

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



[VIA ZOOM CONFERENCING](#)

AGENDA FOR NOVEMBER 9, 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, November 9, 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 882 5906 2610 or call (312) 626-6799 and enter Meeting ID 882 5906 2610

- I. ROLL CALL
- II. MEDITATION AND PLEDGE OF ALLEGIANCE
- III. READING AND APPROVAL OF PRINTED COUNCIL PROCEEDINGS

Approval of the Printed Council Proceedings of September 14, 2020 and September 21, 2020
- IV. CONSIDERATION OF LATE ITEMS (Suspension of Council Rule #9 is needed to allow consideration of late items. Late items will be considered as part of the regular portion of the meeting to which they relate.)
- V. TABLED ITEMS
- VI. SPECIAL CEREMONIES
- VII. COMMENTS BY COUNCIL MEMBERS AND CITY CLERK
- VIII. COMMUNITY EVENT ANNOUNCEMENTS (Time, place, purpose, or definition of event – 1 minute limit)
- IX. SPEAKER REGISTRATION FOR PUBLIC COMMENT ON LEGISLATIVE MATTERS
- X. MAYOR'S COMMENTS
- XI. SHOW CAUSE HEARINGS
 - A. In consideration of the issuance of orders for Make Safe or Demolish to the owners of property located at 2108 E. Cavanaugh (PEND-1943)
- 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 the Lease Agreement; Lansing Shuffleboard and Social Club, LLC 325 Riverfront Drive (PEND-2041)
2. In consideration of a Downtown Lansing Riverfront Project; Lansing Shuffleboard and Social Club, LLC 325 Riverfront Drive (PEND-2037)
3. In consideration of the Special Assessment; Montgomery Drainage District Improvements (PEND 2048)
4. In consideration of the Commercial Rehabilitation District; 329-337 S. Washington Square for Washington Square at Kalamazoo, LLC (PEND-1961)
5. In consideration of the Commercial Rehabilitation Certificate; 329-337 S. Washington Square for Washington Square at Kalamazoo, LLC (PEND-1963)
6. In consideration of an Ordinance to Amend Chapter 602, Section 602.11, To Prevent Disease, Prolong Life and Promote Public Health by Providing for Enforcement of Local Health Orders or Regulations issues pursuant to the Michigan Public Health Code (PEND-2030)

XIII. COUNCIL CONSIDERATION OF LEGISLATIVE MATTERS

A. REFERRAL OF PUBLIC HEARINGS

B. CONSENT AGENDA

1. BY THE COMMITTEE ON DEVELOPMENT AND PLANNING

- a. Confirmation of Reappointment; James Tischler as a City of Lansing member of the Local Development Finance Authority Board for a term to expire of September 30, 2024 (PEND-2002)
- b. Confirmation of Reappointment; Tiffany Dowling as a member of the Saginaw Street Corridor Improvement Authority Board of Directors for a term to expire of September 30, 2024 (PEND-2003)

2. BY THE COMMITTEE ON PUBLIC SERVICES

- a. Confirmation of Appointment; Thomas Michael Hickson Jr. as the 3rd Ward member of Board of Public Service for a term to expire of September 30, 2023 (PEND-2006)

3. BY THE COMMITTEE ON WAYS AND MEANS

- a. Grant Request; Reapprove Michigan Natural Resources Trust Fund, 1624 E. Cavanaugh Road (PEND-2061)
- b. Grant Request; Reapprove Michigan Natural Resources Trust Fund, 700 River Street (PEND-2062)
- c. Grant Request; Reapprove Michigan Natural Resources Trust Fund, 342 E. St. Joseph (PEND-2065)

4. BY THE COMMITTEE OF THE WHOLE

- a. Confirmation of Appointment; Bart Carrigan, Lansing Citizen Non-Retiree Member of the Employees' Retirement System Board of Trustees for a Term to Expire June 30, 2024 (PEND-2005)

C. RESOLUTIONS FOR ACTION

1. BY THE COMMITTEE ON EQUITY, DIVERSITY, AND INCLUSION

- a. Lansing City Council commitment to invest in public services that benefit all residents and reduce racial inequities

2. BY THE COMMITTEE ON WAYS AND MEANS

- a. Donation Acceptance; First Annual Ron Seyka Memorial Golf Outing (PEND-1988)
- b. Funding Acceptance; Ingham County Parks and Trails Millage Funds (PEND-1997)
- c. Grant Acceptance; STOP Violence Against Women grant from the Michigan Department of Health and Human Services (PEND-1992)
- d. Grant Acceptance; Michigan State Police Automobile Theft Prevention Authority (ATPA) Grant (PEND-1975)
- e. Grant Acceptance; Victims of Crime Act (VOCA)- Capital Area Response Effort (CARE) Grant from the Michigan Crime Victims Service Commission (PEND-1990)
- f. Grant Acceptance; Sobriety Court Grant (PEND-2037)
- g. Grant Acceptance; 2020 Lead Hazard Control Grant from the Department of Housing and Urban Development (HUD) (PEND-1994)
- h. Grant Acceptance; Michigan Department of Treasury's Public Safety and Public Health Payroll Reimbursement Program (PSPHPR) (PEND-1976)
- i. Grant Acceptance; State of Michigan Coronavirus Relief Local Government Grant (CRLGG) (PEND-1981)

3. BY THE COMMITTEE OF THE WHOLE

- a. Outside Legal Counsel; Addition of Sandra Brown and Thompson Hine and Warner, Norcross, and Judd (PEND-1986)
- b. Commercial Rehabilitation District; 329-337 S. Washington Square for Washington Square at Kalamazoo, LLC (PEND-1961)
- c. Commercial Rehabilitation Certificate; 329-337 S. Washington Square for Washington Square at Kalamazoo, LLC (PEND-1963)

D. REPORTS FROM COUNCIL COMMITTEES

E. ORDINANCES FOR INTRODUCTION and Setting of Public Hearings

1. BY THE COMMITTEE ON DEVELOPMENT AND PLANNING

- a. Form Based Zoning Code (PEND-2052)
- b. Amendment to the Marihuana Ordinance Section 1300.11 to allow Microbusinesses to operate in commercially zoned districts (PEND-2068)

F. ORDINANCES FOR PASSAGE

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

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

A. REPORTS FROM CITY OFFICERS, BOARDS, AND COMMISSIONS

1. Letter(s) from the City Clerk re:

- a. Minutes of Boards, Commissions, and Authorities placed on file in the Clerk's Office
- b. Liquor License; Transfer of Ownership and Location, Side Car LLC, 500 East Michigan Avenue (PEND-2107)
- c. City Council Schedule for 2021 (PEND-2074)
- d. Executive Order 2020-06; Continued City of Lansing Buildings Closure until January 11, 2021

2. Letter(s) from the Mayor re:

- a. Z-4-2020; Rezone 220 N. Pennsylvania from "C" Residential District to "DM-4" Residential District (PEND-2092,2090)

- b. Amendment to Zoning Ordinance Chapter 1279, Appendix D to Expand the W. Saginaw Street Overlay District (PEND-2101, 2103)
- c. Payment in Lieu of Taxes (PILOT); Walter French Apartments, 1900 South Cedar (PEND-2104, 2105)
- d. Grant Acceptance; Cities for Financial Empowerment Fund, Expert City Stipend Award (PEND-2082)
- e. SLU-2-2020; 900 Southland Avenue, Suite 910, Special Land Use Permit, Church in the "F" Commercial zoning district (PEND-2086, 2088)
- f. Z-6-2020; Rezone 2420, 2432, 2442 & 2506 N. Grand River Avenue from "F" Commercial, "J" Parking, "A" Residential, "D-1" Professional Office and "G-2" Wholesale Districts to "H" Light Industrial District (PEND-2093)
- g. Act-4-2020; Vacation of Rose Court (PEND-2097)
- h. Z-5-2020; Ordinance to rezone the property at the Northeast corner of E. Miller Road and Orchard Court from "F" Commercial district to "DM-3" Residential district (PEND-2083, 2085)
- i. Fee Change; Bike Locker Fees (PEND-2096)
- j. Notification of the City of Lansing Bond Sales Results
- k. Housing Urban Development (HUD) Audit Penalty Communication
- l. Reappointment; Jonathon Lum to the Michigan Ave. Corridor Improvement Authority (PEND-2080)

B. COMMUNICATIONS AND PETITIONS, AND OTHER CITY RELATED MATTERS

- 1. Communications in support of Invest in the People of Lansing Resolution
- 2. Communication from the Michigan Liquor Control Commission regarding WNC of Grand Rapids 2 LLC request of Transfer Ownership 2020 Class C & SDM license with Sunday Sales Permit (AM & PM), Dance-Entertainment Permit and Outdoor Service; transfer location from 101 S Washington Square, and cancel existing Outdoor Service (2 areas) and Sunday Sales Permit (AM) (RID # 2009-12209)
- 3. Affidavit of Disclosure; Angie Qawwee, Information Technology
- 4. Claim Appeal; Claim #1794 and Claim #1819, Bengt Johnson for 1122 Platt Street of \$450 in Tag Monitoring fees

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



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/88259062610> (Note: this option requires downloading Zoom software. If you have not already installed the software, this may take a few minutes.) Meeting ID: 882 5906 2610

Dial from your phone:
(312) 626-6799
Meeting ID: 882 5906 2610

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.

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 Nov. 9, 2020, 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.

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

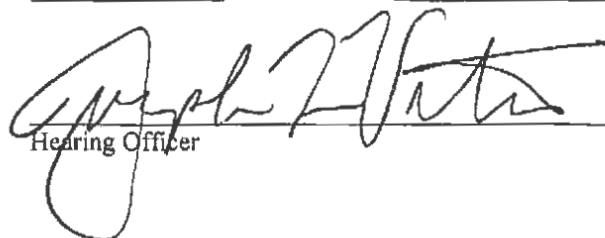
Parcel Number: 33 01 01 35 301 195

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

**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
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ORDER OF DEMOLITION BOARD

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

CURRENT CITY COUNCIL ACTIVITY

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

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

2108 E CAVANAUGH







03/29/2017 07:57 AM



03/29/2017 07:57 AM



03/29/2017 07:58 AM



2108 E CAVANAUGH

















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
NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a Public Hearing will be held on November 9, 2020, at 7:00 P.M., via ZOOM Conferencing, Meeting ID 882 5906 2610 for the purpose of considering:

A Lease Agreement of the New Lansing City Market to Lansing Shuffleboard and Social Club, LLC, pursuant to the Lease Agreement filed with the City Clerk

Note: Michigan Director of Health and Human Services Robert Gordon's Order of October 9, 2020 regarding Gather Prohibition and Face Covering, as well as states of emergency declared by the Mayor and approved by City Council have led to a closure of City Hall to public at this time due to COVID-19. Public observation and participation may be facilitated 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 observe or participate in the meeting may do so by logging into or calling into the meetings using the website

<https://us02web.zoom.us/j/88259062610> (Note: this option requires downloading Zoom software. If you have not already installed the software, this may take a few minutes) or by calling (301) 715 8592 and entering Meeting ID: 882 5906 2610.

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

RESOLUTION # _____

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

WHEREAS, the City of Lansing is the owner of a structure and real property located at 325 Riverfront Drive (formerly “City Market Drive”), Lansing, MI 48912, collectively known as the New Lansing City Market (the “Market”); and

WHEREAS, the City has negotiated a long term lease for possession and operation of the Market, for greater than 5 years, with Lansing Shuffleboard and Social Club, LLC, (the “Lessee”) wherein Lessee will use the Market as a food hall and events space while continuing to provide City Parks and Recreation related activities for the benefit of the public, including, but not limited to, vending refreshments, providing public entertainment, community events, and space for public gatherings; and

WHEREAS, a certain Lease Agreement signed by the Lessee was placed on file with the Lansing City Clerk pursuant to Section 208.08 of the Codified Ordinances, on September 12, 2020, and has been on file for a period greater than thirty days; and

WHEREAS, pursuant to Section 208.08 of the Codified Ordinances a duly noticed public hearing to consider whether to approve or reject the Lease Agreement was held on _____, and at least one week has passed since the public hearing.

NOW THEREFORE, BE IT RESOLVED, that the Lansing City Council hereby approves Lease Agreement filed with the City Clerk on September 12, 2020, between the City of Lansing and Lansing Shuffleboard and Social Club, LLC for lease of the New Lansing City Market to; and

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



Chris Swope

Lansing City Clerk

November 6, 2020

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

Dear President and Council Members:

Pursuant to Article 8, Chapter 4, Section 8-403.3 of the Lansing City Charter, on September 11, 2020 the Law Department placed on file in my office a Lease Agreement for Property between the City of Lansing and Lansing Shuffleboard and Social Club LLC,. for 325 Riverfront Drive, City of Lansing, Michigan.

Under the Charter, a public hearing may be held on this matter on or after October 11, 2020.

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

Here is the direct link:

<https://www.lansingmi.gov/DocumentCenter/View/10883/Lease-Agreement-Lansing-Shuffleboard-and-Social-Club-LLC-325-Riverfront-Drive>

Sincerely,

Chris Swope, CMC
Lansing City Clerk

**NOTICE OF PUBLIC HEARING
BEFORE THE CITY COUNCIL OF THE CITY OF LANSING
RELATING TO A PROJECT PLAN
FOR THE LANSING ECONOMIC DEVELOPMENT CORPORATION**

NOTICE IS HEREBY GIVEN that the City Council of the City of Lansing will hold a public hearing at 7:00 p.m., on October 12, 2020 during the regularly schedule City Council Meeting, via ZOOM Conferencing, Meeting ID 842 3051 4841, on a Project Plan prepared by the Lansing Economic Development Corporation for a business finance assistance loan to Lansing Shuffleboard and Social Club, LLC (the "Project") for operational licenses necessary to open a proposed food hall concept and event space located on the property commonly known as 325 Riverfront Drive, formerly City Market Drive Lansing, but 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

A description of the proposed Project Plan is available for public inspection at the office of the Lansing Economic Development Corporation, 1000 S. Washington Ave., Suite 201, Lansing, Michigan. All aspects of the proposed Project Plan will be open for discussion at the public hearing, including the proposed loan of a maximum principal amount of \$65,000 by the Lansing Economic Development Corporation's Business Finance Assistance Program to assist in the financing of the Project. The Project Plan contains further information about the loan.

The City Council will consider the approval of the Project Plan only after the public hearing has been completed. The City Council shall provide an opportunity for all interested persons to be heard and shall receive and consider communications in writing with reference to the hearing. The public hearing shall provide the fullest opportunity for expression of opinion, for argument on the merits, and for introduction of documentary evidence pertinent to the proposed Project Plan.

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 <https://us02web.zoom.us/j/84230514841> (Note: this option requires downloading Zoom software. If you have not already installed the software, this may take a few minutes) or by calling 646-876-9923 and entering Meeting ID: 842 3051 4841. 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
www.facebook.com/LansingClerkSwope

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING
RESOLUTION APPROVING PROJECT PLAN
(Lansing Shuffleboard and Social Club, LLC Project)

WHEREAS, the Lansing Economic Development Corporation (LEDC) Board of Directors has identified the New Lansing City Market area and Downtown Lansing Riverfront as a major economic development project investment area; and

WHEREAS, in an effort to foster business development, expansion and renovation of properties within and surrounding the project investment areas, the LEDC has initiated a Business Financing Assistance Program and believes this project has a significant impact on the New Lansing City Market area and Downtown Lansing Riverfront; and

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

WHEREAS, Lansing Shuffleboard and Social Club LLC has made application with the LEDC for a business loan for operational licenses necessary to open a proposed food hall concept and event space at the property located at 325 Riverfront Drive, formerly City Market Drive, Lansing and legally 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

WHEREAS, the Project will result in new private investment of approximately \$2,963,534; and

WHEREAS, Section 8 of Act No. 338 of the Michigan Public Acts of 1974, as amended (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 recommendations of the local governing body; and

WHEREAS, the LEDC has prepared a Project Plan for the Lansing Shuffleboard and Social Club LLC Project (Project Plan), submitted it to Council and placed it on file in the office of the City Clerk in accordance with the Act; and

WHEREAS, at such hearing held on the 12th day of October, 2020, the fullest opportunity was given for expression of opinion, for arguments on the merits, and for introduction of documentary evidence pertinent to the Project Plan, and further, this City Council has given due consideration to all communications received in writing with reference thereto; and

WHEREAS, the City Council desires to express its approval of said Project Plan;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, approves the Lansing Shuffleboard and Social Club LLC Project Plan submitted by the LEDC after determining the following:

- a. The Project Plan meets the requirements set forth in Section 8 of the Act.
- b. The persons who will be active in the management of the Project for not less than one year after the approval of the Project Plan have sufficient ability and experience to manage the plan properly.
- c. The proposed method of financing the Project is feasible and the LEDC has the ability to arrange the financing of a not to exceed loan in the amount of \$65,000.00 to obtain operational licenses necessary to open a proposed food hall concept and event space at the property.
- d. The Project is reasonable and necessary to carry out the purpose of the Act.

BE IT FURTHER RESOLVED that the LEDC is hereby authorized to proceed with the Project and the financing thereof.

BE IT FINALLY RESOLVED that the City Clerk is hereby requested to provide three certified copies of this resolution to the LEDC.

LANSING ECONOMIC DEVELOPMENT CORPORATION

1000 S. Washington Square, Suite 201

Lansing, Michigan 48910

(517) 702-3387

Project Plan:

LANSING SHUFFLEBOARD AND SOCIAL CLUB LLC PROJECT

325 CITY MARKET DRIVE, LANSING, MI 48933

September 8, 2020

For

LANSING SHUFFLEBOARD AND SOCIAL CLUB LLC

1515 W Lafayette, Suite 201, Detroit, MI 48216

Approved by Lansing Economic Development Corporation: 09/11/2020

Approved by Lansing City Council: ___ / ___ / ____

The following information is submitted in response to the requirements of Section 8(4) of the Economic Development Corporations Act, No 338 of 1974, as amended, and this information accurately presents the intent of this enterprise to pursue and complete this project in the project area approved on September 11, 2020 by the Economic Development Corporation of the City of Lansing (the “Corporation”).

THE ACT REQUIRES THAT A PROJECT PLAN CONTAIN THE FOLLOWING INFORMATION:

A. THE LOCATION AND EXTENT OF EXISTING STREETS AND OTHER PUBLIC FACILITIES WITHIN THE PROJECT DISTRICT AREA, AND SHALL DESIGNATE THE LOCATION, CHARACTER, AND EXTENT OF THE CATEGORIES OF PUBLIC AND PRIVATE LAND USES THEN EXISTING AND PROPOSED FOR THE PROJECT AREA, INCLUDING RESIDENTIAL, RECREATIONAL, COMMERCIAL, INDUSTRIAL, EDUCATIONAL AND OTHER USES, AND SHALL INCLUDE A LEGAL DESCRIPTION OF THE PROJECT AREA. [Section 8 (4) (a)].

1. Location and extent of existing streets and other public facilities within the project area:

There are no existing public streets in the project area. Other public facilities within the project area include:

- Lansing City Market Building
- Riverfront Park (portion)
- Rotary Park
- Parking Facilities

2. Designation of the location, character and extent of the public and private land uses for the project area:

The project area is located at 325 City Market Drive, Lansing, MI 48933. The project area includes a 11,120 sq. ft. building, attached patio area, and underlying real property located at 325 City Market Drive, Lansing, MI 48933, which is commonly referred to as the “City Market Building Site” and is described as “Parcel 1” in EXHIBIT 1. The project area also includes publicly owned park property and parking facilities located at 325 City Market Drive, Lansing, MI 48933, which is commonly referred to as “Riverfront Park” and “Rotary Park”.

Lansing Shuffleboard and Social Club LLC (the “Developer”) has offered to lease the City Market Building Site from the City of Lansing for its proposed use as a food hall and events space, while continuing to provide City Parks and Recreation related activities for the benefit of the public, including, but not limited to, vending

refreshments, providing public entertainment and education, and space for public gathering.

Current Property Class: Residential-Exempt

Current Zoning: A-Residential-Exempt

3. Legal description of the project area:

325 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

B. A DESCRIPTION OF EXISTING IMPROVEMENTS IN THE PROJECT AREA TO BE DEMOLISHED, REPAIRED, OR ALTERED. A DESCRIPTION OF REPAIRS AND ALTERNATIONS, AND AN ESTIMATE OF THE TIME REQUIRED FOR COMPLETION. [Section 8 (4) (b)].

1. Existing improvements to be demolished, repaired or altered:

Alterations to existing improvements to the City Market Building Site include interior remodel, exterior façade remodel, and the activation of the outdoor patio area.

2. Estimate of time for completion of repairs, alterations and improvements:

Construction and improvements, including all repairs and alterations, to the City Market Building Site are estimated to be completed by the Developer on or before December 31, 2021.

C. THE LOCATION, EXTENT, CHARACTER, AND ESTIMATED COST OF THE IMPROVEMENTS, INCLUDING REHABILITATION CONTEMPLATED FOR THE PROJECT AREA AND AN ESTIMATE OF THE TIME REQUIRED FOR COMPLETION. [Section 8 (4) (c)].

1. Location of improvements:

The improvements will be to both the interior and exterior of the existing City Market building and within the City Market Building Site.

2. Description of extent and character of improvements:

Redevelopment of the City Market Building Site including the existing building and attached patio area, for use as a food hall and events space. Improvements include build-out of dining areas, kitchens, bar space, and a mezzanine level. Additional improvements to the façade, exterior patio seating area, and restrooms.

3. Estimate of time required for completion:

Construction and improvements by the Developer are estimated to be completed on or before December 31, 2021.

4. Estimated cost of improvements:

Estimated Total Project Costs: \$2,963,534

Estimated Hard Costs of Building Renovation and Site Improvements: \$2,347,500

D. A STATEMENT OF THE CONSTRUCTION OR STAGES OF CONSTRUCTION PLANNED, AND THE ESTIMATED TIME OF COMPLETION OF EACH STAGE. [Section 8 (4) (d)].

The project will be completed in a single stage of construction.

E. A DESCRIPTION OF THE PARTS OF THE PROJECT AREA TO BE LEFT AS OPEN SPACE AND THE USE CONTEMPLATED FOR THE SPACE. [Section 8 (4)(e)].

The “Riverfront Park” and “Rotary Park” currently serves as improved public park property. No use beyond public park property is contemplated for this space.

F. A DESCRIPTION OF PORTIONS OF THE PROJECT AREA WHICH THE CORPORATION DESIRES TO SELL, DONATE, EXCHANGE, OR LEASE TO OR FROM THE MUNICIPALITY AND THE PROPOSED TERMS. [Section 8 (4) (f)].

The Corporation does not desire to sell, donate, exchange, or lease to or from the municipality any portion of the project area.

G. A DESCRIPTION OF DESIRED ZONING CHANGES AND CHANGES IN STREETS, STREET LEVELS, INTERSECTIONS, AND UTILITIES. [Section 8 (4) (g)].

1. A description of desired zoning changes:

No zoning changes are anticipated for this project.

2. A description of desired changes in streets, street levels, intersections, and utilities:

No changes in streets, street levels, intersections, and utilities are anticipated for this project.

H. THE STATEMENT OF THE PROPOSED METHOD OF FINANCING THE PROJECT INCLUDING A STATEMENT BY A PERSON DESCRIBED IN SUBPARAGRAPH (J) INDICATING THE PAYMENT TO ALL PERSONS PERFORMING WORK ON THE CONSTRUCTION PROJECT OF THE PREVAILING WAGE AND FRINGE BENEFIT RATES (IF REQUIRED BY LAW) FOR THE SAME OR SIMILAR WORK IN THE LOCALITY IN WHICH THE WORK IS TO BE PERFORMED AND A STATEMENT OF THE ABILITY OF THE CORPORATION TO ARRANGE THE FINANCING. THE PREVAILING WAGE AND FRINGE BENEFIT RATES SHALL BE DETERMINED PURSUANT TO ACT NO. 166 OF THE PUBLIC ACTS OF 1965, AS AMENDED, BEING SECTIONS 408.551 TO 408.558 OF THE MICHIGAN COMPILED LAWS. [Section 8 (4) (h)].

1. The statement of the proposed method of financing the project, and the ability of the Corporation to arrange the financing:

The project will be a combination of financing including Developer equity, bank loans, Lansing Economic Development Corporation Business Loan funds, and Lansing Brownfield Redevelopment Authority Revolving Loan funds. Estimates of sources are provided below.

Total Project Costs	\$2,963,534
LBRA Loan Funds (to be requested)	\$400,000
LEDC Business Loan Funds (to be requested)	\$65,000
Developer Equity Investment	\$810,379
Bank Loans (Senior Loan and SBA Loan)	\$1,688,155

2. **A statement by person described in (J), below, indicating the payment to all persons performing work on the construction project of the prevailing wage and fringe benefit rates for the same or similar work in the locality in which the work is to be performed (if required by law):**

This project will be subject to City of Lansing Ordinance No. 855 of 8-31-1992 as contained in Chapter 206.18 of the City of Lansing Codified Ordinances titled "Prevailing wage and benefit standards prescribed."

206.18. - Prevailing wage and benefit standards prescribed.

(a) No contract, agreement or other arrangement for construction on behalf of the City and involving mechanics and laborers, including truck drivers of the contractor and/or subcontractors, employed directly upon the site of the work, shall be approved or executed by the City unless the contractor and his or her subcontractors furnish proof and agree that such mechanics and laborers so employed shall receive at least the prevailing wages and fringe benefits for corresponding classes of mechanics and laborers, as determined by statistics compiled by the United States Department of Labor and related to the Greater Lansing area by such Department.

(b) Any person, firm, corporation or business entity, upon being notified that it is in violation of this section and that an amount is due to his, her or its employees, shall have 30 days from the date of the notice to pay the deficiency by paying such employee or employees, whichever is appropriate, the amounts due. If the person, firm, corporation or business entity fails to pay within the 30-day period, he, she or it shall be subject to the penalty provided in Section 206.99.

(c) The provisions of this section shall be inserted in all bid documents requiring the payment of prevailing wages.

(d) The enforcement agency for this section shall be as determined by the Mayor.

(Ord. No. 855, 8-31-92)

- I. **A LIST OF PERSONS WHO WILL MANAGE OR BE ASSOCIATED WITH THE MANAGEMENT OF THE PROJECT FOR A PERIOD OF NOT LESS THAN ONE YEAR FROM THE DATE OF APPROVAL OF THE PROJECT PLAN.**
[Section 8 (4) (i)].

Jonathan Hartzell, authorized agent for the Developer, Lansing Shuffleboard and Social Club LLC.

- J. DESIGNATION OF THE PERSON OR PERSONS, NATURAL OR CORPORATE, TO WHOM THE PROJECT IS TO BE LEASED, SOLD, OR CONVEYED IN ANY MANNER AND FOR WHOSE BENEFIT THE PROJECT IS BEING UNDERTAKEN IF THAT INFORMATION IS AVAILABLE TO THE CORPORATION. [Section 8 (4) (j)].**

The property comprising the City Market Building Site to be leased to:

LANSING SHUFFLEBOARD AND SOCIAL CLUB LLC
1515 W Lafayette, Suite 201, Detroit, MI 48216
Jonathan Hartzell, Authorized Agent

- K. IF THERE IS NOT AN EXPRESS OR IMPLIED AGREEMENT BETWEEN THE CORPORATION AND PERSONS, NATURAL OR CORPORATE, THAT THE PROJECT WILL BE LEASED, SOLD, OR CONVEYED TO THOSE PERSONS, THE PROCEDURES FOR BIDDING FOR THE LEASING, PURCHASING, OR CONVEYING IN ANY MANNER OF THE PROJECT UPON ITS COMPLETION. [Section 8 (4) (k)].**

The City Market Building Site is owned by the City of Lansing and is to be leased to the Developer, Lansing Shuffleboard and Social Club LLC.

- L. ESTIMATES OF THE NUMBER OF PERSONS RESIDING IN THE PROJECT AREA AND THE NUMBER OF FAMILIES AND INDIVIDUALS TO BE DISPLACED. IF OCCUPIED RESIDENCES ARE DESIGNATED FOR ACQUISITION AND CLEARANCE BY THE CORPORATION, A PROJECT PLAN SHALL INCLUDE A SURVEY OF THE FAMILIES AND INDIVIDUALS TO BE DISPLACED INCLUDING THEIR INCOME AND RACIAL COMPOSITION, A STATISTICAL DESCRIPTION OF THE HOUSING SUPPLY IN THE COMMUNITY, INCLUDING THE NUMBER OF PRIVATE AND PUBLIC UNITS IN EXISTENCE OR UNDER CONSTRUCTION, THE CONDITION OF THOSE IN EXISTENCE, THE NUMBER OF OWNER-OCCUPIED UNITS AND RENTER-OCCUPIED UNITS, THE ANNUAL RATE OF TURNOVER OF THE VARIOUS TYPES OF HOUSING AND THE RANGE OF RENTS AND SALE PRICES, AN ESTIMATE OF THE TOTAL DEMAND FOR HOUSING IN THE COMMUNITY, AND THE ESTIMATED CAPACITY OF PRIVATE AND PUBLIC HOUSING AVAILABLE TO DISPLACED FAMILIES AND INDIVIDUALS. [Section 8 (4) (l)].**

No persons are residing in the project area nor will any families or individuals be displaced as part of this project.

M. A PLAN FOR ESTABLISHING PRIORITY FOR THE RELOCATION OF PERSONS DISPLACED BY THE PROJECT IN NEW HOUSING IN THE PROJECT AREA. [Section 8 (4) (m)].

None is required, no persons will be displaced as part of this project.

N. PROVISIONS FOR THE COSTS OF RELOCATING PERSONS DISPLACED BY THE PROJECT AND FINANCIAL ASSISTANCE AND REIMBURSEMENT OF EXPENSES, INCLUDING LITIGATION EXPENSES AND EXPENSES INCIDENT TO THE TRANSFER OF TITLE, IN ACCORDANCE WITH THE STANDARDS AND PROVISIONS OF THE FEDERAL UNIFORM RELOCATION ASSISTANCE AND REAL PROPERTY ACQUISITION POLICIES ACT OF 1970, 42 U.S.C. 4601 to 4655. [Section 8 (4) (n)].

None is required, no persons will be displaced as part of this project.

O. A PLAN FOR COMPLIANCE WITH ACT NO. 227, OF THE PUBLIC ACTS OF 1972 (AN ACT TO PROVIDE FINANCIAL ASSISTANCE, ADVISORY SERVICES AND REIMBURSEMENT OF CERTAIN EXPENSES TO PERSONS DISPLACED FROM REAL PROPERTY OR DEPRIVED OF CERTAIN RIGHTS IN REAL PROPERTY), BEING SECTIONS 213.321 TO 213.332 OF THE MICHIGAN COMPILED LAWS. [Section 8 (4) (o)].

None is required, no persons will be displaced as part of this project.

P. OTHER MATERIAL AS THE CORPORATION, LOCAL PUBLIC AGENCY, OR GOVERNING BODY CONSIDERS PERTINENT. [Section 8 (4) (p)].

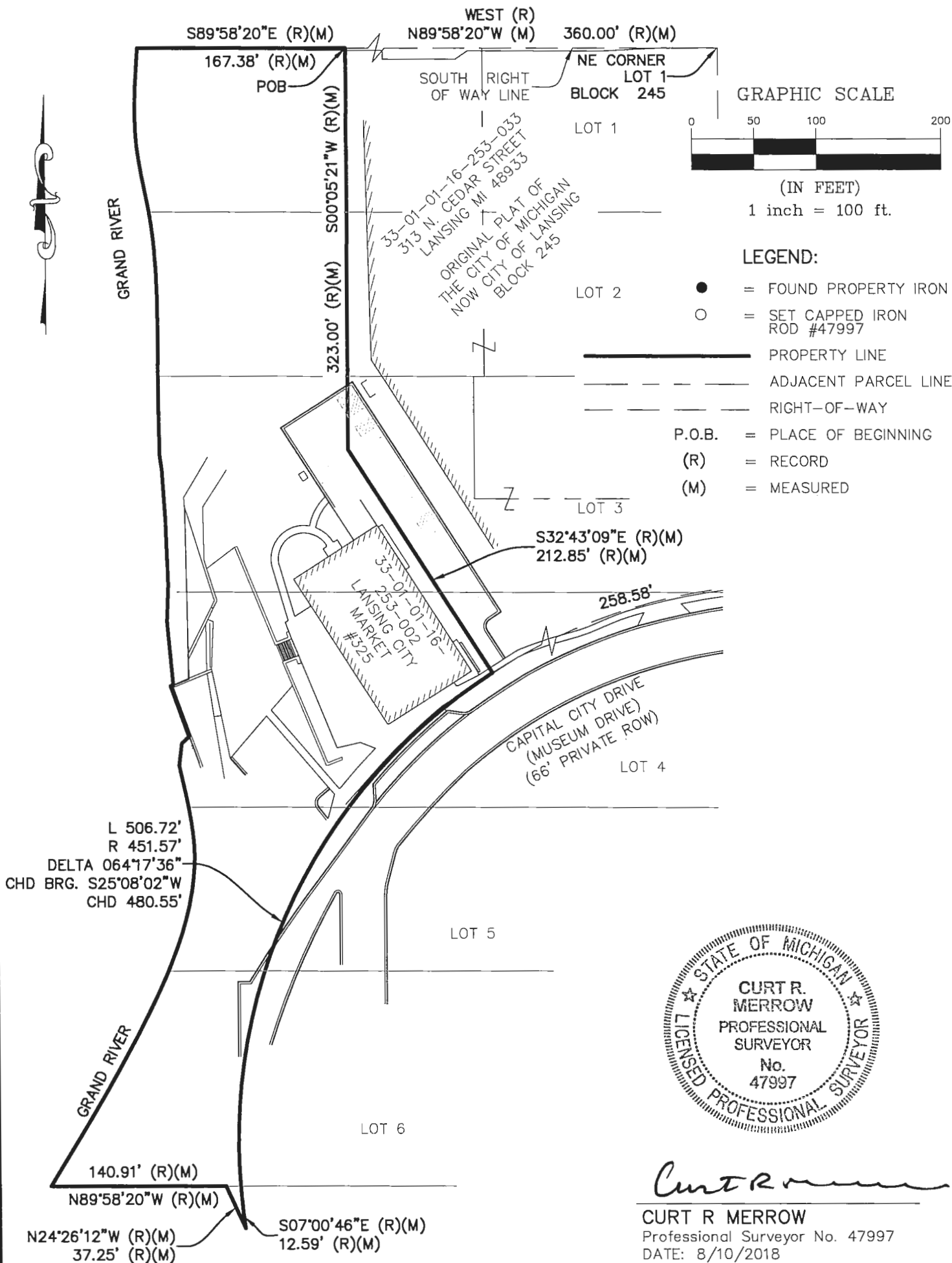
- Exhibit 1.** Legal Description of Project Area and City Market Building Site Survey
- Exhibit 2.** Transfer of Employment Certificate
- Exhibit 3.** Lease Agreement
- Exhibit 4.** LEDC Business Finance Loan Pre-Application Form

EXHIBIT 1
LEGAL DESCRIPTION OF PROJECT AREA
AND CITY MARKET BUILDING SITE SURVEY

Certificate of Survey

SHIAWASEE STREET

(82.5' PUBLIC ROW)



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

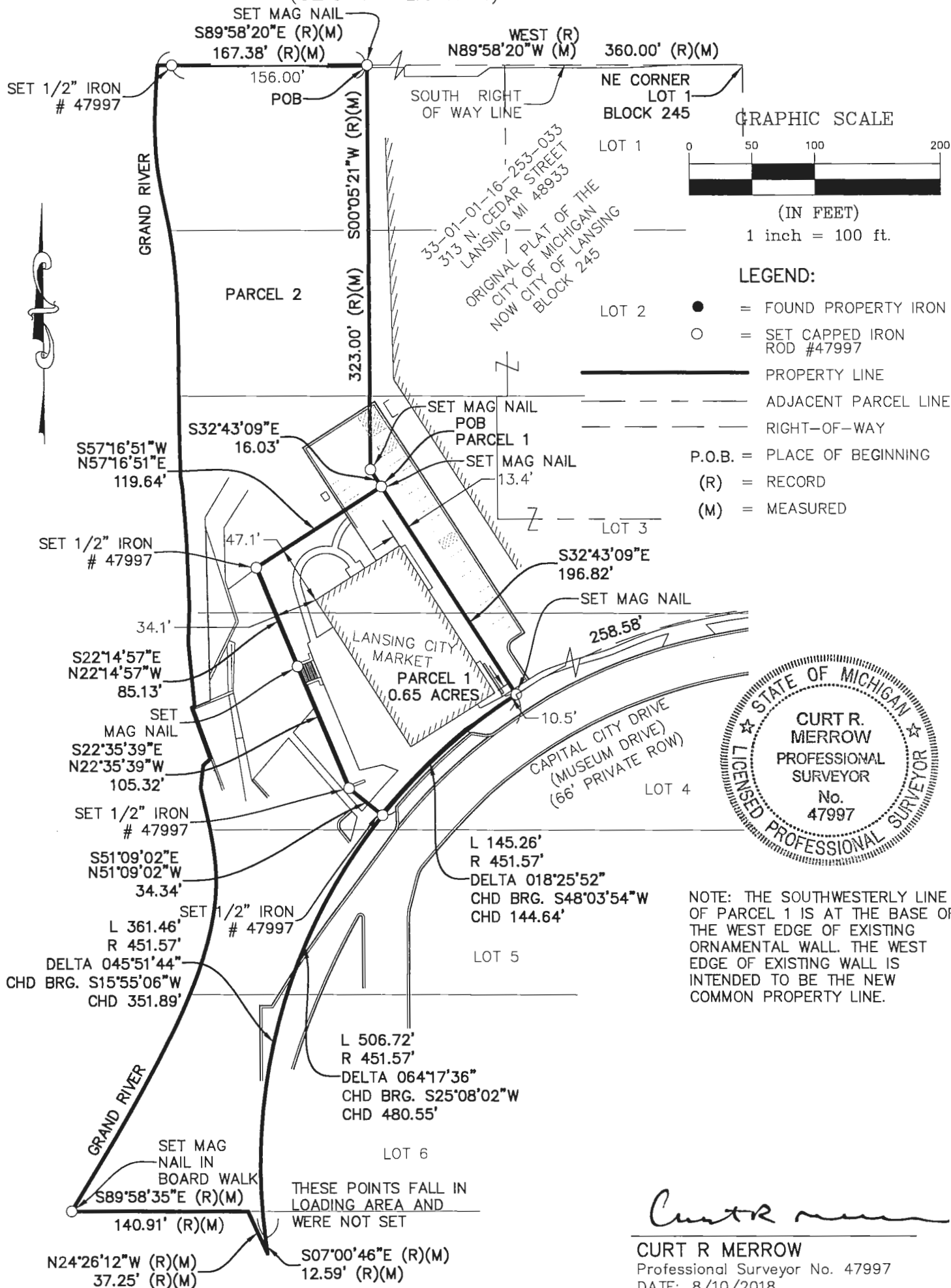
SURVEYED FOR:
CITY OF LANSING PARKS AND
RECREATION DEPARTMENT
200 N. FOSTER AVE.
LANSING, MI 48912
(517) 483-6936

FIELD: CRM	COMP: CRM
DRWG: RWL	CHKD: CRM
FILE NUMBER: CITY OF LANSING CITY MARKET SURVEY	
SHEET 1 OF 3	SHEET(S)

Certificate of Survey

SHIAWASEE STREET

(82.5' PUBLIC ROW)



CURT R MERROW
Professional Surveyor No. 47997
DATE: 8/10/2018



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

SURVEYED FOR:
CITY OF LANSING PARKS AND
RECREATION DEPARTMENT
200 N. FOSTER AVE.
LANSING, MI 48912
(517) 483-6936

FIELD: CRM	COMP: CRM
DRWG: RWL	CHKD: CRM
FILE NUMBER: CITY OF LANSING CITY MARKET SURVEY	
SHEET 2 OF 3	SHEET(S)

Certificate of Survey

LEGAL DESCRIPTION AS PROVIDED:

TAX PARCEL 33-01-01-16-253-002 (325 CITY MARKET DRIVE)
COMMENCING 360 FEET WEST OF THE NORTHEAST CORNER OF LOT 1, THENCE S00°05'21"W 323 FEET;
THENCE S32°43'09"E 212.85 FEET; THENCE SOUTHWESTERLY ON A 451.57 FEET RADIUS CURVE TO THE
LEFT HAVING A CHORD BEARING S25°08'02"W 480.55 FEET; THENCE S07°00'46"E 12.59 FEET; THENCE
N24°26'12"W 37.25 FEET; THENCE N89°58'20"W 140.91 FEET TO GRAND RIVER; THENCE NORTHERLY ALONG
THE RIVER TO THE SOUTH RIGHT OF WAY OF SHIAWASSEE STREET; THENCE S89°58'20"E 167.38 FEET TO
THE POINT OF BEGINNING; BLOCK 245, ORIGINAL PLAT OF THE TOWN OF MICHIGAN, NOW CITY OF LANSING.

LEGAL DESCRIPTIONS AS SURVEYED:

PARCEL 1 (CITY MARKET BUILDING SITE)
COMMENCING 360.00 FEET N89°58'20"W (RECORDED AS WEST) OF THE NORTHEAST CORNER OF LOT 1, AND
S00°05'21"W 323.00 FEET AND S32°43'09"E 16.03 FEET TO THE POINT OF BEGINNING; THENCE
S32°43'09"E 196.82 FEET; THENCE SOUTHWESTERLY 145.26 FEET ALONG A 451.57 FEET RADIUS CURVE TO
THE LEFT HAVING A CHORD BEARING S48°08'54"W 144.64 FEET; THENCE N51°09'02"W 34.34 FEET; THENCE
N22°35'39"W 105.32 FEET; THENCE N22°14'57"W 85.13 FEET; THENCE N57°16'51"E 119.64 FEET TO THE
POINT OF BEGINNING; BLOCK 245, ORIGINAL PLAT OF THE TOWN OF MICHIGAN, NOW CITY OF LANSING,
CONTAINING 0.65 ACRES OF LAND, SUBJECT TO ANY AND ALL EASEMENTS AND/OR RESTRICTIONS OF
RECORD.

PARCEL 2
COMMENCING 360.00 FEET N89°58'20"W (RECORDED AS WEST) OF THE NORTHEAST CORNER OF LOT 1 TO
THE POINT OF BEGINNING, THENCE S00°05'21"W 323.00 FEET; THENCE S32°43'09"E 16.03 FEET; THENCE
S57°16'51"W 119.64 FEET; THENCE S22°14'57"E 85.13 FEET; THENCE S22°35'39"E 105.32 FEET; THENCE
S51°09'02"E 34.34 FEET; THENCE SOUTHWESTERLY 361.46 FEET ALONG A 451.57 FEET RADIUS CURVE TO
THE LEFT HAVING A CHORD BEARING S15°55'06"W 351.89 FEET; THENCE S07°00'46"E 12.59 FEET; THENCE
N24°26'12"W 37.25 FEET; THENCE N89°58'20"W 140.91 FEET TO GRAND RIVER; THENCE NORTHERLY ALONG
THE RIVER TO THE SOUTH RIGHT OF WAY OF SHIAWASSEE STREET; THENCE S89°58'20"E 167.38 FEET TO
THE POINT OF BEGINNING; BLOCK 245, ORIGINAL PLAT OF THE TOWN OF MICHIGAN, NOW CITY OF LANSING,
SUBJECT TO ANY AND ALL EASEMENTS AND/OR RESTRICTIONS OF RECORD.



Curt R Merrow

CURT R MERROW
Professional Surveyor No. 47997
DATE: 8/10/2018



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

SURVEYED FOR:
CITY OF LANSING PARKS AND
RECREATION DEPARTMENT
200 N. FOSTER AVE.
LANSING, MI 48912
(517) 483-6936

FIELD: CRM	COMP: CRM
DRWG: RWL	CHKD: CRM
FILE NUMBER: CITY OF LANSING CITY MARKET SURVEY	
SHEET 3 OF 3	SHEET(S)

EXHIBIT 2
TRANSFER OF EMPLOYMENT CERTIFICATE

EXHIBIT 2
TRANSFER OF EMPLOYMENT CERTIFICATE

The undersigned, Jonathan Hartzell of LANSING SHUFFLEBOARD AND SOCIAL CLUB LLC, a Michigan Corporation (Name of "Company"), hereby certifies on behalf of said Company to the City of Lansing as follows:

The LANSING SHUFFLEBOARD AND SOCIAL CLUB LLC Project (Name of "Project"), of the Economic Development Corporation of the City of Lansing shall not result in the transfer of the employment of more than 20 full-time persons from any municipality of the State of Michigan to the City of Lansing by reason of the use of the Project by the Company, or any other person, firm or entity presently anticipated by any officer, employee or other representative of the Company to be a potential user of any portion of the Project.

**LANSING SHUFFLEBOARD AND
SOCIAL CLUB LLC**
a Michigan Corporation

By: _____



Its: _____

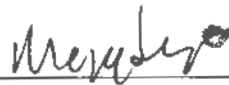
Dated: 9-8-20

EXHIBIT 2
TRANSFER OF EMPLOYMENT CERTIFICATE

The undersigned, Karl Dorshimer of the ECONOMIC DEVELOPMENT CORPORATION OF THE CITY OF LANSING (the "Corporation"), hereby certifies on behalf of said Corporation to the City of Lansing as follows:

The LANSING SHUFFLEBOARD AND SOCIAL CLUB LLC Project (Name of "Project"), shall not result in the transfer of the employment of more than 20 full-time persons from any municipality of the State of Michigan to the City of Lansing by reason of the Project, or any other person, firm or entity presently anticipated by any officer, employee or other representative of the Corporation to be a potential user of any portion of the Project.

**ECONOMIC DEVELOPMENT
CORPORATION OF THE CITY OF
LANSING**

By: 

Dated: 9/9/2020

Its: Authorized Representative

EXHIBIT 3
LEASE AGREEMENT BETWEEN THE CITY OF LANSING AND LANSING
SHUFFLEBOARD AND SOCIAL CLUB, LLC

EXHIBIT 4
LEDC BUSINESS FINANCE LOAN PRE-APPLICATION FORM

**LANSING ECONOMIC DEVELOPMENT CORPORATION
BUSINESS FINANCING ASSISTANCE PROGRAM APPLICATION**

PRE-APPLICATION FORM

1. Name, mailing address, e-mail address, phone and fax numbers of applicant.
Jonathan Hartzell, Lansing Shuffleboard and Social Club LLC
1515 W Lafayette, Suite 201, Detroit, MI 48216
jon@detroitrisingdevelopment.com | (248) 854-8005
2. Project name and address of project.
Project Name: Lansing Shuffleboard and Social Club
Project Address: 325 City Market Drive, Lansing, MI 48933
3. Owner of project property.
City of Lansing
4. Project description. *Please include a thorough description of the new or expanded business activities that will be possible as a result of the project. Also include an explanation of how the project will stimulate business development and create positive economic benefits in the City of Lansing.*
See attached Project Introduction and Executive Summary
5. Collateral. *Provide an explanation of the collateral you plan to secure the LEDC loan. Include proof of ownership and current appraised value of property and outstanding mortgage balance.*
Class C Liquor License (financed by LEDC BFAP Loan Proceeds)
6. Complete the "Lansing City Treasurer Information Request Form".
See attached
7. Estimated sources and uses of funds. *Provide a DETAILED itemized budget in a spreadsheet format as shown below. Use as many line item categories as possible.*

Line Item Categories	<u>Funds Provided by Applicant</u>	<u>Funds Loaned by LEDC</u>	<u>Funds Loaned by LBRA</u>	<u>Funds Loaned by Other Lenders</u>	<u>TOTALS</u>
<u>Construction</u>	<u>\$475,000</u>	<u>\$0</u>	<u>\$400,000</u>	<u>\$1,425,000</u>	<u>\$2,300,000</u>
<u>FFE</u>	<u>\$11,875</u>	<u>\$0</u>	<u>\$0</u>	<u>\$35,625</u>	<u>\$47,500</u>
<u>Soft Costs</u>	<u>\$323,504</u>	<u>\$0</u>	<u>\$0</u>	<u>\$227,529</u>	<u>\$551,033</u>
<u>Liquor License & Fees</u>	<u>\$0</u>	<u>\$65,000</u>	<u>\$0</u>	<u>\$0</u>	<u>\$65,000</u>
<u>TOTALS</u>	<u>\$810,379</u>	<u>\$65,000</u>	<u>\$400,000</u>	<u>\$1,688,154</u>	<u>\$2,963,533</u>

City of Lansing's Rescheduled Date for Montgomery Drain Public Hearing

Dear Property Owner,

The public hearing on the proposed assessment for the Montgomery Drain project, originally scheduled for **Monday, October 12, 2020**, has been rescheduled for **Monday, November 9, 2020, at 7:00 p.m.**

As indicted in the original letter you should have received, if you would like to appeal the proposed assessment, you will either need to speak at the public hearing or send your appeal to city.council@lansingmi.gov by **5:00 p.m. the day of the hearing.**

Information on the City Council meeting can be found at lansingmi.gov/agendacenter. The Zoom information to electronically access the public hearing is as follows:

<https://us02web.zoom.us/j/88259062610>

Dial (for higher quality, dial a number based on your current location):

US: +1 312 626 6799

Webinar ID: 882 5906 2610

For questions on the hearing, please contact the City Council Office at 517-483-4177. Project-related questions should be directed to the Ingham County Drain Commissioner's office at 517-676-8395.



Andy Schor, Mayor

City of Lansing's Rescheduled Date for Montgomery Drain Public Hearing

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Information on the City Council meeting can be found at lansingmi.gov/agendacenter. The Zoom information to electronically access the public hearing is as follows:

<https://us02web.zoom.us/j/88259062610>

Dial (for higher quality, dial a number based on your current location):

US: +1 312 626 6799

Webinar ID: 882 5906 2610

For questions on the hearing, please contact the City Council Office at 517-483-4177. Project-related questions should be directed to the Ingham County Drain Commissioner's office at 517-676-8395.



Andy Schor, Mayor

City of Lansing's Rescheduled Date for Montgomery Drain Public Hearing

Dear Property Owner,

The public hearing on the proposed assessment for the Montgomery Drain project, originally scheduled for **Monday, October 12, 2020**, has been rescheduled for **Monday, November 9, 2020, at 7:00 p.m.**

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Andy Schor, Mayor

Public Service Department
7th Floor, City Hall
124 W. Michigan Ave.
Lansing MI 48933

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MONTGOMERY DRAIN: INFORMATION SHEET

The Montgomery Drain is a watershed that is under jurisdiction of the Ingham County Drain Commissioner. It moves stormwater from the Frandor Area directly into the Red Cedar River. The drain district is approximately bounded by a line 1/4 miles of the Grand River on the north, slightly east of Coolidge Road and Ranney Park on the east, the Grand River on the south and US-127 and a small section of the Groesbeck Neighborhood on the west. Included in the district is the commercial area commonly referred to as Frandor.

A map of the area can be found on the website at lansingmi.gov/montgomerydrain.

Who Should I Call For?

- **Assessment Questions/Information:** Treasurer's Office ([517-483-4121](tel:517-483-4121))
- **General Information Regarding the City:** Public Service Department ([517-483-4456](tel:517-483-4456))
- **General Information Regarding the County, Drain, etc:** Ingham County Drain Commissioner ([517-676-8395](tel:517-676-8395))
- **Legal Questions:** Attorney Office ([517-483-4320](tel:517-483-4320))
- **Public Hearing/Timeline Questions/Information:** City Council ([517-483-4177](tel:517-483-4177))

Frequently Asked Questions:

- **What is the Montgomery Drain?**

The Montgomery Drain project is a construction project to rehabilitate the pipes in the existing stormwater collection system for the drain and add new elements, which will capture and treat the water, resulting in less flooding within the district and cleaner water being discharged to the Red Cedar River.

- **When did the Montgomery Drain project begin?**

The Montgomery Drain project started in 2014 when the Ingham County Drain Commissioner brought this project recommendation to the City of Lansing. The tentative plan and costs for the project were proposed in 2018. The actual construction of the drain began in 2020 with an expected completion date of sometime in 2022.

- **Is the project still happening?**

The City and the Ingham County Road Department petitioned for this project in 2014, prior to the cost or scope being known. As costs for the project were finalized, the City expressed concerns due to the financial burden it would place on the City, its residents and businesses, especially in light of the economic impacts of the COVID-19 pandemic. The Ingham County Drain Commissioner made some changes to the project that reduced costs but concluded that the project was necessary and that costs would increase if the project were delayed.



MONTGOMERY DRAIN: INFORMATION SHEET

- **Who is paying for the Montgomery Drain project?**

The City is paying for 64% of this project. The rest of the project is being paid for by Lansing Township, East Lansing and the Michigan Department of Transportation (MDOT). The City apportionment is expected to cost approximately \$1 million per year for 30 years and this cost will be shared between the City and the benefited property owners.

The Lansing City Council approved the Mayor's budget, which included a new citywide Drain Code tax to cover 50% of the cost of the project. The businesses and residents in the area that are directly serviced by the drain would be responsible for the other 50% as passed by City Council. If City Council had not passed this assessment, the City's General Fund would have to pay the balance, which was not accounted for in the 2020-21 budget as passed by City Council.

- **Where can I find additional and/or general information on the Montgomery Drain project (on behalf of the City of Lansing)?**

Information on the project, the timeline of the City's involvement, an impacted area map and more can be found at lansingmi.gov/montgomerydrain.

- **Can I dispute my assessment? If so, how?**

A public hearing is being held on Monday, October 12, 2020, to allow residents an opportunity to provide input on the proposed assessment. If a resident wants to dispute their assessment, they should submit comments at the meeting or to City Council by either writing or sending an email to city.council@lansingmi.gov.

- **How was each assessment determined per property owner?**

Assessments are calculated based on the acreage of the parcel within the district and a land use factor used to determine the amount of stormwater each property contributes to the overall drainage system. Information on the assessment methodology can found on the City's website at lansing.gov/drainassessments.

- **How long is repayment estimated to be?**

Council will set the payment schedule when they set the assessment roll, however, it is anticipated that Council will set the repayment at 30 years; this is the same period as payments from the City to the Ingham County Drain Commission for the project.



MONTGOMERY DRAIN: INFORMATION SHEET

- **What happens if I don't pay my assessment?**

If a resident doesn't pay the assessment amount, it will automatically be added to the property tax for the parcel. Ingham County will assess fees and penalties if the tax bill is unpaid, just as is done for other property taxes that are due.

- **Where can I find additional information on my assessment?**

If you are a property owner in the district, you will receive a letter with information regarding the specific assessment as well as the details of the public hearing. Additional information on the process and methodology can also be found online at lansingmi.gov/drainassessments.

- **Is there a payment plan option for the assessment?**

Property owners have the option to pay the assessment up front and use financing they secured, or pay the assessment with their taxes over a period of 30 installments.

NOTICE OF AMOUNT DUE – CITY OF LANSING

**AMENDED SPECIAL ASSESSMENT ROLL NO. 1
FOR THE
MONTGOMERY DRAIN MAINTENANCE AND IMPROVEMENT PROJECT
(An Intracounty Drain Project in the County of Ingham, State of Michigan)**

CITY OF LANSING – NOTICE OF AMOUNT DUE: Please take notice that the next annual installment of the special assessment due pursuant to the Amended Special Assessment Roll No. 1 for the City of Lansing will come due on July 1, 2021 in the following amount:

Principal Owed	\$ 417,880.26
Interest Owed	<u>\$ 348,599.91</u>
Total Amount Due	<u>\$ 766,480.17</u>

This payment is due on or before July 1, 2021 at the office of the Ingham County Treasurer.

FURTHER INFORMATION: Further information with respect to this special assessment payment is available from Paul Pratt, Deputy Drain Commissioner, 707 Buhl Avenue, P.O. Box 220, Mason, Michigan 48854-0220; phone number: (517) 676-8391.



Patrick E. Lindemann, Drain Commissioner
County of Ingham

RECEIVED
2020 NOV 24 AM 11:09
LANSING CITY CLERK



Chris Swope
Lansing City Clerk

THIS IS NOT A BILL

September 25, 2020



From: Chris Swope, Lansing City Clerk

Subject: NOTICE OF PUBLIC HEARING Regarding Special Assessment Roll # MD-2020, for the necessary storm drainage improvement project known as Montgomery Drain Improvements.

Whereas, all lands to be assessed in the city of Lansing, within the Montgomery Drain Drainage District, as defined by the Montgomery Drain Drainage Board and the Ingham County Drain Commissioner, to include the property described below:

Parcel Number:
Property Address:



PROPERTY BENEFITTED: STORM DRAINAGE IMPROVEMENT

The records of the Lansing City Assessor indicate that you are the owner or a party of interest in the above named property. Per Chapter 1020.06(c) (2), the City is directed to provide you with the following information regarding the Project.

DESCRIPTION OF WORK

Storm Drainage Improvements as designed, directed and overseen by the Montgomery Drain Drainage Board and the Ingham County Drain Commissioner

ASSESSMENT AMOUNT

The City of Lansing proposes to assess \$11,850,307.04, which represents 50% of the City's estimated cost for the Montgomery Drain project, to the benefitted properties within the Montgomery Drain Drainage District. The assessment amount is calculated as the parcel's runoff area as a percentage of the overall runoff area for parcels in the district multiplied by the total assessment amount. Calculations for the parcel identified above are shown on the following page.

Lansing City Clerk's Office
Ninth Floor, City Hall, 124 W. Michigan Ave., Lansing, MI 48933-1695
517-483-4131 517-377-0068 FAX
www.lansingmi.gov/clerk city.clerk@lansing.mi.gov

CALCULATION

Parcel area within drainage district (acres):

Land Use Factor:

Parcel Equivalent Runoff Area (Parcel area x Land Use Factor): 0.06990

Assessment Amount = Parcel Runoff Area / Runoff Area of all parcels x Total Assessed Amt.

