

**REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF LANSING, MICHIGAN
TONY BENAVIDES LANSING CITY COUNCIL CHAMBERS
LANSING CITY HALL, 10TH FLOOR
124 W. MICHIGAN AVENUE**



AGENDA FOR JANUARY 27, 2020

TO THE HON. MAYOR AND MEMBERS OF THE CITY COUNCIL:

The following items were listed on the agenda in the City Clerk's Office in accordance with Section 3-103(2) of the City Charter and will be ready for your consideration at the regular meeting of the City Council on Monday, January 27 at 7:00 p.m. at the Tony Benavides Lansing City Council Chambers, 10th Floor, City Hall.

- I. ROLL CALL**
- II. MEDITATION AND PLEDGE OF ALLEGIANCE**
- III. READING AND APPROVAL OF PRINTED COUNCIL PROCEEDINGS**
Approval of the Printed Council Proceedings of January 13, 2020
- IV. CONSIDERATION OF LATE ITEMS** (Suspension of Council Rule #9 is needed to allow consideration of late items. Late items will be considered as part of the regular portion of the meeting to which they relate.)
- V. TABLED ITEMS**
- VI. SPECIAL CEREMONIES**
- VII. COMMENTS BY COUNCIL MEMBERS AND CITY CLERK**
- VIII. COMMUNITY EVENT ANNOUNCEMENTS** (Time, place, purpose, or definition of event – 1 minute limit)
- IX. SPEAKER REGISTRATION FOR PUBLIC COMMENT ON LEGISLATIVE MATTERS**
- X. MAYOR'S COMMENTS**
- XI. SHOW CAUSE HEARINGS**
- XII. PUBLIC COMMENT ON LEGISLATIVE MATTERS** (Legislative matters consist of the following items on the agenda: public hearings, resolutions, ordinances for introduction, and ordinances for passage. The public may comment for up to three minutes. *Speakers must sign up on **blue** form.*)
- XIII. COUNCIL CONSIDERATION OF LEGISLATIVE MATTERS**
 - A. REFERRAL OF PUBLIC HEARINGS**
 - B. CONSENT AGENDA**

1. BY COUNCIL MEMBERS BETZ, DUNBAR, GARZA, HUSSAIN, JACKSON, SPADAFORE, SPITZLEY, WOOD
 - a. Tribute; in recognition of Lansing Alumnae Chapter of Delta Sigma Theta Sorority annual Red & White Affair "Diamond Jubilee" (PEND-1449)
 - b. Tribute; in recognition of Bryan Sturdivant (PEND-1450)
2. BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
 - a. Confirmation of Appointment; James McClurken as an At-Large Member of the Historic District Commission for a term to expire June 30, 2022 (PEND-1335)
 - b. Confirmation of Reappointment; Josh Hovey as the Planning Board Representative member of the Board of Zoning Appeals for a term to expire June 30, 2021 (PEND-1364)
3. BY THE COMMITTEE OF THE WHOLE
 - a. Confirmation of Appointment; Nathan Triplett as a City of Lansing member of the Capital Area Transportation Authority Board for a term to expire September 30, 2021 (PEND-1392)
 - b. Confirmation of Appointment; Michael Redding as an At-Large Member of the Board of Review for a term to expire June 30, 2021 (PEND-1431)
 - c. Amendment to the Articles of Incorporation of the Lansing Entertainment and Public Facilities Authority (PEND-1415)
 - d. Council Rule Revisions; Amend Rule 4, Appointment of Committee Members; Creation of Ad-Hoc Committees and Rule 10, Consent Agenda (per Council Rule #41, motion may be considered for adoption, introduced at previous Council meeting) (PEND-1428)
4. BY PRESIDENT SPADAFORE
 - a. 2020 Council Committees (PEND-1447)
 - b. Establishment of the Ad Hoc Committee on Housing & Resident Safety (PEND-####)
 - c. Establishment of the Ad Hoc Committee on Policy Review and Modernization (PEND-####)

C. RESOLUTIONS FOR ACTION

1. BY THE COMMITTEE ON WAYS AND MEANS

- a. Grant Acceptance; National League of Cities, Addressing Fines & Fees Equitably (PEND-1425)
- b. Grant Acceptance; Lansing Parks and Recreation in cooperation with Lansing Police Department as recipient of Project Safe Neighborhood Grant (PEND-1369)
- c. Grant Acceptance; Lansing Police Department, Project Safe Neighborhoods Grant (PEND-1422)
- d. Grant Acceptance; Lansing Police Department (LPD) as a sub recipient of Michigan State Police Byrne Justice Assistance Grant (JAG) (PEND-1367)
- e. Grant Acceptance; Lansing Police Department (LPD) as recipient of this 2019 Justice Assistance Grant (JAG) (PEND-1383)

D. REPORTS FROM COUNCIL COMMITTEES

E. ORDINANCES FOR INTRODUCTION and Setting of Public Hearings

F. ORDINANCES FOR PASSAGE

XIV. SPEAKER REGISTRATION FOR PUBLIC COMMENT ON CITY GOVERNMENT RELATED MATTERS

XV. REPORTS OF CITY OFFICERS, BOARDS, AND COMMISSIONS; COMMUNICATIONS AND PETITIONS; AND OTHER CITY RELATED MATTERS (Motion that all items be considered as being read in full and that the proper referrals be made by the President)

A. REPORTS FROM CITY OFFICERS, BOARDS, AND COMMISSIONS

- 1. Letter(s) from the City Clerk re:
 - a. Minutes of Boards, Commissions, and Authorities placed on file in the Clerk's Office
 - b. City of Lansing 2019 Annual Report
 - c. Police and Fire Retirement System and the Employees Retirement System Actuarial Valuation for Funding and Contributions as of December 31, 2018
- 2. Letter(s) from the Mayor re:
 - a. Fee; City Market Rental (PEND-1451)
 - b. Z-9-2019; 3440 N. East Street, Conditional Rezoning from "F" Commercial District to "G-2" Wholesale District (PEND-1437, 1439)

- c. Z-8-2019; 5400 S. Cedar Street, Rezoning from "F" Commercial & "J" Parking Districts to "G-2" Wholesale District (PEND-1440, 1441)
- d. SLU-3-2019; 1315 Massachusetts Avenue, Parking Lot in the "B" Residential Zoning District (PEND-1443, 1445)

B. COMMUNICATIONS AND PETITIONS, AND OTHER CITY RELATED MATTERS

- 1. Claim Appeal; Claim #1756, Curtis and Rosemary Renshaw for \$4,955 in trash fees at 1320 Vermont Ave.

XVI. MOTION OF EXCUSED ABSENCE

XVII. REMARKS BY COUNCIL MEMBERS

XVIII. REMARKS BY THE MAYOR OR EXECUTIVE ASSISTANT

XIX. PUBLIC COMMENT ON CITY GOVERNMENT RELATED MATTERS (City government related matters are issues or topics relevant to the operation or governance of the city. The public may comment for up to three minutes. Speakers must sign up on yellow form.)

XX. ADJOURNMENT



CHRIS SWOPE, CITY CLERK

Persons with disabilities who need an accommodation to fully participate in this meeting should contact the City Clerk's Office at (517) 483-4131 (TDD (517) 483-4479). 24 hour notice may be needed for certain accommodations. An attempt will be made to grant all reasonable accommodation requests.

BY COUNCIL MEMBERS BETZ, DUNBAR, GARZA, HUSSAIN,
JACKSON, SPADAFORE, SPITZLEY AND WOOD
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Delta Sigma Theta Sorority, Inc. is a private, non-profit organization whose purpose is to provide assistance and support through the sorority's established programs; Educational Development, Economic Development, Health Education and Promotion, Support for Disadvantaged, and Marginalized and Underserved Populations; and

WHEREAS, the members of the Lansing Alumnae Chapter of Delta Sigma Theta Sorority have been actively involved in a wide variety of public service projects for the Lansing community including Delta Teen Summit, World Aids Day, and Mental Health Awareness; and

WHEREAS, the program has provided over \$100,000 in scholarships to individuals graduating from the Lansing area high schools for more than fifty (50) years; and

WHEREAS, the Lansing Alumnae Chapter of Delta Sigma Theta Sorority annual Red & White Affair "Diamond Jubilee" will be held on February 8, 2020; and

WHEREAS, the Red & White Affair "Diamond Jubilee" event serves as an annual fundraising celebration of the Lansing Alumnae Chapter of Delta Sigma Theta Sorority's continued commitment and service to the greater Lansing community.

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council acknowledges the Lansing Alumnae Chapter of Delta Sigma Theta Sorority's annual Red & White Affair "Diamond Jubilee", while celebrating sixty years of community service, and expresses its appreciation to its members for their continued commitment to the City of Lansing and its residents. We wish you continued success in all your future endeavors.

BY COUNCIL MEMBERS BETZ, DUNBAR, GARZA, HUSSAIN,
JACKSON, SPADAFORÉ, SPITZLEY AND WOOD
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Calvin E. Sturdivant Memorial Black History program, in its 7th year, annually recognizes Calvin for his years of work at Fisher Body and years with the local UAW where he received the Pioneer is Change Award for opening advocacy for African Americans to be hired into skilled trade jobs; and

WHEREAS, in 2020 the event will honor and remember Bryan Lynn Sturdivant, the late Calvin Sturdivant and his wife Irene's second oldest son; and

WHEREAS, Bryan was born July 5, 1956 and lived his life in Lansing attending Main Street School, Hannah Middle School and went onto study broadcasting at Lansing Community College; and

WHEREAS, Bryan was a strong supporter of the Friendship House of Prayer where he was involved in Heralds of Faith Choir, the Male Chorus and the Men's Worship in Dance ministry.

BE IT RESOLVED, Lansing City Council hereby recognizes Bryan Sturdivant for his endless efforts and strong supporter of his father's Memorial Black History program during his lifetime and send our sincere condolences to his family and friends who will cherish his memory along with his fathers, Calvin E. Sturdivant, at this annual event.

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

WHEREAS, the Mayor made the appointment of James McClurken, 1348 Cambridge Road, Lansing, MI 48911 as an At-Large Member of the Historic District Commission for a term to expire June 30, 2022;

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

WHEREAS, the Committee on Development & Planning met on January , 2020 and took affirmative action;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms James McClurken, 1348 Cambridge Road, Lansing, MI 48911 as an At-Large Member of the Historic District Commission for a term to expire June 30, 2022.

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BY THE COMMITTEE _____
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor made the reappointment as stated below:

Board of Zoning Appeals:

Josh Hovey as a Planning Board Representative Member for a term to expire June 30, 2021;

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

WHEREAS, the Committee _____ took affirmative action;

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

Board of Zoning Appeals:

Josh Hovey as a Planning Board Representative Member for a term to expire June 30, 2021.

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor made the appointment of Nathan A. Triplett, 1601 Osborn Road, Lansing, MI 48915 as a City of Lansing Member of the Capital Area Transportation Authority (CATA) Board for a term to expire September 30, 2021;

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

WHEREAS, the Committee of the Whole met on January 27, 2020 and took affirmative action;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms Nathan A. Triplett, 1601 Osborn Road, Lansing, MI 48915 as a City of Lansing Member of the Capital Area Transportation Authority (CATA) Board for a term to expire September 30, 2021.



BY THE COMMITTEE _____
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor made the appointment of Michael Redding, 3522 Karen Street, Lansing, MI 48911 as an At-Large Member of the Board of Review for a term to expire June 30, 2021;

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

WHEREAS, the Committee _____ took affirmative action;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms Michael Redding, 3522 Karen Street, Lansing, MI 48911 as an At-Large Member of the Board of Review for a term to expire June 30, 2021.

