

AGENDA

Committee on Development and Planning AGENDA FOR AUGUST 23, 2023 AT 4:00 PM



Lansing City Hall, City Council Conference Room
124 W. Michigan Avenue, 10th Floor

To provide input or ask questions on any item that is listed on the agenda,
members of the public may contact the City Council at city.council@lansingmi.gov or (517) 483-4177 prior to the meeting.
view on: <https://www.youtube.com/@lansingcitycouncil4446/streams>

Council Member Spitzley, Chairperson
Council Member Brown, Vice Chairperson
Council Member Garza, Member

- 1. Call to Order**
- 2. Roll Call**
- 3. Minutes**
 - A. August 2, 2023
- 4. Public Comment on Agenda Items (Up to 3 Minutes)**
- 5. Discussion/Action:**
 - B. RESOLUTION - Obsolete Property Rehabilitation Act (OPRA) District; Homes on Holmes, LLC for property located at 230 S. Holmes St.
 - C. RESOLUTION - Obsolete Property Rehabilitation Act (OPRA) Certificate; Homes on Holmes, LLC for property located at 230 S. Holmes St.
 - D. RESOLUTION - Obsolete Property Rehabilitation Exemption (OPRA) Certificate Revocation; Summit Street Development LLC for property located at 700 May St.
 - E. ORDINANCE - Z-7-2023; 3712 S. Cedar Street, Rezoning from "MX-C" Mixed Use Center District to "S-C" Suburban Commercial District
 - F. RESOLUTION - Introduction and Set Public Hearing on Z-8-2023; 415 and 421 W. Kalamazoo St., Rezoning from from "DT-3" Urban Core to "R-AR" Residential Adaptive Reuse District
 - G. RESOLUTION - Set a Public Hearing; SLU-2-2023; Special Land Use Permit, 415 and 421 W. Kalamazoo St., to authorize a sheltered care facility
 - H. DISCUSSION/ACTION - Budget Priorities for Fiscal Year 2024/2025 - Committee Priorities
- 6. Other**
- 7. Adjourn**

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.



MINUTES
Committee on Development and Planning
Wednesday, August 2, 2023 @ 9:00 a.m.
City Council Conference Room

CALL TO ORDER

Council Member Brown called the meeting to order at 9:00 a.m.

PRESENT

Council Member Spitzley, Chair - excused
Council Member Brown, Vice-Chair
Council Member Garza, Member

OTHERS PRESENT

Sherrie Boak, Council Office Manager
Lisa Hagen- Lawrence, OCA
Emily Linden, Internal Auditor
Kris Klein, LEDC
Simon Verghese, LEDC

MINUTES

MOTION BY COUNCIL MEMBER GARZA TO APPROVE THE JULY 19, 2023 MINUTES AS PRESENTED. MOTION CARRIED 2-0.

Public Comment

No public comment on this time.

Discussion/Action

RESOLUTION -Introduction and Set a Public Hearing; Amend Chapter 1462, Section 1462.03; Neighborhood Enterprise Zone – Designation of Zones

Mr. Klein explained to the Committee that in 1992 the State established under ACT 147 the Neighborhood Enterprise Zone. This is a program that provides a tax incentive for the development rehabilitation of residential housing. The ACT allows for the NEZ to contain up to 15% of the total acreage of the local government unit. The current City ordinance is written at "not to exceed 1%" of the local unit, and with the city having 23,475 acres that would allow 235 acres. Mr. Klein confirmed that the city currently has 550 acres, with the current 24 zones, and he believes the city is out of compliance with the State ACT.

Council Member Garza inquired into why the city ordinance states, "not to exceed 1%" and Mr. Klein could not explain why. Council Member Garza then asked if the city is subject to any potential litigation because it is have "out of compliance" per Mr. Klein for 31 years. Mr. Klein stated the State says 15%, so this would align with the State and allow for more Zones. Council

Member Garza asked if this is specifically for residential and it was confirmed owner occupied residential, new construction, apartments, and rehabilitations. Council Member Garza referenced the ordinance, which stated “not less than 10 parcels” and asked if there is a standard size of parcel in the city and has the City been in compliance with that. Mr. Klein stated with any of the NEX Zones, there has been at least 10, and there was one at Motor Wheel, it was one parcel then divided to comply as a Zone. There is not a standard parcel size. Council Member Garza asked what the impact is with going up to 100 acres, and Mr. Klein confirmed it has to be contiguous and cannot cross streets.

Council Member Brown asked for definition what a Neighborhood Enterprise Zone is, and Mr. Klein stated it is a tool to reduce taxes so owners can invest in their properties. To help spur investment in neighborhoods. There are currently 24 Zones, with .1% of utilization of certificates. The value lasts for 15 years and freezes local and state taxes, this allows for full abatement of state and school taxes throughout the period. Council Member Garza asked if there is a regulation of local contractors working on the jobs, and Mr. Klein stated he is not aware of only local, but OCA might know otherwise. The local UDA applies to commercial projects.

Council Member Brown asked Ms. Hagen-Lawrence to research why the city ordinance was written for 1%. Ms. Hagen-Lawrence stated she did not know what records exist from 35 years ago with City Council, however minutes are only specific to the action. She stated they would look into it but could not guarantee they could find anything. Council Member Brown encouraged them to do the research because currently Council is being told the city is not in compliance with the State. Ms. Hagen-Lawrence stated that the OCA strongly recommends that the city be consistent with what the State law is and that is just part of the reason this is coming before Council at this time so the City can be consistent with what the State law authorizes. Council Member Garza asked why this resolution is time sensitive, and does it have a timeline with the State. Mr. Klein stated the timing issue here is that there is some interest in the use of a NEZ zones, and with the current zones and considering new zones there is a concern with the 1%. There is a time constraint with the State that any NEZ be submitted to the State by the end of October. This would ensure that they act upon that within this current year. They anticipate a request for a NEZ before Council shortly, so this needs to be amended first. Council Member Brown asked if more zones then currently are approved at the State is it automatic or does Council have review. Mr. Klein stated it has to be fully approved by City Council before it goes to the State (Tax Commission) and that includes a NEZ District and NEZ certificate for that property. This would include multiple public hearings, vetted and approved by City Council. Council Member Brown asked Ms. Hagen-Lawrence to research in all NEZ for use of local labor, besides the UDA that covers commercial. Ms. Hagen- Lawrence she could look into something other than that for residential properties but had no information today.

Council Member Garza asked if the public hearing would be August 14, and Ms. Boak clarified it would be set on August 14th, but stated the hearing date itself would be for OCA because she was not aware of the legal time frame for publication of the public hearing. Ms. Hagen-Lawrence stated she thought it was the usual standard time frame. Mr. Klein stated that it would usually be the standard but did not know the City standard. Ms. Boak clarified to Mr. Klein that it is a state requirement on publication not a City standard. She asked if the city needed 15, 10 days or 30. Mr. Klein reiterated it would be the standard time for publication. Ms. Boak responded to Mr. Garza that it would be set for August 28, 2023.

MOTION BY COUNCIL MEMBER GARZA TO APPROVE THE RESOLUTION TO SET THE PUBLIC HEARING ON AUGUST 14, 2023, FOR AUGUST 28, 2023 TO AMEND THE

ORDINANCE FOR CHAPTER 1462, SECTION 1462.03 NEIGHBORHOOD ENTERPRISE ZONE, DESIGNATION ZONES. MOTION CARRIED 2-0.

Other

No other topics.

Adjourn

Adjourned at 9:17 a.m.

Submitted by Sherrie Boak

Recording Secretary, Lansing City Council

Approved by the Committee



MEMORANDUM

DATE: June 16, 2023
TO: Lansing City Council, Committee on Development and Planning
FROM: Simon Verghese, Economic Development Specialist, Lansing Economic
Development Corporation
SUBJECT: 230 S. Holmes St. OPRA Request

Dear Lansing City Council,

The Lansing EDC has verified that the property owner of 230 S. Holmes St. has resolved all code violations for this property and paid all outstanding fees. The Lansing EDC has confirmed with the City of Lansing Economic Development and Planning Department that there are no outstanding code violations or compliance issues for this property. Additionally, the Lansing EDC has verified with the City of Lansing Finance Department that there are no outstanding taxes or other fees related to this property.

On May 26th, 2023, Lansing City Council received Resolutions to set a Public Hearing for an Obsolete Property Rehabilitation Act (OPRA) District and set a Public Hearing for an OPRA Certificate for the property located at 230 S. Holmes St. On the same date, Lansing City Council referred these resolutions to the Committee on Development and Planning.

On June 7th, 2023, the resolutions were brought before the Committee on Development and Planning for consideration. No action was taken by the Committee due to a misspelling on one of the resolutions and outstanding fees for code violations on the property. The property owner was previously unaware of these violations and outstanding fees. On June 8th, 2023, the following day all fees were paid in full by the property owner.

We believe this market-rate redevelopment project will be a great asset to our City and the surrounding neighborhood. By converting a blighted, vacant, and functionally obsolete building into residential units the proposed project addresses community needs and brings us closer to our prosperous future.

Sincerely,

Simon Verghese

Simon Verghese
Economic Development Specialist
Lansing Economic Development Corporation
simon@lansingedc.com

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

Resolution to Establish an Obsolete Property Rehabilitation Act District at 230 S.
Holmes St., Lansing, MI

WHEREAS, pursuant to PA 146 of 2000, the Obsolete Property Rehabilitation Act (the “Act”), the City of Lansing has the authority to establish “Obsolete Property Rehabilitation Districts” within the City of Lansing, and

WHEREAS, Homes on Holmes, LLC, hereinafter called the “Developer” has requested in writing that the City of Lansing establish an Obsolete Property Rehabilitation District (the “District”) as enabled by the Act, for the property commonly known as 230 S. Holmes St., Lansing, Michigan, and

WHEREAS, the Developer is the legal owner of greater than fifty percent (50%) of all taxable value of the property located within the proposed District; and

WHEREAS, it is determined that the District meets the requirements set forth in section 3(1) of PA 146 of 2000, and

WHEREAS, the Act requires that before establishing the District the Lansing City Council shall give written notice by certified mail to the owners of all real property within the proposed District and shall hold a public hearing in order to provide an opportunity for owners, residents or other taxpayers of the City of Lansing to appear and be heard regarding the establishment of the District and that such notice was given and said public hearing was held on August 14, 2023.

NOW THEREFORE BE IT RESOLVED that the following property are hereby approved and established as an Obsolete Property Rehabilitation District as provided by Public Act 146 of 2000 legally described as:

E 179.77 FT LOT 11 & W 79.77 FT OF E 179.77 FT OF S 33 FT LOT 9, ALSO COM SE COR LOT 11, TH E 8.25 FT , N 66 FT, W 8.25 FT AND S 66 FT TO POB, BLOCK 11 GREEN OAK ADD SPLIT/COMBINED ON 09/18/2017 FROM 33-01-01-15-331-121, 33-01-01-15-331-131; Parcel Number: 33-01-01-15-331-132; and

BE IT FINALLY RESOLVED that this resolution shall not be construed as the City Council's approval of any future application for an Obsolete Property Rehabilitation Exemption Certificate for the Developer or any other applicant.

3-29-2023

Lansing City Clerk

City Hall

124 West Michigan Ave.

Lansing, MI 48933

Re: Obsolete Property Rehabilitation Act District and Certificate for 230 S. Holmes St. Lansing, MI 48912

Dear Clerk Swope,

Per the Obsolete Property Rehabilitation Act (OPRA), Act 146 of 2000, the undersigned applicant Farrin Forsberg, Homes on Holmes LLC. having control of the property located at **230 S. Holmes St. Lansing, MI 48912**(the "Property"), legal description attached, hereby requests the granting of an OPRA Certificate by the City of Lansing on the Property. The Property has been inspected by the City of Lansing Assessor and determined to suffer from functional obsolescence (determination of obsolescence attached).

General Description of Obsolete Facility

Total Square Feet: 5,000; 2,500 above grade

Year Built: 1925

Historical Uses: None

Vacancy: Currently Vacant, the building has been vacant since 2019

Description of Functional Obsolescence Issues: It is a worn-down building due to a fire and in need of Redevelopment.

Proposed Use of the Rehabilitated Facility

The applicant intends to rehabilitate the facility as follows:

Interior and exterior work will be completed at the property interior includes: rehabilitation of plumbing, HVAC, electrical, framing, fire suppression, drywall, and finishes. Exterior work includes: landscaping, curb and gutter, paving, electrical, new detention basin, and framing. The plan for reuse is a 6-unit apartment building. Examples of similar projects include but not limited to the Artist Lofts and Davies Project.

Expected Economic Advantages

The completion of Unity Apartments at 230 S. Holmes St. Lansing, MI 48912 will contribute 2-3 new jobs of employment to the City of Lansing including property management and property maintenance. Also, Unity Apartments will provide 6 additional housing units.

In an effort to maximize the utility value of the functionally obsolete building, the applicant is committed to doing a complete rehabilitation of the building. In that context, and as more fully detailed below, the developer will incur considerable renovation costs. The establishment of the OPRA District and approval of an OPRA Certificate, with its multi-year property tax abatement benefit is vital to making the economics of the project work.

Redevelopment of the property will provide numerous benefits to the City. While the specific facility would undergo considerable renovation, the entire area would benefit from the transformation of the vacant building into a thriving property.

Detailed Description of Rehabilitation and Fixed Building Equipment

The OPRA tax abatement is a significant component of this project. The applicant has estimated the renovation costs of the project at \$640,000. The renovation estimate are as follows:

Please see attached itemized list of construction costs.

Time Schedule for Rehabilitation

Commencement of construction is scheduled for 07/15/2023 with completion of the project expected by 12/31/2023.