0.06990 / 122.8094 x \$11,850,307.04 = \$6,744.90

Subject to confirmation of the Assessment Roll

PAYMENT AND FINANCING INFORMATION

Bills will be mailed by the City Treasurer within 10 days of the Council confirmation of this roll. The City Council typically confirms an assessment roll within one or two meetings after the hearing, providing there is concurrence.

If this proposed assessment is approved by City Council and the property owner elects to pay the assessment in installments, the assessment would be subject to a maximum estimated interest rate of 3.2% payable over a maximum of 30 installments.

THIS IS NOT A BILL

Additional information on the Montgomery Drain project, including the proposed assessment calculation methodology and contact information can be found on the City of Lansing's website at: <https://www.lansingmi.gov/2054/Montgomery-Drain-Project>

PUBLIC HEARING INFORMATION

The City Council will hold a Public Hearing to review, prior to confirmation, said assessment roll, and consider any complaints or objections that there may be with respect to this assessment.

When: Monday, October 12, 2020 at 7:00 P.M.

Where: via ZOOM Video Conferencing, Meeting ID # 842 3051 4841

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 held 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 meeting using the website <https://us02web.zoom.us/j/84230514841> or phone number 646 876 9923 and Meeting ID 842 3051 4841. (Note: this option requires downloading Zoom software. If you have not already installed the software, this may take a few minutes)

HOW TO APPEAL

A property owner or party in interest, or his or her representative, may protest the special assessment in one of the following ways:

- Send a letter appealing the assessment to: **City Clerk's Office, 9th Floor, City Hall, 124 W. Michigan Ave., Lansing, MI 48933; -or-**
- Send an email appealing the assessment via email to: **city.clerk@lansingmi.gov; -or-**
- Appear at the Public Hearing or speak at the Public Hearing (must "Raise Your Hand" at meeting by the following methods: On the phone: Dial *9, On a Mac Computer: Option Y and Microsoft Windows: Alt Y).

Written appeals must be received before the close of the public hearing on **October 12, 2020**.

Those appealing will be encouraged to participate at a subsequent Committee of the Whole meeting (time and date to be determined), where cases will be further considered.

Further appeal of the Special Assessment may be made to the Michigan Tax Tribunal, *if* filed within 35 days after confirmation of the special assessment roll *and* that special assessment was protested at the **October 12, 2020** hearing. Visit www.michigan.gov/taxtrib for more information.

If you have any questions regarding the calculation of this assessment, please contact the Public Service Department at (517) 483-4455.

City of Lansing, Michigan
Special Assessment Roll for Montgomery Drain Improvments

Amount of Special Assessment Roll =	\$11,850,307.04
Number of Installments =	30
Interest Rate on Installments =	3.176%

PARCEL NUMBER	PROPERTY OWNER	OWNER ADDRESS	PROPERTY ADDRESS	OWNER CITY	OWNER STATE	OWNER ZIP	TOTAL PARCEL ACRES	ACRES IN DISTRICT	EASEMENT AREA FOR LID/R.G.'s	DETENTION CREDIT	LAND USE FACTOR	EQUIVA LENT RUNOFF ACRES	TOTAL APPORTIONMENT	APPROX. TOTAL ASSESSMENT
33-01-01-11-426-022	CITY OF LANSING	124 W MICHIGAN AVE, FL 8TH	STONEWOOD DR.	LANSING	MI	48933	0.435	0.435			0.00	0.000	0.000%	\$0.00
33-01-01-11-426-035	KARISHMA NASSERY	3211 STONEWOOD DR.	3211 STONEWOOD DR.	LANSING	MI	48912	0.316	0.316			0.28	0.088	0.072%	\$8,537.74
33-01-01-11-426-037	BOARD OF WATER & LIGHT	PO BOX 13007	VACANT	LANSING	MI	48901	0.413	0.114			0.22	0.025	0.020%	\$2,420.06
33-01-01-11-426-042	THERESA E VANDORPE	3221 STONEWOOD DR.	3221 STONEWOOD DR.	LANSING	MI	48912	0.426	0.186			0.25	0.047	0.038%	\$4,486.95
33-01-01-11-426-052	MARGARET J JOHNSON	3227 STONEWOOD DR.	3227 STONEWOOD DR.	LANSING	MI	48912	0.263	0.140			0.28	0.039	0.032%	\$3,782.55
33-01-01-11-426-061	GEORGE & CHRISTINE KYRIAKOU	3231 STONEWOOD DR.	3231 STONEWOOD DR.	LANSING	MI	48912	0.230	0.127			0.30	0.038	0.031%	\$3,676.40
33-01-01-11-426-071	PAUL & LOIS MIDTHUN	3237 STONEWOOD DR.	3237 STONEWOOD DR.	LANSING	MI	48912	0.230	0.117			0.30	0.035	0.029%	\$3,386.92
33-01-01-11-426-081	SUSAN L NORTON	3245 STONEWOOD DR.	3245 STONEWOOD DR.	LANSING	MI	48912	0.258	0.100			0.30	0.030	0.024%	\$2,894.81
33-01-01-11-426-092	MICHELE M ABRAMS	3251 STONEWOOD DR.	3251 STONEWOOD DR.	LANSING	MI	48912	0.215	0.042			0.30	0.013	0.010%	\$1,215.82
33-01-01-11-426-102	TARA J SHEA	3301 STONEWOOD DR.	3301 STONEWOOD DR.	LANSING	MI	48912	0.215	0.041			0.30	0.012	0.010%	\$1,186.87
33-01-01-11-426-111	MICHAEL & ERIN SARZYNSKI	3307 STONEWOOD DR.	3307 STONEWOOD DR.	LANSING	MI	48912	0.230	0.057			0.30	0.017	0.014%	\$1,650.04
33-01-01-11-426-121	DONALD & JOCELYN S VANDA	3315 STONEWOOD DR.	3315 STONEWOOD DR.	LANSING	MI	48912	0.230	0.060			0.30	0.018	0.015%	\$1,736.88
33-01-01-11-426-131	KIRBY L & BETH M SMITH	1301 COOLIDGE RD.	1301 COOLIDGE RD.	EAST LANSING	MI	48823	0.259	0.213			0.30	0.064	0.052%	\$6,165.93
33-01-01-11-427-001	RONALD J & ANNETTE MIRWIN	3208 STONEWOOD DR.	3208 STONEWOOD DR.	LANSING	MI	48912	0.240	0.240			0.30	0.072	0.059%	\$6,947.53
33-01-01-11-427-011	MICHAEL Z & KANGYAN WONG	3201 HILLGATE CIRCLE	3201 HILLGATE CIRCLE	LANSING	MI	48912	0.379	0.379			0.28	0.106	0.086%	\$10,239.89
33-01-01-11-427-021	DAVID H DEKKER	3209 HILLGATE CIRCLE	3209 HILLGATE CIRCLE	LANSING	MI	48912	0.267	0.267			0.28	0.075	0.061%	\$7,213.85
33-01-01-11-427-031	MICHAEL & JENIFER NELLER	3213 HILLGATE CIRCLE	3213 HILLGATE CIRCLE	LANSING	MI	48912	0.313	0.313			0.28	0.088	0.071%	\$8,456.69
33-01-01-11-427-052	ALLAN L SHERWIN	PO BOX 26084	1142 HILLGATE WAY	LANSING	MI	48912	0.209	0.209			0.30	0.063	0.051%	\$6,050.14
33-01-01-11-427-061	JEANETTE M SCROGGINS	1132 HILLGATE WAY	1132 HILLGATE WAY	LANSING	MI	48912	0.275	0.275			0.28	0.077	0.063%	\$7,430.00
33-01-01-11-427-071	ANDREW S FREEMAN	1122 HILLGATE WAY	1122 HILLGATE WAY	LANSING	MI	48912	0.237	0.237			0.30	0.071	0.058%	\$6,860.69
33-01-01-11-427-081	JACK R & BONNIE L PIOTTER	1986 SUNNYMEDE LN.	1114 HILLGATE WAY	LANSING	MI	48906	0.191	0.191			0.30	0.057	0.047%	\$5,529.08
33-01-01-11-427-091	RONALD R & DAYNA L REYNOLDS	1103 SHELTER LN.	1103 SHELTER LN.	LANSING	MI	48912	0.279	0.279			0.28	0.078	0.064%	\$7,538.07
33-01-01-11-427-101	PATRICIA A HOWELL	1115 SHELTER LN.	1115 SHELTER LN.	LANSING	MI	48912	0.218	0.218			0.30	0.065	0.053%	\$6,310.67
33-01-01-11-427-112	HELEN ENANDER	1123 SHELTER LN.	1123 SHELTER LN.	LANSING	MI	48912	0.238	0.238			0.30	0.071	0.058%	\$6,889.64
33-01-01-11-427-123	MARK & LIZABETH A OLSON	1129 SHELTER LN.	1129 SHELTER LN.	LANSING	MI	48912	0.315	0.315			0.28	0.088	0.072%	\$8,510.73
33-01-01-11-427-132	JOHN L & BETH HAUBENSTRICKER	1139 SHELTER LN.	1139 SHELTER LN.	LANSING	MI	48912	0.293	0.293			0.28	0.082	0.067%	\$7,916.33
33-01-01-11-427-141	LINDSAY S FORTMAN & SUSAN A CRANE	1145 SHELTER LN.	1145 SHELTER LN.	LANSING	MI	48912	0.230	0.230			0.30	0.069	0.056%	\$6,658.05
33-01-01-11-427-151	DAVID P FISHER	2514 GAY LN.	1151 SHELTER LN.	LANSING	MI	48912	0.230	0.230			0.30	0.069	0.056%	\$6,658.05
33-01-01-11-427-161	CARRIE D DELFAVERO	1159 SHELTER LN.	1159 SHELTER LN.	LANSING	MI	48912	0.244	0.244			0.30	0.073	0.060%	\$7,063.32
33-01-01-11-427-171	DANIEL A & MELISSA L MACKEY	3240 STONEWOOD DR.	3240 STONEWOOD DR.	LANSING	MI	48912	0.239	0.239			0.30	0.072	0.058%	\$6,918.58
33-01-01-11-427-181	PHILIP R & MARY R BARRIE	3232 STONEWOOD DR.	3232 STONEWOOD DR.	LANSING	MI	48912	0.239	0.239			0.30	0.072	0.058%	\$6,918.58
33-01-01-11-427-191	LENG NOU & VUE XIONG	3226 STONEWOOD DR.	3226 STONEWOOD DR.	LANSING	MI	48912	0.233	0.233			0.30	0.070	0.057%	\$6,744.90
33-01-01-11-427-201	KATHY S GRUHN	3218 STONEWOOD DR.	3218 STONEWOOD DR.	LANSING	MI	48912	0.203	0.203			0.30	0.061	0.050%	\$5,876.45
33-01-01-11-428-012	STEVEN D DILLEY & JOANNE D TRU BUMP	738 OLD TRAIL DR.	1141 FAIRWAY LN.	NAPLES	FL	34103	0.369	0.369			0.28	0.103	0.084%	\$9,969.71
33-01-01-11-428-022	DEBORAH L & GERALD M FOSTER	1127 FAIRWAY LN.	1127 FAIRWAY LN.	LANSING	MI	48912	0.490	0.490			0.25	0.123	0.100%	\$11,820.45
33-01-01-11-428-031	MICHAEL D & BARBARA HOLDA	1119 FAIRWAY LN.	1119 FAIRWAY LN.	LANSING	MI	48912	0.226	0.226			0.30	0.068	0.055%	\$6,542.26
33-01-01-11-428-042	CHARLES GORDON JR	1107 FAIRWAY LN.	1107 FAIRWAY LN.	LANSING	MI	48912	0.284	0.284			0.28	0.080	0.065%	\$7,673.16
33-01-01-11-428-052	JASON & JENNIFER SMITH	1043 FAIRWAY LN.	1043 FAIRWAY LN.	LANSING	MI	48912	0.136	0.136			0.33	0.045	0.037%	\$4,330.63
33-01-01-11-428-061	JOSEPH & LORETTA A WISNIEWSKI FAMILY TRUST	3116 FAIRWAY CT.	3116 FAIRWAY CT.	LANSING	MI	48912	0.247	0.247			0.30	0.074	0.060%	\$7,150.17
33-01-01-11-428-071	SAM H LU & YANG SUN LIAN	3110 FAIRWAY CT.	3110 FAIRWAY CT.	LANSING	MI	48912	0.201	0.201			0.30	0.060	0.049%	\$5,818.56
33-01-01-11-428-082	TIM PORTEE	3106 FAIRWAY CT.	3106 FAIRWAY CT.	LANSING	MI	48912	0.276	0.276			0.28	0.077	0.063%	\$7,457.02
33-01-01-11-428-111	PIDA GWAZANI E & KELLY CHIFUNDO	3107 FAIRWAY CT.	3107 FAIRWAY CT.	LANSING	MI	48912	0.338	0.338			0.28	0.095	0.077%	\$9,132.14
33-01-01-11-428-132	STEVEN G & CRYSTAL L CORBETT	3109 FAIRWAY CT.	3109 FAIRWAY CT.	LANSING	MI	48912	0.423	0.423			0.25	0.106	0.086%	\$10,204.19
33-01-01-11-428-142	ZHI C YE	1019 FAIRWAY LN.	1019 FAIRWAY LN.	LANSING	MI	48912	0.377	0.377			0.28	0.106	0.086%	\$10,185.85
33-01-01-11-429-001	LARRY C & PAMELA JO GUERRANT	1210 FAIRWAY LN.	1210 FAIRWAY LN.	LANSING	MI	48912	0.290	0.290			0.28	0.081	0.066%	\$7,835.27
33-01-01-11-429-011	HARVEY & ROBERTA CANNON	1202 FAIRWAY LN.	1202 FAIRWAY LN.	LANSING	MI	48912	0.231	0.231			0.30	0.069	0.056%	\$6,687.00
33-01-01-11-429-021	SAID ELMOGABER & HAMDIA ELOSTAZ	1144 FAIRWAY LN.	1144 FAIRWAY LN.	LANSING	MI	48912	0.248	0.248			0.30	0.074	0.061%	\$7,179.12
33-01-01-11-429-031	PETER N ACHUONJEI	1136 FAIRWAY LN.	1136 FAIRWAY LN.	LANSING	MI	48912	0.248	0.248			0.30	0.074	0.061%	\$7,179.12
33-01-01-11-429-041	ASPAR LLC	3565 E HIAWATHA DR.	1128 FAIRWAY LN.	LANSING	MI	48864	0.242	0.242			0.30	0.073	0.059%	\$7,005.43
33-01-01-11-429-051	TIMOTHY D BROWN	1120 FAIRWAY LN.	1120 FAIRWAY LN.	LANSING	MI	48912	0.249	0.249			0.30	0.075	0.061%	\$7,208.06
33-01-01-11-429-061	AUDREY D BENTLEY	1114 FAIRWAY LN.	1114 FAIRWAY LN.	LANSING	MI	48912	0.256	0.256			0.30	0.077	0.063%	\$7,410.70
33-01-01-11-429-071	KELLIE L GARRETT	1108 FAIRWAY LN.	1108 FAIRWAY LN.	LANSING	MI	48912	0.348	0.348			0.28	0.097	0.079%	\$9,402.33
33-01-01-11-429-081	TIMOTHY JOHNSON & SARAH B CENSONIJOHNSON	1102 FAIRWAY LN.	1102 FAIRWAY LN.	LANSING	MI	48912	0.338	0.338			0.28	0.095	0.077%	\$9,132.14
33-01-01-11-429-091	DONALD HILLIARD	1040 FAIRWAY LN.	1040 FAIRWAY LN.	LANSING	MI	48912	0.220	0.220			0.30	0.066	0.054%	\$6,368.57
33-01-01-11-429-101	SARAH E DANIELS	1036 FAIRWAY LN.	1036 FAIRWAY LN.	LANSING	MI	48912	0.268	0.268			0.30	0.080	0.065%	\$7,758.08
33-01-01-11-429-111	NATHAN R & COURTNEY L REYNOLDS	1032 FAIRWAY LN.	1032 FAIRWAY LN.	LANSING	MI	48912	0.212	0.212			0.30	0.064	0.052%	\$6,136.99
33-01-01-11-429-121	SHEBA MORAA ONCHIRI	1028 FAIRWAY LN.	1028 FAIRWAY LN.	LANSING	MI	48912	0.216	0.216			0.30	0.065	0.053%	\$6,252.78
33-01-01-11-429-131	WORKNESH TEFERRA	1020 FAIRWAY LN.	1020 FAIRWAY LN.	LANSING	MI	48912	0.184	0.184			0.33	0.061	0.049%	\$5,859.09
33-01-01-11-429-141	MICHAEL A & JUDITH A MINICH	1014 FAIRWAY LN.	1014 FAIRWAY LN.	LANSING	MI	48912	0.184	0.184			0.33	0.061	0.049%	\$5,859.09
33-01-01-11-429-151	KRIS R YOUNG	3320 MELODY LN.	1008 FAIRWAY LN.	LANSING	MI	48912	0.160	0.160			0.33	0.053	0.043%	\$5,094.86
33-01-01-11-429-161	WILLIAM N & ELAINE KRITSELIS	425 WALBRIDGE DR.	936 FAIRWAY LN.	EAST LANSING	MI	48823	0.128	0.128			0.33	0.042	0.034%	\$4,075.89

PARCEL NUMBER	PROPERTY OWNER	OWNER ADDRESS	PROPERTY ADDRESS	OWNER CITY	OWNER STATE	OWNER ZIP	TOTAL PARCEL ACRES	ACRES IN DISTRICT	EASEMENT AREA FOR LID/R.G.'s	DETENTION CREDIT	LAND USE FACTOR	EQUIVA LENT RUNOFF ACRES	TOTAL APPORTIONMENT	APPROX. TOTAL ASSESSMENT
33-01-01-11-429-171	HUHWU WU	1001 SHELTER LN.	1001 SHELTER LN.	LANSING	MI	48912	0.245	0.245			0.30	0.074	0.060%	\$7,092.27
33-01-01-11-429-181	MALIK E M A & HAFSA BALLA	2234 VILLAGE WOODS DR.	1005 SHELTER LN.	GRAND BLANC	MI	48439	0.259	0.259			0.30	0.078	0.063%	\$7,497.55
33-01-01-11-429-191	TOMMY L & CHAD D BUCKLES	1011 SHELTER LN.	1011 SHELTER LN.	LANSING	MI	48912	0.321	0.321			0.28	0.090	0.073%	\$8,672.84
33-01-01-11-429-201	MARY CARROCCIO	1019 SHELTER LN.	1019 SHELTER LN.	LANSING	MI	48912	0.247	0.247			0.30	0.074	0.060%	\$7,150.17
33-01-01-11-429-211	SARAH CARTER	1025 SHELTER LN.	1025 SHELTER LN.	LANSING	MI	48912	0.245	0.245			0.30	0.074	0.060%	\$7,092.27
33-01-01-11-429-221	JUDY L FOLEY	1029 SHELTER LN.	1029 SHELTER LN.	LANSING	MI	48912	0.270	0.270			0.30	0.081	0.066%	\$7,815.97
33-01-01-11-429-231	NASHWA A KHOGALI	1035 SHELTER LN.	1035 SHELTER LN.	LANSING	MI	48912	0.353	0.353			0.28	0.099	0.080%	\$9,537.42
33-01-01-11-429-241	CHRISTOPHER A & KRISTEN L UMPHLETT	1037 SHELTER LN.	1037 SHELTER LN.	LANSING	MI	48912	0.388	0.388			0.28	0.109	0.088%	\$10,483.05
33-01-01-11-429-251	ANDRES M & DIANA C QUINTERO	1039 SHELTER LN.	1039 SHELTER LN.	LANSING	MI	48912	0.262	0.262			0.28	0.073	0.060%	\$7,078.76
33-01-01-11-429-261	SELIN FAMILY TRUST	1049 SHELTER LN.	1049 SHELTER LN.	LANSING	MI	48912	0.219	0.219			0.30	0.066	0.053%	\$6,339.62
33-01-01-11-429-271	MERNA M BUDDEN	1105 HILLGATE WAY	1105 HILLGATE WAY	LANSING	MI	48912	0.256	0.256			0.30	0.077	0.063%	\$7,410.70
33-01-01-11-429-281	CHANGYI WANG	1115 HILLGATE WAY	1115 HILLGATE WAY	LANSING	MI	48912	0.307	0.307			0.28	0.086	0.070%	\$8,294.58
33-01-01-11-429-291	BRAD L & ELIZABETH A LAMACCHIA	1123 HILLGATE WAY	1123 HILLGATE WAY	LANSING	MI	48912	0.303	0.303			0.28	0.085	0.069%	\$8,186.51
33-01-01-11-429-301	TIMOTHY L MUSSON	1131 HILLGATE WAY	1131 HILLGATE WAY	LANSING	MI	48912	0.247	0.247			0.30	0.074	0.060%	\$7,150.17
33-01-01-11-429-311	JOEL A & ARLENE R SHARKEY	1139 HILLGATE WAY	1139 HILLGATE WAY	LANSING	MI	48912	0.237	0.237			0.30	0.071	0.058%	\$6,860.69
33-01-01-11-429-321	PHAT K & LAN G HA	1147 HILLGATE WAY	1147 HILLGATE WAY	LANSING	MI	48912	0.245	0.245			0.30	0.074	0.060%	\$7,092.27
33-01-01-11-429-331	JAMES R & KAREN A FIROS	1300 S GENEVA DR.	1155 HILLGATE WAY	DEWITT	MI	48820	0.219	0.219			0.30	0.066	0.053%	\$6,339.62
33-01-01-11-429-342	FAZEL M & MASOOMA A NOORI	1203 HILLGATE WAY	1203 HILLGATE WAY	LANSING	MI	48912	0.250	0.250			0.30	0.075	0.061%	\$7,237.01
33-01-01-11-429-352	DALTON M CHILDRESS JR	1211 HILLGATE WAY	1211HILLGATE WAY	LANSING	MI	48912	0.166	0.166			0.33	0.055	0.045%	\$5,285.91
33-01-01-11-430-001	DANIEL L MACHIORLATTI	3379 EAGLE CREEK CT NE	1164 SHELTER LN.	GRAND RAPIDS	MI	49525	0.235	0.235			0.30	0.071	0.057%	\$6,802.79
33-01-01-11-430-011	DAVID A & MARY ANN MERCHANT	1152 SHELTER LN.	1152 SHELTER LN.	LANSING	MI	48912	0.234	0.234			0.30	0.070	0.057%	\$6,773.84
33-01-01-11-430-021	KURT R WAGNER	1148 SHELTER LN.	1148 SHELTER LN.	LANSING	MI	48912	0.234	0.234			0.30	0.070	0.057%	\$6,773.84
33-01-01-11-430-031	BARBARA POWERS	1140 SHELTER LN.	1140 SHELTER LN.	LANSING	MI	48912	0.234	0.234			0.30	0.070	0.057%	\$6,773.84
33-01-01-11-430-041	YVONNE & KURTZ SEAMAN	1132 SHELTER LN.	1132 SHELTER LN.	LANSING	MI	48912	0.234	0.234			0.30	0.070	0.057%	\$6,773.84
33-01-01-11-430-051	RONALD RAY & ENLUN YAO ABBOTT	1126 SHELTER LN.	1126 SHELTER LN.	LANSING	MI	48912	0.234	0.234			0.30	0.070	0.057%	\$6,773.84
33-01-01-11-430-061	MICHAEL E & JENNIFER R & DEBOW ORAH NELLER	3213 HILLGATE CIR.	1118 SHELTER LN.	LANSING	MI	48912	0.234	0.234			0.30	0.070	0.057%	\$6,773.84
33-01-01-11-430-071	DANIEL J DEKKER	1110 SHELTER LN.	1110 SHELTER LN.	LANSING	MI	48912	0.234	0.234			0.30	0.070	0.057%	\$6,773.84
33-01-01-11-430-081	RUI H & LI XIAO Z HUANG	1100 SHELTER LN.	1100 SHELTER LN.	LANSING	MI	48912	0.185	0.185			0.33	0.061	0.050%	\$5,890.93
33-01-01-11-430-091	JACK H & FRIEDA M DELNAAY	PO BOX 21216	1056 SHELTER LN.	LANSING	MI	48909	0.248	0.248			0.30	0.074	0.061%	\$7,179.12
33-01-01-11-430-101	WILLIAM J FLUKE	1048 SHELTER LN.	1048 SHELTER LN.	LANSING	MI	48912	0.248	0.248			0.30	0.074	0.061%	\$7,179.12
33-01-01-11-430-111	ABAYNESH & GELETA DESTA FIDA	1044 SHELTER LN.	1044 SHELTER LN.	LANSING	MI	48912	0.271	0.271			0.28	0.076	0.062%	\$7,321.93
33-01-01-11-430-121	JOE & KEIKO COUSINS	1036 SHELTER LN.	1036 SHELTER LN.	LANSING	MI	48912	0.336	0.336			0.28	0.094	0.077%	\$9,078.11
33-01-01-11-430-131	TSVETA LAMBO	1034 SHELTER LN.	1034 SHELTER LN.	LANSING	MI	48912	0.330	0.330			0.28	0.092	0.075%	\$8,916.00
33-01-01-11-430-141	MICAH T COUSINS	1032 SHELTER LN.	1032 SHELTER LN.	LANSING	MI	48912	0.233	0.233			0.30	0.070	0.057%	\$6,744.90
33-01-01-11-430-151	AILIE M WEAVER	1030 SHELTER LN.	1030 SHELTER LN.	LANSING	MI	48912	0.176	0.176			0.33	0.058	0.047%	\$5,604.34
33-01-01-11-430-161	SCOTT BANKROFF	1028 SHELTER LN.	1028 SHELTER LN.	LANSING	MI	48912	0.199	0.199			0.30	0.060	0.049%	\$5,760.66
33-01-01-11-430-171	LINDA L SCHMITT	1026 SHELTER LN.	1026 SHELTER LN.	LANSING	MI	48912	0.196	0.196			0.30	0.059	0.048%	\$5,673.82
33-01-01-11-430-181	ERNEST R & SHIRLEY CONRAD	2080 SHAGBARK LN.	1020 SHELTER LN.	LANSING	MI	48864	0.221	0.221			0.30	0.066	0.054%	\$6,397.52
33-01-01-11-430-191	STEVEN P DEMBSKI & LAURA BIX	1016 SHELTER LN.	1016 SHELTER LN.	LANSING	MI	48912	0.207	0.207			0.30	0.062	0.051%	\$5,992.25
33-01-01-11-430-201	MOLLY WHELAN	1010 SHELTER LN.	1010 SHELTER LN.	LANSING	MI	48912	0.180	0.180			0.33	0.059	0.048%	\$5,731.71
33-01-01-11-430-211	DAVID R MAIN	1004 SHELTER LN.	1004 SHELTER LN.	LANSING	MI	48912	0.180	0.180			0.33	0.059	0.048%	\$5,731.71
33-01-01-11-430-221	JAMES K JR & KATHLEEN MACDONALD	1000 SHELTER LN.	1000 SHELTER LN.	LANSING	MI	48912	0.254	0.254			0.30	0.076	0.062%	\$7,352.80
33-01-01-11-430-231	SAMUEK D SCHULTZ	3115 HOLIDAY DR.	3115 HOLIDAY DR.	LANSING	MI	48912	0.209	0.209			0.30	0.063	0.051%	\$6,050.14
33-01-01-11-430-241	JOSHUA & LAURA CUNNINGHAM	3201 MELODY LN.	3201 MELODY LN.	LANSING	MI	48912	0.255	0.255			0.30	0.077	0.062%	\$7,381.75
33-01-01-11-430-251	YANWAN L SAUNDERS	3207 MELODY LN.	3207 MELODY LN.	LANSING	MI	48912	0.243	0.243			0.30	0.073	0.059%	\$7,034.38
33-01-01-11-430-261	MARIA MERCEDES LUIS	3211 MELODY LN.	3211 MELODY LN.	LANSING	MI	48912	0.202	0.202			0.30	0.061	0.049%	\$5,847.51
33-01-01-11-430-271	ADAM J SHAVER	3215 MELODY LN.	3215 MELODY LN.	LANSING	MI	48912	0.215	0.215			0.30	0.065	0.053%	\$6,223.83
33-01-01-11-430-282	PATRICK D & CARLA L BARNES	3301 MELODY LN.	3301 MELODY LN.	LANSING	MI	48912	0.332	0.332			0.28	0.093	0.076%	\$8,970.04
33-01-01-11-430-292	PETER & RENEE HOFFMAN	3307 MELODY LN.	3307 MELODY LN.	LANSING	MI	48912	0.257	0.257			0.30	0.077	0.063%	\$7,439.65
33-01-01-11-430-301	MAURICIO PORTILLO	3313 MELODY LN.	3313 MELODY LN.	LANSING	MI	48912	0.249	0.249			0.30	0.075	0.061%	\$7,208.06
33-01-01-11-430-311	BERNICE & DONESON SUSAN GOTTSCHALCK & KATHRYN G LIF	3321 MELODY LN.	3321 MELODY LN.	LANSING	MI	48912	0.281	0.281			0.28	0.079	0.064%	\$7,592.11
33-01-01-11-430-321	NGAO PHIRI	3331 MELODY LN.	3331 MELODY LN.	LANSING	MI	48912	0.220	0.220			0.30	0.066	0.054%	\$6,368.57
33-01-01-11-430-331	DAVID A HADDAD	1017 COOLIDGE RD.	1017 COOLIDGE RD.	LANSING	MI	48912	0.193	0.193			0.30	0.058	0.047%	\$5,586.97
33-01-01-11-430-341	TERRANCE K & JANICE WELSH	1023 COOLIDGE RD.	1023 COOLIDGE RD.	LANSING	MI	48912	0.193	0.193			0.30	0.058	0.047%	\$5,586.97
33-01-01-11-430-351	ALA YAHYA	1029 COOLIDGE RD.	1029 COOLIDGE RD.	LANSING	MI	48912	0.193	0.193			0.30	0.058	0.047%	\$5,586.97
33-01-01-11-430-361	SULEIMAN H MATTO	940 S KENTUCKY AVE	1035 COOLIDGE RD.	WINTER PARK	FL	32789	0.193	0.193			0.30	0.058	0.047%	\$5,586.97
33-01-01-11-430-371	KATHLEEN D VALDES	1041 COOLIDGE RD.	1041 COOLIDGE RD.	LANSING	MI	48912	0.193	0.193			0.30	0.058	0.047%	\$5,586.97
33-01-01-11-430-381	GHADA WALKER	217 82ND ST	1047 COOLIDGE RD.	VIRGINIA BEACH	VA	23451	0.226	0.226			0.30	0.068	0.055%	\$6,542.26
33-01-01-11-430-391	GAR JOHN LEE	1053 COOLIDGE RD.	1053 COOLIDGE RD.	LANSING	MI	48912	0.220	0.220			0.30	0.066	0.054%	\$6,368.57
33-01-01-11-430-401	LUCILLE M NILAN	2406 WILTSHIRE CT, APT 104	1101 COOLIDGE RD.	ROCHESTER	MI	48309	0.234	0.234			0.30	0.070	0.057%	\$6,773.84
33-01-01-11-430-411	DIRCK & THANHTAM TERWILLIGER	1109 COOLIDGE RD.	1109 COOLIDGE RD.	LANSING	MI	48912	0.234	0.234			0.30	0.070	0.057%	\$6,773.84
33-01-01-11-430-421	NADIA R PEREZCERNUDA	1117 COOLIDGE RD.	1117 COOLIDGE RD.	LANSING	MI	48912	0.234	0.234			0.30	0.070	0.057%	\$6,773.84
33-01-01-11-430-431	TRUYEN G & ANH N PHAN	1125 COOLIDGE RD.	1125 COOLIDGE RD.	LANSING	MI	48912	0.234	0.234			0.30	0.070	0.057%	\$6,773.84
33-01-01-11-430-441	CHERYL A LUICK	1131 COOLIDGE RD.	1131 COOLIDGE RD.	LANSING	MI	48912	0.234	0.234			0.30	0.070	0.057%	\$6,773.84
33-01-01-11-430-451	DANIELLE R BALLENTINE	1201 COOLIDGE RD.	1201 COOLIDGE RD.	LANSING	MI	48912	0.234	0.234			0.30	0.070	0.057%	\$6,773.84
33-01-01-11-430-461	JEFFERY L GOOCH	1215 COOLIDGE RD.	1215 COOLIDGE RD.	LANSING	MI	48912	0.234	0.234			0.30	0.070	0.057%	\$6,773.84
33-01-01-11-430-471	JAMES A JR EDWINA MARSHALL	1233 COOLIDGE RD.	1233 COOLIDGE RD.	LANSING	MI	48912	0.234	0.234			0.30	0.070	0.057%	\$6,773.84
33-01-01-11-430-481	RAYMOND & KARREN VERNAGUS	3322 STONEWOOD DR.	3322 STONEWOOD DR.	LANSING	MI	48912	0.234	0.234			0.30	0.070	0.057%	\$6,773.84

PARCEL NUMBER	PROPERTY OWNER	OWNER ADDRESS	PROPERTY ADDRESS	OWNER CITY	OWNER STATE	OWNER ZIP	TOTAL PARCEL ACRES	ACRES IN DISTRICT	EASEMENT AREA FOR LID/R.G.'s	DETENTION CREDIT	LAND USE FACTOR	EQUIVALENT RUNOFF ACRES	TOTAL APPORTIONMENT	APPROX. TOTAL ASSESSMENT
33-01-01-11-451-002	S & S PROPERTY MGMT LLC	3093 S LINDEN RD STE A	3101 E SAGINAW ST	FLINT	MI	48507	0.950	0.950	0.1448		0.90	0.725	0.590%	\$69,926.91
33-01-01-11-451-021	REFALO MANAGEMENT LLC	PO BOX 475	3125 E SAGINAW ST	MILFORD	MI	48380	0.986	0.986			0.90	0.887	0.723%	\$85,628.33
33-01-01-11-451-031	SPEEDWAY LLC	539 S MAIN ST	3201 E SAGINAW ST	FINDLAY	OH	45840	0.507	0.507			0.90	0.456	0.372%	\$44,029.98
33-01-01-11-476-001	EDWARD F & CYNTHIA L TANK	1001 FAIRWAY LN.	1009 FAIRWAY LN.	LANSING	MI	48912	0.251	0.251			0.90	0.226	0.184%	\$21,797.88
33-01-01-11-476-011	EDWARD F & CYNTHIA L TANK	1001 FAIRWAY LN.	1001 FAIRWAY LN.	LANSING	MI	48912	0.307	0.307			0.90	0.276	0.225%	\$26,661.15
33-01-01-11-476-021	NMPMB LLC	3101 E GRAND RIVER AVE	3101 FAIRWAY LN.	LANSING	MI	48912	3.261	3.261			0.90	2.935	2.390%	\$283,198.78
33-01-01-11-476-031	IZABELLA HMC LLC	925 MANOR DR.	3121 E GRAND RIVER AVE	WILMETTE IL	IL	60091	2.355	2.355			0.90	2.120	1.726%	\$204,517.98
33-01-01-11-476-043	GK RETAIL HOLDINGS INC.	31000 NORTHWESTERN HWY, STE 200	3201 E GRAND RIVER AVE	FARMINGTON HILLS	MI	48334	1.390	1.390			0.90	1.251	1.019%	\$120,713.37
33-01-01-11-476-053	FRANDORSON PROPERTIES	300 FRANDOR AVE UNIT 2	COOLIDGE RD.	LANSING	MI	48912	1.412	1.412			0.90	1.271	1.035%	\$122,623.94
33-01-01-11-476-062	FRANDORSON PROPERTIES	300 FRANDOR AVE UNIT 2	3415 E SAGINAW ST.	LANSING	MI	48912	2.588	2.588			0.90	2.329	1.897%	\$224,752.66
33-01-01-11-476-071	WG SAGINAW LANSING MI LLC	300 WILMONT RD.	3435 E SAGINAW ST	DEERFIELD	MI	48912	1.338	1.338			0.90	1.204	0.981%	\$116,197.47
33-01-01-11-476-082	905 COOLIDGE LLC	126 S PUTNAM ST	905 COOLIDGE RD.	WILLIAMSTON	MI	48895	0.423	0.423			0.90	0.381	0.310%	\$36,735.08
33-01-01-11-476-101	ATLANTIS PROPERTIES LLC	7750 BLACK RIDGE LN	921 COOLIDGE RD.	SAINT JOHNS	MI	48879	0.580	0.580			0.90	0.522	0.425%	\$50,369.61
33-01-01-11-476-111	DENNIS G & JANET M PALMER	3330 MELODY LN.	3328 MELODY LN.	LANSING	MI	48912	0.215	0.215			0.33	0.071	0.058%	\$6,846.21
33-01-01-11-476-121	KRIS R YOUNG	3320 MELODY LN.	3320 MELODY LN.	LANSING	MI	48912	0.193	0.193			0.30	0.058	0.047%	\$5,586.97
33-01-01-11-476-131	GREENE RENTALS LLC	3312 MELODY LN.	6107 FRESNO LN.	EAST LANSING	MI	48823	0.207	0.207			0.30	0.062	0.051%	\$5,992.25
33-01-01-11-476-141	TODD A & MICHELE S & AARON WARSTLER	7643 WILSON WAY	3308 MELODY LN.	GRAND LEDGE	MI	48837	0.207	0.207			0.30	0.062	0.051%	\$5,992.25
33-01-01-11-476-151	NEAL H DEVRIES	2453 WASHINGTON RD.	3220 MELODY LN.	LANSING	MI	48911	0.178	0.178			0.33	0.059	0.048%	\$5,668.03
33-01-01-11-476-161	DAROLD D & MARYANN P BOYD	406 SHORELANE DR.	3212 MELODY LN.	DEWITT	MI	48820	0.166	0.166			0.33	0.055	0.045%	\$5,285.91
33-01-01-11-476-171	AMBER MANAGEMENT CO	2502 LAKE LANSING RD., STE C	3206 MELODY LN.	LANSING	MI	48912	0.256	0.256			0.90	0.230	0.188%	\$22,232.10
33-01-01-11-476-181	BRENTWOOD PLACE LLC	2520 W LIBERTY	3227 HOLIDAY DR.	ANN ARBOR	MI	48103	0.417	0.417			0.90	0.375	0.306%	\$36,214.01
33-01-01-11-476-191	BRENTWOOD PLACE LLC	2520 W LIBERTY	3225 HOLIDAY DR.	ANN ARBOR	MI	48103	0.476	0.476			0.90	0.428	0.349%	\$41,337.82
33-01-01-11-476-201	HOLIDAY TOWNHOUSE LLC	2502 LAKE LANSING RD., STE C	3218 HOLIDAY DR.	LANSING	MI	48912	0.920	0.920			0.90	0.828	0.674%	\$79,896.62
33-01-01-11-476-211	L31 LLC	2502 LAKE LANSING RD., STE C	3208 HOLIDAY DR.	LANSING	MI	48912	0.646	0.646			0.90	0.581	0.473%	\$56,101.32
33-01-01-11-476-221	L31 LLC	2502 LAKE LANSING RD., STE C	3120 HOLIDAY DR.	LANSING	MI	48912	0.578	0.578			0.90	0.520	0.424%	\$50,195.92
33-01-01-11-476-231	MICHAEL & NORMA COSCARELLI	2815 HOPKINS AVE.	3106 HOLIDAY DR.	LANSING	MI	48912	0.292	0.292			0.90	0.263	0.214%	\$25,358.49
33-01-01-11-476-241	VINCENT & SILVANA SPAGNUOLO	1260 TROTTERS LN.	3100 HOLIDAY DR.	WILLIAMSTON	MI	48895	0.327	0.327			0.90	0.294	0.240%	\$28,398.04
33-01-01-13-151-002	E MICHIGAN (3301) PARTNERS	1111 MICHIGAN AVE SUITE #300	3301 E MICHIGAN AVE	EAST LANSING	MI	48823	9.483	9.483	0.21		0.90	8.346	6.796%	\$805,305.81
33-01-01-13-151-014	3335 E MICHIGAN LLC	330 MARSHALL ST STE 100	3335 E MICHIGAN AVE	LANSING	MI	48912	0.577	0.577			0.90	0.519	0.423%	\$50,109.08
33-01-01-13-151-023	3411 E MICHIGAN AVE LLC	330 MARSHALL ST STE 100	3433 E MICHIGAN AVE	LANSING	MI	48912	1.007	1.007		0.1	0.90	0.816	0.664%	\$78,706.85
33-01-01-13-151-034	EAST MICHIGAN (3301)	1111 MICHIGAN AVE SUITE #300	FRIENDSHIP CIRCLE	EAST LANSING	MI	48823	0.849	0.849			0.90	0.764	0.622%	\$73,730.68
33-01-01-13-151-036	FIRST HOUSING CORPORATION	4275 FIVE OAKS DR	200 FRIENDSHIP CIRCLE	LANSING	MI	48911	3.900	3.900			0.90	3.510	2.858%	\$338,692.19
33-01-01-13-151-038	3301 EAST MICHIGAN PARTNERSHIP	1111 MICHIGAN AVE SUITE #300	3315 E MICHIGAN AVE	EAST LANSING	MI	48823	1.301	1.301			0.90	1.171	0.953%	\$112,984.24
33-01-01-13-151-041	LINDEN ENTERPRISES LLC / AMBER MANAGEMENT CO	2502 LAKE LANSING RD STE C	1275 OAKRIDGE DR	LANSING	MI	48912	0.774	0.774			0.90	0.697	0.567%	\$67,217.37
33-01-01-14-226-001	LANSING RETAIL CENTER LLC	300 FRANDOR AVE	3100 E SAGINAW ST	LANSING	MI	48912	1.414	1.414			0.90	1.273	1.036%	\$122,797.63
33-01-01-14-226-015	LANSING RETAIL CENTER LLC	300 FRANDOR AVE	LANSING	LANSING	MI	48912	32.000	32.000	0.719		0.90	28.153	22.924%	\$2,716,571.89
33-01-01-14-226-021	4TH STREET SOUTH II LLC GILLESPIE PROPERTY MANAGEMENT	3333 BEVERLY RD	3131 E MICHIGAN AVE	HOFFMAN ESTATES	IL	60179	14.481	14.481			0.90	13.033	10.612%	\$1,257,590.15
33-01-01-14-226-031	LANSING PROPERTIES I LLC	2211 YORK RD SUITE #222	3165 E MICHIGAN AVE	OAK BROOK	IL	60523	3.368	3.368		0.1	0.90	2.728	2.221%	\$263,241.99
33-01-01-14-226-051	LANSING RETAIL CENTER LLC	300 FRANDOR AVE	E MICHIGAN AVE	LANSING	MI	48912	0.675	0.675	0.675		0.90	0.000	0.000%	\$0.00
33-01-01-14-226-061	CITY OF LANSING	124 W MICHIGAN AVE, FL 8TH	3201 E MICHIGAN AVE	LANSING	MI	48912	18.900	18.900			0.00	0.000	0.000%	\$0.00
33-01-01-14-226-067	PATRICIA J ALEXANDER	1571 OGDEN AVE APT #2635	3220 E SAGINAW ST	LA GRANGE PARK	IL	60526	1.090	1.090			0.90	0.981	0.799%	\$94,660.12
33-01-01-14-226-071	RED LOBSTER INNS OF AMERICA INC RESTAURANT #0010201	PO BOX 3967	3130 E SAGINAW ST	ORLANDO	FL	32802	0.999	0.999			0.90	0.899	0.732%	\$86,757.31
33-01-01-14-226-082	DANIEL T MARSHALL	3333 ROWLEY RD	3240 E SAGINAW ST	WILLIAMSTON	MI	48895	1.035	1.035	0.1739		0.90	0.775	0.631%	\$74,781.50
33-01-01-14-256-001	EDSONS LLC	1111 MICHIGAN AVE SUITE #300	3000 VINE ST	EAST LANSING	MI	48823	0.618	0.618			0.90	0.556	0.453%	\$53,669.69
33-01-01-14-256-022	COMERICA BANK	13155 NOEL RD STE 100	223 N CLIPPERT ST	DALLAS	TX	75240	1.112	1.112			0.90	1.001	0.815%	\$96,570.70
33-01-01-14-256-042	KSH CORP	4086 LEGACY PKWY	200 N HOMER ST.	LANSING	MI	48911	0.664	0.664			0.90	0.598	0.487%	\$57,664.52
33-01-01-14-256-064	SHAHEEN PROPERTIES LLC	3400 WEST RD	3003 E MICHIGAN AVE	EAST LANSING	MI	48823	1.271	1.271	0.036		0.90	1.112	0.905%	\$107,252.53
33-01-01-14-256-071	LANSING FARM PRODUCTS	3400 WEST RD	E MICHIGAN AVE	EAST LANSING	MI	48823	0.705	0.705	0.0971		0.90	0.547	0.445%	\$52,792.56
33-01-01-14-256-080	SHAHEEN PROPERTIES LLC	3400 WEST RD	125 N CLIPPERT ST	EAST LANSING	MI	48823	0.549	0.549			0.90	0.494	0.402%	\$47,677.44
33-01-01-14-256-102	203 N CLIPPERT LLC	126 PUTNAM ST	203 N CLIPPERT ST	WILLIAMSTON	MI	48895	0.274	0.274			0.90	0.247	0.201%	\$23,795.30
33-01-01-14-256-111	SUBIK SINGH & SMITA OBEROI	211 N CLIPPERT ST	211 N CLIPPERT ST	LANSING	MI	48912	0.129	0.129			0.90	0.116	0.095%	\$11,202.90
33-01-01-14-256-121	SALIM MARKHOUL	215 N CLIPPERT ST	215 N CLIPPERT ST	LANSING	MI	48912	0.124	0.124			0.90	0.112	0.091%	\$10,768.67
33-01-01-14-426-001	CITY OF LANSING - MONTGOMERY DRAIN DISTRICT EASEMENT		203 S CLIPPERT ST	LANSING	MI	48933	20.000	20.000			0.00	0.000	0.000%	\$0.00
33-01-01-14-426-001	RED CEDAR REDEVELOPEMENT - FERGUSON/KASS		203 S CLIPPERT ST	LANSING	MI	48933	35.440	31.280		0.1	0.90	26.982	21.971%	\$2,603,587.65
													100%	\$11,850,307.04

CITY OF LANSING
NOTICE OF PUBLIC HEARING

The Lansing City Council will hold a public hearing on November 9, 2020 at 7:00 p.m. via ZOOM Conferencing, Meeting ID 882 5906 2610, 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: Michigan Director of Health and Human Services Robert Gordon's Order of October 9, 2020 regarding Gather Prohibition and Face Covering, as well as states of emergency declared by the Mayor and approved by City Council have led to a closure of City Hall to public at this time due to COVID-19. Public observation and participation may be facilitated 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 <https://us02web.zoom.us/j/88259062610> or phone number 312 626 6799 and Meeting ID 882 5906 2610. Michigan Public Act 228 of 2020 provides for authorization of remote participation in public meetings and hearings.

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

BY THE COMMITTEE OF THE WHOLE
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 November 9, 2020 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.

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

CITY OF LANSING
NOTICE OF PUBLIC HEARING

The Lansing City Council will hold a public hearing on Monday, November 9, 2019 at 7:00 p.m. via ZOOM Conferencing, Meeting ID 882 5906 2610 for the purpose of considering:

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: Michigan Director of Health and Human Services Robert Gordon's Order of October 9, 2020 regarding Gather Prohibition and Face Covering, as well as states of emergency declared by the Mayor and approved by City Council have led to a closure of City Hall to public at this time due to COVID-19. Public observation and participation may be facilitated 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 observe or participate in the meeting may do so by logging into or calling into the meetings using the website <https://us02web.zoom.us/j/88259062610> (Note: this option requires downloading Zoom software. If you have not already installed the software, this may take a few minutes) or by calling (301) 715 8592 and entering Meeting ID: 882 5906 2610.

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

BY THE COMMITTEE OF THE WHOLE
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 November 9, 2020, after a public hearing held on November 9, 2020; 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 November 9, 2020; 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.

**CITY OF LANSING
NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that a Public Hearing will be held on Monday, November 9, 2020 at 7:00 p.m. via ZOOM Conferencing, Meeting ID 882 5906 2610 for the purpose of considering:

An Ordinance of the City of Lansing, Michigan, to amend Section 602.11 of the Lansing Code for the purpose of preventing disease, prolonging life and promoting public health by providing for enforcement of local health orders or regulations issued pursuant to the Michigan public health code, being 1978 PA 368, as amended, MCL 333.1101, et seq.; to provide for penalties for willful violation of such orders or regulations with personal knowledge as a misdemeanor, or upon being informed of such order or regulation by a law enforcement officer, as a civil infraction.

Note: Michigan Director of Health and Human Services Robert Gordon's Order of October 9, 2020 regarding Gather Prohibition and Face Covering, as well as states of emergency declared by the Mayor and approved by City Council have led to a closure of City Hall to public at this time due to COVID-19. Public observation and participation may be facilitated 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 <https://us02web.zoom.us/j/88259062610> or phone number 312 626 6799 and Meeting ID 882 5906 2610. Michigan Public Act 228 of 2020 provides for authorization of remote participation in public meetings and hearings.

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

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

WHEREAS, the Mayor recommends the reappointment James Tischler as a City of Lansing member of the Local Development Finance Authority Board for a term to expire June 30, 2024; and

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

WHEREAS, the Committee on Development & Planning met on November 3, 2020 and took affirmative action.

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the reappointment James Tischler as a City of Lansing member of the Local Development Finance Authority Board for a term to expire June 30, 2024.

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

WHEREAS, the Mayor recommends the reappointment of Tiffany Dowling as a member of the Saginaw Street Corridor Improvement Authority Board of Directors for a term to expire June 30, 2024; and

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

WHEREAS, the Committee on Development and Planning met on November 3, 2020 and took affirmative action.

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the reappointment of Tiffany Dowling as a member of the Saginaw Street Corridor Improvement Authority Board of Directors for a term to expire June 30, 2024.

DRAFT

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

WHEREAS, the Mayor recommends the appointment of Thomas Michael Hickson Jr. as the 3rd Ward member of Board of Public Service for a term to expire September 30, 2023; and

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

WHEREAS, the Committee on Public Services and took affirmative action.

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the appointment of Thomas Michael Hickson Jr. as the 3rd Ward member of Board of Public Service for a term to expire September 30, 2023.

RESOLUTION #2020-**BY THE COMMITTEE ON WAYS AND MEANS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING**

Authorizing Michigan Natural Resources Trust Fund (MNRTF)
Land Acquisition Grant
Acquisition of Parcel 33-01-01-34-425-011

WHEREAS, on March 25, 2019 the City Council adopted Resolution 2019-090, approving submission of grant application to the Michigan Natural Resources Trust Fund (MNRTF), and accepting the terms of the grant as received from MNRTF, related to acquisition of parcel 33-01-01-34-425-011; and

WHEREAS, Resolution 2019-090 omitted the MNRTF Account Number, and MNRTF requires the same to be stated on the accepting resolution; and

WHEREAS, on March 23, 2015 the City Council adopted Resolution #2015-077 the City of Lansing Parks and Recreation Five Year Master Plan for 2015 - 2020 which states as a goal to acquire land; and

WHEREAS, MNRTF will be accepting grant applications for the next grant cycle no later than April 1, 2019; and

WHEREAS, MNRTF requires a resolution from the governing body of the applicant supporting the application, acknowledging the required match and committing to the amount and source of match that are specified in the application; and

WHEREAS, the Parks and Recreation Director is recommending the City apply for grant funding to acquire parcel #33-01-01-34-425-011, 1624 E. Cavanaugh Road, Lansing, MI 48910 currently owned by Mary C. Boegner, for park purposes; and

WHEREAS, the amounts and sources of the project funding are as follows:

Total Project Cost	\$100,000.00
Amount Requested from the MNRTF (75% grant)	\$75,000.00
Amount Requested from local sources (25%)	\$25,000.00

WHEREAS, sufficient funds for the local match are currently available in the Park Acquisition and Development account; and

NOW, THEREFORE BE IT RESOLVED, the Lansing City Council re-approves the submission of the grant to the Michigan Natural Resources Trust Fund (TF19-0003).

BE IT FINALLY RESOLVED the City of Lansing, Michigan, will accept the terms of the grant as received from the MNRTF.

RESOLUTION #2020-**BY THE COMMITTEE ON WAYS AND MEANS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING**

Authorizing Michigan Natural Resources Trust Fund (MNRTF)
Land Acquisition Grant
Acquisition of Parcel 33-01-01-21-202-011

WHEREAS, on March 25, 2019 the City Council adopted Resolution 2019-092, approving submission of grant application to the Michigan Natural Resources Trust Fund (MNRTF), and accepting the terms of the grant as received from MNRTF, related to acquisition of parcel 33-01-01-21-202-011; and

WHEREAS, Resolution 2019-092 omitted the MNRTF Account Number, and MNRTF requires the same to be stated on the accepting resolution; and

WHEREAS, on March 23, 2015 the City Council adopted Resolution #2015-077 the City of Lansing Parks and Recreation Five Year Master Plan for 2015 - 2020 which states as a goal to acquire land; and

WHEREAS, MNRTF will be accepting grant applications for the next grant cycle no later than April 1, 2019; and

WHEREAS, MNRTF requires a resolution from the governing body of the applicant supporting the application, acknowledging the required match and committing to the amount and source of match that are specified in the application; and

WHEREAS, the Parks and Recreation Director is recommending the City apply for grant funding to acquire parcel #33-01-01-21-202-011, 700 River Street, Lansing, MI 48933 currently owned by Judith Morella, for park purposes; and

WHEREAS, the amounts and sources of the project funding are as follows:

Total Project Cost	\$80,000.00
Amount Requested from the MNRTF (75% grant)	\$60,000.00
Amount Requested from local sources (25%)	\$20,000.00

WHEREAS, sufficient funds for the local match are currently available in the Park Acquisition and Development account.

NOW, THEREFORE BE IT RESOLVED, the Lansing City Council re-approves the submission of the grant to the Michigan Natural Resources Trust Fund (TF19-0025).

BE IT FINALLY RESOLVED the City of Lansing, Michigan, will accept the terms of the grant as received from the MNRTF.

RESOLUTION #2020-**BY THE COMMITTEE ON WAYS AND MEANS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING**

Authorizing Michigan Natural Resources Trust Fund (MNRTF)
Land Acquisition Grant
Acquisition of Parcel 33-01-01-21-202-001

WHEREAS, on March 25, 2019 the City Council adopted Resolution 2019-091, approving submission of grant application to the Michigan Natural Resources Trust Fund (MNRTF), and accepting the terms of the grant as received from MNRTF, related to acquisition of parcel 33-01-01-21-202-001; and

WHEREAS, Resolution 2019-091 omitted the MNRTF Account Number, and MNRTF requires the same to be stated on the accepting resolution; and

WHEREAS, on March 23, 2015 the City Council adopted Resolution #2015-077 the City of Lansing Parks and Recreation Five Year Master Plan for 2015 - 2020 which states as a goal to acquire land; and

WHEREAS, MNRTF will be accepting grant applications for the next grant cycle no later than April 1, 2019; and

WHEREAS, MNRTF requires a resolution from the governing body of the applicant supporting the application, acknowledging the required match and committing to the amount and source of match that are specified in the application; and

WHEREAS, the Parks and Recreation Director is recommending the City apply for grant funding to acquire parcel #33-01-01-21-202-001, 342 E. St. Joseph Street, #1, Lansing, MI 48933 currently owned by Jonathan Graves, for park purposes; and

WHEREAS, the amounts and sources of the project funding are as follows:

Total Project Cost	\$100,000.00
Amount Requested from the MNRTF (75% grant)	\$75,000.00
Amount Requested from local sources (25%)	\$25,000.00

WHEREAS, sufficient funds for the local match are currently available in the Park Acquisition and Development account.

NOW, THEREFORE BE IT RESOLVED, the Lansing City Council re-approves the submission of the grant to the Michigan Natural Resources Trust Fund (TF19-0024).

BE IT FINALLY RESOLVED the City of Lansing, Michigan, will accept the terms of the grant as received from the MNRTF.

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

WHEREAS, the Mayor recommends the appointment of Bart O. Carrigan as a Lansing Citizen Non-Retiree member of the Employees' Retirement System Board of Trustees for a term to expire June 30, 2024; and

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

WHEREAS, the Committee of the Whole took affirmative action.

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the appointment of Bart O. Carrigan a Lansing Resident Non-Retiree member of the Employees' Retirement System Board of Trustees for a term to expire June 30, 2024.