RESOLUTION # _____

BY THE COMMITTEE _____
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

RESOLUTION AMENDING THE ARTICLES OF INCORPORATION OF THE LANSING
ENTERTAINMENT AND PUBLIC FACILITIES AUTHORITY

WHEREAS, the City Council (The "Council") of the City of Lansing, Counties of Ingham and Eaton, State of Michigan (The "City") has previously incorporated the Lansing Entertainment and Public Facilities Authority (the "Authority") pursuant to the provisions of Act 31, Public Acts of Michigan, 1948 (First Extra Session), as amended ("Act 31") and has adopted Articles of Incorporation of the Authority; and

WHEREAS, the City Council deems it advisable and in the best interest of the City to amend Article V, Section 1 of the Articles of Incorporation of the Authority in order to provide for an equal term of office for all the voting Commissioners who serve on the Authority's Board of Commissioners; to eliminate the reservation that one Commissioner be a vendor of the Lansing City Market; and to provide for a Commissioner from the Greater Lansing Convention & Visitors Bureau.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Article V. Section 1 of the Articles of Incorporation of the Authority is hereby amended to read in its entirety as shown in the attached Third Amendment to the Articles of Incorporation.
2. The Third Amendment to the Articles of Incorporation of the Lansing Entertainment and Public Facilities Authority is hereby approved and adopted. The Mayor and City Clerk of the City are hereby authorized and requested to execute the Third Amendment to the Articles of Incorporation of the Lansing Entertainment and Public Facilities Authority for and on behalf of the City.
3. The City Clerk shall cause a copy of the Third Amendment to the Articles of Incorporation of the Lansing Entertainment and Public Facilities Authority to be published once in the *Lansing State Journal* or the *Lansing City Pulse*, being a newspapers circulated within the City as provided by Act 31, such publication to be accompanied by a notice that valid amendment of the Articles of Incorporation of the Lansing Entertainment and Public Facilities Authority shall be conclusively presumed unless questioned in a court of competent jurisdiction as proved in Act 31.
4. The City Clerk shall file a certified copy of the executed Third Amendment to the Articles of Incorporation of the Authority with the county Clerk of the County of Ingham, the county Clerk of the County of Eaton, and the Secretary of State of the State of Michigan, together with a certificate stating the date and newspaper of publication of the Third Amendment to the Articles of

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Incorporation. The City Clerk is hereby authorized and directed to file the originally executed Third Amendment to the Articles of Incorporation with the recording secretary of the Authority, and to take such steps as are necessary under the provisions of the state law to perfect the amendment of said articles.

5. All other resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded.

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, pursuant to Rule 41 of the Lansing City Council Rules, a proposed rule revision shall be placed on the Council Agenda for Council receipt and review, but “shall not be considered for adoption sooner than the next council meeting;”

THEREFORE BE IT RESOLVED that the City Council hereby amends the City Council Rules 4 and Rule 10 as fully set forth below.

LANSING CITY COUNCIL RULE

(Rule amendment introduced January 13, 2020, and to be considered for adoption January 27, 2020)

Rule 4. Appointment of Committee Members; Creation of Ad-Hoc Committees. The President shall appoint all Council Members to the standing committees, any Council Ad-Hoc Advisory Committee and to any outside agency (see Section 3-102.6 of the City Charter). The President shall appoint the Chairperson and Vice-Chairperson of each standing committee and any ad-hoc advisory committee. Each standing committee of City Council shall consist of three Council Members-, **EXCEPT THE COMMITTEE ON DEVELOPMENT AND PLANNING WHICH SHALL CONSIST OF NOT MORE THAN FOUR COUNCIL MEMBERS FOR 2020. SHOULD ANY ISSUE REFERRED TO A FOUR MEMBER COMMITTEE RESULT IN A TIE VOTE, THE ISSUE SHALL AUTOMATICALLY BE REFERRED TO THE COMMITTEE OF THE WHOLE, AND THE STANDING COMMITTEE SHALL BE DISCHARGED OF THAT ISSUE.** The President may, at his or her discretion, create or discharge any ad-hoc advisory committees.

Rule 10. Consent Agenda. In preparing the agenda, the Clerk's office **WILL DETERMINE WHICH MATTERS ON THE AGENDA ARE CONSIDERED ROUTINE MATTERS AND SHALL PLACE ALL** ~~shall place all Legislative Matters, except for those requiring more than five votes or a roll call vote,~~ **ROUTINE MATTERS** on the Consent Agenda.

All ~~Legislative~~ **ROUTINE** Matters on the Consent Agenda may be acted upon in one vote; provided, however, that any Council member may identify specific items that are not to be included in the single Consent Agenda vote, but which are to be discussed and voted upon separately. These items shall be removed from the Consent Agenda. Items removed from the Consent Agenda are to be considered as part of the regular portion of the meeting to which they relate.

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impact statements developed on proposed actions; and reviews and develops policy recommendations on City financial and budget matters.

Council Personnel. This Committee shall be comprised of four members and shall include the Council President, the Council Vice President, one at-large Councilperson, and one ward Councilperson. The Vice President shall serve as Chair of the Committee.

The Committee on Council Personnel shall consider, study and recommend with respect to the following Council staff matters: Recruitment; selection; discipline; performance evaluations; job descriptions; policy and procedure manual development; any other personnel matter referred to it by the Council.

2019 Ad Hoc on Housing and Resident Safety. Reviews current ordinances and policies to address and assist residents in housing safety and tenant issues. The Committee will meet with stakeholders, community members and city staff and report recommendations to the Committee of the Whole no later than September 1, 2020.

2019 Ad Hoc on Policy Review and Modernization. Review ordinances and city policies over which City Council has jurisdiction to determine if they are clear, up to date, and comport with current practices and resource realities. The Committee will report recommendations to the Committee of the Whole no later than September 1, 2020.

WHEREAS, the 2020 Standing Committee Chairperson, Vice Chairperson and Members shall be read into the record as listed below:

- Committee of the Whole: Peter Spadafore (C), Adama Hussain (VC), (OTHERS)
- General Services: Adam Hussain (C), Carol Wood (VC), Jeremy Garza
- Intergovernmental Relations: Peter Spadafore (C), Brandon Betz (VC), Kathie Dunbar
- Public Services: Kathie Dunbar (C), Patricia Spitzley (VC), Peter Spadafore
- Public Safety: Jeremy Garza (C), Carol Wood (VC), Brian Jackson
- Development and Planning: Patricia Spitzley (C), Jeremy Garza (VC), Brandon Betz, Adam Hussain
- Ways and Means: Carol Wood (C), Peter Spadafore (VC), Brian Jackson
- Personnel: Adam Hussain (C), Peter Spadafore (VC), Carol Wood, Jeremy Garza

BE IT FINALLY RESOLVED, that the Lansing City Council approves the 2020 Council President's appointments listed above.

THIS ITEM NOT AVAILABLE AT TIME OF PRINT

BY THE COMMITTEE ON WAYS AND MEANS RESOLVED BY THE CITY
COUNCIL OF THE CITY OF LANSING

WHEREAS, The City of Lansing was selected on July 1, 2019 to receive a Round 1 National League of Cities / JP Morgan Chase and Co. grant for “Cities Addressing Fines and Fees Equitably” in the amount of \$10,000 (See Resolution 2019-243); and

WHEREAS, The City of Lansing was to receive additional funding for this grant (Round 2) in the amount of \$30,000; and

WHEREAS, the National League of Cities / JP Morgan Chase and Co. grant was the result of a competitive proposal process, and the Round 2 proposal was submitted by the Office of Financial Empowerment on November 12, 2019, approved on December 2, 2019, and will be received upon approval by Council and signed agreement;

WHEREAS, The National League of Cities / JP Morgan Chase and Co. grant supports the assessment and reforming of municipal fines and fees; and

WHEREAS, the National League of Cities awarded \$30,000.00 to the City of Lansing’s Office of Financial Empowerment; and

WHEREAS, the award for \$30,000.00 does not require a local match;

NOW, THEREFORE, BE IT RESOLVED, The Lansing City Council approves acceptance of the National League of Cities / JP Morgan Chase and Co. in the total amount of \$30,000.00 for the grant period beginning at council approval and ending May 29, 2020 for the City of Lansing.

BE IT FINALLY RESOLVED, The Administration is authorized to create appropriate accounts and to make the necessary operating transfers for the expenditure and control of the balance of the grant funds.

Approved for Placement on City Council Agenda

Jim Smiertka, City Attorney

Date: _____

BY THE COMMITTEE ON WAYS AND MEANS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Battle Creek Community Foundation and the U.S. Attorney's Office of the Western District of Michigan through Project Safe Neighborhoods Task Force Community Project Fund has available funding for reducing gun violence, improving neighborhoods, reducing crime and promoting neighborhood safety; and

WHEREAS, the grant will be used to facilitate a Teen Basketball Program; and

WHEREAS, the grant will be carried through by Lansing Parks and Recreation in cooperation with Lansing Police Department; and

WHEREAS, the total grant awarded is \$36,834.54; and

WHEREAS, the purpose of the program is to provide a safe place for youth to gather and become engaged in positive activities;

NOW, THEREFORE BE IT RESOLVED that the City Council approves the acceptance of the Grant from the Project Safe Neighborhoods Task Force Community Project Fund in the amount of \$36,835.54 for October 30, 2019 through October 30, 2020; and

BE IT FINALLY RESOLVED, that, the Administration is authorized to create appropriate accounts and to make the necessary appropriations and transfers for the expenditure and control of the balance of the grant funds.

BY THE COMMITTEE ON WAYS AND MEANS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Battle Creek Community Foundation and the U.S. Attorney's Office of the Western District of Michigan through Project Safe Neighborhoods Task Force Community Project Fund has available funding for reducing gun violence, improving neighborhoods, reducing crime and promoting neighborhood safety; and

WHEREAS, the Lansing Police Department was informed on December 30, 2019, that it has been selected to receive funding in the amount of \$25,194.70; and

WHEREAS, local match funds are not required; and

WHEREAS, the grant will be used for community policing engagement opportunities such as LPD & Me Workshop, Hoop It Up, Neighborhood Watch, and other community engagement opportunities; and

WHEREAS, the total grant awarded is \$25,194.70; and

NOW, THEREFORE, BE IT RESOLVED, the Lansing City Council approves acceptance of the Grant from the Project Safe Neighborhoods Task Force Community Project Fund in the amount of \$25,194.70 for December 30, 2019 through December 30, 2020; and

BE IT FINALLY RESOLVED, that the Administration is authorized to create appropriate accounts and to make the necessary operating transfers for the expenditure and control of the balance of the awarded grant funds.

BY THE COMMITTEE ON WAYS AND MEANS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Lansing Police Department has submitted application to the Michigan State Police (MSP) , Grants and Community Services Division for funding to be utilized for Lansing Police Technology Enhancements; and

WHEREAS, the Lansing Police Department was informed on October 11, 2019, that it has been selected to receive funding in the amount of \$133,200; and

WHEREAS, local match funds are not required; and

WHEREAS, the Lansing Police Department (LPD) will be a sub recipient of MSP for this Byrne Justice Assistance Grant (JAG); and

WHEREAS, the designated Lansing Police Technology Enhancements will include video analytics software (\$101,250) and video process server hardware (\$31,950), which will greatly increase LPD's real time crime center efficiency;

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council approves acceptance of the State of Michigan Byrne JAG grant in the amount of \$133,200 for the program period (October 1, 2019 through September 30, 2020) for the purposes of purchasing software and hardware to be used for real-time crime technology enhancement; and

BE IT FINALLY RESOLVED, the Administration is authorized to receive the funds, create the necessary accounts, and make necessary transfers for administration in accordance with the requirements of the grantor.

