

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF LANSING, MICHIGAN



VIA ZOOM CONFERENCING

AGENDA FOR SEPT 21 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, September 21, 2020 at 7:00 p.m.

Due to public safety concerns resulting from the COVID-19 Pandemic, this meeting will be conducted via Zoom Conferencing using Meeting ID 853 1504 8120 call (312) 626-6799 and enter Meeting ID 853 1504 8120

- I. ROLL CALL
- II. MEDITATION AND PLEDGE OF ALLEGIANCE
- III. READING AND APPROVAL OF PRINTED COUNCIL PROCEEDINGS
- 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. **Those wishing to make public comments will need to raise their hands by the end of the first speaker's comments or submit written comments to city.clerk@lansingmi.gov by the end of the public comment period:**

To Raise Your Hand:

On the phone: Dial *9

On a mac: Option Y

Windows: Alt Y

- A. SCHEDULED PUBLIC HEARINGS

1. In consideration of an Ordinance to consolidate the Building Board of Appeals, Board of Plumbing, Mechanical Board, and Electrical Board into the Construction Board Of Appeals (PEND-1837)

XIII. COUNCIL CONSIDERATION OF LEGISLATIVE MATTERS

A. REFERRAL OF PUBLIC HEARINGS

B. CONSENT AGENDA

C. RESOLUTIONS FOR ACTION

1. BY COUNCIL PRESIDENT SPADAFORÉ

- a. Extend the Declaration of State of Emergency regarding COVID-19

2. BY THE COMMITTEE OF THE WHOLE

- a. Budget Priorities; Fiscal Year 2022
- b. Setting a Public Hearing in consideration of Lansing Economic Development Corporation (LEDC) Downtown Lansing Riverfront Project, Lansing Shuffleboard and Social Club, LLC

D. REPORTS FROM COUNCIL COMMITTEES

E. ORDINANCES FOR INTRODUCTION and Setting of Public Hearings

F. ORDINANCES FOR PASSAGE

1. BY THE COMMITTEE ON PUBLIC SERVICES

- a. Ordinance to Eliminate the prohibition of street parking from 2 a.m. to 5 a.m. on any day (PEND-1890)
- b. Ordinance to Eliminate annual and temporary permits for overnight street parking (PEND-1891)
- c. Ordinance to Regulate on street parking during snow emergencies (PEND-1892)

2. BY THE COMMITTEE OF THE WHOLE

- a. Ordinance to Amend Property Tax Poverty Exemption Guidelines (PEND-1836)

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 and Commissions placed on file in the Clerk's Office
2. Letter(s) from the Mayor re:
 - a. Make Safe or Demolish; 2108 East Cavanaugh
 - b. Act-16-2019; 2122 N. Martin Luther King. Vacate a narrow easement along the east side of N. Martin Luther King, Jr. Blvd Right-of-Way requested by 2122 N MLK Holdings, LLC, for the purpose of providing driveway access and parking for the business
 - c. Act-3-2020; Vacate an obsolete utility easement extending 444 feet north from Case Street requested by Laux Construction
 - d. Commercial Rehabilitation District and Certificate; 329 - 337 South Washington Sq.

B. COMMUNICATIONS AND PETITIONS, AND OTHER CITY RELATED MATTERS

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. Those wishing to make public comments will need to raise their hands by the end of the first speaker's comments or submit written comments to city.clerk@lansingmi.gov by the end of the public comment period:

To Raise Your Hand:

On the phone: Dial *9

On a mac: Option Y

Windows: Alt Y

XX. ADJOURNMENT

A handwritten signature in black ink that reads "Chris Swope". The signature is written in a cursive, flowing style.

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 (TTY 711). 24 hour notice may be needed for certain accommodations. An attempt will be made to grant all reasonable accommodation requests.

Public Participation Notes

Just want to watch the meeting? Here are the best options:

- CityTV live station on cable TV
- CityTV live webcast (<http://www.ustream.tv/channel/gov-tv-city-of-lansing-s-citytv-station>)

Want to make Public Comment?

Join Zoom Meeting from Computer <https://us02web.zoom.us/j/85315048120> (Note: this option requires downloading Zoom software. If you have not already installed the software, this may take a few minutes.) Meeting ID: **853 1504 8120**

Dial from your phone:

(312) 626-6799

Meeting ID: **853 1504 8120**

Written public comments may be submitted to city.clerk@lansingmi.gov by the end of the public period.

Maybe want to make Public Comments?

You can watch the meeting on CityTV on cable or webcast, and then call in with the phone option during the Public Comment portion of the agenda.

Accessibility

Closed Captioning will be available on the Zoom meeting, CityTV cable broadcast, and CityTV webcast.

Persons with disabilities who need an accommodation to fully participate in this meeting should contact the City Clerk's Office at (517) 483-4131 (TTY 711). 24 hour notice may be needed for certain accommodations. An attempt will be made to grant all reasonable accommodation requests.

**CITY OF LANSING
NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that a Public Hearing will be held on Monday, Monday, September 21, 2020 at 7 p.m. during the regularly schedule City Council Meeting, via ZOOM Conferencing, Meeting ID 840 5989 1689 for the purpose of considering:

An Ordinance of the City of Lansing, Michigan, to: amend Chapter 1420 of the Lansing Codified Ordinances by consolidating the adoption of the Single State Construction Code Act (the "Act"), including the State Electrical, Mechanical, and Plumbing Codes and creating a single Construction Board of Appeals pursuant to the Act; And repeal the sections of Chapters 1422, 1424, AND 1426, which provided for individual adoption of the State Plumbing, Electrical, and Mechanical Codes, and created individual Boards of Appeal for those Codes.

Governor Whitmer declared a statewide State of Emergency due to the spread of the novel coronavirus (COVID-19). To mitigate the spread of COVID-19 and to provide essential protections to vulnerable Michiganders and this State's health care system and other critical infrastructure, it is crucial that all Michiganders take steps to-limit in-person contact, particularly in the context of large groups. Therefore, the public hearing will be conducted via audio/video conference.

The public hearing will be electronically in accordance with the Open Meetings Act in an effort to protect the health and safety of the public. A Michigan Executive Order provides temporary authorization of remote participation in public meetings and hearings. Members of the public wishing to participate in the meeting may do so by logging into or calling into the meetings using the website or phone number and Meeting ID provided on the August 31, 2020 meeting agenda. (Note: this option requires downloading Zoom software. If you have not already installed the software, this may take a few minutes)

Persons with disabilities who need an accommodation to fully participate in these meetings should contact the City Council Office at 517-483-4177 (TDD (517) 483-4479) 24 hour notice may be needed for certain accommodations. An attempt will be made to grant all reasonable accommodation requests.

For more information, please call 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., on the day of the Public Hearing 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, Lansing City Clerk, MMC/CMMC
www.lansingmi.gov/Clerk

www.facebook.com/LansingClerkSwope

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO: AMEND CHAPTER 1420 OF THE LANSING CODIFIED ORDINANCES BY CONSOLIDATING THE ADOPTION OF THE SINGLE STATE CONSTRUCTION CODE ACT (THE "ACT"), INCLUDING THE STATE ELECTRICAL, MECHANICAL, AND PLUMBING CODES AND CREATING A SINGLE CONSTRUCTION BOARD OF APPEALS PURSUANT TO THE ACT; AND REPEAL THE SECTIONS OF CHAPTERS 1422, 1424, AND 1426, WHICH PROVIDED FOR INDIVIDUAL ADOPTION OF THE STATE PLUMBING, ELECTRICAL, AND MECHANICAL CODES, AND CREATED INDIVIDUAL BOARDS OF APPEAL FOR THOSE CODES.

THE CITY OF LANSING ORDAINS:

Section 1. That Chapter 1420 of the Lansing Code of Ordinances of the City of Lansing is hereby amended to as follows:

1420.01 – Adoption of the State approved Michigan Building Code.

- a) Pursuant to the authority vested in the City by Public Act 230 of 1972 (referred to in this chapter as the Act or the Stille-Derossett-Hale Single State Construction CODE Act), as amended, being MCL 125.1501 et seq., the City hereby assumes responsibility for administration and enforcement within the City's jurisdictional boundaries of the Act and the State approved Michigan Building CONSTRUCTION Code, INCLUDING BUT NOT LIMITED TO THE BUILDING, PLUMBING, ELECTRICAL, AND MECHANICAL PARTS OF THE CODE.

b) References throughout the Lansing Code of Ordinances to the ~~building~~CONSTRUCTION code or national or international ~~building~~CONSTRUCTION code, OR ANY OF THE PARTS IDENTIFIED IN SUBSECTION A) HEREIN, shall be deemed to mean the State approved ~~building~~CONSTRUCTION code under the Act.

c) Unless otherwise expressly provided, in the event of a conflict between any of the provisions of the State approved Michigan ~~Building~~CONSTRUCTION Code, herein adopted, and a provision of this chapter, or any other provision of this chapter, or any other provision of these Codified Ordinances, or any City resolution, rule or regulation, the Michigan ~~Building~~CONSTRUCTION Code shall control. In the event of a conflict between any of the provisions of the State approved Michigan ~~Building~~CONSTRUCTION Code and the Act, including rules and regulations promulgated pursuant to State law, the Act shall control.

d) Except as otherwise provided in the Act, the Act does not limit or restrict existing powers or authority of the City, and the Act shall be enforced by the City in the manner prescribed by local law or ordinance to the extent not inconsistent with the Act, local laws and ordinances relating to administration and enforcement of ~~building~~CONSTRUCTION regulations enacted before the effective date of the Michigan State ~~Building~~CONSTRUCTION Code by or for the City are applicable to administration and enforcement of the Michigan State ~~Building~~CONSTRUCTION Code.

1420.02. - ~~Amendments to Uniform Building Code. (Repealed)~~ CONSTRUCTION BOARD OF APPEALS; ESTABLISHMENT; COMPOSITION; APPOINTMENTS; TERMS; POWERS

1 A) PURSUANT TO SECTION 14 OF THE ACT, THE MAYOR WITH ADVICE AND
2 CONSENT OF COUNCIL, SHALL APPOINT A CONSTRUCTION BOARD OF
3 APPEALS CONSISTING OF 7 VOTING MEMBERS, SERVING STAGGERED 4
4 YEAR TERMS, AND HAVING THE FOLLOWING COMPOSITION:

5 I. THREE DESIGN PROFESSIONALS, BEING ARCHITECTS OR ENGINEERS
6 REGISTERED AS SUCH PURSUANT TO ARTICLE 20 OF PUBLIC ACT 299
7 OF 1980, MCL 339.2001 ET SEQ.;

8 II. ONE RESIDENTIAL BUILDER, REGISTERED AS SUCH PURSUANT TO
9 ARTICLE 24 OF PUBLIC ACT 299 OF 1980, MCL 339.2401 ET SEQ.;

10 III. ONE MASTER OR JOURNEY PLUMBER, REGISTERED AS SUCH
11 PURSUANT TO ARTICLE 11 OF PUBLIC ACT 407 OF 2016, MCL 339.6101
12 ET SEQ.;

13 IV. ONE MASTER OR JOURNEYMAN ELECTRICIAN, REGISTERED AS SUCH
14 PURSUANT TO ARTICLE 7 OF PUBLIC ACT 407 OF 2016, MCL 339.5701 ET
15 SEQ.;

16 V. ONE MECHANICAL CONTRACTOR, REGISTERED AS SUCH PURSUANT
17 TO ARTICLE 8 OF PUBLIC ACT 407 OF 2016, MCL 339.5801 ET SEQ.

18 B) IF THE BUILDING SAFETY OFFICE REFUSES TO GRANT AN APPLICATION FOR
19 A BUILDING PERMIT, OR MAKES ANY OTHER DECISION PURSUANT OR
20 RELATED TO THE ACT, OR THE CODE, AN INTERESTED PERSON, OR THE
21 PERSON'S AUTHORIZED AGENT, MAY APPEAL IN WRITING TO THE BOARD
22 OF APPEALS. THE BOARD OF APPEALS SHALL HEAR THE APPEAL AND
23 RENDER AND FILE ITS DECISION WITH A STATEMENT OF REASONS FOR THE

1 DECISION WITH THE ENFORCING AGENCY FROM WHOM THE APPEAL WAS
2 TAKEN NOT MORE THAN 30 DAYS AFTER SUBMISSION OF THE APPEAL.
3 FAILURE BY THE BOARD OF APPEALS TO HEAR AN APPEAL AND FILE A
4 DECISION WITHIN THE TIME LIMIT IS A DENIAL OF THE APPEAL FOR
5 PURPOSES OF AUTHORIZING THE INSTITUTION OF AN APPEAL TO THE
6 COMMISSION. A COPY OF THE DECISION AND STATEMENT OF THE REASONS
7 FOR THE DECISION SHALL BE DELIVERED OR MAILED, BEFORE FILING, TO
8 THE PARTY TAKING THE APPEAL.

9 C) AFTER A PUBLIC HEARING A BOARD OF APPEALS MAY GRANT A SPECIFIC
10 VARIANCE TO A SUBSTANTIVE REQUIREMENT OF THE CODE IF THE
11 LITERAL APPLICATION OF THE SUBSTANTIVE REQUIREMENT WOULD
12 RESULT IN AN EXCEPTIONAL, PRACTICAL DIFFICULTY TO THE APPLICANT,
13 AND IF BOTH OF THE FOLLOWING REQUIREMENTS ARE SATISFIED:

14 I. THE PERFORMANCE OF THE PARTICULAR ITEM OR PART OF THE
15 BUILDING OR STRUCTURE WITH RESPECT TO WHICH THE VARIANCE IS
16 GRANTED SHALL BE ADEQUATE FOR ITS INTENDED USE AND SHALL NOT
17 SUBSTANTIALLY DEVIATE FROM PERFORMANCE REQUIRED BY THE
18 CODE OF THAT PARTICULAR ITEM OR PART FOR THE HEALTH, SAFETY
19 AND WELFARE OF THE PEOPLE OF THIS STATE.