BY THE COMMITTEE ON EQUITY DIVERSITY & INCLUSION
RESOLVED BY THE CITY OF LANSING CITY COUNCIL

WHEREAS the people of Lansing joined the world in witnessing the horror of the murder of George Floyd at the hands of the Minneapolis Police Department; and

WHEREAS police departments across the country have their own history of racist violence and discrimination; and

WHEREAS people of all races, led by Black youth, have risen up in recent weeks here in Lansing and around the country to demand an end to police violence against Black people, and a fundamental shift in how we think about policing and community safety; and

WHEREAS increased policing does not solve the challenges of violence or crime in our communities, but only introduces a more violent force into the equation; and

WHEREAS studies exist which support the proposition that investments in education, healthcare, mental health programs, and community-led social programs increase community safety in a more cost-effective manner than policing; and

WHEREAS Black communities in Lansing suffer unequal educational opportunities and access to healthcare due to generational disinvestment by the city, state and federal government; and

WHEREAS the Police Department receives one third of the total city revenue, making it the city's largest annual expenditure; and

WHEREAS the Police budget has grown 11% over the past 3 years, at nearly double the rate of the Public Services budget and the Human Services budget has decreased; and

WHEREAS all Lansing residents, Black, white, and brown, deserve a greater say in the allocation of public resources; and

WHEREAS Ingham County and the City of Lansing have declared racism a public health crisis; and

THEREFORE BE IT RESOLVED THAT the Lansing City Council commits to taking the following steps to invest in public services that benefit all residents and reduce racial inequities while reducing the police budget:

1. INVEST IN THE PEOPLE OF LANSING

- a. The Committee on Equity, Diversity, and Inclusion shall establish a subcommittee, on Public Safety Transformation ("the subcommittee") which will focus on two goals. First, the subcommittee will administer a community budgeting process ("the process") to recommend policy objectives and budget priority items to the Equity,

Diversity, and Inclusion Committee. Specifically, the subcommittee will review and recommend changes and/or updates to policy, to recommend a significant reduction in the percentage of the City of Lansing budget allocated to policing. Second, the subcommittee will issue recommendations on how to administer public safety with the reduced funding levels. A “New Priorities Report” will be released to the Committee on Equity, Diversity, and Inclusion with recommendations on investment targets and public safety administration, this New Priorities Report will be discussed within the Equity, Diversity, and Inclusion Committee and forwarded to the full City Council.

2. THE SUBCOMMITTEE ON PUBLIC SAFETY TRANSFORMATION

- a. A commitment to systemic transformation, compassion, liberation for marginalized people, and racial equity should be at the center of the team’s work.
- b. The subcommittee will be tasked with the responsibility of finding ways to reduce the police budget and reinvest those funds into other programs through a process that centers community input and those adversely affected by over-policing.

3. THE COMMUNITY BUDGETING PROCESS

- a. The process must be open and transparent; guided by the subcommittee on Public Safety Transformation; conducted in a community-driven manner without undue influence from the Mayor’s office; and seek broad and deep advice/input from Black communities and all others negatively impacted by police violence and lack of public investment in our city.
- b. The community budgeting process will recommend a significant reduction in the percentage of the City of Lansing budget allocated to policing. The process will be focused on finding ways of reinvesting funds made available through police budget reductions into other city programs.
- c. The process must commit to uprooting the false belief in racial hierarchy and investing in community health services, youth programs, transformative justice, and other programs to repair the decades of harm caused by racism in our community and reduce dependence on police.
- d. The process shall compile its results into a “New Priorities Report” and be shared with the Committee on Equity, Diversity, and Inclusion who will then share with the City Council by March 1, 2021.

4. REFORM AND REDUCE THE LANSING POLICE BUDGET

- a. In the remaining police budget, the subcommittee must examine the following policies that include, but are not limited to: de-escalation protocols, racial bias training, and a zero-tolerance policy for racist acts by Lansing Police officers without any additional funding.

- b. This process should examine best practices on public safety with unarmed response teams and other forms of crisis assistance that focus on transformative justice.
- c. The process shall compile its results into the "Public Safety Transformation Report" and share it with the Committee on Equity, Diversity, and Inclusion, and the public by March 1, 2021.

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

WHEREAS, deceased Retired Detective Ronald Seyka serviced on the Lansing Police Department's Special Tactics and Rescue Team (START) from 1996 through 2010; and

WHEREAS, Detective Seyka's position in the department was a volunteer assignment that required hours of additional training per month as well as call backs in the middle of the night; and

WHEREAS, Detective Seyka participated in the safe resolution of 107 high risk incidents; and

WHEREAS, on March 5, 2020, Detective Seyka lost his battle with cancer; and

WHEREAS, on July 24, 2020, Detective Seyka's family, along with Mr. Chaz King, a family friend, hosted the First Annual Ron Seyka Memorial Golf Outing at Eldorado Golf Course in Mason, Michigan in honor of Detective Seyka; and

WHEREAS, on April 22, 2020, Detective Seyka's family, along with Mr. Chaz King contacted the START Commander, Sgt. Kevin Schlagel and agreed that a portion of the funds raised from the golf outing would be donated to START for the purchase of protective equipment; and

WHEREAS, on September 1, 2020, Mr. King notified Sgt. Kevin Schlagel that START would receive a donation of \$6,367.26 as a result of the golf outing; and

WHEREAS, START intends to use the donation to purchase movable ballistic shields that can be placed on a wheel system and used for moving through long hallways; and

WHEREAS, the movable ballistic shields are purely a protective system that provides no additional offensive capabilities.

NOW, THEREFORE, BE IT RESOLVED, the Lansing City Council approves acceptance of this donation from the First Annual Ron Seyka Memorial Golf Outing in the amount of \$6,367.26; and

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

RESOLUTION #2020-**BY THE COMMITTEE****RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING**

WHEREAS, in November 2014, the Ingham County electorate approved a countywide trails and parks millage level of 50/100 (.50) of one mill to be used for the purpose of creating and maintaining a county system of recreational trails and adjacent parks trail system, which may incorporate trails or parks created by local units of government, including Lansing's River Trail, and may acquire rights of way to connect and extend existing trails; and

WHEREAS, the Ingham County Board of Commissioners Resolution #19-349 approved a fifth round of applications that would address new construction as identified as regional priority corridors in figure 24 of the Ingham County Trails and Parks Comprehensive Report, and special projects (including blue ways) as well as repairs, rehabilitation, and long-term maintenance projects; and

WHEREAS, the Parks & Recreation Department of the City of Lansing received approval from the Ingham County Board of Commissioners for up to \$1,962,295.16 in trails and parks millage funding; and

WHEREAS, the funding will be used for nine (9) projects within the trail system within the City of Lansing as follows;

RT Saginaw to Oakland Extension	\$ 142,200.00
Volunteer Trail Ambassador/Coordinator	\$ 15,000.00
Bridges (#11,12, 24, 25, 26,and 28)	\$1,086,206.16
Bear Lake U127 Pathway (Phase 1)	\$ 718,889.00

And

WHEREAS, the Parks and Recreation Department is requesting acceptance of the Ingham County trails and parks millage funding; and

WHEREAS, the City of Lansing recognizes the importance of the continued maintenance of these and other enhancements and has committed to implementing a maintenance plan/program over the design life of the facilities and has budgeted specific monies to ensure the continued maintenance of the enhancements; and

WHEREAS, the Administration and the City Council recognize the importance and need for safe recreation and non-motorized transportation facilities;

NOW, THEREFORE, BE IT RESOLVED, the Lansing City Council, hereby, approves acceptance of the Ingham County parks and trails millage funding.

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

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

WHEREAS, Lansing Police Department (LPD) has submitted application to the State of Michigan Department of Health and Human Services (MDHHS) for a STOP Violence Against Women grant; and

WHEREAS, the LPD was informed on August 6, 2020, that it has been selected to receive reimbursement funding of salaries and fringes not to exceed \$98,807; and

WHEREAS, in addition to the \$98,807 amount, there is a local match amount of \$32,936 (25% of total grant amount of \$131,743); and

WHEREAS, the grant will be used to fund the salaries and fringes of one (1) detective dedicated to investigating crimes related to domestic violence and stalking; and

WHEREAS, the grant period is from October 1, 2020 through September 30, 2021;

NOW, THEREFORE, BE IT RESOLVED, the Lansing City Council approves acceptance of the Grant from of Michigan Department of Health and Human Services in the amount of \$98,807; and

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

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

WHEREAS, Lansing Police Department has submitted application for an annual grant to the Michigan State Police, Grants and Community Services Division for an Automobile Theft Prevention Authority (ATPA) grant; and

WHEREAS, the Lansing Police Department was informed on September 10, 2020, that it has been selected to receive grant funding in the amount of \$168,093; and

WHEREAS, The Lansing Police Department has a required local match of \$67,237.20 (40%) of the grant; and

WHEREAS, The ATPA portion is \$100,855.80 (60%); and

WHEREAS, the grant funds will be utilized solely for the benefit of motor vehicle theft prevention programs and initiatives; and

WHEREAS, the grant period is October 1, 2020 to September 30, 2021.

NOW, THEREFORE, BE IT RESOLVED, the Lansing City Council approves acceptance of the Automobile Theft Prevention Authority grant in the amount of \$168,093 for the program period October 1, 2020 through September 30, 2021; and

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

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

WHEREAS, for the past twenty-four years, the Capital Area Response Effort (CARE) Programs has served the City of Lansing in ending intimate partner violence in Ingham County; and

WHEREAS, the CARE Program provides empathic listening to the victims; assesses a victim's risk of further injury or homicide; provides education on power and control dynamics; assists with personal safety planning; helps to arrange safe shelter; provides advocacy with legal and civil court proceedings; assists with Victims' Rights Compensation medical forms; provide free 911 phones; provides transportation to local community agencies; accesses other community resources available to victims; dispenses emergency personal need items; and

WHEREAS, drawing as necessary on community referrals, the CARE program acts as a post-arrest response team responding to victims of intimate partner violence in Lansing, East Lansing, Lansing and Meridian Townships and Michigan State University; and

WHEREAS, the CARE Program utilizes 3 full-time staff and approximately 30 volunteers (on-call 7-days a week from 0800 – 0100 hours) via Tri-county dispatch center; and

WHEREAS, the CARE Program also responds to victims of non-arrest intimate partner violence via phone contracts and/or of dispatched by local hospitals; and

WHEREAS, in partnership with Ending Violent Encounters (EVE, Inc.) and MSU Safe Place shelters, the CARE Program provides twenty hours volunteer training sessions, three times a year and 60 days probation period for CARE volunteers. Volunteer training is geared specifically to domestic violence laws, victim's rights, community resources, empathic listening, crisis intervention and safety planning; and

WHEREAS, via numerous agencies and organizations, the CARE Program also promotes better community awareness of intimate partner violence by providing community education and training; and

WHEREAS, the CARE Program is funded for 10/01/2020 – 09/30/2021 by a renewable direct federal Victims of Crime Act (VOCA) Grant of \$206,121, not to exceed \$164,897 (using in-kind 20% local match of \$41,224).

NOW, THEREFORE, BE IT RESOLVED, the Lansing City council approves acceptance of the VOCA-CARE grant from the Michigan Crime Victims Service Commission in the amount of \$206,121 total compensation, for the fiscal period beginning October 1, 2020 and ending September 30, 2021.

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

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

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, appropriates the following grant award amounts for the following purpose:

\$34,999.27 State Grant Revenue	273.000000.547000.17216
\$19,227.00 Temporary Help	273.132201.707000.17216
\$1,470.87 Fringe Benefits-Variable	273.132201.715400.17216
\$13,620.00 Contractual Services	273.132201.743000.17216
\$71.40 Supplies	273.132201.742000.17216
\$610.00 Training	273.132201.747000.17216

To assist in the basic funding of 54A District Court's Specialty Court, for things such as temporary help, with grant resources from Michigan Drug Court Grant Program administered by the State Court Administrative Office. The grant period is October 1, 2020 through September 30, 2021.

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

Approval to Accept HUD \$4,589,040 Lead Hazard Control Grant

WHEREAS, the Department of Housing and Urban Development (HUD) has awarded the City of Lansing \$4,589,040 in grant funds to be used over a 42 month period to reduce lead hazards in housing; and

WHEREAS, HUD desires timely implementation of grant activities and has requested the City to sign the grant agreement as soon as is practical; and

WHEREAS, the HUD required match of \$716,490 will be met by the Development Office using CDBG funds from its existing budget for staff and housing rehabilitation program activities; and

WHEREAS, additional match provided from CDBG funds, and match from owner contributions toward the direct costs of eliminating lead paint hazards will exceed the required 10% match; and

WHEREAS, the Lead Hazard Control Grant will provide funds for lead remediation and clearance in 189 housing units, public outreach and education regarding lead hazards, training in Renovation, Repair and Painting for 50 landlords and Lead Abatement Supervisor training and certification for 50 contractors and workers,

WHEREAS, the elimination of lead hazards in housing occupied by children under the age of six is a priority under the City's Consolidated Strategy and Plan; and

WHEREAS, grant funds, combined with City of Lansing CDBG local funds, Ingham County Health Department in-kind match funds and owner funds will be sufficient to complete the project as proposed with no additional funds from the City; and

WHEREAS, the City of Lansing is successfully closing out its current 2016 Lead Hazard Reduction Demonstration grant by completing hazard reductions in 143 housing units; and

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council approves the acceptance of the \$4,589,040 grant award by HUD for the purpose of completing the activities funded through the 2020 Lead Hazard Control Grant.

BE IT FINALLY RESOLVED that Andy Schor, Mayor of the City of Lansing, is authorized to accept the above described award, and that upon receipt of the final grant agreement from HUD, he shall be authorized to sign the contract and any necessary amendments or ancillary documents, and to establish new and separate accounts as required by HUD for this grant.

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

That the following grant acceptance is approved:

WHEREAS, the City of Lansing applied for the Michigan Department of Treasury's Public Safety and Public Health Payroll Reimbursement Program (PSPHPR) on July 16, 2020 which is authorized under the Coronavirus Aid, Relief, and Economic Security (CARES) Act, Public Law 116-136, Sec 803.

WHEREAS, the program reimburses public safety and public health payroll expenditures for the months of April 2020 and May 2020 for employees whose services are substantially dedicated to mitigating or responding to the COVID-19 public health emergency.

WHEREAS, the city has applied for the following payroll expenditure amounts which are subject to proration and approval by the Michigan Department of Treasury:

April Public Safety:	\$4,564,805.96
May Public Safety:	<u>\$4,330,052.44</u>
Total Public Safety:	\$8,894,858.40

April Public Health:	\$6,886,827.35
May Public Health:	<u>\$6,725,665.88</u>
Total Public Health:	\$13,612,483.23

WHEREAS, because the amount of grant requests exceeds the amount appropriated by the State Legislature, total eligible payments will be prorated.

WHEREAS, the Michigan Department of Treasury issued provisional payments to applicants equal to 50% of the amount requested, up to a cap of \$5,000,000, on September 18, 2020.

WHEREAS, the Michigan Department of Treasury has not completed its review process as of September 18, 2020 and will issue an official award and final payment at a later date.

NOW, THEREFORE, BE IT RESOLVED, the City Council of the City of Lansing approves the acceptance of the PSPHPR funds up to the requested amount of \$8,894,858.40 for April and May public safety expenditures and \$13,612,483.23 for April and May public health payroll expenditures, once awarded by the Michigan Department of Treasury; and,

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

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

WHEREAS, the State of Michigan passed 2020 Public Act 144 on July 31, 2020 after the City's fiscal year had ended, reducing city, village and township revenue sharing by amounts equivalent to each local unit's August statutory revenue sharing payment.

WHEREAS, the State of Michigan appropriated \$150,000,000 in Coronavirus relief local government grants (CRLGG) to be distributed to cities, villages, townships, and counties proportional to the reduction in August statutory revenue sharing payments.

WHEREAS, the City of Lansing automatically received \$1,405,492 in CLRGG grant revenue on August 28, 2020 replacing \$904,205 previously appropriated for the August revenue sharing payment.

WHEREAS, the City of Lansing intends to expend these funds in a manner that adheres to the coronavirus aid, relief, and economic security (CARES) act, Public Law 116-136, including public safety payroll expenditures for employees whose duties were substantially dedicated to COVID-19 response, personal protective equipment and sanitary supplies, or other eligible expenditures subject to approval by the Michigan Department of Treasury.

NOW, THEREFORE, BE IT RESOLVED, the City Council of the City of Lansing approves the acceptance of \$1,405,492 in CRLGG funds; and,

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



RESOLUTION # _____

BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Pursuant to the request of the Lansing Board of Water and Light (BWL), the City Attorney recommends the appointment of Sandra Brown and the Thompson Hine law firm, Washington D.C. attorneys, as outside legal counsel for the limited purpose of assisting and representing the BWL with railroad contract issues related to the cessation of BWL's coal delivery contract due to closure of the BWL's coal plants; and

WHEREAS, the BWL also requests the addition of the Michigan law firm, Warner Norcross and Judd, to the approved counsel list and the City Attorney recommends and requests City Council approval of the law firm of Warner, Norcross, and Judd as approved counsel for the BWL.

NOW, THEREFORE, BE IT RESOLVED that pursuant to Charter Sec. 4-304.6, the City Council hereby approves the addition of Sandra Brown and Thompson Hine to the City Attorney's list of approved law firms.

BE IT FURTHER RESOLVED that pursuant to Charter Sec. 4-304.6, the City Council hereby approves the addition of Warner, Norcross, and Judd to the City Attorney's list of approved law firms.

BY THE COMMITTEE OF THE WHOLE
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 November 9, 2020 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 COMMITTEE OF THE WHOLE
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 November 9, 2020, after a public hearing held on November 9, 2020; 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 November 9, 2020; 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

DRAFT

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.

INTRODUCTION OF ORDINANCE

An Ordinance of the City of Lansing, Michigan, to repeal and replace the existing Zoning Ordinance and map, being Part 12, Title 6 of the Lansing Codified Ordinances in its entirety, except for Chapter 1300 – Marihuana Operations, with a form based code and zoning map.

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

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

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, November 30, 2020, at 7 p.m., for the purpose of:

Approving or opposing the adoption of a form-based code and zoning map that would repeal and replace the current zoning ordinance/map, being Part 12, Title 6 of the City of Lansing Codified Ordinances in its entirety, except for Chapter 1300 – Marihuana Operations.

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

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO REPEAL AND REPLACE THE EXISTING ZONING ORDINANCE AND MAP, BEING PART 12, TITLE 6 OF THE LANSING CODIFIED ORDINANCES IN ITS ENTIRETY, EXCEPT FOR CHAPTER 1300 – MARIHUANA OPERATIONS, WITH A FORM BASED CODE AND ZONING MAP.

THE CITY OF LANSING ORDAINS:

Section 1. That Part 12, Title 6 of the Lansing Codified Ordinances, except for Chapter 1300 – Marihuana Operations, is hereby repealed and replaced as follows:

Chapter 1240 Purpose and Definitions

1240.01 Short Title

This Title Six of Part Twelve of these Codified Ordinances shall be known and may be cited as the “Zoning Ordinance of the City of Lansing” or just the “Zoning Code.”

1240.02 Enabling Authority

This Ordinance establishes comprehensive zoning regulations for the City of Lansing, and provides for the administration, enforcement, and amendment of those regulations, in accordance with the provisions of the Michigan Zoning Enabling Act (Public Act 110 of 2006), as amended, being M.C.L. 125.581, et seq., and the Michigan Planning Enabling Act (Public Act 33 of 2008), as amended, being M.C.L. 125.3801, et seq.

1240.02.01 Applicability

This Zoning Code applies only to real property within the corporate limits of the City of Lansing. It does not apply to any real property treated as part of the City of Lansing by virtue of an intergovernmental agreement pursuant to the Michigan Intergovernmental Conditional Transfer of Property by Contract Act (Public Act 425 of 1984) (a “425 Agreement”). Zoning for any real property subject to a 425 Agreement shall be governed by the terms of that 425 Agreement. Any Zoning classification in a 425 Agreement that pre-existed this Ordinance shall persist, notwithstanding such classification is no longer in this Ordinance.

1240.03 Purpose

The purpose and intent of this Zoning Ordinance is to:

- a) Protect the public health, safety, general welfare and investment-backed expectations of property owners by ensuring some level of certainty in the land use pattern, arrangement and compatibility of uses.
- b) Be consistent with the Michigan Zoning Enabling Act.
- c) Implement the vision for development as specified in the Design Lansing Comprehensive Plan (“the Plan”).
- d) Maintain consistency with the development patterns of architecture, setbacks and intensity of development that are already in conformance with the Plan.
- e) Create incentives to encourage additional preservation and development quality than is required in this ordinance.

1240.04 Definitions

1240.04.01 CONSTRUCTION OF LANGUAGE

The following rules of construction apply to the text of this Ordinance:

- a) The particular shall control the general.
- b) In case of any difference of meaning or implication between the text of this Ordinance and any caption or illustration, the text shall control.
- c) The word “shall” is always mandatory and not discretionary. The word “may” is permissive, with the decision made by the Zoning Administrator or any other city staff noted, Planning Board, City Council or Board of Zoning Appeals; as indicated.
- d) Words used in the present tense shall include the future and words used in the singular number shall include the plural, and the plural the singular, unless the context clearly indicates the contrary.
- e) The word “building” includes the word “structure.” The word “build” includes the words “erect” and “construct.” A “building” or “structure” includes any part thereof.
- f) The phrase “used for” includes “arranged for,” “designed for,” “intended for,” “maintained for,” or “occupied for.”
- g) The term “including” means “including, but not limited to” and the term “such as” means “such as, but not limited to” unless otherwise noted.
- h) The word “person” has the same definition as in Chapter 202 of the Codified Ordinances of Lansing.
- i) Unless the context clearly indicates the contrary, where a regulation involves two or more items, conditions, provisions or events connected by the conjunction “and,” “or,” “either...or,” the conjunction shall be interpreted as follows.
 - a. “And” indicates that all the connected items, conditions, provisions or events shall apply.
 - b. “Or” indicates that the connected items, conditions, provisions, or events may apply singly or in any combination (i.e. “or” also means “and/or”).
 - c. “Either...or” indicates that the connected items, conditions, provisions or events shall apply singly but not in combination.

1 j) (j) The terms “abutting” or “adjacent to” include contiguous property along the lot lines
2 of the subject site including those in another community. The first lot may be directly
3 across a public right-of-way from the second lot.

4 k) (k) The word “days” shall mean calendar days and include all week-end days and
5 holidays.

6 l) (l) Terms not herein defined shall have the meaning customarily assigned to them.

7 In an instance where graphics are used in the ordinance, text prevails over graphics, which are
8 shown to assist the reader.

9 For ease of use, some terms are defined in the sections containing the regulations to which they
10 apply.

11

1240.04.02 DEFINITIONS

As used in this Zoning Ordinance, unless otherwise provided:

ACCESSORY BUILDING OR STRUCTURE. A detached structure on the same lot with, and of a nature customarily incidental and subordinate to, a principal structure, and occupied or devoted exclusively to an accessory use.

ACCESSORY USE. A use which meets all of the following criteria:

- A. It is clearly incidental to the principal use.
- B. It is customarily found in connection with the principal use.
- C. It is subordinate to the principal use.
- D. It is located on the same lot as the principal use, except as otherwise permitted in this Zoning Code.

ADJACENT RESIDENTIAL DISTRICT. The residential district to which the majority of the subject site is contiguous, abutting or located directly across a public right-of-way.

ADULT CARE FACILITIES:

- a) Adult Care Facilities, State-Licensed: A facility for the care of adults, over eighteen (18) years of age, as licensed and regulated by the State under Michigan Public Act 218 of 1979, and rules promulgated by the State Department of Human Services, providing foster care to adults. It includes facilities and foster care homes for adults who are aged, mentally ill, developmentally disabled, or physically handicapped who require supervision on an ongoing basis, but do not require continuous nursing care. An adult foster care facility does not include nursing homes, homes for the aged, hospitals, alcohol or substance abuse rehabilitation center, or a residential center for persons released from or assigned to a correctional facility.
- b) Adult Day-Care Facility: A facility other than a private residence, which provides care for more than six (6) adults for less than twenty-four (24) hour period.
- c) Adult Foster Care Family Home: means a private home with the approved capacity to receive six (6) or fewer adults to be provided with foster care for twenty-four (24) hours a day for five (5) or more days a week and for two (2) or more consecutive weeks. This may include adult day care for six (6) or fewer adults. The adult foster care family home licensee must be a member of the household and an occupant of the residence.
- d) Adult Foster Care Large Group Home: A private home with approved capacity to receive at least thirteen (13) but not more than twenty (20) adults to be provided supervision, personal care, and protection, in addition to room and board, for compensation, for twenty-four (24) hours a day, five (5) or more days a week, and for two (2) or more consecutive weeks. This may include adult day care for twenty (20) or fewer adults.
- e) Adult Foster Care Small Group Home: A private home with the approved capacity to receive more than six (6) but not more than twelve (12) or fewer adults who are provided supervision, personal care, and protection in addition to room and board, for twenty-four

- (24) hours a day, five (5) or more days a week, and for two (2) or more consecutive weeks for compensation. This may include adult day care for twelve (12) or fewer adults.
- f) **Adult Congregate Care Facility:** A private home with the approved capacity to receive more than twenty (20) adults for twenty-four (24) hours a day, five (5) or more days a week, and for two (2) or more consecutive weeks.
- g) **Convalescent or Nursing Home:** A structure with sleeping rooms, where persons are housed or lodged and are furnished with meals, nursing and limited medical care.

ADULT USES. See definitions related to Adult Uses in Chapter 1250.

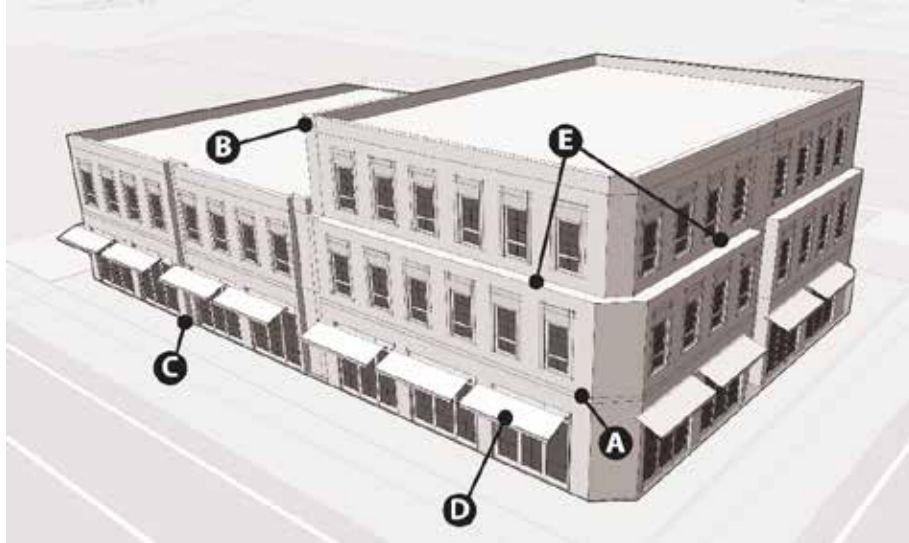
ALLEY. Any dedicated public right-of-way affording a secondary means of access to abutting property.

ANIMAL HOSPITAL. A structure or lot where animals are given medical or surgical care or treatment.

APPLICANT. A person having a legal, equitable or leasehold interest in a lot, or a representative of such person, who is making a request pursuant to this Zoning Code.

ARCHITECTURAL ELEMENTS: Physical features that relate to building architecture and character such as, but not limited to: (a) belt courses, (b) cornices/moldings, (c) columns or recesses, (d) awnings/canopies, and (e) step-backs; as depicted below.

[FIGURE 1]



ARTICULATION. Architectural variations in a building wall that accentuates details of the building design and can define a building base, middle and top, and variety along the facade. Horizontal and vertical articulation is achieved by using changes in architectural elements to promote varied front building lines and interesting, non-uniform and non-repetitive facade designs.

BAR. See “RESTAURANT: BAR/LOUNGE/TAVERN”

1 BASEMENT OR CELLAR. That portion of a structure between floor and ceiling which is partly
2 below and partly above grade. A basement is so located that the vertical distance from grade to
3 the floor below is less than the vertical distance from grade to ceiling. A cellar is that portion of a
4 structure between floor and ceiling which is wholly or partly below grade and so located that the
5 vertical distance from grade to the floor below is equal to or greater than the vertical distance
6 from grade to ceiling.

7 BED AND BREAKFAST INN: Any dwelling in which overnight accommodations are provided
8 or offered for transient guest for compensation, including provision for a morning meal only for
9 the overnight guest only. A bed and breakfast is distinguished from a motel in that a bed and
10 breakfast establishment shall have only one set of kitchen facilities, employ only those living in
11 the house or up to one additional employee, and have facade style that is compatible with
12 surrounding homes.

13 BEDROOM. A room within a dwelling unit that meets the following criteria:

- 14 A. It is intended to be used, or is used, for sleeping purposes.
- 15 B. It contains a floor area of not less than seventy (70) square feet.
- 16 C. It is not the only room in the dwelling unit (e.g.: an efficiency dwelling unit).

17 BERM. An earthen mound designed to separate one area from another.

18 BLOCK FACE. The cumulative property on one side of a street exhibiting one of the following
19 characteristics:

- 20 A. The property lying between two intersecting streets or public rights-of-way;
- 21 B. The property lying between an intersecting street and railroad right-of-way, river or
22 stream; or
- 23 C. The property lying between a public right-of-way, railroad right-of-way, river or stream
24 and the corporate boundaries of the City.

25 BOUNDARY LINE. The dividing line between zoning districts and / or subdivisions.

27 BUFFER. A land area that separates one land use from another. Such area may be landscaped
28 and may also contain a berm, fence or other screening material.

29 BUILDING. An independent structure having a roof supported by columns or walls, intended
30 and/or used for shelter or enclosure of persons or chattels. When any portion of a structure is
31 completely separated from every other part by division walls from the ground up, and without
32 openings, each portion of such structure shall be deemed a separate structure. This refers to both
33 temporary and permanent structures, and includes tents, sheds, garages, stables, greenhouses or
34 other accessory structures. A building does not include such structures with interior areas not
35 normally accessible for human use, such as gas holders, tanks, smoke stacks, grain elevators,
36 coal bunkers, oil cracking towers or similar structures.

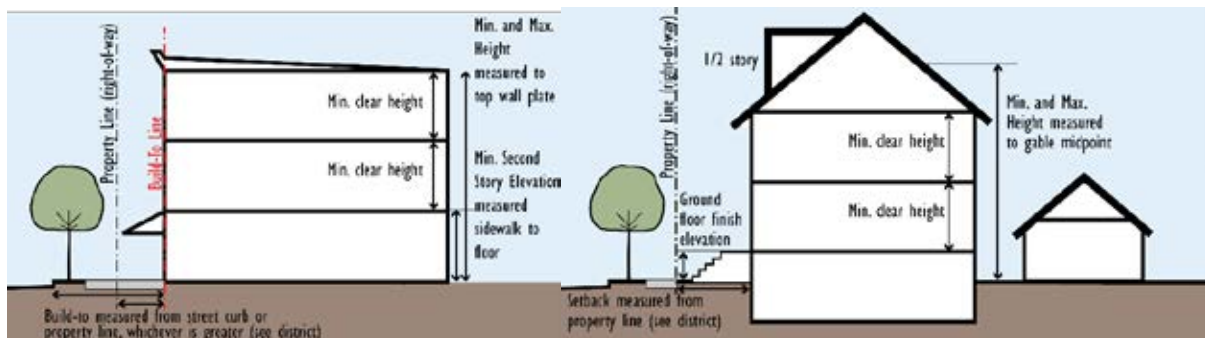
BUILDING CODE. The Stille-Derossett-Hale- Single State Construction Code Act, Act 230 Of 1972, known as the Michigan Building Code, with amendments, adopted by reference as part of these Codified Ordinances.

BUILDING FRONTAGE. The percentage of the building façade that adjoins the front setback or build-to line.

BUILDING HEIGHT. The vertical distance from the grade at the front of a structure to the highest point of the coping of a flat roof; the average height between the eaves and a ridge or to the deckline of a mansard roof; or the average height between the plate and ridge of a gable, hip or gambrel roof; in all cases, excluding minor projections such as finials, chimneys, vent pipes, aerals, or other appurtenance of similar scale.

BUILD-TO LINE. The building line to which a building must be constructed. Similar to setback, a build-to line runs parallel to the right-of-way and is established to create a generally consistent building line along a street. The build-to line designates the specific location or range within which the front building line must be located.

[FIGURE 2]



BUSINESS. An office, commercial or industrial use entered into for the purpose of financial gain, earning a livelihood or improving a person's economic conditions and desires.

CANOPY. An ornamental or roof-like structure which is fastened to a structure and used for protection.

CARPORT. An accessory structure used primarily to shelter private motor vehicles. A carport is attached to the principal structure and is completely open on not less than two sides.

CHILD CARE/RESIDENTIAL CARE FACILITIES:

- a) **Child Care Facility:** A facility for the care of children under eighteen (18) years of age, as licensed and regulated by the State under Michigan Public Act 116 of 1973 and the associated rules promulgated by the State Department of Human Services.
- b) **Child Care Centers, Nursery Schools, and Day Nurseries:** A facility, other than a private residence, receiving pre-school or school age children for group care for periods of less than twenty-four (24) hours a day, and where the parents or guardians are not immediately available to the child. It includes a facility which provides care for not less

than two (2) consecutive weeks, regardless of the number of hours of care per day. The facility is generally described as a child care center, day care center, day nursery, nursery school, parent cooperative preschool, play group, or drop-in center. “Child care center” or “day care center” does not include a Sunday school conducted by a religious organization where children are cared for during short periods of time while persons responsible for such children are attending religious services.

- c) Family day care home (six or fewer children less than 24 hours per day): A private home in which not more than six minor children are received for care and supervision for periods of less than 24 hours a day, unattended by a parent or legal guardian, except children related to an adult member of the family by blood, marriage or adoption. It includes a home that gives care to an unrelated child for more than four weeks during a calendar year.
- d) Group day care home (seven to 12 children less than 24 hours per day): A private home in which more than six but not more than 12 children are given care and supervision for periods of less than 24 hours a day unattended by a parent or legal guardian, except children related to an adult member of the family by blood, marriage or adoption. It includes a home that gives care to an unrelated child for more than four weeks during a calendar year.
- e) Foster Family Group Home: A private home in which more than four but less than seven children, who are not related to an adult member of the household by blood, marriage, or adoption, are provided care for 24 hours a day, for four or more days a week, for two or more consecutive weeks, unattended by a parent or legal guardian.
- f) Foster Family Home: A private home in which one but not more than six minor children, who are not related to an adult member of the household by blood, marriage, or adoption, are given care and supervision for 24 hours a day, for four or more days a week, for two or more consecutive weeks, unattended by a parent or legal guardian.

CHURCH. See “PLACES OF ASSEMBLY.”

CLEAR HEIGHT. Within a structure, the distance between the floor and ceiling. For entrances and other external building features, the unobstructed distance from the ground to the bottom of the lowest element above.

CLINIC. An establishment where human patients who are not lodged overnight are admitted for examination and treatment by a group of physicians, dentists, or similar professionals. A medical clinic may incorporate customary laboratories and pharmacies incidental to or necessary for its operation or to the service of its patients, but may not include facilities for overnight patient care or major surgery.

COMPREHENSIVE PLAN. A master plan described by Public Act 33 of 2008, as amended.

CONSTRUCTION. The putting together of materials to build a new structure or to restore, reconstruct, extend, enlarge or repair an existing structure. This definition does not apply to section 1250.06.

1 CONSTRUCTION, START OF. The first placement of permanent construction of a structure,
2 other than a mobile home, on a site, such as the pouring of slabs or footings or any work beyond
3 the stage of excavation. “Permanent construction” does not include land preparation, such as
4 clearing, grading and filling; the installation of streets and/or walkways; excavation for a
5 basement, cellar, footings, piers or foundations or for the erection of temporary forms; or the
6 installation on the property of accessory structures, such as garages or sheds, not occupied as
7 dwelling units or part of the main structure. For a structure, other than a mobile home, without a
8 basement, cellar or poured footings, “start of construction” includes the first permanent framing
9 or assembly of the structure or any part thereof on its piling or foundation. For premanufactured
10 homes, “start of construction” means the affixing of the premanufactured home to its permanent
11 site. For mobile homes within mobile home parks or mobile home subdivisions, “start of
12 construction” is the date on which the construction of facilities for servicing the site on which the
13 mobile home is to be affixed, including, at a minimum, the construction of streets, either final
14 site grading or the pouring of concrete pads and the installation of utilities is completed.

15 CONTIGUOUS. Abutting.

16 CUMULATIVE. Increasing or enlarging by successive addition through all points in time.

17 DAMAGED. An item that still functions as it was intended, but is missing parts or has parts that
18 have suffered some degree of destruction.

19 DEPARTMENT. The Department of Economic Development and Planning, or its successor.

20 DETERIORATED. An item which still functions as it was intended, but is missing parts or
21 requires substantial maintenance.

22 DEVELOPMENT AGREEMENT. A contract between a local jurisdiction and a property owner
23 within the jurisdiction detailing a development plan for the property.

24 DRIVE-THROUGH BUSINESS: A business establishment so developed that its retail or service
25 character is wholly or partly dependent on providing a driveway approach and service windows
26 or facilities for vehicles in order to serve patrons food and beverages in a ready-to-consume state
27 from a drive-through window to patrons in motor vehicles. A drive-through restaurant may or
28 may not also have indoor seating.

29 DUPLEX. See “DWELLING, TWO-FAMILY”.

30 DWELLING, MULTIPLE. A structure or portion of a structure which contains three or more
31 dwelling units, including fraternities and sororities.

32 DWELLING, ONE-FAMILY. A structure designed and/or used exclusively for residential
33 purposes for one family only and containing one dwelling unit.

34 DWELLING, TWO-FAMILY. An attached or semidetached structure used for residential
35 occupancy by two families living independently of each other. Such dwelling is also known as a
36 “duplex dwelling.”

1 DWELLING UNIT. A structure or a portion of a structure on a permanent foundation with one
2 or more rooms, including a bathroom and complete kitchen facilities, which rooms are arranged,
3 designed or used as living quarters for one family.

4 DWELLING UNIT, EFFICIENCY. A dwelling unit of not more than one room in addition to a
5 kitchen and bathroom.

6 ELEVATION, SECONDARY. The building elevation built along the build-to line on the
7 Secondary Frontage.

8 EMERGENCY SERVICES FACILITY. Includes, but is not limited to, public or private civil
9 defense, ambulance or fire service.

10 EXCAVATION. Any breaking of ground, except for agricultural purposes, ground care and
11 landscaping.

12 EXTENSION. An addition to the floor area of an existing structure, an increase in the intensity
13 of a use, an enlargement of land area utilized by a specific use or an increase in the activity of a
14 use.

15 FACADE, PRIMARY. The building elevation built along the build-to line on the Primary
16 Frontage.

17 FAIR MARKET VALUE. An estimate of the actual worth of a lot, structure or combination
18 thereof, which estimate is made by a licensed real estate broker or assessor experienced and
19 qualified in the appraisal of real estate using appropriate appraisal techniques, as determined by
20 the City Assessor.

21 FAMILY. "Family" means any one of the following (see also "family, functional" hereof):

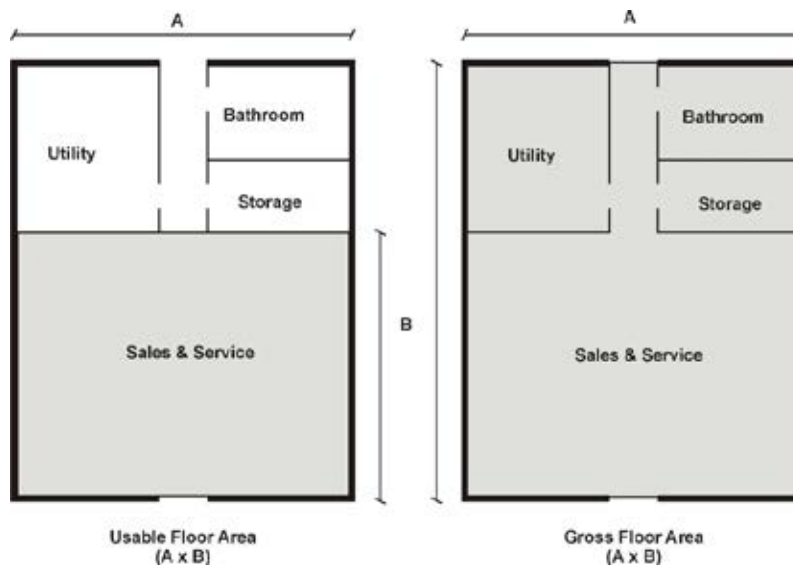
- 22 a) An individual;
- 23 b) An individual or two or more persons related by blood, marriage or adoption, together
24 with not more than two other persons as roomers; or
- 25 c) Two or more persons related by blood, marriage, or adoption, with not more than two of
26 the unrelated persons as roomers.

27 FAMILY, FUNCTIONAL. "Functional family" means a group of persons, which group does not
28 meet the definition of "family" in above paragraph hereof, living in a dwelling unit as a single
29 housekeeping unit and intending to live together as a group for the indefinite future. "Functional
30 family" does not include a fraternity, sorority, club, hotel or other group of persons whose
31 association is temporary or commercial in nature."

32 FENCE. Any wall (except a retaining wall), screen, partition or similar structure existing on a
33 yard or parcel of land, which structure encloses land, divides land into distinct portions, separates
34 contiguous properties, obstructs the passage of light or air into adjacent land or obstructs the
35 vision of motorists on or near public roads. Barbed wire shall not be considered part of a fence
36 for purposes of determining the height thereof.

- 1 FENESTRATION. Openings in the building wall, including windows, doors and open areas.
 2 When measuring fenestration, framing elements (such as muntins) with a dimension less than
 3 one (1) inch are considered part of the opening.
- 4 FILLING. The permanent depositing or dumping of any matter onto or into the ground, except
 5 for agricultural purposes, ground care or landscaping.
- 6 FLOOR AREA. The sum of the horizontal areas of each story of a structure measured from the
 7 exterior faces of the exterior walls.
- 8 FLOOR AREA, USABLE. For the purpose of computing parking, that area used for or intended
 9 to be used for the sale of merchandise or services, or for use to serve patrons, clients or
 10 customers. Such floor area which is used or intended to be used for hallways, stairways, elevator
 11 shafts, utility or sanitary facilities or the storage or processing of merchandise shall be excluded
 12 from this computation of “usable floor area.” Measurement of usable floor area shall be the sum
 13 of the horizontal areas of each story of a structure measured from the interior faces of the
 14 exterior walls.

[FIGURE 3]



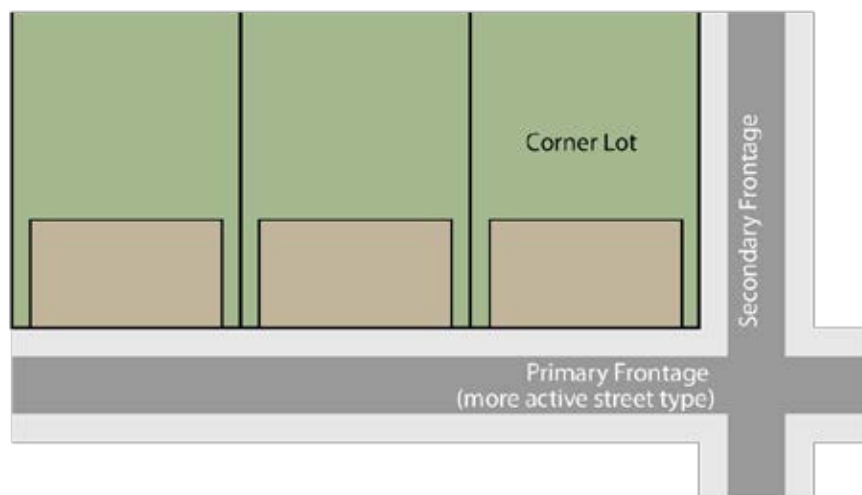
- 17 FOOTCANDLE. A unit of luminance amounting to one lumen per square foot.
- 18 FRONTAGE. The front part of a property that faces the street, as measured in linear feet.
- 19 FRONTAGE, MINIMUM. The minimum percentage of the frontage that the facade must
 20 occupy.
- 21 FRONTAGE, PRIMARY. The primary frontage applies to parcels that front on more than one
 22 street. The primary frontage shall be considered the property line that abuts the street that either:
- 23 a) Is envisioned to be the most pedestrian-oriented, according to the Street Typologies
 24 described in the Comprehensive Plan and defined in this ordinance (see “STREET

TYPES”). In these cases the primary frontage should be considered the more active street type per the list in 1242.03.

- b) Or, in the case where the above is not clear or where both streets are the same type, the street to which the majority of principal structures face within 500 feet of the subject site, subject to zoning administrator’s approval.

FRONTAGE, SECONDARY. Applies to parcels that front on more than one street. The secondary property lines are those which are not the Primary Frontage (see “FRONTAGE, PRIMARY”).

[FIGURE 4]



FRONTAGE TYPES. The design for the front facade of a building type, as described below:

- a) **Porch:** A porch is a frontage type applicable to lower density residential buildings and designed to provide covered, outdoor seating space for residents. Porches can project beyond the setback line towards the right-of-way and/or can wrap around the side of the building. An “enclosed porch” is surrounded on all sides by glass, screen, wood, brick, plastic, or other materials permitted by the Building Code. An “open porch” is one that is not enclosed.
- b) **Stoop:** A stoop is a small elevated landing space above the sidewalk level which provides entry into the building. Stoops may be covered or uncovered and may project beyond the building setback line towards the right-of-way.
- c) **Storefront:** A frontage type appropriate for the ground floor of commercial / retail buildings. Storefronts provide large windows with transparent views into the building interior. Awnings may be incorporated into the frontage design, projecting beyond the building setback line.

FUNERAL HOME. A structure used and occupied by a professional licensed mortician for burial preparation and funeral services.

GARAGE. An accessory structure for the storage of motor vehicles.

1 GARAGE, PRIVATE. An accessory structure which is used primarily for the parking of private
2 motor vehicles operated as accessory uses. A private garage has access through an overhead door
3 and has a hard-surfaced driveway leading to the structure from a property line.

4 GARAGE, PUBLIC. Any garage other than a private garage.

5 GARDEN. The growing of plants for human consumption, including berries, herbs, vegetables,
6 seeds, or other similar products incorporated into, and used as food and flowers, but not
7 including plants grown for commercial sale or purposes. Gardens that are accessory to a primary
8 permitted use are allowed by right in all residential districts. Gardens that are the primary use of
9 a lot are permitted in all residential districts, subject to compliance with all applicable standards
10 of the Lansing zoning ordinances and sign ordinance, including, but not limited to setback,
11 building height, placement and lot coverage, landscape, screening and buffering and sign
12 restrictions; and also subject to all other applicable state laws and city ordinances, including, but
13 not limited to noise and other nuisances as defined by city ordinance, except that vegetation as
14 described in a defined garden may exceed eight inches (8”) in height.

15 GARDEN STRUCTURE. A structure used for the purpose of enclosing a garden, including the
16 incidental use and storage of gardening implements, machinery, equipment and appurtenances
17 used in the onsite gardening activities. Garden structures are permitted in all residential districts,
18 subject to compliance with setback, lot coverage, building height and all other applicable
19 requirements of the zoning ordinance and building codes.

20 GARDENING. The growing of a garden or the act of working in a garden.

21 GOLF COURSE. A comparatively large, unobstructed acreage involving enough room over
22 which to walk or ride, point to point, over a generally prescribed course, and to strive to send a
23 ball long distances with variable accuracy, all without unreasonably endangering other players or
24 intruding upon them.

25 GOVERNMENTAL ENTITY. The Federal Government, this State or any of its
26 instrumentalities; a county, city, township, village, school district, community college district or
27 community hospital district; any agency authorized to exercise a governmental function in a
28 limited geographical area or other political subdivision; any instrumentality of one or more of
29 such units; or any of such units and one or more other States or political subdivision of such
30 States.

31 GRADE. The lowest point of elevation within the area between the exterior surface of the
32 structure and the property line. If the property line is more than five feet from the exterior surface
33 of the structure, “grade” means the lowest point of elevation between the exterior surface of the
34 structure and a line five feet from the exterior surface of the structure.

35 GREEN BUILDING. A structure that uses practices and materials that are environmentally
36 responsible and resource-efficient throughout a building’s life-cycle, from siting to design,
37 construction, operation, maintenance, renovation, and demolition. Although new technologies
38 are constantly being developed to complement current practices in creating greener structures,

the common objective is that green buildings are designed to reduce the overall impact of the built environment on human health and the natural environment by:

- a) Efficiently using energy, water, and other resources
 - b) Protecting occupant health and improving employee productivity
 - c) Reducing waste, pollution and environmental degradation
- Greenhouse, commercial.
“Commercial greenhouse” means a glass or less than opaque enclosure which exceeds 150 square feet in floor area and is designed or used for the cultivation or protection of plants; or a glassed enclosure, regardless of size, designed or used for the cultivation or protection of plants for commercial purposes.

HEDGE. A dense row of low branching trees, shrubs, vines or other plants which encloses land, divides land into distinct portions, separates contiguous properties, obstructs the passage of light and air into adjacent land or obstructs the vision of motorists on or near public roads.

HOME OCCUPATION. A business conducted in a dwelling unit by a person with legal or equitable interest in the dwelling unit.

HOSPITAL. A health facility offering in-patient, overnight care and services for observation, diagnosis and active treatment of human patients with a medical, surgical, obstetric, chronic or rehabilitative condition requiring the daily direction or supervision of a physician.

HORIZONTAL MIXED-USE. See “MIXED-USE, HORIZONTAL”.

HOTEL: A building or part of a building, with a common entrance or entrances, in which the dwelling units or rooming units are used primarily for transient occupancy, and/or in which one or more of the following services are offered: maid service, furnishing of linen, telephone, secretarial or desk service, and bellboy service. A hotel may contain within it a restaurant or cocktail lounge, public banquet halls, or meeting rooms.

INCENTIVE. Regulatory flexibility, reductions, or rewards that may be granted to a development or project that provides certain Recognized Benefits or elements that go beyond the minimum requirements. The level of Incentive granted is relative to the extent of the Recognized Benefit provided.

INTEGRATED PARKING. A feature of a building that utilizes a portion of the ground level for vehicle storage and parking.

INTENSITY OF USE. The amount of activity associated with a specific use. Intensity of use shall be determined by the Economic Development and Planning Department based on the following criteria:

- A. Amount of vehicular traffic generated;
- B. Amount of pedestrian traffic generated;
- C. Noise, odor and air pollution generated;
- D. Potential for litter or debris;
- E. Type and storage of materials connected with the use;
- F. Total residential units and density if residential; and

G. Total structure coverage and structure height on the parcel.

JUNK. Any of the following products which are stored in the open and which are damaged or deteriorated or are in such a condition that the product cannot be used for the purpose for which it was manufactured:

- A. Motor vehicles;
- B. Machinery;
- C. Appliances;
- D. Merchandise with missing parts;
- E. Scrap metal; and
- F. Scrap materials, including, but not limited to, rags, paper or building materials.

JUNKYARD. A lot used to store or process junk.

KENNEL. The keeping on a lot for commercial purposes of four or more dogs, cats or other household pets which are more than six months old. Keeping includes, but is not limited to, boarding, breeding or training.

LOADING SPACE OR AREA. An off-street space on the same lot with a structure or group of structures for the temporary parking of a commercial vehicle while loading and unloading merchandise or materials, and having direct and unobstructed access to a public street or alley. "Unobstructed" does not preclude the use of security devices.

LOT. A parcel of land consisting of one or more lots of record occupied or intended to be occupied by a principal structure or use and any accessory structure or by any other use or activity permitted on the parcel of land. Lot includes the open spaces and yards required under this Zoning Code and has its frontage on a public street or road either dedicated to the public or designated on a recorded subdivision plat. Corner, interior and through lots are described as follows:

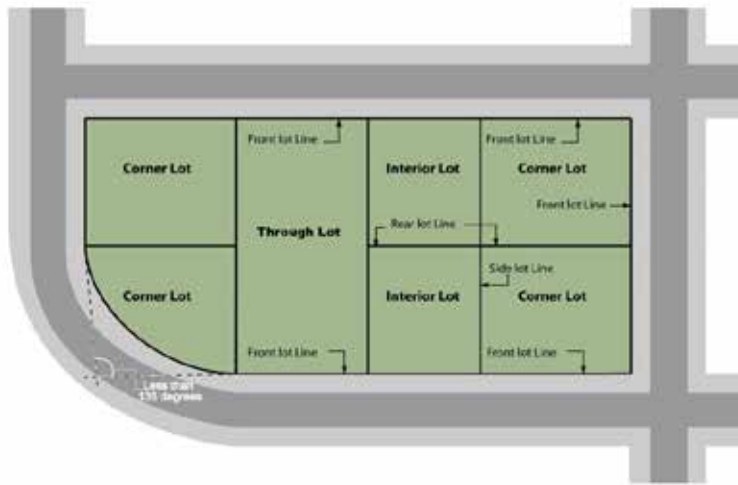
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A. CORNER LOT. A lot where the interior angle of two adjacent sides at the intersection of two streets is less than 135 degrees. A lot abutting upon a curved street is a corner lot if the radius of the arc is less than 150 feet and the tangents to the curve at the two points where the lot lines meet the curve or the straight street line extended form an interior angle of less than 135 degrees.

B. INTERIOR LOT. A lot other than a corner lot.

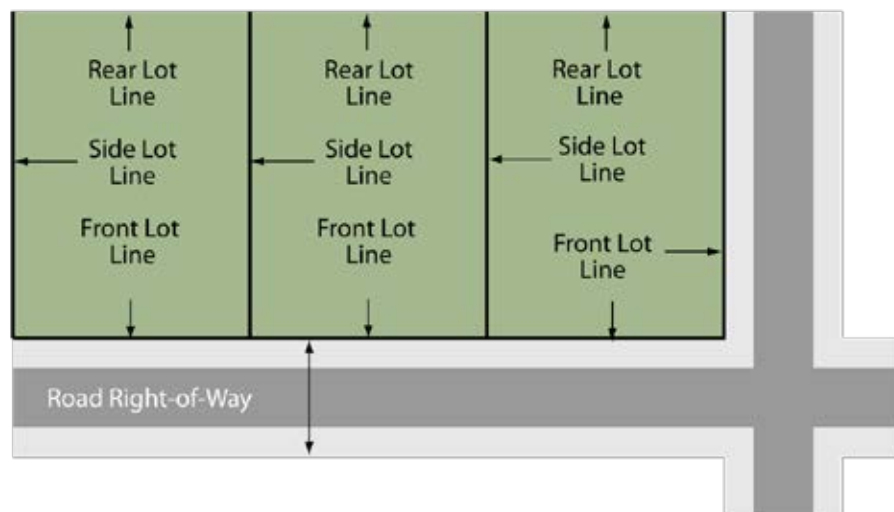
C. THROUGH LOT. An interior lot having frontage on two more or less parallel streets.

[FIGURE 5]



- LOT AREA. Means the total horizontal area within the lot lines of the lot.
- LOT COVERAGE. The part or percentage of lot area, not including right-of-way, occupied by buildings, structures and hard-surfaced parking areas.
- LOT DEPTH. The horizontal distance between front and rear lot lines, measured along the median between the side lot lines.
- LOT LINE. Any of the lines bounding a lot.

[FIGURE 6]



1 LOT LINE, FRONT. The line separating a lot from the right-of-way line of a street.

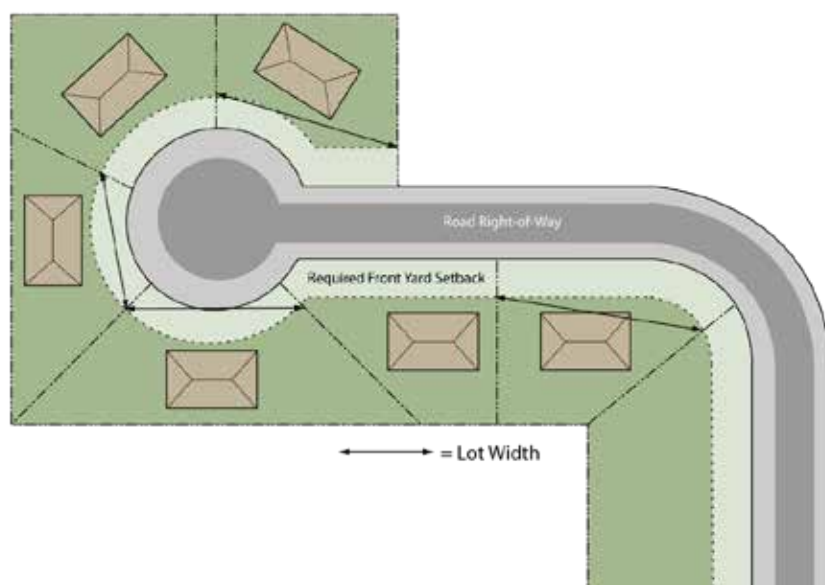
2 LOT LINE, REAR. A lot line which is opposite the front lot line. In the case of a corner lot, the
3 rear lot line may be opposite either front lot line, but there shall be only one rear lot line. In the
4 case of a lot converging toward the rear, the rear lot line shall be an imaginary line parallel to the
5 front lot line, not less than ten feet long and wholly within the lot.

6 LOT LINE, SIDE. Any lot line not a front lot line or a rear lot line.

7 LOT OF RECORD. A parcel of land which is part of a subdivision, the dimension and
8 configuration of which has been recorded on a map in the office of the Register of Deeds for the
9 appropriate county, or a parcel described by metes and bounds in any instrument of conveyance
10 recorded at the appropriate Register of Deeds.

11 LOT WIDTH. The horizontal distance from one side lot line to the opposite side lot line,
12 beginning and ending where the side lot lines meet the required setback from the Front Lot Line.

13 [FIGURE 7]



14
15 LOW IMPACT DEVELOPMENT. Land development that uses nature, through preserving or
16 recreating natural landscape features and minimizing effective imperviousness, to manage
17 stormwater.

18 MAINTENANCE OF STRUCTURE. To keep up, to keep from change, to preserve, to hold or
19 keep in any particular state or condition or to support what has already been brought into
20 existence.

21 MID-RISE AND HIGH-RISE. A mid-rise or high-rise building is a medium-to large-size
22 structure that can incorporate a mixture of uses and may often have integrated parking. Mid-rise
23 buildings are typically 4-8 floors in height, and high-rise buildings are nine (9) or more floors in
24 height.