BY THE COMMITTEE _____
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing Police Department (LPD) submitted a 100% Federally-funded multi-jurisdiction grant application (#2019-H4474-MI-DJ) to the Office of Justice Programs, U.S. Bureau of Justice Assistance for a four-year Justice Assistance Grant (JAG); and

WHEREAS, the LPD JAG application was endorsed by Ingham County, and was accepted by the Bureau of Justice Assistance (award # 2019-DJ-BX-0939); and

WHEREAS, the JAG grant is a cooperative plan with Ingham County; and

WHEREAS, the Bureau of Justice Assistance will award \$116,680.00 to be split \$105,454.00 to the City of Lansing and \$11,226.00 to the County of Ingham; and

WHEREAS, this federal award of \$116,680.00 requires no local match from either of the local agencies; and

WHEREAS, the Lansing Police Department will utilize its share of the JAG grant to fund redaction software and uniform upgrade which are items necessary to increase LPD's law enforcement efficiencies and capabilities;

NOW, THEREFORE, BE IT RESOLVED, the Lansing City Council approves acceptance of the multi-agency 2019 Justice Assistance Grant in the total amount of \$116,680.00 (requiring no local match) for the grant period beginning October 1, 2018 and ending September 30, 2022; and

BE IT FINALLY RESOLVED, the Administration is authorized to create appropriate accounts and to make the necessary operating transfers for the expenditure and control of the balance of the grant funds.

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Chris Swope
Lansing City Clerk

January 24, 2020

Members of the Lansing City Council
10th Floor City Hall
Lansing, MI 48933

Dear Councilmembers:

The Minutes from the Meetings of the following Boards, Commissions, and Authorities of the City of Lansing were placed on file in the City Clerk's Office and are available for review in the City Clerk's Office and at the following website:
<http://lansingmi.gov/AgendaCenter>

BOARD NAME

DATE OF MEETING

Lansing Economic Development Corporation
Lansing Brownfield Redevelopment Authority
Tax Increment Financing Authority

December 6, 2019
December 6, 2019
December 6, 2019

If my staff or I can provide further assistance or information relative to the filing of these minutes, please contact us at 483-4131.

Sincerely,

A handwritten signature in cursive script that reads "Chris Swope".

Chris Swope, CMC, CMMC
Lansing City Clerk



Chris Swope
Lansing City Clerk

January 24, 2020

President and Council Members
10th Floor City Hall
Lansing, MI 48933

Dear President and Council Members:

My office has received and placed on file:

City of Lansing 2019 Annual Report

This document is available for review at the office of the City Clerk or at <http://www.lansingmi.gov/clerk> under the heading of Documents Placed on File.

Sincerely,

Chris Swope, CMC
Lansing City Clerk



Chris Swope
Lansing City Clerk

January 24, 2020

President and Council Members
10th Floor City Hall
Lansing, MI 48933

Dear President and Council Members:

My office has received and placed on file:

The Police and Fire Retirement System and the Employees' Retirement System Actuarial Valuation for Funding and Contributions as of December 31, 2018

This document is available for review at the office of the City Clerk or at <http://www.lansingmi.gov/clerk> under the heading of Documents Placed on File.

Sincerely,

A handwritten signature in black ink that reads "Chris Swope".

Chris Swope, CMC
Lansing City Clerk

BY THE COMMITTEE ON WAYS AND MEANS

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, fees for services are to be approved by Lansing City Council; and

WHEREAS, administration is submitting fees for consideration and approval for rental of Lansing City Market and Plaza as an event venue which will begin prior to the new fiscal year; and

WHEREAS, the Parks and Recreation Department desires to provide access to Lansing City Market and Plaza for events to residents of Lansing and non-residents of Lansing; and

WHEREAS, the Parks and Recreation Department desires to offer this service at fees that recover the costs of providing the event venue;

WHEREAS, the new fees proposed are to compensate the Department of Parks and Recreation and offset the costs involved in providing a new event venue.

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council approves the fee schedule as stated below in this resolution, effective on the date of passage of this resolution for rental of Lansing City Market and Plaza:

BE IT FINALLY RESOLVED, the proposed fees are as follows:

LANSING CITY MARKET PROPOSED FEES:

	<u>Proposed fee</u>
City Market and Plaza	\$200.00 Per Hour Resident/Non-Resident
Conditional Refundable Deposit	\$500.00

INTRODUCTION OF ORDINANCES

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

Z-9-2019: 3440 N. East Street, Rezoning from “F” Commercial District to “G-2”
Wholesale District, with a condition restricting the allowable uses

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

BY THE COMMITTEE ON DEVELOPMENT & PLANNING

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, _____, 2020, at 7 p.m. in City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of approving and/or opposing the Ordinance for rezoning:

Z-9-2019: 3440 N. East Street, Rezoning from “F” Commercial District to “G-2”
Wholesale District, with a condition restricting the allowable uses

CITY OF LANSING
NOTICE OF PUBLIC HEARING

Z-9-2019, 3440 N. East Street

Rezoning from “F” Commercial District to “G-2” Wholesale District

The Lansing City Council will hold a public hearing on Monday, 2020 at 7:00 p.m. in Council Chambers, 10th Floor, Lansing City Hall, 124 W. Michigan Avenue, Lansing, Michigan to consider Z-9-2019. This is a request by Jeffrey & Sheryl Landgraf to rezone the property at 3440 N. East Street from “F” Commercial District to “G-2” Wholesale District, with a condition restricting the allowable uses. The purpose of the rezoning is to permit a medical marijuana safety compliance facility on the subject property.

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, , 2020 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

ORDINANCE # _____

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

The City of Lansing ordains:

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

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

Case Number: Z-9-2019

Parcel Number's: 33-01-01-03-102-002

Address: 3440 N. East Street

Legal Descriptions: Lots 7 & 8, Woodlawn Subdivision, City of Lansing, Ingham County, MI, from "F" Commercial District to "G-2" Wholesale District, with a condition prohibiting the property from being used for any purpose involving marijuana with the exception of a safety compliance facility, which condition shall run with the land and be binding upon the successor owners of the land.

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

Section 3. This ordinance was duly adopted by the Lansing City Council on _____, 2020, and a copy is available in the office of the Lansing City Clerk, 9th Floor, City Hall, 124 W. Michigan Avenue, Lansing, MI 48933.

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

GENERAL INFORMATION

APPLICANT/OWNER: Jeffrey & Sheryl Landgraf
FTZ Laboratories, LLC
110 N. Market Street
Dewitt, MI 48820

REQUESTED ACTIONS: Rezone 3440 N. East Street from "F" Commercial District to
"G-2" Wholesale District, with a condition restricting the
allowable uses

EXISTING LAND USE: 858 Square Foot Office Building

EXISTING ZONING: "F" Commercial District

PROPOSED ZONING: "G-2" Wholesale District

PROPERTY SIZE: 94' x 115' = 10,810 square feet - .248 acres

SURROUNDING LAND USE: N: Commercial
S: Vacant
E: Single Family Residential
W: U-Haul

SURROUNDING ZONING: N: "F" Commercial & "J" Parking Districts
S: "F" Commercial District
E: "A" Residential District
W: "G-2" Wholesale District

MASTER PLAN: The Design Lansing Comprehensive Plan designates the
subject property for "Suburban commercial" land use. N.
East Street is designated as a principal arterial.

DESCRIPTION:

This is a request by Jeffrey & Sheryl Landgraf to rezone the property at 3440 N. East Street from "F" Commercial District to "G-2" Wholesale District, with a condition prohibiting the property from being used for any purpose involving marijuana with the exception of a safety compliance facility, which condition would run with the land and be binding upon the successor owners of the land. The purpose of the rezoning is to permit a medical marijuana safety compliance facility on the subject property.

AGENCY RESPONSES

BWL:	See attached
Fire Marshal:	No comments
Forestry:	No Forestry concerns
Parks & Recreation:	No comments.
Public Service:	Any significant changes to the site may require a site plan for review. Any significant changes to the sanitary flow from the site, either in content and quantity will need to be reviewed by this department.

COMPATIBILITY WITH SURROUNDING LAND USE:

The applicant is requesting a rezoning of the subject property to the "G-2" Wholesale District to allow for a medical marijuana safety compliance (testing) facility. Under the City's marijuana ordinance, safety compliance facilities are permitted only in the "G-2" Wholesale, "H" Light and "I" Heavy Industrial zoning districts. As evidenced by the attached map, the subject property is located in an area that has no consistent zoning or land use patterns. The site is surrounded by "A" residential zoning to the east, "F" Commercial zoning to the north and south and "G-2" Wholesale zoning to the west. Since the property to the west is already zoned "G-2", rezoning the subject property to the "G-2" district would not be considered a "spot zone", even though the sites are located on opposite sides of the street. In fact, the majority of the properties in the 3400 and 3500 blocks of the west side of N. East Street are currently zoned "G-2" Wholesale and thus, the proposed rezoning will be consistent with the general zoning pattern in the area.

The land uses in the area include offices, single family residential homes, various retail uses, vehicles sales/rentals, repair shops and storage facilities. Given the eclectic mix of existing land uses, it is not anticipated that the proposed medical marijuana safety compliance facility will be incompatible or disruptive to the surrounding area. Medical marijuana safety compliance facilities typically do not generate much traffic, noise, odors or other nuisances and do not involve hazardous materials that would be detrimental to the health, safety and welfare of the community. Such uses are generally in operation during normal business hours only, traffic is limited to employees or small delivery trucks and all activities are confined to the building with controls in place to prevent odors/fumes from emanating outside of the building.

COMPLIANCE WITH MASTER PLAN:

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

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

The Plan lists the following as “typical uses” for the “Suburban Commercial” land use category:

“General and convenience retail uses; medium-density residential in a suburban format (see Medium-Density Residential, above); office; **and light industrial with special approval.**”

The proposed safety compliance facility would qualify as a “light industrial” use and is therefore, consistent with the future land use being advanced in the master plan for the subject property. It is also consistent with some of the existing light industrial uses in the area such as storage facilities and repair shops.

IMPACT ON VEHICULAR AND PEDESTRIAN TRAFFIC:

The proposed rezoning will have no negative impacts on vehicular or pedestrian traffic. Safety compliance facilities typically generate a very low volume of traffic, particularly in comparison to most highway commercial uses such as gasoline stations, convenience stores, restaurants and other uses that would be permitted by right under the current “F” Commercial zoning. Traffic for testing facilities is generally limited to employees and small delivery trucks. Furthermore, since it is not a customer oriented business, it is not anticipated to generate any pedestrian traffic.

Primary access to the site will continue to be via N. East Street which is a principal arterial designed to carry a high volume of traffic. There is a secondary access to the site on Sanford Street but given the projected low volume of traffic for the safety compliance facility, additional traffic on the side street should be negligible.

IMPACT ON PUBLIC FACILITIES:

The site is already served by all necessary public facilities. No changes are proposed for the site that would have an impact on public facilities.

ENVIRONMENTAL IMPACT:

The proposed rezoning will have no impacts on the physical environment as the site is already developed and no changes are proposed at this time. New construction would require administrative site plan review at which time the site would have to be brought into compliance with all City codes and ordinance including those regulating storm water management.

If the rezoning is approved, the applicant will be required to obtain a building permit to change the use of the building at 3440 N. East Street from an office to a medical marijuana safety compliance facility. As part of the building permit process, the applicant will be required to disclose the type of hazardous chemicals that will be used, the quantity of said chemicals that will be stored in the building, how the materials will be stored and by what method they will be disposed of. The building will then be inspected to ensure compliance with all codes relating to the use and storage of hazardous chemicals.