20 II. THE SPECIFIC CONDITION JUSTIFYING THE VARIANCE SHALL BE
21 NEITHER SO GENERAL NOR RECURRENT IN NATURE AS TO MAKE AN
22 AMENDMENT OF THE CODE WITH RESPECT TO THE CONDITION
23 REASONABLY PRACTICAL OR DESIRABLE.

1 D) A BOARD OF APPEALS MAY ATTACH IN WRITING ANY CONDITION IN
2 CONNECTION WITH THE GRANTING OF A VARIANCE THAT IN ITS JUDGMENT
3 IS NECESSARY TO PROTECT THE HEALTH, SAFETY AND WELFARE OF THE
4 PEOPLE OF THIS STATE. THE BREACH OF A CONDITION SHALL
5 AUTOMATICALLY INVALIDATE THE VARIANCE AND ANY PERMIT, LICENSE
6 AND CERTIFICATE GRANTED ON THE BASIS OF IT. IN NO CASE SHALL MORE
7 THAN MINIMUM VARIANCE FROM THE CODE BE GRANTED THAN IS
8 NECESSARY TO ALLEVIATE THE EXCEPTIONAL, PRACTICAL DIFFICULTY.

9 E) THE BOARD OF APPEALS SHALL MEET NO FEWER THAN 4 TIMES PER YEAR
10 TO HEAR APPEALS AND CONDUCT REGULAR BUSINESS, BUT MAY CALL
11 SPECIAL MEETINGS AS NEEDED TO HEAR APPEALS IN A TIMELY MANNER.

12 Section 2. That Sections 1422.01, 1422.02, and 1422.03 of the Lansing Code of Ordinances
13 of the City of Lansing are hereby repealed and reserved for future use.

14 Section 3. That Sections 1424.01, 1424.10, 1424.12, and 1424.13 of the Lansing Code of
15 Ordinances of the City of Lansing are hereby repealed and reserved for future use.

16 Section 4. That Sections 1426.01, 1426.02, and 1426.03 of the Lansing Code of Ordinances
17 of the City of Lansing are hereby repealed and reserved for future use.

18 Section 5. That the purpose of this ordinance is to consolidate the boards dedicated to the
19 various parts of the State Construction Code into a single board for efficiency, and no part of this
20 ordinance interrupts or alters the City's adoption and enforcement of the State Construction Code.

21 Section 6. All ordinances, resolutions or rules, parts of ordinances, resolutions or rules
22 inconsistent with the provisions hereof are hereby repealed in their entirety and shall be null and
23 void and of no effect.

1 Section 7. Should any section, clause or phrase of this ordinance be declared to be invalid,
2 the same shall not affect the validity of the ordinance as a whole, or any part thereof other than the
3 part so declared to be invalid.

4 Section 8. This ordinance shall take effect thirty days after passage, unless given immediate
5 effect by City Council, and pursuant to Section 3-307 of the City Charter, this Chapter shall expire
6 December 31, ____.

BY COUNCIL MEMBER SPADAFORE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, on March 16, 2020 under Resolution 2020-053, City Council approved Mayor Schor's Declaration of Emergency through April 10, 2020; and

WHEREAS, on the following dates and under the following resolutions, City Council approved Mayor Schor's Declaration of Emergency:

- April 9, 2020 under Resolution 2020-053 through April 30, 2020;
- April 27th, 2020 under Resolution 2020-069 through May 15, 2020;
- May 11, 2020 under Resolution 2020-077 through June 8, 2020;
- June 8, 2020 under Resolution 2020-084 through June 30, 2020;
- June 22, 2020 under Resolution 2020-089 through July 14th, 2020;
- July 27, 2020 under Resolution 2020-113 through August 25, 2020; and
- August 24, 2020 under Resolution 2020-150 through September 22, 2020; and

WHEREAS, the Resolutions emphasized the fact that the novel coronavirus (COVID-19) is a respiratory disease that can result in serious illness or death. It is caused by a new strain of coronavirus that had not been previously identified in humans and can easily spread from person to person; and

WHEREAS, on January 31, 2020, the United States Department of Health and Human Services Secretary Alex Azar declared a public health emergency for COVID-19, and affected state and local governments have also declared states of emergency; and

WHEREAS, on March 23, 2020 Governor Whitmer signed a "Stay Safe, Stay Home" Executive Order in response to the severe health and concerns relating to the COVID-19 outbreak in the State of Michigan, and under the authority granted under Chapter 234.05, the Lansing Emergency Management Ordinance, the Mayor declared a local state of emergency on March 16, 2020 taking effect March 17, 2020; and

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council finds that the circumstances warrant an extension of the Mayor's emergency declaration and continuation of the emergency response plan to ensure that public health is protected; and

BE IT FINALLY RESOLVED that the City Council approves an extension of the declaration of emergency, through and including October 27, 2020, and authorizes such powers and duties as provided by Chapter 234.05, the Lansing Emergency Management Ordinance, together with those powers provided by statute, including those set forth in MCL § 30.401 et seq.

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

WHEREAS, the Charter of the City of Lansing requires the Council to adopt an annual statement of Budget Policies and Priorities serving to guide the Administration in developing and presenting the Fiscal Year 2021–2022 Budget; and

WHEREAS, the City Council established the following Mission;

The City of Lansing's mission is to ensure quality of life by:

- I. Promoting a vibrant, safe, healthy and inclusive community that provides opportunity for personal and economic growth for residents, businesses and visitors,
- II. Securing short- and long-term financial stability through prudent management of city resources,
- III. Providing reliable, efficient and quality services that are responsive to the needs of residents and businesses,
- IV. Adopting sustainable practices that protect and enhance our cultural, natural and historical resources,
- V. Facilitating regional collaboration and connecting communities; and

WHEREAS, the standing committees of the City Council have met to evaluate the budget and recommend an annual statement of budget policies and priorities to guide the Administration in developing and presenting the Fiscal Year 2021–2022 budget.

NOW, THEREFORE BE IT RESOLVED, that the Lansing City Council has established the following as its Fiscal Year 2021–2022 Budget Policies and Priorities and requests that the Administration review them and encourages that they, to the extent practical, be included in the Administration's budget presented due to the City Council by the fourth Monday in March 2021.

BE IT FURTHER RESOLVED, the Committee of the Whole has established the following priorities:

1. Item with proposed cost (if a cost is estimable)
2. Item with proposed cost (if a cost is estimable)

Council Member Betz Recommended Priorities for Discussion:

1. Divest 10% (\$4.6 million) from the LPD operating and personnel budgets. Hire 6 FTE social workers within LFD (\$480,000), allocate \$1 million to a newly created fund specifically for youth education and employment programs housed either within the city or at applicable non-profits throughout the city, and allocate the remainder (\$3.12 million) to a newly created fund specifically to address the recommendations from the Equity, Diversity, and Inclusion committee's research on re-imagining public safety.

2. Hire 1 FTE staff in the Office of the City Attorney (\$100,000) to focus specifically on housing legal assistance for tenants and homeowners in the city.
3. Increase General Fund sidewalk repair funding by \$200,000 for a total of \$500,000, with a priority placed on underserved areas.
4. Increase General Fund local street repair funding by \$1.7 million for a total of \$5 million, with a priority placed on underserved areas.

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

1. \$50,000-\$80,000: (1) FTE Financial Empowerment Employee; RE: Focus on Small Business, Minority Businesses; Female Owned Businesses
2. \$165,000: Reactivation of the Façade Improvement Grant Program
3. \$TBD: Analysis of Facade Improvement Grant Program to include Return on Equity Report on Previous Façade Grants provided to small businesses
4. \$40,000: Initiate an RFP for Engagement of Stakeholders and Completion of Community Facilities Plan, including school and county buildings, complete with inventory of assets and goals/objectives for facilities, that will serve as the basis for community facility decisions into the future.
5. End the LEAP subsidy of \$500,000 taking those funds to:
\$400,000: (5) FTE Economic Development for Economic Role previously done by LEDC/LEAP
\$100,000: Façade Improvement Grant Program

BE IT FURTHER RESOLVED, the Committee on Equity, Diversity, and Inclusion has established the following priorities:

1. \$500,000: (4) FTE Social Workers-(1) FTE Administrative Assistant (Dept.(s) TBD)
2. \$250,000: Lansing Police Department Officer Training- External Sources
3. \$125,000: (1) FTE Grant Writer (Neighborhood Citizen Engagement OR HRCS); RE: Assist Local Groups and organizations in grant research, grant writing and monitoring.

BE IT FURTHER RESOLVED, the Committee on General Services has established the following priorities:

1. \$5,000: Training Modules on Ethics Ordinance and Related Policies, Conflicts of Interest Policies, and the Open Meetings Act, among others, for Boards and Commissions (Dept. OCA)
2. \$10,000: Printing Costs to Provide Written Materials to Residents who do not have access to computers, internet or cell phones with document capability

BE IT FURTHER RESOLVED, the Committee on Intergovernmental Relations has established the following priorities:

1. Item with proposed cost (if a cost is estimable)
2. Item with proposed cost (if a cost is estimable)

BE IT FURTHER RESOLVED, the Committee on Public Safety has established the following priorities:

1. \$11,000: Traffic Speed Wagons (Public Service Department)
2. \$10,000: Portable Speed Bumps (Public Service Department)
3. \$140,000: Reinstate the LFD apprenticeship/cadet program (Lansing Fire Department)

BE IT FURTHER RESOLVED, the Committee on Public Service has established the following priorities:

1. \$TBD: Increase general fund support for implementation of the City's Street System Asset Management Plan, with a priority placed on reconstructing and preserving neighborhood streets, especially in those areas of the city which have been historically underserved. We encourage the Department to continue utilizing new and innovative ways to extend the life of our existing streets.
2. \$TBD: Maintain and expand funding for sidewalk repairs and right-of-way maintenance and improvement, with a priority placed on underserved areas; this should all be done while keeping safety a priority for Lansing residents and visitors, and meeting or exceeding the compliance with the Americans with Disabilities Act.
3. \$TBD: Maintain and expand funding to update and improve the fleet of city vehicles, with specific priority for the Department.
4. \$TBD: Establish Lansing as a leader in PFAS regulation, testing, monitoring and enforcement through maintaining and increasing funding for educational and training purposes, and working with relevant federal, state, county and local governments, and non-government organizations.
5. \$TBD: Expand opportunities for multi-family residential and business recycling.
6. \$TBD: Follow recommendations (to the greatest extent feasible) of the energy audit of all facilities and properties to save on energy and cut costs by replacing wasteful devices with ones that are energy efficient and reduce the carbon footprint of the City of Lansing.

BE IT FURTHER RESOLVED, the Committee on Ways and Means has established the following priorities:

1. Encourage the Administration to focus in on budget allocations and centralize the fees and costs associated with items such as Information Technology, utilities, etc.
2. Encourage the Chief Strategy Officer to perform an audit report on short and long term resolutions for the current forecast of the City's revenues and expenditures within all departments.

BE IT FURTHER RESOLVED, the City Council would like to continue its commitment, if funding is available, to:

- Maintain and improve the City's infrastructure;
- Preserve and ensure clean, safe, well-maintained housing and neighborhoods;
- Provide comprehensive and affordable recreational programs and youth and family services;
- Explore alternatives for improved efficiency in service and delivery.

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING
RESOLUTION TO SET A PUBLIC HEARING
(Lansing Shuffleboard and Social Club LLC Project)

WHEREAS, Lansing Shuffleboard and Social Club LLC has made application with the Lansing Economic Development Corporation (LEDC) for a business financing assistance loan to obtain operational licenses necessary to open a proposed food hall concept and event space on the property commonly known as 325 Riverfront Drive, formerly City Market Drive, Lansing (the Project); and

WHEREAS, with a continued effort to foster business development, expansion and renovation of properties within the City of Lansing, the LEDC has initiated a Business Financing Assistance Program and finds the Project to be within the targeted area for revitalization; and

WHEREAS, the Business Financing Assistance Program may utilize a portion of the LEDC's capital to make funds available for financing the Project; and

WHEREAS, the LEDC Board of Directors, in conformity with Public Act 338 of 1974, as amended (the "Act"), has approved the Project Plan, including a Project Area and Project District Area for the Project; and

WHEREAS, Section 8 of the Act requires that before the LEDC acquires an interest in property or incurs obligations for a specific project, the corporation shall prepare a project plan, conduct a public hearing on the matter and secure the approval of the City Council; and

WHEREAS, at such hearing, the City Council shall provide an opportunity for interested persons to be heard and shall receive and consider communications in writing with reference to the hearing; and

WHEREAS, Section 4 of the Act requires the appointment of 2 additional Directors of the LEDC who shall serve only in respect to this project and shall be representative of neighborhood residents and business interests likely to be affected by the project proposed by the corporation and who shall cease to serve when the project is either abandoned or, if undertaken, is completed in accordance with the project plan;

NOW, THEREFORE, BE IT RESOLVED that a public hearing be held in the City Council Chambers of the City of Lansing, 10th Floor, Lansing City Hall, Lansing, Michigan, on **October 12, 2020** at 7:00 p.m. for the Lansing Shuffleboard and Social Club LLC Project Plan and Project Area, as designated by the LEDC, under Public Act 338 of 1974 more particularly described as:

325 RIVERFRONT DRIVE, FORMERLY CITY MARKET DRIVE, LANSING, MI
48933

Parcel Number: 33-01-01-16-253-002

COM 360 FT W OF NE COR LOT 1, TH S 00DEG 05MIN 21SCD W 323 FT, S 32DEG 43MIN 09SCD E 212.85 FT, SE'LY ON 451.57 FT RAD CURVE TO RT CHORD BEARING S 25DEG 08MIN 02SCD W 480.55 FT, S 07DEG 00MIN 46SCD E 12.59 FT, N 24DEG 26MIN 12SCD W 37.25 FT, N 89DEG 58MIN 20SCD W 140.91 FT TO GRAND RIVER, N'LY ALONG RIVER TO S R/W LINE OF SHIAWASSEE ST, S 89DEG 58MIN 20SCD E 167.38 FT TO BEG; BLOCK 245 ORIG PLAT

BE IT FURTHER RESOLVED that the territory surrounding said designated Project Area will not be significantly affected by the Project and, therefore, a Project District Area is hereby recognized as having the same description as the Project Area.