1 MIXED-USE. A development that blends a combination of residential and nonresidential where
2 those functions are physically and functionally integrated. Mixed-use development typically uses
3 a combination of vertical and horizontal mixed-use development practices.

4 a) MIXED-USE, HORIZONTAL. Horizontal mixed-use refers to development
5 patterns where uses within a development site or along a block are mixed along
6 the extent of the building and/or development. Horizontal mixed-use can be
7 combined with vertical mixed-use.

8 b) MIXED-USE, VERTICAL. Vertical mixed-use refers to development patterns
9 where uses within a building are mixed, often with retail or active commercial
10 uses on the ground and lower floors, and office or residential uses on the upper
11 floors.

12 MOBILE HOME. A structure, transportable in one or more sections, which is built on a chassis
13 and designed to be used as a dwelling, with or without a permanent foundation, when connected
14 to the required utilities, and includes the plumbing, heating, air conditioning and electrical
15 systems contained in the structure.

16 MOBILE HOME PARK. A parcel or tract of land under the control of a person upon which three
17 (3) or more mobile homes are located on a continual, non-recreational basis and which is offered
18 to the public for that purpose regardless of whether a charge is made therefor, together with any
19 building, structure, enclosure, street, equipment, or facility used or intended for use incident to
20 the occupancy of a mobile home.

21 MOTEL. A series of attached, semidetached or detached rental units containing a bedroom and a
22 bathroom. A motel provides for overnight lodging which is offered to the public for
23 compensation and caters primarily to the public traveling by motor vehicle.

24 MOTOR VEHICLE REPAIR STATION. A use where minor repairs (as defined in “Motor
25 Vehicle Service Station”) are performed and any of the following major repairs are performed:
26 bumping, vehicle painting, replacement of body parts and collision service, engine repair, engine
27 rebuilding or replacement, replacement of transmission or internal transmission parts, and
28 rebuilding or reconditioning of motor vehicles.

29 MOTOR VEHICLE SERVICE STATION. A use for supplying gasoline, oil and minor
30 accessories at retail directly to the customer and which performs minor repairs. “Minor repairs”
31 means: engine tune up, alternator or generator replacement, battery replacement, fan belt
32 replacement, radiator hose replacement, radiator repair or replacement, tire and strut repair or
33 replacement, wheel balancing, oil change, windshield repair or replacement, brake repair or
34 replacement, muffler and exhaust system replacement, front end alignment, and auto detailing.

35 NONCONFORMITY. A use, structure or lot which does not conform with a use or dimensional
36 provision or any combination of a use or dimensional provision of this Zoning Code, but which
37 use, structure or land was lawfully established prior to the effectiveness date of such use or
38 dimensional provision.

39 NONRESIDENTIAL USE. Any use not a residential use.

- 1 NURSERY. Any land used to raise trees, shrubs, flowers and other plants for sale or for
2 transplanting.
- 3 NURSING HOME. See “ADULT CARE FACILITIES.”
- 4 OCCUPANT. A person who takes or enters upon possession of all or part of a building, parcel,
5 or lot.
- 6 OFF-STREET PARKING FACILITY. An off-street parking surface lot or an off-street parking
7 structure.
- 8 OFF-STREET PARKING STRUCTURE. A structure which provides for vehicular parking
9 spaces, along with drives and aisles for maneuvering, so as to provide access for entrance and
10 exit for the parking of two or more vehicles.
- 11 OFF-STREET PARKING SURFACE LOT. The use of an area for vehicular parking spaces,
12 along with drives and aisles for maneuvering, so as to provide access for entrance and exit for the
13 parking of more than two vehicles on the surface of a lot.
- 14 OFFICE. A structure in which a person transacts his or her business or carries on his or her
15 stated occupation.
- 16 OPEN SPACE. The ground area, and the space above such ground area, which is unimpeded
17 from the ground to the sky by any structure, except that the area may be used for landscaping,
18 gardening or recreational purposes such as swimming, shuffleboard, tennis or similar uses.
19 Parking lots and storage areas for vehicles and material shall not be considered as open space.
- 20 OPEN STORAGE. Any of the following items which are stored in the open and which are
21 inoperable, damaged and/or deteriorated in such a condition that any such item cannot be used
22 for the purpose for which it was manufactured, or is not reasonably associated with the principal
23 use of the lot itself, including, but not limited to motor vehicles, machinery, appliances, motor
24 vehicle parts; and other materials, including, but not limited to, metal, pipes, rags, papers or
25 building materials.
- 26 OUTDOOR PLAY SPACE. The outside area on a lot reserved at a day care or group day care
27 home for outside exercise, large motor skill development and play space of children.
- 28 OUTDOOR STORAGE: The keeping, in an unroofed area, of any goods, junks, material,
29 merchandise or vehicles in the same place for more than twenty-four (24) hours.
- 30 PANELIZED STRUCTURE. A structure consisting of preconstructed units for walls, roofs, and
31 floors, which may include structural framing, windows, doors, exterior finishes, interior wall
32 finishes, installed wiring, plumbing and insulation, which is brought on-site and erected thereon
33 on a permanent foundation.
- 34 PARCEL. A tract of land officially described and registered under one ownership.
- 35 PARKING SPACE. An area of defined length and width for the parking of motor vehicles. Such
36 area shall be exclusive of drives, aisles or entrances giving access thereto.

1 PEAK HOUR PARKING DEMAND. The number of parking spaces required during the highest
2 intensity of use.

3 PERIMETER LINE OR BOUNDARY LINE. The exterior limits of a lot.

4 PERSONAL SERVICE ESTABLISHMENT. Any premises or business in which services for
5 persons are performed, including but not limited to shoe repair, tailoring, beauty parlors, nail
6 salons, tanning salons, or barbershops.

7 PLACES OF ASSEMBLY. Any structure wherein persons regularly gather for religious activity,
8 entertainment, or political purposes including, but not limited to, churches, theaters, fraternal
9 organizations, and trade union halls. A “Church” is a structure used to conduct a religious
10 service, including, but not limited to, the usual accessory structures and uses, such as convents,
11 rectories, parsonages, monasteries, gymnasiums and church halls.

12 PLANNED UNIT DEVELOPMENT. An office, residential, commercial, industrial or mixed
13 complex developed as a single entity by one person, which complex contains more than one
14 structure on a lot, not including accessory structures, and which is planned and developed as an
15 integral unit in a single development operation according to the requirements of Chapter 1264.

16 PLOT PLAN. A diagram depicting the existing and proposed structures, lot lines, setbacks,
17 parking areas and the location of any known wells.

18 PORCH. See “FRONTAGE TYPE”.

19 PREMANUFACTURED UNIT. An assembly of materials or products intended to comprise all
20 or part of a building or structure, and that is assembled at other than the final location of the unit
21 of the building or structure by a repetitive process under circumstances intended to ensure
22 uniformity of quality and material content.

23 PRIMARY FACADE. See “FACADE, PRIMARY”.

24 PRIMARY FRONTAGE. See “FRONTAGE, PRIMARY”.

25 PRINCIPAL USE. The primary, major, main, leading, outstanding or chief use which a lot
26 serves or is intended to serve.

27 PROBATE. “Probate” means the period of probate, as defined in Public Act 386 of 1998, as
28 amended, being M.C.L. 700.1101, et seq.

29 PRODUCTION FACILITIES. Facilities for the production of consumer goods such as food,
30 beverages, art, clothing, textiles, etc. and have a minimum of 20% floor area dedicated to retail
31 sales.

32 PUBLIC UTILITY. Electric light and power companies, whether private, public, corporate or
33 cooperative; gas companies; water, telephone, telegraph, oil, gas and pipeline companies; motor
34 carriers; and all public transportation and communication agencies other than railroads and
35 railroad companies.

36 REAL PROPERTY is a lot, plot or parcel of land recorded and located in the City of Lansing.

1 RECOGNIZED BENEFIT. The provision of certain elements or improvements that are desired
2 by the City, as either expressed in the Comprehensive Plan or as stated in the zoning ordinance,
3 or that go beyond the minimum requirements.

4 RECONSTRUCTION. The act of rebuilding a structure to meet the standards of the Building
5 Code or Housing Code.

6 RECREATIONAL EQUIPMENT. A watercraft, vehicle, or other conveyance designed to be
7 used primarily off of public streets and roads, and not regulated by the Michigan Vehicle Code,
8 including by way of example, but not limited to: snowmobiles; boats and boat trailers; jet skis,
9 floats and rafts, including transportation equipment.

10 RECREATIONAL FACILITY. A structure or open space which provides activities, including,
11 but not limited to, swimming, racquet sports, exercise and fitness rooms or areas and
12 gymnasiums.

13 RECREATIONAL VEHICLE. A vehicle primarily designed and used as temporary living
14 quarters for recreational, camping, or travel purposes, including a vehicle having its own motor
15 power or a vehicle mounted on or drawn by another vehicle. This includes by way of example,
16 but is not limited to: travel trailers; camp trailers; tent trailers; campers, pop-up campers, and
17 pickup campers; folding tent trailers; and utility trailers.

18 REPAIR. To restore to a sound or good state after decay, injury, dilapidation or partial
19 destruction.

20 RESIDENTIAL USE. A use all or part of a lot, parcel, or building as a single-family, two-family
21 or multifamily residence, boarding or lodging house or residential care facility, and accessory
22 uses thereto.

23 RESTAURANTS: An establishment serving foods and/or beverages to a customer in a ready-to-
24 consume state. The method of operation may be characteristic of a carry-out, drive-in, drive-
25 through, fast food, standard restaurant, or lounge/tavern, or combination thereof, as defined
26 below:

- 27 a) Restaurants with Outdoor Seating. A use that involves the sale or delivery of any
28 prepared food or beverage for consumption in a defined area on premises but
29 outside of the building in which it is prepared. Examples of defined areas include
30 an external deck, patio, mall, garden, balcony or sidewalk.
- 31 b) Carry-Out Restaurant. A use that involves the sale of food, beverages, and/or
32 desserts in disposable or edible containers or wrappers in a ready-to-consume
33 state for consumption mainly off the premises. A carry out restaurant differs from
34 a drive through restaurant in that a customer must park and walk up to the
35 restaurant or an employee must exit the restaurant and deliver the food to a
36 customer in a parked car.
- 37 c) Drive-In Restaurant. A use that involves delivery of prepared food so as to allow
38 its consumption within a motor vehicle while parked on the premise.

- d) Drive-Through Restaurant. A use that involves the delivery of prepared food to the customer within a vehicle, typically passing through a pass-through window, for consumption off of the premises.
- e) Standard Restaurant. A standard restaurant is a use that involves either of the following:
 - (1) The delivery of prepared food by waiters and waitresses to customers seated at tables within a completely enclosed building.
 - (2) The prepared food is acquired by customers at a cafeteria line and is subsequently consumed by the customers within a completely enclosed building.
- f) Bar/Lounge/Tavern. A bar, lounge or tavern is a type of restaurant that is operated primarily for the dispensing of alcoholic beverages. The preparation and sale of food or snacks to customers may be permitted.

RESTORATION. To put back into original or historic condition.

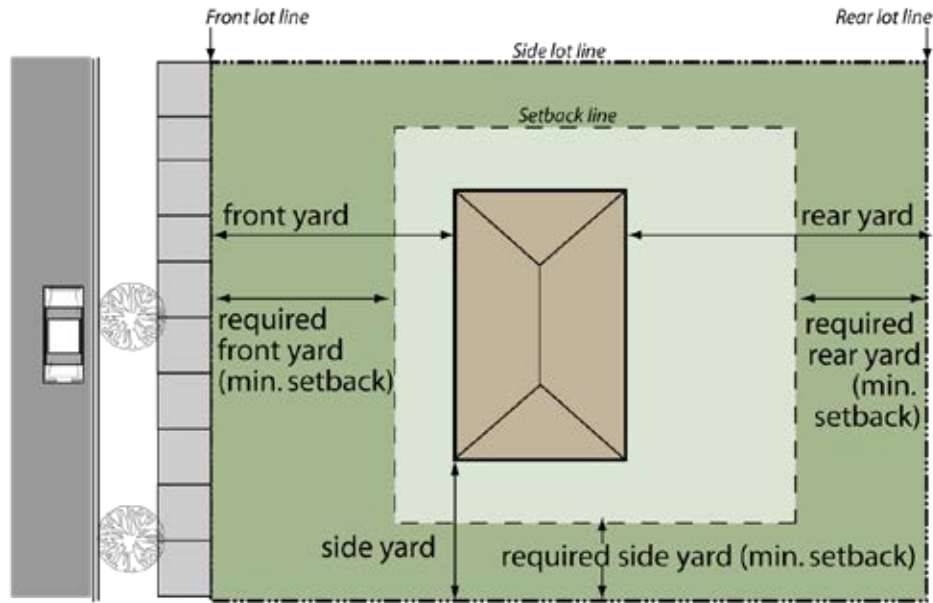
RESUMPTION. To begin the use of a nonconformity after it has been previously discontinued from use.

RETAIL STORE. An establishment which primarily serves the surrounding neighborhood and includes, but is not limited to, the following: limited service food store, drug store, hardware store, laundry or cleaners pickup, jewelry store, florist, gift shop, book store, clothing store, photographer, and bakery whose products are sold only on the premises.

SALVAGE YARD. A lot where any product, including, but not limited to, any of the following, is taken apart in such a way that the usable parts are separated from the nonusable: motor vehicles, machinery, appliances, fixtures, goods, and merchandise.

SETBACK: The minimum horizontal distance measured from the lot line, as required under this ordinance, for the front, side, or rear property line as appropriate.

[FIGURE 8]



1
2 **SHARED PARKING.** A parking facility that serves two or more parcels of land or multiple uses
3 under different ownership. A recorded shared parking agreement is generally used.

4 **SHOPPING CENTER.** A grouping of two (2) or more business establishments developed in
5 accordance to an overall plan and designed and built as an interrelated project. Buildings
6 constructed on outlots shall not be considered part of the shopping center unless access and
7 parking easements are provided.

8 **SITE PLAN.** A plan that conforms to the requirements contained in Chapter 1260.

9 **STABLE.** A structure used to keep horses for commercial purposes.

10 **STOOP.** See “FRONTAGE TYPES”.

11 **STORAGE.** The holding or safekeeping of goods to await the happening of some future event or
12 contingency which will call for the removal of the goods.

13 **STOREFRONT.** See “FRONTAGE TYPES”.

14 **STREET.** A public thoroughfare, avenue, road, highway, boulevard, parkway, way, drive, lane
15 or court which affords the principal means of access to abutting property.

16 **STREET, PRIVATE.** A street which is not public.

17 **STREET TYPE.** A classification or typologies for streets that considers the characteristics of
18 vehicle travel (speed and volume), the street’s function in the transportation network (types of
19 travel accommodated: through traffic, cross-town, connections to highways or local), the extent
20 of pedestrian and bicycle accommodation, typical types of land uses served, the design context
21 (block length, building setbacks), and access system design. In many cases, a streets
22 classification may change as it traverses different zoning districts. The following street types are
23 illustrated on the official Street Typology Map:

- a) Expressway: Restricted access divided Interstate and U.S. highways for motor vehicle use only that are typically under the jurisdiction of the State of Michigan or the Federal Highway Administration.
- b) Non-Local Streets:
 1. Activity Corridor: An arterial or major street that traverses an area that typically is designed to promote a multi-modal balance between vehicle, pedestrian and bicycle travel. Such streets may have more frequent traffic signals, a higher level of service of public transit, on-street parking, and more abundant locations for pedestrian crossings to encourage activity along the sidewalks.
 2. Prime Connector: Major collector streets that link higher class streets with local streets. Prime Connector typically traverse residential districts and are designed for moderate traffic speeds and volumes, often with special design features to bicyclists.
 3. Suburban Corridor: A class of arterial or Major Streets that are similar in traffic function as Arterial Corridors, but typically are lined with more suburban style auto-oriented development with lower density and deeper setbacks.
 4. Arterial Corridor: Major Streets that, compared to most other types of streets, are designed accommodate higher volumes of vehicle traffic and often are “cross town” routes that are, or may connect with, state trunklines or roads in adjacent communities. May also be referred to as Principal or Major Arterials.
 5. Neighborhood Connector: Minor residential collector streets that link local streets with higher classes of streets. Neighborhood Connectors are designed for lower traffic volumes and speeds to complement the character of the neighborhoods served. Dedicated bike facilities may be provided.
- c) Local Street: Lowest traffic streets providing access to residents. Lanes are typically unmarked with on-street parking and stop-controlled intersections.

STRUCTURAL ALTERATION. Any change in the supporting members of a building, such as bearing walls, columns, beams or girders, or any substantial changes in the roof and exterior walls.

STRUCTURE. That which is built or constructed, an edifice or building of any kind or any piece of work artificially built up or composed of parts joined together in some definite manner.

STRUCTURE, MINOR. A structure having a replacement cost of not more than \$5,000.00.

STRUCTURE, TEMPORARY. A structure which is located on a lot for less than one year, or, if the structure is connected with a construction activity on a lot, until the construction activity is completed.

SUBSTITUTION. To put in place of another.

TAVERN. See “RESTAURANT: BAR/TAVERN”

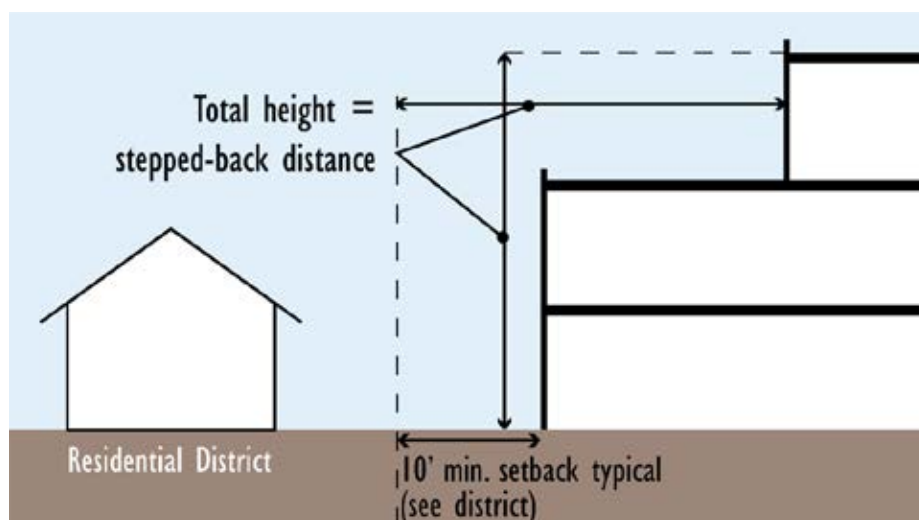
TEMPORARY USE. Any use that is not permitted as a principal use, accessory use or a conditional use in a zoning district, and which is limited in its duration.

TOWNHOUSE. A group of dwellings having party walls with each other and located side by side.

TRAILER. A vehicle with or without motive power, other than a pole-trailer, designed for carrying property or persons and for being drawn by a motor vehicle and so constructed that no part of its weight rests upon the towing vehicle. As defined in this code, trailer is not exclusive of recreational vehicle.

UPPER FLOOR STEPBACKS. For the elevation adjacent to a residential district, (R-1 through R-6) the floors above the second story shall be tiered-back so that the highest point of the building is setback from the adjacent residential district a distance at least equal to the height of the building.

[FIGURE 9]



USE.

- a) Any purpose for which a structure or lot may be designed, arranged, intended, maintained or occupied; or
- b) Any activity, occupation, business or operation carried on in a structure or on a lot.

VERTICAL MIXED-USE. See “MIXED-USE, VERTICAL”.

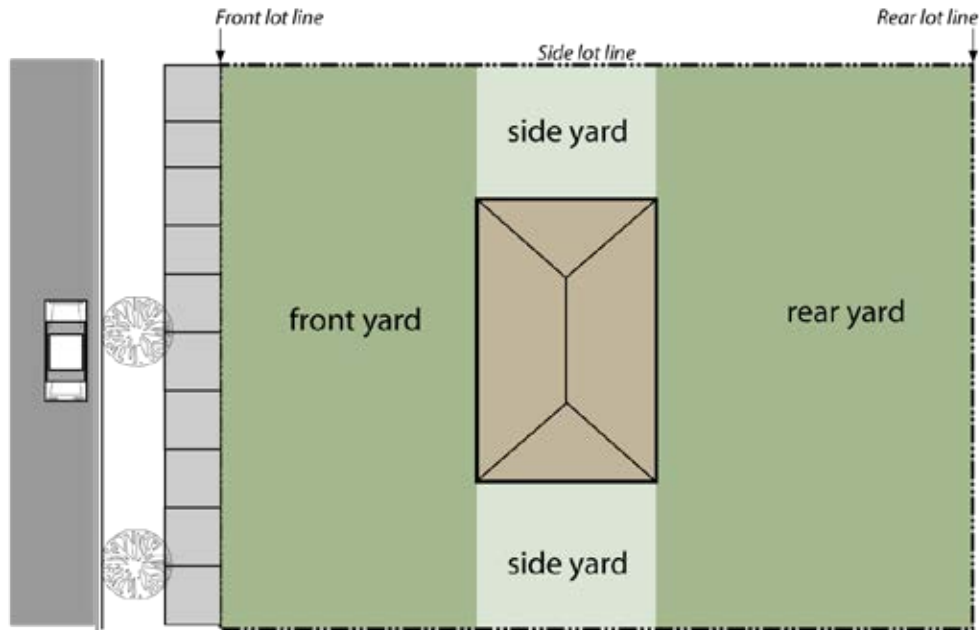
YARD. A space on a lot with a structure, which space is unobstructed and unoccupied from the ground upward, except as occupied or obstructed as permitted in this Zoning Code.

(a) “Front yard” means a yard extending across the full width of a lot between the front lot line of the structure containing the principal use and the front lot line.

(b) “Rear yard” means a yard extending the full width of a lot between the rearmost structure containing the principal use and the rear lot line, the depth of which is the least distance between the rear lot line and the rear of the structure containing the principal use.

(c) “Side yard” means a space within a lot between a side lot line and a structure containing the principal use or an attached accessory structure, whichever is closer to the side lot line. A side yard extends on each side of a lot from the front lot line to the rear lot line of the lot.

[FIGURE 10]



ZONING VARIANCE. A modification of the strict letter of this Zoning Code granted by the Board of Zoning Appeals when, by reason of exceptional conditions, the strict application of this Zoning Code results in peculiar, exceptional or practical difficulties or unnecessary hardship to the owner of the lot.

Chapter 1242

Districts Generally and Zoning Map

1242.01 Establishment of districts

The City is hereby divided into the following zoned districts:

(a) Commercial/Mixed-Use Zones

S-C Suburban Commercial

MX-C Mixed Use Urban Corridor

MX-1 Mixed Use Neighborhood Center

MX-2 Mixed Use Community Center

MX-3 Mixed Use District Center

DT-1 Urban Edge

DT-2 Urban Flex

DT-3 Downtown Core

(b) Residential Zones

R-1 Suburban Residential

R-2 Suburban Residential

R-3 Suburban Residential

R-4 Urban Edge Residential

R-5 Urban Edge Residential

R-6A Urban Residential

R-6B Urban Residential

MFR Multi-family Campus Residential

R-MX Mixed Residential

R-AR Adaptive Reuse Residential

(c) Special District Zones

IND-1 Suburban Industrial

1 IND-2 General Industrial

2 IND-3 Urban Industrial

3 INST-1 Suburban Institutional

4 INST-2 Urban Institutional

5

6 1242.02 Official zoning map

7 (a) The boundaries of the districts described in Section 1242.01 are established as shown
8 upon the official Zoning Map of the City, which Map is incorporated by reference and made a
9 part of this Zoning Code as if fully set out herein.

10 (b) The official Zoning Map shall be kept on file in the office of the Planning Office.

11 (c) Whenever a district boundary is amended pursuant to Chapter 1276, the Planning Office
12 shall, within thirty (30) days, make the correlative change in the official Zoning Map so as to
13 reflect the change of the district boundary.

14 (d) If a territory is annexed to the City, or comes under City jurisdiction for zoning purposes
15 under 1984 PA 425, a map of the annexed or 1984 PA 425 territory shall be prepared by the
16 Planning Office and shall be included as part of the official Zoning Map

17 (e) If a street, alley or public way is vacated, it shall take the zoning of the land to which it is
18 attached, pursuant to Section 227a of Public Act 288 of 1967, as amended, being M.C.L.A.
19 560.227a.

20 (f) A conformed copy of the official Zoning Map shall be made available by the Planning
21 Office to a person requesting a copy, if the person pays a fee set by Council, which fee covers
22 costs involved in preparing the copy.

23

24 1242.03 Street Typologies

25 The Design Lansing Comprehensive Plan identified a hierarchy of street typologies that are
26 codified in this ordinance and shown on the official Street Typology Map (in order from most
27 active street type to least active):

28 a. Non-Local Streets:

29 i. Activity Corridor

30 ii. Prime Connector

31 iii. Suburban Corridor

32 iv. Arterial Corridor

33 v. Neighborhood Connector

34 b. Local Street

1 The Design Lansing Street Typologies map shall be used in conjunction with the zoning map to
2 regulate street design and frontage character.

3
4 1242.04 Interpretation of District Boundaries

5 Where uncertainty exists with respect to the boundaries of any of the districts established in this
6 Ordinance as shown on the zoning map, the following rules shall be applied:

- 7 a. Centerline or Right-of-way of Streets. Where district boundaries are indicated as
8 approximately following the center lines of street or highway rights-of-way, street
9 lines, or highway right-of-way lines, such center lines, street lines, or highway
10 right-of-way lines shall be construed to be such boundaries.
- 11 b. Parallel to Streets. Where district boundaries are so indicated that they are
12 approximately parallel to the center lines of streets or rail rights-of-way, such
13 district boundaries shall be construed as being parallel thereto and at such
14 distances there from as indicated on the zoning map. If no such distance is given,
15 such dimension shall be determined by the use of the scale shown on the zoning
16 map. The Official Zoning Map maintained by the City shall be used to determine
17 such dimensions in the case of any multiple interpretations.
- 18 c. Lot Lines. Where district boundaries are so indicated that they approximately
19 follow the lot lines, such lot lines shall be construed to be such boundaries.
- 20 d. Waterways. Where the boundary of a district follows, or terminates at, a stream,
21 lake, or other body of water, the boundary line shall be deemed to be at the center
22 line of such feature, or terminated at the limit of the adjacent jurisdiction unless
23 otherwise indicated.
- 24 e. Subdivisions. Where the boundary of a district follows a subdivision boundary
25 line, such boundary line shall be construed to be the district boundary line.
- 26 f. Determination. The Board of Zoning Appeals shall make a determination, upon
27 written application or upon its own motion, in those situations where un-zoned
28 property may exist, or where, due to the scale, lack of detail, or illegibility of the
29 zoning map there is any uncertainty, contradiction or conflict as to the intended
30 location of any district boundaries shown thereon or interpretation concerning the
31 exact location of district boundary lines.

Chapter 1243

Commercial Mixed-Use Districts

1243.01 Applicability

- a. The standards of this chapter shall apply to all proposed development within the zoning districts contained herein, and shall be considered in combination with the standards in CHAPTER 1246 – BUILDING TYPES and other applicable chapters of this zoning ordinance. If there is a conflict between any standards, the stricter standards shall apply.
- b. Exempt Expansions. Changes of use to another permitted use or to increase parking to meet the minimum number of spaces required, building maintenance or façade changes that do not alter the building footprint or require site improvements, shall be permitted according to CHAPTER 1260 – SITE PLAN REVIEW, provided that standards of other applicable city codes and ordinances are met.

1243.02 Administration

- a. Site Plan Review. Applications shall be reviewed according to CHAPTER 1260 – SITE PLAN REVIEW.
- b. Incentives.
 - i. Types of Incentives. To promote redevelopment and stimulate reinvestment in the City, the Planning Office may grant additional flexibility or development options where one or more of the Recognized Benefits, listed below, are provided. The following incentives may be granted:
 1. Dimensional Flexibility. Flexibility may be granted of the minimum lot coverage, building frontage, or setbacks provided the resulting layout will not negatively impact nearby residences.
 2. Additional Building Height. The maximum building height may be increased by one additional story.
 3. Reduced Minimum Parking. Reduced parking may be allowed consistent with Section 1254.01.04.

[FIGURE 11]

(1) Incentives →
See above for details

(2) Recognized Benefit
See below for details
↓

	A	B	C
	DIMENSIONAL FLEXIBILITY	BUILDING HEIGHT	REDUCED PARKING
A Open Space	X		
B Low-Impact Development	X		
C Mixed-Use			X
D Green Building	X	X	
E Additional Landscape Elements	X		
F Pedestrian Amenities	X		X
G Shared Access			X
H Shared Parking			X

- ii. Recognized Benefits. Additional building height or flexibility may be granted during the project review when one or more of the following recognized benefits are provided:
1. Open Space. Inclusion of 5% open space above what may be required for the building type. Open space must meet the following standards to be counted toward the minimum requirement:
 - a. Open space may be public or private but must be accessible to the public along with employees or residents or visitors.
 - b. Dimensions, grading and design of the open space shall provide useable area for seating, gathering, recreation or other activities.
 - c. Required open space shall not include wetlands, required setbacks, required landscape areas, water bodies, easements for private roads or overhead utilities, stormwater control facilities as required by Chapter 1219, floodplain area or public right-of-way, provided that where additional public right-of-way is desired by the city, it may be included.
 - d. Required open space shall be functional provided to supplement public space along a sidewalk, provide pedestrian or greenway connections, pocket parks to serve nearby uses, located and designed to terminate views along streets, or otherwise provide an

- amenity that would not be provided in a project that just met minimum code requirements
2. Low Impact Development (LID, e.g. green roof, on-site stormwater retention). Use of alternative stormwater management design that may include green roofs, natural retention systems, porous pavement alternatives, or other energy or water conserving applications above and beyond the requirements of Chapter 1219 - Post-Construction Stormwater Management.
 3. Provision for Mixed-Use. Proposals that include a mix of different but compatible use types within the same building, such as first-floor retail with offices or residential units on upper floors.
 4. Green Buildings. Significant use of sustainable building and site design features such as: water use reduction, water efficient landscaping, innovative wastewater technologies, low impact stormwater management, optimize energy performance, on-site renewable energy, solar heating, reuse/recycled/renewable materials, indoor air quality or other sustainable elements.
 5. Additional Landscape Elements. Exceeding minimum quantities or sizes required in CHAPTER 1252 – LANDSCAPING. Or additional plantings or decorative fence or wall where needed to help reduce impacts on neighboring properties. Native species, larger caliper plantings,
 6. Pedestrian Amenities. Provision of public plazas, walkways or pedestrian-oriented features, such as street trees or benches beyond those required or enhancements to a transit stop, such as a shelter, large pad size or similar improvements endorsed by public transit authority.
 7. Shared Access. Removal of a driveway or use of (not isolated remnant parcels) and shared driveway for access from public streets. This may require an access easement approved by the city attorney.
 8. Shared Public Parking. See Section 1254.01.04 Factors to Permit a Reduction from the Amount of Parking Required
- c. Allowed Flexibility. It is recognized that certain existing site conditions may prohibit full compliance with this Section. The Director of Economic Development and Planning is authorized to approve modifications to the standards of this Section, after considering the criteria and standards below. Any request for relief from a required standard other than those listed below shall be made through the variance procedures set forth in Chapter 1274 – Board of Zoning Appeals.
- i. Criteria for Modification

1. Demonstration by the applicant that there is a unique situation with the property that makes it impractical to fully comply with the standards herein.
 2. The proposed development is consistent with the Design Lansing Comprehensive Plan, as amended.
 3. The proposed development is consistent with the Intent of this District.
 4. The proposed modification will not prevent or complicate logical extensions of streets, infrastructure, parking, open space, or development of adjacent properties.
 5. The modification is the minimum necessary to allow reasonable development that is consistent with the intent of the Zoning Ordinance and the Design Lansing Comprehensive Plan.
 6. The proposed development will not impair public safety.
 7. The modification is not simply for convenience of the development.
 8. The design will not be detrimental to adjacent residential uses.
- ii. Modification Standards
1. Height
 - a. Minimum and maximum height - up to ten percent for any cumulative increase or decrease in building height.
 - b. Clear height – up to ten percent.
 2. Building Placement
 - a. Build-to line – up to one foot.
 - b. Frontage – reduction of up to ten percent of required length.
 - c. Street wall requirements – up to ten percent of the height/fenestration/access gate requirements.
 - i. Upper floor step-backs – up to ten percent.
 - ii. Street wall/fence/screening requirements – up to ten percent.
 3. Architectural Regulations (per Chapter 1246)
 - a. Windows (minimum and maximum fenestration percentage) – up to ten percent.
 - b. Projections (stoops, porches, awnings, balconies) – up to ten percent.
 - c. Required open space – up to ten percent.
 - d. Entrances (maximum average spacing) – up to ten percent increase in spacing.
- d. Conditions and Phasing. Where deemed necessary, the Zoning Administrator, or Planning Board and Council for special uses, as applicable, may:

- i. Require a phasing plan that explains how new development and infrastructure, meeting the requirements of this section, will be constructed, and elements of the site not in compliance will be phased out over time. This may require temporary or permanent easements or commitments through a written agreement and performance guarantee.
- e. Agreement. The City may require a written agreement if flexibility is granted through incentive or to ensure compliance with conditions of approval. An agreement with the City shall be prepared in a form acceptable to the City Attorney that specifies the required improvements, commitments and obligations of the development. The agreement shall specify any recognized benefits provided by the developer, flexibility granted by the City, and maintenance provisions for all site improvement.

1243.03 Commercial Mixed-Use Permitted Uses

In the Commercial Mixed-Use Districts, the following principal uses are permitted. Permitted uses shall be subject to site plan review. Conditional uses shall adhere to the Conditions noted in the Section referenced. Special Land Uses may be permitted by Council in accordance with the procedures and conditions described in CHAPTER 1262 – SPECIAL LAND USE PERMITS if the conditions described in this section for each use are met, and if all Federal, State and local laws are met. Permitted and approved uses may be mixed both horizontally and vertically, subject to conditions and regulations in the district sections that follow.

[FIGURE 12]

City of Lansing Form-Based Code Master Use Table

Revised 1/28/20

P = PRINCIPAL PERMITTED C = CONDITIONAL USE S = SPECIAL LAND USE	SC	MX-C	MX-1	MX-2	MX-3	DT-1	DT-2	DT-3	Conditions
Commercial/Office									
Retail sales and Personal Services	C	C	C	C	C		C	C	Permitted on non-local streets. Permitted on local street only within 50' of a non-local street.
Professional/business offices	P	P	P	P	P	P	P	P	
Animal Hospital	C	C	C	C	C	C	C	C	No kennels
Bank	P	P	P	P	P	P	P	P	
Brewpub	C	C	C	C	C		C	C	Permitted on non-local streets. Permitted on local street only within 50' of a non-local street.
Clinic	C	C	C	C	C	C	C	C	At least one property line abutting and all points of ingress/egress directly to an arterial, suburban or activity corridor.
Funeral Home	C	C	C	C	C	C	C		1. Assembly area for funeral procession shall be provided in addition to off-street parking requirements. 2. At least one property line abutting and all points of ingress/egress directly to an arterial, suburban or activity corridor.
Hotel	P	P		P	P		P	P	
Kennel	C	C	C	C	C		C		1. Structures must be setback at least 50 feet from each adjacent residential lot line. 2. Lot size of at least 3 acres for a kennel having an outside exercise run or treatment area. 3. Outside exercise run or treatment area must be located at least 100 feet from all lots lines and at least 400 feet from an adjacent residential lot line.
Laundromat, dry cleaner	P	P	P	P	P		P		
Mini-golf	P								
Mobile Food Vending (Food trucks and carts)	C	C	C	C	C		C		(TO BE DRAFTED)
Motor vehicle service station	C	C	C	C	C		C		1. The building shall meet the district placement standards. 2. For a building located on a corner lot, the secondary front facade may occupy no less than 50% of the frontage. The remainder of the frontage not occupied by the building shall be screened per the parking standards of the district. 3. The fueling pumps shall be located a minimum of 20 feet behind the build-to line. 4. The canopy over the fueling pumps shall have a roof with the same slope as the principal building. Canopy clearance should not exceed 14' from the ground to the bottom of the canopy. Maximum canopy height is limited to 20'. 5. One access per street frontage however a second access may be approved by city staff upon a finding that the additional access is essential for convenient access, and that the access is spaced adequately and designed to minimize conflicts per Section 1254.01.12. A secondary access drive is permitted for shared access with adjacent parcels.
Nursery, commercial greenhouse	C	C					P		1. The lot on which the nursery or commercial greenhouse is located contains not less than three (3) acres. 2. The lot on which the nursery or commercial greenhouse is located has not less than one property line which abuts and has primary access to a major or minor arterial. 3. The outdoor storage of landscape materials, other than plants, shall be screened from view of all public right-of-ways and residential parcels of land by a six (6) foot high opaque wood or vinyl fence, decorative screen wall or landscaped berm.

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City of Lansing Form-Based Code Master Use Table

Revised 1/28/20

P = PRINCIPAL PERMITTED C = CONDITIONAL USE S = SPECIAL LAND USE	SC	MX-C	MX-1	MX-2	MX-3	DT-1	DT-2	DT-3	Conditions
Parking structure	C	C		C	C		C	C	1. Parking structures are encouraged to be lined on exterior elevations by non-parking uses. 2. On Activity Corridors, the first floor shall have a minimum depth of 20 feet to be occupied by commercial uses permitted in the district. 3. Access drives shall be permitted on the ground level, provided they are collectively no more than 25% of the frontage. 4. The facade of the parking structure shall be integrally designed with the architecture of the overall building, utilize the same building materials, provide an architectural treatment at the top of the structure, such as a cornice, and have wall openings with proportions that comply with the fenestration requirements in Section 1246.04 5. New parking structures shall be designed with a upper story minimum clear height of 9'.
Restaurant, bar, tavern	C	C	C	C	C		C	C	Permitted on non-local streets. Permitted on local street only within 50' of a non-local street
Studio (dance, health, music, etc)	P	P	P	P	P	P	P	P	
Vehicle sales, vehicle leasing, and other outdoor sales facility	C	C	C	C	S		S		1. The area of the lot on which the items described in this subsection are located shall be covered with Portland cement or asphaltic concrete. 2. Each point of vehicular ingress and egress to the lot shall be not less than sixty feet from the intersection of any two streets. 3. Any repair or refinishing which is done on the lot shall be done within the confines of an enclosed structure. 4. Lighting shall be confined within and directed onto the parking area only. 5. The portion of the lot on which the items described in this subsection are located shall have a buffer zone of at least eight (8) feet from all lot lines adjacent to the public right-of-way, excluding approved driveways, and any residentially zoned property. The buffer zone shall be landscaped, screened and buffered in accordance with the requirements of Section 1252.09 6. In MX-3, the storage of vehicles in the front is limited to one (1) single loaded bay.
Drive-thru, as accessory use	C	C	C	C	C	S	S		1. The drive-thru window shall be on the side or rear of the building. The side of the building with the drive-thru lane shall be setback a minimum of twenty five (25) feet from any lot line. 2. The site will be adjacent to a Suburban Corridor, Arterial Corridor, Prime Connector, or Activity Corridor and all points of ingress and egress shall be directly onto one of the aforementioned street types. 3. Adequate waiting or standing areas for vehicles shall be provided on-site so that no vehicle is required to wait, stand, or be stored within a right-of-way, in accordance with the parking requirements of Chapter 1254. 4. Methods to minimize the impact of noise from outdoor speakers on adjacent residential are required.
Residential Uses									
Single-Family detached						P			
Two-Family dwelling						P			
Multi-Family dwelling	P	P	P	P	C	P	P	P	For MX-3, ground floor multiple family dwelling not permitted on Activity Corridor and Arterial Corridor street types.
Mobile Home									
Bed and Breakfast						P	P		Must be the principal residence of the owner and the owner shall live on the premises when in operation. Must provide one surfaced off-street parking spot per guest room in addition to standard parking for residence.

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City of Lansing Form-Based Code Master Use Table

Revised 1/28/20

P = PRINCIPAL PERMITTED C = CONDITIONAL USE S = SPECIAL LAND USE	SC	MX-C	MX-1	MX-2	MX-3	DT-1	DT-2	DT-3	Conditions
Human Care Facilities									
Adult Day Care Facility						P	P		
AFC small group home (≤ 12)						P	P		
AFC large group home (13-20)						S	S		
Child Care centers, preschools, and commercial day care	C	C	C	C	C	C	C		At least one property line abutting an arterial, suburban or activity corridor
Group Day Care Home (7-12 children, <24 hours/day)	C	C	C	C	C	C	C		1. The facility provides and maintains on the lot not less than 900 square feet of outdoor play space. 2. The use of the structure as a group day care home shall be clearly incidental to the principal residential use. 3. One person, other than a member of the family residing in the dwelling, may be employed, so long as that person is not the primary caregiver. 4. No change occurs in the outside appearance of the dwelling. 5. No signs are permitted. 6. The outdoor play space shall be fenced. This requirement can be waived by approval of the Planning Office if the specified outdoor area is common open space shared with other dwelling units.
Institutional									
Places of Assembly	S	S	S	S	S	S	S	S	
Hospital	C	C	C	C	C	C	C	C	At least one property line abutting an arterial, suburban or activity corridor
Museum						P	P	P	
Library	P	P	P	P	P	P	P	P	
Schools			C		C	C	C		All education facilities, except elementary or middle schools, must have at least one property line abutting and all points of ingress/egress directly to an arterial, suburban or activity corridor
Trade school	C	C	C	C	C	C	C	C	
Park, open space, plaza	P	P	P	P	P	P	P	P	
Industrial									
Cleaning, processing, servicing, or repair of any product							P		
Lumber yards							P		
Manufacture of already processed components (bakeries, cosmetics, candies, etc)							P		
Manufacture of toys, furniture, appliances, etc							P		
Metal forming							C		
Motor vehicle repair station	P						S		
Production of consumer goods, with 20% GFA retail sales	P			P			P		
Research laboratory	S	S	S	S	S	S	P		
Wholesale and warehouse uses							S		
Adult Business Uses	S	S		S					See 1250.02.11

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2 Accessory uses customarily incidental to any of the above principal uses are allowed provided

3 the Zoning Administrator may require additional parking or compliance with other standards

4 upon a determination that such use may impact site operations beyond that of the Principal Use.

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1243.04 S-C Suburban Commercial

[FIGURE 13]



1243.04.01 S-C INTENT

The purpose and intent of the S-C Suburban Commercial district is to provide a location for suburban style commercial developments that rely largely on customers arriving by vehicle. Development is characterized by larger single-tenant or strip style commercial development with ample parking and setbacks from adjacent roads. Development in this district is less integrated with others, so screening, setbacks and transitions from residential districts are needed to ensure uses blend into the surroundings. However, a mixture of uses both vertically and horizontally is still encouraged, including multi-family residential, commercial, and 36 service-oriented land uses.

1243.04.02 S-C BUILDING TYPES

The following building types are required to meet the intent of this district. The table at right shows which building types are required along the various street types in this district. Architectural regulations and Building Types are further described 44 in CHAPTER 1246 – BUILDING TYPES.

[FIGURE 14]

SUGGESTED BUILDING TYPE	S-C STREET TYPE				
	ARTERIAL CORRIDOR	SUBURBAN CORRIDOR	PRIME CONNECTOR	NEIGHBORHOOD CONNECTOR	LOCAL
Attached Residential	X	X	X	X	X
Urban Mixed-Use	X	X	X	X	-
Parking Structure	X	X	X	X	-
Suburban Commercial	X	X	X	-	-
Suburban Office Research	-	X	X	X	-
Gas & Service Stations	X	X	X	X	-

1243.04.03 S-C SITE LAYOUT REQUIREMENTS

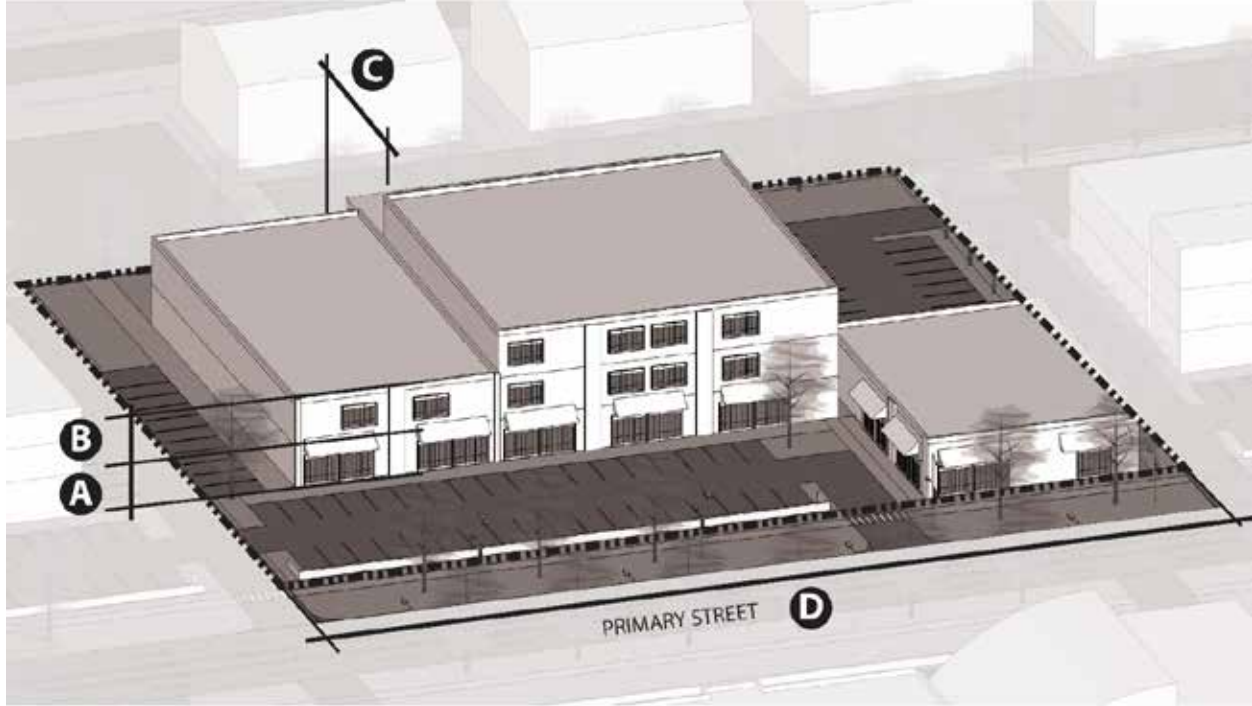
(a) BUILDING MASSING

- A. Minimum Height 16' 1 story
- B. Maximum Height 40' 3 stories

See Section 1250.03.02 for height exceptions

- C. Required Upper floor Step-Backs - when adjacent to R-1 through R-6 districts - For the elevation adjacent to a residential district, the floors above the second story shall be tiered- back so that the highest point of the building is setback from the adjacent residential district a distance at least equal to the height of the building.
- D. Minimum Frontage, Primary Street - 0%
- E. Minimum Frontage, Secondary Street - 0%

[FIGURE 15]



(b) BUILDING PLACEMENT

F. Build-to line (from street to curb)

- a. Suburban Corridor. An additional 70' of setback for a double-loaded aisle of parking or 50' setback for a single-loaded aisle of parking is permitted.
- b. Activity Corridor or Prime Connector. 30' build-to line from curb. An additional 10-20' may be allowed (with approval) for outdoor public space.

G. Minimum Side Setback - 0' when adjacent to another S-C zone; otherwise 10'

H. Minimum Rear Setback - 10' building

I. Minimum Setback from Adjacent Residential Districts –

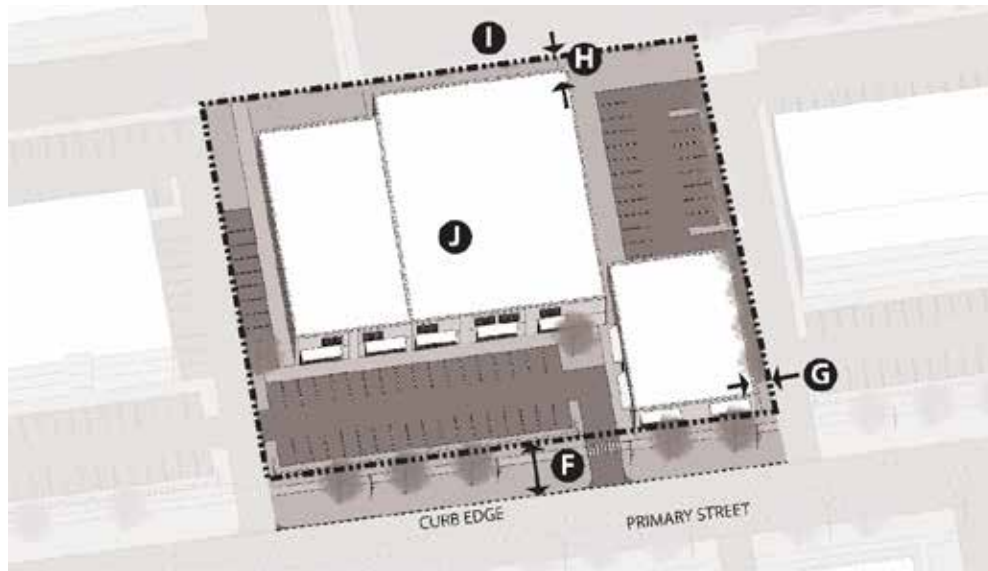
- a. Width equal to rear setback of adjacent residential district
- b. 6' opaque screenwall / fencing required along edge of residentially zoned or used property.

J. Maximum Lot Coverage 75%

See Section 1250.04.01 for placement of accessory buildings.

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[FIGURE 16]



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3 (c) PARKING

4 Allowed Surface Parking Locations - Front, side or rear yards; max. Front yard parking limited
5 to one double- loaded bay of parking.

6 K. Side and Rear Parking Lot Setback / Screening - 8' landscape buffer.

7 L. Front Parking Lot Setback / Screening - 8' landscape buffer which may be reduced to 5'
8 with a 3' masonry knee wall at Build-to line

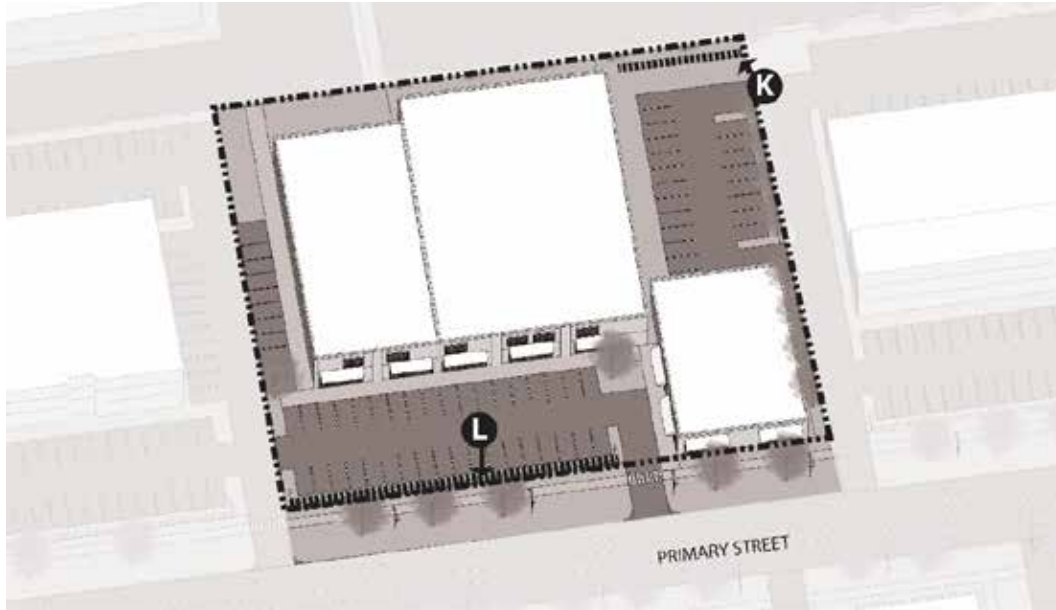
9 Required Parking Spaces - Parking per Chapter 1254; Section 1254.01.04 for parking reductions

10 Loading Bays - Not permitted in front yard; See Section 1254.01.17

11 Truck turning templates and access to loading must be delineated on site plan

12

[FIGURE 17]



See also CHAPTER 1250 GENERAL PROVISIONS.

1243.05 MX-C Mixed Use Urban Corridor

[FIGURE 18]



1243.05.01 MX-C INTENT

The purpose and intent of the MX-C Mixed Use Urban Corridor district is to provide for a vertical and horizontal mix of uses, typically with retail or commercial space on the ground floor and office or residential uses on upper floors. Development is characterized by buildings located closer to the street to promote walking and biking, and to create a character that is more “place” based than auto-oriented. However, in recognition of the Arterial and Suburban corridors that dominate the district frontages, this district is likely to contain some single-use buildings, so some variation in development is expected.

1243.05.02 MX-C BUILDING TYPES

The following building types are suggested to meet the intent of this district. The table at right shows which building types are suggested along the various street types in this district. Architectural regulations and Building Types are further described in CHAPTER 1246 – BUILDING TYPES.

[FIGURE 19]

SUGGESTED BUILDING TYPE	STREET TYPE					
	ARTERIAL CORRIDOR	SUBURBAN CORRIDOR	ACTIVITY CORRIDOR	PRIME CONNECTOR	NEIGHBORHOOD CONNECTOR	LOCAL
Attached Residential	X	X	X	X	X	X
Urban Mixed-use	X	X	X	X	X	-
Suburban Commercial	X	X	-	X	-	-
Gas & Service Stations	X	X	-	X	X	-
Parking Structure	X	X	X	-	-	-

1243.05.03 MX-C SITE LAYOUT REQUIREMENTS

(a) BUILDING MASSING

- A. Minimum Height 25' 1 story

B. Maximum Height 60' 5 stories

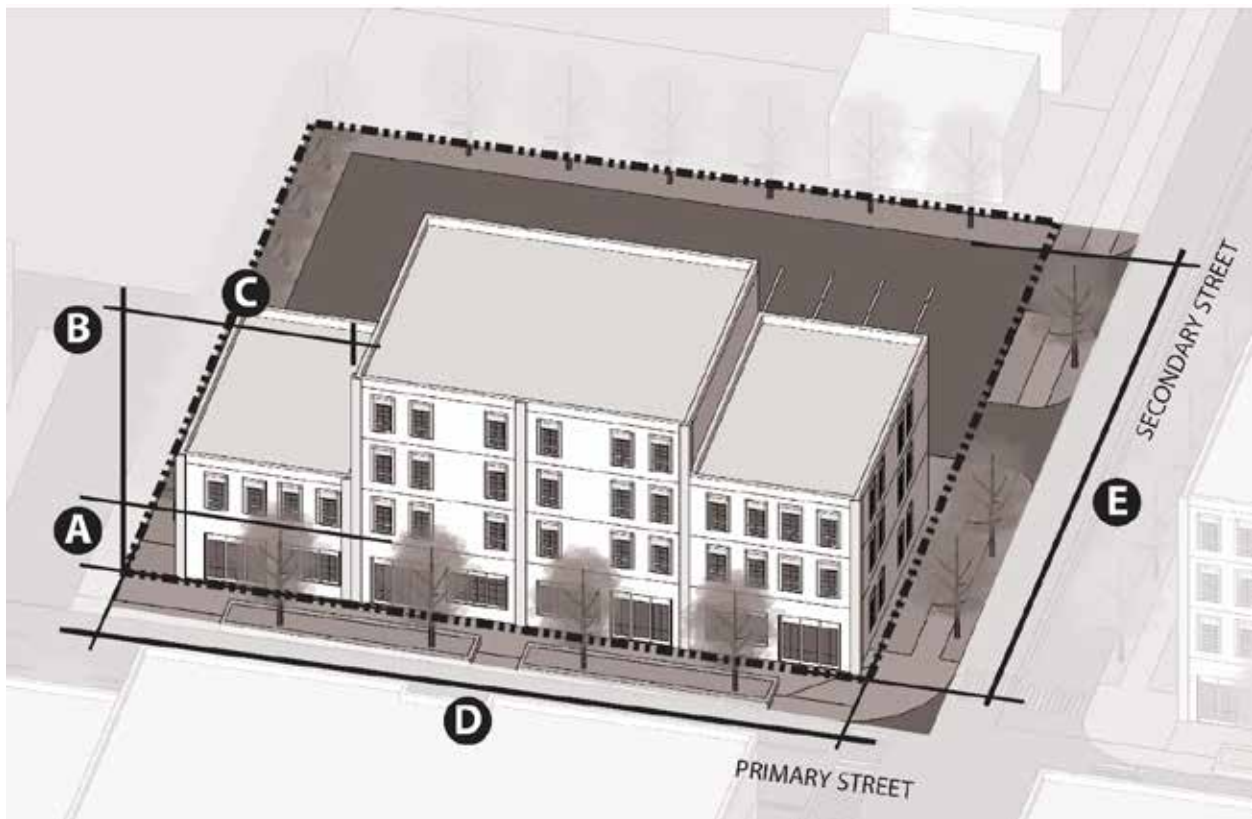
See Section 1250.03.02 for height exceptions

C. Required Upper floor Step-Backs - when adjacent to R-1 through R-6 districts:
For the elevation adjacent to a residential district, the floors above the second story shall be tiered-back so that the highest point of the building is setback from the adjacent residential district a distance at least equal to the height of the building.