Property Taxable Value and Legal Description

The specifics on the property are as follows:

Property Address: 230 S. Holmes St. Lansing, MI 48912

Owner's Name: Farrin Forsberg

Sq Feet of Building: 5000 Total Square Feet

Tax ID Number: 87-1442241

Tax Value Land: \$17,148

Tax Value Building: \$102,585

SEV Value Total: \$134,200

Legal Description: E 179.77 FT LOT 11 & W 79.77 FT OF E 179.77 FT OF S 33 FT LOT 9, ALSO
COM SE COR LOT 11, TH E 8.25 FT , N 66 FT, W 8.25 FT AND S 66 FT TO
POB, BLOCK 11 GREEN OAK ADD SPLIT/COMBINED ON 09/18/2017
FROM 33-01-01-15-331-121, 33-01-01-15-331-131;

Parcel Number: 33-01-01-15-331-132

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

Sincerely,

Farrin Forsberg

Hard Costs: Material & Labor and Order of Work

Order of Work	Category/Item	Material Cost	Labor Cost	Total Cost
1.	Framing A. Demo B. Front/back deck C. Build out of units D. Headers E. Frame Windows F. Frame brick wall G. Extending Floor H. Garbage barrier			\$120,000
2.	Windows	\$11,100	\$4,250	\$15,350
3.	Roofing A. Strip roof B. Removal of debris C. New shingles			\$7,000
4.	Plumbing A. Rough B. Finish C. Rough material			\$65,400
5.	HVAC			\$69,500
5,	Electrical A. Rough B. Finish C. Rough in materials (plugs & outlets)			\$60,000
6.	Fire suppression			\$19,000
7.	Insulation	\$11,405.49	\$8,000	\$19,405.49
8.	Drywall	\$14,000	\$29,570	\$43,570
9.	Painting	\$7,000	\$19,000	\$26,000
10.	Finishes	\$35,000	\$20,000	\$55,000
11.	Brickwork			\$5,100
12.	Exterior Work A. Excavating B. Asphalt Lot C. Concrete D. Demo E. Detention basin			\$110,000
13.	Dumpster			\$400

14.	Ramp			\$21,000
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Total: \$636,725.49

Application for Obsolete Property Rehabilitation Exemption Certificate

Issued under authority of Public Act 146 of 2000, as amended.

This application should be filed after the district is established. This project will not receive tax benefits until approved by the State Tax Commission. Applications received after October 31 may not be acted upon in the current year. This application is subject to audit by the State Tax Commission.

INSTRUCTIONS: File the completed application and the required attachments with the clerk of the local government unit. (The State Tax Commission requires two copies of the Application and attachments. The original is retained by the clerk.) See State Tax Commission Bulletin 9 of 2000 for more information about the Obsolete Property Rehabilitation Exemption. The following must be provided to the local government unit as attachments to this application: (a) General description of the obsolete facility (year built, original use, most recent use, number of stories, square footage); (b) General description of the proposed use of the rehabilitated facility, (c) Description of the general nature and extent of the rehabilitation to be undertaken, (d) A descriptive list of the fixed building equipment that will be a part of the rehabilitated facility, (e) A time schedule for undertaking and completing the rehabilitation of the facility, (f) A statement of the economic advantages expected from the exemption. A statement from the assessor of the local unit of government, describing the required obsolescence has been met for this building, is required with each application. Rehabilitation may commence after establishment of district.

Applicant (Company) Name (applicant must be the OWNER of the facility) <u>Homes on Holmes LLC.</u>		
Company Mailing Address (Number and Street, P.O. Box, City, State, ZIP Code) <u>3665 Ponderosa Dr. Okemos, MI 48864</u>		
Location of obsolete facility (Number and Street, City, State, ZIP Code) <u>230 S. Holmes St. Lansing, MI 48912</u>		
City, Township, Village (indicate which) <u>City of Lansing</u>		County <u>Ingham</u>
Date of Commencement of Rehabilitation (mm/dd/yyyy) <u>07/15/2023</u>	Planned date of Completion of Rehabilitation (mm/dd/yyyy) <u>12/31/2023</u>	School District where facility is located (include school code) <u>Lansing</u>
Estimated Cost of Rehabilitation <u>\$640,000</u>		Number of years exemption requested <u>5 years</u>
Attach legal description of obsolete property on separate sheet.		
Expected Project Outcomes (Check all that apply)		
☒ Increase commercial activity	☐ Retain employment	☒ Revitalize urban areas
☒ Create employment	☒ Prevent a loss of employment	☒ Increase number of residents in the community in which the facility is situated
Indicate the number of jobs to be retained or created as a result of rehabilitating the facility, including expected construction employment. _____		
☒ Each year, the State Treasurer may approve 25 additional reductions of half the school operating and state education taxes for a period not to exceed six years. Check the box at left if you wish to be considered for this exclusion.		
APPLICANT CERTIFICATION		
The undersigned, authorized officer of the company making this application certifies that, to the best of his/her knowledge, no information contained herein or in the attachments hereto is false in any way and that all of the information is truly descriptive of the property for which this application is being submitted. Further, the undersigned is aware that, if any statement or information provided is untrue, the exemption provided by Public Act 146 of 2000 may be in jeopardy.		
The applicant certifies that this application relates to a rehabilitation program that, when completed, constitutes a rehabilitated facility, as defined by Public Act 146 of 2000, as amended, and that the rehabilitation of the facility would not be undertaken without the applicant's receipt of the exemption certificate.		
It is further certified that the undersigned is familiar with the provisions of Public Act 146 of 2000, as amended, of the Michigan Compiled Laws; and to the best of his/her knowledge and belief, (s)he has complied or will be able to comply with all of the requirements thereof which are prerequisite to the approval of the application by the local unit of government and the issuance of an Obsolete Property Rehabilitation Exemption Certificate by the State Tax Commission.		
Name of Company Officer (No authorized agents) <u>Farrin Forsberg</u>	Telephone Number <u>517-719-1658</u>	Fax Number —
Mailing Address <u>3665 Ponderosa Dr. Okemos, 48864</u>	E-mail Address <u>farrin-forsberg@gmail.com</u>	
Signature of Company Officer (no authorized agents) <u>[Signature]</u>	Title <u>owner / Developer</u>	
LOCAL GOVERNMENT UNIT CLERK CERTIFICATION		
The Clerk must also complete Parts 1, 2 and 4 on page 2. Part 3 is to be completed by the Assessor.		
Signature <u>[Signature]</u>	Date Application Received <u>5/12/23</u>	
FOR STATE TAX COMMISSION USE		
Application Number	Date Received	LUCI Code



Andy Schor, Mayor

CITY ASSESSORS OFFICE

Sharon Frischman, MMAO
City Assessor

3rd Floor City Hall
124 West Michigan Avenue
Lansing, Michigan 48933
(517) 483-7624
FAX: (517) 483-4101
www.lansingmi.gov/City-Assessor

April 20, 2023

Lansing Economic Development Corp

Re: 230 S Holmes St. Functional Obsolescence Determination



A site visit was conducted by this office on April 13th, 2023. This building was originally built as a church. Market demand for this type of small, neighborhood church has diminished significantly in the last 20 years.

The only plumbing is in the basement with no other access aside from stairs. The windows are all single pane. Currently, there are no mechanicals in the building.

The use and design as well as the absence of heating, adequate plumbing render the building obsolete. A recent (2019) fire has also weakened the exterior brick wall.

As of April 13, 2023, I have determined that this building is functionally obsolete.

Sharon Frischman, MMAO, AI-GRS
City Assessor

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

Resolution to Approve an Obsolete Property Rehabilitation Act Certificate
230 S. Holmes St. Lansing, MI

WHEREAS, pursuant to the Michigan Obsolete Property Rehabilitation Act, being Public Act 146 of 2000 (PA 146 of 2000), Homes on Holmes, LLC, has filed an application for an Obsolete Property Rehabilitation Exemption Certificate (OPRA Certificate) with the Lansing City Clerk, for a proposed obsolete facility at 230 S. Holmes St. Lansing, Michigan (Obsolete Property); and

WHEREAS, Homes on Holmes, LLC (the Applicant) owns the proposed Obsolete Property; and

WHEREAS, the proposed Obsolete Property is located within an Obsolete Property Rehabilitation District legally established by resolution adopted **Insert Date of resolution adoption** after a public hearing was held on August 14, 2023, as provided by section 3 of PA 146 of 2000; and

WHEREAS, the taxable value of the property proposed to be exempt plus the aggregate taxable value of property already exempt under Public Act 146 of 2000 and under Public Act 198 of 1974 (IFT's) does not exceed 5% of the total taxable value of the City of Lansing; and

WHEREAS, a public hearing was held on August 14, 2023 in order to provide an opportunity for the applicant, the City Assessor, a representative of the affected taxing units, the residents, and other taxpayers of the City of Lansing general public appear and be heard regarding the approval of the OPRA Certificate; and

WHEREAS, Homes on Holmes, LLC has been certified in writing by the City of Lansing Treasurer to be not delinquent in any taxes related to the facility; and

WHEREAS, the application is for 5 years and an extension of the exemption will be considered if financial need is demonstrated, subject to Council approval; and

WHEREAS, the application is for obsolete property as defined in section 2(h) of Public Act 146 of 2000; and

WHEREAS, the applicant Homes on Holmes, LLC has provided answers to all required questions under the application instructions to the City of Lansing; and

WHEREAS, the City of Lansing requires that rehabilitation of the facility shall be completed by December 31, 2023; and

WHEREAS, the commencement of the rehabilitation of the facility did not occur before the establishment of the Obsolete Property Rehabilitation District; and

WHEREAS, the application relates to a rehabilitation program that when completed constitutes a rehabilitated facility within the meaning of Public Act 146 of 2000 and that is situated within an Obsolete Property Rehabilitation District established in the City of Lansing eligible under Public Act 146 of 2000 to establish such a district; and

WHEREAS, 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, revitalize urban areas, create employment, retain employment, and increase the number of residents in the community in which the facility is situated; and

WHEREAS, the rehabilitation includes improvements aggregating 10% or more of the true cash value of the property at commencement of the rehabilitation as provided by section 2(l) of Public Act 146 of 2000.

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby grants an Obsolete Property Rehabilitation Exemption for 5 years for the real property, excluding land, located in an Obsolete Property Rehabilitation District at property located at 230 S. Holmes St. Lansing, Michigan, legally described as E 179.77 FT LOT 11 & W 79.77 FT OF E 179.77 FT OF S 33 FT LOT 9, ALSO COM SE COR LOT 11, TH E 8.25 FT , N 66 FT, W 8.25 FT AND S 66 FT TO POB, BLOCK 11 GREEN OAK ADD SPLIT/COMBINED ON 09/18/2017 FROM 33-01-01-15-331-121, 33-01-01-15-331-131; Parcel Number: 33-01-01-15-331-132.

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.



OFFICE
700 May Street
Lansing, MI 48906

MAILING
PO Box 12147
Lansing, MI 48901

PHONE
517-862-5448

EMAIL
harry@hincive.com

WEB
www.hincive.com

July 27, 2023

Mr. Chris Swope
Lansing City Clerk's Office
City Hall / Main Office
124 W Michigan Avenue, 9th Floor
Lansing, MI 48933

Certified mail # 9589 0710 5270 0658 0738 42

Re: Revocation of OPRA certificate number 3-22-0027

Dear Chris:

Per section 125.2792 of the Obsolete Property Rehabilitation Act (2000), I am writing to request revocation of OPRA certificate number 3-22-0027. Due to the COVID-19 pandemic and changing market conditions, the project as originally described will not be completed.

The project scope has changed from commercial to residential and it is our intent to seek Neighborhood Enterprise Zone designation once the OPRA revocation process is complete.

If you require additional information, please let me know.

Respectfully,

Harry H. Hepler
President, H Inc.

cc: Ms. Sharon L. Frischman via Sharon.frischman@lansingmi.gov
Mr. Kris Klein via kris@lansingedc.com

JUL26'23 10AMCLERK

Maintaining History

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Developing Tomorrow

Resolution #2022-241

By the Committee on Development and Planning
Resolved by the City Council of the City of Lansing

Resolution to Approve an Obsolete Property Rehabilitation Act Certificate
700 May Street

WHEREAS, pursuant to the Michigan Obsolete Property Rehabilitation Act, being Public Act 146 of 2000 (PA 146 of 2000), Summit Street Development, LLC has filed an application for an Obsolete Property Rehabilitation Exemption Certificate (OPRA Certificate) with the Lansing City Clerk, for a proposed obsolete facility at 700 May St., Lansing, Michigan (Obsolete Property); and

WHEREAS, Summit Street Development, LLC (the Applicant) owns the proposed Obsolete Property; and

WHEREAS, the proposed Obsolete Property is located within an Obsolete Property Rehabilitation District legally established by resolution adopted August 12, 2019, after a public hearing was held on July 22, 2019, as provided by section 3 of PA 146 of 2000; and

WHEREAS, the taxable value of the property proposed to be exempt plus the aggregate taxable value of property already exempt under Public Act 146 of 2000 and under Public Act 198 of 1974 (IFT's) does not exceed 5% of the total taxable value of the City of Lansing; and

WHEREAS, a public hearing was held on September 12, 2022 in order to provide an opportunity for the applicant, the City Assessor, a representative of the affected taxing units, the residents, and other taxpayers of the City of Lansing general public appear and be heard regarding the approval of the OPRA Certificate; and

WHEREAS, Summit Street Development, LLC has been certified in writing by the City of Lansing Treasurer to be not delinquent in any taxes related to the facility; and

WHEREAS, the application is for 12 years and under no circumstances or criteria will an extension of the exemption be considered; and

WHEREAS, the application is for obsolete property as defined in section 2(h) of Public Act 146 of 2000; and

WHEREAS, the applicant Summit Street Development, LLC has provided answers to all required questions under the application instructions to the City of Lansing; and

WHEREAS, the City of Lansing requires that rehabilitation of the facility shall be completed by September 1, 2023; and

WHEREAS, the commencement of the rehabilitation of the facility did not occur before the establishment of the Obsolete Property Rehabilitation District; and

WHEREAS, the application relates to a rehabilitation program that when completed constitutes a rehabilitated facility within the meaning of Public Act 146 of 2000 and that is situated within an Obsolete Property Rehabilitation District established in the City of Lansing eligible under Public Act 146 of 2000 to establish such a district; and

WHEREAS, 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, revitalize urban areas, create employment, retain employment, and increase the number of residents in the community in which the facility is situated; and

WHEREAS, the rehabilitation includes improvements aggregating 10% or more of the true cash value of the property at commencement of the rehabilitation as provided by section 2(l) of Public Act 146 of 2000.

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby grants an Obsolete Property Rehabilitation Exemption for the real property, excluding land, located in an Obsolete Property Rehabilitation District at property located at 700 May St., Lansing, Michigan, legally described as COM AT THE SW CORNER OF SECTION 10, TH N00D31'32"W 390.58 FT (RECORDED AS N00D35'41"W 392.72 FT) TO POB: TH N00D31'32"W 121.20 FT; TH N82D26'00"E 86.98 FT; NO 82D58'07"E 15.01 FT; S89D51'56"E 140.63 FT; S89D44'56"E 55.83FT; S00D28'26"W ALONG A BLDG WALL LINE 398.36 FT TO NORTH LINE OF MOTOR WHEEL LOFTS; TH N89D39'09"W 14.74 FT, S00D20'51"W 3.70 FT, N89D39'09"W 120.70 FT, N00D20'51"E 182.13 FT AND N89D39'09"W 50.84 FT; N00D20'51"E 84.23 FT; N89D39'09"W 108.50 FT TO POB, CONTAINING 1.83 ACRES, MORE OR LESS, SUBJECT TO ALL EASEMENTS AND RESTRICTIONS, IF ANY. SPLIT/COMBINED ON 02/01/2018 FROM 33-01-01-10-353-006. Parcel Number: 33-01-01-10-353-008

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

Resolution to Revoke an Obsolete Property Rehabilitation Exemption Certificate
700 May St.

