community Benefits

An energy-efficiency rehabilitation of the property would provide multiple benefits in effect and demonstration. The Downtown area will benefit from a rejuvenation of this anchor building, providing a boost in what is presently a challenging economic time. Upgraded commercial spaces will set stage for population, foot traffic and disposal income increase for households,

businesses, and City revenues. Finally, the project is intended to present a model for additional Downtown property owners to understand the economic and ecological benefit from greening via high-level energy-efficiency investments.

Basis of Eligibility

The subject building's major roofing and HVAC systems are deficient for present technological standards and useful life, as well as decentralized and unable to use modern renewable sources. Further, portions of interior and exterior foundation walls are in progressing stage of spall. Rehabilitation to correct these deficiencies will restore the building to an economically efficient condition, as described in of MCL §207.842(k).

Project Costs and Phasing

Rehabilitation cost estimates are as follows:

<i>XDescription</i>	Cost
<i>Exterior Wall Repair & Painting – Brick repair, tuckpointing, reconstruction</i>	\$23,000
<i>HVAC Replacement – Replace HVAC Units.</i>	\$57,500
<i>Appliance Replacement.</i>	\$28,750
<i>Electric Efficiency Upgrades</i>	\$2,875
<i>Roof Repair/Replacement</i>	\$51,750
<i>Common Area Remodel – New paint & Flooring. Bathroom Remodel.</i>	\$17,250
<i>Apartment Remodels – New Paint, Granite Counter tops, miscellaneous.</i>	\$23,000
<i>Conference Room</i>	\$7,475
<i>Plumbing – Replace water heaters, toilets w/ lower water consumption.</i>	\$28,750
<i>Building Access and Parking Resurface</i>	\$23,000
<i>Windows – Repair operational function and glass with broken seals.</i>	\$9,775
TOTAL	\$273,125

The current time schedule anticipates the permit applications in October 2020 and construction to begin shortly after. The work will take ten (10) months to complete.

Property Taxable Value and Legal Description

The proposed district includes three (3) parcels of real property containing a total of 0.333 acres and listed in the City of Lansing's Assessment records as having a 2020 value of \$807,700. The tax parcel numbers and legal descriptions are:

Tax ID	Address	Legal Description
33-01-01-16-405-121	329 South Washington Square	South 1/3 of Lot 8, Block 129, Original Plat of Lansing.
33-01-01-16-405-131	331 South Washington Square	North 1/3, west 100 feet of Lot 7, Block 129, Original Plat of Lansing.
33-01-01-16-405-141	333 South Washington Square	Lot 7 except the north 22 feet of the westerly 100 ft, Block 129, Original Plat of Lansing.

Thank you for your assistance and consideration in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Douglas Marek', written in a cursive style.

Douglas Marek
Owner and Managing Member

CITY OF LANSING
PA 210 COMMERCIAL REHABILITATION ACT EXEMPTION (CRE) DISTRICT AND CERTIFICATE
329 S. WASHINGTON SQUARE REDEVELOPMENT PROJECT
PROPOSED CRE APPROVAL PROCESS SCHEDULE

DATE	BOARD/ COMMITTEE	ACTION	ATTENDANCE BY APPLICANT
September 17, 2020	LEAP/LEDC	District Request and Certificate Application Packet ready for submission to Lansing City Council:	
September 21, 2020 7:00PM	Lansing City Council	Council Receives District Request and Certificate Application and refers it to the Committee on Development and Planning.	
October 6, 2020 3:30PM	Committee on Development and Planning	Applicant Presents Project to the D&P Committee to review CRE District and Certificate Application. Approval of Resolutions to set Public Hearings for: 1) Establishing District, AND 2) Approving Certificate Application	YES <i>Presentation if requested</i>
October 12, 2020 7:00PM	Lansing City Council	1. Council passes resolutions setting Public Hearings for District AND Certificate, 7:00PM on <u>October 26</u> . a. DISTRICT PH: <i>Written Notice of Public Hearing by Certified Mail to Ingham County and Owners within District w/ Copy of District Resolution (>10 Days/<30 Days from PH)</i> b. CERTIFICATE PH: <i>Written Notice of Public Hearing (Mail/Paper) to Applicant, Assessor, Tax Units, Public</i> 2. Application Packet referred back to the Committee on Development and Planning for recommendation on resolutions to: a) Establish District, AND b) Approving Certificate Application	YES <i>Presentation if requested</i>
October 20, 2020 3:30PM	Committee on Development and Planning	D&P Committee approves resolutions to: 1) Establish District, AND 2) Approve Certificate Application	YES
October 26, 2020 7:00PM	Lansing City Council	1. Public Hearings held at Council for: a) Establishing District <u>THEN</u> b) Approving Certificate Application. 2. City Council adopts resolutions: a) Establishing District <u>THEN</u> b) Approving Certificate Application	YES