D. Minimum Frontage, Primary Street 75%

E. Minimum Frontage, Secondary Street 25%

[FIGURE 20]



(b) BUILDING PLACEMENT

F. Build-to-Line shall be five (5) feet, as measured from the inside edge of the public sidewalk. The Zoning Administrator may approve:

1. A setback of ten (10) feet from the inside edge of the sidewalk, provided that the additional space is dedicated to outdoor seating and/or public art.
2. A setback of zero (0) feet from the inside edge of the sidewalk, provided that the existing or proposed sidewalk is at least ten (10) feet in width.

3. A setback equal to the average setback of 50% of the buildings to be retained within the blockface. The applicant shall provide a map with those measurements.

G. Minimum Side Setback 0'

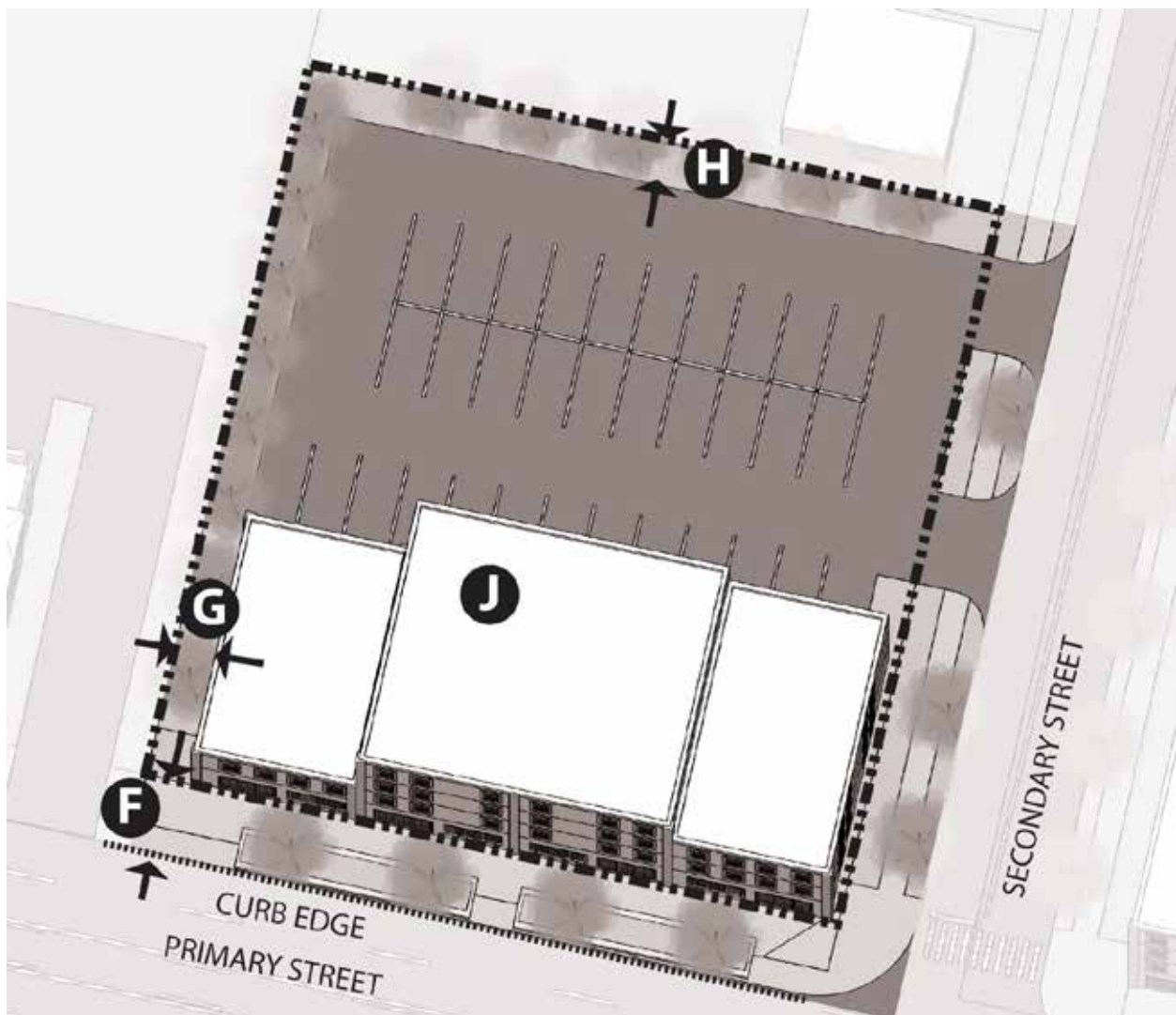
H. Minimum Rear Setback 10' building

I. Minimum Setback from Adjacent R-1 through R-6 districts - 25'

J. Maximum Lot Coverage 80%

See Section 1250.04.01 for placement of accessory buildings.

[FIGURE 21]



(c) PARKING

Allowed Surface Parking Locations: Municipal Parking, On-Street Parking, On-site: Side or rear yard, One bay of front yard only on Suburban and Arterial Corridors

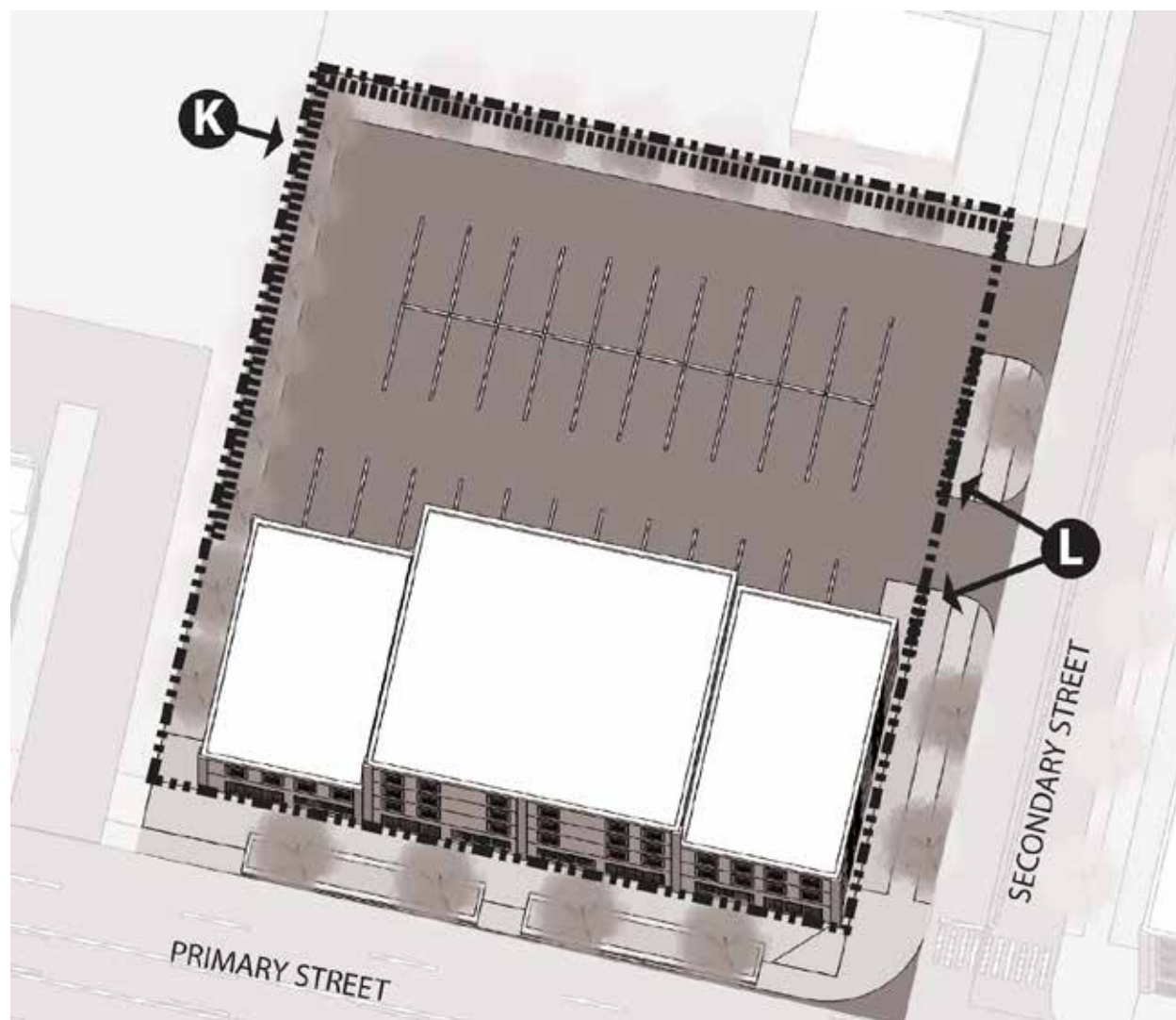
K. Side and Rear Parking Lot Setback / Screening - 8' landscape buffer. Rear OR Side setback may be reduced to 5' with 6' opaque fence or screen wall when adjacent to R-1 through R-6 districts

L. Front Parking Lot Setback / Screening - 8' landscape buffer which may be reduced to 5' with a 3' masonry knee wall at Build-to Line.

Required Parking Spaces: No parking required if adequate on-street and municipal parking is available, Section 1254.01.04 for parking reductions

Parking Incentives / Bonuses - Shared parking, cross-access, driveway removal

[FIGURE 22]



See also CHAPTER 1250 GENERAL PROVISIONS.

1243.06 MX-1 Mixed-Use Neighborhood Center

Illustrative example of the intent of this district:

[FIGURE 23]



1243.06.01 MX-1 INTENT

The purpose and intent of the MX-1 Mixed-Use Neighborhood Center district is to provide for a vertical and horizontal mix of uses, typically with retail or commercial space on the ground floor and office or residential uses on upper floors. Development is characterized buildings located closer to the street to promote walking and biking, and to create a character that is more “place” based than auto-oriented. Development in this district needs to be appropriately scaled to adjacent residential areas.

1243.06.02 MX-1 BUILDING TYPES

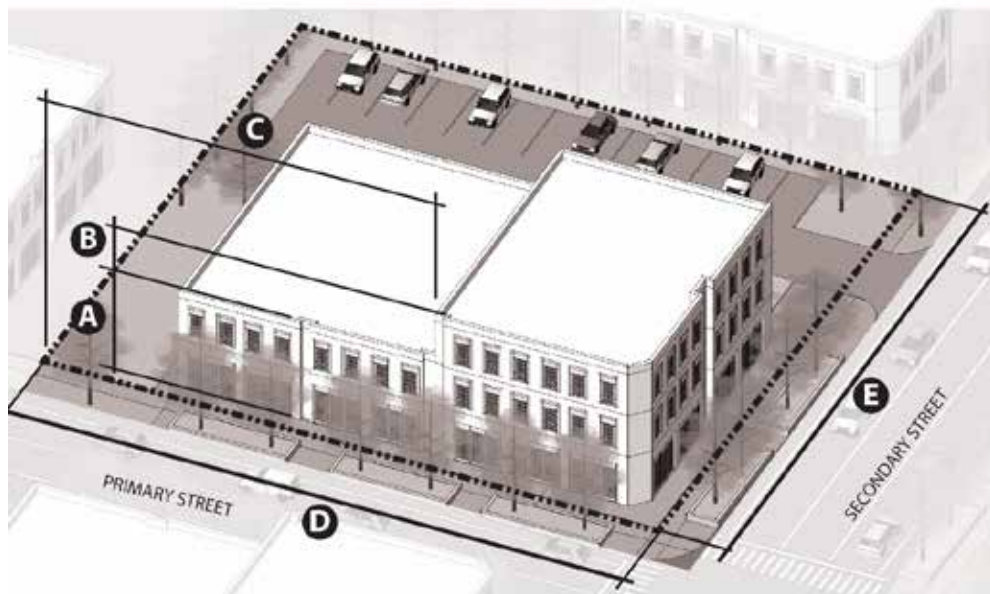
The following building types are suggested to meet the intent of this district. The table below shows which building types are suggested along the various street types in this district. Architectural regulations and Building Types are further described in CHAPTER 1246 – BUILDING TYPES.

[FIGURE 24]

ALLOWED BUILDING TYPE	STREET TYPE					
	ARTERIAL CORRIDOR	SUBURBAN CORRIDOR	ACTIVITY CORRIDOR	PRIME CONNECTOR	NEIGHBORHOOD CONNECTOR	LOCAL
Multiplex	X	X	-	X	X	X
Townhouse	-	-	-	X	X	X
Flats / Lofts	-	-	-	X	X	X
Storefront Mixed-Use	X	X	X	X	X	-
Urban Office	-	-	-	X	X	X
Gas & Service Stations	X	X	-	X	X	-

1243.06.03 MX-1 SITE LAYOUT REQUIREMENTS

[FIGURE 25]

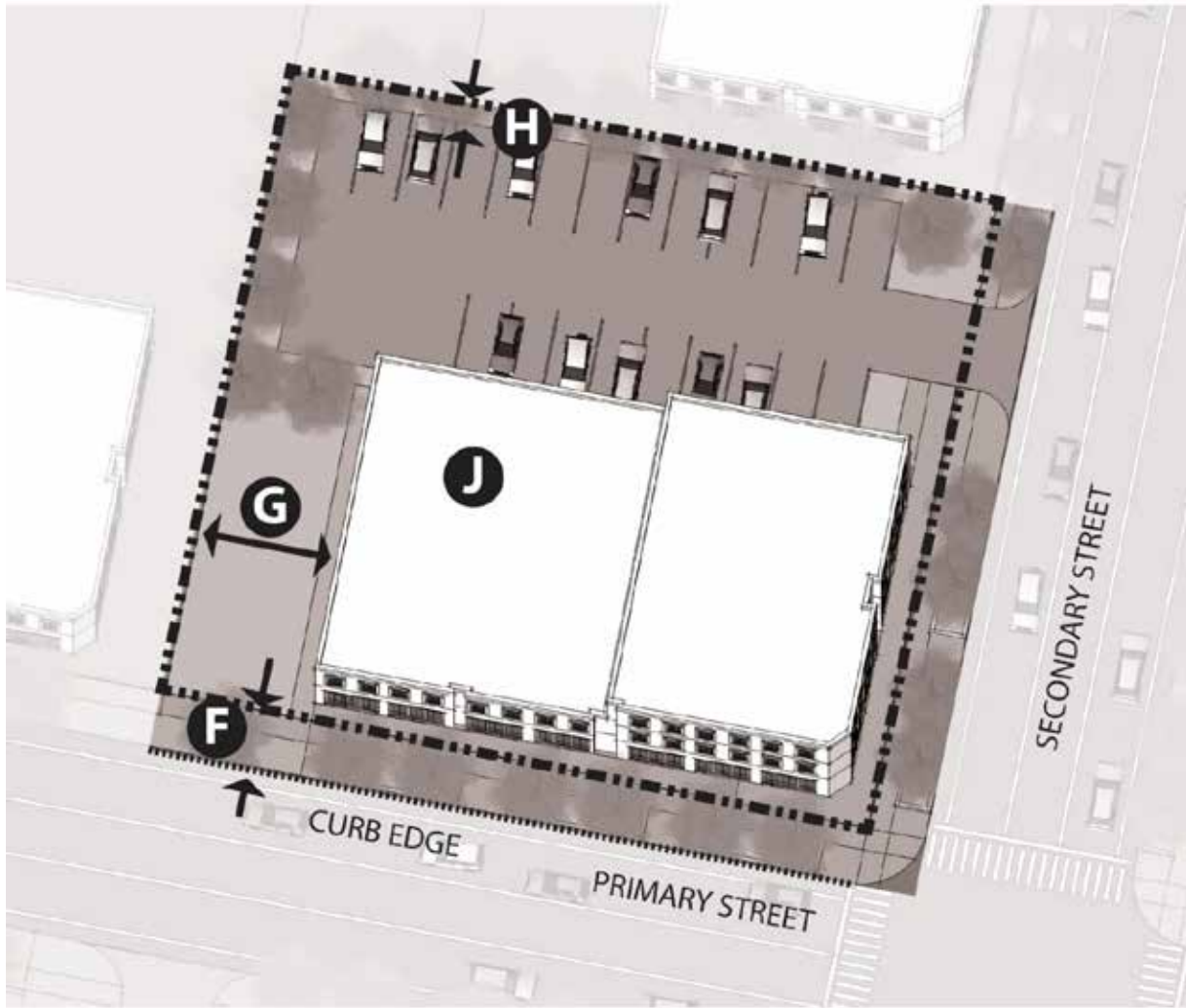


1 (a) BUILDING MASSING

(a) BUILDING MASSING			
A. Minimum Height		25'	1 story
B. Maximum Height		40'	3 stories
See Section 1250.03.02 for height exceptions			
C. Required Upper floor Step-Backs - when adjacent to R-1 through R-6 districts		For the elevation adjacent to a residential district, the floors above the second story shall be tiered-back so that the highest point of the building is setback from the adjacent residential district a distance at least equal to the height of the building.	
D. Minimum Frontage, Primary Street		75%	
Entrances	Arterial Corridor	Primary entrance must face frontage, unless site also fronts Prime Connector or Neighborhood Connector	
	Suburban Corridor		
	Prime Connector	At least one entrance must face primary frontage.	
	Neighborhood Connector		
E. Minimum Frontage, Secondary Street		25%	
Required Corner Massing		When site is a corner lot, the primary and secondary frontages at the corner must be occupied by building elevations for the first 20 feet of each frontage from the corner.	

1 See CHAPTER 1246 – BUILDING TYPES for dimensional standards

2 [FIGURE 26]

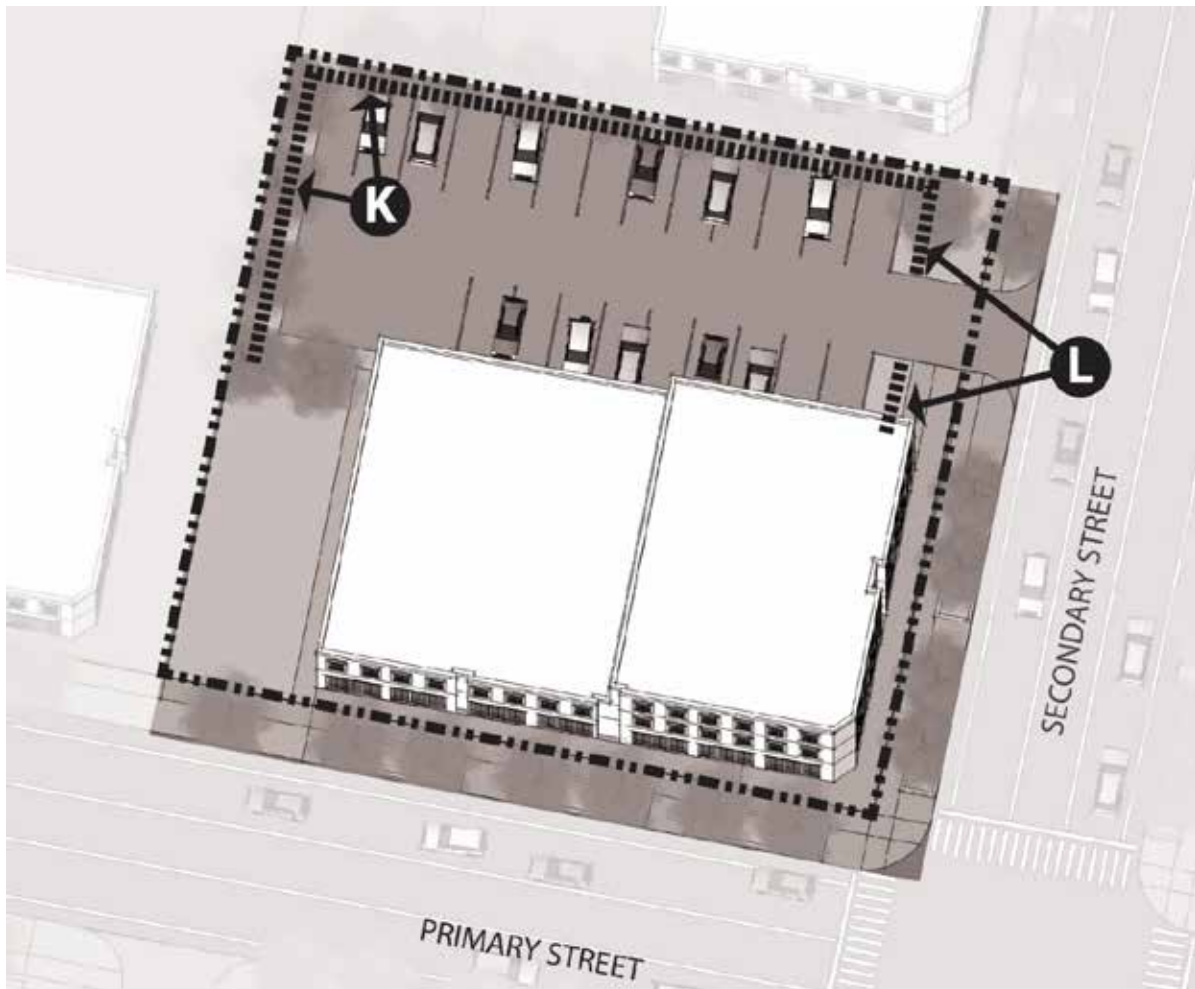


3
4 (b) BUILDING PLACEMENT

(b) BUILDING PLACEMENT	
F. Build-to line	Five (5) feet, as measured from the inside edge of the public sidewalk. The Zoning Administrator may approve: 1. A setback of ten (10) feet from the inside edge of the sidewalk, provided that the additional space is dedicated to outdoor seating and/or public art. 2. A setback of zero (0) feet from the inside edge of the sidewalk, provided that the existing or proposed sidewalk is at least ten (10) feet in width. 3. A setback equal to the average setback of 50% of the buildings to be retained within the blockface. The applicant shall provide a map with those measurements.

G. Minimum Side Setback	0'
H. Minimum Rear Setback	10' building
I. Minimum Setback from Adjacent R-1 through R-6 districts	25'
J. Maximum Lot Coverage	85%

[FIGURE 27]



1 (c) PARKING

(c) PARKING		
K. Allowed Surface Parking Locations	Arterial	Side or rear yards with one row in front yard
	Suburban	Front, side and rear yards
	Prime Connector	On-street and rear yard
	Neighborhood Connector	Side or rear yards
L. Side and Rear Parking Lot Setback / Screening when adjacent to R-1 through R-6 districts		6' landscape buffer. Rear OR Side setback may be reduced to 5' with 3' opaque masonry wall
Front Parking Lot Setback / Screening		8' landscape buffer which may be reduced to 5' with a 3' masonry knee wall at Build-to Line.
Required Parking Spaces	85% of parking required per Chapter 1254	
	Section 1254.01.04 for parking reductions	
Parking Incentives / Bonuses		Shared parking, cross-access, driveway removal

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1243.07 MX-2 Mixed-Use Community Center

Illustrative example of the intent of this district

[FIGURE 28]



1243.07.01 MX-2 INTENT

The purpose and intent of the MX-2 Mixed-Use Community Center district is to provide for both a horizontal and vertical mix of uses, typically with retail or commercial space on the ground floor and office or residential uses on upper floors. Development is characterized by buildings located closer to the street to promote walking and biking, and to create a character that is more “place” based than auto-oriented. Taller buildings and less required parking are allowed in this district to create the density needed to help support the urban places within the district. Development in this district needs to maintain a consistency in character and form with adjacent sites to create the type of neighborhood centers desired.

1243.07.02 MX-2 BUILDING TYPES

The following building types are suggested to meet the intent of this district. The table below shows which building types are suggested along the various street types in this district. Architectural regulations and Building Types are further described in CHAPTER 1246 – BUILDING TYPES.

1

[FIGURE 29]

SUGGESTED BUILDING TYPE	STREET TYPE					LOCAL
	ARTERIAL CORRIDOR	SUBURBAN CORRIDOR	ACTIVITY CORRIDOR	PRIME CONNECTOR	NEIGHBORHOOD CONNECTOR	
Attached Residential	-	-	-	X	X	X
Urban Mixed-use	X	X	X	X	X	X
Parking Structure	X	X	**	X	X	X
Gas & Service Stations	X	X	-	X	X	-

*****First floor must be lined with non-parking uses. See Section 1243.03***

2

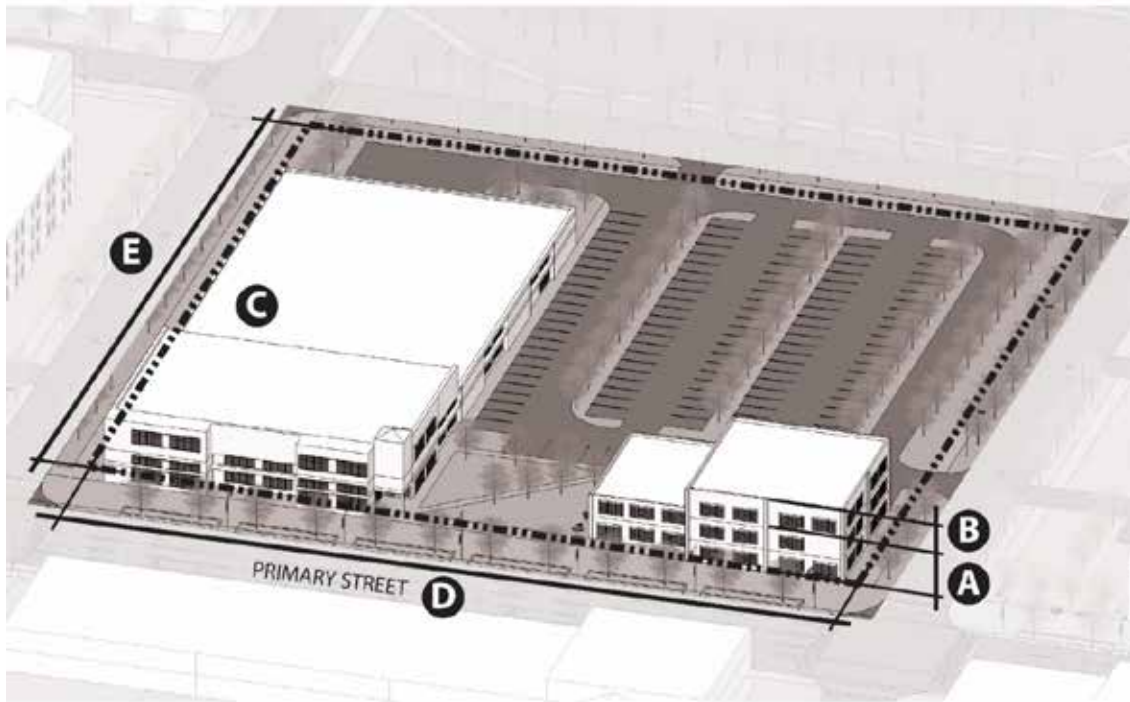
3

**First floor must be lined with non-parking uses. See Section 1243.03

4

1 1243.07.03 MX-2 SITE LAYOUT REQUIREMENTS

2 [FIGURE 30]

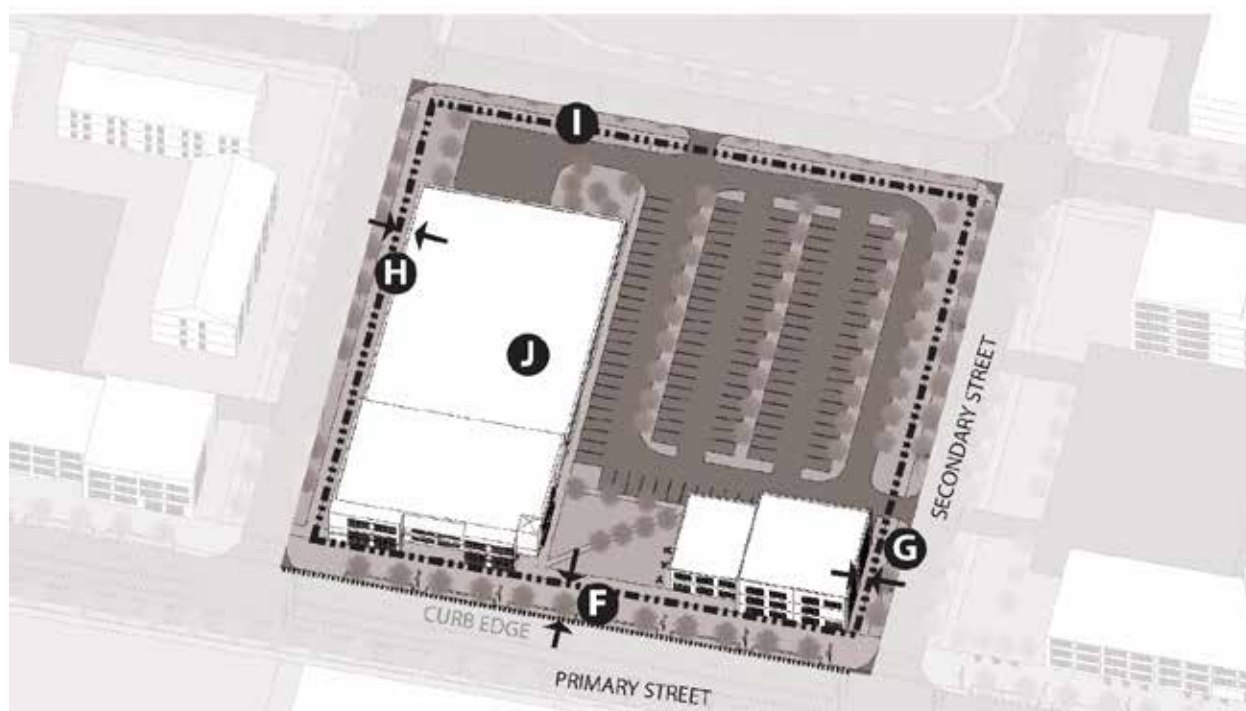


3
4 (a) Building Massing

(a) BUILDING MASSING			
A. Minimum Height		25'	2 stories
B. Maximum Height	Arterial Corridor	60'	5 stories
	Activity Corridor	60'	5 stories
	Prime Connector	40'	3 stories
	Neighborhood Connector	40'	3 stories
	Local Street	40'	3 stories
C. Required Upper floor Step-Backs - when adjacent to R-1 through R-6 districts		For the elevation adjacent to a residential district, the floors above the second story shall be tiered-back so that the highest point of the building is setback from the adjacent residential district a distance at least equal to the height of the building.	

D. Minimum Frontage, Primary Street	75%
E. Minimum Frontage, Secondary Street	25%
Required Corner Massing	When site is a corner lot, the primary and secondary frontages at the corner must be occupied by building elevations for the first 20 feet of each frontage from the corner.

[FIGURE 31]

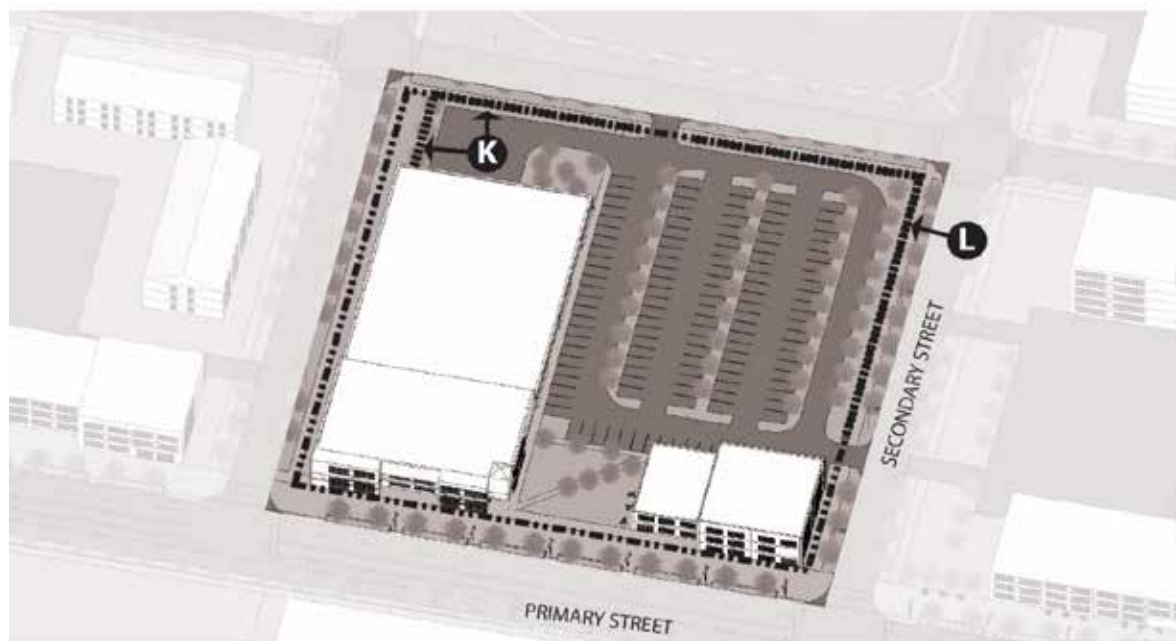


(b) Building Placement

(b) BUILDING PLACEMENT	
F. Build-to line	Five (5) feet, as measured from the inside edge of the public sidewalk. The Zoning Administrator may approve: 1. A setback of ten (10) feet from the inside edge of the sidewalk, provided that the additional space is dedicated to outdoor seating and/or public art. 2. A setback of zero (0) feet from the inside edge of the sidewalk, provided that the existing or proposed sidewalk is at least ten (10) feet in width. 3. A setback equal to the average setback of 50% of the buildings to be retained within the blockface. The applicant shall provide a map with those measurements.

G. Minimum Side Setback	0'
H. Minimum Rear Setback	10' building
I. Minimum Setback from Adjacent Residential Districts	25'
J. Maximum Lot Coverage	80%

[FIGURE 32]



(c) Parking

(c) PARKING	
Allowed Surface Parking Locations	Municipal Parking On-Street Parking On-site: Side or rear yard
Side and Rear Parking Lot Setback / Screening when adjacent to R-1 through R-6 districts	6' landscape buffer. Rear OR Side setback may be reduced to 5' with 3' opaque masonry wall

K. Front Parking Lot Setback / Screening	8' landscape buffer which may be reduced to 5' with a 3' masonry knee wall at Build-to Line.
Required Parking Spaces	No parking required if adequate on-street and municipal parking is available
	Section 1254.01.04 for parking reductions
Parking Incentives / Bonuses	Shared parking, cross-access, driveway removal

1243.08 MX-3 Mixed-Use District Center

[FIGURE 33]



Illustrative example of the intent of this district

1243.08.01 MX-3 INTENT

The intent and purpose of the MX-3 Mixed-Use District Center district is to provide primarily a vertical mix of uses with higher density residential. Ground floor uses should be active and pedestrian focused. Development in this district is characterized by tall buildings lining urban streets near the City core. This district is intended to be one of the City's most walkable and higher density areas because of its proximity to downtown.

1243.08.02 MX-3 BUILDING TYPES

The following building types are suggested to meet the intent of this district. The table at right shows which building types are suggested along the various street types in this district. Architectural regulations and Building Types are further described in CHAPTER 1246 – BUILDING TYPES.

[FIGURE 34]

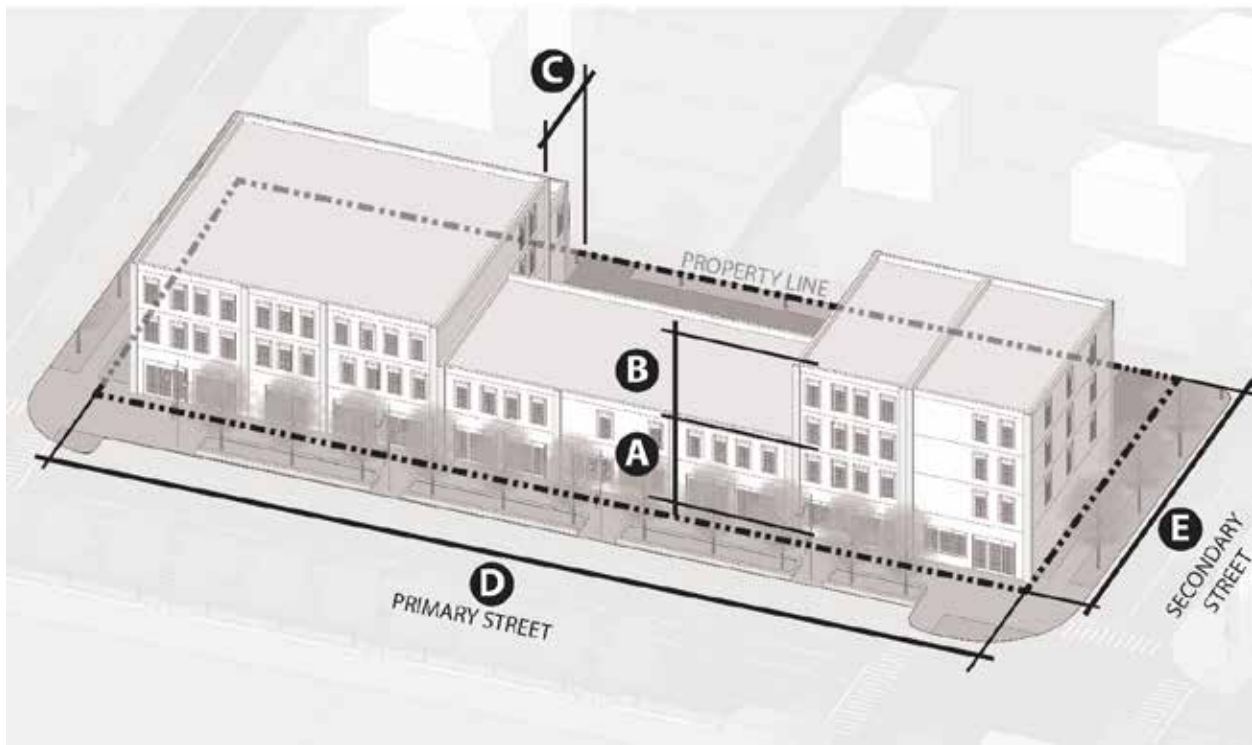
SUGGESTED BUILDING TYPE	STREET TYPE					
	ARTERIAL CORRIDOR	SUBURBAN CORRIDOR	ACTIVITY CORRIDOR	PRIME CONNECTOR	NEIGHBORHOOD CONNECTOR	LOCAL
Attached Residential	-	-	-	-	X	X
Urban Mixed-use	X	X	X	X	X	X
Parking Structure	X	X	**	X	X	X
Gas & Service Stations	X	-	-	-	-	-

****First floor must be lined with non-parking uses. See Section 1243.03**

****First floor must be lined with non-parking uses. See Section 1243.03**

1 1243.08.03 MX-3 SITE LAYOUT REQUIREMENTS

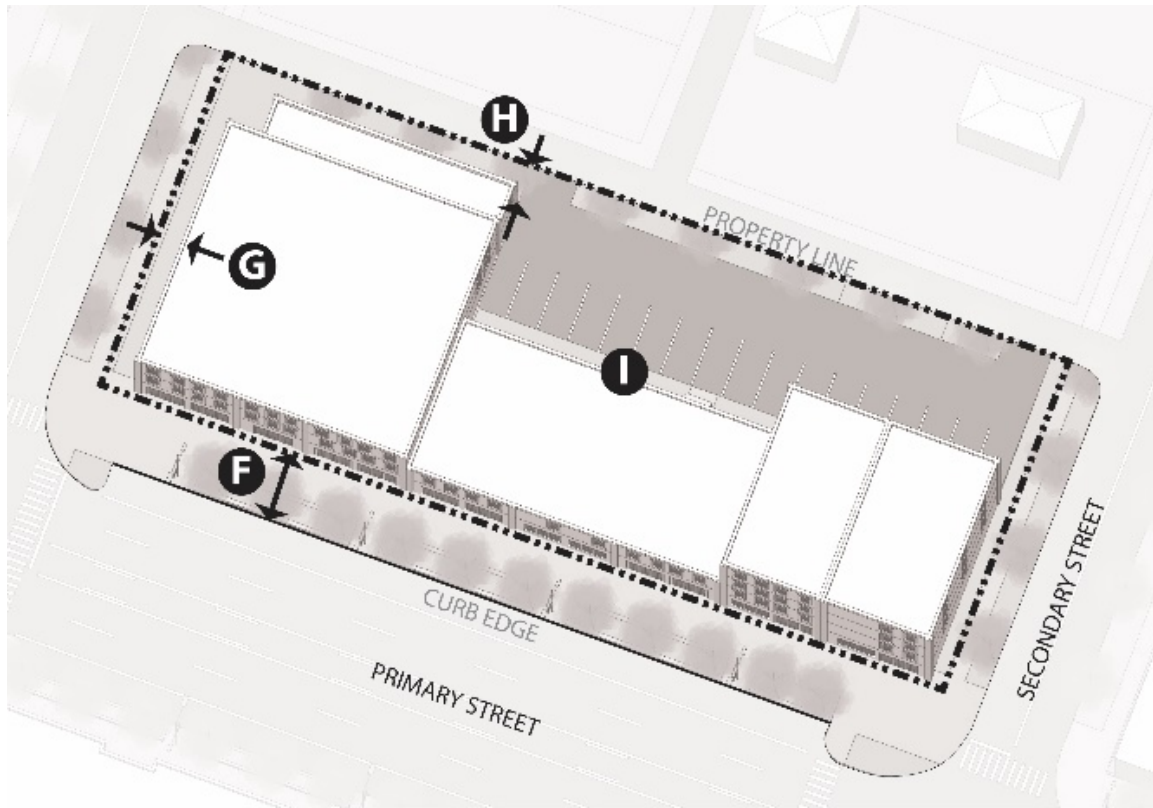
2 [FIGURE 35]



3
4 (a) Building Massing

(a) BUILDING MASSING		
A. Minimum Height	25'	2 stories
B. Maximum Height	80'	6 stories
C. Required Upper floor Step-Backs - when adjacent to R-1 through R-6 districts	For the elevation adjacent to a residential district, the floors above the second story shall be tiered-back so that the highest point of the building is setback from the adjacent residential district a distance at least equal to the height of the building.	
D. Minimum Frontage, Primary Street	85%	
E. Minimum Frontage, Secondary Street	75%	
Required Corner Massing	When site is a corner lot, the primary and secondary frontages at the corner must be occupied by building elevations for the first 20 feet of each frontage from the corner.	

1 [FIGURE 36]

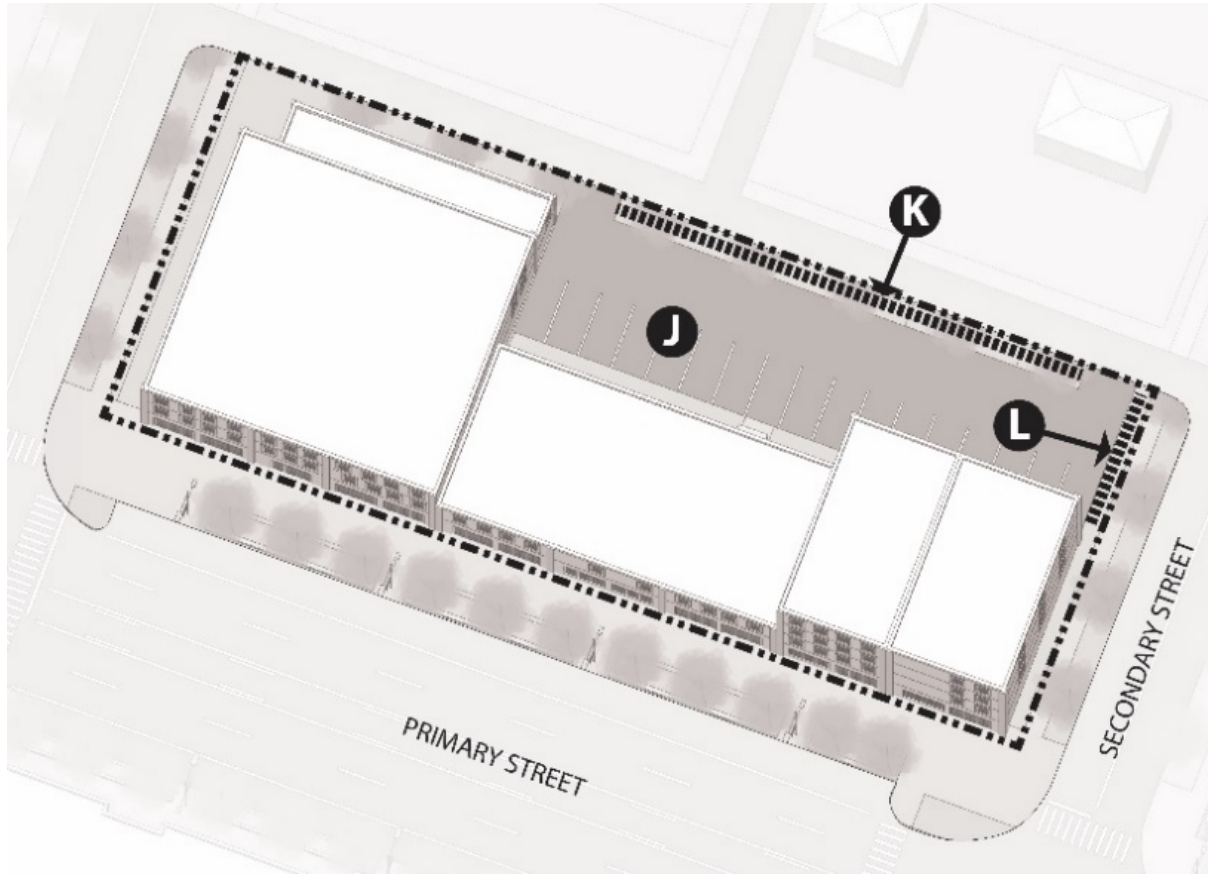


2
3 (b) Building Placement

(b) BUILDING PLACEMENT	
F. Build-to line	Five (5) feet, as measured from the inside edge of the public sidewalk. The Zoning Administrator may approve: 1. A setback of ten (10) feet from the inside edge of the sidewalk, provided that the additional space is dedicated to outdoor seating and/or public art. 2. A setback of zero (0) feet from the inside edge of the sidewalk, provided that the existing or proposed sidewalk is at least ten (10) feet in width. 3. A setback equal to the average setback of 50% of the buildings to be retained within the blockface. The applicant shall provide a map with those measurements.
G. Minimum Side Setback	0'
H. Minimum Rear Setback	0'
I. Maximum Lot Coverage	100%

Minimum Setback from Adjacent Residential Districts	25'
	6' opaque screenwall / fencing required along edge of residentially zoned or used property.

[FIGURE 37]



(c) Parking

(c) PARKING	
J. Allowed Surface Parking Locations	Municipal Parking On-Street Parking On-site: Side or rear yard, front yard only when corner lot on secondary streets
K. and L. Side and Rear Parking Lot Setback / Screening when adjacent to R-1 through R-6 districts	6' landscape buffer. Rear OR Side setback may be reduced to 5' with 3' opaque masonry wall

Front Parking Lot Setback / Screening on Secondary Street Corners	5' with a 3' masonry knee wall at Build-to Line.
Required Parking Spaces	Section 1254.01.04 for parking reductions
Parking Incentives / Bonuses	Shared parking, cross-access, driveway removal

1

2

3 1243.09 DT-1 Urban Edge

4

[FIGURE 38]



5

6 1243.09.01 DT-1 URBAN EDGE DISTRICT INTENT

7 The DT-1 Urban Edge district permits a mixture of office and residential uses complementary to
 8 the Downtown Core but lower in intensity. Urban Edge areas are intended to retain elements of
 9 the historic residential character such as short block lengths and existing front-yard setbacks.

10 One purpose of this district is to permit homes to be converted to offices provided the historic
 11 residential character is maintained.

1243.09.02 DT-1 BUILDING TYPES

The following building types are suggested to meet the intent of this district. The table at right shows which building types are suggested along the various street types in this district.

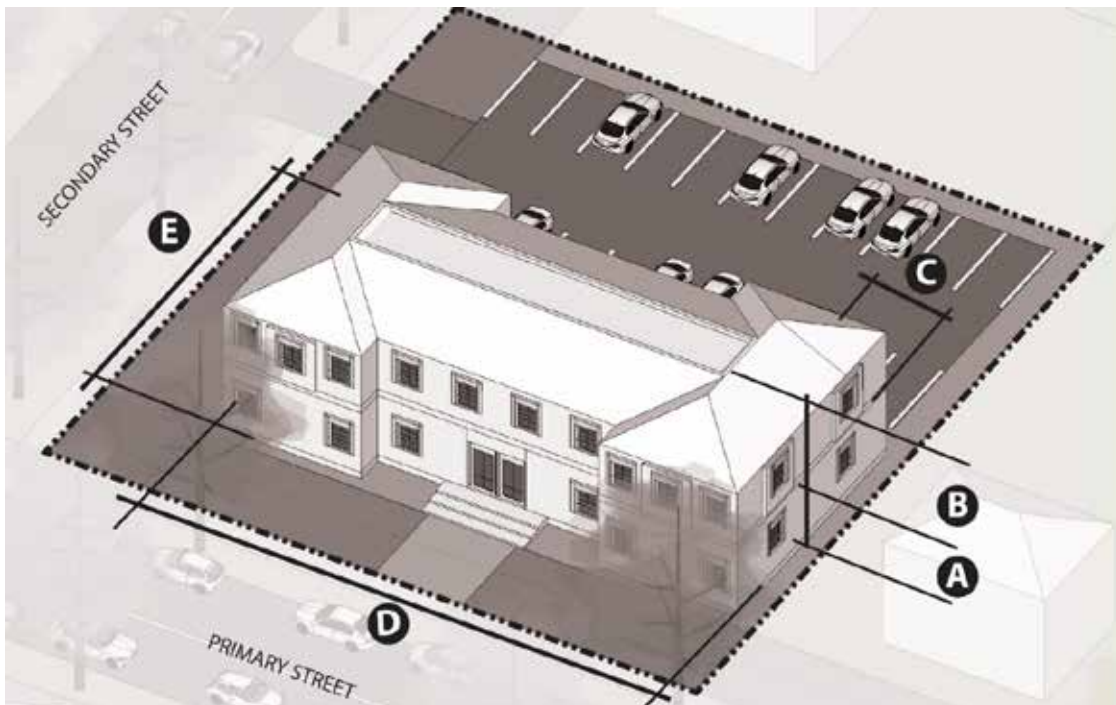
Architectural regulations and Building Types are further described in CHAPTER 1246 – BUILDING TYPES.

[FIGURE 39]

SUGGESTED BUILDING TYPE	STREET TYPE					LOCAL
	ARTERIAL CORRIDOR	SUBURBAN CORRIDOR	ACTIVITY CORRIDOR	PRIME CONNECTOR	NEIGHBORHOOD CONNECTOR	
Detached Residential	X	X	X	X	X	X
Attached Residential	X	X	X	X	X	X
Urban Mixed-use	X	X	X	X	X	X

1243.09.03 DT-1 SITE LAYOUT REQUIREMENTS

[FIGURE 40]



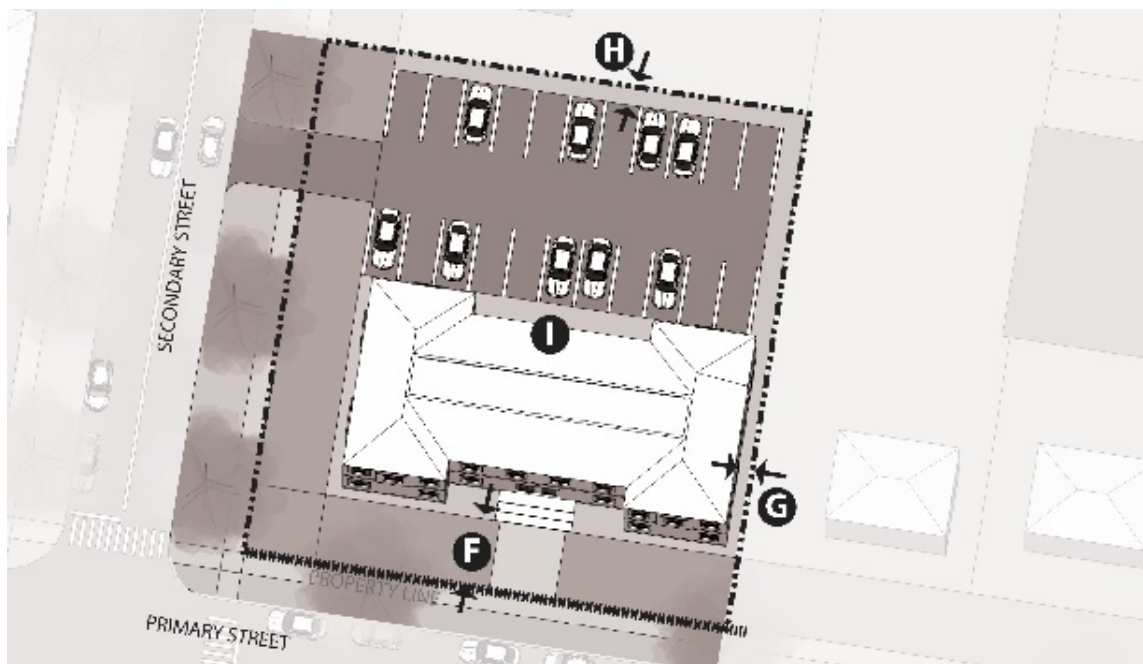
1 (a) Building Massing

(a) BUILDING MASSING		
A. Minimum Height	25'	2 stories
B. Maximum Height	40'	4 stories
See Section 1250.03.02 for height exceptions		
C. Required Upper floor Step-Backs - when adjacent to R-1 through R-6 districts	For the elevation adjacent to a residential district, the floors above the second story shall be tiered-back so that the highest point of the building is setback from the adjacent residential district a distance at least equal to the height of the building.	
D. Minimum Frontage, Primary Street	50%	
E. Minimum Frontage, Secondary Street	25%	
Required Corner Massing	When site is a corner lot, the primary and secondary frontages at the corner must be occupied by building elevations for the first 20 feet of each frontage from the corner.	

2

3

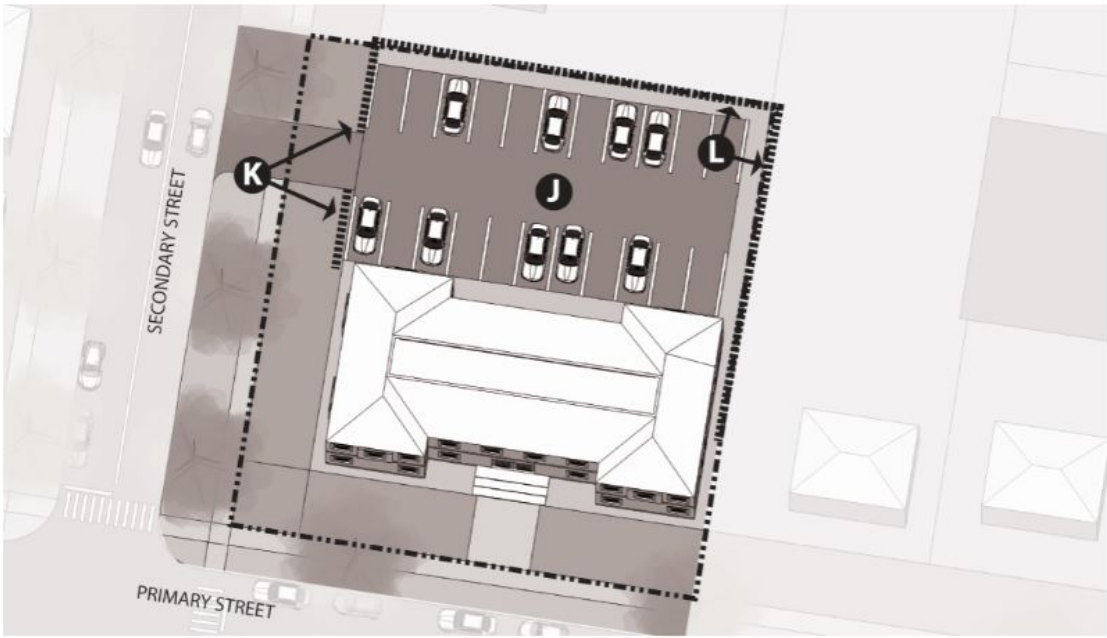
[FIGURE 41]



(b) Building Placement

(b) BUILDING PLACEMENT	
F. Build-to line	Five (5) feet, as measured from the inside edge of the public sidewalk. The Zoning Administrator may approve: 1. A setback of ten (10) feet from the inside edge of the sidewalk, provided that the additional space is dedicated to outdoor seating and/or public art. 2. A setback equal to the average setback of 50% of the buildings to be retained within the blockface. The applicant shall provide a map with those measurements.
G. Minimum Side Setback	10'. The Planning Office may allow a reduction to 5' if minimum 10' from adjacent building or appurtenance and side facade has windows and quality materials.
H. Minimum Rear Setback	10' building
I. Maximum Lot Coverage	50%

1 [FIGURE 42]



2
3 (c) Parking

(c) PARKING	
J. Allowed Surface Parking Locations	Municipal Parking On-Street Parking On-Site side or rear yard.
K. Front Parking Lot Setback / Screening on Secondary Street Corners	8' landscape buffer which may be reduced to 5' with a 3' masonry knee wall at Build-to Line.
L. Side and Rear Parking Lot Setback / Screening when adjacent to R-1 through R-6 districts	6' landscape buffer. Rear OR Side setback may be reduced to 5' with 3' opaque masonry wall
Required Parking Spaces	Parking per Chapter 1254
	Section 1254.01.04 for parking reductions
Parking Incentives / Bonuses	Shared parking, cross-access, driveway removal

1243.10 DT-2 Urban Flex

[FIGURE 43]



Illustrative example of the intent of this district

1243.10.01 DT-2 INTENT

The intent and purpose of the DT-2 Urban Flex district is to foster a mixture of residential, commercial, and industrial uses that complement the nearby Downtown Core and Mixed-Use Corridors. The Urban Flex districts generally are areas transitioning from older industrial and auto-oriented uses with pockets of residential to higher density modern infill and adaptive reuse. These areas are characterized by an eclectic mixture of entertainment, retail, residential, and lower intensity industrial uses in a warehouse setting. Along Activity Corridors, ground floor uses should be those that generate pedestrian activity along the street front through the location of doors, windows, and displays.