WHEREAS, on September 26th, 2022, the Lansing City Council adopted Resolution #2022-241 to approve an application filed by Summit Street Development, LLC requesting an Obsolete Property Rehabilitation Exemption Certificate (OPRA Certificate) for a period of 12 years on property legally described as COM AT THE SW CORNER OF SECTION 10, TH N00D31'32"W 390.58 FT (RECORDED AS N00D35'41"W 392.72 FT) TO POB: TH N00D31'32"W 121.20 FT; TH N82D26'00"E 86.98 FT; NO 82D58'07"E 15.01 FT; S89D51'56"E 140.63 FT; S89D44'56"E 55.83FT; S00D28'26"W ALONG A BLDG WALL LINE 398.36 FT TO NORTH LINE OF MOTOR WHEEL LOFTS; TH N89D39'09"W 14.74 FT, S00D20'51"W 3.70 FT, N89D39'09"W 120.70 FT, N00D20'51"E 182.13 FT AND N89D39'09"W 50.84 FT; N00D20'51"E 84.23 FT; N89D39'09"W 108.50 FT TO POB, CONTAINING 1.83 ACRES, MORE OR LESS, SUBJECT TO ALL EASEMENTS AND RESTRICTIONS, IF ANY. SPLIT/COMBINED ON 02/01/2018 FROM 33-01-01-10-353-006. Parcel Number: 33-01-01-10-353-008, commonly known as 700 May St, Lansing, Michigan (Property) pursuant to Public Act 146 of 2000, as amended (the OPRA Act); and

WHEREAS, on November 15, 2022, the State Tax Commission approved the OPRA Certificate #3-22-0027 for Summit Street Development, LLC for the Property, beginning December 31, 2022, and ending December 31, 2034; and

WHEREAS, Section 12 of the OPRA Act states that upon receipt of a request by certified mail to the legislative body of the qualified local governmental unit by the holder of an OPRA Certificate requesting revocation of the Certificate, the legislative body of the qualified local governmental unit may, by resolution, revoke the Certificate; and

WHEREAS, the legislative body of the City of Lansing has received a request by certified mail from Summit Street Development, LLC, the holder of OPRA Certificate #3-22-0027, requesting revocation of the OPRA Certificate; and

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby revokes OPRA Certificate #3-22-0027 previously granted to Summit Street Development, LLC for property located at 700 May St, 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.



PRUDDEN WHEEL LOFTS

OBSOLETE PROPERTY REHABILITATION ACT (OPRA)
EXEMPTION CERTIFICATE REVOCATION

700 MAY ST., LANSING, MI 48906



Lansing Economic
Development Corporation





Table of Contents

- 1. Project Overview**
- 2. Project History**
- 3. OPRA Certificate Revocation**
- 4. Alternate Proposal**



Project Overview

- The property is located at 700 May St., Lansing, MI 48906.
- The property was formerly Prudden Wheel Factory, an industrial facility.





Proposed Development

- The proposed Prudden Wheel Lofts is an adaptive reuse of the property to convert it into 134-one-bedroom residential units.
- These apartments will have rental rates up to 75% of Area Median Income (AMI).
- The proposed development is an interior build out of the former factory. The development features a sustainable approach to real estate development, including solar panels to power units and common spaces. The goal of this development is to achieve a Living Building Certification from the International Living Future Institute.



**Lansing Economic
Development Corporation**





Proposed Development





Project History

- On April 22, 2019 the City Assessor determined the property to be functionally obsolete due to the lack of heating, cooling, the need to replace the wet fire suppression system, lack of floor, and the need for the storm water system to be re-routed.
- On September 26th, 2022, Lansing City Council approved a resolution for an OPRA Certificate for 12 years for this property.
- On November 15th, 2022, the State Tax Commission (STC) issued an OPRA Certificate for 12 years for this property.



OPRA Certificate Revocation

- The cost of the proposed development has increased by over \$3 million from increased construction costs and rising interest rates. As a result, the project is not feasible with the OPRA Certificate.
- Section 12(2) of the Obsolete Property Rehabilitation Act states that a local unit of government may revoke an OPRA Certificate upon the request of the holder of the Certificate.



Alternate Proposal

- We anticipate there will be a future request for a Neighborhood Enterprise Zone (NEZ) Certificate to support the increased costs of rehabilitating the former industrial property.
- We anticipate the request for a Rehabilitated Facility NEZ Certificate for the proposed development for a period of 12 years.
- This Rehabilitated Facility NEZ Certificate is projected to have no additional cost to the City of Lansing compared to the previously approved OPRA Certificate.



Simon Verghese

Lansing Economic Development Corporation

Development Projects Coordinator

simon@lansingedc.com

(517) 898-1709



**Lansing Economic
Development Corporation**

GENERAL INFORMATION

APPLICANT/OWNER:	Saevn Kesto, 3712 Cedar, LLC 2745 Wynclyff Drive Commerce, MI 48390
REQUESTED ACTIONS:	Rezone 3712 S. Cedar Street from “MX-C” Mixed-Use Urban Corridor to “S-C” Suburban Commercial.
EXISTING LAND USE:	5,524 square-foot Commercial Building.
EXISTING ZONING:	“MX-C” Mixed-Use Urban Corridor District
PROPOSED ZONING:	“S-C” Suburban Commercial District
PROPERTY SIZE:	96’ x 184’ = 17,664 square feet – 0.41 acres
SURROUNDING LAND USE:	N: Commercial Personal Service S: Commercial Dance Studio E: Single-Family Residential Neighborhood W: Place of Assembly/Worship
SURROUNDING ZONING:	N: “MX-C” Mixed-Use Urban Corridor District S: “MX-C” Mixed-Use Corridor District E: “MX-C” Mixed-Use Corridor District W: “R-5” Urban Residential District
MASTER PLAN:	The Design Lansing Comprehensive Plan designates the subject property for “Urban Mixed-Use Corridor” land use. S. Cedar Street is designated as an activity corridor.

DESCRIPTION:

This is a request by Saevn Kesto to rezone the property at 3712 S. Cedar Street from “MX-C” Mixed-Use Corridor District to “S-C” Suburban Commercial District. The purpose of the rezoning is to permit the use of the property as a *vehicle repair facility*. The current zoning designation permits *vehicle service stations* which limits the type of vehicle work that may be conducted at the property to *minor repairs* which includes brake and tire replacement, tune ups, oil changes, and other low intensity repairs that would have a minimal impact on the surrounding land uses. If approved, the proposed rezoning would permit the lot to be used as a *vehicle repair station*, which permits both minor repair and major repair activities. *Major repair* includes collision work, body painting, engine replacement, and other high intensity repair activities, in addition to the minor repair activities permitted at a vehicle service station. Major repairs typically have a greater impact on the surrounding properties.

COMPATIBILITY WITH SURROUNDING LAND USE:

The rezoning will permit higher intensity uses on the property which may negatively impact the surrounding area and the residential neighborhood to the west in particular. The applicant is requesting the rezoning for the purpose of utilizing the lot for a vehicle collision repair business which may generate noise and fumes and may result in unsightly conditions as wrecked vehicles are brought onto the property to be repaired.

As evidenced by the attached map, the properties that have frontage along S. Cedar Street in the area are zoned MX-C". Rezoning the subject property to "S-C" Suburban Commercial would be inconsistent with the established zoning pattern in the area and would result in a "spot zoning" situation. Spot zoning is considered an unacceptable planning and zoning practice as it affords land use rights to one property owner that are not afforded to other property owners in the surrounding area. It also sets a negative precedent for future requests to rezone properties along S. Cedar Street to the "S-C" zoning district. In addition, the development requirements of the "MX-C" zoning district are very different from those of the "S-C" zoning district in terms of setbacks, front yard parking, building height, etc. The proposed rezoning would, therefore, result in an inconsistent development plan as well which is contrary to the goals and basic planning and zoning principles.

COMPLIANCE WITH MASTER PLAN:

The Design Lansing Comprehensive Plan designates the subject property for "Urban Mixed-Use Corridor" land uses. The Plan specifies the following for this land use classification:

"To encourage the redevelopment of the strip commercial corridors between cores to create a transit-supportive mix of uses, with a clear pedestrian orientation."

The Plan lists the following as "typical uses" for the "Urban Mixed-Use Corridor" land use category:

"Retail and Personal Services, medium-density residential in an urban format, office, live-work, R&D and selected light industrial with approval."

The current "MX-C" Mixed-Use Urban Corridor zoning designation of the subject property not only maintains the continuity of the intended land uses for this area, but also allows for pedestrian-oriented, mixed-use commercial and multi-family residential uses. This is consistent with the commercial land use pattern being advanced in the Master Plan for the S. Cedar Street corridor. The proposed "S-C" Suburban Commercial zoning, by contrast, allows uses and development layouts that are less pedestrian-oriented and would require a high degree of buffering and screening to blend with the surrounding properties and placemaking goals for the area.

IMPACT ON VEHICULAR AND PEDESTRIAN TRAFFIC:

The proposed rezoning is not likely to have any negative impacts on vehicular or pedestrian traffic in the area.

IMPACT ON PUBLIC FACILITIES:

The site is already served by all necessary public facilities. No changes are proposed for the site at this time that would have an impact on public facilities. The applicant has questioned the possibility of paving the vacant lot the north for additional parking. In order for that to happen, the vacant lot would also need to be rezoned to the “S-C” zoning district as there is a clause in the zoning ordinance that parking to serve a particular use must be located on land that is zoned for that use. A new parking lot would also require review and approval of a site plan, a primary component of which is a storm water management plan designed to accommodate the drainage resulting from the additional impervious surface.

ENVIRONMENTAL IMPACT:

The proposal is not anticipated to have any negative impact on the physical environment. The use of equipment, tools and chemicals/materials that are used for vehicles body repair, painting, and engine replacement may, however, create noise, fumes and a high level of activity in general that may be detrimental to the living environment for the adjacent residential landowners.

IMPACT ON FUTURE PATTERNS OF DEVELOPMENT:

The proposed zoning may be disruptive to the development pattern in the area. If the rezoning were to be approved in spite of the proposed zoning being inconsistent with the existing zoning pattern in the area and with the land use pattern being advanced in the Master Plan, it would set a precedent for future requests to rezone property to the “S-C” zoning district along S. Cedar Street and elsewhere in the City as well.

SUMMARY

This is a request by Saven Kesto to rezone the property at 3712 S. Cedar Street from “MX-C” Mixed-Use Urban Corridor district to “S-C” Suburban Commercial district. The purpose of the rezoning is to utilize the property for an automobile collision repair facility.

The findings of fact, as outlined in this staff report, do not support a positive recommendation for the requested rezoning. The proposed rezoning would result in a “spot” of “S-C” zoning along the S. Cedar Street corridor in the vicinity of the subject property; would be contrary to the future land use pattern being advanced in the Design Lansing Comprehensive Plan and would set a precedent for future rezoning requests in the area.

RECOMMENDATIONS

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

“I make a motion to deny Z-7-2023, a request to rezone the property at 3712 S. Cedar Street from “MX-C” Mixed-Use Urban District to “S-C” Suburban Commercial District.”

Respectfully Submitted,

Zachary Driver
Commercial Corridor Specialist



PETITION FOR RE-ZONING

CITY OF LANSING
PLANNING OFFICE

Reset Form

Print

RECEIVED

APR 12 2023

PLANNING DIVISION

FILE NUMBER: _____

DATE SUBMITTED: _____

To the Honorable Mayor and City Council:

The undersigned do hereby petition for approval to rezone the following described property:

3712 S Cedar St Lansing MI 48911

Street address, including zip code, of property to be rezoned

From _____ district to _____ district.

Legal
description:

Lots 8 & 9 Jessops Home Garden Sub
Lot 7 Jessops Home Gardens Sub

Applicant:

Saevn Kesto - 3712 Cedar LLC
~~3712 S Cedar St~~

Address (including zip code):

2745 Wynclyff Dr Commerce MI 48390

Phone number(s):

248-444-0108

Fax number:

Email:

skkesto@gmail.com

Name of owner:

Saevn Kesto - 3712 Cedar LLC

Address (including zip code):

2745 Wynclyff Dr Commerce MI 48390

Phone number:

248-444-0108

Interest in Property (please check one):

☐ Option to buy

☒ Owner

☐ Lessee

☐ Represent owner

☐ Other (please specify): _____

IF MORE SPACE IS NEEDED FOR THE ITEMS LISTED BELOW, PLEASE ATTACH EXTRA SHEETS

Do you have a specific plan for using this property?

☒ Yes

☐ No

If so, describe and / or
explain the specific land use
proposed for this property:

Collision Shop
S.C. Suburban Commercial district

Please answer the following:

☐ Check here if residential

Number of bedrooms:

<u>Bedrooms</u>	<u># of Units</u>	<u>Total Bedrooms</u>
Efficiency	_____	_____
One bedroom	_____	_____
Two bedrooms	_____	_____
Three bedrooms	_____	_____
TOTAL UNITS	_____	_____

of accessible onsite parking spaces: _____

☒ Check here if non-residential

Number of employees (largest shift): 4

Number of accessible onsite parking spaces: 16

Hours and days / week of operation: Monday - Friday 9 am - 10 pm

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

This building was used for auto repair, with previous owners. We have leased this building to a tenant that does more repairs than prior ~~occupants~~ occupants.

Comment on other circumstances which justify the amendment:

We have not changed what is being done at this building. We just have different company in place. The prior occupants did car repairs for a long time at this building.

A site plan is always helpful in analyzing the petition to rezone land.

A site plan, if appropriate at this time, should be attached to each copy of not less than 1" = 100', identifying the land which would be affected by the rezoning, the existing zoning classification of all abutting land within 300 feet, all public and private rights-of-way and easements. also, show the proposed development on the land with setbacks, access points, locations of accessory structures, trash receptacles, and parking spaces. A Landscape Screening and Buffering plan must be submitted in accordance with Chapter 1290.

If exhibits are to be furnished late, please indicate date of submittal: _____

If exhibits are not submitted in a timely manner, the petition may be tabled or the process delayed.

FEES:

Less than one (1) acre:	\$500.00
One (1) to three (3) acres:	\$650.00
Greater than three (3) acres:	\$800.00

Please have the petition reviewed by and filed with the Planning Office. The Planning Office will transmit it to the City Clerk for official submission.