IMPACT ON FUTURE PATTERNS OF DEVELOPMENT:

The applicant's request will not be disruptive to the development pattern in the area which is already characterized by a variety of land uses and zoning designations. The site is currently zoned "F" Commercial and the applicant is requesting that the site be rezoned to "G-2" Wholesale. The only significant differences between the 2 zoning districts is that the "G-2" Wholesale district permits, warehouses, storage and medical marijuana safety compliance facilities. The applicant's proposal to establish a medical marijuana safety compliance facility on the site is anticipated to be compatible with the adjoining residential land uses, particularly in comparison to many other uses that would be permitted by right under the current "F" Commercial zoning such as a fast food restaurant, gas station, car wash, or auto repair facility. Such uses would generate a high volume of traffic, activity beyond normal daytime business hours, light glare, noise, etc. that could be disruptive to the peaceful enjoyment of the adjoining houses to the east. The safety compliance facility, by contrast, will be quiet, generate very little traffic and all activity will be confined to the building. It is also not anticipated that the facility will generate fumes that can be detected outside of the building. If that were to occur, the City has an ordinance in place to take corrective action against the facility.

SUMMARY

This is a request by Jeffrey & Sheryl Landgraf to rezone the property at 3440 N. East Street from "F" Commercial District to "G-2" Wholesale District, with a condition prohibiting the property from being used for any purpose involving marijuana with the exception of a safety compliance facility, which condition would run with the land and be binding upon the successor owners of the land. The purpose of the rezoning is to permit a medical marijuana safety compliance facility on the subject property.

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

RECOMMENDATIONS

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

Z-9-2019 be approved to rezone the property at 3440 N. East Street from "F" Commercial District to "G-2" Wholesale District with a condition prohibiting the property from being used for any purpose involving marijuana with the exception of a safety compliance facility, which condition shall run with the land and be binding upon the successor owners of the land.

Respectfully Submitted,

Susan Stachowiak
Zoning Administrator



BOARD OF WATER AND LIGHT MEMO

December 26, 2019

TO: City of Lansing – Planning Department, Susan Stachowiak
FROM: Andy Baumgartner, Real Property Analyst, Legal Services, 517-702-6795
RE: Z-8-2017

BWL Electric: We have no comments or concerns.

**BWL Water & Steam Distribution:
Conditionally Approved**

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

- The proposed rezoning does not appear to impact existing BWL water facilities.
- Should the customer require changes to the water service to meet new zoning requirements, then the customer will be required to submit an application to the LBWL Utility Service Department at 517-702-6700. The customer will be required to enter a service agreement, meet LBWL requirements, and pay applicable fees prior to receiving service. Additional information can be found online at <http://www.lbwl.com/Commercial/Water-Services/Water-Service-Installation/>

Any questions about specific water service requirements may be directed to the LBWL Water Distribution Department; Jerrod Wade, via e-mail at: Jerrod.Wade@lbwl.com

BWL Water Operations: I have no comments or concerns. Randall Roost

BWL Environmental Wellhead Protection: Angie Goodman, Water Quality
We have no Wellhead Protection concerns in this area.

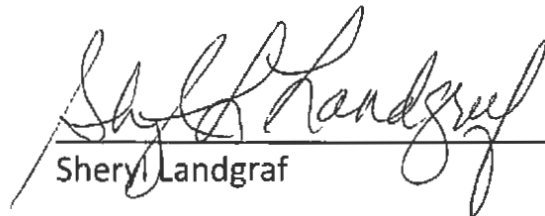
Jeff and Sheryl Landgraf

Z-9-2019 - Conditional Zoning for
3440 N. East Street, Lansing, MI 48906

Date: November 26, 2019

The undersigned, Jeff & Sheryl Landgraf, on behalf of FTZ Laboratories, LLC, being the owners of 3440 N. East Street, Lansing, MI 48906 and the applicants for the request (Z-9-2019) to rezone said property from "F" Commercial district to "G-2" Wholesale district, represents, offers, agrees and consents to a condition prohibiting the property from being used for any purpose involving marijuana with the exception of a safety compliance facility, which condition shall run with the land and be binding upon the successor owners of the land upon approval of Z-9-2019 by the Lansing City Council.

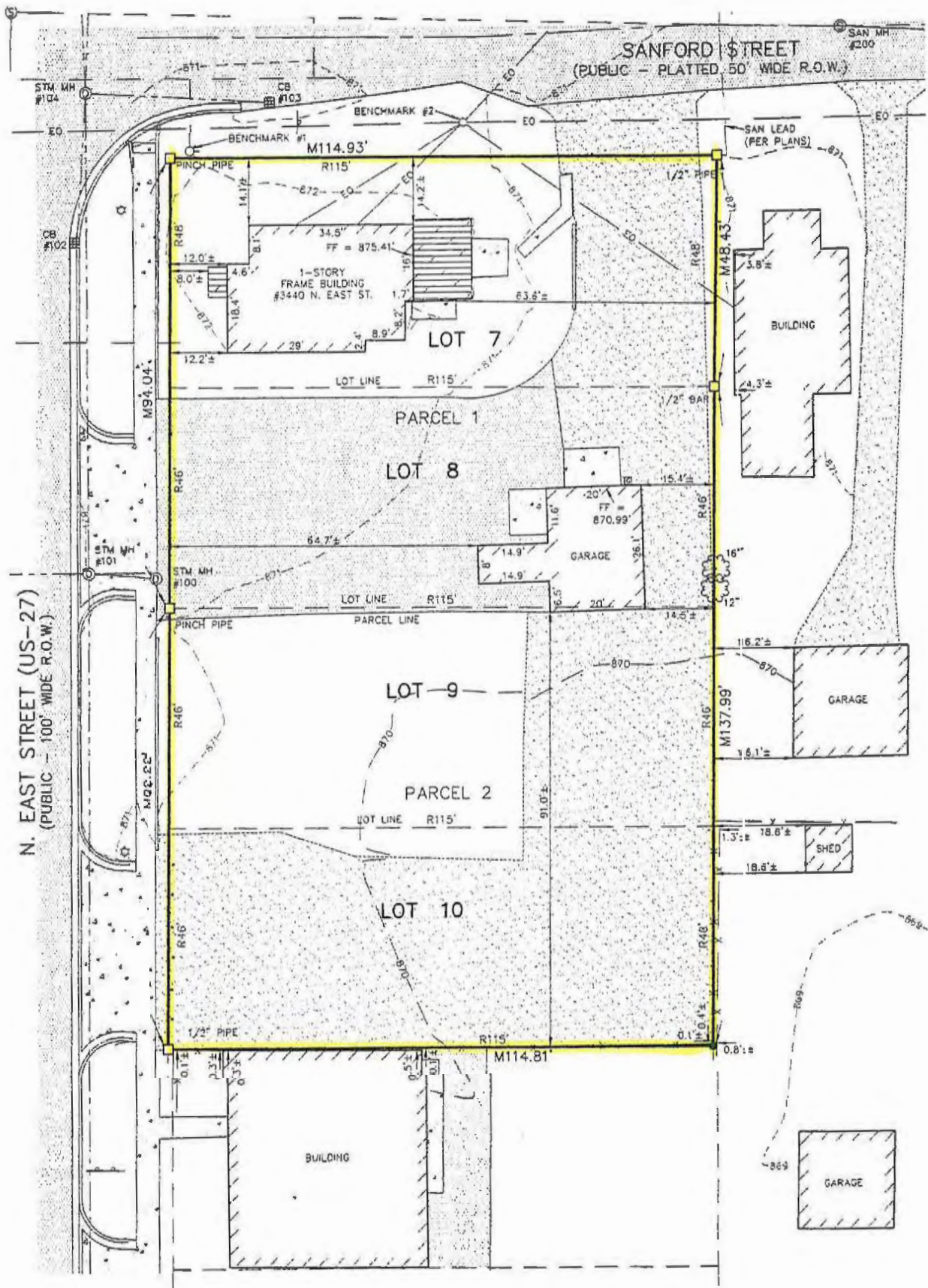
 11-26-19
Jeff Landgraf date

 11-26-19
Sheryl Landgraf date

SARAH A. STOLTZFUS
NOTARY PUBLIC - STATE OF MICHIGAN
COUNTY OF CLINTON
My Commission Expires January 19, 2022
Acting in the County of Clinton

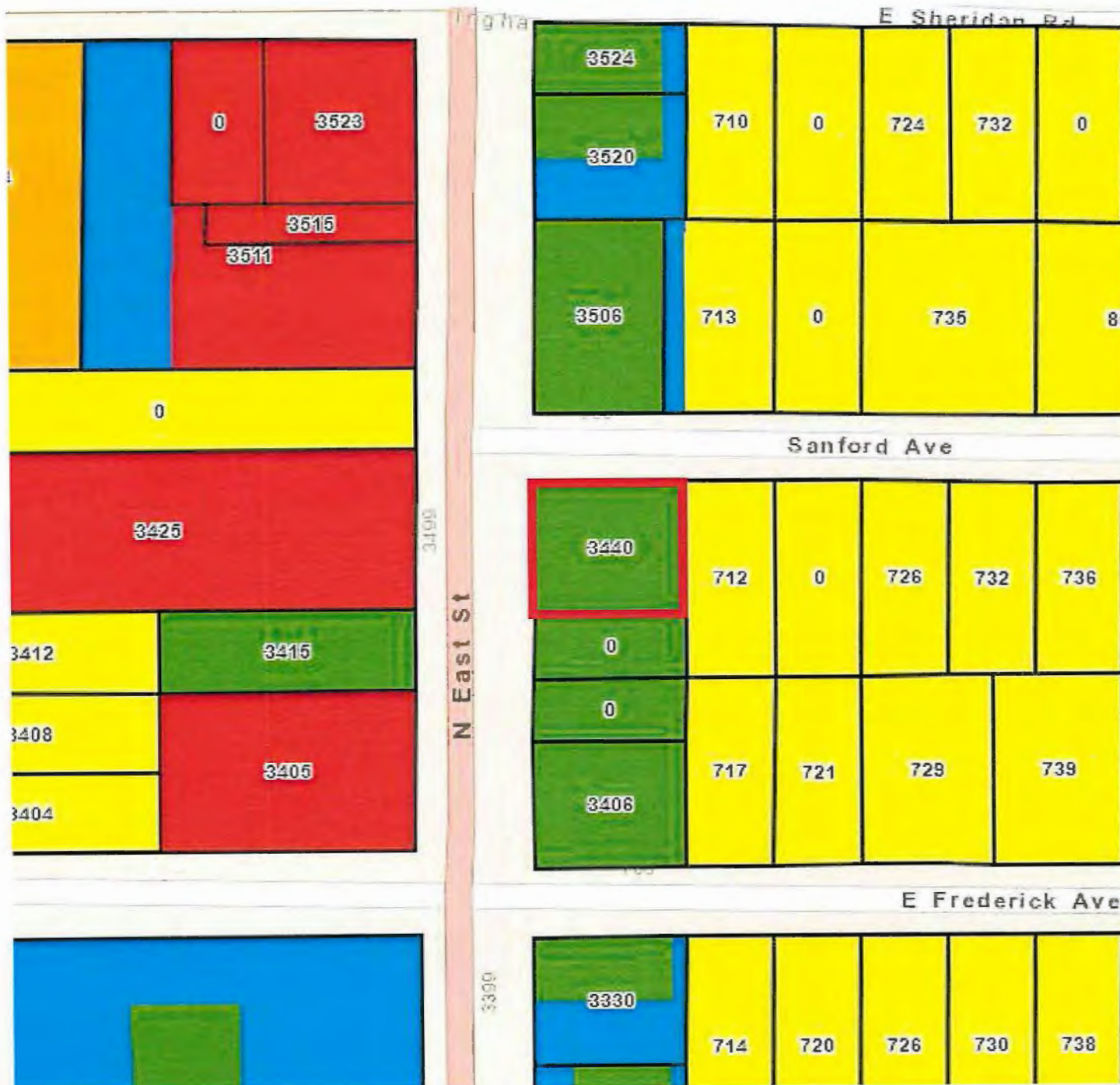
Notary public
Sign and seal


SARAH A. STOLTZFUS
01-19-2022
11-26-2019









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



INTRODUCTION OF ORDINANCES

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

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

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

BY THE COMMITTEE ON DEVELOPMENT & PLANNING

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, _____, 2020, at 7 p.m. in City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of approving and/or opposing the Ordinance for rezoning:

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

ORDINANCE # _____

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

The City of Lansing ordains:

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

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

Case Number: Z-8-2019

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

Address: 5400 S. Cedar Street

Legal Descriptions: Commencing 7 feet West of the Southeast Corner of Lot 7, Jolly-Cedar Plaza, Thence South 175.78 feet, Thence West 268 feet, Thence South 326 Feet to the North line of the Consumers Power right-of-way, West 645.64 feet, North 600 feet, East 405.33 feet, South 98.07 feet, East 506.14 feet to the point of beginning; Section 4, T3N R2W, from "F" Commercial & "J" Parking Districts to "G-2" Wholesale District with the following conditions which shall run with the land and are binding upon all future owners thereof:

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

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

Section 3. This ordinance was duly adopted by the Lansing City Council on _____, 2020, and a copy is available in the office of the Lansing City Clerk, 9th Floor, City Hall, 124 W. Michigan Avenue, Lansing, MI 48933.