1243.10.02 DT-2 BUILDING TYPES

The following building types are suggested to meet the intent of this district. The table at right shows which building types are suggested along the various street types in this district. Architectural regulations and Building Types are further described in CHAPTER 1246 – BUILDING TYPES.

[FIGURE 44]

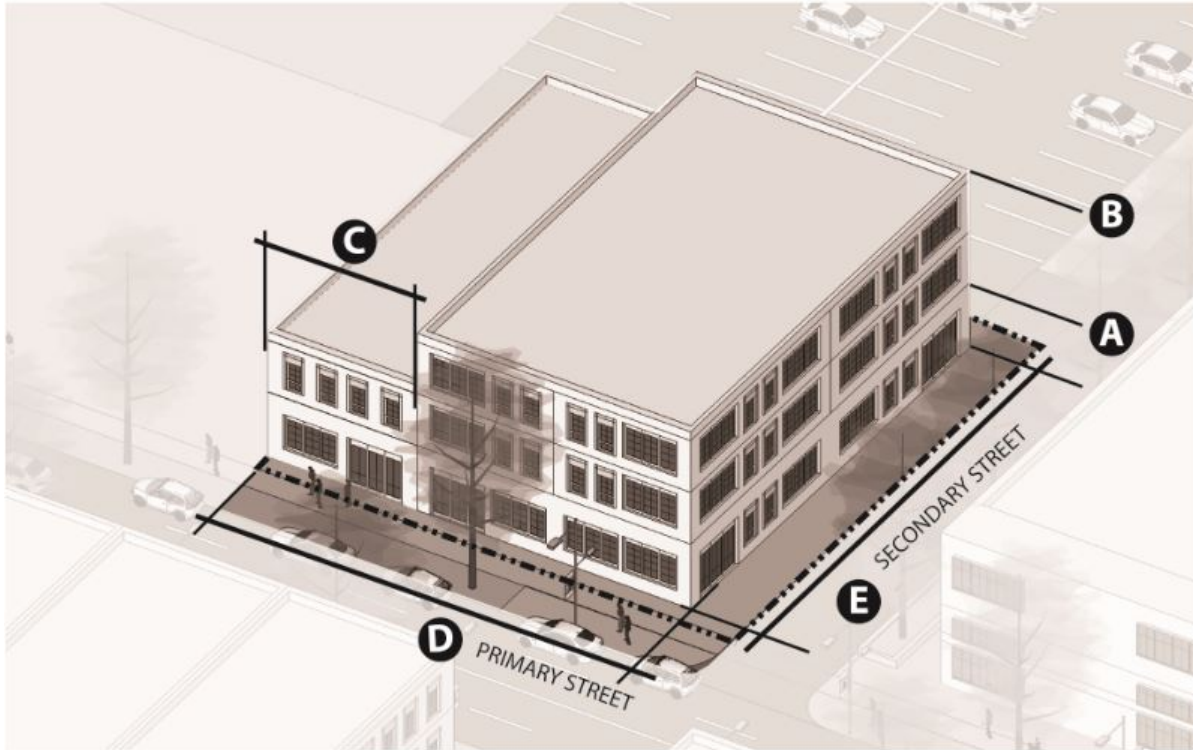
SUGGESTED BUILDING TYPE	STREET TYPE					LOCAL
	ARTERIAL CORRIDOR	SUBURBAN CORRIDOR	ACTIVITY CORRIDOR	PRIME CONNECTOR	NEIGHBORHOOD CONNECTOR	
Attached residential	X	X	X	X	X	X
Urban Mixed-use	X	X	X	X	X	X
Commercial Flex	X	X	X	X	X	X
Parking Structure	X	X	**	X	X	X
Gas & Service Stations	X	-	-	X	X	-

*****First floor must be lined with non-parking uses. See Section 1243.03***

*****First floor must be lined with non-parking uses. See Section 1243.03***

1 1243.10.04 DT-2 SITE LAYOUT REQUIREMENTS

2 [FIGURE 45]

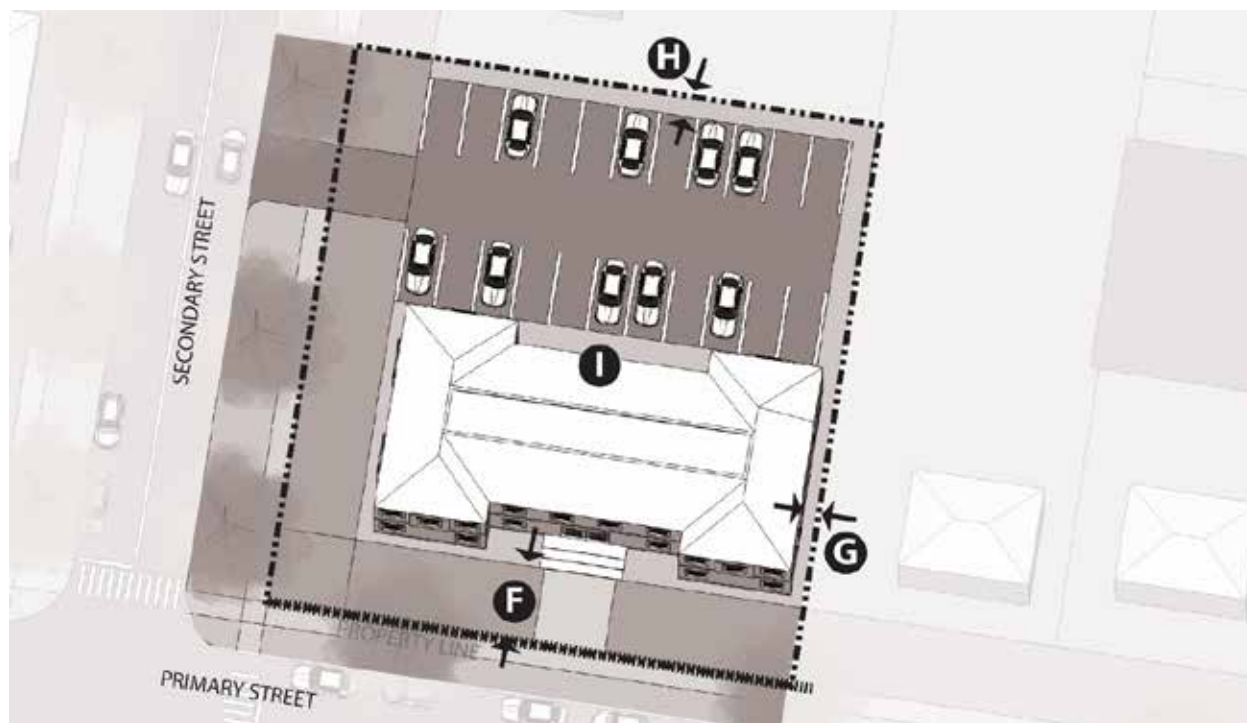


3
4 (a) Building Massing

(a) BUILDING MASSING			
A. Minimum Height		25'	1 story
B. Maximum Height	Arterial Corridor	60'	6 stories
	Activity Corridor	60'	6 stories
	Prime Connector	55'	4 stories
	Local Street	40'	4 stories
See Section 1250.03.02 for height exceptions			
C. Required Upper floor Step-Backs - when adjacent to R-1 through R-6 districts		For the elevation adjacent to a residential district, the floors above the second story shall be tiered-back so that the highest point of the building is setback from the adjacent residential district a distance at least equal to the height of the building.	

D. Minimum Frontage, Primary Street	75%
E. Minimum Frontage, Secondary Street	25%
Required Massing	When site is a corner lot, the primary and secondary frontages at the corner must be occupied by building elevations for the first 20 feet of each frontage.

[FIGURE 46]

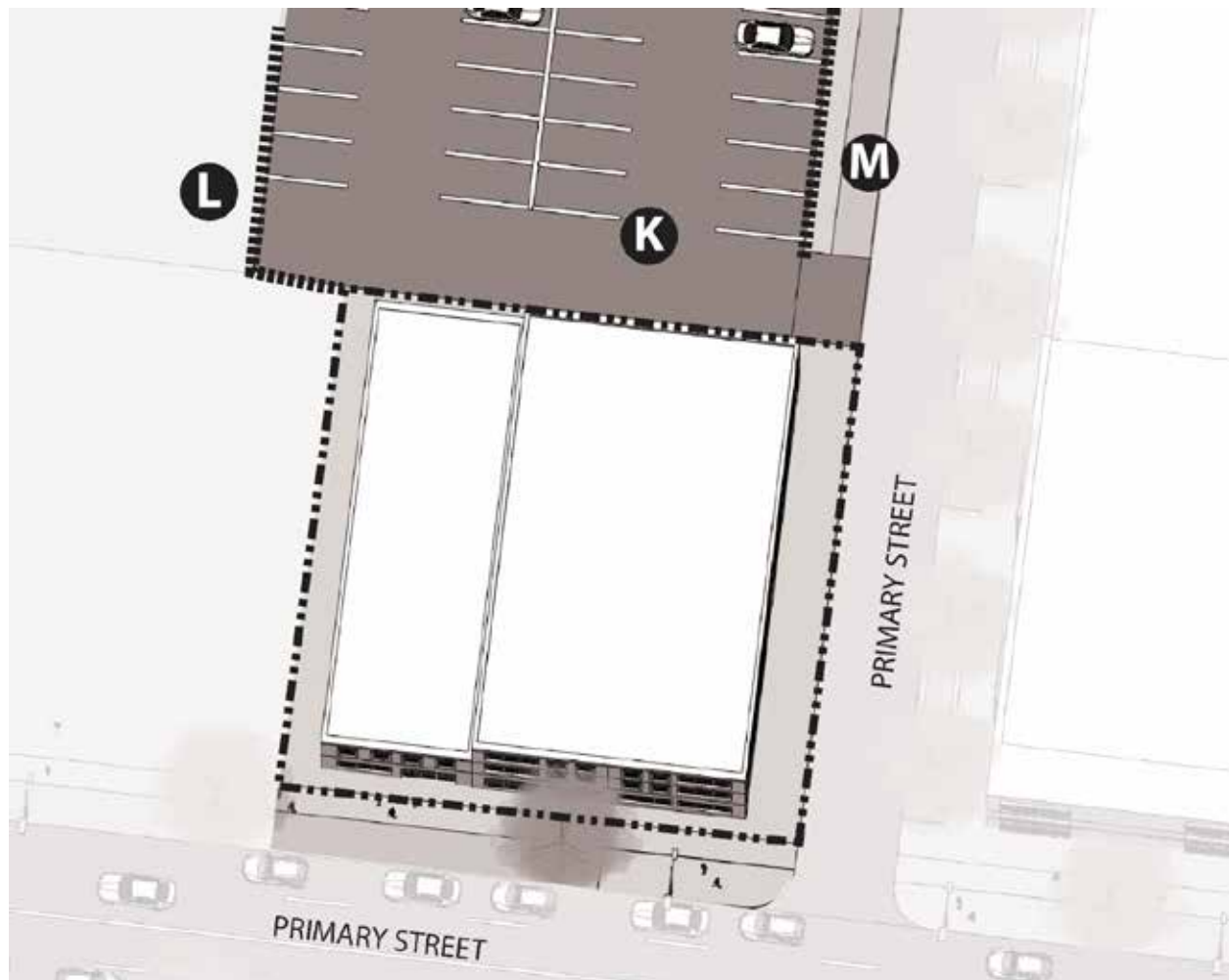


(b) Building Placement

(b) BUILDING PLACEMENT	
F. Build-to line	Five (5) feet, as measured from the inside edge of the public sidewalk. The Zoning Administrator may approve: 1. A setback of ten (10) feet from the inside edge of the sidewalk, provided that the additional space is dedicated to outdoor seating and/or public art. 2. A setback of zero (0) feet from the inside edge of the sidewalk, provided that the existing or proposed sidewalk is at least ten (10) feet in width. 3. A setback equal to the average setback of 50% of the buildings to be retained within the blockface. The applicant shall provide a map with those measurements.

G. Minimum Side Setback	10'
H. Minimum Rear Setback	10' building
I. Maximum Lot Coverage	75%
J. Minimum Setback from Adjacent Residential Districts	10'

[FIGURE 47]



1 (c) Parking

(c) PARKING	
K. Allowed Surface Parking Locations	On-Street Parking
	On-Site side or rear yard. Front yard parking limited to one single-loaded bay of parking.
L. Side and Rear Parking Lot Setback / Screening when adjacent to R-1 through R-6 districts	6' landscape buffer. Rear OR Side setback may be reduced to 5' with 3' opaque masonry wall
M. Front Parking Lot Setback/ Screening	8' landscape buffer which may be reduced to 5' with a 3' masonry knee wall at Build-to Line.
Required Parking Spaces	Parking per Chapter 1254
	Section 1254.01.04 for parking reductions
Parking Incentives / Bonuses	Shared parking, cross-access, driveway removal

2

3 (d) Accessory Outdoor Storage

4 *See Section 1250.04.01 for placement of accessory buildings.*5 *See also CHAPTER 1250 GENERAL PROVISIONS.*

6

7

1243.11 DT-3 Downtown Core

[FIGURE 48]



1243.11.01 DT-3 INTENT

The intent and purpose of the DT-3 Downtown Core district is to provide primarily a vertical mix of uses with higher density residential housing and office buildings. Ground floor uses should be those that generate pedestrian activity along the street front through the location of doors, windows, and displays. Development in this district is characterized by tall buildings lining urban streets with most or all parking provided on street or in municipal lots or structures. This district accommodates the City's highest intensity and density development.

1243.11.02 DT-3 BUILDING TYPES

The following building types are suggested to meet the intent of this district. The table at right shows which building types are suggested along the various street types in this district.

Architectural regulations and Building Types are further described in CHAPTER 1246 – BUILDING TYPES.

[FIGURE 49]

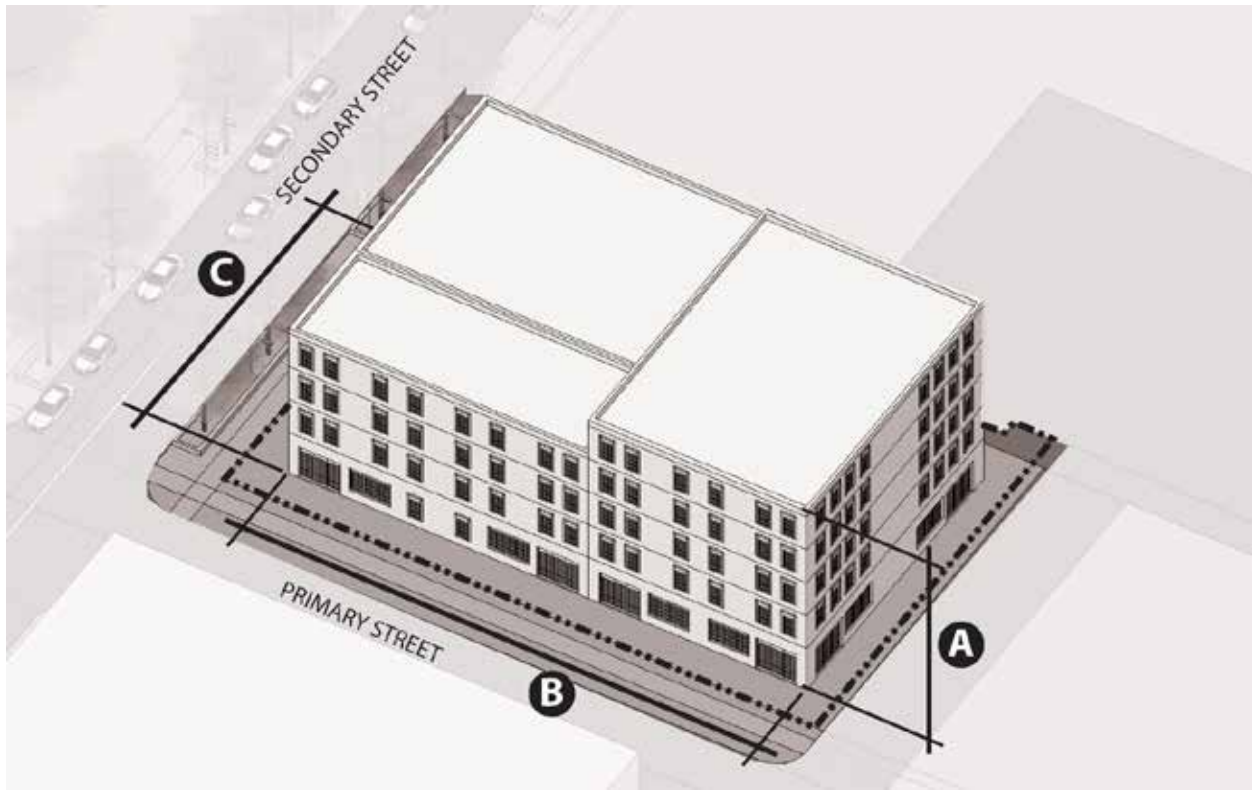
SUGGESTED BUILDING TYPE	STREET TYPE					LOCAL
	ARTERIAL CORRIDOR	SUBURBAN CORRIDOR	ACTIVITY CORRIDOR	PRIME CONNECTOR	NEIGHBORHOOD CONNECTOR	
Urban Mixed-use	X	X	X	X	X	X
Tower & Podium	X	X	X	X	X	X
Parking Structure	X	X	**	X	X	X

***First floor must be lined with non-parking uses. See Section 1243.03*

**First floor must be lined with non-parking uses. See Section 1243.03

1243.11.04 DT-3 SITE LAYOUT REQUIREMENTS

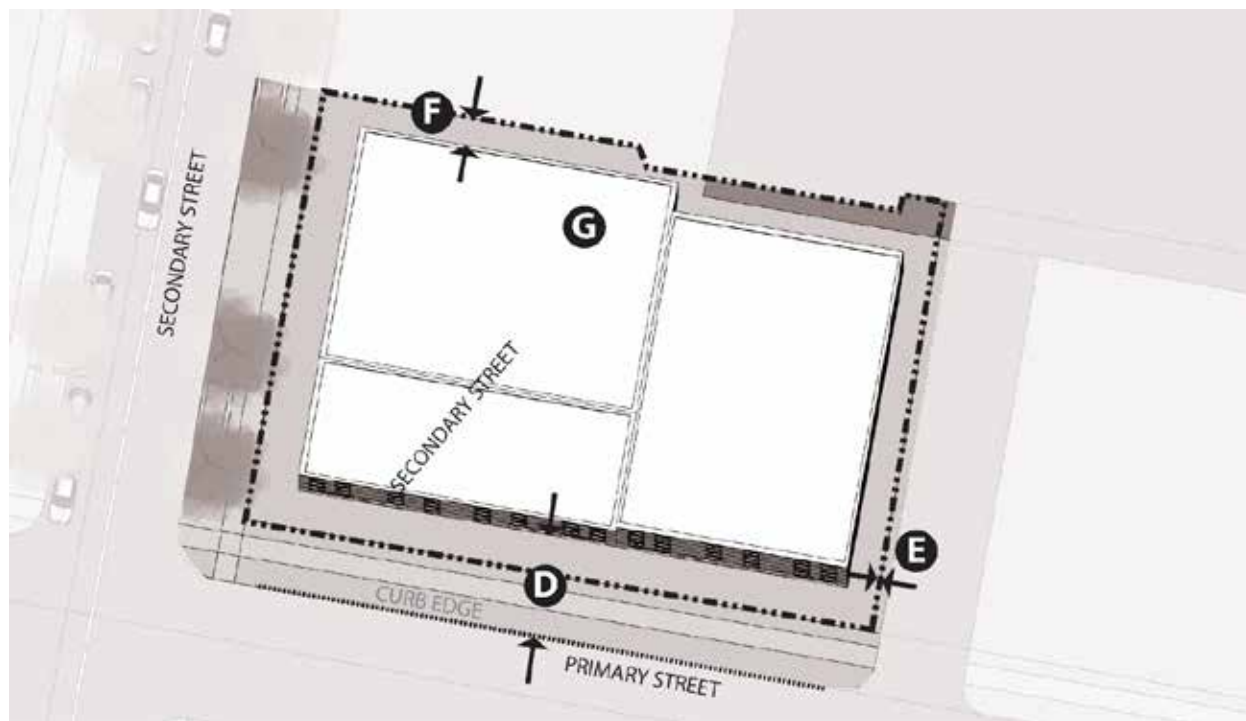
[FIGURE 50]



(a) Building Massing

(a) BUILDING MASSING		
A. Minimum Height	25'	2 stories
B. Minimum Frontage, Primary Street	85%	
C. Minimum Frontage, Secondary Street	75%	
Required Corner Massing	When site is a corner lot, the primary and secondary frontages at the corner must be occupied by building elevations for the first 20 feet of each frontage from the corner.	

[FIGURE 51]



(b) Building Placement

(b) BUILDING PLACEMENT	
D. Build-to line	Five (5) feet, as measured from the inside edge of the public sidewalk. The Zoning Administrator may approve: 1. A setback of ten (10) feet from the inside edge of the sidewalk, provided that the additional space is dedicated to outdoor seating and/or public art. 2. A setback of zero (0) feet from the inside edge of the sidewalk, provided that the existing or proposed sidewalk is at least ten (10) feet in width. 3. A setback equal to the average setback of 50% of the buildings to be retained within the blockface. The applicant shall provide a map with those measurements.
E. Minimum Side Setback	0'
F. Minimum Rear Setback	0'
G. Maximum Lot Coverage	100%

1 (c) Parking

(c) PARKING	
Required Parking Spaces	No parking required

2

3 *See Section 1250.04.01 for placement of accessory buildings.*

4

Chapter 1244

Residential Districts

Applicability

The standards of this chapter shall apply to all proposed development within the zoning districts contained herein, and shall be considered in combination with the standards in CHAPTER 1246 – BUILDING TYPES and other applicable chapters of this zoning ordinance. If there is a conflict between any standards, the stricter standards shall apply conventionally on-site constructed homes. For purposes of compatibility, all structures shall:

1. Have not less than two exterior doors with one door being in front of the structure and the other being in either the rear or on the side of the structure;
2. Have permanently attached steps connected to exterior door areas or porches connected to exterior door areas where required by the difference in between the ground and floor levels.

1244.02 General Development

Requirements for Dwelling Units

Any dwelling unit, including a structure or portion of a structure constructed on-site, a mobile home not located in a mobile home park, a premanufactured unit, a precut structure or a panelized structure, whether erected above and/or below ground, shall comply with the following standards:

A. It shall conform with the minimum residential lot dimensional requirements and building types for the district in which it is located.

B. On lots 40 feet or greater in width, it shall contain a core area of living space of at least 24 feet by 24 feet in size and shall have a minimum internal height of seven and one-half feet. For single-family dwellings on lots less than 40 feet in width in R-5 and R-6 Residential Districts, it shall contain a core area of living space of at least 20 feet by 20 feet in size and shall have a minimum internal height of seven and one-half feet.

C. It is firmly attached to a permanent foundation constructed on the site in accordance with the Building Code of the City and has a wall of the same perimeter dimensions as the structure which is constructed of such materials and type as required in the Building Code. If the structure is a mobile home not located in a mobile home park, it shall be installed pursuant to the manufacturer's set-up instructions, shall be secured to the premises by an anchoring system or device complying with all State and Federal rules and regulations governing the same and shall have a perimeter wall as required in this paragraph which is aesthetically compatible in design and appearance with conventionally on-site constructed homes.

D. If it is not a structure constructed on site, it shall be aesthetically compatible in design and appearance with conventionally on-site constructed homes. For purposes of compatibility, all structures shall:

1. Have not less than two exterior doors with one door being in front of the structure and the other being in either the rear or on the side of the structure;

2. Have permanently attached steps connected to exterior door areas or porches connected to exterior door areas where required by a difference in elevation;

3. Have siding firmly affixed to the exterior walls of the structure constructed of conventional materials such as wood, vinyl, aluminum or brick;

4. Have a shingled roof constructed of conventional material, which roof is permanently attached to the structure and has a minimum 3:12 pitch and an overhang of at least one foot; and

5. Not have wheels, towing mechanisms, undercarriages or chassis that are visible from the outside of the structure.

This paragraph shall not be construed to prohibit innovative design concepts involving such matters as solar energy, view, unique land contour or architectural design.

1244.03 Administration

(a) Residential construction for single-family detached homes and duplexes are not required to follow the site plan review process in Chapter 1260 but must adhere to the regulations of this zoning ordinance and other applicable city codes and ordinances.

(b) Any other residential use not listed in subsection (a) above shall be reviewed according to CHAPTER 1260 – SITE PLAN REVIEW.

1244.04 Residential Permitted Uses

In the Residential Districts, the following principal uses are permitted. Permitted uses shall be subject to site plan review. Conditional uses shall adhere to the Conditions noted in the Section referenced. Special Land Uses may be permitted by Council in accordance with the procedures and conditions described in CHAPTER 1262 – SPECIAL LAND USE PERMITS if the conditions described in this section for each use are met, and if all Federal, State and local laws are met. Permitted and approved uses may be mixed both horizontally and vertically.

[FIGURE 52]

City of Lansing Form-Based Code Master Use Table

Revised 1/28/20

P = PRINCIPAL PERMITTED C = CONDITIONAL USE S = SPECIAL LAND USE	R-1	R-2	R-3	R-4	R-5	R-6a	R-6b	R-MX	MFR	R-AR	Conditions
Residential Uses											
Single-Family detached	P	P	P	P	P	P	P	P		P	
Two-Family dwelling							C	P	P	P	For R-6B: 1. Must maintain the appearance of a medium sized home and is appropriately scaled to fit within primarily single-family neighborhoods.
Multi-Family dwelling							C	P	P	P	
Mobile Home									S		
Short-Term Rental	C	C	C	C	C	C	C	C	C	C	Lansing Airbnb/Short-term rental housing policy
Boarding House								P	P	P	
Human Care Facilities											
Adult Day Care Facility								S	S		
Adult Foster Care (≤ 6)	P	P	P	P	P	P	P	P	P	P	
AFC small group home (≤ 12)	S	S	S	S	S	S	S	P	P		
AFC large group home (13-20)								S	S	S	
AFC Congregate Care								S	S	S	
Child Care centers, preschools, and commercial day care	S	S	S	S	S	S	S			S	
Family Day Care (≤ 6, less than 24 hours/day)	P	P	P	P	P	P	P	P	P		
Group Day Care Home (7-12 children, <24 hours/day)	C	C	C	C	C	C	C	C	C	C	1. The facility provides and maintains on the lot not less than 900 square feet of outdoor play space. 2. The use of the structure as a group day care home shall be clearly incidental to the principal residential use. 3. One person, other than a member of the family residing in the dwelling, may be employed, so long as that person is not the primary caregiver. 4. No change occurs in the outside appearance of the dwelling. 5. No signs are permitted. 6. The outdoor play space shall be fenced. This requirement can be waived by approval of the Planning Division if the specified outdoor area is common open space shared with other dwelling units.
Foster Family Home (6 or fewer children, 24 hours/day)	P	P	P	P	P	P	P	P	P		
Convalescent or Nursing Home								S	S	S	
Institutional											
Places of Assembly	S	S	S	S	S	S	S	S	S	C	At least one property line abutting an arterial, suburban or activity corridor or it must be determined by the City Engineer or his/her designee that the existing transportation system is sufficient to accommodate the proposed use. A traffic impact study may be required to assist in making this determination.
Hospital										C	At least one property line abutting an arterial, suburban or activity corridor

1

2

City of Lansing Form-Based Code Master Use Table

Revised 1/28/20

P = PRINCIPAL PERMITTED C = CONDITIONAL USE S = SPECIAL LAND USE	R-1	R-2	R-3	R-4	R-5	R-6a	R-6b	R-MX	MFR	R-AR	Conditions
Museum	C	C	C	C	C	C	C	C	C	C	1. Front, rear and side yards are not less than 25 feet, except as provided below. 2. If a front, rear or side yard abuts a Commercial Mixed-Use District, then the yard which abuts such District shall meet the dimensional requirements of the District which abuts such front, rear or side yard. 3. No parking exists in the front yard. 4. No accessory structure is located in the front yard.
Library	C	C	C	C	C	C	C	C	C	C	3. No parking exists in the front yard. 4. No accessory structure is located in the front yard.
Schools	C	C	C	C	C	C	C	C	C	C	All education facilities, except elementary or middle schools, must have at least one property line abutting and all points of ingress/egress directly to an arterial, suburban or activity corridor or it must be determined by the City Engineer or his/her designee that the existing transportation system is sufficient to accommodate the proposed use. A traffic impact study may be required to assist in making this determination
Trade school										C	
Park, open space, plaza	P	P	P	P	P	P	P	P	P	P	
Commercial/Office											
Retail sales and Personal Services										P	
Professional/business offices										P	
Cemetery	S	S								S	
Clinic										C	At least one property line abutting and all points of ingress/egress directly to an arterial, suburban or activity corridor
Golf courses	S	S								S	
Nursery, commercial greenhouse										C	1. The lot on which the nursery or commercial greenhouse is located contains not less than three (3) acres. 2. The lot on which the nursery or commercial greenhouse is located has not less than one property line which abuts and has primary access to a major or minor arterial. 3. The outdoor storage of landscape materials, other than plants, shall be screened from view of all public right-of-ways and residential parcels of land by a six (6) foot high opaque wood or vinyl fence, decorative screen wall or landscaped berm.
Industrial											
Research laboratory										S	

1

2 Accessory uses customarily incidental to any of the above principal uses are allowed provided
3 the Zoning Administrator may require additional parking or compliance with other standards
4 upon a determination that such use may impact site operations beyond that of the Principal Use.

5

1244.05 R-1 Suburban Residential

[FIGURE 53]



1244.05.01 R-1 INTENT

The R-1 Suburban Residential district is intended for the largest, lowest-density single-family development in the city. These neighborhoods feature large lots, large homes with attached garages, significant landscaping and curvilinear streets and cul-de-sacs. These houses are intended to each be unique with significant architectural detail and quality. Typical character types include Contemporary and Neo-Eclectic.

1244.05.02 R-1 BUILDING TYPES

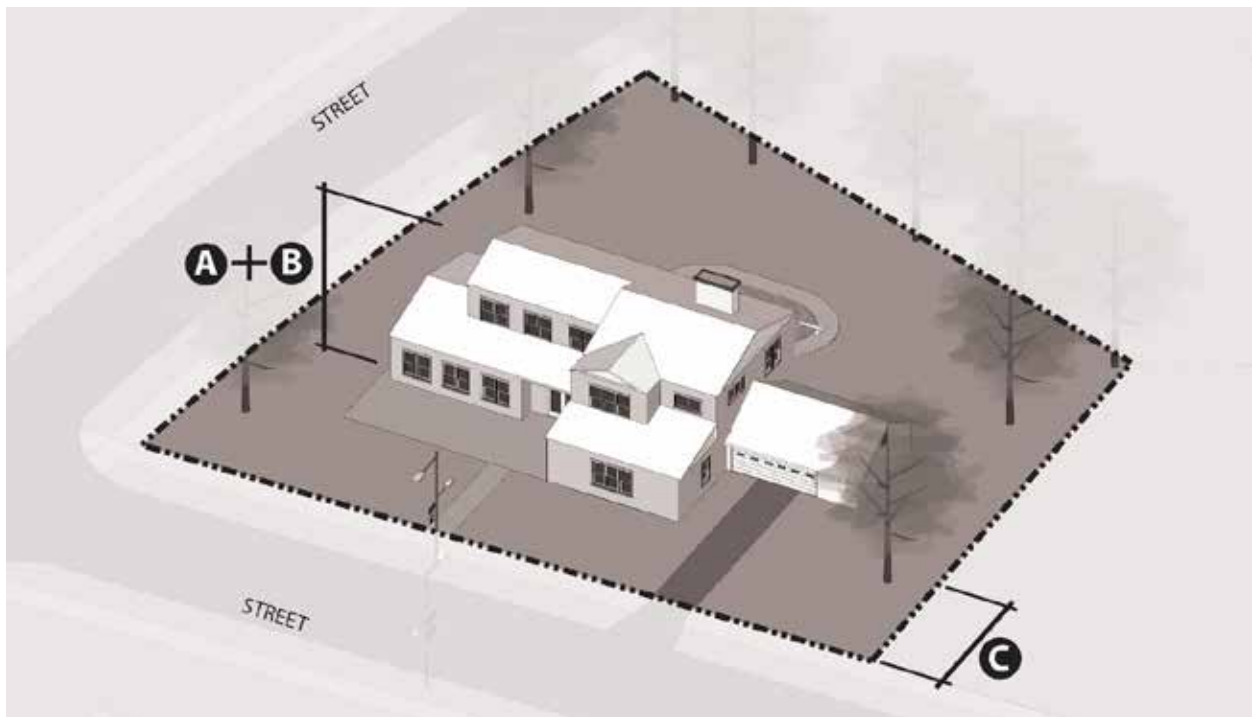
Detached Houses are the only building type intended to meet the intent of this district.

Architectural regulations and Building

Types are further described in CHAPTER 1246 – BUILDING TYPES.

1244.05.03 SITE LAYOUT REQUIREMENTS

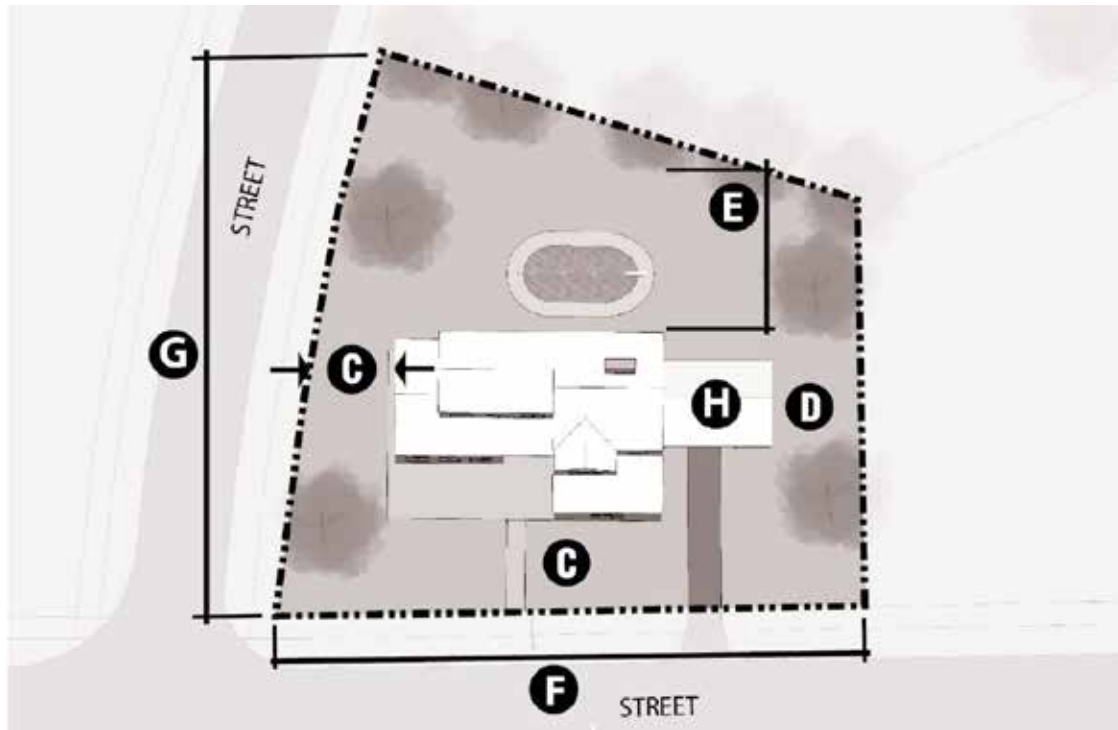
[FIGURE 54]



(a) Building Massing

(a) BUILDING MASSING		
A. Minimum Height	20'	2 stories
B. Maximum Height	35'	2.5 stories
Maximum Dwelling Units per lot		1

[FIGURE 55]



1

2 (b) Building Placement

(B) BUILDING PLACEMENT			
C. Minimum Front Setback		The average setback on block face.	
D. Minimum Side Setback		5'; total of two side yards 15'	
E. Minimum Rear Setback		30'	
F. Minimum Lot Size		6000 sq. ft.	
G. Lot Width	Min	60'	
	Max	200'	
Lot Depth	Min	100'	
	Max	200'	
Maximum Lot Coverage		Impervious Surfaces	55%
		Building	40%

(c) Building Access and Services

(c) BUILDING ACCESS AND SERVICES	
Parking	See Chapter 1254 for parking standards. Parking permitted in rear yard or side yard.
Garages	Garages may be attached but may not project in front of the front building facade. Side entry garage preferred.

1244.06 R-2 Suburban Residential

[FIGURE 56]



Illustrative example of the intent of this district

1244.06.01 R-2 INTENT

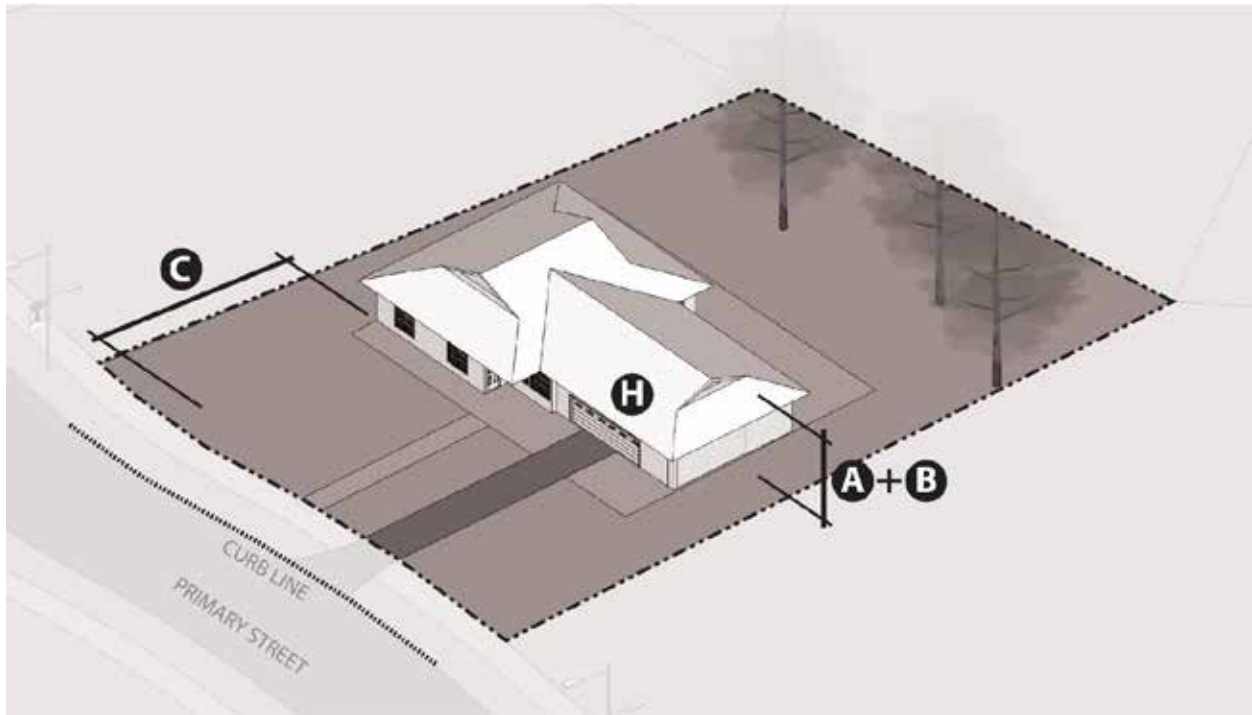
The R-2 Suburban Residential district is intended for mid-century to modern subdivisions. These neighborhoods feature medium-sized lots, often attached garages, curvilinear streets and cul-de-sacs., and a variety of housing types and sizes. Typical character styles include ranch, split level, minimal traditional, and contemporary, often with side-facing gables or hip roofs.

1 1244.06.02 R-2 BUILDING TYPES

2 Detached Houses are the only building type intended to meet the intent of this district.
3 Architectural regulations and Building Types are further described in CHAPTER 1246 –
4 BUILDING TYPES.

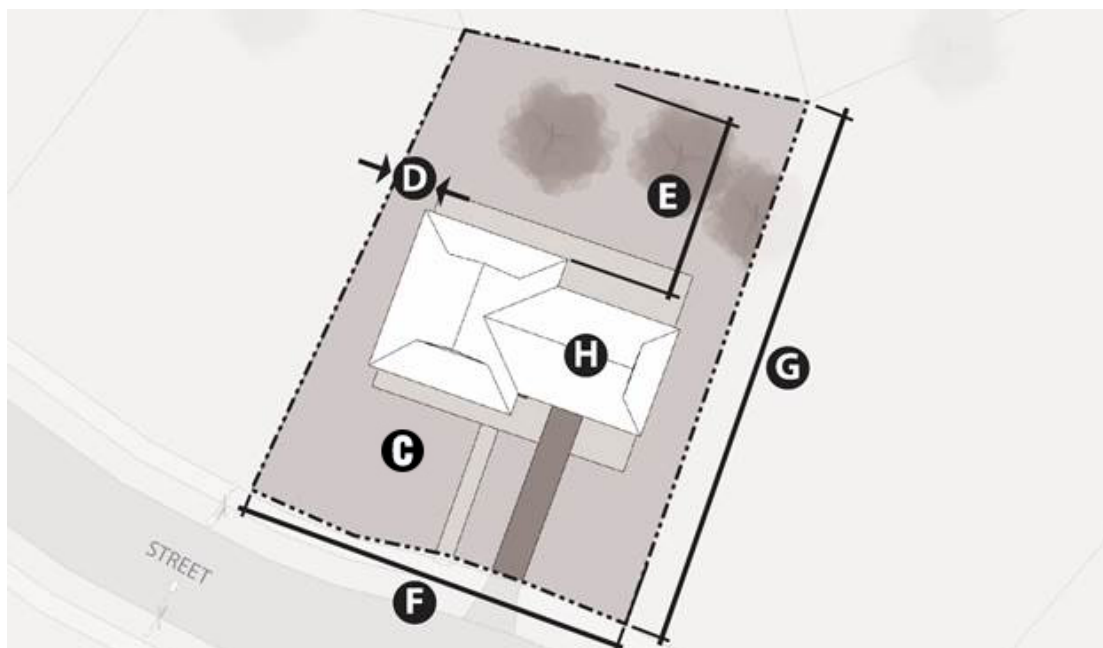
5 1244.06.03 SITE LAYOUT REQUIREMENTS

6 [FIGURE 57]



7

1 [FIGURE 58]

2
3 (a) Building Massing

(A) BUILDING MASSING		
A. Minimum Height	15'	1 story
B. Maximum Height	35'	2.5 stories
Maximum Dwelling Units per lot		1

4 (b) Building Placement

(B) BUILDING PLACEMENT		
C. Minimum Front Setback	25' or the average setback on block face.	
D. Minimum Side Setback	5'; total of two side yards 15'	
E. Minimum Rear Setback	30'	
Minimum Lot Size	5000 sq. ft.	
F. Lot Width	Min	50'
	Max	100'

G. Lot Depth	Min	100'	
	Max	175'	
Maximum Lot Coverage		Impervious Surfaces	55%
		Building	40%

1

2 (c) Building Access and Services

(c) BUILDING ACCESS AND SERVICES	
Parking	See Chapter 1254 for parking standards. Parking permitted in rear yard or side yard.
H. Garages	Garages may be attached but may not project in front of the front building facade.

3

4 1244.07 R-3 Suburban Residential

5

[FIGURE 59]



6

7 Illustrative example of the intent of this district

1244.07.01 R-3 INTENT

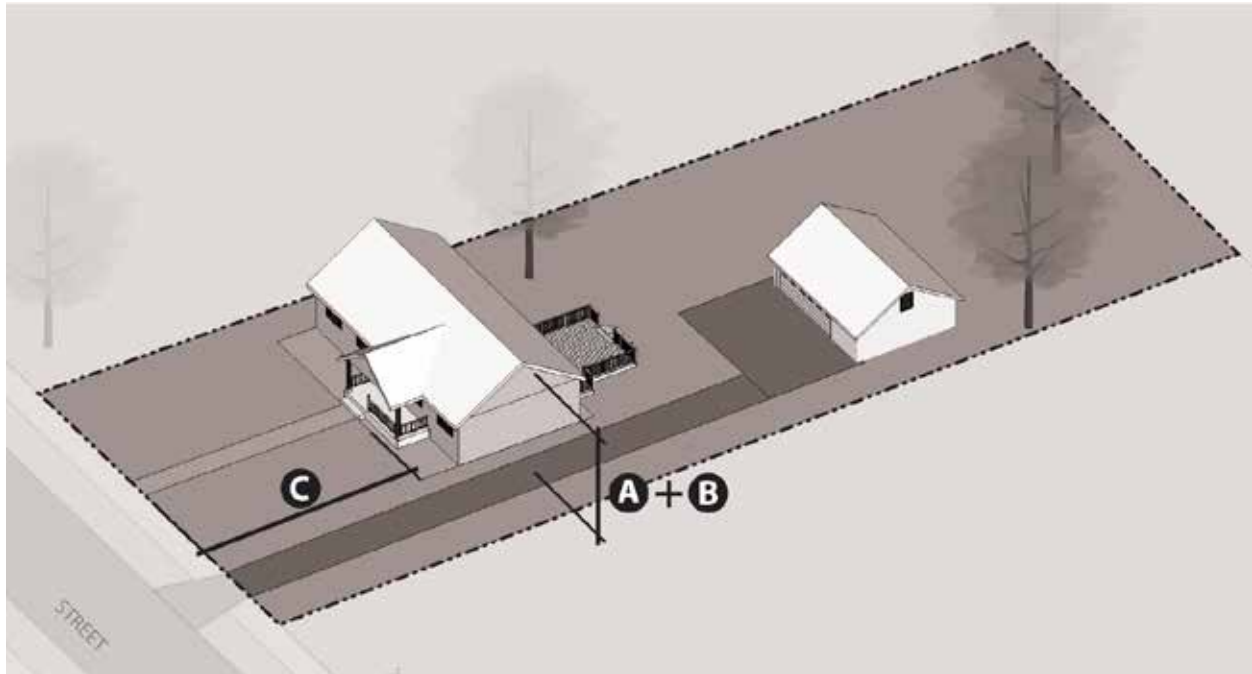
The R-3 Suburban Residential district is intended to accommodate a more flexible rural character in the city. Deep lots are typical with variable setbacks. Typical character types include Ranch and Minimal Traditional, often with side-facing gable roofs.

1244.07.02 R-3 BUILDING TYPES

Detached Houses are the only building type intended to meet the intent of this district. Architectural regulations and Building Types are further described in CHAPTER 1246 – BUILDING TYPES.

1244.07.03 SITE LAYOUT REQUIREMENTS

[FIGURE 60]

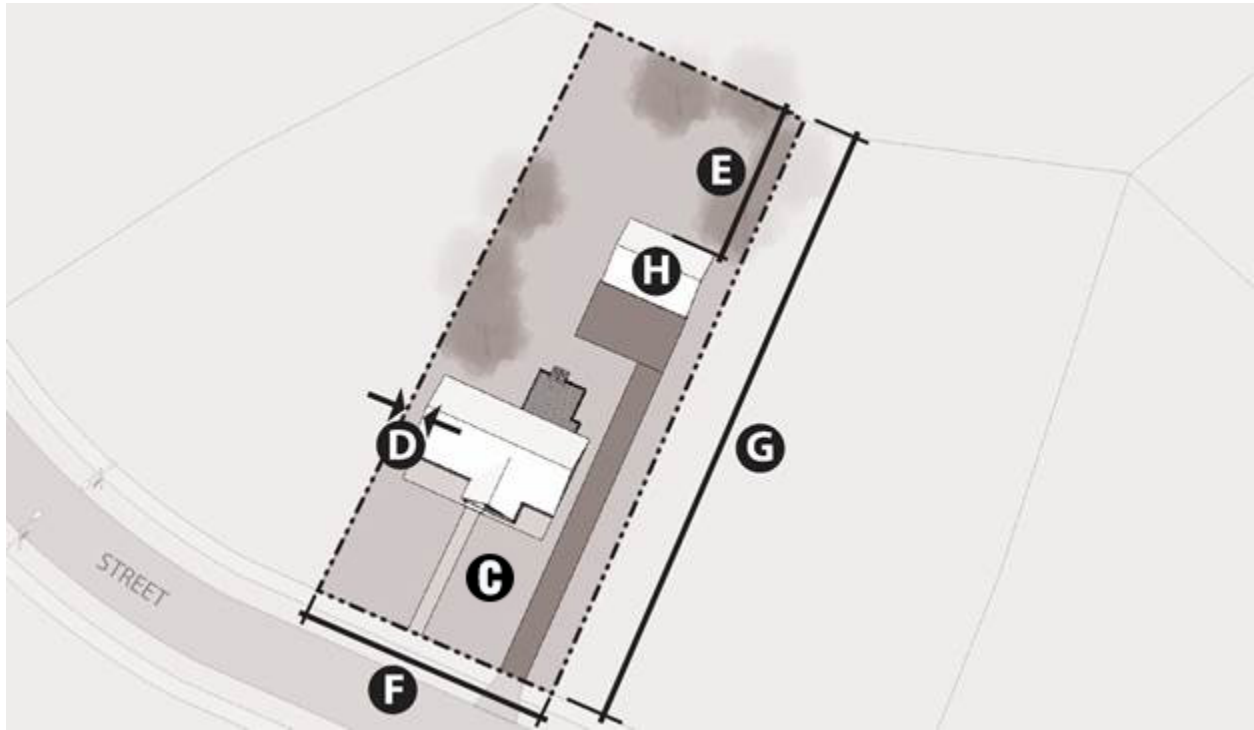


(a) Building Massing

(A) BUILDING MASSING		
A. Minimum Height	15'	1 story
B. Maximum Height	25'	2 stories
Maximum Dwelling Units per lot		1

1

[FIGURE 61]



2

3 (b) Building Placement

(B) BUILDING PLACEMENT		
C. Front Setback	Min	25' or the average setback on block face
	Max	50'
D. Minimum Side Setback		5'; total of two side yards 15'
E. Minimum Rear Setback		30'
Minimum Lot Size		4000 sq. ft.
F. Lot Width	Min	40'
	Max	150'
G. Lot Depth	Min	100'
	Max	none

Maximum Lot Coverage	Impervious Surfaces	60%
	Building	45%

(c) Building Access and Services

(c) BUILDING ACCESS AND SERVICES	
Parking	See Chapter 1254 for parking standards. Parking permitted in rear yard or side yard.
H. Garages	Rear

See section 1250.04.01 for placement of accessory buildings.

1244.08 R-4 Urban Edge Residential

[FIGURE 62]



Illustrative example of the intent of this district

1 1244.08.01 R-4 INTENT

2 The intent of the R-4 Urban Edge Residential district is to preserve the character of Lansing's
3 most historic neighborhoods. These neighborhoods were originally designed in the style of the
4 City Beautiful/Garden City movement, with a variety of high-style historic single-family homes.
5 Any modifications or new construction in this district should respect the high-style character
6 types of the early 20th century. Typical Character types include Tudor, Colonial Revival, and
7 Craftsman.

8

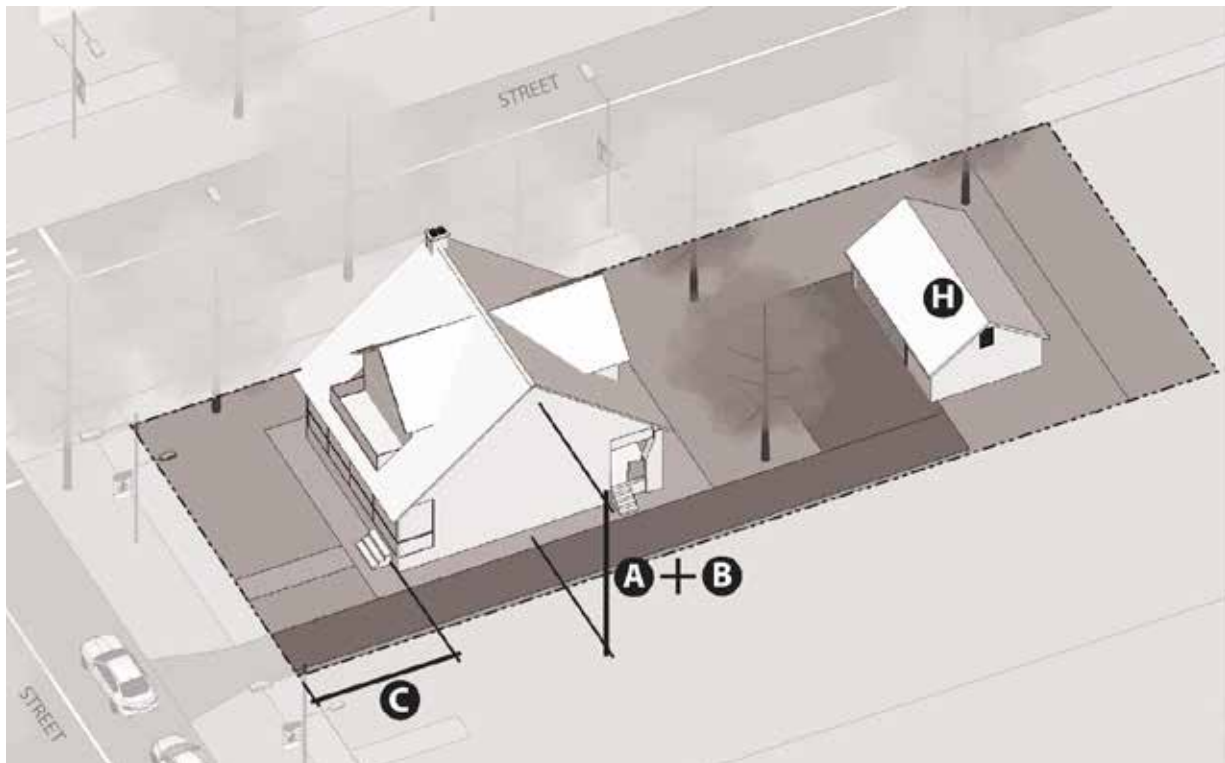
9 1244.08.02 R-4 ALLOWED BUILDING TYPES

10 Detached Houses are the only building type intended to meet the intent of this district.
11 Architectural regulations and Building Types are further described in CHAPTER 1246 –
12 BUILDING TYPES.

13

14 1244.08.03 SITE LAYOUT REQUIREMENTS

15 [FIGURE 63]



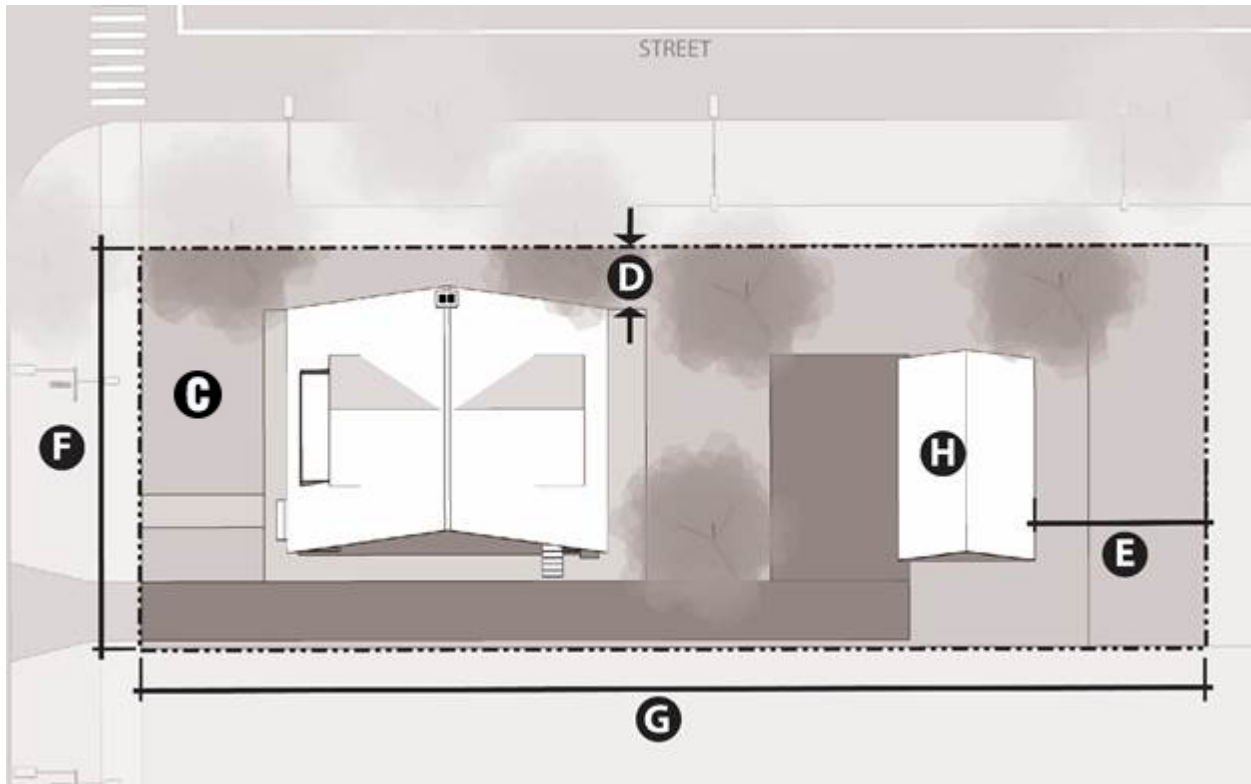
16

17

18

19

[FIGURE 64]



(a) Building Massing

(a) BUILDING MASSING		
A. Minimum Height	20'	2 stories
B. Maximum Height	35'	2.5 stories
Maximum Dwelling Units per lot		1

(b) Building Placement

(B) BUILDING PLACEMENT	
C. Minimum Front Setback	Lesser of 20' or the average setback on the block face.