Signature of applicant: _____

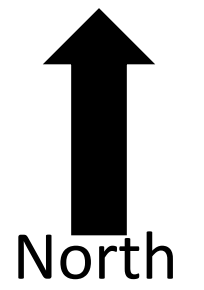
Name: _____

Saeun Kesto

For assistance, please contact:

PLANNING OFFICE
316 N. CAPITOL AVE., SUITE D-1
LANSING, MI 48933-1236
(517) 483-4066
FAX: (517) 483-6036

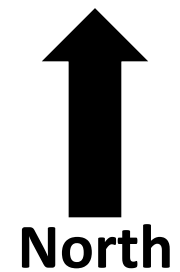






Zoning Districts

- R-1 - Suburban Detached Res.
- R-2 - Suburban Detached Res.
- R-3 - Suburban Detached Res.
- R-4 - Urban Detached Res.
- R-5 - Urban Detached Res.
- R-6A - Urban Detached Res.
- R-6B - Urban Detached Res.
- R-MX - Residential Mix
- MFR - Multi-Family Residential
- R-AR - Residential Adaptive Reuse
- S-C - Suburban Corridor
- MX-C - Mixed-Use Corridor
- MX-1 - Mixed-Use Neighborhood Center
- MX-2 - Mixed-Use Community Center
- MX-3 - Mixed-Use District Center
- IND-1 - Suburban Industrial
- IND-2 - General Industrial
- IND-3 - Urban Industrial
- INST-1 - Suburban Institution
- INST-2 - Urban Institution



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 1242.02 OF THE CODE OF ORDINANCES.

The City of Lansing ordains:

Section 1. That the district maps adopted by and incorporated as Section 1242.02 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-7-2023

Parcel Number's: 33-01-01-33-252-172

Addresses: 3712 S. Cedar Street

Legal Descriptions: Lots 8 & 9, Jessops Home Gardens Subdivision, from "MX-C" Mixed-Use Center to "S-C" Suburban Commercial

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 _____, 2023, 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.

Saevn Kesto
3712 S. Cedar LLC, Owner
3712 S. Cedar Street
Lansing, MI 48910
skkesto@gmail.com
248-444-0108

August 14th, 2023

Re: Request for Rezoning of 3712 S. Cedar Street to S-C Suburban Commercial

To Whom It May Concern:

I hope this letter finds you in good health and high spirits. I am writing to respectfully request your consideration for the rezoning of my commercial building located at 3712 S. Cedar Street from mixed use to suburban commercial use specifically for a collision shop. I firmly believe that this change in zoning classification will bring numerous benefits not only to my property but also to the local economy and community.

First and foremost, rezoning the property to commercial use for a collision shop will contribute to the economic growth of our city. Collision repair services are essential for the automotive industry and the community. By providing a dedicated commercial space for a collision shop, we can attract customers from the local area as well as neighboring communities. This will generate additional revenue for the shop and the city through taxes, job creation, and the utilization of local suppliers and services.

Furthermore, a dedicated collision shop in the area will offer convenience and accessibility to residents. Accidents and vehicle damage are unfortunate but common occurrences. Having a nearby collision shop will ensure that residents have prompt and reliable access to professional repair services, minimizing inconvenience and delays. This will enhance the overall satisfaction and confidence of vehicle owners in our community.

Rezoning the property to commercial use for a collision shop will also lead to the improvement and maintenance of the aesthetic appeal of the surrounding area. Collision shops are typically well-maintained and visually appealing facilities that prioritize cleanliness and order. By establishing a dedicated location for a collision shop, we can ensure that the building and its surroundings meet the high standards of a commercial setting. This will contribute to the overall attractiveness of the area and create a positive impression for residents and visitors.

Moreover, a collision shop can actively contribute to community safety and well-being. Collision repair services often include inspection and repair of vehicle safety features, such as airbags, brakes, and seat belts. By having a collision shop nearby, residents can easily access professional expertise and assistance to maintain the safety of their vehicles. This will help ensure that our community members are driving safe and roadworthy vehicles, thereby enhancing overall road safety.

Rezoning the property for a collision shop aligns with the city's objectives of promoting a diverse and thriving business environment. By accommodating the specific needs of collision repair services, we demonstrate our commitment to supporting a range of industries and fostering entrepreneurship. This encourages business growth, attracts further investments, and demonstrates the city's dedication to creating an environment conducive to economic success.

Lastly, the business that was running out of this same building for the past 30 years prior to me purchasing in August 2022, was providing many of the same services. The Collision Guys have more than five locations across the state of Michigan and utilize some of the best equipment available in the industry. This is great because it allows them to control any noise or smell that may be of concern to the local community. When spending time around their other establishments you will not notice any sort of smell or noise coming out of their facilities. The cleanliness and attention to detail is impeccable with this organization.

In conclusion, I strongly believe that rezoning my commercial building to commercial use for a collision shop will have significant benefits for the property, the local economy, and the community. This change in zoning classification will stimulate economic growth, provide convenience and accessibility to residents, enhance the aesthetic appeal of the area, contribute to community safety, and align with the city's vision of fostering a diverse business environment.

I kindly request that you consider my proposal and initiate the necessary steps to proceed with the rezoning process. I am more than willing to provide any additional information, meet with relevant stakeholders, or address any concerns that may arise during the evaluation process.

Thank you for your time and consideration. I look forward to a positive response and the opportunity to contribute to the ongoing development and prosperity of our great city.

Sincerely,

Saevn Kesto

3712 S Cedar Street Rezoning Request

Presented by

Saevn Kesto, Owner and Lansing Business Invenstor

Request

- We are requesting that 3712 S Cedar St Lansing MI 48911 be rezoned from MX-X Mixed Use Center to S-C Suburban Commercial.
- Reason for rezoning is to permit a motor vehicle repair facility on the subject property.

Invested in Lansing

- My family started to invest in Lansing in 1995.
- Over the years we have done the following
 - Introduced Pagers to the city of Lansing in the mid 90s.
 - Introduced Cellular Phones to the city of Lansing in the late 90s and 2000s.
 - Brought the first Multi Carrier cellular store to a vacant building on Cedar and Jolly called Wireless Toyz.
 - Purchased older building and built Tony's Party Store on the South Side of Lansing
 - Purchased vacant buildings on Saginaw street and built ABC Liquor / Advance Auto Parts on the West Side of Lansing
 - Own several rental homes that we lease out at affordable rates
- What we are looking to do in 2023 and beyond
 - Invest in Commercial Buildings like 3712 S Cedar Street that sit vacant or with little to no business.
 - Redevelop Tony's Party Store to add a service station and add additional food options for the city of Lansing.
 - Redevelop Property on Saginaw Street on the West Side of Lansing that will house residential and commercial property.

Our Tenant – The Collision Guys

- The Collision Guys have nine locations and counting spanning four states and are actively looking for expansion.
- They use state of the art equipment that is more sophisticated and advanced than what most collision shops in the surrounding area use.
- They are a corporate run organization that holds themselves to the highest standards when it comes to Auto Repair work.
- They are clean and well organized.
- They have been able to take on order buildings that may be vacant or run down and have been able to make them look brand new from the inside and out. This is what they started doing at 3712 S Cedar and look to complete their renovation plans once we receive zoning approvals.
- The Collision Guys intend to spend well over \$200,000 to renovate and equip 3712 S Cedar Street with the best technology available.

Benefits or Rezoning to the community

- 12-15 new jobs will be created within Lansing from this rezoning
- As our tenant generates more business in the city, they will be looking for more expansion within the city limits. This has been done in other areas as our tenant has 9 locations and counting.
- With this approval, tenant will start to consider occupying other vacant buildings within city limits to store excess vehicles that they may receive.
- The rezoning will allow more options for auto repair work in the city of Lansing which will allow people to shop around more to find the best price possible.
- Our tenants are licensed and insured unlike other collision shops in the surrounding areas.
- Experienced and highly educated staff members that will make sure the Lansing residents understand what they are getting out of the repair to their vehicle.
- Tenant has already started renovation and the plan on more renovations as soon as we can get rezoning approval.

Addressing Concerns

- Smell
- Noise
- Parking
- Disposing of Chemicals

Concerns - Smell

- One of the concerns that may be come out of rezoning this property is the smell that may come out of this facility due to the painting aspect of a collision shop.
- Other shops in the area are painting outside where the smells from any type of paint are exposed to everyone around their shop and we have yet to hear of any zoning issues regarding them. We are here to make sure every aspect of our business is done inside our building and designated work is done in designated areas like painting.
- We can with certainty guarantee no smell or fumes or anything of that nature will be released from our operations.
 - The Collision guys have on order a Garmat 3000 paint Booth waiting to be delivered once zoning is approved. This system prevents 99.9% of all smells from escaping the paint booth. The link to view the spray booth is below.
 - [Downdraft Spray Booth - Garmat USA 3000 Series Model \(garmatspraybooths.com\)](http://garmatspraybooths.com)
 - This Machine along with the installation costs well be over \$100,000+
 - The 3000 Series features downdraft airflow. Downdraft air flow is the most efficient airflow methodology for removing overspray from the painting environment. Clean air is forced in through the ceiling style intake plenum and exhausted through a pit located in the floor of the booth. The supply and exhaust filter layout is designed for even velocity throughout the working area of the booth providing consistent air flow required for a quality paint job. Using positive pressure within the paint booth prevents contamination from entering the booth. Cleaner air translates into cleaner higher quality paint jobs.
 - One of the primary considerations when evaluating a paint booth is the filtration system. Having an exemplary filtration system will not only provide a better atmosphere for painting, but will also provide a safe surrounding for paint tech, staff and local community. Garmat USA's filtration is designed to achieve both these goals and ensure the cleanest possible painting environment in the industry. Not only do our filters achieve 99% capture efficiency, but they also maintain that efficiency at the airflow required for a high quality paint job. All Garmat USA automotive paint booths feature easy access filtration systems which simplifies the maintenance required to maintain optimal performance. Easily accessible and serviceable by one person saves labor costs. Steel knife edge closures on the ceiling filters provides a tight and secure fit.
 - **Garmat's 3-stage filtration system includes:**
 - **Pre-Filtration:** Long lasting washable pre-filters reduce contamination of ceiling filters
 - **Ceiling Filters:** Ideally sized segments allowing for ease of replacement. Filters are held in position by steel knife-edge closures. Achieves 99% capture efficiency on 10 micron particulate
 - **Extract Filtration:** Premium fiberglass paint arrestor filters are utilized for maximum particulate removal

Concerns - Noise

- All work on vehicles is completed inside of the building. No work is completed outside of the building walls like other collision shops surrounding our building.
- By doing this all noise that may arise which is very little is confined to the inside of the building and is unnoticed by any of the surrounding neighbors.
- We have not received any noise complaints from any of those surrounding our building.
- Those that are live or work near us have not complained about and loud or unwanted noise from our building.

Concerns - Parking

- All Vehicles are parked on the paved area of our property.
- Vehicles that are in more damaged are maintained inside of the building while working on them or put towards the back of the parking lot when a vehicle is waiting for parts.
- We do not have any equipment or parts laying around in the parking lot like others around us.
- We do not work on vehicles in the parking lot like others in the area.
- Tenant is in works to acquire other properties in Lansing to park excess vehicles as the company grows in size.
- Owner of the vacant land next to the collision shop will consider paving his empty land and lease the parking lot out to The Collision Guys if we can get all proper approvals to do so.

Concerns - Disposing of Chemicals

- The Collision Guys utilize PF3 as their pickup service for all excess paint and thinner.
- No oil changes occur at this location so this should not be of concern

Old Tenant vs New Tenant

- The old tenant was a AC Repair Shop that had rolling equipment, torches and from the looks of it other equipment that made it seem like more than just AC Repair shop.
- Old Tenant had not made any investments of the exterior or interior of the building.
- New Tenant has painted most of the building and plans to complete painting the outside of the building along with install nice new signage that will make the building very appealing to the community.
- New Tenant has completely remodeled the office / lobby in the front of the facility.
- New Tenant is making changes to the building that have been well warranted to years.

Other Recommendations?

- If there are any other recommendations of what the city would like to see us add to the building then we are open to listen to any ideas and if they can be done we will do them.
- We are willing to make the investment into this building to make sure it meets any and all standards to get the rezoning approval.
- Anyone from the city is more welcome to come do random checks on our business to make sure everything we are talking about is getting done.
- **We are here to truly do any and everything the city asks of us to make this happen.**

What happens if Rezoning is denied?

- The city will now endure another vacant building on the south side of Lansing until we can find a tenant that is willing to make the investment in Lansing like The Collision Guys are. This may take many month if not longer to find.
- Jobs will be lost in the city of Lansing.
- The people of Lansing will miss out on doing business with a very high skilled and affordable organization and will have less options for Auto Repair Work.
- Lansing will miss out on any future expansions that the Collision Guys would have planned on doing within the city.

Conclusion

- In conclusion we are asking for rezoning for all the right reasons.
- We are willing to work with the city and do anything and everything that will be asked of us to make sure we follow what is needed for rezoning.
- The tenants and myself want what is best for the city and for our organizations. Please consider approving the rezoning.
- We do understand zoning laws in place for great reasons, but the zoning for this property has most likely been the same for 30+ years. So much has changed in that time frame and we believe the city should consider making this change to keep up with everything evolving around us.
- We want to do what is best not only for us but also for the city of Lansing.
- The city of Lansing and the people of Lansing need more investments to occur in the city especially on the South Side of Lansing and we are here to do just that.
- Yes, the tenant and myself will benefit from the zoning change, but so will the city and those that live in it.

Thank you for your time.

We appreciate everyones time in this matter. We are truly doing our best to not only make a greater investment in the city of Lansing but want to ensure everyone we will hold ourselves to the highest standards.

We are open to having anyone and everything from the community and city come do continues checks on us to make sure we are living up to what has been presented here.

-Saevn Kesto

skkesto@gmail.com

248-444-0108

GENERAL INFORMATION

APPLICANT:	VIRIDIS Design Group on behalf of the City Rescue Mission of Lansing 2925 W. Main Street Kalamazoo, MI 49006
OWNER:	SET SEG Insurance Services Agency, Inc. 1520 Earl Avenue East Lansing, MI 48823
REQUESTED ACTION:	* Rezoning from “DT-3” Urban Core to ‘R-AR’ Residential Adaptive Reuse * Special Land Use Permit for a sheltered care facility
EXISTING LAND USE:	Vacant office buildings
EXISTING ZONING:	“DT-3” Urban Core District
PROPERTY SIZE:	415 W. Kalamazoo – 26,136 square feet (.75 acres) 421 W. Kalamazoo – 32,670 square feet (.6 acres) Total – 58,806 square feet (1.35 acres)
SURROUNDING LAND USE:	N: State Office Building S: Multiple Family Residential Apartment Building E: Office Building & Ingham County Courthouse W: Lansing School District Office Building
SURROUNDING ZONING:	N: “DT-3” Urban Core District S: “DT-3” Urban Core District E: “DT-3” Urban Core District W: “DT-3” Urban Core District
MASTER PLAN DESIGNATION:	The Design Lansing Master Plan designates the subject property as “Downtown Mixed-Use Center: Edge”. W. Kalamazoo Street is designated as a prime connector.