BE IT FURTHER RESOLVED, due to COVID -19, the public hearing may be held electronically in accordance with the Open Meetings Act in an effort to protect the health and safety of the public. Members of the public wishing to participate in the meeting may do so by logging into or calling into the meetings using the website or phone number and Meeting ID provided on the **October 12, 2020** meeting agenda. Michigan Executive Order 2020-154 provides for temporary authorization of remote participation in public meetings and hearings.

BE IT FURTHER RESOLVED that the City Clerk shall provide notice of the time and place of the hearing given by publication once in a newspaper of general circulation designated by the municipality, not less than 10 days before the date set for the hearing.

BE IT FINALLY RESOLVED that the Lansing City Council hereby advises and confirms to the appointment by the Mayor of Julian Darden and Robert Widigan as additional directors to the Board of Directors of the LEDC solely for this project, pursuant to Section 4(2) of the Act, said persons being representative of neighborhood residents and business interests likely to be affected by the Project.

PASSAGE OF ORDINANCE

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO REPEAL CHAPTER 404, SECTION 404.01(j), TO ELIMINATE THE PROHIBITION ON STREET PARKING BETWEEN 2:00AM AND 5:00AM ON ANY DAY.

Is read a second time by its title. The Ordinance was reported from the Committee on Public Services and is on the order of immediate passage.

COUNCIL MEMBER	YEAS	NAYS
DUNBAR	☐	☐
BETZ	☐	☐
GARZA	☐	☐
HUSSAIN	☐	☐
JACKSON	☐	☐
SPADAFORE	☐	☐
SPITZLEY	☐	☐
WOOD	☐	☐
	☐	☐
☐ ADOPTED	☐ FAILED	

PASSAGE OF ORDINANCE

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO REPEAL CHAPTER 404, SECTION 404.13, TO ELIMINATE ANNUAL AND TEMPORARY PERMITS FOR OVERNIGHT STREET PARKING AND CREATE THE ABILITY FOR RESIDENTS OF INDIVIDUAL STREETS TO PETITION THE TRAFFIC ENGINEER TO UNDERTAKE A STUDY TO DETERMINE IF LIMITING OR PROHIBITING PARKING BY TRAFFIC CONTROL ORDER IS APPROPRIATE .

Is read a second time by its title. The Ordinance was reported from the Committee on Public Services and is on the order of immediate passage.

COUNCIL MEMBER	YEAS	NAYS
DUNBAR	☐	☐
BETZ	☐	☐
GARZA	☐	☐
HUSSAIN	☐	☐
JACKSON	☐	☐
SPADAFORÉ	☐	☐
SPITZLEY	☐	☐
WOOD	☐	☐
	☐	☐
☐ ADOPTED	☐ FAILED	

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO REPEAL
CHAPTER 404, SECTION 404.13, TO ELIMINATE ANNUAL AND TEMPORARY
PERMITS FOR OVERNIGHT STREET PARKING AND CREATE THE ABILITY FOR
RESIDENTS OF INDIVIDUAL STREETS TO PETITION THE TRAFFIC ENGINEER TO
UNDERTAKE A STUDY TO DETERMINE IF LIMITING OR PROHIBITING PARKING BY
TRAFFIC CONTROL ORDER IS APPROPRIATE .

THE CITY OF LANSING ORDAINS:

Section 1. That Chapter 404, Section 404.13, of the Codified Ordinances of the City of
Lansing, Michigan, be and is hereby repealed entirely and replaced as follows:

**404.13 – RESIDENTIAL PETITION TO TRAFFIC ENGINEER REGARDING STREET
PARKING.**

ALONG ANY STREET WHERE THE MAJORITY OF FRONT FOOTAGE OF BOTH
SIDES IS ZONED FOR RESIDENTIAL USE, IF A MAJORITY OF THE PROPERTY
OWNERS ON SUCH STREET SIGN A PETITION REQUESTING LIMITATION OR
PROHIBITION OF STREET PARKING ALONG ONE OR BOTH SIDES OF SUCH STREET,
THE TRAFFIC ENGINEER SHALL UNDERTAKE A STUDY EXAMINING WHAT
PARKING IS NEEDED AND IF ANY LIMITATION OR PROHIBITION OF PARKING BY
TRAFFIC CONTROL ORDER IS APPROPRIATE.

Section 2. All ordinances, resolutions or rules, parts of ordinances, resolutions or rules
inconsistent with the provisions hereof are hereby repealed in their entirety and shall be null and
void and of no effect.

1 Section 3. Should any section, clause or phrase of this ordinance be declared to be
2 invalid, the same shall not affect the validity of the ordinance as a whole, or any part thereof
3 other than the part so declared to be invalid.

4 Section 4. This ordinance shall take effect on the 30th day after enactment, unless given
5 immediate effect by City Council, and pursuant to Section 3-307 of the city Charter, this Chapter
6 shall expire December 31, 2029.

PASSAGE OF ORDINANCE

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO AMEND CHAPTER 404 OF THE LANSING CODIFIED ORDINANCES BY ADDING SECTION 404.12 TO PROVIDE FOR THE DECLARATION OF SNOW EMERGENCY DURING AND AFTER WEATHER EVENTS THAT WILL REQUIRE SALTING AND/OR PLOWING OF ROADWAYS; TO PROVIDE FOR HOW NOTICE SHALL BE GIVEN FOR SNOW EMERGENCIES; TO PROHIBIT PARKING IN ROADWAYS DURING DECLARED SNOW EMERGENCIES; AND TO PROVIDE FOR PENALTIES FOR PERSONS PARKING ON THE ROADWAYS DURING DECLARED SNOW EMERGENCIES.

Is read a second time by its title. The Ordinance was reported from the Committee Committee on Public Services and is on the order of immediate passage.

COUNCIL MEMBER	YEAS	NAYS
DUNBAR	☐	☐
BETZ	☐	☐
GARZA	☐	☐
HUSSAIN	☐	☐
JACKSON	☐	☐
SPADAFORE	☐	☐
SPITZLEY	☐	☐
WOOD	☐	☐
	☐	☐
☐ ADOPTED	☐ FAILED	

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO AMEND CHAPTER 404 OF THE LANSING CODIFIED ORDINANCES BY ADDING SECTION 404.12 TO PROVIDE FOR THE DECLARATION OF SNOW EMERGENCY DURING AND AFTER WEATHER EVENTS THAT WILL REQUIRE SALTING AND/OR PLOWING OF ROADWAYS; TO PROVIDE FOR HOW NOTICE SHALL BE GIVEN FOR SNOW EMERGENCIES; TO PROHIBIT PARKING IN ROADWAYS DURING DECLARED SNOW EMERGENCIES; AND TO PROVIDE FOR PENALTIES FOR PERSONS PARKING ON THE ROADWAYS DURING DECLARED SNOW EMERGENCIES.

THE CITY OF LANSING ORDAINS:

Section 1. That Chapter 404 of the Lansing Code of Ordinances of the City of Lansing is hereby amended to add Section 404.12 as follows:

404.12 – PARKING PROHIBITED DURING SNOW EMERGENCIES

WHEN WEATHER EVENTS REQUIRE SALTING AND/OR PLOWING OF SNOW AND ICE FROM THE ROADWAYS TO ENSURE SAFE TRAVEL, SNOW EMERGENCIES WILL BE DECLARED IN ACCORDANCE WITH THE PROVISIONS OF THIS SECTION. DURING DECLARED SNOW EMERGENCIES, NO PERSON MAY PARK ANY VEHICLE, OR LEAVE ANY VEHICLE PARKED, UPON ROADWAYS WITHIN THE CITY OF LANSING DESCRIBED BY THIS SECTION.

(A) DECLARATION AND PUBLIC ANNOUNCEMENT OF SNOW EMERGENCY.

THE DIRECTOR OF PUBLIC SERVICE WILL DECLARE A SNOW EMERGENCY WHENEVER A WEATHER EVENT, OR ANTICIPATED WEATHER EVENT, WILL

1 REQUIRE SALTING AND/OR PLOWING OF SNOW AND ICE FROM THE ROADWAYS IN
2 THE CITY. THE CHIEF OF POLICE SHALL CAUSE EACH DECLARATION OF A SNOW
3 EMERGENCY TO BE PUBLICLY ANNOUNCED BY MEANS OF TELEVISION AND
4 RADIO BROADCASTS AND/OR TELECASTS FROM STATIONS WITH A NORMAL
5 OPERATING RANGE COVERING THE CITY, INCLUDING CABLE TELEVISION
6 FRANCHISEES OPERATING WITHIN THE CITY. THE CHIEF OF POLICE MAY CAUSE
7 SUCH DECLARATION TO BE FURTHER MADE IN A NEWSPAPER OF GENERAL
8 CIRCULATION IF NECESSARY AND FEASIBLE.

9 (B) THREE LEVELS OF SNOW EMERGENCY.

10 THERE SHALL BE THREE LEVELS OF SNOW EMERGENCY WHICH MAY BE
11 DECLARED PURSUANT TO THIS SECTION, DEFINED AND DESCRIBED AS FOLLOWS:

12 (I) LEVEL 1 – DURING A LEVEL 1 SNOW EMERGENCY, PARKING WILL BE
13 PROHIBITED BETWEEN 2-6 AM IN THE DOWNTOWN, AND DURING ALL
14 HOURS ON SELECT ARTERIAL, NEIGHBORHOOD, AND TRANSIT
15 ROUTE ROADWAYS, WHICH WILL BE NAMED WHEN THE SNOW
16 EMERGENCY IS DECLARED.

17 (II) LEVEL 2 – DURING A LEVEL 2 SNOW EMERGENCY, PARKING WILL BE
18 PROHIBITED BETWEEN 2-6 AM IN THE DOWNTOWN, AND DURING ALL
19 HOURS IN THE REST OF THE CITY.

20 (III) LEVEL 3 – DURING A LEVEL 3 SNOW EMERGENCY, PARKING WILL BE
21 PROHIBITED 24 HOURS A DAY THROUGHOUT THE CITY.

22 (C) TERMINATION OF SNOW EMERGENCY AND PARKING PROHIBITION.

1 ONCE IN EFFECT, THE PROHIBITION ON PARKING IN ROADWAYS SHALL REMAIN
2 IN EFFECT UNTIL TERMINATED BY ANNOUNCEMENT OF THE CHIEF OF POLICE, IN
3 COORDINATION WITH THE DIRECTOR OF PUBLIC SERVICE, BY THE SAME MEANS
4 SET FORTH IN SUBSECTION (A). ADDITIONALLY, A ROADWAY THAT HAS BEEN
5 PLOWED OF SNOW AND ICE, FOR THE ENTIRETY OF THE BLOCK ON BOTH SIDES,
6 AFTER DECLARATION AND ANNOUNCEMENT OF A SNOW EMERGENCY, SHALL
7 BECOME EXCLUDED FROM THE PROHIBITION ON PARKING:

8 (C) VIOLATIONS AND PENALTIES.

9 ANY PERSON WHO VIOLATES THIS SECTION WILL BE TICKETED FOR A PARKING
10 VIOLATION AND FINED CONSISTENT WITH THIS CHAPTER. IN ANY PROCEEDING
11 FOR A VIOLATION OF THIS SECTION, PROOF THAT A PARTICULAR INDIVIDUAL
12 WAS THE REGISTERED OWNER OF A PARTICULAR VEHICLE AT THE TIME OF THE
13 VIOLATION SHALL CREATE THE PRESUMPTION THAT THE REGISTERED OWNER
14 WAS THE PERSON WHO PARKED THE VEHICLE IN VIOLATION.

15 (D) TOWING AND IMPOUNDMENT OF VEHICLES PARKED IN ROADWAY DURING
16 SNOW EMERGENCY.

17 ANY VEHICLE PARKED OR LEFT ON ANY CITY ROADWAY IN VIOLATION OF THIS
18 SECTION CONSTITUTES A PUBLIC HAZARD AND AN OBSTRUCTION OF TRAFFIC
19 AND MAY BE TOWED AND IMPOUNDED IMMEDIATELY. NO PERSON MAY
20 RECOVER ANY IMPOUNDED VEHICLE WITHOUT FIRST PAYING THE COST OF
21 REMOVAL AND STORAGE, NOTWITHSTANDING, AND APART FROM, ANY FINE
22 WHICH MAY ALSO BE IMPOSED FOR VIOLATION OF THIS CHAPTER.

1 Section 2. All ordinances, resolutions or rules, parts of ordinances, resolutions or rules
2 inconsistent with the provisions hereof are hereby repealed in their entirety and shall be null and
3 void and of no effect.

4 Section 3. Should any section, clause or phrase of this ordinance be declared to be invalid,
5 the same shall not affect the validity of the ordinance as a whole, or any part thereof other than the
6 part so declared to be invalid.

7 Section 4. This ordinance shall take effect on the 30th day after enactment, unless given
8 immediate effect by City Council, and pursuant to Section 3-307 of the City Charter, this Chapter
9 shall expire December 31, 2029.

10

PASSAGE OF ORDINANCE

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO AMEND
CHAPTER 890 OF THE LANSING CODIFIED ORDINANCES BY AMENDING SECTION
890.01, TO REFORM GUIDELINES FOR POVERTY EXEMPTIONS FOR REAL
PROPERTY AND TO REMOVE TRUE CASH VALUE OF A PRINCIPAL RESIDENCE AS
A CRITERIA FOR ELIGIBILITY, CONSISTENT WITH STATE LAW.

Is read a second time by its title. The Ordinance was reported from the Committee
Committee on Public Services and is on the order of immediate passage.