D. Minimum Side Setback		5', total of two side yards 15'
E. Minimum Rear Setback		30'
Minimum Lot Size		4000 sq. ft.
F. Lot Width	Min	40'
	Max	80'
G. Lot Depth	Min	100'
	Max	150'
Maximum Lot Coverage		Impervious Surfaces 60%
		Building 45%

1

2 (c) Building Access and Services

(c) BUILDING ACCESS AND SERVICES	
Parking	See Chapter 1254 for parking standards. Parking permitted in rear yard or side yard.
H. Garages	Garages shall be located in rear yard or along alley.

3 *See section 1250.04.01 for placement of accessory buildings.*

1244.09 R-5 Urban Residential

[FIGURE 65]



Illustrative example of the intent of this district

1244.09.01 R-5 INTENT

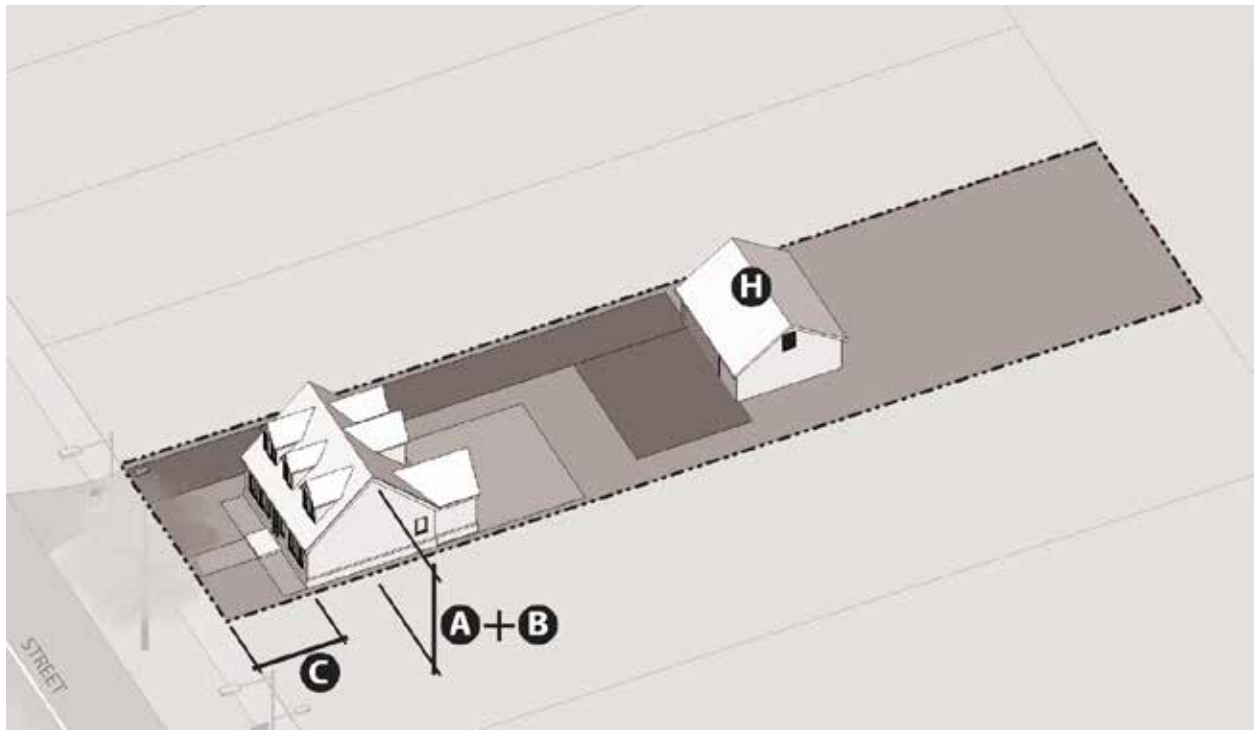
The R-5 Urban Residential district is intended to preserve a lower density urban district than R-6. Homes in this district are primarily mid-century 1 1/2 story bungalows and any new constructions should match that smaller scale rather than the larger, more historic two-story homes in R-4 and R-6. Typical character types include Minimal Traditional, Cape Cod, and Neocolonial. Front- or side-facing gables with dormers are typical roof styles.

1244.09.02 R-5 ALLOWED BUILDING TYPES

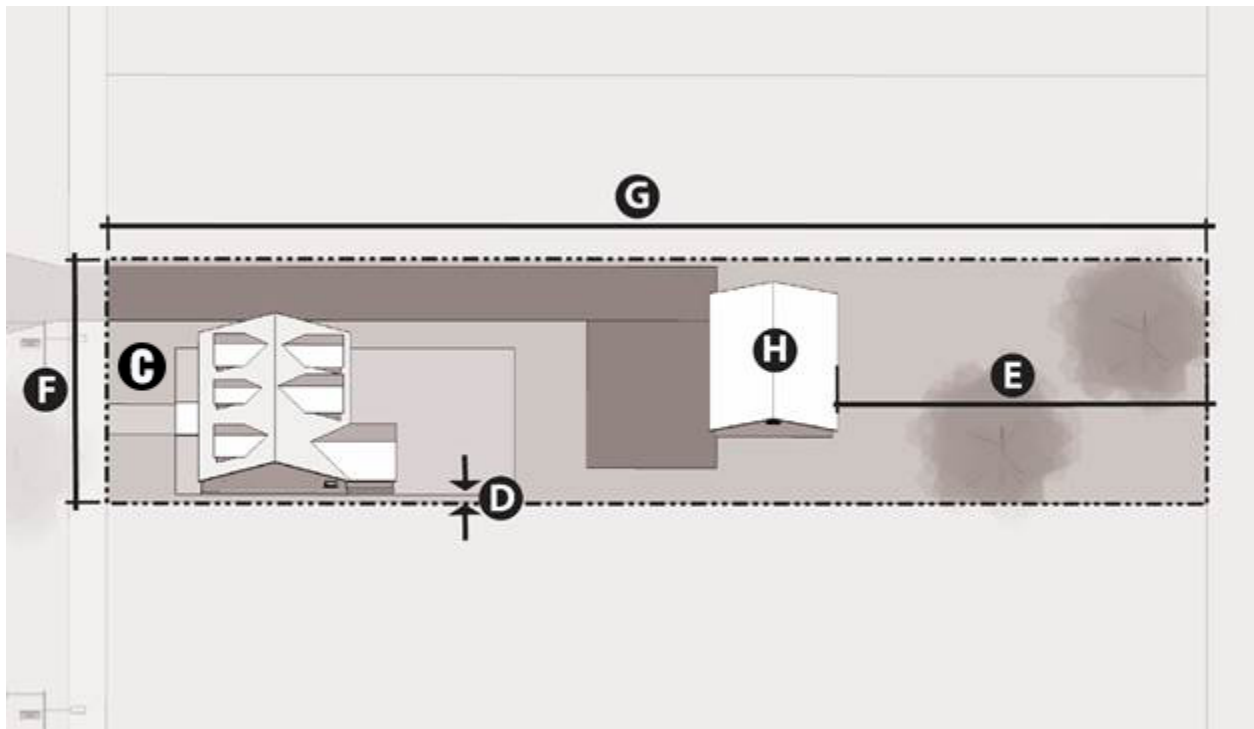
Detached Houses are the only building type intended to meet the intent of this district. Architectural regulations and Building Types are further described in CHAPTER 1246 – BUILDING TYPES.

1 1244.09.03 SITE LAYOUT REQUIREMENTS

2 [FIGURE 66]



3
4 [FIGURE 67]



5
6

1 (a) Building Massing

(a) BUILDING MASSING		
A. Minimum Height	15'	1.5 stories
B. Maximum Height	25'	2 stories
Maximum Dwelling Units per lot		1

2

3 (b) Building Placement

(B) BUILDING PLACEMENT			
C. Minimum Front Setback		Lesser of 20' or the average setback on the block face	
D. Minimum Side Setback		5'.; total of two side yards 15'	
E. Minimum Rear Setback		30'	
Minimum Lot Size		4000 sq. ft.	
F. Lot Width	Min	40'	
	Max	70', or average of adjacent lots, whichever is less	
G. Lot Depth	Min	100'	
	Max	200'	
Maximum Lot Coverage		Impervious Surfaces	60%
		Building	45%

4

5

6

7

(c) Building Access and Services

(c) BUILDING ACCESS AND SERVICES	
Parking	See Chapter 1254 for parking standards. Parking permitted in rear yard or side yard.
H. Garages	Garages shall be located in rear yard or along alley.

See section 1250.04.01 for placement of accessory buildings.

1244.10 R-6 Urban Residential

[FIGURE 68]



1244.10.01 R-6 A & B INTENT

The intent of the R-6 Urban Residential district is to preserve the historic character of Lansing's most urban neighborhoods maintaining the scale of medium-density single-family detached residences. These neighborhoods feature small lots, early 20th century-built homes often with alleys and rear loading garages. Infill development in this district should respect the historic single-family character. Typical character types include Four-Square, Craftsman, and Queen Anne vernacular types. Front-facing gable and hip roofs are typical. The intent of sub-district R-6B is to integrate attached residential units into appropriate locations at the perimeter of established residential neighborhoods. Attached residential units are intended to provide a

physical transition from the adjacent busier street types, and/or non-residential uses to the purely residential neighborhood.

1244.10.02 R-6 BUILDING TYPES

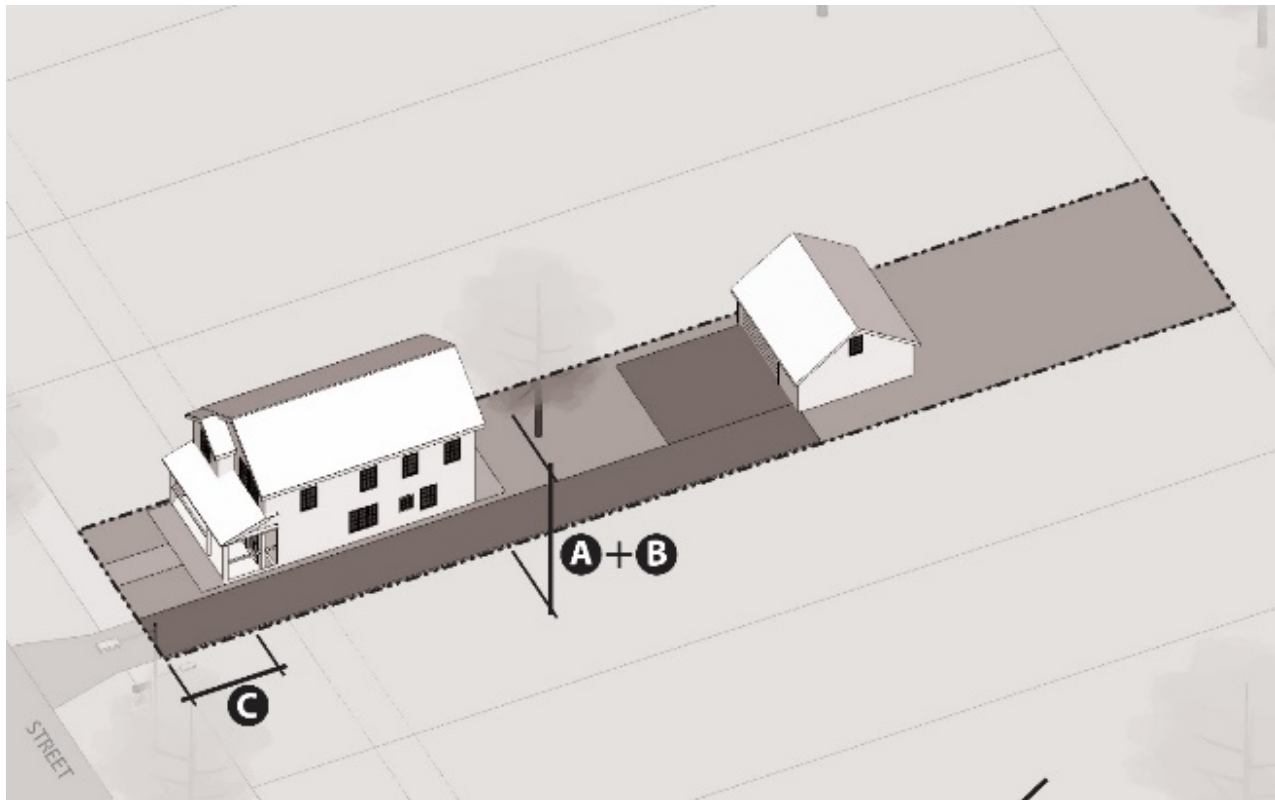
The following building types are suggested to meet the intent of this district. The table below shows which building types are suggested along the various street types in this district. Architectural regulations and Building Types are further described in CHAPTER 1246 - BUILDING TYPES.

[FIGURE 69]

	ARTERIAL CORRIDORS	ACTIVITY CORRIDORS	PRIME CONNECTORS	NEIGHBORHOOD CONNECTORS	LOCAL STREETS
Detached house	X	X	X	X	X
Attached Residential (R-6B only)	X	X	X	X	-

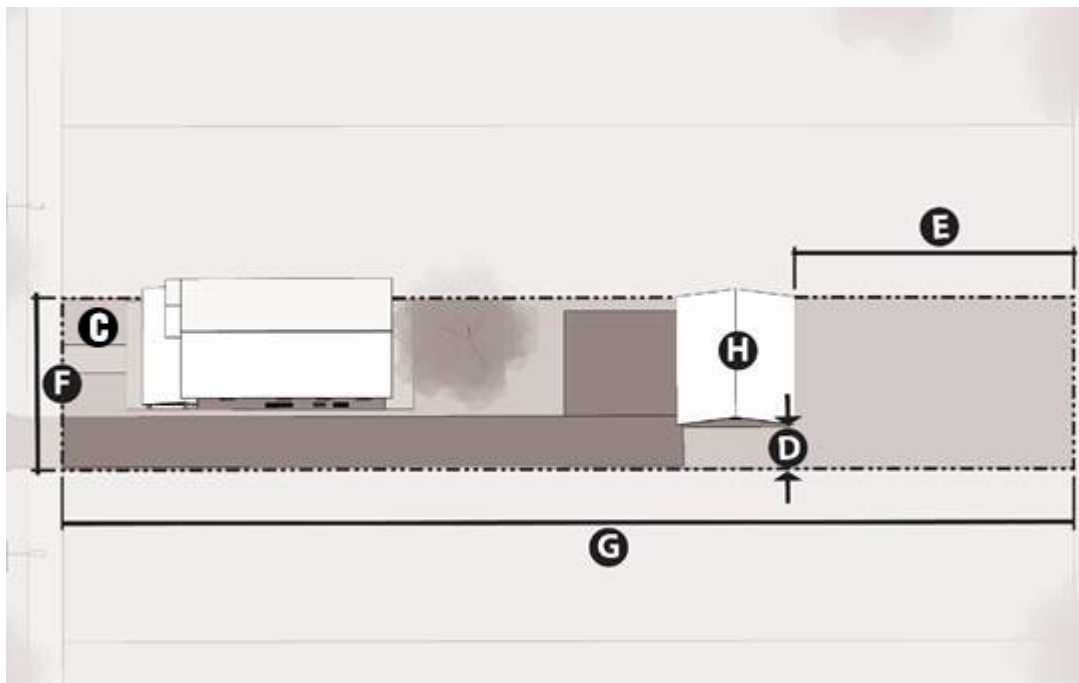
1 1244.10.03 SITE LAYOUT REQUIREMENTS

2 [FIGURE 70]



3

4 [FIGURE 71]



5

1 (a) Building Massing

(A) BUILDING MASSING			
A. Minimum Height	20'	2 stories	
B. Maximum Height	35'	2.5 stories	
Maximum Dwelling Units per lot		R-6A	1
		R-6B	6

2

3 (b) Building Placement

(B) BUILDING PLACEMENT			
C. Minimum Front Setback		Lesser of 20' or the average setback on the block face	
D. Minimum Side Setback		5'; total of two side yards 15'	
E. Minimum Rear Setback		30'	
Minimum Lot Size		R-6A 4000 sq. ft.	
		R-6B Efficiency: 2200 sq. ft. 1-bdrm: 2600 sq. ft., 2 bdrm: 3000 sq. ft., 3+ bdrms: 3800 sq. ft.	
F. Lot Width	Min	40'	
	Max	60'	
G. Lot Depth	Min	100'	
	Max	200'	
Maximum Lot Coverage		Impervious Surfaces	60%
		Building	45%

4

(c) Building Access and Services

(c) BUILDING ACCESS AND SERVICES	
Parking	See Chapter 1254 for parking standards. Parking permitted in rear yard or side yard.
H. Garages	Garages shall be located in rear yard or along alley.

See section 1250.04.01 for placement of accessory buildings.

1244.11 MFR Multi-Family Campus Residential

[FIGURE 72]



Illustrative example of the intent of this district

1244.11.01 MFR INTENT

The MFR Multiple Family Campus Residential district is applied to areas of Lansing that are appropriate for the highest range of residential densities to accommodate multiple family dwellings. The MFR zone is suitable as a transition from the residential districts into mixed-use commercial areas. MFR complexes should be designed with a campus-like character, providing shared open space, landscape buffering, and consistent site design features.

1244.11.02 MFR BUILDING TYPES

Attached Residential is the only building type intended to meet the intent of this district. Architectural regulations and Building Types are further described in CHAPTER 1246 – BUILDING TYPES.

1244.11.03 SITE LAYOUT REQUIREMENTS

[FIGURE 73]

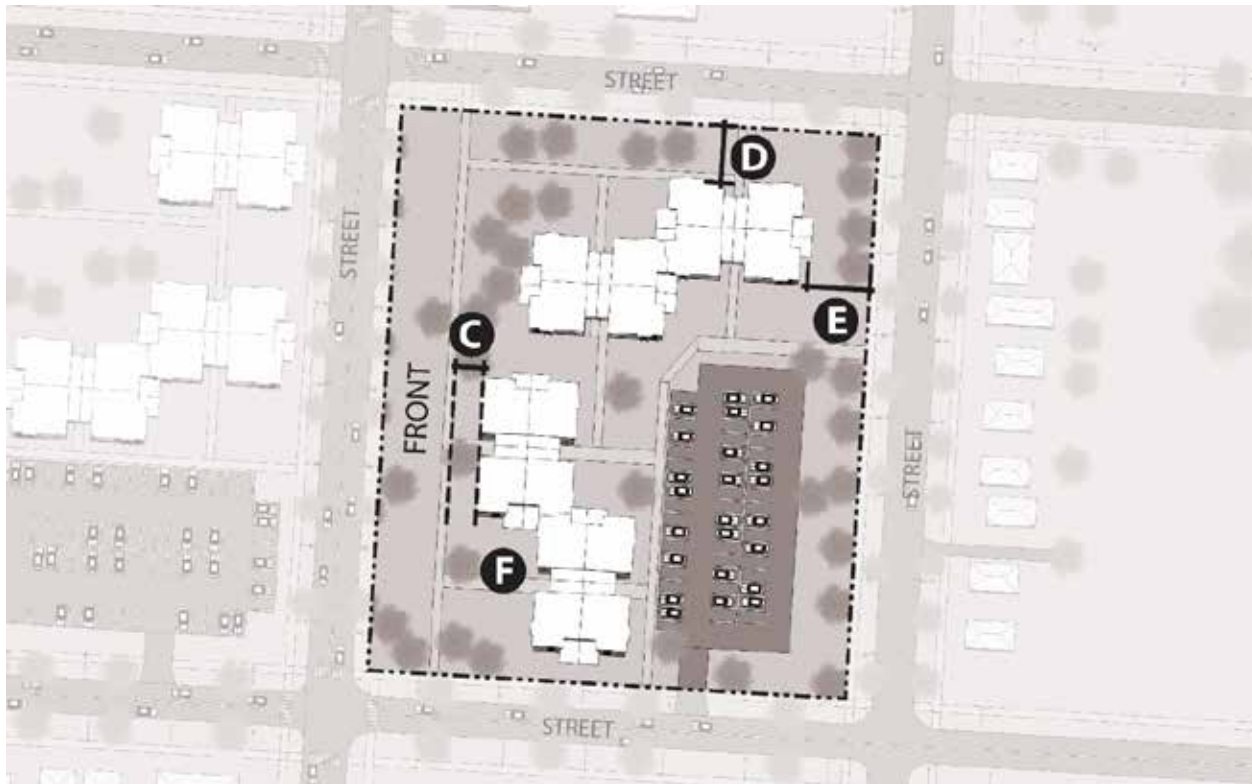


(a) Building Massing

(a) BUILDING MASSING		
A. Minimum Height	15'	1 story
B. Maximum Height	45'	4 stories

1

[FIGURE 74]



2

3 (b) Building Placement

(b) BUILDING PLACEMENT			
C. Minimum Front Setback		20'	
D. Minimum Side Setback		10% up to a maximum of 25'	
E. Minimum Rear Setback		25'	
F. Minimum Lot Size Per unit	Efficiency	2200 sq. ft.	
	One bedroom	2600 sq. ft.	
	Two bedroom	3000 sq. ft.	
	Three+ Bedroom	3800 sq. ft.	
Maximum Lot Coverage		Impervious Surfaces	60%
		Building	40%

See section 1250.04.01 for placement of accessory buildings.

(c) Building Access and Services

(c) BUILDING ACCESS AND SERVICES	
Building Access & Entrances	Entrances may face interior parking but should have pedestrian connections to the public right-of-way sidewalks.
Parking	See Chapter 1254 for parking standards. Parking permitted in rear yard or side yard.

1244.12 R-MX Mixed Residential

[FIGURE 75]



Illustrative example of the intent of this district

1244.12.01 R-MX INTENT

The R-MX Mixed Residential district is intended to accommodate a mixture of housing types along corridors and near the Downtown. Historically, these areas were single-family neighborhoods that have transitioned over time to include a mixture of housing types. Historic single-family houses should be retained where possible for their character and infill housing

should respect the established scale and massing. Denser housing along corridors is intended to provide a transition to the adjacent established single-family neighborhoods.

1244.12.02 R-MX BUILDING TYPES

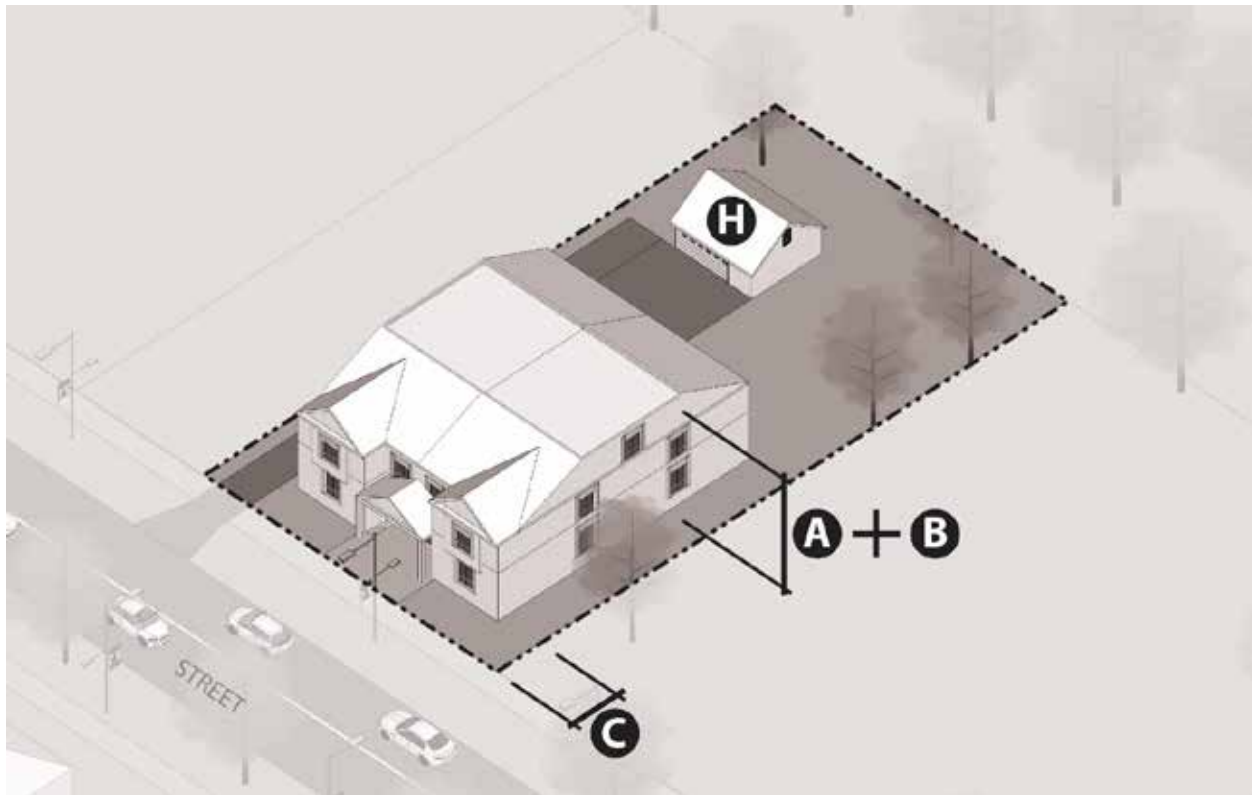
Detached Houses and Attached Residential are the only building types intended to meet the intent of this district. Architectural regulations and Building Types are further described in CHAPTER 1246 – BUILDING TYPES.

1244.12.03 SITE LAYOUT REQUIREMENTS

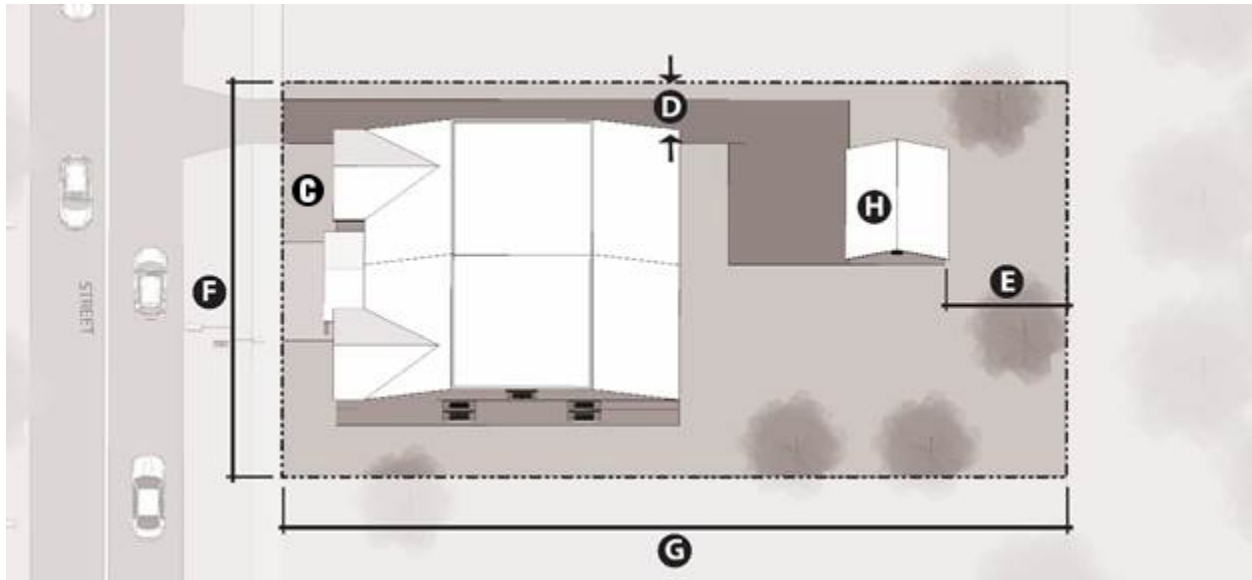
See CHAPTER 1246 – BUILDING TYPES for architectural standards.

See Chapter 1254 for parking standards. Parking permitted in rear yard or side yard. Garages shall be located in rear yard or along alley.

[FIGURE 76]



[FIGURE 77]



- 1
- 2 (a) Building Massing

(A) BUILDING MASSING		
A. Minimum Height	20'	2 stories
B. Maximum Height	45'	4 stories
Maximum Dwelling Units per lot		6

- 3 (b) Building Placement

(B) BUILDING PLACEMENT		
C. Minimum Front Setback		20'
D. Minimum Side Setback		5'.; total of two side yards 15'
E. Minimum Rear Setback		30'
Minimum Lot Size Per unit	Efficiency	2400 sq. ft.
	One bedroom	2800 sq. ft.
	Two bedroom	3200 sq. ft.
	Three+ Bedroom	4000 sq. ft.

F. Lot Width	Min	30'	
	Max	60'	
G. Lot Depth	Min	150'	
	Max	200'	
Maximum Lot Coverage		Impervious Surfaces	60%
		Building	40%

1 (c) Building Access and Services

(c) BUILDING ACCESS AND SERVICES	
Parking	See Chapter 1254 for parking standards. Parking permitted in rear yard or side yard.
Garages	Garages shall be located in rear yard or along alley.

2 See section 1250.04.01 for placement of accessory buildings.

3

4 1244.13 R-AR Adaptive Reuse Residential

5 [FIGURE 78]



6

1 Illustrative example of the intent of this district

3 1244.13.01 R-AR INTENT

4 The purpose and intent of the R-AR Adaptive Reuse Residential district is to:

5 (a) Promote the appropriate reuse or redevelopment of former institutional sites that is
6 compatible in scale and intensity with the previous use or character of the area.

7 (b) Minimize impacts on and ensure proper transitions from taller buildings and more intense
8 uses to adjoining residential neighborhoods and less intense uses.

9 (c) Provide for recreational, pedestrian and open space needs that may be displaced by
10 redevelopment of vacant institutional sites

11 (d) Regulate building height and require appropriate landscaping and screening to achieve
12 appropriate scale along streetscapes and ensure proper transition to nearby residential
13 neighborhoods.

15 1244.13.02 R-AR BUILDING TYPES

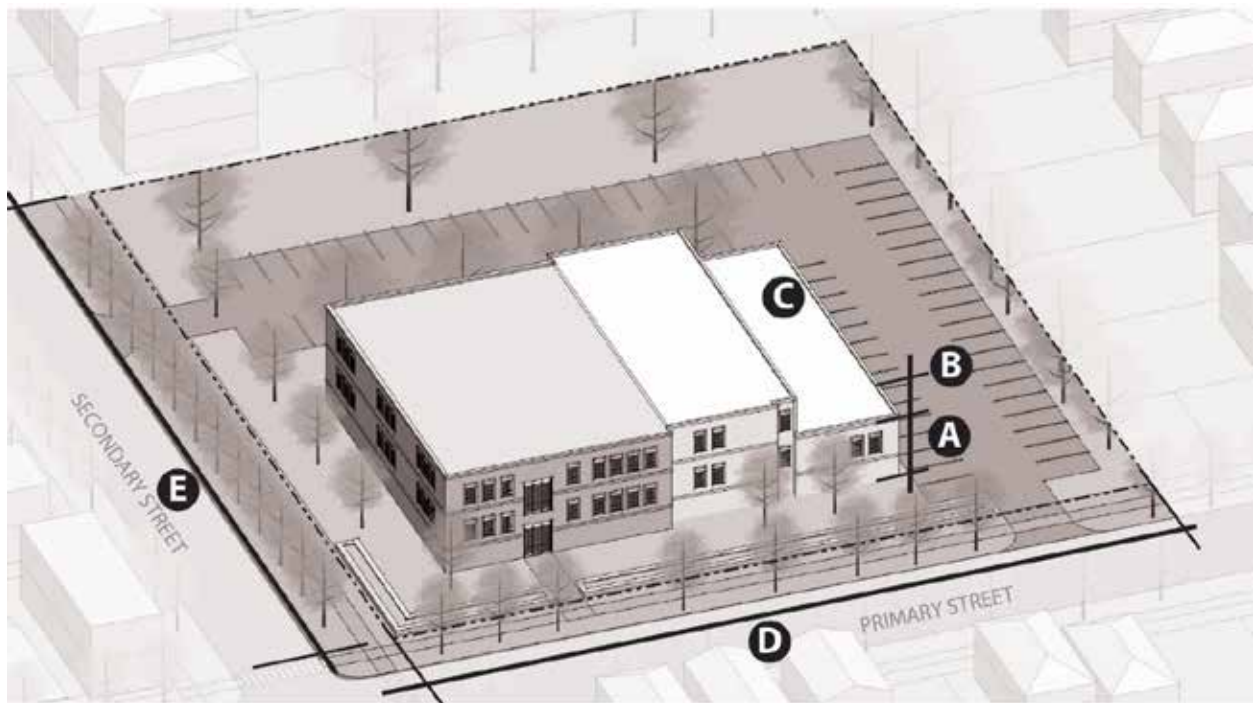
16 The following building types are suggested to meet the intent of this district. The table below
17 shows which building types are suggested along the various street types in this district.
18 Architectural regulations and Building Types are further described in CHAPTER 1246 –
19 BUILDING TYPES.

20 [FIGURE 79]

	STREET TYPE					
	ARTERIAL CORRIDOR	SUBURBAN CORRIDOR	ACTIVITY	PRIME	NEIGHBORHOOD CONNECTOR	LOCAL
Urban Mixed-Use	X	X	X	X	-	-
Attached Residential	X	X	X	X	X	X
Detached house	X	X	X	X	X	X

1 1244.13.03 SITE LAYOUT REQUIREMENTS

2 [FIGURE 80]

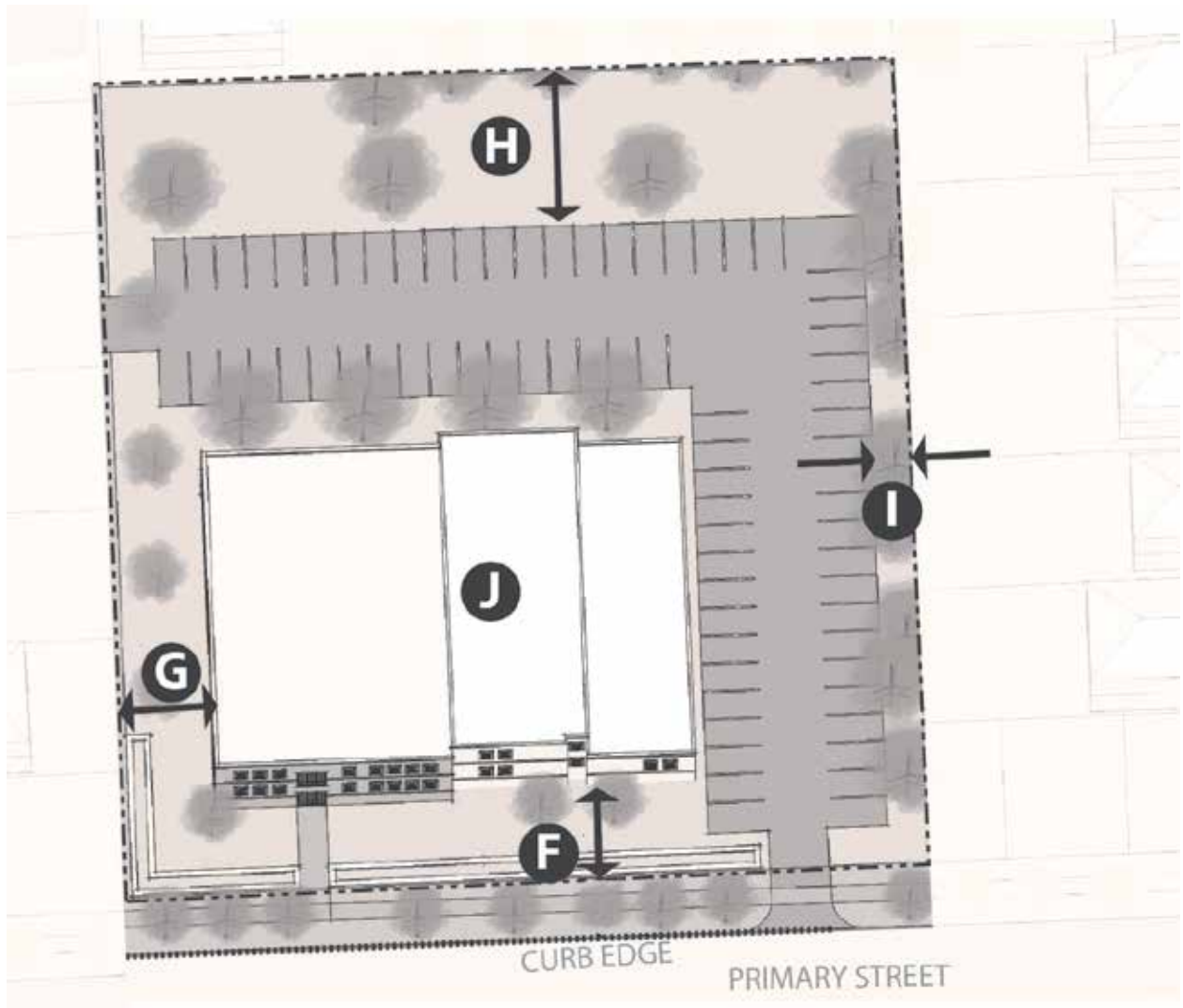


3
4 (a) Building Massing

(a) BUILDING MASSING		
A. Minimum Height	15'	1 story
B. Maximum Height	A: Equal to adjacent residential district; or B: Equal to existing height or maximum in adjacent residential district, whichever is greater, for sites where more than 75% of original structure is preserved.	
C. Required Upper floor Building Step-Backs - when adjacent to residential districts	Equal to each story height, for each story above the maximum	
D. Minimum Built Frontage, Primary Street	60% maximum on any street	
E. Minimum Built Frontage, Secondary Street (for corner lots)	60% maximum on any street	

1

[FIGURE 81]



2

3 (b) Building Placement

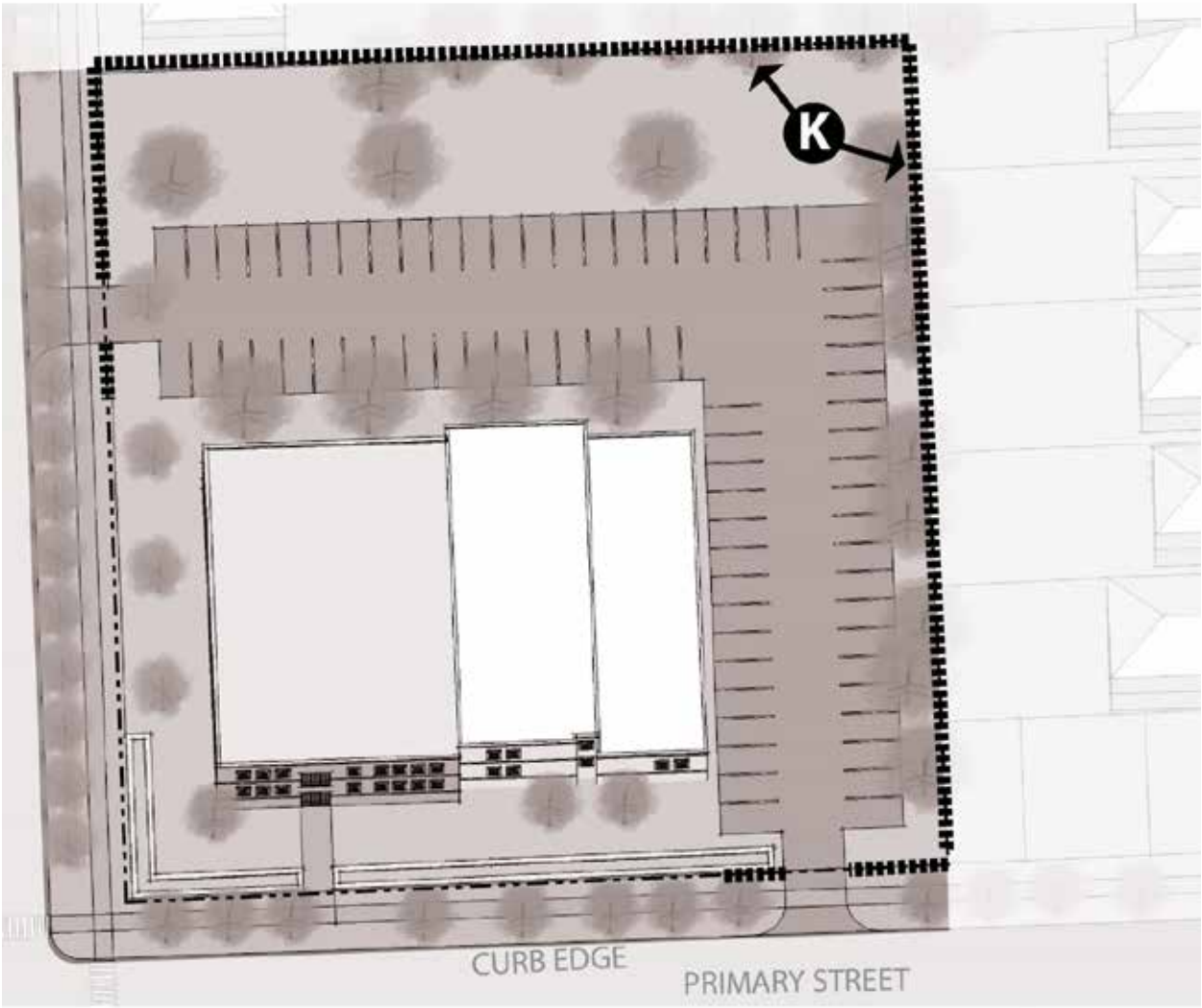
(b) BUILDING PLACEMENT	
F. Front Setback (from inside edge of public sidewalk)	Whichever is Greater: A: Allow extension of established setback along frontage; or B: Match to double the setback in adjacent residential district; or C: Equal to building height
G. Minimum Side Setback	Whichever is greater: A: Double setback in adjacent residential district B: Equal to building height
H. Minimum Rear Setback	

I. Minimum Setback from Adjacent Residential Districts	Equal to double the front setback in adjacent residential district
	Landscaping per Chapter 1252; or screening wall or fence where adequate buffer cannot be provided
J. Maximum Lot Coverage	Equal to adjacent residential district (see INCENTIVES coverage bonuses)

1 *See section 1250.04.01 for placement of accessory buildings.*

2

1 [FIGURE 82]



2
3 (c) Building Access and Services

(c) PARKING	
Allowed Surface Parking Locations	Rear yards only; Side yard parking may be extended where transitions and buffers will exceed requirements
K. Side and Rear Parking Lot Setback / Screening	8' landscape buffer. Either setback may be reduced to 5' with 6' opaque screen wall.
Required Parking Spaces	Parking per Chapter 1254

Chapter 1245

Special Districts

1245.01 Applicability

(a) The standards of this chapter shall apply to all proposed development within the zoning districts contained herein, and shall be considered in combination with the standards in CHAPTER 1246 – BUILDING TYPES and other applicable chapters of this zoning ordinance. If there is a conflict between any standards, the stricter standards shall apply.

(b) Exempt Expansions. Changes of use to another permitted use or to increase parking to meet the minimum number of spaces required, building maintenance or façade changes that do not alter the building footprint or require site improvements, shall be permitted according to CHAPTER 1260 – SITE PLAN REVIEW, provided that standards of other applicable city codes and ordinances are met.

1245.02 Administration

a. Site Plan Review. Applications shall be reviewed according to CHAPTER 1260 – SITE PLAN REVIEW.

b. Incentives.

i. Types of Incentives. To promote redevelopment and stimulate reinvestment in the City, the Planning Office may grant additional flexibility or development options where one or more of the Recognized Benefits, listed below, are provided. The following incentives may be granted:

1. Dimensional Flexibility. Flexibility may be granted of the minimum lot coverage, building frontage, or setbacks provided the resulting layout will not negatively impact nearby residences.
2. Additional Building Height. The maximum building height may be increased by one additional story.
3. Reduced Minimum Parking. Reduced parking may be allowed consistent with Section 1254.01.04.

1

[FIGURE 83]

(1) Incentives → See above for details		A	B	C
(2) Recognized Benefit See below for details ↓		DIMENSIONAL FLEXIBILITY	BUILDING HEIGHT	REDUCED PARKING
A	Open Space	X		
B	Low-Impact Development	X		
C	Mixed-Use			X
D	Green Building	X	X	
E	Additional Landscape Elements	X		
F	Pedestrian Amenities	X		X
G	Shared Access			X
H	Shared Parking			X

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- ii. Recognized Benefits. Additional building height or flexibility may be granted during the project review when one or more of the following recognized benefits are provided:

1. Open Space. Inclusion of 5% open space above what may be required for the building type. Open space must meet the following standards to be counted toward the minimum requirement:
 - a. Open space may be public or private but must be accessible to the public along with employees or residents or visitors.
 - b. Dimensions, grading and design of the open space shall provide useable area for seating, gathering, recreation or other activities.
 - c. Required open space shall not include wetlands, required setbacks, required landscape areas, water bodies, easements for private roads or overhead utilities, stormwater control facilities as required by Chapter 1219, floodplain area or public right-of-way, provided that where additional public right-of-way is desired by the city, it may be included.

- d. Required open space shall be functional (not isolated remnant parcels) and provided to supplement public space along a sidewalk, provide pedestrian or greenway connections, pocket parks to serve nearby uses, located and designed to terminate views along streets, or otherwise provide an amenity that would not be provided in a project that just met minimum code requirements.
 2. Low Impact Development (LID, e.g. green roof, on-site stormwater retention). Use of alternative stormwater management design that may include green roofs, natural retention systems, porous pavement alternatives, or other energy or water conserving applications above and beyond the requirements of Chapter 1219 - Post-Construction Stormwater Management.
 3. Provision for Mixed-Use. Proposals that include a mix of different but compatible use types within the same building, such as first-floor retail with offices or residential units on upper floors.
 4. Green Buildings. Significant use of sustainable building and site design features such as: water use reduction, water efficient landscaping, innovative wastewater technologies, low impact stormwater management, optimize energy performance, on-site renewable energy, solar heating, reuse/recycled/renewable materials, indoor air quality or other sustainable elements.
 5. Additional Landscape Elements. Exceeding minimum quantities or sizes required in CHAPTER 1252 – LANDSCAPING. Or additional plantings or decorative fence or wall where needed to help reduce impacts on neighboring properties. Native species, larger caliper plantings,
 6. Pedestrian Amenities. Provision of public plazas, walkways or pedestrian-oriented features, such as street trees or benches beyond those required or enhancements to a transit stop, such as a shelter, large pad size or similar improvements endorsed by the Capital Area Transportation Authority (CATA) .
 7. Shared Access. Removal of a driveway or use of shared driveway for access from public streets. This may require an access easement approved by the city attorney.
 8. Shared Public Parking. See Section 1254.01.04 Factors to Permit a Reduction from the Amount of Parking Required.
- c. Allowed Flexibility. It is recognized that certain existing site conditions may prohibit full compliance with this Section. The Director of Economic Development and Planning, upon recommendation of the Zoning Administrator, is authorized to approve modifications to the standards of this Section, after considering the criteria and standards below. Any request for relief from a

required standard other than those listed below shall be made through the variance procedures set forth in Chapter 1274 – Board of Zoning Appeals.

1. Criteria for Modification

- a. Demonstration by the applicant that there is a unique situation with the property that makes it impractical to fully comply with the standards herein.
- b. The proposed development is consistent with the Design Lansing Comprehensive Plan, as amended.
- c. The proposed development is consistent with the Intent of this District.
- d. The proposed modification will not prevent or complicate logical extensions of streets, infrastructure, parking, open space, or development of adjacent properties.
- e. The modification is the minimum necessary to allow reasonable development that is consistent with the intent of the Zoning Ordinance and the Design Lansing Comprehensive Plan.
- f. The proposed development will not impair public safety.
- g. The modification is not simply for convenience of the development.
- h. The design will not be detrimental to adjacent residential uses.

2. Modification Standards

a. Height

- i. Minimum and maximum height - up to ten percent for any cumulative increase or decrease in building height.
- ii. Clear height – up to ten percent.

b. Building Placement

- i. Build-to line – up to one foot.
- ii. Frontage – reduction of up to ten percent of required length.
- iii. Street wall requirements – up to ten percent of the height/ fenestration/access gate requirements.
- iv. Upper floor step-backs – up to ten percent.
- v. Street wall/fence/screening requirements – up to ten percent.

c. Architectural Regulations (per Chapter 1246)

- i. Windows (minimum and maximum fenestration percentage) – up to ten percent.
- ii. Projections (stoops, porches, awnings, balconies) – up to ten percent.
- iii. Required open space – up to ten percent.

- 1 iv. Entrances (maximum average spacing) – up to ten
2 percent increase in spacing.
3 d. Conditions and Phasing. Where deemed necessary, the Zoning Administrator, or
4 Planning Board and Council for special uses, as applicable, may:
5 i. Require a phasing plan that explains how new development and
6 infrastructure, meeting the requirements of this section, will be
7 constructed, and elements of the site not in compliance will be phased out
8 over time. This may require temporary or permanent easements or
9 commitments through a written agreement and performance guarantee.
10 e. Agreement. The City may require a written agreement if flexibility is granted
11 through incentive or to ensure compliance with conditions of approval. An
12 agreement with the City shall be prepared in a form acceptable to the City
13 Attorney that specifies the required improvements, commitments and obligations
14 of the development. The agreement shall specify any recognized benefits
15 provided by the developer, flexibility granted by the City, and maintenance
16 provisions for all site improvement.

17
18 1245.03 Industrial and Institutional Permitted Uses

19 In Industrial and Institutional Districts, the following principal uses are permitted. Permitted uses
20 shall be subject to site plan review. Conditional uses are permitted if the Conditions noted in the
21 Section referenced are met. Special Land Uses may be permitted by Council in accordance with
22 the procedures and review standards described in CHAPTER 1262 – SPECIAL LAND USE
23 PERMITS.

24 [FIGURE 84]

City of Lansing Form-Based Code Master Use Table

Revised 1/28/20

P = PRINCIPAL PERMITTED C = CONDITIONAL USE S = SPECIAL LAND USE	IND-1	IND-2	IND-3	INST-1	INST-2	Conditions
Industrial						
Cleaning, processing, servicing, or repair of any product	P	P				
Dry cleaning plants	P	P	P			
Industrial scrap metal processing		P				
Lumber yards	P		P			
Manufacture of already processed components (bakeries, cosmetics, candles, etc)	P	P	P			
Manufacture of automobiles parts and car assembly		P				
Manufacture of toys, furniture, appliances, etc	P	P	P			
Metal forming	P	P	P			
Mining		S				
Motor vehicle repair station	P	C	C			1. All activities shall be conducted within an enclosed structure. 2. Any vehicle stored on the lot shall be stored in an enclosed structure or within a completely fenced area.
Power plants		P				
Production of consumer goods, with 20% GFA retail sales	P	P	P			
Research laboratory	P		P	P	P	
Salvage yards		C				1. The materials are enclosed by a structure or a fence, not less than eight feet in height, that obstructs vision. 2. The materials stored within 20 feet of the fence shall not exceed the height of the fence. 3. A plan is submitted to and approved by the Planning Division, which plan shows the type and location of the fence. 4. No outdoor burning occurs on the lot on which the salvage yard is located.
Sanitary land fill		S				
Tool, die, and machine shops	P	P	P			
Truck terminals	P	P				
Wholesale and warehouse uses	P	P	P			
Wireless Communications Towers	S	S	S			
Adult Business Uses	S	S	S			See 1250.02.11
Residential Uses						
Single-Family detached						
Two-Family dwelling				P	P	
Multi-Family dwelling	C	C	C	P	P	In Industrial Districts, multiple-family only as part of renovation of or addition to an existing structure.
Human Care Facilities						
AFC large group home (13-20)				S	S	
Child Care centers, preschools, and commercial day care				C	C	At least one property line abutting an arterial, suburban or activity corridor

1

2

City of Lansing Form-Based Code Master Use Table

Revised 1/28/20

P = PRINCIPAL PERMITTED C = CONDITIONAL USE S = SPECIAL LAND USE	IND-1	IND-2	IND-3	INST-1	INST-2	Conditions
Institutional						
Places of Assembly	S	S	S	S	S	
Hospital				P	P	
Museum	C	C	C	P	P	1. Front, rear and side yards are not less than 25 feet, except as provided below. 2. If a front, rear or side yard abuts a Commercial Mixed-Use District, then the yard which abuts such District shall meet the dimensional requirements of the District which abuts such front, rear or side yard.
Library	C	C	C	P	P	3. No parking exists in the front yard. 4. No accessory structure is located in the front yard.
Schools				C	C	All education facilities, except elementary or middle schools, must have at least one property line abutting and all points of ingress/egress directly to an arterial, suburban or activity corridor
Trade school	C	C	C	C	C	
Park, open space, plaza				P	P	
Commercial/Office						
Retail sales and Personal Services	P	P	P			
Professional/business offices	P	P	P	P	P	
Animal Hospital	C	C				
Bank	P	P	P			
Brewpub	P	P	P			
Clinic	P	P	P	C	C	At least one property line abutting and all points of ingress/egress directly to an arterial, suburban or activity corridor
Funeral Home	P	P	P	P	P	
Golf courses	S					
Hotel	P	P	P			
Kennel	C	C				1. Structures must be setback at least 50 feet from each adjacent residential lot line 2. Lot size of at least 3 acres for a kennel having an outside exercise run or treatment area 3. Outside exercise run or treatment area must be located at least 100 feet from all lots lines and at least 400 feet from an adjacent residential lot line
Laundromat, dry cleaner	P	P	P			
Mini-golf	P					
Mobile Food Vending (Food trucks and carts)	C	C	C			(TO BE DRAFTED)
Motor vehicle service station	P	P	P			
Nursery, commercial greenhouse	P	P	P			

City of Lansing Form-Based Code Master Use Table

Revised 1/28/20

P = PRINCIPAL PERMITTED C = CONDITIONAL USE S = SPECIAL LAND USE	IND-1	IND-2	IND-3	INST-1	INST-2	Conditions
Parking structure			C	C	C	1. Parking structures are encouraged to be lined on exterior elevations by non-parking uses. 2. On Activity Corridors, the first floor shall have a minimum depth of 20 feet to be occupied by commercial uses permitted in the district. 3. Access drives shall be permitted on the ground level, provided they are collectively no more than 25% of the frontage. 4. The facade of the parking structure shall be integrally designed with the architecture of the overall building, utilize the same building materials, provide an architectural treatment at the top of the structure, such as a cornice, and have wall openings with proportions that comply with the fenestration requirements in Section 1246.04 5. New parking structures shall be designed with a upper story minimum clear height of 9'.
Restaurant, bar, tavern	P	P	P			
Self-storage rental	P	P	P			
Studio (dance, health, music, etc)	P	P	P			
Vehicle sales, vehicle leasing, and other outdoor sales facility	C	C	C			1. The area of the lot on which the items described in this subsection are located shall be covered with Portland cement or asphaltic concrete. 2. Each point of vehicular ingress and egress to the lot shall be not less than sixty feet from the intersection of any two streets. 3. Any repair or refinishing which is done on the lot shall be done within the confines of an enclosed structure. 4. Lighting shall be confined within and directed onto the parking area only. 5. The portion of the lot on which the items described in this subsection are located shall have a buffer zone of at least eight (8) feet from all lot lines adjacent to the public right-of-way, excluding approved driveways, and any residentially zoned property. The buffer zone shall be landscaped, screened and buffered in accordance with the requirements of Section 1252.09
Drive-thru, as accessory use	C	C	C			1. The drive-thru window shall be on the side or rear of the building. The side of the building with the drive-thru lane shall be setback a minimum of twenty five (25) feet from any lot line. 2. The site will be adjacent to a Suburban Corridor, Arterial Corridor, Prime Connector, or Activity Corridor and all points of ingress and egress will be directly onto said street type. 3. Adequate waiting or standing areas for vehicles shall be provided on-site so that no vehicle is required to wait, stand, or be stored within a right-of-way, in accordance with the parking requirements of Chapter 1254. 4. Methods to minimize the impact of noise from outdoor speakers on adjacent residential are required.

Accessory uses customarily incidental to any of the above principal uses are allowed provided the Zoning Administrator may require additional parking or compliance with other standards upon a determination that such use may impact site operations beyond that of the Principal Use.

All activities shall take place within a completely enclosed building unless otherwise indicated.