By October 31, 2020	LEAP/LEDC	Submit CRE Certificate Application Package to State Tax Commission	

DRAFT

LEGAL DESCRIPTION
For City of Lansing Commercial Rehabilitation District (PA 210 of 2005):
329-337 South Washington Square

Property commonly known as 329, 331, 333, and 337 South Washington Square, Lansing, Michigan, but more particularly described as follows:

Address: 329 South Washington Square

Parcel #: 33-01-01-16-405-121

Legal Description: S 1/3 LOT 8 BLOCK 129 ORIG PLAT

Address: 331 South Washington Square

Parcel #: 33-01-01-16-405-131

Legal Description: N 1/3 OF W 100 FT LOT 7 BLOCK 129 ORIG PLAT

Address: 333 South Washington Square

Parcel #: 33-01-01-16-405-141

Legal Description: LOT 7 EXC N 22 FT OF W 100 FT BLOCK 129 ORIG PLAT

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

Resolution to Set a Public Hearing Regarding the Establishment of Commercial
Rehabilitation District for Washington Square at Kalamazoo, LLC at
329-337 South Washington Square

WHEREAS, Washington Square at Kalamazoo, LLC, owner of the property located at 329, 331, 333, and 337 South Washington Square in the City of Lansing, Michigan (the "Property") has requested, in writing to the City Clerk, that the City of Lansing establish a Commercial Rehabilitation District (the "CRE District"), pursuant to the Michigan Commercial Rehabilitation Act, being Public Act 210 of 2005 (the "Act"); and

WHEREAS, the Property in question of the CRE District is legally described as:

329 South Washington Square

Parcel #: 33-01-01-16-405-121

Legal Description: S 1/3 LOT 8 BLOCK 129 ORIG PLAT

331 South Washington Square

Parcel #: 33-01-01-16-405-131

Legal Description: N 1/3 OF W 100 FT LOT 7 BLOCK 129 ORIG PLAT

333 South Washington Square

Parcel #: 33-01-01-16-405-141

Legal Description: LOT 7 EXC N 22 FT OF W 100 FT BLOCK 129 ORIG PLAT; and

WHEREAS, the Act requires that before granting a District the Lansing City Council hold a public hearing in order to afford an opportunity for the applicant, owners of real property within the proposed CRE District, the City Assessor, a representative of the affected taxing units, and all residents and taxpayers of the City of Lansing general public appear and be heard regarding the approval of the CRE District.

NOW THEREFORE BE IT RESOLVED that a public hearing be held in the City Council Chambers of the City of Lansing, 10th Floor, Lansing City Hall, Lansing, Michigan, on November 9, 2020 at 7:00 p.m. for the purpose of receiving public comment on the approval of a CRE District under the provisions of Public Act 210 of 2005 and that the Clerk shall publish once in a publication of general circulation within the community a notice of the scheduled public hearing and that the notice appear not less than 10 or more than 30 days prior to the date of the hearing.

BE IT FINALLY RESOLVED, due to COVID -19, the public hearing may be held electronically in accordance with the Open Meetings Act in an effort to protect the health and safety of the public. Members of the public wishing to participate in the meeting may

do so by logging into or calling into the meetings using the website or phone number and Meeting ID provided on the November 30, 2020 meeting agenda.

CITY OF LANSING
NOTICE OF PUBLIC HEARING

The Lansing City Council will hold a public hearing on **[DATE]** at 7:00 p.m. in the City Council Chambers, 10th Floor, Lansing City Hall, Lansing, MI, for the purpose stated below:

To afford an opportunity for all residents and taxpayers of the City of Lansing, City Assessor, other interested persons and ad valorem taxing units to appear and be heard on the approval of a Commercial Rehabilitation District (the "District"), pursuant to and in accordance with the provisions of the Commercial Rehabilitation Act, Public Act 210 of 2005, for property located at 329, 331, 333, and 337 South Washington Square, Lansing, Michigan, but more particularly described as follows:

329 South Washington Square

Parcel #: 33-01-01-16-405-121

Legal Description: S 1/3 LOT 8 BLOCK 129 ORIG PLAT

331 South Washington Square

Parcel #: 33-01-01-16-405-131

Legal Description: N 1/3 OF W 100 FT LOT 7 BLOCK 129 ORIG PLAT

333 South Washington Square

Parcel #: 33-01-01-16-405-141

Legal Description: LOT 7 EXC N 22 FT OF W 100 FT BLOCK 129 ORIG PLAT

Approval of this District will allow the owners of real property within the District to apply for an exemption of certain property taxes for the improvements to their property located within the District. Further information regarding this issue may be obtained from Kris Klein, Lansing Economic Area Partnership (LEAP), 1000 S. Washington Ave., Suite 201, Lansing, MI 48910, 517-702-3387.