COUNCIL MEMBER	YEAS	NAYS
DUNBAR	☐	☐
BETZ	☐	☐
GARZA	☐	☐
HUSSAIN	☐	☐
JACKSON	☐	☐
SPADAFORE	☐	☐
SPITZLEY	☐	☐
WOOD	☐	☐
	☐	☐
☐ ADOPTED	☐ FAILED	

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO AMEND CHAPTER 890 OF THE LANSING CODIFIED ORDINANCES BY AMENDING SECTION 890.01, TO REFORM GUIDELINES FOR POVERTY EXEMPTIONS FOR REAL PROPERTY AND TO REMOVE TRUE CASH VALUE OF A PRINCIPAL RESIDENCE AS A CRITERIA FOR ELIGIBILITY, CONSISTENT WITH STATE LAW.

THE CITY OF LANSING ORDAINS:

Section 1. That Section 890.01 of the Lansing Code of Ordinances of the City of Lansing is hereby amended as follows:

890.01. - Adoption.

Pursuant to MCL 211.7u, as amended, the City hereby adopts the following guidelines for the City Assessor and Board of Review to implement poverty exemptions for property that qualifies under MCL 211.7dd as a principal residence from taxation. The guidelines shall include, but not be limited to, the specific income and asset levels of the claimant and all persons residing in the household of the claimant including the contributions of other parties to support the claimant, ~~and including any property tax credit returns filed in the current or immediately preceding year.~~

To be eligible for a poverty exemption from such taxation, a person shall meet all of the following on an annual basis:

- (a) Be an owner of and occupy as a principal residence the property for which an exemption is requested;
- (b) File a claim with the City Assessor or Board of Review on a form provided by the City Assessor, accompanied by Federal and State income tax returns for all persons residing in the principal residence including the contributions of other parties to support the claimant, ~~and including any property tax credit returns filed in the immediately preceding year or in the current year;~~
- (c) Produce a valid driver's license or other form of identification if requested;
- (d) Produce a deed, land contract or other evidence of ownership of the property for which an exemption is requested, IF SUCH PROOF OF OWNERSHIP IS REQUESTED BY THE ASSESSOR OR BOARD OF REVIEW;

(e) Meet the Federal poverty guidelines as updated annually in the Federal Register by the United States Department of Health and Human Services under authority of Section 673 of Subtitle B of Title VI of the Omnibus Budget Reconciliation Act of 1981, Public Law 97-35, 42 U.S.C. 9902;

~~(f) Own and occupy a principal residence having a true cash value which is less than the average true cash value of all principal residence properties in the City, based on the previous year values;~~

~~(g)~~(F) File a claim for exemption after January 1, but before the day prior to the last day of the Board of Review meeting; and

~~(h)~~(G) Have assets, not including homestead, less than five times annual household income.

~~(i)~~ Any relief granted is a reduction over and above the maximum homestead property tax credit granted, or which would have been granted had the claimant applied, by the State of Michigan.

Section 2. All ordinances, resolutions or rules, parts of ordinances, resolutions or rules inconsistent with the provisions hereof are hereby repealed in their entirety and shall be null and void and of no effect.

Section 3. Should any section, clause or phrase of this ordinance be declared to be invalid, the same shall not affect the validity of the ordinance as a whole, or any part thereof other than the part so declared to be invalid.

Section 4. This ordinance shall take effect on the 30th day after enactment, unless given immediate effect by City Council, and shall expire on December 31, 2028.



Chris Swope
Lansing City Clerk

September 18, 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 Brownfield Redevelopment Authority
Economic Development Authority
Tax Increment Financial Authority

August 7, 2020

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,

Chris Swope, MMC/MiPMC
Lansing City Clerk

BY THE COMMITTEE ON PUBLIC SAFETY
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing Code Compliance Officer has declared a certain structure at 2108 E. Cavanaugh, Parcel # 33-01-01-35-301-195 and Legal Description: Lot 17 Exc S 436 FT Supervisors Plat of Culver-Dale Sub to be an unsafe and dangerous building and requested the property owner be ordered to demolish or otherwise make safe the structure; and

WHEREAS, the Code Compliance Officer red tagged the said structure on 3/29/2017 and requested the property owner be ordered to demolish or otherwise make safe the structure; and

WHEREAS, on 12/05/2019, the Lansing Demolition Board held a special meeting to consider and make a recommendation on whether to declare the structure a dangerous building, as defined in the Housing Law of Michigan (MCLA 125.539) and the Lansing Housing and Property Maintenance Code (1460.01, et seq.), and ordered the property owner to make safe or demolish the structure by 03/27/2020; and

WHEREAS, the Code Compliance Office has determined that compliance with the order of the Lansing Demolition Hearing Board officer has not occurred; and

WHEREAS, the Housing Law of Michigan and the Lansing Codified Ordinances require that a hearing be conducted to give the property owner an opportunity to show cause why a dangerous structure should not be demolished or otherwise made safe;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby schedules a show cause hearing for Monday, <<FutureHearingDate>> at 7:00 p.m. in the Lansing City Council Chambers, 10th Floor City Hall, 124 W. Michigan, Lansing, Michigan in consideration of the finding and order of the Lansing Demolition Hearing Board Officer regarding the structure at 2108 E. Cavanaugh, as legally described above, to give the owner, or the owner's agent, the opportunity to appear and show cause why the building should not be demolished or otherwise made safe; and to approve, disapprove, or modify the order of the hearing officer to demolish or make safe the subject structure.

BE IT FINALLY RESOLVED that the Lansing City Council requests that the Manager of Code Compliance notify the owner of said property of the opportunity to appear and present testimony at the hearing, as required by law.

RESOLUTION #2020-
BY THE COMMITTEE ON PUBLIC SAFETY
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Code Compliance Manager has determined that the building located at 2108 E. Cavanaugh Road, Parcel # 33-01-01-35-301-195 legally described as: Lot 17 Exc S 436 FT of Supervisors Plat of Culver-Dale Sub is an unsafe or dangerous building as defined in Section 108.1 of the International Property Maintenance Code as adopted by Lansing Codified Ordinance 1460.01, and the Housing Law of Michigan, and the building was red tagged on 3/29/2017 ; and

WHEREAS, a hearing was held by the Lansing Demolition Board on 12/05/2019, at which the Hearing Officers determined that said building was an unsafe and dangerous building and ordered the building demolished or made safe by 3/27/2020; and

WHEREAS, said Hearing Officers filed a report of their findings and order with the City Council and requested the City Council to take appropriate action under the Lansing Codified Ordinances and the Housing Law of Michigan; and

WHEREAS, the Housing Law of Michigan and Lansing Codified Ordinances require a hearing be conducted to give the property owner an opportunity to show cause why a dangerous structure should not be demolished or otherwise made safe; and

WHEREAS, the City Council held a public show cause hearing on [Date of Hearing], to review the findings and the order of the Hearing Officers, and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe; and

WHEREAS, the Code Compliance Office has determined that compliance with the order of the Lansing Demolition Hearing Board Officer has not occurred.

NOW, THEREFORE, BE IT RESOLVED that the owner(s) of 2108 E. Cavanaugh Road, as legally described above, are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within _____ days from the date of this resolution, [Date This Resolution Passes].

BE IT FURTHER RESOLVED that the property owner(s) is hereby notified that this order must be appealed within twenty days pursuant to MCL 125.542 and should the owners fail to comply with the Hearing Officers' order for demolition or make safe, the Manager of Code Compliance is hereby directed to proceed with demolition of said building.

BE IT FURTHER RESOLVED, whether demolition is accomplished by said property owner or the City, that appropriate seeding and restoration of property take place to avoid run-off to adjacent properties.

BE IT FURTHER RESOLVED that if the demolition is accomplished by the City, the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor.

BE IT FINALLY RESOLVED that the owners in whose name the property appears upon the last local tax assessment record shall be notified by the City Assessor of the amount of such cost by first class mail at the address shown on the records. Upon the owner's failure to pay the same

within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the amount of said costs shall be a lien and shall be filed and recovered as provided by law and the lien shall be collected and treated in the same manner as provided for property tax liens under the general property tax act.

2108 E. CAVANAUGH

● Original Red Tag Date

● 3/29/2017

● Submitted Into Make Safe Or Demolish Process

● 5/23/2019

● Property Vacant/Repairs Exceed Building SEV

● Property vacant more than 180 days

● Repairs exceed building SEV

● Title Information

● HOLMES, WILLIAM S

2108 E. CAVANAUGH

Property Value Information

● SEV

● \$12,600.00 (*as of 9/11/2020*)

● Structure

● \$0.00 (*as of 9/11/20*)

● Land

● \$12,600.00 (*as of 9/11/2020*)

● Estimate of Repairs

● \$52,000.00

2108 E. CAVANAUGH

Housing Code Correction Letters

● Code Compliance Inspection Date

● 03/29/2017

● Code Compliance Letter Written

● 03/27/2017

● Code Compliance Due Date

● 04/29/2017

2108 E. CAVANAUGH

Demolition Board Actions

- Demolition Board Show Cause Hearings

- 12/05/2019

- Order by Demolition Board

- MS or D by 03/27/2020

- Request Sent To City Council for Show Cause Hearing

- 09/14/2020

2108 E CAVANAUGH.

City Council Actions

- Show Cause Hearing Held

- 00/00/00

- Public Safety Committee Meeting

- 00/00/00

- Resolution passed by City Council

- Extension Requested By Owner

2108 E CAVANAUGH.

General Comments

- 2019 FIRE DAMAGE REPAIR PERMIT EXPIRED AS OF 2/08/2020
- 2017 ELECTRICAL PERMIT EXPIRED AS OF 10/09/2017

RECOMMENDATIONS

● FOR NEW CASES:

- Recommend time frame for MS or D. This requires a resolution be passed by City Council –
 - 60 days for regular demolitions
 - 30 days for fire-damaged demolitions
- Table case – Stays at PS Committee level for future review.

● FOR EXTENSION REQUESTS:

- Grant extension if requested. Requires new resolution be passed by City Council.
- Deny extension requested. Case will proceed in demo process and be sent out to bid for demolition.

● FOR TABLED CASES:

- Recommend time frame for MS or D. This requires a resolution be passed by City Council –
 - 60 days for regular demolitions
 - 30 days for fire-damaged demolitions
- Return case to table – Stays at PS Committee level for future review.

**CITY OF LANSING - DEMOLITION BOARD
REPORT FOR CITY COUNCIL
CASE OVERVIEW SHEET**

ADDRESS:	2108 E. Cavanaugh Road
PARCEL NUMBER:	33-01-01-35-301-195

SHOW CAUSE HEARING DATE:	
DEMOLITION CASE FILE #:	D2019-010

LISTED TAXPAYER:	Holmes, William S.
INTERESTED PARTIES:	Holmes, William S.
SEV INFORMATION:	\$12,600.00
LAND VALUE:	\$12,600.00
BUILDING VALUE:	\$0.00
LOT SIZE:	200 x 200

HOUSING CODE VIOLATION LTR:	3/29/2017
ORIGINAL RED TAG DATE:	3/29/2017
ZONING:	"A" RESIDENTIAL
ESTIMATE OF REPAIRS:	\$52,000.00
PICTURES:	YES
OTHER:	

LEGAL DESCRIPTION:	LOT 17 EXC S 436 FT SUPERVISORS PLAT OF CULVER-DALE SUB
---------------------------	--

ORDER OF DEMOLITION BOARD

DEMOLITION BOARD MEETING DATE:	
ORDER:	
REASON/CONDITIONS:	
HEARING OFFICER:	

CURRENT PERMIT ACTIVITY

BUILDING:	Required, not yet pulled
ELECTRICAL:	Required, not yet pulled
MECHANICAL:	Required, not yet pulled
PLUMBING:	Required, not yet pulled
DEMOLITION:	na

CURRENT CITY COUNCIL ACTIVITY

REQUEST FOR SHOW CAUSE SENT:	
SHOW CAUSE HEARING DATE:	
PUBLIC SAFETY COMMITTEE WILL REVIEW:	





2108 E CAVANAUGH













2108 E CAVANAUGH







03/29/2017 07:57 AM





03/29/2017 07:58 AM



CITY OF LANSING DEMOLITION HEARING BOARD	ORDER TO MAKE SAFE, DEMOLISH OR MAINTAIN BUILDING OR STRUCTURE	FILE NO. D2019-010
---	---	-----------------------

Matter of the building/structure at 2108 E. Cavanaugh Road which is a ☒ dwelling ☐ garage ☐ other

1. Date of hearing: December 5, 2019 Hearing Officers: DAVE MUYLLE, JOSEPH VITALE
2. Scott Sanford, Code Compliance Lead Housing Inspector of the City of Lansing, has filed a copy of a notice that the subject building/structure is dangerous. The copy of the notice is attached.

THE HEARING OFFICER FINDS THAT:

3. Notice of this hearing was properly served on the
☐ rental registration owner(s)
☒ Owner's or party in interest on City tax assessment record
4. The building/structure ☒ is ☐ is not a dangerous building as defined in MCL 125.539, specifically (see attached)
5. ☒ The building/structure has remained unoccupied for 180 consecutive days or more and is not listed for sale, lease or rent with a licensed real estate broker.
6. ☐ The building/structure has been substantially destroyed by ☐ fire ☐ wind ☐ flood
☐ other:
7. The state equalized value of the building/structure is \$12,600.00
8. The cost to repair the building or structure to make it safe is \$52,000.00
9. The real estate is described as follows:

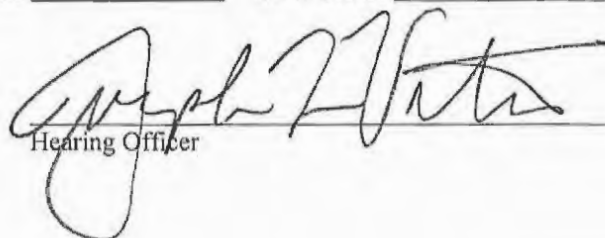
Parcel Number: 33 01 01 35 301 195

LOT 17 EXC S 436 FT SUPERVISORS PLAT OF CULVER-DALE SUB, CITY OF LANSING

IT IS ORDERED THAT:

10. ☐ The matter is closed.
☒ The building/structure shall be made safe or demolished on or before 3-27-26.
☐ The case be tabled until _____.
- ☐ The building or structure shall be demolished on or before _____ if not made safe as ordered herein.
- ☐ (If finding #5 is made) The exterior of the building shall be maintained, including
☐ lawns, trees and shrubs ☐ paint on structure ☐ other _____ on or before _____.