APPLICANT’S REQUESTS

Z-8-2023: Request to rezone the properties at 415 & 421 W. Kalamazoo Street from “DT-3” Urban Core to “R-AR” Residential Adaptive Reuse

SLU-1-2022: Special land use permit to utilize 415 & 421 W. Kalamazoo Street for a sheltered care facility. A sheltered care facility is permitted by special land use permit in the “R-AR” zoning district but is not permitted under the current “DT-3” zoning of the subject properties.

AGENCY REFERRAL RESPONSES

Assessing: No objections.

Board of Water & Light: See attached memo

Building Safety: No objections.

Parks & Recreation: No issues

Public Service Engineering: We have the vacated LSD offices use replaced with “300 adults” and “offices and other support spaces”, which from a civil engineering/sewage flow standpoint equates to a small or medium-sized apartment building. Now, the PUBLIC sewer in front on Kalamazoo is a 6-inch combined sewer, which does not have the capacity to serve this redevelopment. However, fortunately, based on past experience, I believe the existing sanitary service is to the 8-inch public sewer on Walnut.

Of note, this 8-inch sewer is also a combined sewer that currently takes roadway drainage, so we still may have inadequate capacity in the sewer on Walnut (tributary to another 8-inch combined sewer draining eastward on Kalamazoo).

I note that VIRDIS’s writeup states “CRM does not anticipate requiring new infrastructure, curb cuts, etc.”. The issue is that the existing sewer infrastructure MAY not be adequate. I emphasize “may”, because there may be no issue, but there’s some definite question marks based on what I stated above. VIRDIS should provide a sanitary basis of design as soon as possible, so we can start checking the sewer capacity.

Public Service Transportation
& Administration:

The Public Service Department does not have any objections to the rezoning. Traffic and parking needs should be lower compared to an office use. As Alec indicated, changing to a residential use might create additional sanitary sewage and our department would need to confirm that there is sufficient sewer capacity to handle the anticipated flows.

REZONING

COMPATIBILITY WITH SURROUNDING ZONING PATTERNS

The applicant is requesting a rezoning of two adjoining properties at 415 and 421 W. Kalamazoo Street from “DT-3” Downtown Urban Core to “R-AR” Residential Adaptive Reuse and a special land use permit to allow a sheltered care facility in that district. The subject properties are surrounded on all sides by “DT-3” zoning. The “R-AR” zoning is one of only a few districts that

permits sheltered care facilities. It is generally considered good planning and zoning practices to create and preserve consistent zoning patterns as they result in consistent development patterns. In this case, however, there are no properties in and around the downtown that are zoned for sheltered care facilities. Shelters are essential to the community and should primarily be located in close proximity to the downtown where they can effectively serve the majority of the population in need of their services. A rezoning, therefore, is going to be necessary in order to accommodate the use, in spite of zoning pattern inconsistencies. The “R-AR” zoning district is intended to accommodate reuse of properties that are unique such as those that contain vacant school buildings and to accommodate uses that have unique locational needs such as shelters. Unlike most zoning districts, the “R-AR” district is only intended to address very specific situations which is why all properties that are zoned “R-AR” are surrounding by other zoning districts and thus, inconsistent with the zoning patterns in the areas in which they are located.

COMPATIBILITY WITH SURROUNDING LAND USES

The City Rescue Mission currently operates a men’s shelter at 607 E. Michigan Avenue and a shelter for women and children at 2216 S. Cedar Street. The Mission’s plan is to move the men’s shelter to 415/421 W. Kalamazoo Street and convert 607 E. Michigan into the kitchen that produces meals for the homeless. The plan also includes relocating the shelter for single adult women to W. Kalamazoo Street, thus creating additional shelter space at the 2216 S. Cedar Street location for women with children.

The men’s shelter at 607 E. Michigan Avenue has a capacity of 100 and the capacity of the women and children’s shelter at 2216 S. Cedar Street is 110. The proposed facility on W. Kalamazoo Street would accommodate 200 men and 100 women. Including the 2216 S. Cedar Street location that will remain open, the Mission’s total shelter capacity would increase from 210 to 400 to possibly 450 or 500 at some point in the future as administrative offices are relocated from one facility to another.

The Rescue Mission has been looking for a new site so that it can increase its shelter capacities for both men and women. The homeless population in Lansing has grown dramatically and the existing shelters are not sufficient to accommodate the need. Several locations have been considered including the former YMCA building at the corner of N. Washington Square and the former Cooley Law School building in the 200 block of S. Capitol Avenue. Those buildings are located in the DT-3 Downtown Urban Core zoning district which does not permit sheltered care facilities. The Planning staff informed the Rescue Mission that it would not support a rezoning and special land use permit for a shelter at those locations. A homeless shelter would be contrary to the intent of the DT-3 zoning district which is to allow for uses that contribute to the vibrancy of the downtown by drawing people to the area to support existing and encourage new businesses. In other words, uses that generate a lot of customers, create new jobs, increase the tax base, and increase the need for more housing in the area.

Shelters are essential to the community and should be located primarily near the downtown where they are easily accessible to the majority of the population they serve. The site on W. Kalamazoo Street is an appropriate location for a shelter as it is in close proximity to but not directly in the core downtown area. The site is located along two primary bus routes and within easy walking distance to a variety of businesses, institutional and civic uses, and human service agencies that provide assistance and resources to those in need. The site is surrounded on three sides by office buildings.

While there is an apartment building directly to the south, it is not anticipated that the shelter will have any negative impacts on the residents thereof. The City Rescue Mission has been in operation at 607 E. Michigan Avenue for more than 110 years and at 2216 S. Cedar Street for well over a decade. The shelters at these locations are adjacent to or in very close proximity to residential uses and there have been no issues of incompatibility. The Mission has an established record of doing an excellent job managing its facilities. Incidents requiring police intervention have been non-violent/non-assaultive, non-destructive, and extremely rare.

COMPLIANCE WITH MASTER PLAN

The Design Lansing Comprehensive Plan designates the subject property as “Downtown Mixed-Use Center: Edge”. The Plan does not address sheltered care facilities so it cannot be determined if the proposed use is consistent with the future land use designation of the property. It appears that when the Plan was adopted in 2012, the existing shelters seemed to be adequate to serve the homeless population and thus, there was no reason to plan for more or larger facilities elsewhere in the City. Since that time, the homeless population has increased to where the existing facilities are not adequate thus, creating the need for a new shelter with greater capacity. There is no land in or near that downtown that is zoned and available for use as a sheltered care facility. Without the Plan providing specific guidance as to where shelters should be located, the basic principles of planning should be used to make that determination.

The proposed shelter location is consistent with a primary goal of master planning which is to accommodate land uses in appropriate areas where they can operate successfully without negatively impacting adjoining and nearby uses. The subject properties are surrounded by offices to the north, east and west that are in operation during typical daytime hours and workdays. They are destination type uses that do not depend on attracting customers or clients to stay in business. In fact, most of them are government owned and operated and are not accessible to anyone other than employees or those who are there for a very specific purpose. The office building at the southwest corner of W. Kalamazoo and S. Walnut is privately owned and is currently vacant. A State of Michigan office building is located on the property to the north and the Lansing School District has its offices on the property to the west. There is a 52-unit apartment building on the adjacent property to the south. Given the history and the City’s experience with how well the applicant has operated its facilities on E. Michigan Avenue and S. Cedar Street, which is surrounded by a residential neighborhood, there is no reason to believe that the proposed shelter will negatively impact any of the uses in the area around the subject properties.

Another important planning principle to consider when determining where certain uses should be located is accessibility by various modes of transportation. For example, in order to generate and maintain a strong customer base, commercial uses such as restaurants, gas stations, and retail establishments should be located along major thoroughfares where they are visible to large volumes of traffic and can be readily accessed by private vehicles and public transportation. Other uses, such as the proposed shelter, do have those same needs but do need to be located where they are easily accessible by foot and public transportation since the overwhelming majority of the people who utilize shelters do not have private transportation. Access to public transportation is also very important so that the occupants of the shelter can secure employment and utilize human service resources that can assist with transitioning out of homelessness. The subject property is located along

two major bus routes, is within walking distance of the downtown business district and near many facilities that provide services to those in need.

IMPACT ON VEHICULAR AND PEDESTRIAN TRAFFIC

While the sheltered care facility will generate additional pedestrian traffic in the area, the amount of vehicular traffic will likely be less than what was generated when the office buildings on the sites were in full operation. According to the special land use permit application, the maximum number of employees that will be in the facility at one time is 18. The applicant has stated that approximately 10% of the people that stay in its shelters have privately owned vehicles for transportation. The majority access them by foot or public transportation. The two sites combined contain approximately 90 spaces which is more than adequate to accommodate the projected parking needs.

IMPACT ON PUBLIC FACILITIES

See agency referral comments from Public Service on page 2 of this report and the attached letter from the Board of Water & Light. Use of the buildings for an overnight shelter with a capacity of 300+ persons will significantly increase the usage of certain utilities from when the buildings were being used for office purposes, particularly with regard to water and sanitary sewer services. The need for upgrading or expanding utility systems to serve the use will need to be determined between the applicant and the relevant service providing agency.

ENVIRONMENTAL IMPACT

The proposal will have no negative impacts on the natural environment. The only proposed change to the site is an addition connecting the two buildings. This will require combining the two properties into one parcel, which is a simple administrative procedure. It will also require review and approval of a site plan prepared by a civil engineer. Since the proposed addition will result in an increase in the amount of impervious surface on the site, a storm water management plan will need to be provided as part of the site plan review submission. This is to ensure that the additional stormwater runoff resulting from the building addition is properly managed within the boundaries of the site.

IMPACT ON FUTURE PATTERNS OF DEVELOPMENT

Shelters are essential to the community and need to be accommodated in locations where their mission can be carried out most effectively. Shelters are unique in that they need to be centrally located with convenient access to public transportation, businesses, and human service agencies. There is a significant need for additional shelter space in the City and there are no properties in or near the downtown that are zoned for that use. The subject properties, as described in the proceeding paragraphs of this report, are an appropriate location for a shelter as they are located on the fringe of, but not in the core downtown which should be reserved commercial, office and residential uses that are essential to its vibrancy. It is located along W. Kalamazoo and S. Walnut Streets, both of which are primary bus routes, and in an area where there is access to various civic, institutional, religious, and medical facilities that can help those in need to transition out of homelessness. Since the circumstances surrounding this request are based upon the very specific and unique needs of a shelter, approval of the rezoning will not set a precedent for approval of future rezoning requests in the area and thus, will not have any impacts on patterns of development in the area.

SPECIAL LAND USE PERMIT

Section 1262.02(f) of the Zoning ordinance 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 Rescue Mission has been operating in the City for more than a century and has a proven track record of doing an excellent job of operating, managing, and maintaining its facilities. The existing locations have existed harmoniously with both the residential and nonresidential uses in the areas in which they are located.

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

The proposed shelter will not change the “essential character” of the surrounding area surrounding the subject properties. With the exception of an addition to connect the 2 buildings at 415 & 421 W. Kalamazoo Street, the physical site will remain unchanged.

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

It is not anticipated that the shelter will interfere with the “enjoyment” of adjacent properties. The properties to the north and west are being used for government office purposes. There is a vacant office building on the adjoining property to the east and a courthouse on the property further to the east in the 300 block of W. Kalamazoo Street, which draws a large number of people to the area on a daily basis. The operations for all of these uses are confined to typical workdays and hours which means that they are closed in the evenings when people are arriving at the shelter for overnight stay. During the day, the vast majority of the people using the shelter are working at a job, looking for or training for employment, and seeking assistance from various human service agencies to address the issues that led to their homelessness. The only adjoining property that is occupied outside of normal business hours is the apartment building to the south. Since the Mission’s other shelters have not interfered with the enjoyment of the properties adjacent thereto, there is no reason to believe that it would do so in the new location.

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 proposed rezoning and special land use permit will allow for adaptive reuse of the two vacant offices buildings at 415 & 421 W. Kalamazoo Street. This will not only represent an improvement to the use and character of the property, it will also represent an improvement in general by fulfilling a very important need in the community.

The only proposed change to the physical development of the site is an addition connecting the two existing buildings. A site plan for this addition will be reviewed by the City for compliance with all applicable codes and ordinances.

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?**

The proposed shelter will produce very little vehicular traffic and will not generate smoke, odors, fumes, glare, or any other conditions that would be detrimental to the health, safety, and welfare of the community.

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?**

The issue of whether existing utilities serving the subject properties are adequate to accommodate the shelter has not yet been determined. This will take more study on behalf of the City engineers and the Board of Water & light and will require additional information from the applicant regarding the proposed usage.

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

See agency referral comments from Public Service on page 2 of this report. The Board of Water & Light will also be providing comments with regard to the utility services that it provides. Use of the buildings for an overnight shelter with a capacity of 300 persons will significantly increase the usage of certain utilities from when the buildings were being used for office purposes, particularly with regard to water and sanitary sewer services. The need for upgrading or expanding utility systems to serve the shelter will need to be determined between the applicant and the relevant service providing agency.

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 code is the primary tool for implementing the future land use component of the City's Comprehensive/Master Plan and thus, the intent and purpose of the 2 documents are the same in that regard. A detailed description of this request as it relates to the Master Plan is provided in the "Compliance with Master Plan" section on pages 3 and 4 of this report.

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

The only proposed change to the site is the construction of an addition to connect the 2 buildings. This will require combining the 2 parcels which is a simple administrative

procedure. The location of the proposed addition will comply with the setback requirements of the proposed R-AR zoning district. There are no other dimensional requirements that apply to this request.

SUMMARY

The applicant is seeking to rezone the properties at 415 & 421 W. Kalamazoo Street from “DT-3” Urban Core to “R-AR” Residential Adaptive Reuse. The applicant is also requesting a special land use permit to the allow use of the subject properties for a sheltered care facility.

The available information supports a finding that the requests satisfy all of the criteria set forth in the Zoning Ordinance for evaluating rezoning and special land use permit applications, as detailed in this staff report.

RECOMMENDATIONS

Staff recommends approval of Z-8-2023 to rezone the properties at 415 & 421 W. Kalamazoo Street from “DT-3” Urban Core to “R-AR” Residential Adaptive Reuse and SLU-2-2023, for a special land use permit to allow the properties to be utilized for a sheltered care facility.