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

CITY OF LANSING
NOTICE OF PUBLIC HEARING

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

The Lansing City Council will hold a public hearing on Monday, 2020 at 7:00 p.m. in Council Chambers, 10th Floor, Lansing City Hall, 124 W. Michigan Avenue, Lansing, Michigan to consider Z-8-2019. This is a request by Amerco Real Estate Company to rezone approximately 9.38 acres of the property at 5400 S. Cedar Street from “F” Commercial & “J” Parking Districts to “G-2” Wholesale District, with conditions requiring certain site improvements and restricting the allowable uses. The purpose of the rezoning is to permit the property to be used for self-storage, U-Haul truck and trailer sharing and a moving and storage retail store.

For more information, please call Lansing City Council at 517-483-4177. If you are interested in this matter, please attend the public hearing or send a representative. Written comments will be accepted between 8 a.m. and 5 p.m. on City business days if received before 5 p.m., Monday, , 2020 at the City Clerk’s Office, Ninth Floor, City Hall, 124 West Michigan Ave., Lansing, MI 48933 or email city.clerk@lansingmi.gov.

Chris Swope, City Clerk

GENERAL INFORMATION

APPLICANT: AMERICO Real Estate Company
2727 N. Central Avenue, Suite 500
Phoenix, AZ 85004

OWNER: A & W Greshenson
31500 Northwestern Hwy., Suite 100
Farmington Hills, MI 48334

REQUESTED ACTIONS: Rezone the property at 5400 S. Cedar Street (former K-Mart Building) from "F" Commercial & "J" Parking district to "G-2" Wholesale district

EXISTING LAND USE: Vacant Commercial Building

EXISTING ZONING: "F" Commercial & "J" Parking Districts

PROPOSED ZONING: "G-2" Wholesale District

PROPERTY SIZE: 9.380 +/- acres of the 11.43 +/- acre parcel– Irregular Shape

SURROUNDING LAND USE: N: Commercial/Vacant
S: Consumer's Energy Right-of-Way/Parking Lot
E: Commercial
W: Vacant

SURROUNDING ZONING: N: "F" Commercial District
S: "F" Commercial & "A" Residential Districts
E: "F" Commercial & "J" Parking Districts
W: "G-2" Wholesale District

MASTER PLAN: The Design Lansing Master Plan designates the subject property for "Community Mixed-Use Center". S. Cedar Street is designated as a major arterial.

DESCRIPTION:

This is a request by AMERICO Real Estate Company to rezone approximately 9.38 acres of the property at 5400 S. Cedar Street from "F" Commercial & "J" Parking Districts to "G-2" Wholesale District, with the following conditions:

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

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

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

The purpose of the rezoning is to permit the property to be used for self-storage, U-Haul truck and trailer sharing and a moving and storage retail store.

AGENCY RESPONSES

BWL:	See attached.
Building Safety:	The Building Safety Office has no objections. This project will be subject to site and building plan reviews as set forth by the State Construction Code Act
Parks & Recreation:	I have concerns about the sight lines for people using the pathway if the proposed storage unit goes to the road.
Public Service:	The use for proposed self-storage facility does not typically generate any significant sanitary flows that I'm aware of. Further, the redevelopment uses the existing building structure that would have had to have been served by bathroom facilities, so, historically, there would have been existing flows from the building. I believe this building would be connected to the 10-inch sanitary sewer in Cedar Street. Based on the above, it appears there are no sanitary service issues considering the info we have. Also, since there does not appear to be increased impervious areas (same building, etc.), stormwater requirements should not be an issue here.
Traffic Engineer:	No comments or requirements relative to the rezoning request.

REZONING ANALYSIS

COMPATIBILITY WITH SURROUNDING LAND USE:

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

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

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

COMPLIANCE WITH MASTER PLAN:

The Design Lansing Master Plan designates the subject property for Community Mixed-Use Center. The purpose of this district, as stated in the Plan, is to:

“Encourage the transformation of large commercial concentrations into mixed-use districts.”

The Plan recommends development that includes first floor retail uses clustered to create a shopping core with residentially-scaled structures (4-6 stories) on neighborhood edges.

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

IMPACT ON VEHICULAR AND PEDESTRIAN TRAFFIC:

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

IMPACT ON PUBLIC FACILITIES:

The proposed building and site improvements will require administrative site plan review, during which the drainage system as well as all other physical aspects of the property will be reviewed for compliance with all applicable City codes.

ENVIRONMENTAL IMPACT:

Reuse of the existing building for indoor, self-storage which will have no impact on the physical environment. The site is almost entirely covered by impervious surface which generates a great deal of storm water run-off. The applicant's proposal to remove a significant amount of pavement in and around the site to create landscape buffers will have positive impacts on the environment.

IMPACT ON FUTURE PATTERNS OF DEVELOPMENT:

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

SUMMARY

This is a request by AMERICO Real Estate Company to rezone the property at 5400 S. Cedar Street from "F" Commercial & "J" Parking Districts to "G-2" Wholesale District, with the following conditions:

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

The purpose of the rezoning is to permit the property to be used for self-storage, U-Haul truck and trailer sharing and a moving and storage retail store.

RECOMMENDATION

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

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

Respectfully Submitted,

**Susan Stachowiak
Zoning Administrator**

AMERCO[®]

REAL ESTATE COMPANY

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

Project Narrative

AMERCO Real Estate Company (AREC) has prepared this application package for the opportunity to receive the City of Lansing's participation and counseling in regards to a Conditional Rezone for the property located at 5400 Cedar St. Lansing, MI. AREC is the wholly owned real estate subsidiary of the U-Haul System.

The subject 11.43-acre property is located at 5400 Cedar St. U-Haul is proposing an adaptive reuse of the existing 119,650 SF building by converting it into a U-Haul Moving and Storage Store. Our use will consist of interior, climatized self-storage and U-Haul truck and trailer share. The interior of the building will be retrofitted to house self-storage units. U-Haul also intends to provide two outparcels along S Cedar St. for commercial development. This infill development will allow U-Haul to better serve the storage needs of the community, activate a property that is currently vacant, and allow for future commercial development along S Cedar St.

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

Custom site design for every U-Haul store assures that the facility complements the community it serves. Adherence to community objectives is key in order to ensure each U-Haul store is both a neighborhood asset and an economic success.

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

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

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

Comment on other circumstances which justify the amendment:

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

Significant Policies:

- Hours of Operation:

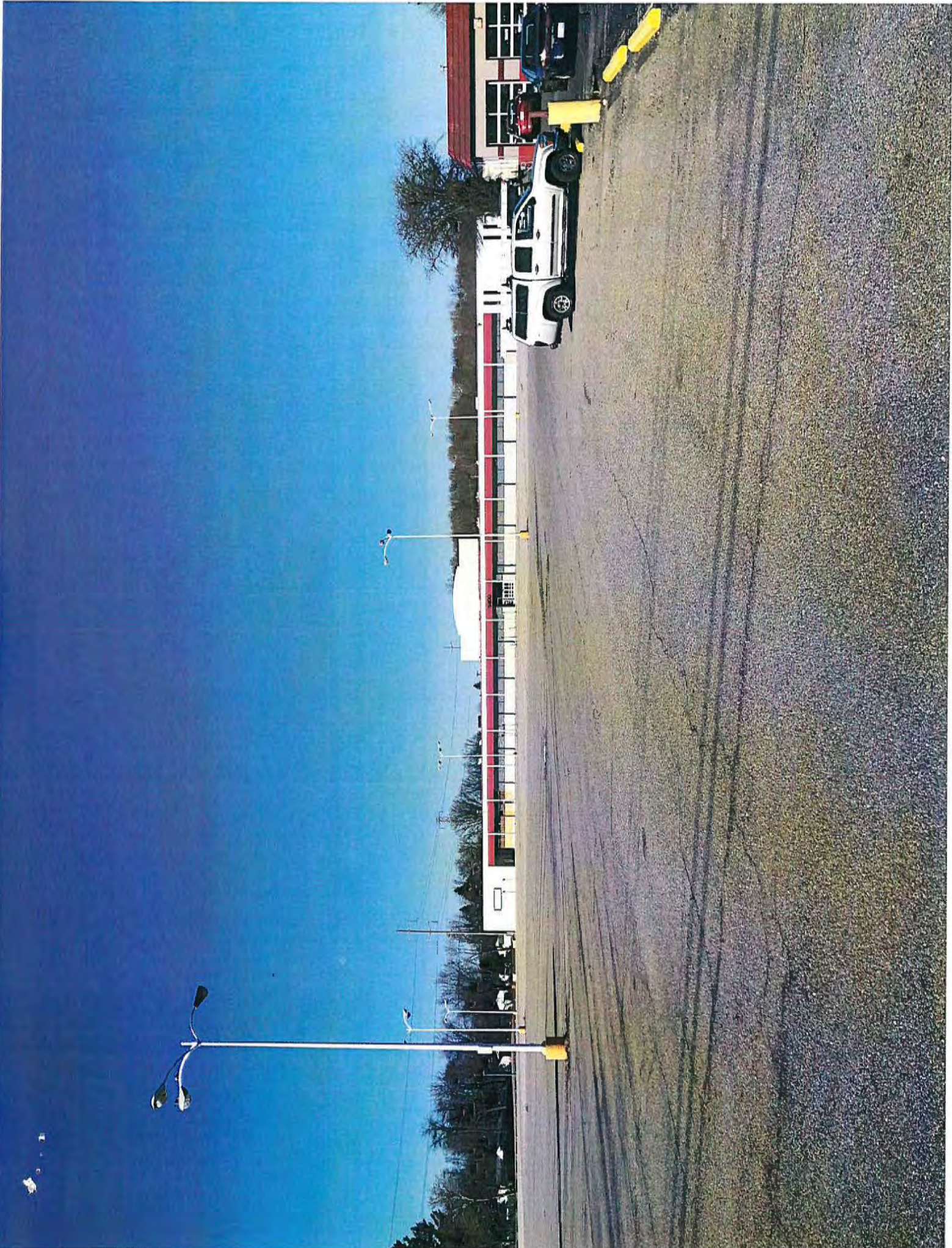
Mon. - Thurs.	7:00 a.m. to 7:00 p.m.
Fri.	7:00 a.m. to 8:00 p.m.
Sat.	7:00 a.m. to 7:00 p.m.
Sun.	9:00 a.m. to 5:00 p.m.
- All U-Haul storage customers are issued a card-swipe style identification card that must be used to gain access to their room. This is but one of many security policies which protect the customer's belongings and decrease the ability of unauthorized access to the facility.
- It is against policy for a business to be operated from a U-Haul storage room.
- Customers and community residents who wish to use the on-site dumpsters for disposing of refuse must gain permission to do so, and are assessed an additional fee.
- Items that may not be stored include: chemicals, flammables, and paints.
- U-Haul stores are protected by video surveillance.