12/4/19
Date


Hearing Officer

Cover Sheet - Act-16-2019

Private Use of N M L King Jr. Blvd., Sewer and Rivertrail Easements

Act-16-2019 is a request by 2122 N MLK Holdings, LLC for a narrow easement along the east side of the N. Martin Luther King, Jr. Blvd Right-of-Way (ROW) for the purpose of providing driveway access and parking for the business at 2122 N. M L King Jr. Blvd.

This Act case also involves the Lansing Public Service Department formalizing an easement for a 15” sanitary sewer built on the property in 1948, and reserved in principle by Council resolution on January 18, 1960 and a request by the City’s Parks and Recreation Department for a rivertrail easement along the south side of the property at 2122 N. MLK.

The Planning Board voted unanimously in January of 2020 to recommend approval of Act-16-2019 in its entirety.

RESOLUTION # _____

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Act-16-2019, Private use of N M L King Jr. Blvd., Sewer and RiverTrail Easements

WHEREAS, 2122 N MLK Holdings, LLC, owner of 2122 N M L King Jr. Blvd, requests a narrow easement along the east side of N. Martin Luther King, Jr. Blvd Right-of-Way (ROW) for the purpose of providing driveway access and parking for the business at 2122 N. M L King Jr. Blvd.; and

WHEREAS, the Lansing Public Service Department seeks to formalize an easement for a 15” sanitary sewer built on the property in 1948, and reserved in principle by Council resolution dated January 18, 1960; and

WHEREAS, the Lansing Parks and Recreation Department seeks an easement along the south side of the subject property at 2122 N, M L King Blvd.; and

WHEREAS, on January 7, 2020, the Planning Board reviewed the location, character, and extent of these proposals in accordance with its Act 33 Review procedures, and found that:

- on January 18, 1960, by Council resolution, the City swapped some property to obtain additional right-of-way for Martin Luther King Blvd. (then Logan Street),
- the swapped property became part of the bowling alley property, and City Council resolution reserved a public utility easement over this property which reserves for the City the right of ingress and egress for a sanitary sewer constructed by the Landel Metropolitan District,
- the encroachment dates back to when the former bowling alley was constructed in the early 1960s and has historically been used as paved parking, and the open and obvious encroachment of the parking was likely permitted by the City,
- the existing area that is paved for parking has no current effect on the actual street since they are of different elevations and separated by a guard-rail and a row of trees,
- the use of the ROW for parking does not interfere with current operations of Public Service in regards to the bridge and to the sewers,
- the Public Service Department recommends a license agreement rather than an easement to correct the encroachment, along with more specific easements for the sewer and the RiverTrail; and

WHEREAS, on January 7, 2020, the Planning Board voted unanimously (5-0) to recommend approval of Act-16-2019 (all three requests), with conditions; and

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

NOW, THEREFORE BE IT RESOLVED, that the Lansing City Council, hereby approves Act-16-2019 with the following conditions

- the City of Lansing reserves the right to use and develop all land within the M L King Jr. Blvd. ROW for street maintenance, bridge construction, sewer construction, other utility construction and maintenance, and access to the Grand River, as necessary,
- the City of Lansing reserves the right of access to all land within the M L King Jr. Blvd. ROW, including paved surface of the parking lot, as necessary,
- the Applicant's use of the ROW is confined to the existing area of parking and that such use does not interfere with current or future operations of the City of Lansing Public Service Department in regards to the bridge and to the sewers;

BE IT FURTHER RESOLVED, that the City shall enter into a license agreement with the owner of 2122 N M L King, Jr., Blvd over a variable width piece of land to cover encroachments on the west side of the parcel at 2122 N M L King, Jr. Blvd, which permits the use of the encroachment area for parking and access, legally described as:

BEGINNING AT A POINT ON THE EAST LINE OF NORTH MARTIN LUTHER KING JUNIOR BOULEVARD. SAID POINT BEING 55.00 FEET S00° 46' 53"W OF THE INTERSECTION OF THE SOUTH LINE OF LOGAN ACCESS ROAD AND SAID EAST LINE OF NORTH MARTIN LUTHER KING JUNIOR BOULEVARD; THENCE S00° 46' 53"W, 710.00 FEET ALONG SAID EAST LINE OF NORTH MARTIN LUTHER KING JUNIOR BOULEVARD TO A POINT ON A TRAVERSE LINE ON THE NORTH BANK OF THE GRAND RIVER; THENCE N57° 07' 25"W, 60.00 FEET; THENCE N02° 57' 46"E, 678.61 FEET; THENCE S89 °13' 07"E, 25.00 FEET TO THE POINT OF BEGINNING, .

BE IT FURTHER RESOLVED that the City shall accept a 35-foot wide easement centered on the 15" sanitary sewer, legally described as:

A 35.00 FEET WIDE EASEMENT FOR EXISTING SANITARY SEWER. BEING 17.50 FEET EACH SIDE OF SANITARY SEWER PIPE AS CONSTRUCTED. RUNNING IN AN EASTERLY AND WESTERLY DIRECTION LOCATED IN THE SOUTH PORTION OF THE ABOVE PARCEL. SAID EASEMENT BEING CENTERED ON SEWER PIPE AND COMMENCING AT A POINT S00' 46' 53"W 734.63 FEET OF THE INTERSECTION OF THE EAST LINE OF MARTIN LUTHER KING JUNIOR BOULEVARD, ALSO BEING THE WEST LINE OF ABOVE DESCRIBED PARCEL AND THE SOUTH LINE OF LOCAN ACCESS ROAD, ALSO BEING THE NORTH LINE OF ABOVE DESCRIBED PARCEL; THENCE S66' 40' 05"E 87.89 FEET ALONG THE CENTER LINE OF CONSTRUCTED PIPE TO THE CENTER OF EXISTING SANITARY MANHOLE; THENCE S67' 22' 48"E 329.69 FEET ALONG THE CENTER LINE OF SAID PIPE TO THE CENTER OF EXISTING SANITARY MANHOLE; THENCE IN A SOUTHEASTERLY DIRECTION ALONG THE CENTER LINE OF SAID SEWER PIPE 182 FEET MORE OR LESS TO A POINT ON THE EAST PROPERTY LINE OF THE ABOVE REFERENCED PARCEL.

provided that said easement shall include a right of access over the paved surface of the property to service, maintain, and replace the sewer.

BE IT FURTHER RESOLVED, that the City shall accept a RiverTrail easement agreement for the use of the Applicant's property along the north side of the Grand River, legally described as:

A 30.00 FEET WIDE EASEMENT FOR RIVER WALK PATHWAY, SAID EASEMENT BEING 30.00 FEET NORTH OF AND PERPENDICULAR TO THE TOP OF BANK ON THE NORTH SIDE OF GRAND RIVER, BEING FURTHER DESCRIBED AS BEGINNING AT A POINT THAT IS ON THE EAST LINE OF LOT 24 OF TOWNSEND'S SUBDIVISION WHICH IS S00' 55' 19"W 1369.70 FEET FROM THE INTERSECTION OF SAID EAST LINE OF LOT 24 AND THE SOUTH LINE OF GRAND RIVER AVENUE AND TO THE POINT OF BEGINNING, THENCE S58' 27' 37"E 64.12 FEET ALONG A LINE WHICH IS 30.00 FEET NORTHEAST OF AND PARALLEL TO THE TOP OF BANK ON THE NORTHEAST SIDE OF THE GRAND RIVER; THENCE CONTINUING ALONG SAID 30.00 FEET PARALLEL LINE S69' 51' 24"E, 281.65 FEET TO THE EAST LINE OF ABOVE DESCRIBED PARCEL, ALSO BEING THE EAST LINE OF LOT 21 OF SAID TOWNSEND'S SUBDIVISION, THENCE S00' 40' 08"W, 31.82 FEET TO THE TOP OF BANK ON THE NORTHEAST SIDE OF THE GRAND RIVER; THENCE N69' 51' 24"W, 295.25 FEET ALONG SAID TOP OF BANK; THENCE CONTINUING ALONG SAID TOP BANK N58' 27' 37"W, 68.45 FEET TO THE WEST LINE OF SAID LOT 21, ALSO BEING THE EAST LINE OF SAID LOT 24; THENCE N00' 55' 19"E, 36.95 FEET ALONG SAID LOT LINE TO THE POINT OF BEGINNING

provided that said easement shall include a right of access over the paved surface of the property to service, and maintain, the RiverTrail and necessary shoreline protection.

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



**Act 33 Application of
2122 N. MLK Holdings, LLC**

Legal Description of Property Involved:

SPLIT/COMBINED ON 01/04/2018 FROM 33-01-01-05-476-062, 33-01-01-05-476-122; BEARINGS SHOWN ON THIS SURVEY WERE DETERMINED IN THE FOLLOWING MANNER THE EAST LINE OF LOT 24, TOWNSEND'S SUBDIVISION WAS ASSUMED AS BEING S.00'-55'-16"W., PER GEODETIC DESIGNS SURVEY DATED MAY 24, 2017 PART OF LOTS 21 AND 24 OF TOWNSEND'S SUBDIVISION OF PART OF SECTIONS 4, 5, 8 AND 9, T.4 N.-R.2 W., CITY OF LANSING, INGHAM COUNTY, MICHIGAN, AS RECORDED IN LIBER 37 OF PLATS, PAGE 150, INGHAM COUNTY RECORDS, DESCRIBED AS FOLLOWS: BEGINNINGS AT A POINT ON THE SOUTH LINE OF LOGAN ACCESS ROAD, WHICH IS 322.00 FEET, ON SAID EAST LINE OF LOT 24, S.00'-55'-19"W., OF THE INTERSECTION OF SAID EAST LINE AND THE SOUTH LINE OF GRAND RIVER AVENUE; THENCE CONTINUING S.00'-55'-19"W. ON SAID EAST LINE AND SAID SOUTH LINE OF LOGAN ACCESS ROAD, 29.80 FEET; THENCE N.56'-45'-46"E., ON SAID SOUTH LINE, 9.97 FEET; THENCE S.00'-55'-19"W., PARALLEL WITH SAID EAST LINE OF LOT 24, 366.84 FEET; THENCE S.89'-19'-52"E., 30.75 FEET; THENCE S.00'-40'-08"W., PARALLEL WITH THE EAST LINE OF LOT 21, TOWNSEND'S SUBDIVISION, 353.00 FEET; THENCE S.89'-16'-52"E., 295.00 FEET TO EAST LINE OF SAID LOT 21; THENCE S.00'-40'-08"W., ON SAID EAST LOT LINE, 474.11 FEET TO A TRAVERSE LINE ALONG THE NORTHERLY BANK OF THE GRAND RIVER, IT IS THE INTENTION OF THIS SURVEY TO INCLUDE ALL LANDS BETWEEN SAID TRAVERSE LINE AND THE WATER'S EDGE OF SAID GRAND RIVER; THENCE N.64'-45'-38"W., ALONG SAID TRAVERSE LINE, 370.57 FEET TO A POINT ON THE EAST LINE OF SAID LOT 24; THENCE N.00'-55'-19"E., ON SAID EAST LINE, 30.00 FEET; THENCE N.57'-07'-25"W., 240.00 FEET TO A POINT ON THE EAST LINE OF MARTIN LUTHER KING JUNIOR BOULEVARD; THENCE N.00'-46'-53"E., ON SAID EAST LINE, 765.00 FEET TO THE SOUTH LINE OF SAID LOGAN ACCESS ROAD; THENCE ON THE SOUTH LINE OF SAID LOGAN ACCESS ROAD THE FOLLOWING TWO COURSES: NORTHEASTERLY 127.00 FEET, ON THE ARC OF A 260 FEET RADIUS CURVE TO THE RIGHT, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF N.49'-15'-43"E., 125.75 FEET THENCE N.63'-15'-19"E., 126.00 FEET TO THE POINT OF BEGINNING, CONTAINING 7.74 ACRES OF LAND WITHIN TRAVERSE BOUNDARY AND 8.0+- ACRES TO WATER'S EDGE SUBJECT TO ANY EASEMENTS OF RECORD.

Applicant's Proposal:

Introduction

2122 N MLK Holdings, LLC ("MLK Holdings" or "Applicant") is a real property holding company which owns the former "Pro Bowl" complex on North Martin Luther King, Jr. Blvd. near its intersection with Grand River Avenue.

MLK Holdings acquired the facility in 2018 and closed on the sale and acquired title in April 2019 in connection with the construction of a licensed medical marihuana grower facility to be operated by PG Manufacturing, LLC ("Pro Gro"). Pro Gro won eight (8) Class C licenses from the City of Lansing medical marihuana licensing program in 2018.

In the time since Pro Gro was awarded this local approval, MLK Holdings and Pro Gro have been constructing improvements on the Pro Gro complex. These efforts have

included asbestos remediation, installation of new electrical, plumbing, HVAC, foundation, flooring, and grow room demising walls within the facility. These and other improvements will permit Pro Gro to execute on its plans to operate the largest grow facility within the City of Lansing in Q1 2020.

Since the Pro Gro facility will have employment levels ranging between 100-250 employees and will, on a routine basis, be visited by third parties such as customers and regulators, Pro Gro needs to provide a substantial, well-maintained parking lot. The parking lot left behind by the former bowling alley user was in a serious state of disrepair. Applicant is committed to improve the parking lot.

The MLK Blvd. Right-Of-Way

In connection with surveying the property and obtaining quotes to resurface the parking lot running parallel with MLK Blvd., Applicant discovered that a portion of the parking lot depicted in the attached site plan was built within the MLK Blvd. right-of-way by a prior owner of the property.

An examination of the title records did not indicate that a license or other easement was ever executed in favor of a previous property owner permitting the construction of the parking lot within the ROW.

MLK Holdings wishes to maintain the parking lot as it is located now because removal of the parking lot within the ROW will require elimination of a drive lane for the parking lot.