Respectfully Submitted,

Susan Stachowiak
Zoning Administrator

BOARD OF WATER AND LIGHT MEMO

August 8, 2023

TO: City of Lansing – Planning Department, Susan Stachowiak
FROM: Andy Baumgartner, Real Property Analyst, Legal Services, 517-702-6795
RE: COL Z-8-2023_421 W. Kalamazoo St_Comments

BWL Electric: Approved: BWL has overhead and underground facilities in the area, no concerns for rezoning. Contact person: Jerry Wheeler Electric Utility Designer, phone: 517-702-6644.

BWL Street Lighting: Approved. BWL has underground street lighting cable along the south side of Kalamazoo St. With no proposed changes within the existing ROW for this building addition, we don't anticipate any conflicts with any of our existing facilities on Chestnut, Walnut or Kalamazoo St. Travis Archer – Utility Designer, 517-702-6621.

BWL Water & Steam Distribution:

COL Z-8-2023_421 W. Kalamazoo St.
Approved with comments

- Site Comments:
- Both buildings have existing 2" water services, contact BWL for any upgrades or additions.
- General Comments:
 - 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 and meters accordingly. The BWL will not take responsibility for inadequately sized services or metering specified by the applicant.
 - The customer is responsible for coordinating with the Fire Marshall of the Jurisdiction for hydrant placement on the site and project will require an EGLE permit. The owner will be responsible for meeting all requirements of the EGLE permit.
 - The customer is responsible for submitting a plumbing plan which includes location of meter, meter size, dimensioned room and/or space to accommodate meter set for review and approval by the BWL. The BWL requires that meter settings be placed on an exterior wall within the building; services run to an interior room/wall will not be acceptable.
 - 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.
 - All service piping, up to and including the service risers are part of the water system and cannot be installed or altered without a BWL Water Service Agreement in place. BWL jurisdiction for domestic services ends at the outlet of the domestic meter setting. BWL jurisdiction for fire services ends at the connection point to the backflow preventer. 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.
 - 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 <https://www.lbw.com/customers/services/water/water-construction-standards>.

Any questions about specific water service requirements may be directed to the BWL Water Distribution Department; *Steve Conn @ (517) 702-6726*, or via e-mail at Steve/Conn@lbwl.com.

BWL Environmental Wellhead Protection: Angie Goodman, Water Quality

This project lies within the Lansing Wellhead Protection Area. Care must be exercised during construction to minimize the exposure of contaminated soils to weather and subsequent impact 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.

7/9/2023

RE-ZONING APPLICATION ADDENDUM

Prepared by VIRIDIS Design Group, on behalf of the City Rescue Mission of Lansing

415 and 421 West Kalamazoo Street, Lansing, Michigan 48933

Current Owners (note: City Rescue Mission of Lansing has option to purchase both properties)

415 W Kalamazoo St: SET SEG Agency, 1520 Earl Ave, East Lansing, MI 48823 (800) 292-5421

421 W Kalamazoo St: Michigan Corrections Org, 421 W. Kalamazoo St, Lansing, MI 48933 (517) 485-3310

Describe and/or explain the specific land use proposed for this property:

The City Rescue Mission of Lansing (CRM) has been seeking an opportunity to secure a larger facility so as to be able to expand services to those in the Lansing community who are at-risk and most in need. Ideally, CRM is seeking to place a shelter in or near the downtown core, where the majority of the at-risk population currently live. The 415-421 West Kalamazoo location provides an ideal location for continuation of the CRM mission.

CRM intends to remodel the (2) existing buildings on these parcels, and construct a new addition connecting the two buildings. This facility is being programmed to provide services for up to 300 adults (both men and women). The new facility will also include offices and other support spaces.

Parking is expected to be more than adequate for the intended re-use of the property. CRM does not anticipate requiring new infrastructure, curb cuts, etc. as part of this project.

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

The subject parcels are currently zoned DT-3 (Urban Core) which does not allow Sheltered Care Facilities. We propose to re-zone the subject parcels to R-AR (Residential Adaptive Reuse) which allows Sheltered Care Facilities by Special Use. We note that the proposed rezoning would move these parcels from a less-restrictive to a more-restrictive zoning district, however, CRM anticipates this facility being home to their program for the foreseeable future and is a very good fit at this location.

Comment on other circumstances which justify the amendment:

CRM recognizes a significant need in the community to provide food, shelter and other services to the less-fortunate. CRM has diligently searched for a location within the central Lansing core in order to expand its facilities to serve those who are most at-risk in the community. This proposed location provides appropriate space and is well-located within the CRM service area. We ask that the City approve the re-zoning of the parcels to allow CRM to continue its mission of service to others.

Thank you for your consideration.

7/9/2023

SPECIAL LAND USE APPLICATION ADDENDUM

Prepared by VIRIDIS Design Group, on behalf of the City Rescue Mission of Lansing

415 and 421 West Kalamazoo Street, Lansing, Michigan 48933

Current Owners (note: City Rescue Mission of Lansing has option to purchase both properties)

415 W Kalamazoo St: SET SEG Agency, 1520 Earl Ave, East Lansing, MI 48823 (800) 292-5421

421 W Kalamazoo St: Michigan Corrections Org, 421 W. Kalamazoo St, Lansing, MI 48933 (517) 485-3310

Size of Parcels:

415 W. Kalamazoo St: Irregular – 0.57 Acre

421 W. Kalamazoo St: 165' x 198' – 0.75 Acre

Describe your proposal:

The City Rescue Mission of Lansing (CRM) has been seeking an opportunity to secure a larger facility so as to be able to expand its services to those in the Lansing community who are at-risk and most in need. Ideally, CRM is seeking to place a shelter in or near the downtown core, where the majority of the at-risk population currently live. The 415-421 West Kalamazoo location provides an ideal location for continuation of the CRM mission.

CRM intends to remodel the (2) existing buildings on these parcels, and construct a new addition connecting the two buildings, which is being programmed to provide services for up to 300 adults (both men and women). The new facility will also include offices and other support spaces.

Parking is expected to be more than adequate for the intended re-use of the property. CRM does not anticipate requiring new infrastructure, curb cuts, etc. as part of this project.

CRM recognizes a significant need in the community to provide food, shelter and other services to the less-fortunate. CRM has diligently searched for a location within the central Lansing core in order to expand its facilities to serve those who are most at-risk in the community. This proposed location provides appropriate space and is well-located within the CRM service area. We ask that the City approve the special land use of the parcels to allow CRM to continue its mission of service to others.

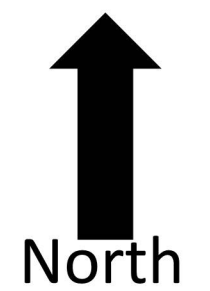
Thank you for your consideration.

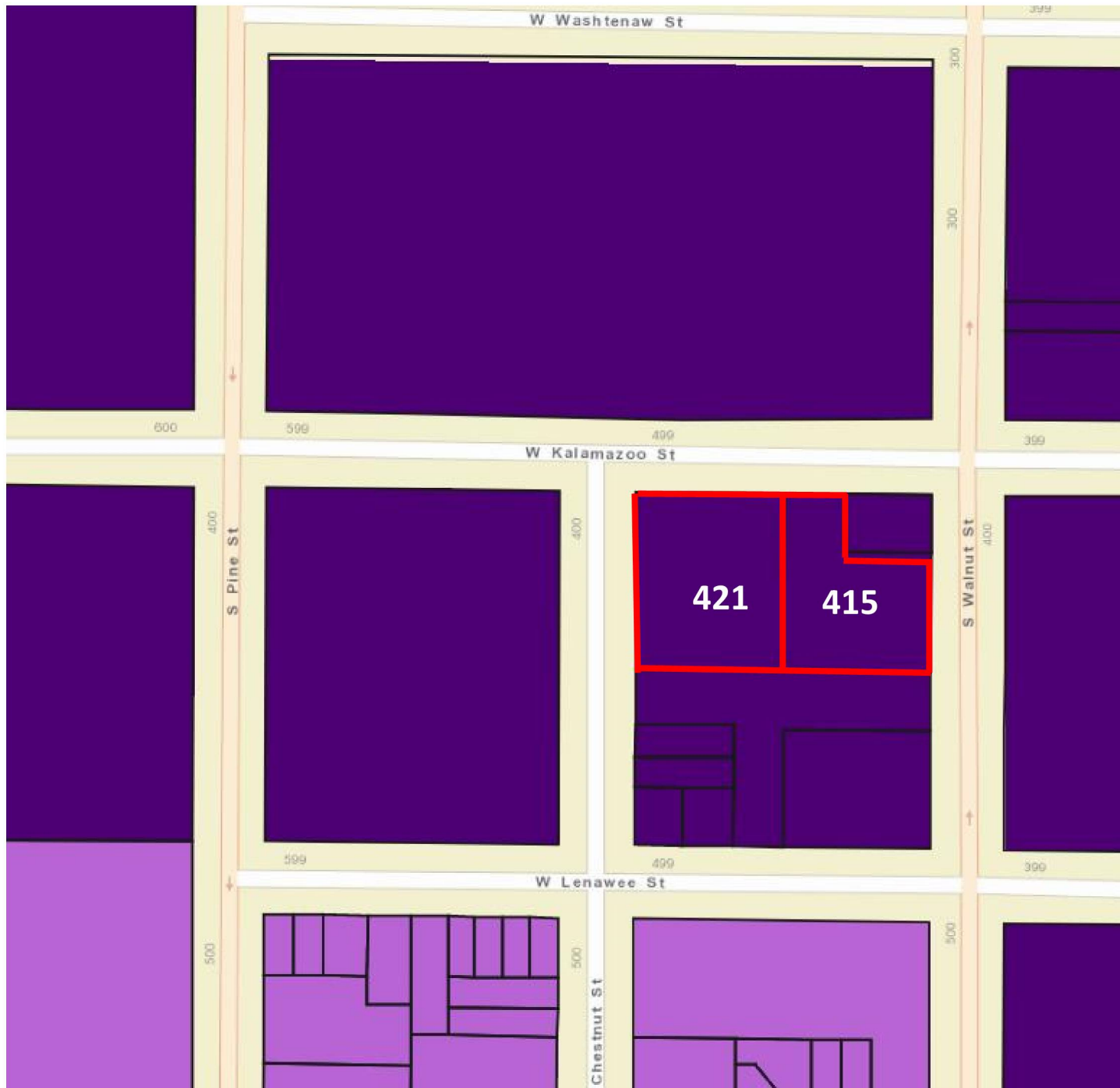
415 W. Kalamazoo



421 W. Kalamazoo

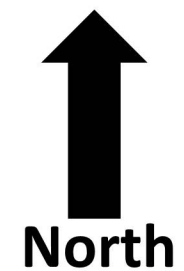






Zoning Districts

- R-1 - Suburban Detached Res.
- R-2 - Suburban Detached Res.
- R-3 - Suburban Detached Res.
- R-4 - Urban Detached Res.
- R-5 - Urban Detached Res.
- R-6A - Urban Detached Res.
- R-6B - Urban Detached Res.
- R-MX - Residential Mix
- MFR - Multi-Family Residential
- R-AR - Residential Adaptive Reuse
- S-C - Suburban Corridor
- MX-C - Mixed-Use Corridor
- MX-1 - Mixed-Use Neighborhood Center
- MX-2 - Mixed-Use Community Center
- MX-3 - Mixed-Use District Center
- DT-1 - Urban Edge
- DT-2 - Urban Flex
- DT-3 - Urban Core
- IND-1 - Suburban Industrial
- IND-2 - General Industrial
- IND-3 - Urban Industrial
- INST-1 - Suburban Institution
- INST-2 - Urban Institution



INTRODUCTION OF ORDINANCE

The following ordinance of the City of Lansing, Michigan, for amending the Code of Ordinances 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 1242.02 of the Zoning Ordinance for property located at:

Z-8-2023: 415 & 421 W. Kalamazoo Street, Rezoning from “DT-3” Urban Core to ‘R-AR” Residential Adaptive Reuse

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-8-2023 & SLU-2-2023, 415 & 421 W. Kalamazoo Street

Rezoning from “DT-3” Urban Core to “R-AR” Residential Adaptive Reuse

Special Land Use Permit - Sheltered Care Facility

The Lansing City Council will hold a public hearing on Monday, September 18, 2023 at 7:00 p.m. in the Tony Benavides Lansing City Council Chambers, 10th Floor, Lansing City Hall, 124 W. Michigan Avenue, Lansing, Michigan to consider requests by VIRIDIS Design Group on behalf of the City Rescue Mission of Lansing to rezone the properties at 415 & 421 W. Kalamazoo Street from “DT-3” Urban Core to “R-AR” Residential Adaptive Reuse and for a special land use permit to operate a sheltered care facility at these locations.

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, September 18, 2023 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

BY THE COMMITTEE ON DEVELOPMENT AND 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, September 18, 2023 at 7 p.m. in the Tony Benavides Lansing City Council Chambers, 10th Floor, Lansing City Hall, 124 W. Michigan Avenue, Lansing, Michigan, for the purpose of approving and/or opposing the Ordinance for rezoning:

Z-8-2023: 415 & 421 W. Kalamazoo Street, Rezoning from “DT-3” Urban Core to ‘R-AR” Residential Adaptive Reuse

GENERAL INFORMATION

APPLICANT:	VIRIDIS Design Group on behalf of the City Rescue Mission of Lansing 2925 W. Main Street Kalamazoo, MI 49006
OWNER:	SET SEG Insurance Services Agency, Inc. 1520 Earl Avenue East Lansing, MI 48823
REQUESTED ACTION:	* Rezoning from “DT-3” Urban Core to ‘R-AR’ Residential Adaptive Reuse * Special Land Use Permit for a sheltered care facility
EXISTING LAND USE:	Vacant office buildings
EXISTING ZONING:	“DT-3” Urban Core District
PROPERTY SIZE:	415 W. Kalamazoo – 26,136 square feet (.75 acres) 421 W. Kalamazoo – 32,670 square feet (.6 acres) Total – 58,806 square feet (1.35 acres)
SURROUNDING LAND USE:	N: State Office Building S: Multiple Family Residential Apartment Building E: Office Building & Ingham County Courthouse W: Lansing School District Office Building
SURROUNDING ZONING:	N: “DT-3” Urban Core District S: “DT-3” Urban Core District E: “DT-3” Urban Core District W: “DT-3” Urban Core District
MASTER PLAN DESIGNATION:	The Design Lansing Master Plan designates the subject property as “Downtown Mixed-Use Center: Edge”. W. Kalamazoo Street is designated as a prime connector.