- U-Haul stores are non-smoking facilities.
- U-Haul will provide added services and assistance to our customers with disabilities.

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

Sincerely,

Stephany Sheekey
AMERCO Real Estate Company- Planner



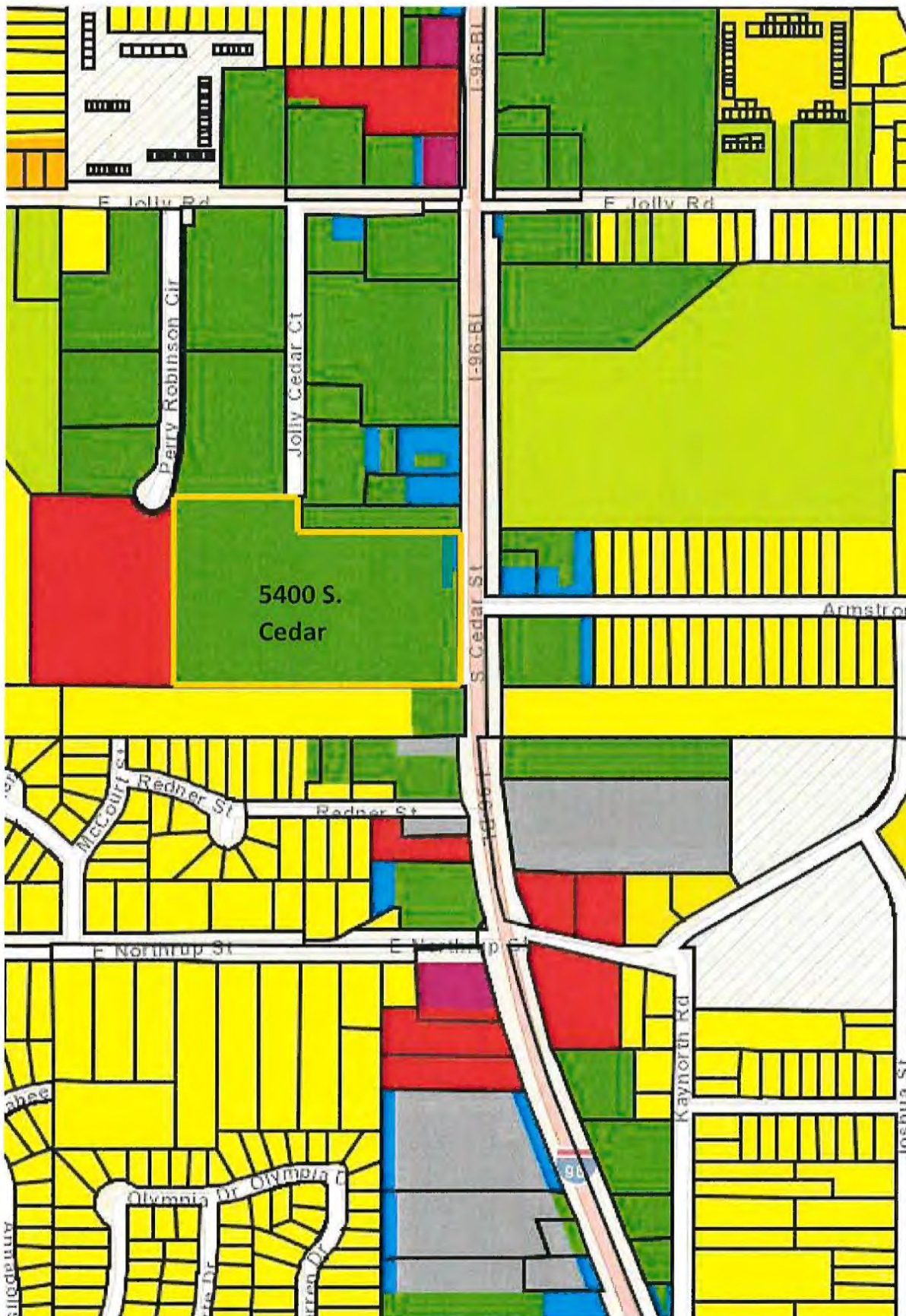






Area not
included in
the rezoning





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



BY THE COMMITTEE ON DEVELOPMENT & PLANNING

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, , 2020, at 7 p.m. in City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of approving and/or opposing the Ordinance for rezoning:

SLU-3-2019: 1315 Massachusetts Avenue, Special Land Use Permit, Parking lot in the
“B” Residential zoning district

CITY OF LANSING
NOTICE OF PUBLIC HEARING

SLU-3-2019, 1315 Massachusetts Avenue
Special Land Use Permit – Parking Lot in the “B” Residential District

The Lansing City Council will hold a public hearing on Monday, 2020 at 7:00 p.m. in Council Chambers, 10th Floor, Lansing City Hall, 124 W. Michigan Avenue, Lansing, Michigan to consider SLU-3-2019. This is a request by Capital Area Community Services, Inc. for a special land use permit to construct a parking lot on the south 28 feet of the vacant property located at 1315 Massachusetts Avenue. Parking lots are permitted in the "B" Residential district, which is the zoning designation of the subject property, if a Special Land Use permit is approved by the Lansing City Council.

For more information, please call Lansing City Council at 517-483-4177. If you are interested in this matter, please attend the public hearing or send a representative. Written comments will be accepted between 8 a.m. and 5 p.m. on City business days if received before 5 p.m., Monday, , 2020 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 OF DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

SLU-3-2019

**Parking Lot in the “B” Residential District
1315 Massachusetts Avenue**

WHEREAS, Capital Area Community Services, Inc. has requested a special land use permit to allow the construction of a parking lot on the property at 1315 Massachusetts Avenue; and

WHEREAS, the property is zoned “B” Residential District, where parking lots are permitted subject to obtaining a Special Land Use permit; 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 January 7, 2020 at which three individuals representing the applicant spoke in favor of the request and the owner of the adjoining property to the north spoke in opposition to the request; and

WHEREAS, the Planning Board, at its January 7, 2020 meeting, voted (5-0) to recommend approval of SLU-3-2019 for a Special Land Use to allow a parking lot on the property at 1315 Massachusetts Avenue;; and

WHEREAS, the City Council held a public hearing regarding SLU-3-2019 on 2020
and

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

NOW THEREFORE BE IT RESOLVED that the Lansing City Council hereby approves SLU-3-2019, a Special Land Use permit to allow a parking lot on the property at 1315 Massachusetts Avenue.

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 parking lot will be designed to be compatible with the essential character of the surrounding area, as designed.
2. The proposed parking lot will not change the essential character of the surrounding area.
3. The proposed parking lot will be designed so that it will not interfere with the general enjoyment of adjacent properties.

4. The proposed parking lot will be designed to not impact adjacent properties and will not be detrimental to the use or character of the property under consideration.
5. The proposed parking lot will not impact the health, safety and welfare of persons or property in the surrounding area.
6. The proposed parking lot can be adequately served by essential public facilities and services.
7. The proposed parking lot will not place any demands on public services and facilities in excess of current capacities.
8. The proposed parking lot is consistent with the intent and purposes of the Zoning Code and the Design Lansing Master Plan.
9. The proposed parking lot will comply with the requirements of the "B" Residential District.

GENERAL INFORMATION

APPLICANT: Capital Area Community Services, Inc.
101 E. Willow Street
Lansing, MI 48906

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

REQUESTED ACTION: Special land use permit to construct a parking lot at 1315 Massachusetts Avenue to provide additional parking for Capital Area Community Services located to the south

EXISTING LAND USE: Vacant

EXISTING ZONING: "B" Residential District

PROPERTY SIZE & SHAPE: 33' x 132' = 4,356 square feet

SURROUNDING LAND USE: N: Duplex
S: Capital Area Community Services
E: Single Family Residential
W: Parking Lot

SURROUNDING ZONING: N: "C" Residential District
S: "B" Residential District
E: "B" Residential District
W: "B" Residential District

MASTER PLAN DESIGNATION: The Design Lansing Comprehensive Plan designates the subject property for low density residential use. Massachusetts Avenue is designated as a local road.

SPECIFIC INFORMATION

This is a request by Capital Area Community Services, Inc. for a special land use permit to construct a parking lot on the south 28 feet of the vacant property located at 1315 Massachusetts Avenue in order to provide additional parking for the Capital Area Community Services facilities to the south. Parking lots are permitted in the "B" Residential district, which is the zoning designation of the subject property, if a Special Land Use permit is approved by the Lansing City Council.

AGENCY RESPONSES:

BWL:

Building Safety: No objections to parking lot. The project is subject to site plan review.

Parks & Recreation: No comment.

Public Service:

Transportation:

ANALYSIS

Section 1282.03(f)(1)-(2) sets forth the criteria which must be used to evaluate a Special Land Use permit request. The criteria and evaluation are as follows.

- 1. Is the proposed special land use designed, constructed, operated and maintained in a manner harmonious with the character of adjacent property and the surrounding area?**

The applicant, Capital Area Community Services, Inc., owns the former Grand River Elementary School to the south that houses the Head Start program. The applicant has a pending offer with the Ingham County Land bank to purchase the subject property, which is located on the north side of the 20 foot wide public alley that separates it from the applicant's property to the south. The proposal is to provide 11 additional parking spaces for the Head Start program in order to, in large part, reduce the amount of on-street parking in the area.

The proposed plan includes the installation of a 6 foot high privacy fence in the buffer area between the parking lot and the house to its north and a row of evergreen trees on the remainder of the buffer area. These improvements should mitigate any negative impacts that the parking lot may have on the house to its north. No other properties in the area that are not under the control of the applicant would be directly impacted by the proposed parking lot.

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

The proposed parking lot will not change the essential character of the area as it will merely provide additional and much needed parking for the Head Start facility to its south. The applicant owns the existing parking lot to its west and the property to its south which currently has a row of parking that is accessed via the alley that separates it from the subject property. The proposed parking will be located on the north side of the alley and will be accessed via it as well.

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

The residential property to the north is the only property that would be directly affected by the parking lot. In order to mitigate any potential problems, particularly with regard to headlights shining into the windows, the applicant is proposing to install a 6 foot high privacy fence that would extend the length of the house to provide screening from the parking lot. The remainder of the buffer area will contain a row of evergreen trees. The overall proposal also includes deeding the north, approximately 6 feet of the subject property to the property to the north in order to accommodate its driveway/parking needs.

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 parking lot will provide much needed off-street parking for the facility to its south and thus, it would be considered an improvement to the surrounding area. If the special land use permit is approved, the parking needs for the adjoining residential property to the north will be vastly improved by the addition of a 6+/- foot wide strip of land. The proposed landscaping and fencing will enhance the appearance of the site and mitigate any negative impacts that could result from the new parking lot.

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 parking lot will not generate any nuisances or hazardous conditions. The traffic is anticipated to be relatively light and headlight glare will be mitigated by the installation of an opaque fence and a row of evergreen shrubs in the buffer area between the parking lot and the house to the north.