The impact on the City and the integrity of the ROW is minimal: the impacted portion of the parking lot, as currently located, has likely been within the ROW since the bowling alley was constructed with little or no negative impact on the City and motorists on MLK Blvd.

In fact, as can be seen in the attached photographs, MLK Blvd. is between twelve and three feet above the grade of the parking lot. In other words, the lands located within the ROW which are impacted by the parking lot are not currently needed by the City, nor will it likely ever be needed, for expansion of the roadway or shoulder.

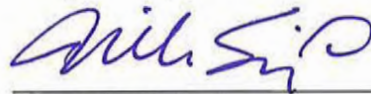
On the other hand, requiring Applicant to remove the parking lot will work a substantial hardship on MLK Holdings. It will require shrinking the parking lot and

removing a drive lane, resulting in cars and pedestrians having less room to navigate the remaining parking lot. It may also necessitate construction of additional parking facilities elsewhere on the parcel, resulting in additional non-permeable surfaces and more unnecessary storm water runoff.

In short, balancing the pros and cons of granting the license/easement to maintain and improve the parking lot – but not expand it – clearly results in a conclusion that this Act 33 application should be granted in favor of the Applicant.

MLK Holdings welcomes the opportunity to provide additional information regarding this application. The undersigned serves as MLK Holding's representative regarding this matter. His contact information appears below.

Respectfully submitted

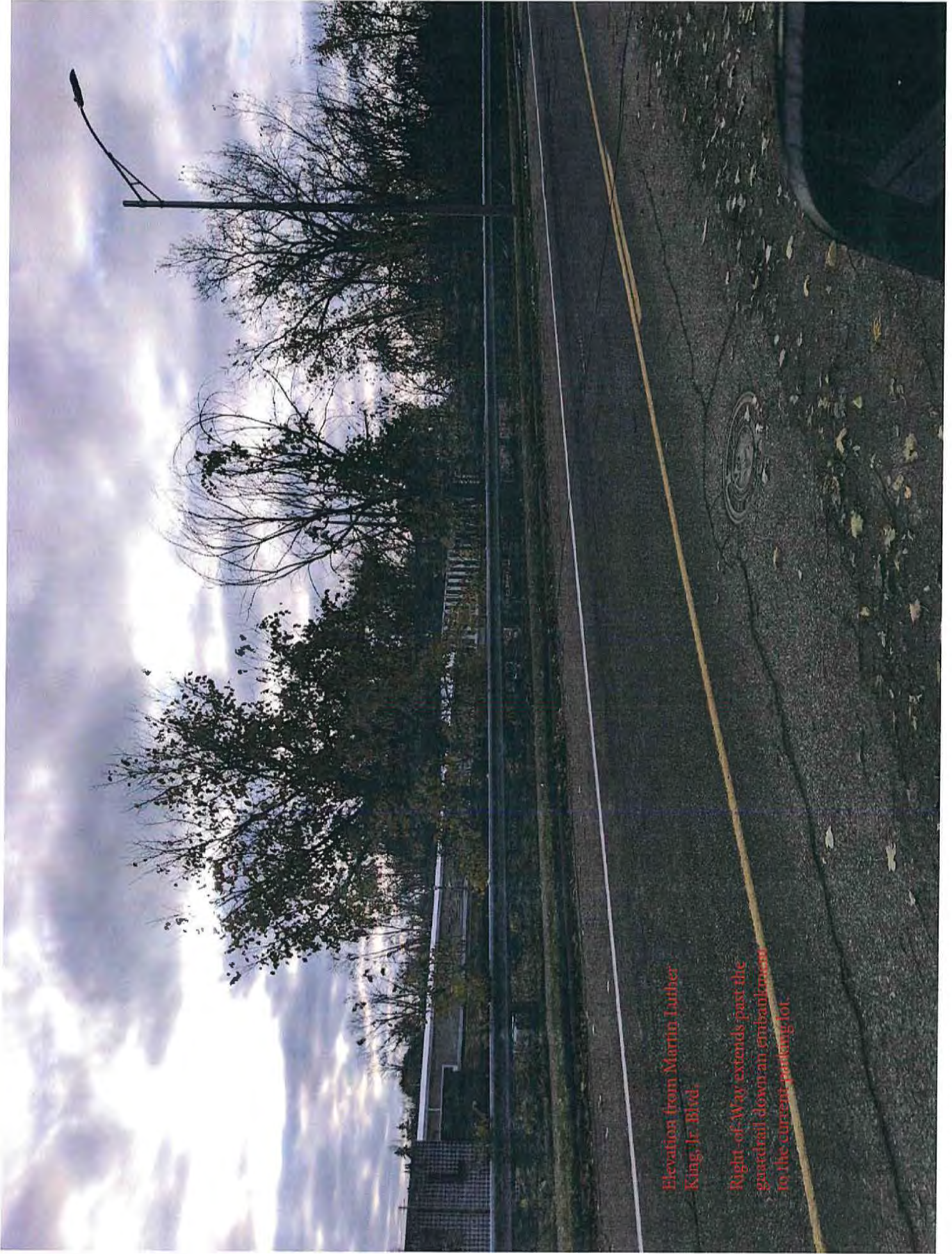


Micah M. Siegel
5815 S. Pennsylvania Ave.
Lansing, MI 48911
(937) 469-1442 (cell)
micahsiegal@gmail.com



Looking north.

Depicting portion of the parking lot within the ROW.



Elevation from Martin Luther
King, Jr. Blvd.

Right-of-Way extends past the
grade rail down an embankment
to the current parking lot.

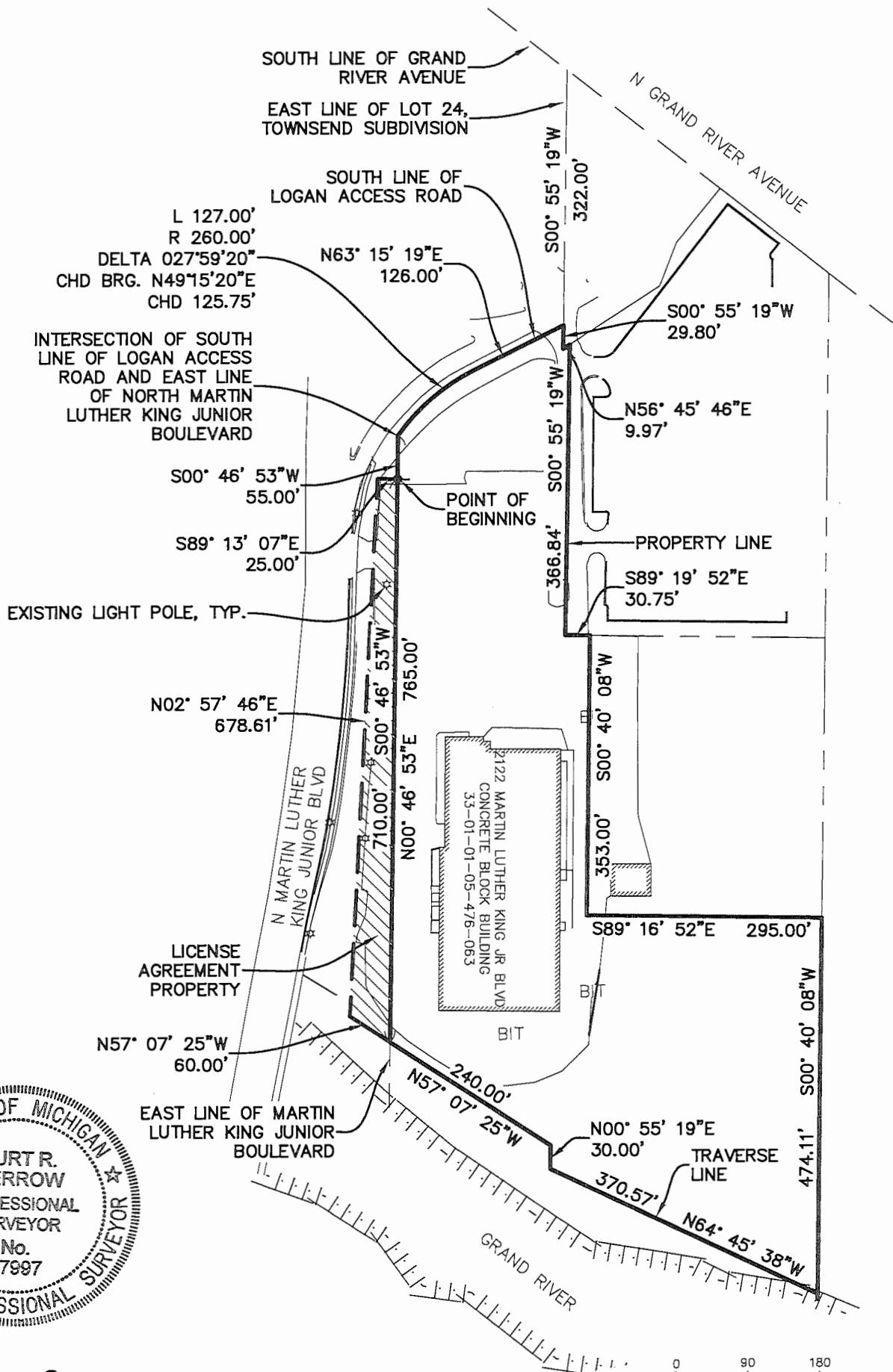


Elevation from Martin Luther King, Jr. Blvd.

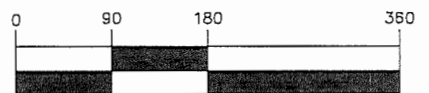
Right-of-Way extends past the guardrail down
an embankment to the current parking lot

LICENSE AGREEMENT PROPERTY

PART OF SECTION 5, CITY OF LANSING
TOWN 4 NORTH, RANGE 2 WEST
INGHAM COUNTY MICHIGAN



Curt R. Merrow
CURT R MERROW
Professional Surveyor No. 47997
DATE: 03/12/2020



(IN FEET)
1 inch = 180 ft.



1210 N. CEDAR St., Suite B
LANSING, Michigan 48906
PHONE: (517) 853-7866
FAX: (517)-853-7869

LICENSE AGREEMENT EXHIBIT

SURVEYED FOR:

LAUX
4218 CHARLAR DRIVE
HOLT, MI 48842
(517) 694-0117

FIELD: CRM

COMP: CRM

DRWG: AJS

CHKD: CRM

PROJECT: PRO GRO

SHEET 1 OF 2 SHEET(S)

SHEET 2 OF 2 SHEET(S)

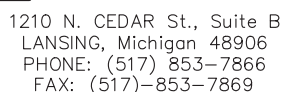
PART OF SECTION 5, CITY OF LANSING TOWN 4 NORTH, RANGE 2 WEST INGHAM COUNTY MICHIGAN



(IN FEET)

$$1 \text{ inch} = 180 \text{ ft.}$$

Professional Surveyor No. 47997
DATE: 03/24/2020



SURVEYED FOR:

LAUX CONSTRUCTION
1018 HOGSBACK ROAD
MASON, MI 48854
(517) 694-0117

FIELD: CRM	COMP: CRM
DRWG: AJS	CHKD: CRM
PROJECT: PRO GRO	
SHEET 1 OF 2 SHEET(S)	

SANITARY SEWER EASEMENT

PART OF SECTION 5, CITY OF LANSING TOWN 4 NORTH, RANGE 2 WEST INGHAM COUNTY MICHIGAN

PROVIDED LEGAL DESCRIPTION:

PARCEL (33-01-01-05-476-063):
PART OF SECTIONS 4, 5, 8 AND 9, T.4 N.-R.2 W., CITY OF LANSING INGHAM COUNTY, MICHIGAN, AS RECORDED IN LIBER 37 OF PLATS, PAGE 150, INGHAM COUNTY RECORDS, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE SOUTH LINE OF LOGAN ACCESS ROAD, WHICH IS 322.00 FEET, ON SAID EAST LINE OF LOT 24, S.00°-55'-19"W., OF THE INTERSECTION OF SAID EAST LINE AND THE SOUTH LINE OF GRAND RIVER AVENUE; THENCE CONTINUING S.00°-55'-19"W. ON SAID EAST LINE AND SAID SOUTH LINE OF LOGAN ACCESS ROAD, 29.80 FEET; THENCE N.56°-45'-46"E., ON SAID SOUTH LINE, 9.97 FEET; THENCE S.00°-55'-19"W., PARALLEL WITH SAID EAST LINE OF LOT 24, A DISTANCE OF 366.84 FEET; THENCE S.89°-19'-52"E., 30.75 FEET; THENCE S.00°-40'-08"W., PARALLEL WITH THE EAST LINE OF LOT 21, TOWNSEND'S SUBDIVISION, 353.00 FEET; THENCE S.89°-16'-52"E., 295.00 FEET TO EAST LINE OF SAID LOT 21; THENCE S.00°-40'-08"W., ON SAID EAST LOT LINE, 474.11 FEET TO A TRAVERSE LINE ALONG THE NORTHERLY BANK OF THE GRAND RIVER, IT IS THE INTENTION OF THIS SURVEY TO INCLUDE ALL LANDS BETWEEN SAID TRAVERSE LINE AND THE WATER'S EDGE OF SAID GRAND RIVER; THENCE N.64°-45'-38"W., ALONG SAID TRAVERSE LINE, 370.57 FEET TO A POINT ON THE EAST LINE OF SAID LOT 24; THENCE N.00°-55'-19"E., ON SAID EAST LINE, 30.00 FEET; THENCE N.57°-07'-25"W., 240.00 FEET TO A POINT ON THE EAST LINE OF MARTIN LUTHER KING JUNIOR BOULEVARD; THENCE N.00°-46'-53"E., ON SAID EAST LINE, 765.00 FEET TO THE SOUTH LINE OF SAID LOGAN ACCESS ROAD; THENCE ON THE SOUTH LINE OF SAID LOGAN ACCESS THE FOLLOWING TWO COURSES: NORTHEASTERLY 127.00 FEET, ON THE ARC OF A 260 FEET RADIUS CURVE TO THE RIGHT. SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF N.49°-15'-43"E., 125.75 FEET THENCE N.63°-15'19"E., 126.00 FEET TO THE POINT OF BEGINNING, CONTAINING 7.74 ACRES OF LAND WITHIN TRAVERSE BOUNDARY AND 8.0+- ACRES TO WATER'S EDGE SUBJECT TO ANY EASEMENTS OF RECORD.