APPLICANT’S REQUESTS

Z-8-2023: Request to rezone the properties at 415 & 421 W. Kalamazoo Street from “DT-3” Urban Core to “R-AR” Residential Adaptive Reuse

SLU-1-2022: Special land use permit to utilize 415 & 421 W. Kalamazoo Street for a sheltered care facility. A sheltered care facility is permitted by special land use permit in the “R-AR” zoning district but is not permitted under the current “DT-3” zoning of the subject properties.

AGENCY REFERRAL RESPONSES

Assessing: No objections.

Board of Water & Light: See attached memo

Building Safety: No objections.

Parks & Recreation: No issues

Public Service Engineering: We have the vacated LSD offices use replaced with “300 adults” and “offices and other support spaces”, which from a civil engineering/sewage flow standpoint equates to a small or medium-sized apartment building. Now, the PUBLIC sewer in front on Kalamazoo is a 6-inch combined sewer, which does not have the capacity to serve this redevelopment. However, fortunately, based on past experience, I believe the existing sanitary service is to the 8-inch public sewer on Walnut.

Of note, this 8-inch sewer is also a combined sewer that currently takes roadway drainage, so we still may have inadequate capacity in the sewer on Walnut (tributary to another 8-inch combined sewer draining eastward on Kalamazoo).

I note that VIRDIS’s writeup states “CRM does not anticipate requiring new infrastructure, curb cuts, etc.”. The issue is that the existing sewer infrastructure MAY not be adequate. I emphasize “may”, because there may be no issue, but there’s some definite question marks based on what I stated above. VIRDIS should provide a sanitary basis of design as soon as possible, so we can start checking the sewer capacity.

Public Service Transportation
& Administration:

The Public Service Department does not have any objections to the rezoning. Traffic and parking needs should be lower compared to an office use. As Alec indicated, changing to a residential use might create additional sanitary sewage and our department would need to confirm that there is sufficient sewer capacity to handle the anticipated flows.

REZONING

COMPATIBILITY WITH SURROUNDING ZONING PATTERNS

The applicant is requesting a rezoning of two adjoining properties at 415 and 421 W. Kalamazoo Street from “DT-3” Downtown Urban Core to “R-AR” Residential Adaptive Reuse and a special land use permit to allow a sheltered care facility in that district. The subject properties are surrounded on all sides by “DT-3” zoning. The “R-AR” zoning is one of only a few districts that

permits sheltered care facilities. It is generally considered good planning and zoning practices to create and preserve consistent zoning patterns as they result in consistent development patterns. In this case, however, there are no properties in and around the downtown that are zoned for sheltered care facilities. Shelters are essential to the community and should primarily be located in close proximity to the downtown where they can effectively serve the majority of the population in need of their services. A rezoning, therefore, is going to be necessary in order to accommodate the use, in spite of zoning pattern inconsistencies. The “R-AR” zoning district is intended to accommodate reuse of properties that are unique such as those that contain vacant school buildings and to accommodate uses that have unique locational needs such as shelters. Unlike most zoning districts, the “R-AR” district is only intended to address very specific situations which is why all properties that are zoned “R-AR” are surrounding by other zoning districts and thus, inconsistent with the zoning patterns in the areas in which they are located.

COMPATIBILITY WITH SURROUNDING LAND USES

The City Rescue Mission currently operates a men’s shelter at 607 E. Michigan Avenue and a shelter for women and children at 2216 S. Cedar Street. The Mission’s plan is to move the men’s shelter to 415/421 W. Kalamazoo Street and convert 607 E. Michigan into the kitchen that produces meals for the homeless. The plan also includes relocating the shelter for single adult women to W. Kalamazoo Street, thus creating additional shelter space at the 2216 S. Cedar Street location for women with children.

The men’s shelter at 607 E. Michigan Avenue has a capacity of 100 and the capacity of the women and children’s shelter at 2216 S. Cedar Street is 110. The proposed facility on W. Kalamazoo Street would accommodate 200 men and 100 women. Including the 2216 S. Cedar Street location that will remain open, the Mission’s total shelter capacity would increase from 210 to 400 to possibly 450 or 500 at some point in the future as administrative offices are relocated from one facility to another.

The Rescue Mission has been looking for a new site so that it can increase its shelter capacities for both men and women. The homeless population in Lansing has grown dramatically and the existing shelters are not sufficient to accommodate the need. Several locations have been considered including the former YMCA building at the corner of N. Washington Square and the former Cooley Law School building in the 200 block of S. Capitol Avenue. Those buildings are located in the DT-3 Downtown Urban Core zoning district which does not permit sheltered care facilities. The Planning staff informed the Rescue Mission that it would not support a rezoning and special land use permit for a shelter at those locations. A homeless shelter would be contrary to the intent of the DT-3 zoning district which is to allow for uses that contribute to the vibrancy of the downtown by drawing people to the area to support existing and encourage new businesses. In other words, uses that generate a lot of customers, create new jobs, increase the tax base, and increase the need for more housing in the area.

Shelters are essential to the community and should be located primarily near the downtown where they are easily accessible to the majority of the population they serve. The site on W. Kalamazoo Street is an appropriate location for a shelter as it is in close proximity to but not directly in the core downtown area. The site is located along two primary bus routes and within easy walking distance to a variety of businesses, institutional and civic uses, and human service agencies that provide assistance and resources to those in need. The site is surrounded on three sides by office buildings.

While there is an apartment building directly to the south, it is not anticipated that the shelter will have any negative impacts on the residents thereof. The City Rescue Mission has been in operation at 607 E. Michigan Avenue for more than 110 years and at 2216 S. Cedar Street for well over a decade. The shelters at these locations are adjacent to or in very close proximity to residential uses and there have been no issues of incompatibility. The Mission has an established record of doing an excellent job managing its facilities. Incidents requiring police intervention have been non-violent/non-assaultive, non-destructive, and extremely rare.

COMPLIANCE WITH MASTER PLAN

The Design Lansing Comprehensive Plan designates the subject property as “Downtown Mixed-Use Center: Edge”. The Plan does not address sheltered care facilities so it cannot be determined if the proposed use is consistent with the future land use designation of the property. It appears that when the Plan was adopted in 2012, the existing shelters seemed to be adequate to serve the homeless population and thus, there was no reason to plan for more or larger facilities elsewhere in the City. Since that time, the homeless population has increased to where the existing facilities are not adequate thus, creating the need for a new shelter with greater capacity. There is no land in or near that downtown that is zoned and available for use as a sheltered care facility. Without the Plan providing specific guidance as to where shelters should be located, the basic principles of planning should be used to make that determination.

The proposed shelter location is consistent with a primary goal of master planning which is to accommodate land uses in appropriate areas where they can operate successfully without negatively impacting adjoining and nearby uses. The subject properties are surrounded by offices to the north, east and west that are in operation during typical daytime hours and workdays. They are destination type uses that do not depend on attracting customers or clients to stay in business. In fact, most of them are government owned and operated and are not accessible to anyone other than employees or those who are there for a very specific purpose. The office building at the southwest corner of W. Kalamazoo and S. Walnut is privately owned and is currently vacant. A State of Michigan office building is located on the property to the north and the Lansing School District has its offices on the property to the west. There is a 52-unit apartment building on the adjacent property to the south. Given the history and the City’s experience with how well the applicant has operated its facilities on E. Michigan Avenue and S. Cedar Street, which is surrounded by a residential neighborhood, there is no reason to believe that the proposed shelter will negatively impact any of the uses in the area around the subject properties.

Another important planning principle to consider when determining where certain uses should be located is accessibility by various modes of transportation. For example, in order to generate and maintain a strong customer base, commercial uses such as restaurants, gas stations, and retail establishments should be located along major thoroughfares where they are visible to large volumes of traffic and can be readily accessed by private vehicles and public transportation. Other uses, such as the proposed shelter, do have those same needs but do need to be located where they are easily accessible by foot and public transportation since the overwhelming majority of the people who utilize shelters do not have private transportation. Access to public transportation is also very important so that the occupants of the shelter can secure employment and utilize human service resources that can assist with transitioning out of homelessness. The subject property is located along

two major bus routes, is within walking distance of the downtown business district and near many facilities that provide services to those in need.

IMPACT ON VEHICULAR AND PEDESTRIAN TRAFFIC

While the sheltered care facility will generate additional pedestrian traffic in the area, the amount of vehicular traffic will likely be less than what was generated when the office buildings on the sites were in full operation. According to the special land use permit application, the maximum number of employees that will be in the facility at one time is 18. The applicant has stated that approximately 10% of the people that stay in its shelters have privately owned vehicles for transportation. The majority access them by foot or public transportation. The two sites combined contain approximately 90 spaces which is more than adequate to accommodate the projected parking needs.

IMPACT ON PUBLIC FACILITIES

See agency referral comments from Public Service on page 2 of this report and the attached letter from the Board of Water & Light. Use of the buildings for an overnight shelter with a capacity of 300+ persons will significantly increase the usage of certain utilities from when the buildings were being used for office purposes, particularly with regard to water and sanitary sewer services. The need for upgrading or expanding utility systems to serve the use will need to be determined between the applicant and the relevant service providing agency.

ENVIRONMENTAL IMPACT

The proposal will have no negative impacts on the natural environment. The only proposed change to the site is an addition connecting the two buildings. This will require combining the two properties into one parcel, which is a simple administrative procedure. It will also require review and approval of a site plan prepared by a civil engineer. Since the proposed addition will result in an increase in the amount of impervious surface on the site, a storm water management plan will need to be provided as part of the site plan review submission. This is to ensure that the additional stormwater runoff resulting from the building addition is properly managed within the boundaries of the site.

IMPACT ON FUTURE PATTERNS OF DEVELOPMENT

Shelters are essential to the community and need to be accommodated in locations where their mission can be carried out most effectively. Shelters are unique in that they need to be centrally located with convenient access to public transportation, businesses, and human service agencies. There is a significant need for additional shelter space in the City and there are no properties in or near the downtown that are zoned for that use. The subject properties, as described in the proceeding paragraphs of this report, are an appropriate location for a shelter as they are located on the fringe of, but not in the core downtown which should be reserved commercial, office and residential uses that are essential to its vibrancy. It is located along W. Kalamazoo and S. Walnut Streets, both of which are primary bus routes, and in an area where there is access to various civic, institutional, religious, and medical facilities that can help those in need to transition out of homelessness. Since the circumstances surrounding this request are based upon the very specific and unique needs of a shelter, approval of the rezoning will not set a precedent for approval of future rezoning requests in the area and thus, will not have any impacts on patterns of development in the area.

SPECIAL LAND USE PERMIT

Section 1262.02(f) of the Zoning ordinance 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 Rescue Mission has been operating in the City for more than a century and has a proven track record of doing an excellent job of operating, managing, and maintaining its facilities. The existing locations have existed harmoniously with both the residential and nonresidential uses in the areas in which they are located.

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

The proposed shelter will not change the “essential character” of the surrounding area surrounding the subject properties. With the exception of an addition to connect the 2 buildings at 415 & 421 W. Kalamazoo Street, the physical site will remain unchanged.

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

It is not anticipated that the shelter will interfere with the “enjoyment” of adjacent properties. The properties to the north and west are being used for government office purposes. There is a vacant office building on the adjoining property to the east and a courthouse on the property further to the east in the 300 block of W. Kalamazoo Street, which draws a large number of people to the area on a daily basis. The operations for all of these uses are confined to typical workdays and hours which means that they are closed in the evenings when people are arriving at the shelter for overnight stay. During the day, the vast majority of the people using the shelter are working at a job, looking for or training for employment, and seeking assistance from various human service agencies to address the issues that led to their homelessness. The only adjoining property that is occupied outside of normal business hours is the apartment building to the south. Since the Mission’s other shelters have not interfered with the enjoyment of the properties adjacent thereto, there is no reason to believe that it would do so in the new location.

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 proposed rezoning and special land use permit will allow for adaptive reuse of the two vacant offices buildings at 415 & 421 W. Kalamazoo Street. This will not only represent an improvement to the use and character of the property, it will also represent an improvement in general by fulfilling a very important need in the community.

The only proposed change to the physical development of the site is an addition connecting the two existing buildings. A site plan for this addition will be reviewed by the City for compliance with all applicable codes and ordinances.

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?**

The proposed shelter will produce very little vehicular traffic and will not generate smoke, odors, fumes, glare, or any other conditions that would be detrimental to the health, safety, and welfare of the community.

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?**

The issue of whether existing utilities serving the subject properties are adequate to accommodate the shelter has not yet been determined. This will take more study on behalf of the City engineers and the Board of Water & light and will require additional information from the applicant regarding the proposed usage.

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

See agency referral comments from Public Service on page 2 of this report. The Board of Water & Light will also be providing comments with regard to the utility services that it provides. Use of the buildings for an overnight shelter with a capacity of 300 persons will significantly increase the usage of certain utilities from when the buildings were being used for office purposes, particularly with regard to water and sanitary sewer services. The need for upgrading or expanding utility systems to serve the shelter will need to be determined between the applicant and the relevant service providing agency.

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 code is the primary tool for implementing the future land use component of the City's Comprehensive/Master Plan and thus, the intent and purpose of the 2 documents are the same in that regard. A detailed description of this request as it relates to the Master Plan is provided in the "Compliance with Master Plan" section on pages 3 and 4 of this report.

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

The only proposed change to the site is the construction of an addition to connect the 2 buildings. This will require combining the 2 parcels which is a simple administrative

procedure. The location of the proposed addition will comply with the setback requirements of the proposed R-AR zoning district. There are no other dimensional requirements that apply to this request.

SUMMARY

The applicant is seeking to rezone the properties at 415 & 421 W. Kalamazoo Street from “DT-3” Urban Core to “R-AR” Residential Adaptive Reuse. The applicant is also requesting a special land use permit to the allow use of the subject properties for a sheltered care facility.

The available information supports a finding that the requests satisfy all of the criteria set forth in the Zoning Ordinance for evaluating rezoning and special land use permit applications, as detailed in this staff report.

RECOMMENDATIONS

Staff recommends approval of Z-8-2023 to rezone the properties at 415 & 421 W. Kalamazoo Street from “DT-3” Urban Core to “R-AR” Residential Adaptive Reuse and SLU-2-2023, for a special land use permit to allow the properties to be utilized for a sheltered care facility.

Respectfully Submitted,

Susan Stachowiak
Zoning Administrator

BOARD OF WATER AND LIGHT MEMO

August 8, 2023

TO: City of Lansing – Planning Department, Susan Stachowiak
FROM: Andy Baumgartner, Real Property Analyst, Legal Services, 517-702-6795
RE: COL Z-8-2023_421 W. Kalamazoo St_Comments

BWL Electric: Approved: BWL has overhead and underground facilities in the area, no concerns for rezoning. Contact person: Jerry Wheeler Electric Utility Designer, phone: 517-702-6644.