6. Will the proposed special land use be adequately served by essential public facilities and services, or is it demonstrated that the person responsible for the proposed special land use is able to continually provide adequately for the services and facilities deemed essential to the special land use under consideration?

No comments have been received from any of the reviewing departments with regard to the parking lot negatively impacting public facilities and services. The proposed parking lot will need to be reviewed through the City's administrative site plan review process during which a storm water management plan will be reviewed by the City engineers.

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

The proposed special land use is not expected to increase the demand on public services and facilities in excess of current capacity. The proposed parking lot will not draw additional

traffic to the site but merely provide more off-street parking to accommodate the needs of the Capital Area Community Services Head Start facility to the south. The only other public service that will be impacted by this proposal is storm water management which will be reviewed during the site plan review process.

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 Design Lansing Comprehensive Plan designates the subject property for low density residential use. The proposed parking is intended to serve the needs of the Capital Area Community Services/Head Start property to its south, which is the former site of the Grand River Elementary School. Both the subject property and the property to its south are zoned "B" Residential which is the appropriate zoning designation for elementary schools and for the Head Start program that currently occupies the property. Adaptive reuse of vacant elementary school buildings is one of the goals of the City's Master Plan and providing adequate off-street parking to support these uses minimizes the use of on-street parking which can create issues along residential streets (blocking driveways, obstructing the free-flow of 2-way traffic, eliminating on-street parking that residents may need, etc.). Since the school sites are in residential neighborhoods, so is the parking lots that support the uses operating thereon. The reason that parking lots in residential neighborhoods require a special land use permit is so that the City can ensure that the location is appropriate and that it is will be designed to be compatible with adjoining uses and the surrounding residential area in general. With the landscape, screening and buffering plan proposed by the applicant, it is not anticipated that the parking lot will negatively impact the area in which it is located.

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

The proposed parking plan demonstrates compliance with the dimensional requirements for parking spaces (9' x 18.5'). The subject property is zoned "B" Residential, which district does not permit parking within the required 20 foot front yard setback. The proposed parking lot will need to be shifted slightly further to the west to accommodate this requirement. The area between the parking lot and the front property line along Massachusetts Avenue must be landscaped in accordance with Section 1290.08 of the Zoning Ordinance which requires 5 shrubs for each 20 linear feet of landscape buffer area and 1 tree for each 30 linear feet of landscape buffer area. Shrubs must have a minimum starting size of 24 inches in height and spread and trees must have a minimum starting size of 2 caliper inches.

The plan demonstrates compliance with the 8-foot wide landscape buffer that is required between the parking lot and the north property line. The applicant is proposing to construct a 6 foot high privacy fence in the buffer area that would extend the length of the house and provide screening from headlights so that they do not shine into its windows. The plan shows a row of arborvitae for the remainder of the buffer area to be planted approximately 4 feet on center. Staff supports the proposed buffering plan as it is designed to protect the property to the north from any negative impacts of the proposed parking lot.

OTHER

The applicant has submitted an application to split off the north, approximately 6 feet of the subject property and to combine it with the adjoining residential property to its north. While a "purchase offer" is sufficient interest in a property to apply for a special land use permit, a lot split application can only be made by the owner of the property. The subject property is still owned by the Ingham County Land Bank. It is assumed that the applicant's purchase agreement is conditioned upon receiving the necessary zoning approvals to allow the parking lot so that the applicant is not locked into the sale in the event that it is not permitted to use it for that purpose.

If the special land use permit is denied, the subject property could only be used for the construction of a single family dwelling. The property is 33 feet wide which is the minimum width necessary to construct a single family home and therefore, if the property is not used for a parking lot, no portion of it can be split off as it would render the property completely unbuildable. To that end, the lot split application, even if it were to be made by the Land Bank, cannot be approved until such time as the parking lot is constructed.

SUMMARY

This is a request by Capital Area Community Services, Inc. for a special land use permit to construct a parking lot on the south 28 feet of the vacant property located at 1315 Massachusetts Avenue in order to provide additional parking for the Capital Area Community Services facilities to the south. Parking lots are permitted in the "B" Residential district, which is the zoning designation of the subject property, if a Special Land Use permit is approved by the Lansing City Council.

Based on the findings described in this staff report, the proposal complies with all of the criteria of Section 1282.03(f)(1)-(9) of the *Zoning Code* for evaluating Special Land Use permits.

1. The proposed Special Land Use will be harmonious with the character of adjacent properties and surrounding uses.
2. The proposed Special Land Use will not change the essential character of the surrounding properties.
3. The proposed Special Land Use will not interfere with the general enjoyment of adjacent properties.
4. The proposed Special Land Use does represent an improvement to the lot as it currently exists.
5. The proposed Special Land Use will not be hazardous to adjacent properties.
6. The proposed Special Land Use can be adequately served by public services and utilities.
7. The proposed Special Land Use will not place any demand on public services and facilities in excess of current capacities.
8. The proposed Special Land Use is consistent with the goals of the Zoning Code and the Design Lansing Comprehensive Plans.
9. The proposed Special Land Use will comply with the dimensional requirements of the Zoning Ordinance.

RECOMMENDATION

Staff recommends approval of SLU-3-2019, to permit a parking lot on the property at 1315 Massachusetts Avenue, based on the findings of fact as described in this staff report.

Respectfully Submitted,

**Susan Stachowiak
Zoning Administrator**

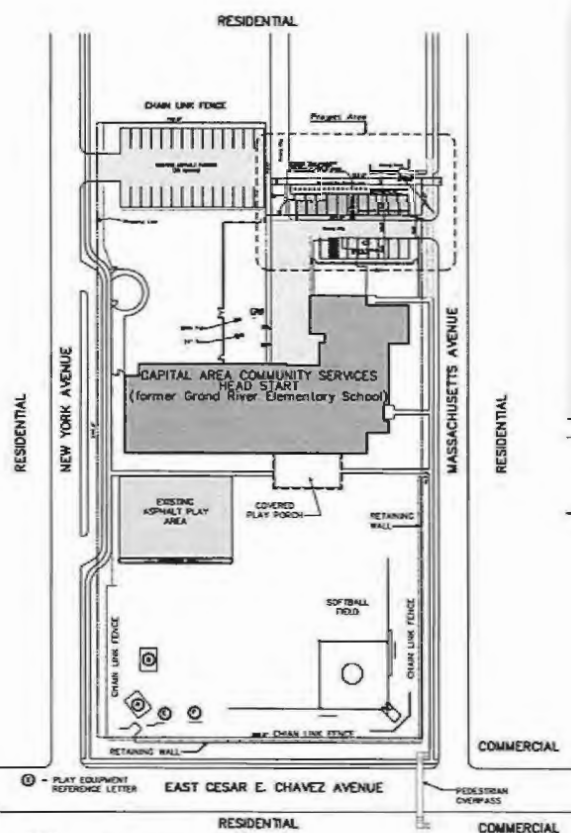
BEFORE YOU DIG
CALL MISS DIG
800-487-4373
MISS DIG

UTILITY WARNING
PROTECTION OF UNDERGROUND FACILITIES
PUBLIC ACT 01 OF 1974
The purpose of this act is to protect the public from damage to underground facilities by excavation. It is the responsibility of the excavator to locate and mark all underground facilities before excavation. The excavator shall be responsible for the safety of the excavation and for the protection of the public. The excavator shall be responsible for the safety of the excavation and for the protection of the public.

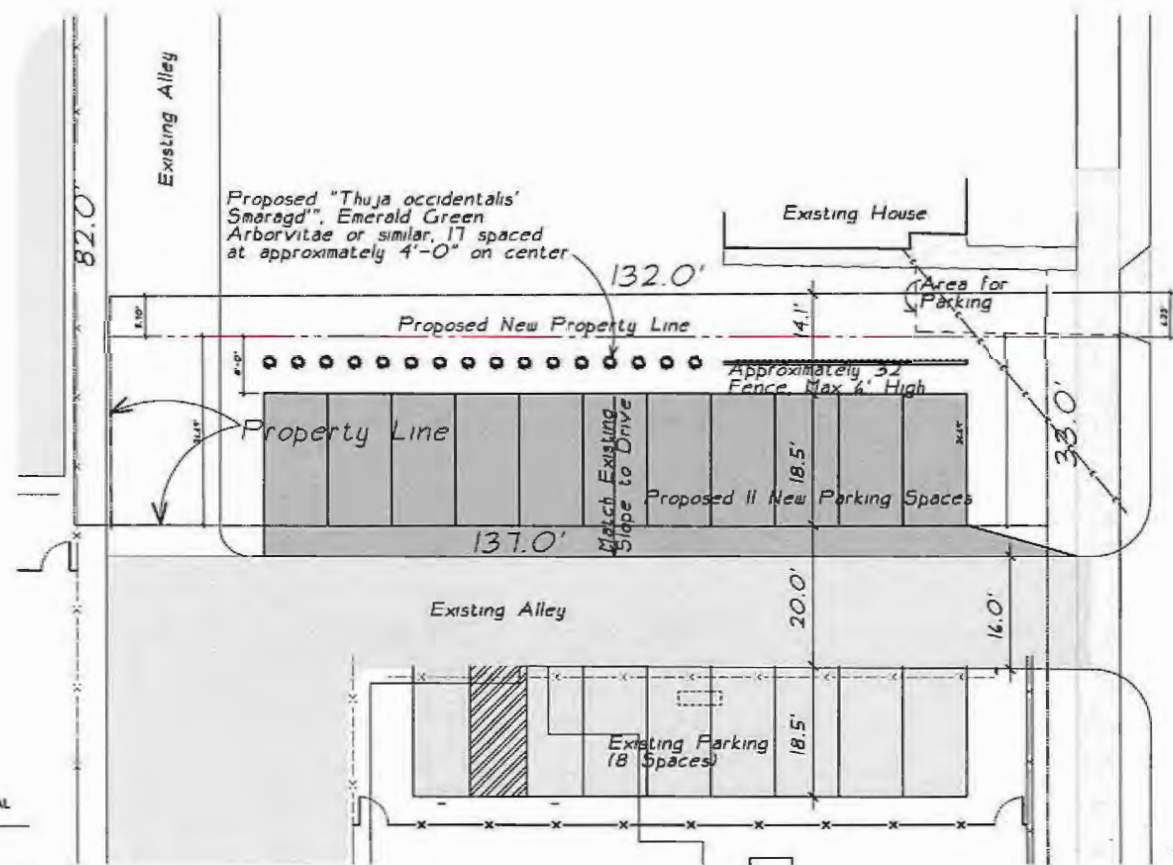
Progress Drawing For Review Only Not for Construction



ROGER L. DONALDSON, AIA, PLLC
ARCHITECT
101 E. Willow
Lansing, MI 48106
Phone: 313.487.4373
Fax: 313.487.4374
Email: rldonaldson@rogerl.com



COMPOSITE SITE PLAN
Scale: 1/32" = 1'-0"
Site is not in a Flood Zone



PARTIAL SITE PLAN
Scale: 1/32" = 1'-0"
0 12 30 60 120

Parcel Number: 33-01-01-10-180-150
Owner: Capital Area Community Services, Inc.
101 E. Willow
Lansing, MI 48106

CACS - Head Start
Parking Lot Expansion
101 E. Willow
Lansing, Michigan 48106
PROJECT