EASEMENT DESCRIPTION:

A 35.00 FEET WIDE EASEMENT FOR EXISTING SANITARY SEWER. BEING 17.50 FEET EACH SIDE OF SANITARY SEWER PIPE AS CONSTRUCTED. RUNNING IN AN EASTERLY AND WESTERLY DIRECTION LOCATED IN THE SOUTH PORTION OF THE ABOVE PARCEL. SAID EASEMENT BEING CENTERED ON SEWER PIPE AND COMMENCING AT A POINT S00° 46' 53"W 734.63 FEET OF THE INTERSECTION OF THE EAST LINE OF MARTIN LUTHER KING JUNIOR BOULEVARD, ALSO BEING THE WEST LINE OF ABOVE DESCRIBED PARCEL AND THE SOUTH LINE OF LOGAN ACCESS ROAD, ALSO BEING THE NORTH LINE OF ABOVE DESCRIBED PARCEL; THENCE S66° 40' 05"E 87.89 FEET ALONG THE CENTER LINE OF CONSTRUCTED PIPE TO THE CENTER OF EXISTING SANITARY MANHOLE; THENCE S67° 22' 48"E 329.69 FEET ALONG THE CENTERLINE OF SAID PIPE TO THE CENTER OF EXISTING SANITARY MANHOLE; THENCE IN A SOUTHEASTERLY DIRECTION ALONG THE CENTER LINE OF SAID SEWER PIPE 182 FEET MORE OR LESS TO A POINT ON THE EAST PROPERTY LINE OF ABOVE REFERENCED PARCEL.



Curt R Merrow

CURT R MERROW

Professional Surveyor No. 47997
DATE: 03/24/2020



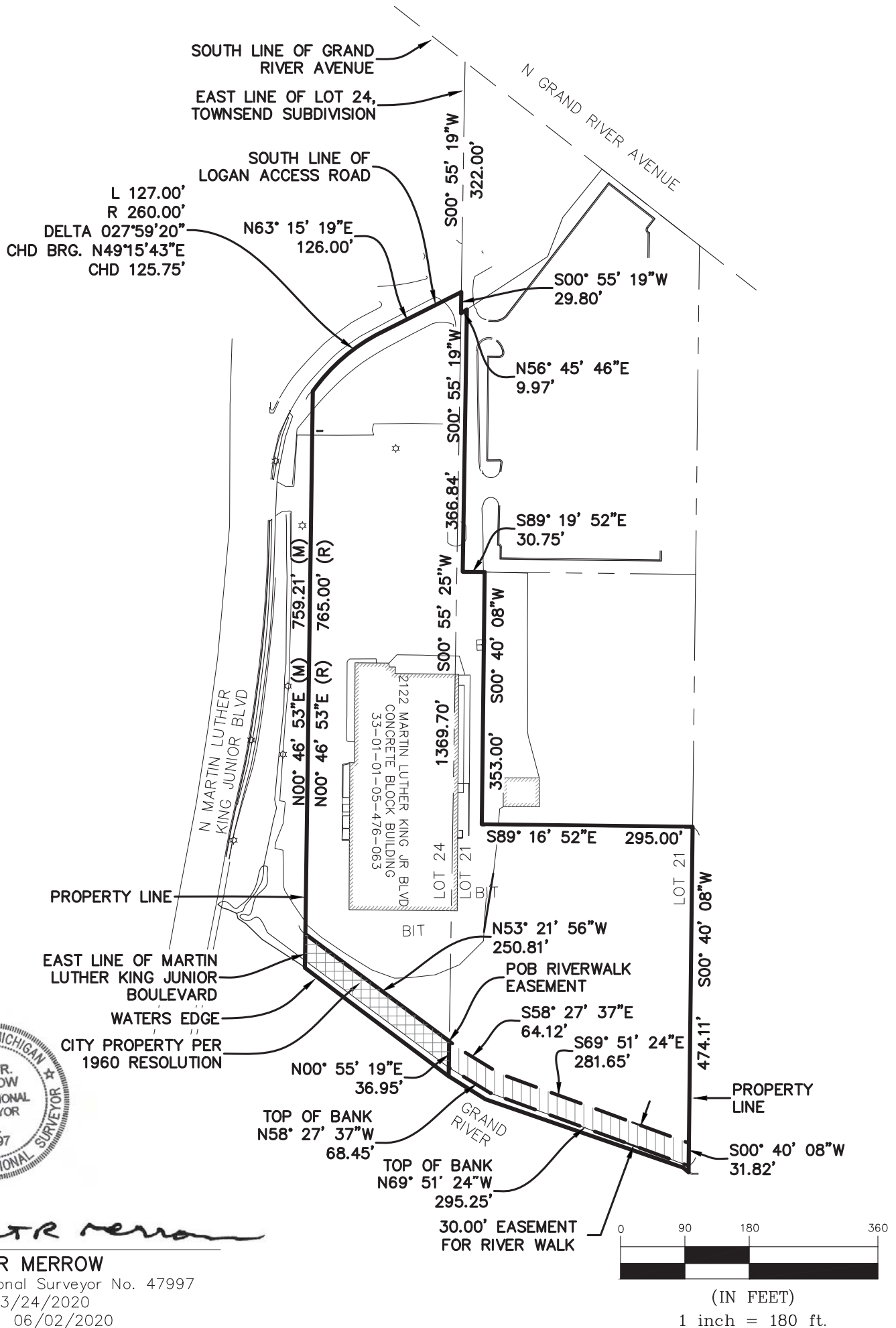
1210 N. CEDAR St., Suite B
LANSING, Michigan 48906
PHONE: (517) 853-7866
FAX: (517)-853-7869

RIVER WALK
EASEMENT EXHIBIT
SURVEYED FOR:
LAUX CONSTRUCTION
1018 HOGSBACK ROAD
MASON, MI 48854
(517) 694-0117

FIELD: CRM	COMP: CRM
DRWG: AJS	CHKD: KRK
PROJECT: PRO GRO	
SHEET 2 OF 2	SHEET(S)

RIVER WALK EASEMENT

PART OF SECTION 5, CITY OF LANSING TOWN 4 NORTH, RANGE 2 WEST INGHAM COUNTY MICHIGAN



1210 N. CEDAR St., Suite B
LANSING, Michigan 48906
PHONE: (517) 853-7866
FAX: (517)-853-7869

RIVER WALK EASEMENT EXHIBIT

SURVEYED FOR:

LAUX
4218 CHARLAR DRIVE
HOLT, MI 48842
(517) 694-0117

FIELD: CRM

COMP: CRM

DRWG: AJS

CHKD: CRM

PROJECT: PRO GRO

SHEET 1 OF 2 SHEET(S)

RIVER WALK EASEMENT

PART OF SECTION 5, CITY OF LANSING TOWN 4 NORTH, RANGE 2 WEST INGHAM COUNTY MICHIGAN

LEGAL DESCRIPTION AS SURVEYED:

PARCEL (33-01-01-05-476-063) – PRO GRO:(PARCEL TO BE BURDENED BY 30 EASEMENT)

PART OF LOT 24 AND PART OF LOT 21, TOWNSENDS SUBDIVISION ON PART OF SECTIONS 4, 5, 8 AND 9, T.4N.-R.2W., CITY OF LANSING INGHAM COUNTY, MICHIGAN, AS RECORDED IN LIBER 37 OF PLATS, PAGE 150, INGHAM COUNTY RECORDS, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE SOUTH LINE OF LOGAN ACCESS ROAD, WHICH IS 322.00 FEET, ON SAID EAST LINE OF LOT 24, S.00°-55'-19"W., OF THE INTERSECTION OF SAID EAST LINE AND THE SOUTH LINE OF GRAND RIVER AVENUE; THENCE CONTINUING S.00°-55'-19"W. ON SAID EAST LINE AND SAID SOUTH LINE OF LOGAN ACCESS ROAD, 29.80 FEET; THENCE N.56°-45'-46"E., ON SAID SOUTH LINE, 9.97 FEET; THENCE S.00°-55'-19"W., PARALLEL WITH SAID EAST LINE OF LOT 24, A DISTANCE OF 366.84 FEET; THENCE S.89°-19'-52"E., 30.75 FEET; THENCE S.00°-40'-08"W., PARALLEL WITH THE EAST LINE OF LOT 21, TOWNSEND'S SUBDIVISION, 353.00 FEET; THENCE S.89°-16'-52"E., 295.00 FEET TO EAST LINE OF SAID LOT 21; THENCE S.00°-40'-08"W., ON SAID EAST LOT LINE, 474.11 FEET TO A TRAVERSE LINE ALONG THE NORTHERLY BANK OF THE GRAND RIVER, THENCE ALONG THE TOP OF BANK ON THE NORTHEAST SIDE OF THE GRAND RIVER N69°-51'-24"W, 295.25 FEET AND N58°-27-'37"W, 68.45 FEET TO A POINT ON THE EAST LINE OF LOT 24, TOWNSENDS SUBDIVISION; THENCE ALONG SAID EAST LOT LINE N00°-55'-19"E, 36.95 FEET TO A POINT WHICH IS 30.00 FEET NORTHEAST OF AND PERPENDICULAR TO THE TOP OF BANK ON THE NORTHEAST SIDE OF THE GRAND RIVER; THENCE N53°-21'-56"W, 250.81 FEET TO A POINT ON THE EAST LINE OF MARTIN LUTHER KING JUNIOR BOULEVARD; THENCE N.00°-46'-53"E. ON SAID EAST LINE, 759.21 FEET TO THE SOUTH LINE OF SAID LOGAN ACCESS ROAD; THENCE ON THE SOUTH LINE OF SAID LOGAN ACCESS THE FOLLOWING TWO COURSES: NORTHEASTERLY 127.00 FEET, ON THE ARC OF A 260 FEET RADIUS CURVE TO THE RIGHT. SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF N.49°-15'-43"E., 125.75 FEET THENCE N.63°-15'-19"E., 126.00 FEET TO THE POINT OF BEGINNING, CONTAINING 7.88 ACRES OF LAND AND ALSO INCLUDING ALL LAND LYING SOUTH OF AND NORTH OF THE EDGE OF WATER ON THE NORTHEAST SIDE OF THE GRAND RIVER WHICH LIES EAST OF LOT 24, TOWNSENDS SUBDIVISION; SUBJECT TO ANY EASEMENTS OF RECORD.

CITY OF LANSING RETAINED PARCEL PER 1960 RESOLUTION: (PARCEL TO BE BENEFITED BY 30 EASEMENT)

PART OF LOT 24, TOWNSENDS SUBDIVISION ON SECTION 5, T.4 N.-R.2 W., CITY OF LANSING, INGHAM COUNTY, MICHIGAN, AS RECORDED IN LIBER 37 OF PLATS, PAGE 150, INGHAM COUNTY RECORDS, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE EAST LINE OF LOT 24 WHICH IS S00°-55'-19"W 1369.70 FEET SOUTH OF THE INTERSECTION OF THE EAST LINE OF SAID LOT 24 AND THE SOUTH LINE OF NORTH GRAND RIVER AVENUE TO A POINT WHICH IS 30.00 FEET NORTHEAST OF AND PERPENDICULAR TO THE TOP OF BANK ALONG THE NORTH SIDE OF GRAND RIVER, AND TO THE POINT OF BEGINNING; THENCE S00°-55'-19"W ALONG THE EAST LINE OF SAID LOT 24, A DISTANCE OF 36.95 FEET TO THE TOP OF BANK ON THE NORTH SIDE OF GRAND RIVER, SAID POINT BEING 10 FEET MORE OR LESS NORTH OF THE EDGE OF WATER; THENCE N53°-21'-56"W, 250.70 FEET ALONG THE TOP OF BANK ON THE NORTH SIDE OF GRAND RIVER TO A POINT WHICH IS 8 FEET MORE OR LESS NORTH OF THE EDGE OF WATER; THENCE N00°-46'-53"E, 37.01 FEET TO A POINT WHICH IS 30.00 FEET NORTHEAST OF AND PERPENDICULAR TO THE TOP OF BANK ALONG THE NORTH SIDE OF GRAND RIVER; THENCE S53°-21'-56"E, 250.81 FEET ALONG A LINE WHICH IS 30.00 FEET NORTHEAST OF TOP OF BANK OF SAID GRAND RIVER, TO THE POINT OF BEGINNING, CONTAINING 0.17 ACRES AND ALSO INCLUDING ALL LAND SOUTH OF ABOVE DESCRIBED PARCEL TO THE EDGE OF WATER ON THE NORTH SIDE OF THE GRAND RIVER. SUBJECT TO ANY EASEMENTS AND/OR RESTRICTIONS OF RECORD.

EASEMENT DESCRIPTION:

A 30.00 FEET WIDE EASEMENT FOR RIVER WALK PATHWAY, SAID EASEMENT BEING 30.00 FEET NORTH OF AND PERPENDICULAR TO THE TOP OF BANK ON THE NORTH SIDE OF GRAND RIVER, BEING FURTHER DESCRIBED AS BEGINNING AT A POINT THAT IS ON THE EAST LINE OF LOT 24 OF TOWNSENDS SUBDIVISION WHICH IS S.00°-55'-19"W 1369.70 FEET FROM THE INTERSECTION OF SAID EAST LINE OF LOT 24 AND THE SOUTH LINE OF GRAND RIVER AVENUE AND TO THE POINT OF BEGINNING, THENCE S58°-27'-37"E, 64.12' FEET ALONG A LINE WHICH IS 30.00 FEET NORTHEAST OF AND PARALLEL TO THE TOP OF BANK ON THE NORTHEAST SIDE OF THE GRAND RIVER; THENCE CONTINUING ALONG SAID 30.00 FEET PARALLEL LINE S69°-51'-24"E, 281.65 FEET TO THE EAST LINE OF ABOVE DESCRIBED PARCEL, ALSO BEING THE EAST LINE OF LOT 21 OF SAID TOWNSENDS SUBDIVISION, THENCE S00°-40'-08"W, 31.82 FEET TO THE TOP OF BANK ON THE NORTHEAST SIDE OF THE GRAND RIVER; THENCE N69°-51'-24"W 295.25 FEET ALONG SAID TOP OF BANK; THENCE CONTINUING ALONG SAID TOP OF BANK N58°-27'37"W 68.45 FEET TO THE WEST LINE OF SAID LOT 21, ALSO BEING THE EAST LINE OF SAID LOT 24; THENCE N00°-55'-19"E, 36.95 FEET ALONG SAID LOT LINE TO THE POINT OF BEGINNING.