BWL Street Lighting: Approved. BWL has underground street lighting cable along the south side of Kalamazoo St. With no proposed changes within the existing ROW for this building addition, we don't anticipate any conflicts with any of our existing facilities on Chestnut, Walnut or Kalamazoo St. Travis Archer – Utility Designer, 517-702-6621.

BWL Water & Steam Distribution:
COL Z-8-2023_421 W. Kalamazoo St.
Approved with comments

- Site Comments:
- Both buildings have existing 2" water services, contact BWL for any upgrades or additions.
- General Comments:
 - 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 and meters accordingly. The BWL will not take responsibility for inadequately sized services or metering specified by the applicant.
 - The customer is responsible for coordinating with the Fire Marshall of the Jurisdiction for hydrant placement on the site and project will require an EGLE permit. The owner will be responsible for meeting all requirements of the EGLE permit.
 - The customer is responsible for submitting a plumbing plan which includes location of meter, meter size, dimensioned room and/or space to accommodate meter set for review and approval by the BWL. The BWL requires that meter settings be placed on an exterior wall within the building; services run to an interior room/wall will not be acceptable.
 - 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.
 - All service piping, up to and including the service risers are part of the water system and cannot be installed or altered without a BWL Water Service Agreement in place. BWL jurisdiction for domestic services ends at the outlet of the domestic meter setting. BWL jurisdiction for fire services ends at the connection point to the backflow preventer. 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.
 - 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 <https://www.lbw.com/customers/services/water/water-construction-standards>.

Any questions about specific water service requirements may be directed to the BWL Water Distribution Department; *Steve Conn @ (517) 702-6726*, or via e-mail at Steve/Conn@lbwl.com.

BWL Environmental Wellhead Protection: Angie Goodman, Water Quality

This project lies within the Lansing Wellhead Protection Area. Care must be exercised during construction to minimize the exposure of contaminated soils to weather and subsequent impact 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.

7/9/2023

RE-ZONING APPLICATION ADDENDUM

Prepared by VIRIDIS Design Group, on behalf of the City Rescue Mission of Lansing

415 and 421 West Kalamazoo Street, Lansing, Michigan 48933

Current Owners (note: City Rescue Mission of Lansing has option to purchase both properties)

415 W Kalamazoo St: SET SEG Agency, 1520 Earl Ave, East Lansing, MI 48823 (800) 292-5421

421 W Kalamazoo St: Michigan Corrections Org, 421 W. Kalamazoo St, Lansing, MI 48933 (517) 485-3310

Describe and/or explain the specific land use proposed for this property:

The City Rescue Mission of Lansing (CRM) has been seeking an opportunity to secure a larger facility so as to be able to expand services to those in the Lansing community who are at-risk and most in need. Ideally, CRM is seeking to place a shelter in or near the downtown core, where the majority of the at-risk population currently live. The 415-421 West Kalamazoo location provides an ideal location for continuation of the CRM mission.

CRM intends to remodel the (2) existing buildings on these parcels, and construct a new addition connecting the two buildings. This facility is being programmed to provide services for up to 300 adults (both men and women). The new facility will also include offices and other support spaces.

Parking is expected to be more than adequate for the intended re-use of the property. CRM does not anticipate requiring new infrastructure, curb cuts, etc. as part of this project.

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

The subject parcels are currently zoned DT-3 (Urban Core) which does not allow Sheltered Care Facilities. We propose to re-zone the subject parcels to R-AR (Residential Adaptive Reuse) which allows Sheltered Care Facilities by Special Use. We note that the proposed rezoning would move these parcels from a less-restrictive to a more-restrictive zoning district, however, CRM anticipates this facility being home to their program for the foreseeable future and is a very good fit at this location.

Comment on other circumstances which justify the amendment:

CRM recognizes a significant need in the community to provide food, shelter and other services to the less-fortunate. CRM has diligently searched for a location within the central Lansing core in order to expand its facilities to serve those who are most at-risk in the community. This proposed location provides appropriate space and is well-located within the CRM service area. We ask that the City approve the re-zoning of the parcels to allow CRM to continue its mission of service to others.

Thank you for your consideration.

7/9/2023

SPECIAL LAND USE APPLICATION ADDENDUM

Prepared by VIRIDIS Design Group, on behalf of the City Rescue Mission of Lansing

415 and 421 West Kalamazoo Street, Lansing, Michigan 48933

Current Owners (note: City Rescue Mission of Lansing has option to purchase both properties)

415 W Kalamazoo St: SET SEG Agency, 1520 Earl Ave, East Lansing, MI 48823 (800) 292-5421

421 W Kalamazoo St: Michigan Corrections Org, 421 W. Kalamazoo St, Lansing, MI 48933 (517) 485-3310

Size of Parcels:

415 W. Kalamazoo St: Irregular – 0.57 Acre

421 W. Kalamazoo St: 165' x 198' – 0.75 Acre

Describe your proposal:

The City Rescue Mission of Lansing (CRM) has been seeking an opportunity to secure a larger facility so as to be able to expand its services to those in the Lansing community who are at-risk and most in need. Ideally, CRM is seeking to place a shelter in or near the downtown core, where the majority of the at-risk population currently live. The 415-421 West Kalamazoo location provides an ideal location for continuation of the CRM mission.

CRM intends to remodel the (2) existing buildings on these parcels, and construct a new addition connecting the two buildings, which is being programmed to provide services for up to 300 adults (both men and women). The new facility will also include offices and other support spaces.

Parking is expected to be more than adequate for the intended re-use of the property. CRM does not anticipate requiring new infrastructure, curb cuts, etc. as part of this project.

CRM recognizes a significant need in the community to provide food, shelter and other services to the less-fortunate. CRM has diligently searched for a location within the central Lansing core in order to expand its facilities to serve those who are most at-risk in the community. This proposed location provides appropriate space and is well-located within the CRM service area. We ask that the City approve the special land use of the parcels to allow CRM to continue its mission of service to others.

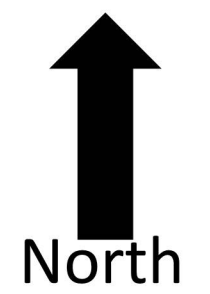
Thank you for your consideration.

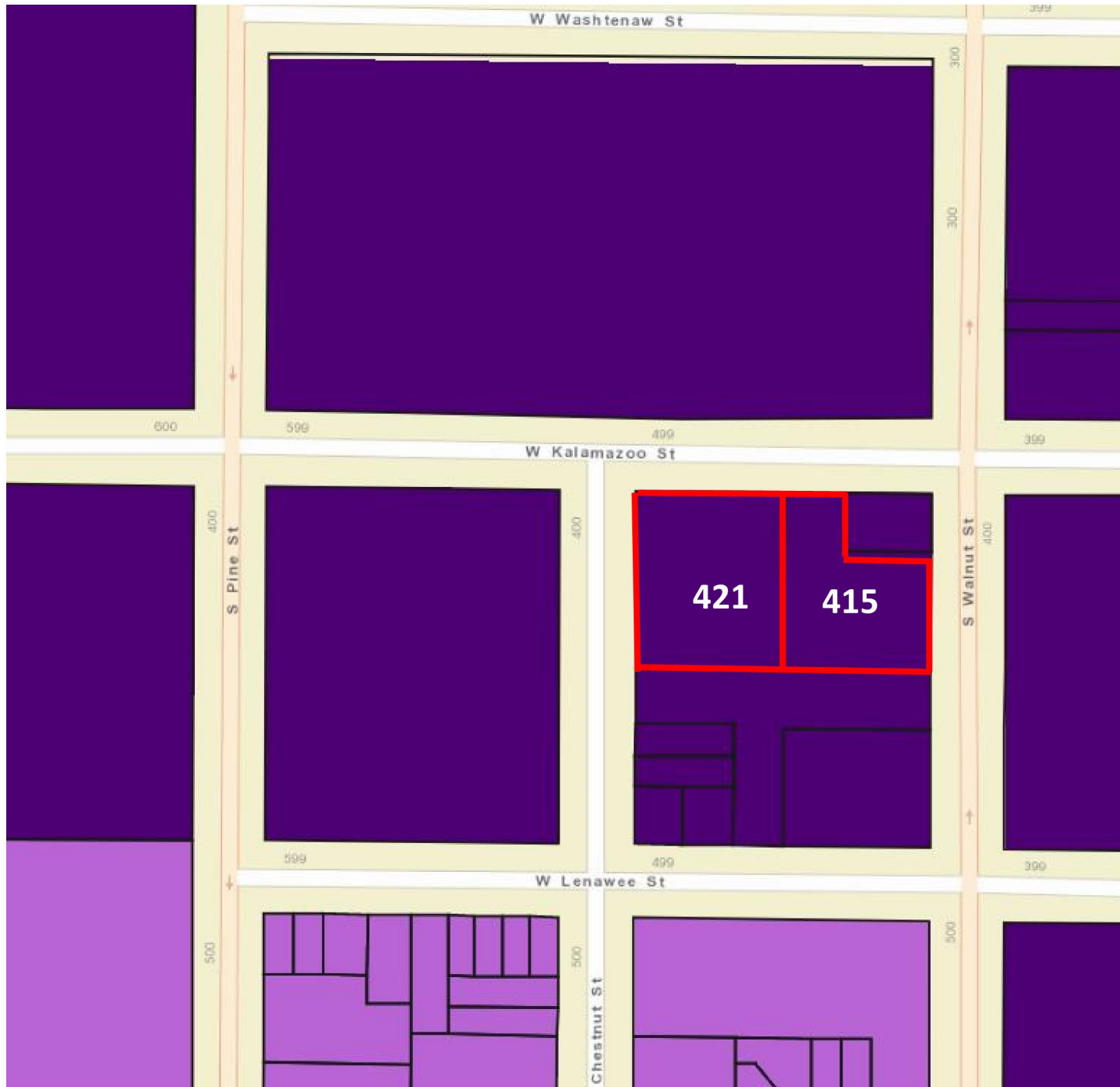
415 W. Kalamazoo



421 W. Kalamazoo

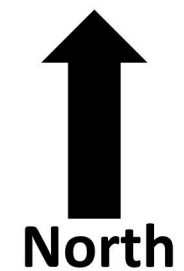






Zoning Districts

- R-1 - Suburban Detached Res.
- R-2 - Suburban Detached Res.
- R-3 - Suburban Detached Res.
- R-4 - Urban Detached Res.
- R-5 - Urban Detached Res.
- R-6A - Urban Detached Res.
- R-6B - Urban Detached Res.
- R-MX - Residential Mix
- MFR - Multi-Family Residential
- R-AR - Residential Adaptive Reuse
- S-C - Suburban Corridor
- MX-C - Mixed-Use Corridor
- MX-1 - Mixed-Use Neighborhood Center
- MX-2 - Mixed-Use Community Center
- MX-3 - Mixed-Use District Center
- DT-1 - Urban Edge
- DT-2 - Urban Flex
- DT-3 - Urban Core
- IND-1 - Suburban Industrial
- IND-2 - General Industrial
- IND-3 - Urban Industrial
- INST-1 - Suburban Institution
- INST-2 - Urban Institution



BY THE COMMITTEE ON DEVELOPMENT AND 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, September 18, 2023, at 7 p.m. in the Tony Benavides Lansing City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of approving and/or opposing the following request for a Special Land Use Permit:

SLU-2-2023: 415 & 421 W. Kalamazoo Street, Special Land Use Permit for a Sheltered Care Facility

Resolution #2023-###

By the Committee on Development and Planning
Resolved by the City Council of the City of Lansing

SLU-2-2023

**415 & 421 W. Kalamazoo Street
Sheltered Care Facility**

WHEREAS, the applicant, VIRIDIS Design Group on behalf of the City Rescue Mission of Lansing, has requested a special land use permit to authorize a sheltered care facility at 415 and 421 W. Kalamazoo Street; and

WHEREAS, a review was completed by staff evaluating the character, location, and impact of the proposal on the surrounding area, the environment, and public services as well as its consistency with the existing zoning and land use patterns in the area and with the objectives of the Design Lansing Comprehensive Plan; and

WHEREAS, the Planning Board held a public hearing on August 1, 2023 at which the applicant's representatives and 1 other person spoke in favor of the request and 5 persons spoke in opposition to the request; and

WHEREAS, the Planning Board, at its August 1, 2023, meeting, voted 5-1 to recommend approval of SLU-2-2023 for a special land use permit to authorize a sheltered care facility at 415 and 421 W. Kalamazoo Street; and

WHEREAS, the City Council held a public hearing regarding SLU-2-2023 on _____ 2023; and

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

NOW THEREFORE BE IT RESOLVED that the Lansing City Council hereby approves SLU-2-2023 for a special land use permit to authorize a sheltered care facility at 415 and 421 W. Kalamazoo Street.

BE IT FURTHER RESOLVED that this Special Land Use permit shall remain in effect only so long as the petitioner fully complies with this resolution, and if the petitioner fails to comply, the Special Land Use permit may be terminated by City Council Resolution.

BE IT FINALLY RESOLVED that in granting this request, the City Council determines the following:

1. The proposed shelter is anticipated to be harmonious with the character of adjacent properties and surrounding uses.
2. The proposed shelter will not change the essential character of the area.

3. There is no evidence that the proposed shelter will interfere with the enjoyment of adjacent properties.
4. The proposed shelter does represent an improvement to the property as it allows for adaptive reuse of two vacant office buildings.
5. The proposed shelter will not generate any nuisances or hazardous conditions.
6. The proposed shelter can be adequately served by public services and utilities, although some upgrades to the utility systems may be required to accommodate the increased usage generated by the proposed shelter.
7. Whether the proposed shelter will place demands on public services and facilities in excess of current capacities, resulting in the need for expansions/upgrades thereto, will be determined during the site plan review process.
8. The proposed shelter is consistent with the goals of the Zoning Code and the Design Lansing Comprehensive Plans.
9. There are no dimensional requirements that apply to this request.

Development and Planning. Reviews economic development matters, E.D.C. projects and the five-year plan covering development goals, policies, services and overall direction; reviews all matters having to do with land use, including zoning, plats and historical designations; reviews proposed modifications to the Master Plan; reviews acquisition and disposition of public property; and reviews changes to the CDBG programming.

CURRENT BUDGET PRIORITIES FOR FY 2023/2024

BE IT FURTHER RESOLVED, the **Committee on Development and Planning** has established the following priorities:

1. \$80,000: (1) FTE Financial Empowerment Employee; RE: Focus on Small Business, Minority Businesses; Female Owned Businesses
2. \$215,000: Reactivation of the Façade Improvement Grant Program
3. \$50,000: Analysis of Facade Improvement Grant Program to include Return on Equity Report on Previous Façade Grants provided to small businesses
4. \$40,000: 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.