101 E. Willow
Lansing, Michigan 48106
PROJECT

101 E. Willow
Lansing, Michigan 48106
PROJECT

101 E. Willow
Lansing, Michigan 48106
PROJECT

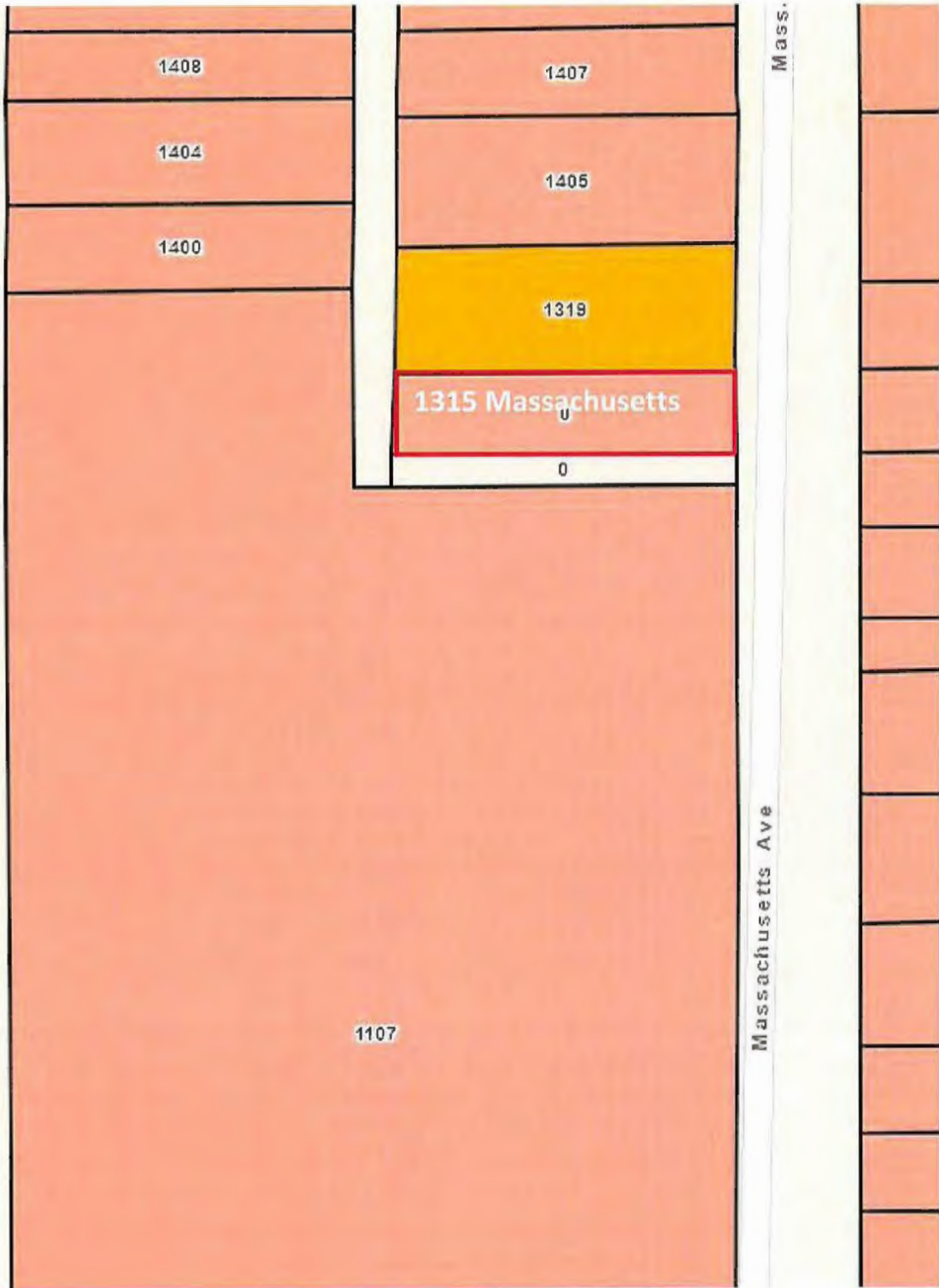
101 E. Willow
Lansing, Michigan 48106
PROJECT

Owner Review
Tentative October 24, 2019

C1.1
SHEET NUMBER
112 OF 112
CACS 000







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



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RECEIVED NOV 14 REC'D



City of Lansing

OFFICE OF THE CITY ATTORNEY

1756

Claims Review Committee Form

(Commonly including: Grass, Trash, Weeds and Board-Up Violations)

NAME: Curtis & Rosemary Renshaw DATE: 11/9/19
 MAILING ADDRESS: 13018 Wood Rd EMAIL: renshawer@gmail.com
 CITY: Bath STATE: MI ZIP CODE: 48808
 TELEPHONE: Home (517-896-7942) Work ()

Please provide the following information on the incident(s) for which you are filing a claim. WE MAY NOT BE ABLE TO PROCESS YOUR CLAIM IF YOU DO NOT PROVIDE ALL OF THE INFORMATION BELOW.

ADDRESS: 1320 Vermont Ave PARCEL NO. 33-01-01-10-182-071
 DATE OF INCIDENT: 8/21/19 and 10/4/19 AMOUNT YOU WERE BILLED: \$4955
 TOTAL AMOUNT YOU ARE CONTESTING: \$4955
 TYPE OF ASSESSMENT: Trash Enforcement # E19-19705

Please give a detailed description of the circumstances surrounding the incident, including why you feel the City should not have charged you this fee. You may attach additional pages or documentation to this form as needed.

See attached 2 pages

A description of the claims review process is available on our website at: <https://www.lansingmi.gov/349/Claims-Review-Process>

To download the claim form: <https://www.lansingmi.gov/DocumentCenter/View/4639/Claims-Review-Committee-Form?bidId=>

My wife and I are owners of a rental house at 1320 Vermont Ave. On Tuesday 9/17/19, a roofing crew began to tear off and replace the roof of the house. The re-roofing portion of the project was completed by Tuesday 10/1/19. On Friday 10/04/19 at 10 am, we received a phone call from our tenant that a city crew was at the property cleaning up roofing project debris in the front yard. I asked to speak to the crew leader (Nick) who told me that he had a cleanup order for "trash". I was shocked that the City had not given us longer than 3 days to clean up the roofing debris. During our discussion I found out that the work order was for removal of some chairs on the front porch. (See Enforcement # E19-19705). We were totally unaware that we had had an infraction because the original letter went only to the tenant and because she removed the chairs, she saw no need to let anyone else know of the issue. Nick and I discussed the fact that there was no paperwork/work order giving authorization to pick up roofing debris and that the roofing project had just finished. I explained to him that the roofing debris removal was part of my contract with the project contractor. In addition to that arrangement, I explained to Nick that I also had hired the tenant and her sister on Tuesday 10/1/19 (the very day that the roofing project was finished) to start cleaning it up, wanting to expedite the cleanup and lift some of the workload of the cleanup off of the general contractor. The tenant and her sister started the cleanup just the day before Nick and his crew showed up. Even after all this discussion, it was clear to me that he was not going to stop the work.

I asked for and Nick gave me the info as to whom to call and at 10:07 I left a message for Everett Coates at the City Code Enforcement department. I then contacted our property manager and he informed me that he was aware of a code enforcement letter received by the tenant in reference to some chairs on the front porch and that she had removed the chairs that were in violation. I then called the general contractor and explained the situation. He was able to reach Everett Coates who called me back at 12:44. I was told that the cleanup crew should not have cleaned up the roofing materials, but by the time I received his call, the work had been completed. I asked if there was any way that he could help me and he told me that my only recourse was to file an appeal after receiving the bill for the cleanup.

At this time, we are appealing all of the billed amount. From what I have been able to access online, it appears there are discrepancies regarding the original issue - the chairs on the front porch. As to the roofing project debris, we feel that the cleanup contractor overstepped what he was authorized to do - a cleanup that we were already going to pay 2 different parties to do to expedite it's completion.

Consider this: If the City-hired cleanup crew had come a few days earlier, it would have been obvious that the roofing was still in progress. If he had come a few days later, it would have been cleaned up. Also, at a minimum, when you get to a worksite and your work order instructs you to remove a few chairs vs. all the debris from a tear-off and re-roofing, it seems reasonable that you would check with someone in authority as to how to proceed.

Hope the following timeline helps clarify any confusing points in the above letter.

Tues. 8/21/19 Letter generated to tenant re: chairs on front porch. # E19-19705

Thur. 8/29/19 Re-inspected.

Tue. 9/17 Tear-off begins

Mon. 9/30 Meeting of manager, general contractor, tenant and sister. Owners out-of-state. Project complete. Manager later stated to me, "I saw the chairs inside".

Tue. 10/1/19 Tenant and sister hired to expedite cleanup at 10:12 AM.

Thur. 10/3/19 Tenant and sister begin cleanup.

Fri. 10/4/19 10:00 AM Received call from tenant, "City crew here cleaning up roof debris". I spoke to crew leader, Nick.

10:07 Left message for Everett Coates, City Code Enforcement office.

10:10 Spoke with property manager, told of violation and tenant's action.

12:24 Spoke with general contractor.

After 12:24 General contractor spoke to Everett Coates.

12:44 Received call from Everett Coates.

2:24 Called tenant. "City crew was gone before lunch."

Thank you for your time. We look forward to the resolution of this matter.

Curtis Renshaw 11/12/19
Rosemary Renshaw
Curtis and Rosemary Renshaw



CITY OF LANSING

316 N. CAPITOL SUITE C2

Lansing, MI 48933

Ph: (517) 483-4361

Fax: (517) 377-0100

Bill To:

RENSHAW CURTIS & ROSEMARY

13018 WOOD RD

BATH, MI 48808

DUE DATE: 11/07/2019

INVOICE

10/14/2019

TOTAL AMOUNT DUE

\$ 4,955.00



	Invoice Number	Record No.	Address	Amount Due
	00142274	E19-19705	1320 VERMONT AVE	\$4955.00
	10/08/2019			
	Trash - Admin Fee			
	Trash - Contractor Charge			
			TOTAL DUE:	\$4955.00

Questions regarding this invoice: Contact **CODE COMPLIANCE** at 517.483.4361

Payment Information:

- Make checks payable to: City of Lansing
- Mail payments or pay in person at:
City of Lansing Treasurers Office
124 W Michigan Ave 1st Fl
Lansing MI 48933
- In order to assure proper credit, please send the top portion of this bill along with your payment.
- Payment in full is due within 30 days from the billing date
- Any unpaid balance remains as a lien against this property and will be added to the next property tax bill.

Appeals Process:

If you intend to appeal this nuisance fee, you or your agent must file a written protest with the Claims Review Committee within 30 days after the nuisance fee is placed on the July or December Tax Roll. Claims forms are available in the City Attorney's Office and the City of Lansing's web address: www.lansingmi.gov. Return completed claim to: Lansing City Attorney's Office, 124 West Michigan Ave 5th Fl, Lansing, MI 48933

Other Information:

- July property taxes are due and payable on or before August 31st. December property taxes are due and payable on or before February 14th.
- For Red Tag Monitoring Fees Only – invoices not paid within 30 days are subject to a 5% penalty which will be applied on the 31st day.

By Authority of the Lansing City Council - Ordinance Numbers 655, 676, 1060.08 and 1460.04

Payments may be made online or in person Monday thru Thursday 8:00 a.m. - 4:30 p.m., at the above address or by mail



OFFICE OF THE CITY ATTORNEY



MEMORANDUM

To: CHRIS SWOPE, Clerks Office

From: VENUS KUMAR, Paralegal

Subject: SPECIAL ASSESSMENTS CLAIM; Curtis & Rosemary Renshaw
Date of Incident: August 21 and October 4, 2019

Date: January 14, 2020

Attached is a Claim Form received by this office from Curtis & Rosemary Renshaw for \$4,955.00 due to Trash violations at 1320 Vermont Ave.

This claim is being referred to General Services for consideration on the City Council's agenda because this claim exceeds \$2,500.00.

Thank you for your assistance.

/vmk
Attachments