NOTE: due to COVID -19, the public hearing may be held electronically in accordance with the Open Meetings Act in an effort to protect the health and safety of the public. Members of the public wishing to participate in the meeting may do so by logging into or calling into the meetings using the website or phone number and Meeting ID provided on the **[DATE]** meeting agenda. Michigan Executive Order 2020-154 provides for temporary authorization of remote participation in public meetings and hearings.

Chris Swope, Lansing City Clerk, MMC/CMMC

www.lansingmi.gov/Clerk

www.facebook.com/LansingClerkSwope

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

Resolution to Set a Public Hearing Regarding the Granting of a Commercial Rehabilitation Act Exemption Certificate for Washington Square at Kalamazoo, LLC at 329-337 South Washington Square

WHEREAS, Washington Square at Kalamazoo, LLC, owner of the property located at 329, 331, 333, and 337 South Washington Square in the City of Lansing, Michigan (the "Property") has applied to the City of Lansing for the City to approve the issuance of a Commercial Rehabilitation Act Exemption Certificate (the "CRE Certificate"), pursuant to the Michigan Commercial Rehabilitation Act, being Public Act 210 of 2005 (the "Act"); and

WHEREAS, the Property in question of the CRE Certificate is legally described as:

329 South Washington Square

Parcel #: 33-01-01-16-405-121

Legal Description: S 1/3 LOT 8 BLOCK 129 ORIG PLAT

331 South Washington Square

Parcel #: 33-01-01-16-405-131

Legal Description: N 1/3 OF W 100 FT LOT 7 BLOCK 129 ORIG PLAT

333 South Washington Square

Parcel #: 33-01-01-16-405-141

Legal Description: LOT 7 EXC N 22 FT OF W 100 FT BLOCK 129 ORIG PLAT; and

WHEREAS, the Act requires that before granting a Certificate the Lansing City Council hold a public hearing in order to afford an opportunity for the applicant, owners of real property within the proposed CRE District, the City Assessor, a representative of the affected taxing units, and all residents and taxpayers of the City of Lansing general public appear and be heard regarding the approval of the CRE Certificate.

NOW THEREFORE BE IT RESOLVED that a public hearing be held in the City Council Chambers of the City of Lansing, 10th Floor, Lansing City Hall, Lansing, Michigan, on _____, 2020 at 7:00 p.m. for the purpose of receiving public comment on the approval of a CRE Certificate under the provisions of Public Act 210 of 2005 and that the Clerk shall publish once in a publication of general circulation within the community a notice of the scheduled public hearing and that the notice appear not less than 10 or more than 30 days prior to the date of the hearing.

BE IT FINALLY RESOLVED, due to COVID -19, the public hearing may be held electronically in accordance with the Open Meetings Act in an effort to protect the health and safety of the public. Members of the public wishing to participate in the meeting may

do so by logging into or calling into the meetings using the website or phone number and Meeting ID provided on the November __, 2020 meeting agenda.

CITY OF LANSING
NOTICE OF PUBLIC HEARING

The Lansing City Council will hold a public hearing on **DATE** at 7:00 p.m. in the City Council Chambers, 10th Floor, Lansing City Hall, Lansing, MI, for the purpose stated below:

To afford an opportunity for all residents and taxpayers of the City of Lansing, City Assessor, other interested persons and ad valorem taxing units to appear and be heard on the approval of a Commercial Rehabilitation Act Exemption Certificate (the "Certificate"), pursuant to and in accordance with the provisions of the Commercial Rehabilitation Act, Public Act 210 of 2005, for property located at 329, 331, 333, and 337 South Washington Square, Lansing, Michigan, but more particularly described as follows:

329 South Washington Square

Parcel #: 33-01-01-16-405-121

Legal Description: S 1/3 LOT 8 BLOCK 129 ORIG PLAT

331 South Washington Square

Parcel #: 33-01-01-16-405-131

Legal Description: N 1/3 OF W 100 FT LOT 7 BLOCK 129 ORIG PLAT

333 South Washington Square

Parcel #: 33-01-01-16-405-141

Legal Description: LOT 7 EXC N 22 FT OF W 100 FT BLOCK 129 ORIG PLAT

Approval of this Certificate will allow the owner of the property noted above an exemption of certain property taxes for the improvements to said property. Further information regarding this issue may be obtained from Kris Klein, Lansing Economic Area Partnership (LEAP), 1000 S. Washington Ave., Suite 201, Lansing, MI 48910, 517-702-3387.

NOTE: due to COVID -19, the public hearing may be held electronically in accordance with the Open Meetings Act in an effort to protect the health and safety of the public. Members of the public wishing to participate in the meeting may do so by logging into or calling into the meetings using the website or phone number and Meeting ID provided on the **DATE** meeting agenda. Michigan Executive Order 2020-154 provides for temporary authorization of remote participation in public meetings and hearings.

Chris Swope, Lansing City Clerk, MMC/CMMC

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