Curt R Merrow

CURT R MERROW

Professional Surveyor No. 47997
DATE: 03/24/2020
REVISED: 06/02/2020



1210 N. CEDAR St., Suite B
LANSING, Michigan 48906
PHONE: (517) 853-7866
FAX: (517)-853-7869

RIVER WALK
EASEMENT EXHIBIT
SURVEYED FOR:
LAUX
4218 CHARLAR DRIVE
HOLT, MI 48842
(517) 694-0117

FIELD: CRM	COMP: CRM
DRWG: AJS	CHKD: CRM
PROJECT: PRO GRO	
SHEET 2 OF 2	SHEET(S)

Cover Sheet - Act-3-2020

1401 Case Street – Utility Easement Vacation

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

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

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

RESOLUTION #
BY THE PLANNING AND DEVELOPMENT COMMITTEE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

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

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

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

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

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

WHEREAS, the Planning Board voted unanimously (5-0) on the proposal to recommend the vacation of the utility easement within 1401 Case Street; and

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

NOW THEREFORE BE IT RESOLVED, the Lansing City Council hereby approves Act-3-2020, and approves the vacation of the utility easement located within 1401 Case Street legally described as:

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

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

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

An Act 33 Review is a planning level review of the **location, character and extent** of public improvements and City property transactions. Act 33 Reviews are conducted by the City of Lansing pursuant to the provisions of the Michigan Planning Enabling Act (P.A. 33 of 2008) and Section 208 of the Lansing Code of Ordinances.

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

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

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

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

PROPERTY SIZE AND SHAPE: 9.33 acres, Irregular

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

ANALYSIS

LOCATION:

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

CHARACTER:

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

EXTENT:

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

AGENCY REFERRALS

Lansing Board of Water and Light (BWL)

- See attached.

Public Service Department:

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

Building Safety Office:

- No concerns.

Lansing Fire Department:

- No concerns.

Lansing Parks and Recreation:

- No concerns.

STAFF RECOMMENDATION

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



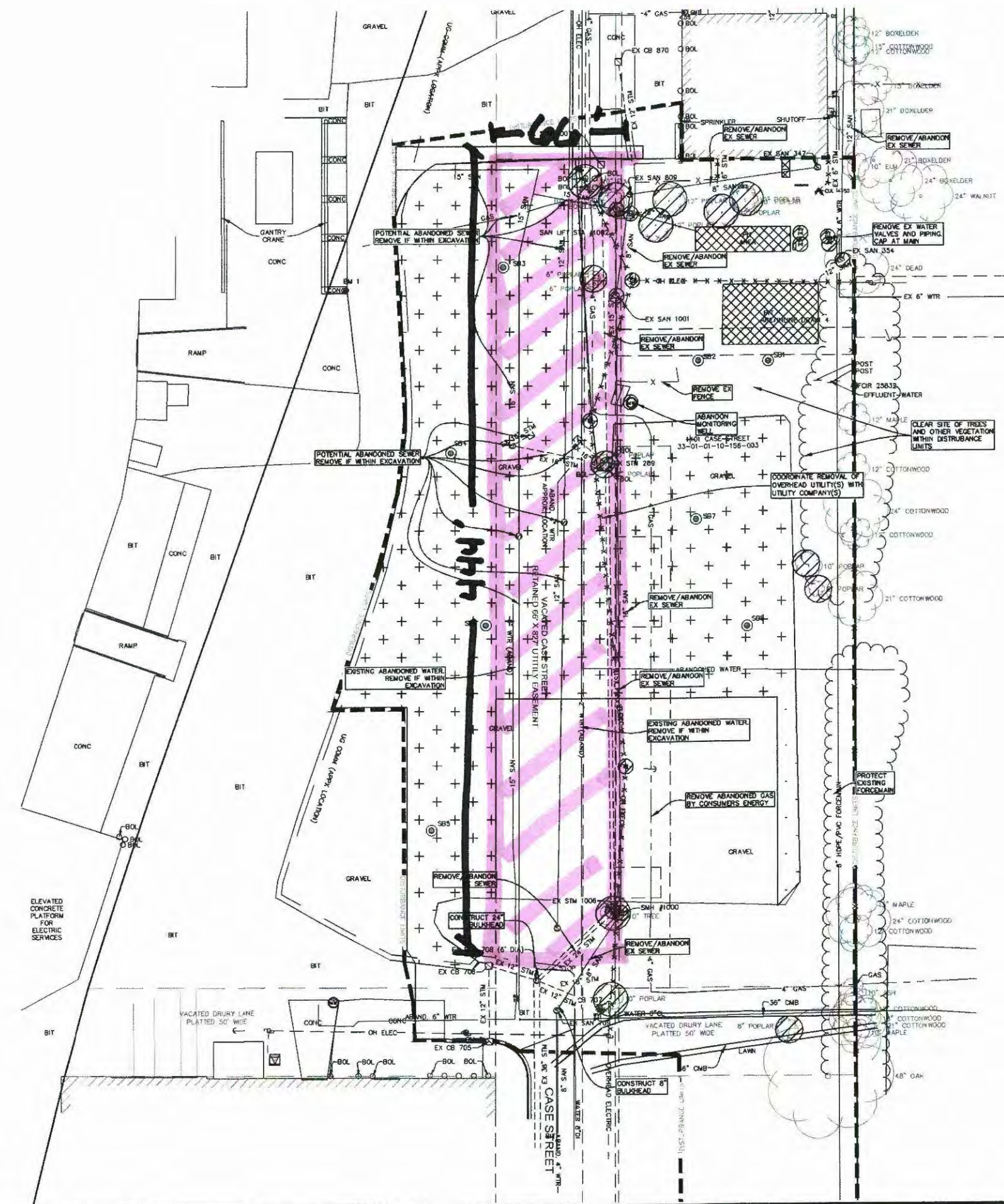
1401 CASE ST

PROPOSED EASEMENT

ABANDONMENT

DEMOLITION NOTES

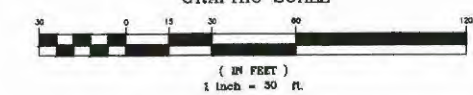
1. SAW CUT EXISTING EDGE OF PAVEMENT IMMEDIATELY PRIOR TO NEW PAVEMENT.
2. CONTRACTOR RESPONSIBLE FOR DISPOSAL OF ALL MATERIAL REMOVED FROM SITE.
3. BURNING IS NOT APPROVED.
4. CONTRACTOR SHALL OBTAIN PERMIT WITH CITY OF LANSING FOR ABANDONMENT OF ALL SANITARY SERVICES.
5. CONTRACTOR SHALL OBTAIN PERMIT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



SUPPLEMENTAL LEGEND:

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

GRAPHIC SCALE



REVISIONS

NO.	DATE	DESCRIPTION
1	2020-08-07	SITE PLAN REVIEW



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

1401 CASE STREET
CIVIL-DEMOLITION

PLANS PREPARED FOR:
LAUX CONSTRUCTION
1018 HOOBACK RD
MASON, MI 48854
(317) 894-0117

SCALE: 1/4" = 1' - 0"	DRAWN BY: CRM	REVIEWED BY: KRK
DATE: 04/14/2020	SHEET: 2 OF 8	



LAUX - 1401 CASE ST

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

Resolution to Establish a Commercial Rehabilitation District for Washington
Square at Kalamazoo, LLC at 329-337 South Washington Square

WHEREAS, pursuant to PA 210 of 2005, the City of Lansing has the authority to establish "Commercial Rehabilitation Districts" within the City of Lansing at request of a commercial business enterprise; and

WHEREAS, Washington Square at Kalamazoo, LLC (the "Applicant") has filed a written request with the clerk of the City of Lansing requesting the establishment of the Commercial Rehabilitation District for an area in the vicinity of 329, 331, 333, and 337 South Washington Square located in the City of Lansing hereinafter described; and

WHEREAS, the City Council of the City of Lansing has determined that the district meets the requirements set forth in sections 2(b) and 3 of PA 210 of 2005; and

WHEREAS, written notice has been given by certified mail to the county and all owners of real property located within the proposed district as required by section 3(3) of PA 210 of 2005; and

WHEREAS, on **[DATE]** a public hearing was held and all residents and taxpayers of the City of Lansing were afforded an opportunity to be heard thereon; and

WHEREAS, the City Council deems it to be in the public interest of the City of Lansing to establish the Commercial Rehabilitation District as proposed;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lansing that the following described parcel(s) of land situated in the City of Lansing, County of Ingham, and State of Michigan, to wit:

329 South Washington Square

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

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

331 South Washington Square

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

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

333 South Washington Square

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

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

be and here is established as a Commercial Rehabilitation District pursuant to the provisions of PA 210 of 2005 to be known as 329-337 South Washington Square Commercial Rehabilitation District No. **2020-001**.

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

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

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

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

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

329 South Washington Square

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

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

331 South Washington Square

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

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

333 South Washington Square

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

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

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

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

BE IT FINALLY RESOLVED, due to COVID-19, the public hearing may be held electronically in accordance with the Open Meetings Act in an effort to protect the health

and safety of the public. Members of the public wishing to participate in the meeting may do so by logging into or calling into the meetings using the website or phone number and Meeting ID provided on the **DATE** meeting agenda. Michigan Executive Order 2020-154 provides for temporary authorization of remote participation in public meetings and hearings.

CITY OF LANSING
NOTICE OF PUBLIC HEARING

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

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

329 South Washington Square

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

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

331 South Washington Square

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

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

333 South Washington Square

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

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

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

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

Chris Swope, Lansing City Clerk, MMC/CMMC

www.lansingmi.gov/Clerk

www.facebook.com/LansingClerkSwope

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

Resolution to Approve a Commercial Rehabilitation Exemption Certificate
Application for Washington Square at Kalamazoo, LLC located at 329-337 South
Washington Square

WHEREAS, the City of Lansing legally established the Commercial Rehabilitation District known as 329-337 South Washington Square Commercial Rehabilitation District on **[DATE]**, after a public hearing held on **[DATE]**; and

*WHEREAS, the taxable value of the property proposed to be exempt plus the aggregate taxable value of property previously exempt and currently in force under Public Act 210 of 2005 does not exceed 5% of the total taxable value of the City of Lansing; and

WHEREAS, a public hearing was held on the application as provided by section 4(2) of Public Act 210 of 2005 on **[DATE]**; and

WHEREAS, Washington Square at Kalamazoo, LLC (the “applicant”) is not delinquent in any taxes related to the facility; and

WHEREAS, the application is for commercial property as defined in section 2(a) of Public Act 210 of 2005; and

WHEREAS, the applicant Washington Square at Kalamazoo, LLC has provided answers to all required questions under the application instructions to the City of Lansing; and

WHEREAS, the City of Lansing requires that rehabilitation of the facility shall be completed by **7/31/2021**; and

WHEREAS, the commencement of the rehabilitation of the facility did not occur more than six months prior to the filing of the application for exemption; and

WHEREAS, the application relates to a rehabilitation program that when completed constitutes a qualified facility within the meaning of Public Act 210 of 2005 and that is situated within a Commercial Rehabilitation District established under Public Act 210 of 2005; and

WHEREAS, completion of the qualified facility is calculated to, and will at the time of issuance of the certificate, have the reasonable likelihood to increase commercial activity, revitalize urban areas, and increase the number of residents in the community in which the facility is situated; and

WHEREAS, the rehabilitation includes improvements aggregating 10% or more of the true cash value of the property at commencement of the rehabilitation as provided by section 2(j) of Public Act 210 of 2005.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lansing hereby grants a Commercial Rehabilitation Exemption for the real property, excluding land, located in Commercial Rehabilitation District known as 329-337 South Washington Square Commercial Rehabilitation District at property located at 329, 331, 333, and 337 South Washington Square for a period of 10 years, beginning **December 31, 2020**, and ending **December 30, 2030**, pursuant to the provisions of PA 210 of 2005, as amended.

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

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

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

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

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

329 South Washington Square

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

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

331 South Washington Square

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

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

333 South Washington Square

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

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

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

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

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

may do so by logging into or calling into the meetings using the website or phone number and Meeting ID provided on the **[DATE]** meeting agenda. Michigan Executive Order 2020-154 provides for temporary authorization of remote participation in public meetings and hearings.

CITY OF LANSING
NOTICE OF PUBLIC HEARING

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

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

329 South Washington Square

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

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

331 South Washington Square

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

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

333 South Washington Square

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

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

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

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

Chris Swope, Lansing City Clerk, MMC/CMMC

www.lansingmi.gov/Clerk

www.facebook.com/LansingClerkSwope

WASHINGTON SQUARE AT KALAMAZOO, LLC

September 4, 2020

City of Lansing
124 West Michigan Avenue
Lansing, Michigan 48933

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

Honorable Mayor and City Council:

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

General Project Description

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

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

District Establishment Purpose

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

Community Benefits

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

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

Basis of Eligibility

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

Project Costs and Phasing

Rehabilitation cost estimates are as follows:

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

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

Property Taxable Value and Legal Description

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

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

Thank you for your assistance and consideration in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Douglas Marek'. The signature is stylized with a large 'D' and 'M'.

Douglas Marek
Owner and Managing Member

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

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

Address: 329 South Washington Square

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

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

Address: 331 South Washington Square

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

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

Address: 333 South Washington Square

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

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