1245.04 IND-1 Suburban Industrial

[FIGURE 85]



Illustrative example of the intent of this district

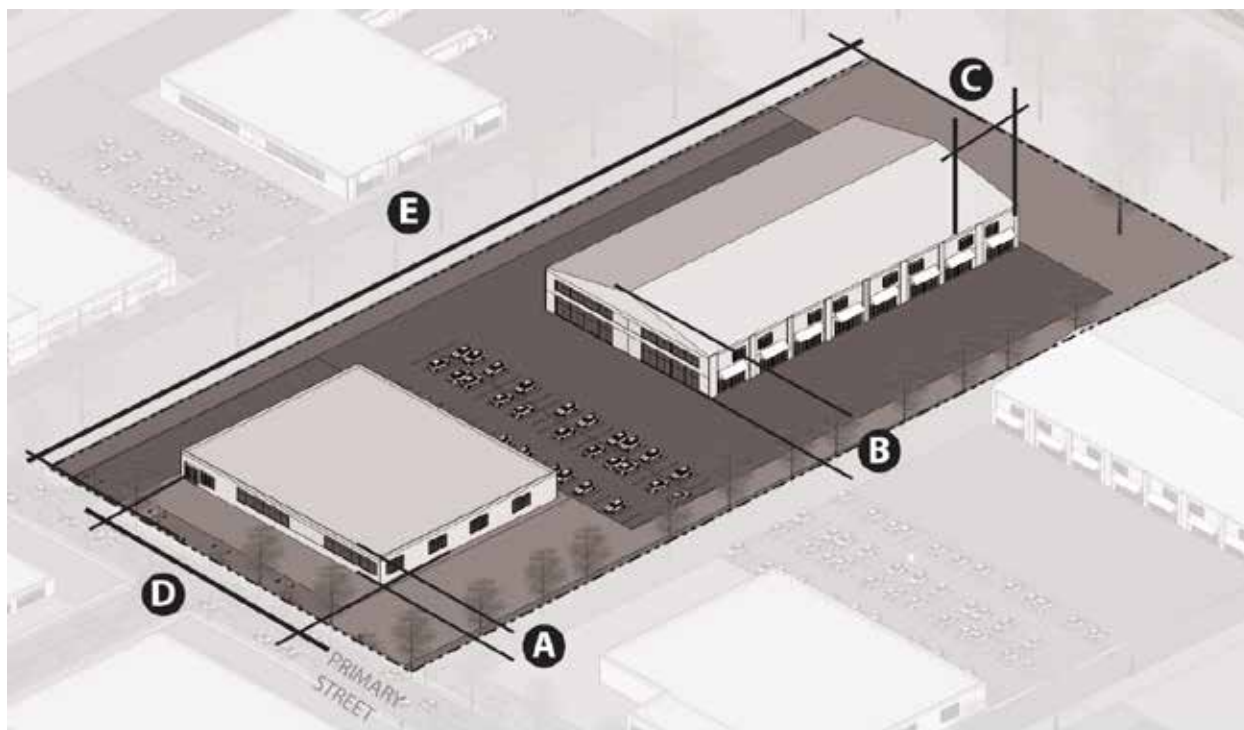
1245.04.01 IND-1 SUBURBAN INDUSTRIAL DISTRICT

INTENT

The IND-1 Suburban Industrial district is intended for light-to-medium intensity industrial uses including Research & Development, manufacturing, warehousing and similar uses. IND-1 districts are distinct from other industrial districts in that the setting is of a more suburban style industrial park with low rise buildings, with relatively larger lots with expansive lawns.

1 1245.05.02 IND-1 SITE LAYOUT REQUIREMENTS

2 [FIGURE 86]



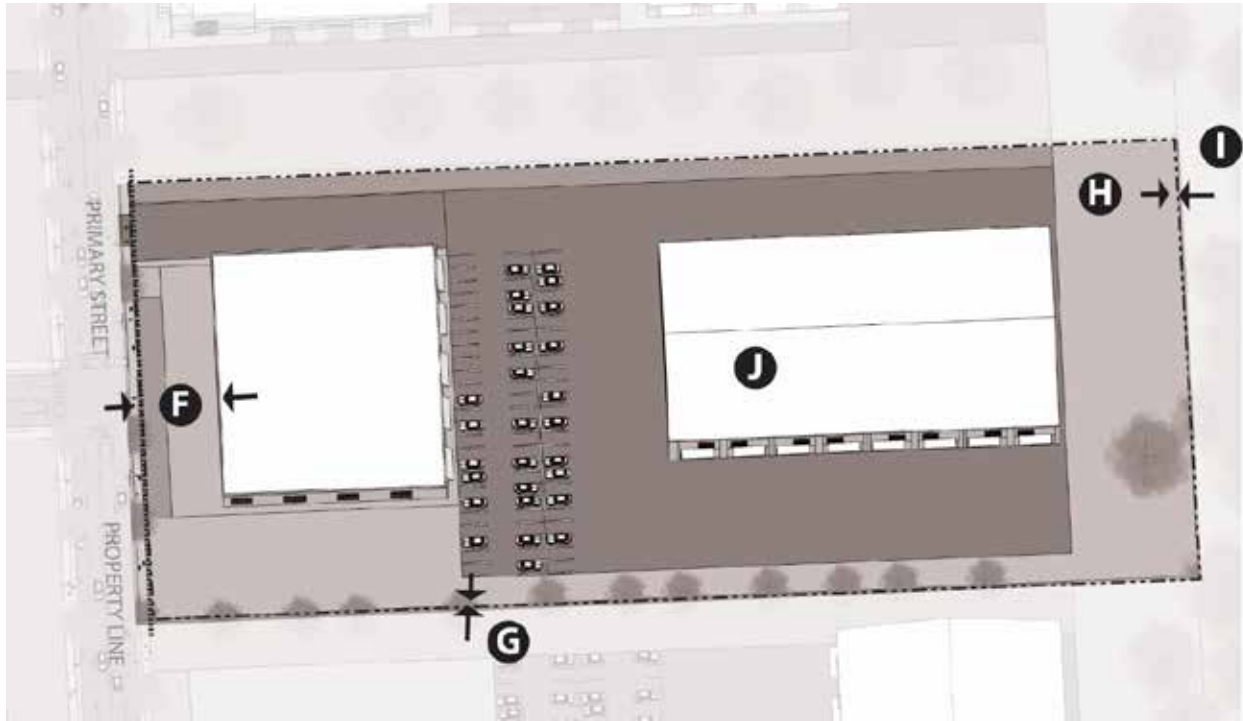
3
4 (a) Building Massing

5

(a) BUILDING MASSING	
A. Minimum Height	16'
B. Maximum Height	45'
See Section 1250.03.02 for height exceptions	
C. Required Upper floor Step-Backs - when adjacent to R-1 through R-6 districts	For the elevation adjacent to a residential district, the floors above the second story shall be tiered-back so that the highest point of the building is setback from the adjacent residential district a distance at least equal to the height of the building.
D. Minimum Frontage, Primary Street	50%
E. Minimum Frontage, Secondary Street	25%

These standards apply to principal and accessory buildings.

[FIGURE 87]



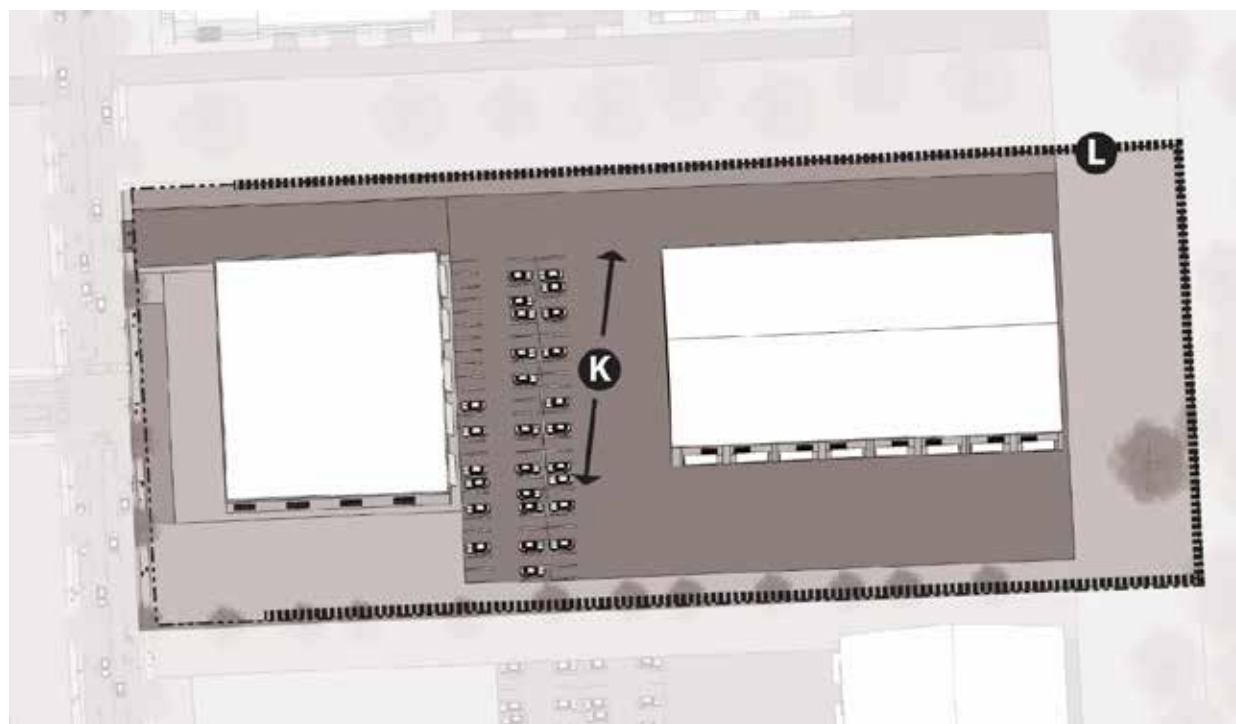
(b) Building Placement

(b) BUILDING PLACEMENT		
F. Front Setback	Arterial Corridor	Min. 25'
	Suburban Corridor	Min. 25' (include 20' landscape greenbelt)
	Activity Corridor	Min. 25'/max 40'
	Prime Connector	Min. 25' (include 20' landscape greenbelt)
	Neighborhood Connector	Min. 25'
	Local Street	Min. 25'
G. Minimum Side Setback	10'	
H. Minimum Rear Setback	10'	

I. Minimum Setback from Adjacent Residential Districts (adjacent residential includes directly abutting residential or across the street from residential)	Whichever is Greater: A: Match to double the setback in adjacent residential district; or B: Equal to building height
J. Maximum Lot Coverage	45%

1 See section 1250.04.01 for placement of accessory buildings.

2 [FIGURE 88]



3
4 (c) Parking / Loading

(d) PARKING/LOADING	
K. Allowed Surface Parking Locations	One single-loaded bay in front Side or rear parking allowed.
L. Side and Rear Parking Lot Setback / Screening from non-industrial districts	8' landscape buffer

Required Parking Spaces	See Table 1254.01.03 and Section 1254.01.04 for parking reductions
Loading Bays Truck turning templates and access to loading must be delineated on site plan	Not permitted in front yard See Section 1254.01.17

1

2 (d) Accessory Outdoor Storage

(e) ACCESSORY OUTDOOR STORAGE
Outdoor storage of equipment, vehicles, or materials shall be associated with the principal use. See Section 1250.02.07 for more on Vehicle Storage.
Accessory outdoor storage shall be screened from adjacent residential and public streets and shall not be located in the front yard. See Section 1252.09(e)
The Zoning Administrator may require the area identified on the site plan.

3

4

1245.05 IND-2 General Industrial

[FIGURE 89]



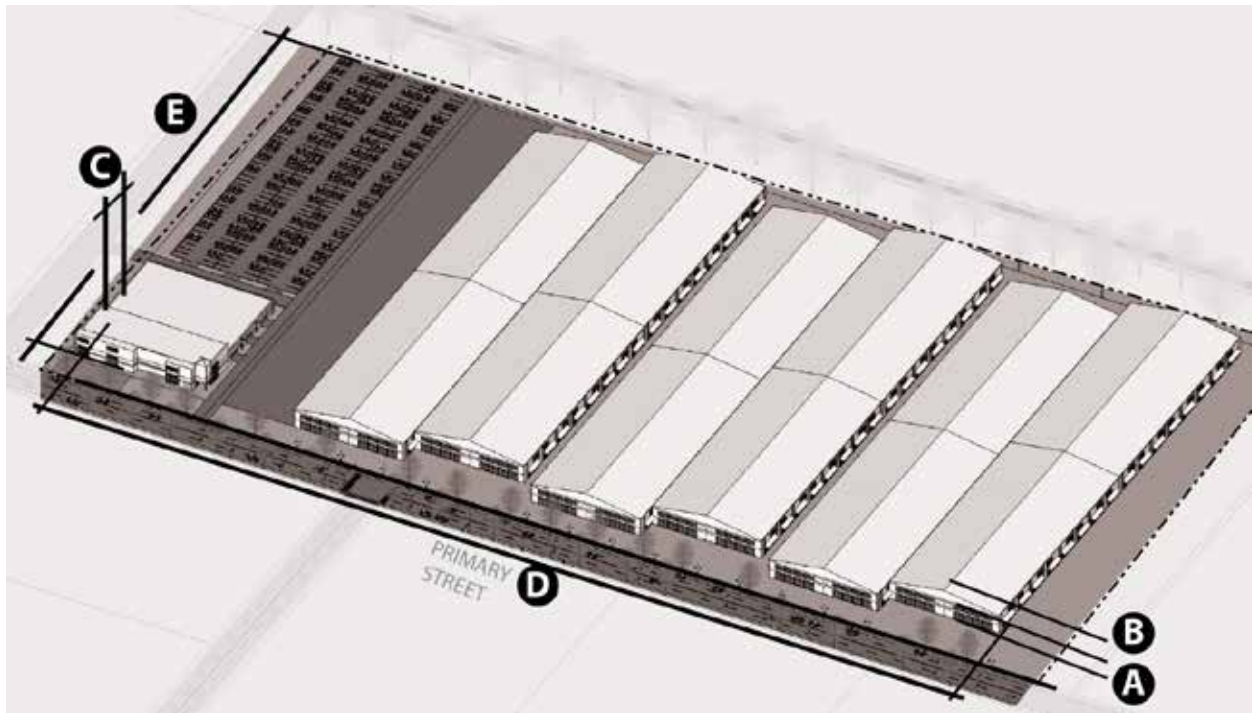
1245.05.01 IND-2 GENERAL INDUSTRIAL DISTRICT

INTENT

The IND-2 General Industrial district is intended for a wide range of industrial uses ranging from medium intensity, such as contractor yards and warehousing, to larger scale heavy industrial uses such as vehicle manufacturing plants, processing or storage and distribution of raw materials, trucking terminals and similar uses. This district also provides for higher intensity extractive uses and landfills, though given the urban character of the city, those types of uses have extensive regulations to ensure compatibility with surrounding land uses and the environment.

1 1245.05.02 IND-2 SITE LAYOUT REQUIREMENTS

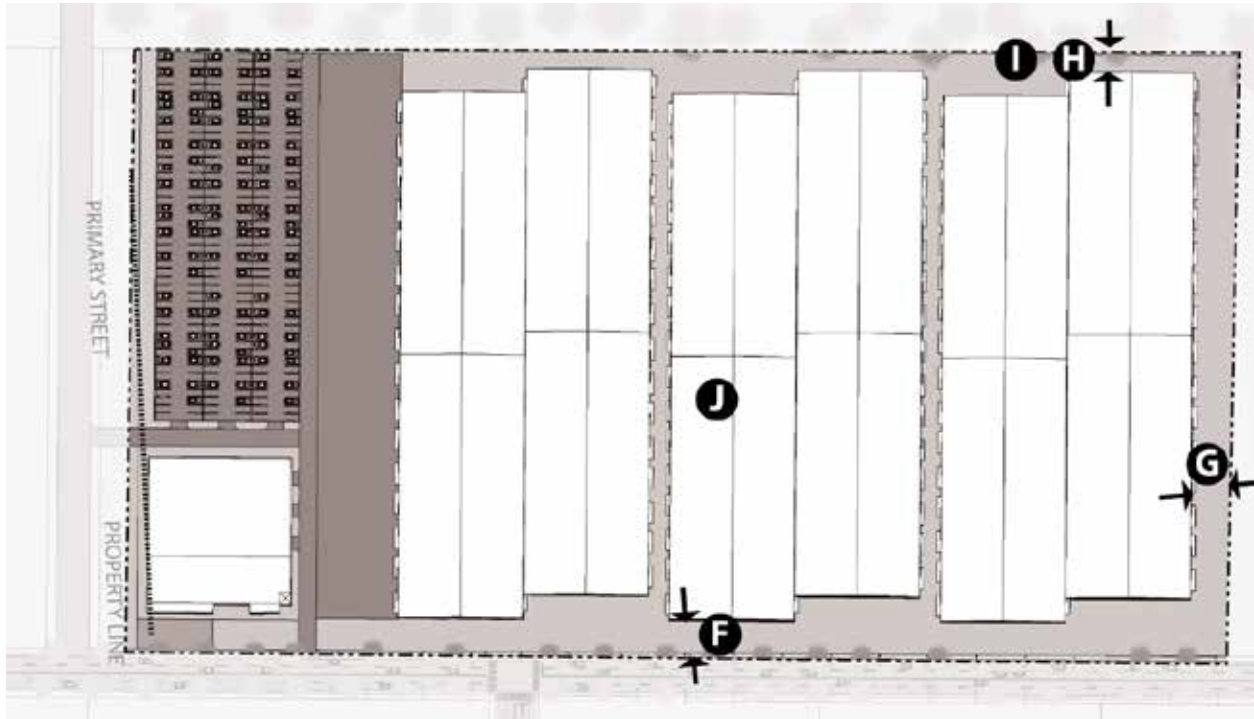
2 [FIGURE 90]



3
4 (a) Building Massing

(a) BUILDING MASSING	
A. Minimum Height	16'
B. Maximum Height	60'
See Section 1250.03.02 for height exceptions	
C. Required Upper floor Step-Backs - when adjacent to residential districts or uses	For the elevation adjacent to a residential district, the floors above the second story shall be tiered-back so that the highest point of the building is setback from the adjacent residential district a distance at least equal to the height of the building.
D. Minimum Frontage, Primary Street	0%
E. Minimum Frontage, Secondary Street	0%

1 [FIGURE 91]

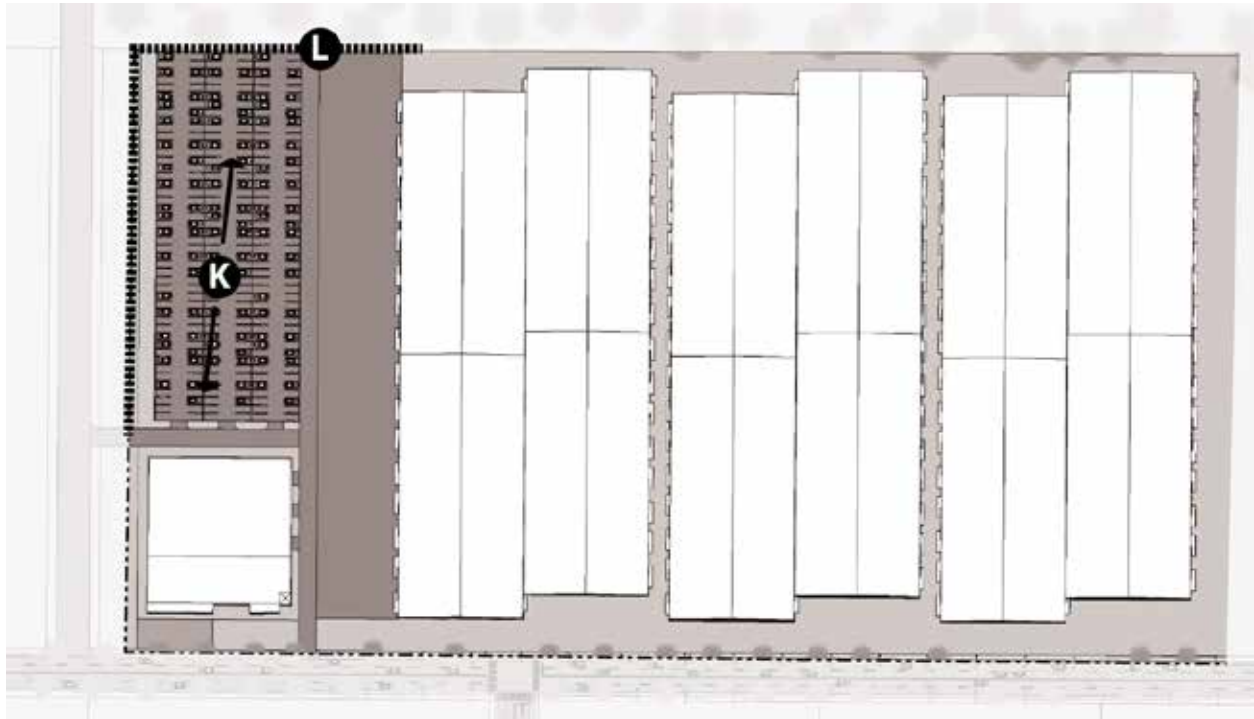


2
3 (b) Building Placement

(b) BUILDING PLACEMENT	
F. Minimum Front Setback	25' (if less than 50% of buildings on blockface to be retained are residential, may be 0')
G. Minimum Side Setback	0' allowed provided meet building code for firewall, otherwise, minimum 10'
H. Minimum Rear Setback	0'
I. Minimum Setback from Adjacent Residential Districts (adjacent residential includes directly abutting residential or across the street from residential)	Whichever is Greater: A: Match to double the setback in adjacent residential district; or B: Equal to building height
J. Maximum Lot Coverage	60%

4 See section 1250.04.01 for placement of accessory buildings.

[FIGURE 92]



(c) Parking / Loading

(c) PARKING/LOADING	
K. Allowed Surface Parking Locations	Side or rear only
L. Side and Rear Parking Lot Setback / Screening from non-industrial districts	8' landscape buffer.
Front Parking Lot Setback / Screening	8' landscape buffer
Required Parking Spaces	Parking per Chapter 1254
	See Table 1254.01.03 and Section 1254.01.04 for parking reductions
Loading Bays Truck turning templates and access to loading must be delineated on site plan	Not more than 50% of front yard frontage See Section 1254.01.17

(d) Accessory Outdoor Storage

(d) ACCESSORY OUTDOOR STORAGE
Outdoor storage of equipment, vehicles, or materials shall be associated with the principal use.
Accessory outdoor storage shall be screened from adjacent residential and public streets and shall not be located in the front yard. See Section 1252.09(e)
The Zoning Administrator may require the area identified on the site plan.

1245.06 IND-3 Urban Industrial

[FIGURE 93]



1245.06.01 IND-3 URBAN INDUSTRIAL DISTRICT

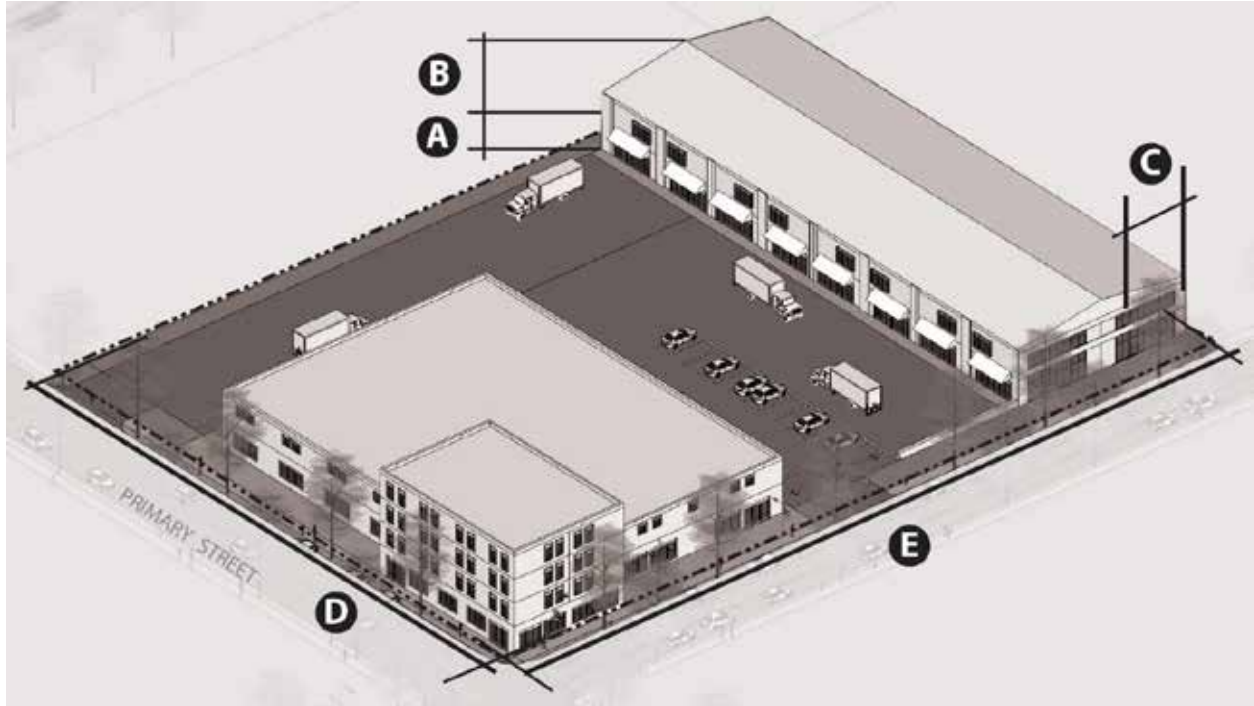
INTENT

The IND-3 Urban Industrial district generally applies to areas in the city that have long been used for a variety of industrial uses. A distinction of the IND-3 District is that it includes many older multi-story industrial buildings in a more urban setting with shallow building setbacks often nestled into areas adjacent to older residential neighborhoods. Uses permitted range from

office and research to manufacturing, with some uses offering goods or services for sale directly to the general public, such as heavy auto repair and lumber yards.

1245.06.02 IND-3 SITE LAYOUT REQUIREMENTS

[FIGURE 94]

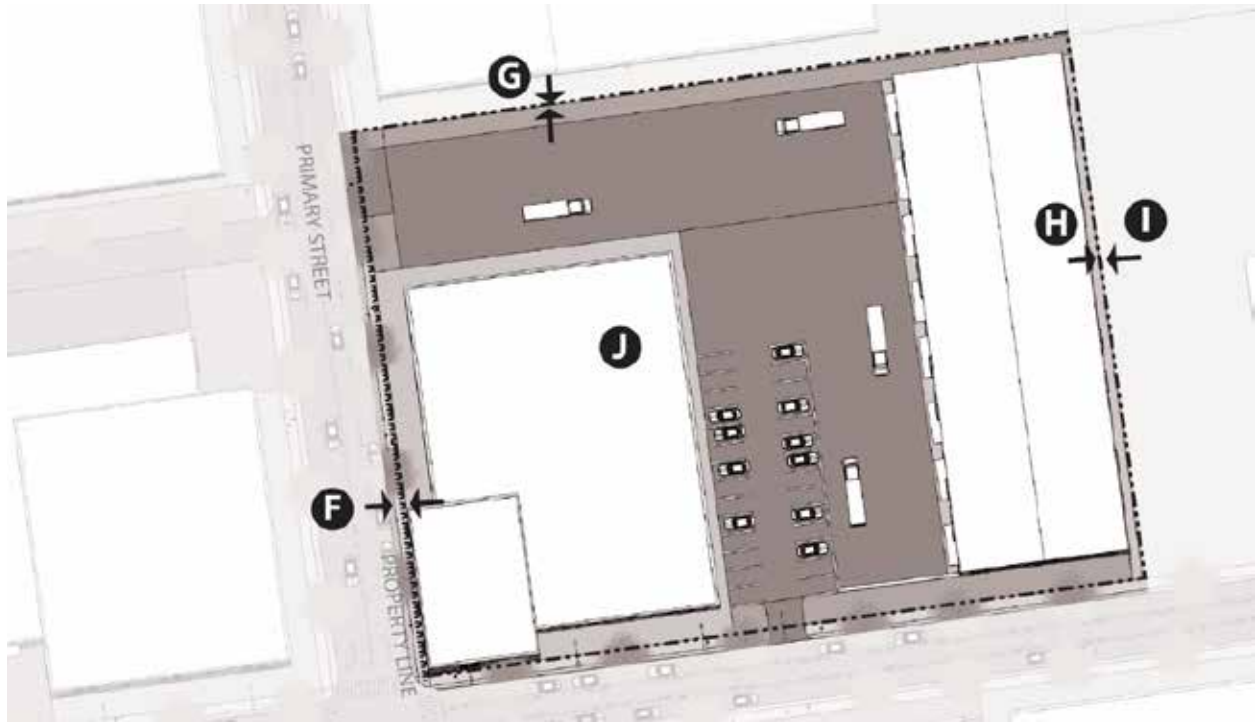


(a) Building Massing

(a) BUILDING MASSING	
A. Minimum Height	16'
B. Maximum Height	60'
See Section 1250.03.02 for height exceptions	
C. Required Upper floor Step-Backs - when adjacent to residential districts or uses	For the elevation adjacent to a residential district, the floors above the second story shall be tiered-back so that the highest point of the building is setback from the adjacent residential district a distance at least equal to the height of the building.
D. Minimum Frontage, Primary Street	75%

E. Minimum Frontage, Secondary Street	25%
---------------------------------------	-----

[FIGURE 95]



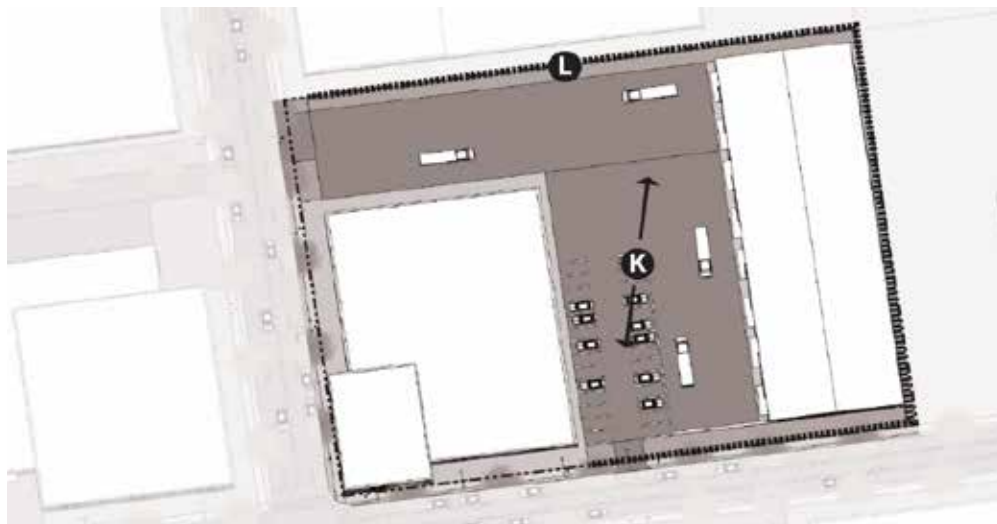
(b) Building Placement

(b) BUILDING PLACEMENT		
F. Front Setback	Arterial Corridor	0' min/15' max
	Activity Corridor	0' min/15' max
	Local Street	0' min/30' max
G. Minimum Side Setback	0' allowed provided meet building code for firewall, otherwise, minimum 10'	
H. Minimum Rear Setback	0'	
I. Minimum Setback from Adjacent Residential Districts	10' + 1' setback for each 1' height above 10'	
(adjacent residential includes directly abutting residential or across the street from residential)		

J. Maximum Lot Coverage	75%
-------------------------	-----

See section 1250.04.01 for placement of accessory buildings.

[FIGURE 96]



(c) Parking / Loading

(c) PARKING/LOADING	
K. Allowed Surface Parking Locations	Side or rear only
L. Side and Rear Parking Lot Setback / Screening from non-industrial districts	8' landscape buffer. Buffer may be reduced to 5' with 6' opaque fence or screen wall when adjacent to R-1 through R-6 districts
Front Parking Lot Setback / Screening	8' landscape buffer which may be reduced to 5' with a 3' masonry knee wall at Build-to Line.
Required Parking Spaces	Parking per Chapter 1254
	See Table 1254.01.03 and Section 1254.01.04 for parking reductions
Loading Bays Truck turning templates and access to loading must be delineated on site plan	Not permitted in front yard See Section 1254.01.17

1 (d) Accessory Outdoor Storage

(d) ACCESSORY OUTDOOR STORAGE	
Outdoor storage of equipment, vehicles, or materials shall be associated with the principal use.	
Accessory outdoor storage shall be screened from adjacent residential and public streets and shall not be located in the front yard. See Section 1252.09	
The Zoning Administrator may require the area identified on the site plan.	

2

3

1245.07 INST-1 Suburban Institutional

Illustrative example of the intent of this district

[FIGURE 97]



1245.07.01 INST-1 SUBURBAN INSTITUTIONAL DISTRICT

INTENT

The INST-1 Suburban Institutional district is established for the development of major educational, governmental, and medical facilities and other complementary and supporting uses such as office developments and attached residential. The Suburban Institutional district encourages campus-type character, which includes landscaped open space between buildings, a green buffer at the perimeter, and uniform site design and details.

1245.07.02 INST-1 BUILDING TYPES

The following building types are suggested to meet the intent of this district. The table below shows which building types are suggested along the various street types in this district. Architectural regulations and Building Types are further described in CHAPTER 1246 – BUILDING TYPES.

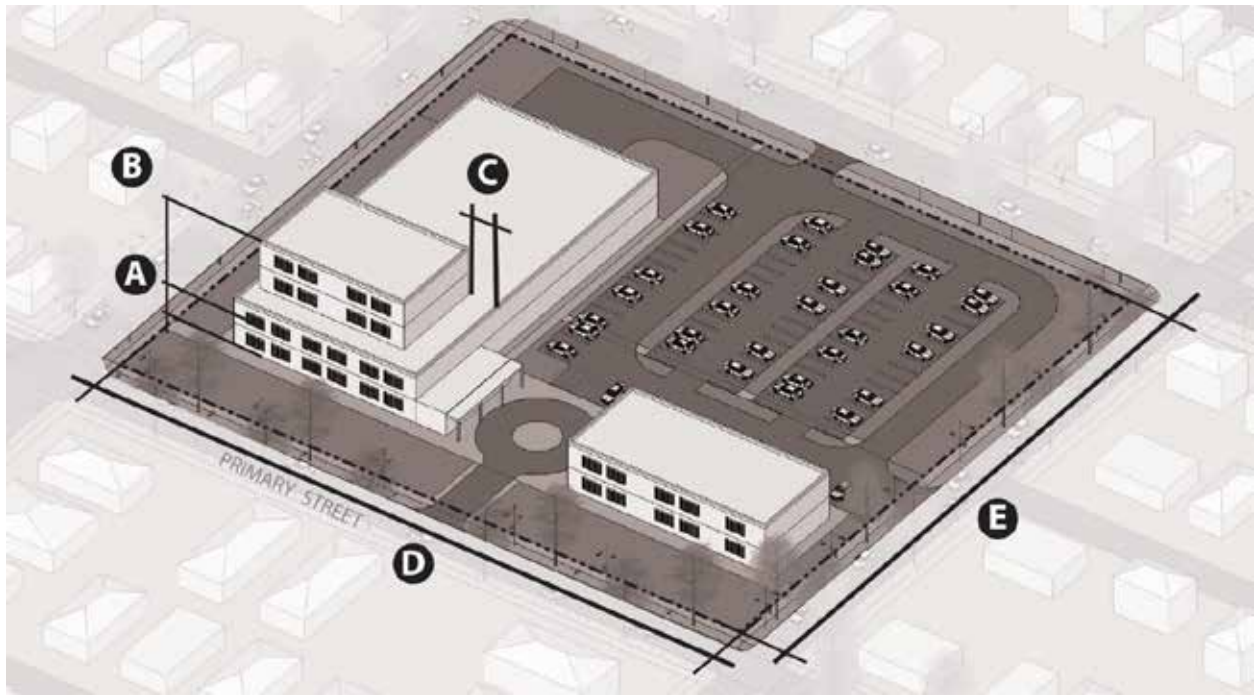
[FIGURE 98]

ALLOWED BUILDING TYPE	STREET TYPE					LOCAL
	ARTERIAL CORRIDOR	SUBURBAN CORRIDOR	ACTIVITY CORRIDOR	PRIME CONNECTOR	NEIGHBORHOOD CONNECTOR	
Flats / Lofts	X	X	X	X	X	-
Storefront Mixed-Use	X	X	X	X	X	-
Mid-Rise / High-Rise	X	X	X	X	X	-
Tower & Podium	X	X	X	X	X	-
Urban Office	X	X	-	X	X	X
Parking Structure	X	X	**	X	X	-

Parking structures must be lined on Activity Corridors with commercial uses per Table

1245.07.02 INST-1 SITE LAYOUT REQUIREMENTS

[FIGURE 99]



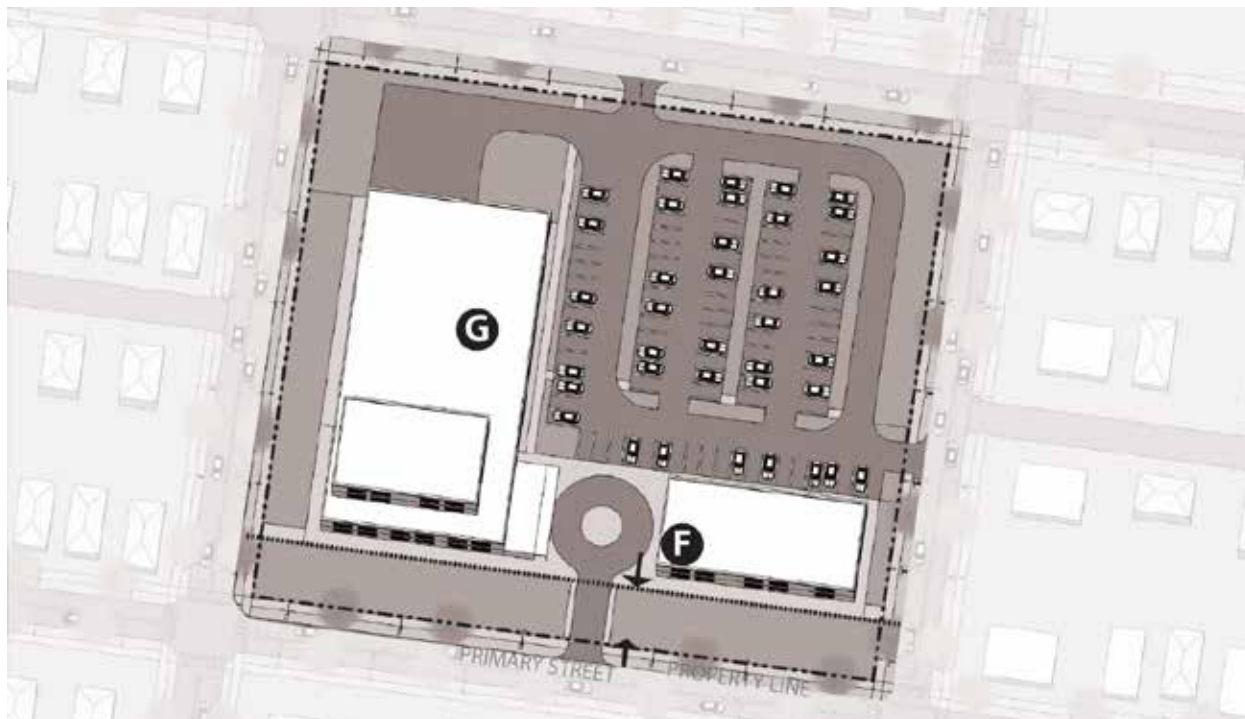
(a) Building Massing

(a) BUILDING MASSING	
A. Minimum Height	16'
B. Maximum Height	60' Buildings of greater than the maximum height may be allowed provided side and rear yards are increased above the minimum required yards by one foot for each foot of building height that exceeds the maximum height allowed. See Section 1250.03.02 for height exceptions.
See Section 1250.03.02 for height exceptions.	
C. Required Upper floor Step-Backs - when adjacent to R-1 through R-6 districts	For the elevation adjacent to a residential district, the floors above the second story shall be tiered-back so that the highest point of the building is setback from the adjacent residential district a distance at least equal to the height of the building.

D. Minimum Frontage, Primary Street	75%
E. Minimum Frontage, Secondary Street	25%

These standards apply to principal and accessory buildings.

[FIGURE 100]



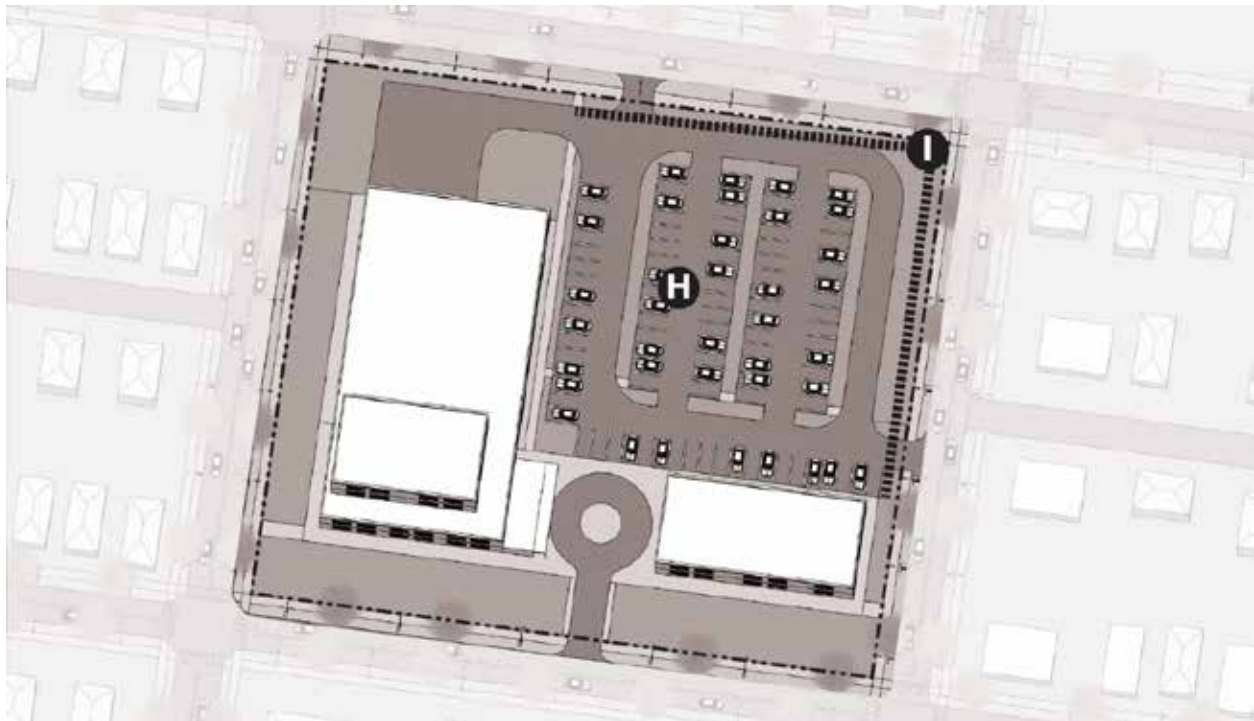
(b) Building Placement

(b) BUILDING PLACEMENT	
F. Setbacks	30' min.
G. Maximum Lot Coverage	75%

See section 1250.04.01 for placement of accessory buildings.

1

[FIGURE 101]



2

3 (c) Parking / Loading

(c) PARKING/LOADING		
H. Allowed Surface Parking Locations	Arterial Corridor	Front/Side/rear
	Suburban Corridor	Front/side/rear
	Activity Corridor	Side/rear
	Prime Connector	Front/side/rear
	Neighborhood Connector	Front/side/rear
	Local Street	Front/side/rear

I. Side and Rear Parking Lot Setback / Screening from non-industrial districts	Wherever an off-street parking area is adjacent to a residential district, there shall be a minimum parking lot setback of 25' with a continuous obscuring wall, fence and/or landscaped area at least 42" in height shall be provided. The zoning administrator may reduce this buffer based on the provision of landscaping, the presence of existing trees or in consideration of topographic conditions.
Required Parking Spaces	Parking per Chapter 1254
	See Table 1254.01.03 and Section 1254.01.04 for parking reductions
Loading Bays Truck turning templates and access to loading must be delineated on site plan	Not permitted in front yard See Section 1254.01.17
Drop-Off Zones	Permitted at the rear, side or front of the building

1

2

1245.08 INST-2 Urban Institutional

[FIGURE 102]



1245.08.01 INST-2 URBAN INSTITUTIONAL DISTRICT

INTENT

The INST-2 Urban Institutional district is established for the development of major educational, governmental, and medical facilities and other complementary and supporting uses such as office developments and attached residential. The Urban Institutional district encourages a walkable character, uniform site design and details, and integration into the neighboring urban mixed-use districts.

To help ensure any future expansion of this district is consistent with the intent of this code, the applicant shall demonstrate the following during a rezoning application:

- A. The expansion is a logical extension that abuts an existing district boundary at least 200 feet in length.
- B. The expansion has frontage along a non-local street or all access must connect to a non-local street through the existing district.
- C. A conceptual design for the lot(s) must be described as part of a campus plan associated with the rezoning. The concept plan shall demonstrate adequate buffering from any adjacent residential use. The City may require additional setback, landscaping or other design elements to help ensure compatibility with the adjacent land uses.

1 1245.08.02 INST-2 BUILDING TYPES

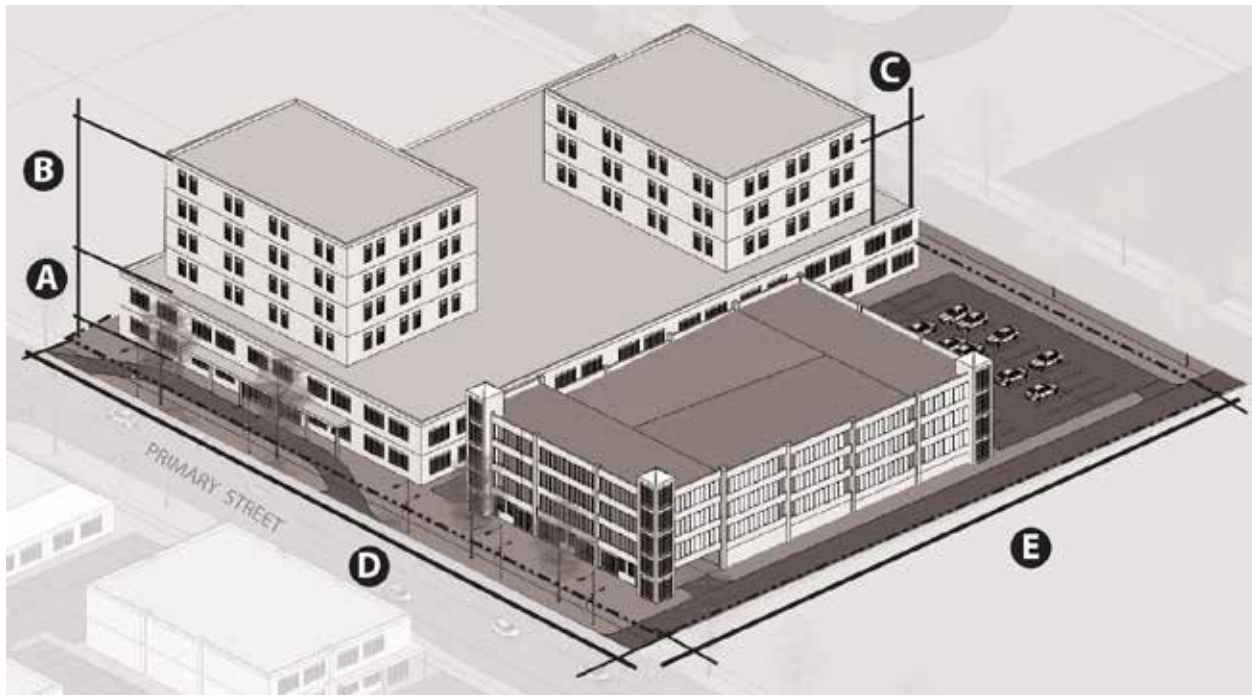
2 The following building types are suggested to meet the intent of this district. The table below
 3 shows which building types are suggested along the various street types in this district.
 4 Architectural regulations and Building Types are further described in CHAPTER 1246 –
 5 BUILDING TYPES.

6 [FIGURE 103]

ALLOWED BUILDING TYPE	STREET TYPE					LOCAL
	ARTERIAL CORRIDOR	SUBURBAN CORRIDOR	ACTIVITY CORRIDOR	PRIME CONNECTOR	NEIGHBORHOOD CONNECTOR	
Flats / Lofts	X	X	X	X	X	-
Storefront Mixed-Use	X	X	X	X	X	-
Mid-Rise / High-Rise	X	X	X	X	X	-
Tower & Podium	X	X	X	X	X	X
Urban Office	X	X	-	X	X	X
Parking Structure	X	X	**	X	X	X

1245.08.03 INST-2 SITE LAYOUT REQUIREMENTS

[FIGURE 104]

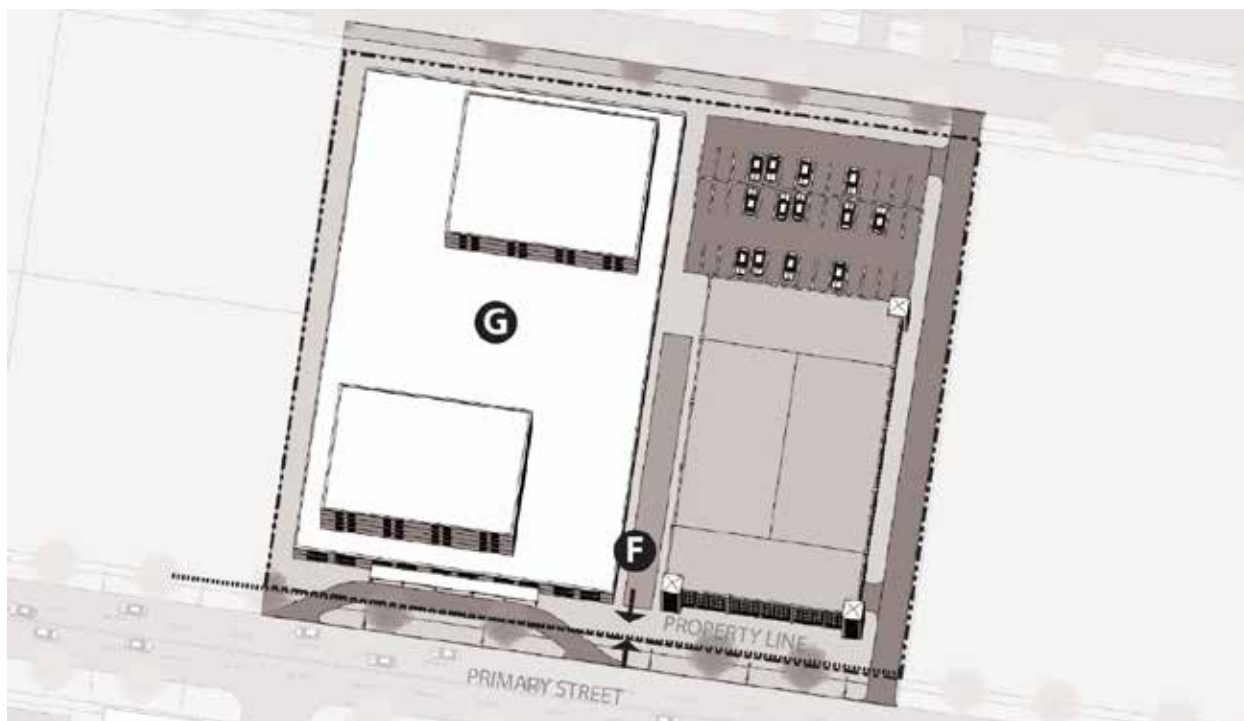


(a) Building Massing

(a) BUILDING MASSING	
A. Minimum Height	16'
B. Maximum Height	60'
See Section 1250.03.02 for height exceptions	
C. Required Upper floor Step-Backs - when adjacent to R-1 through R-6 districts	For the elevation adjacent to a residential district, the floors above the second story shall be tiered-back so that the highest point of the building is setback from the adjacent residential district a distance at least equal to the height of the building.
D. Minimum Frontage, Primary Street	75%
E. Minimum Frontage, Secondary Street	25%

These standards apply to principal and accessory buildings.

[FIGURE 105]



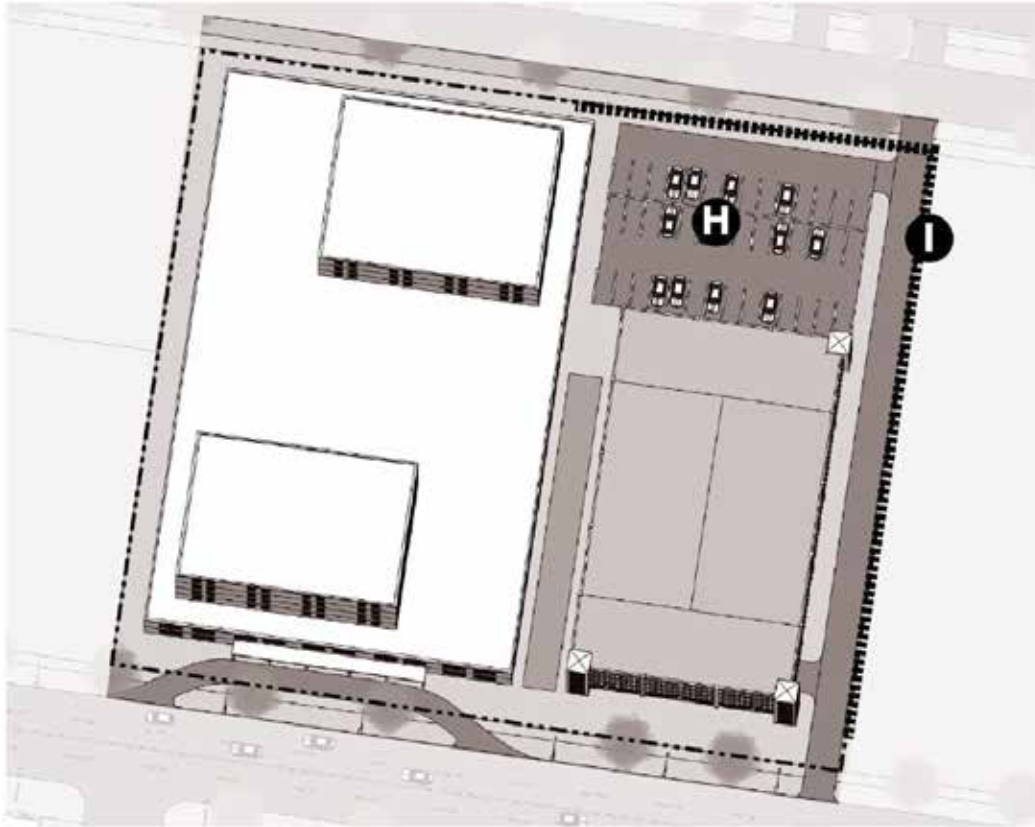
(b) Building Placement

(b) BUILDING PLACEMENT		
G. Setbacks	Activity Corridor	0' min/15' max
	All other street types	Whichever is Greater: A: Allow extension of established setback along frontage; or B: Match to double the setback in adjacent residential district
F. Maximum Lot Coverage		100%

See section 1250.04.01 for placement of accessory buildings.

1

[FIGURE 106]



2

3

4 (c) Parking / Loading

(c) PARKING/LOADING		
H. Allowed Surface Parking Locations	Arterial Corridor	Side/rear
	Suburban Corridor	Side/rear
	Activity Corridor	Side/rear
	Prime Connector	Side/rear
	Neighborhood Connector	Side/rear
	Local Street	Side/rear

I. Side and Rear Parking Lot Setback / Screening from non-industrial districts	Wherever an off-street parking area is adjacent to a residential district, there shall be a minimum parking lot setback of 25' with a continuous obscuring wall, fence and/or landscaped area at least 42" in height shall be provided. The zoning administrator may reduce this buffer based on the provision of landscaping, the presence of existing trees or in consideration of topographic conditions.
Required Parking Spaces	Parking per Chapter 1254
	See Table 1254.01.03 and Section 1254.01.04 for parking reductions
Loading Bays Truck turning templates and access to loading must be delineated on site plan	Not permitted in front yard See Section 1254.01.17
Drop-Off Zones	Permitted at the rear, side or front of the building

1
2
3

Chapter 1246

Architectural Standards

Introduction

This Chapter sets forth the architectural standards applicable to the various character districts in the City of Lansing. These standards supplement those stated for each Zoning District. These standards are intended to result in construction and development that reinforces the vision established in the Design Lansing Comprehensive Plan.

Applicability

1246.02.01 RESIDENTIAL, SERVICE, RETAIL, ACCESSORY, AND INDUSTRY, MANUFACTURING & PROCESSING USES

The requirements of this Chapter shall apply to all proposed development with Residential, Service, Retail, Accessory, and Industry, Manufacturing & Processing uses and shall be considered in combination with the standards for the applicable Zoning District and the rest of the zoning ordinance.

1246.02.02 RECREATION, EDUCATION, PUBLIC ASSEMBLY, TRANSPORTATION, COMMUNICATIONS & INFRASTRUCTURE USES

Development with Public Recreation, Public Education, Public Assembly, Transportation, Public Communications and/or Infrastructure uses shall comply with the standards for the applicable Zoning District, but shall not be required to meet the standards in this Chapter.

1246.02.03 ADDITIONS OR MODIFICATIONS TO EXISTING BUILDINGS

Building additions to buildings built prior to the adoption of this form-based code shall apply the architectural standards that most closely match the existing building, as determined by the Zoning Administrator.

1246.03 Modifications

- a. Modifications to the standards established in this Article may be approved by the Zoning Administrator. Any such modification shall require an application that includes a site plan and a front elevation drawing of the proposed building superimposed on a color drawing or photograph of the entire block showing the relationship of the proposed building to other buildings on the block. The application shall be reviewed by the Zoning Administrator based upon the following criteria:
 - i. The design of the building shall be in keeping with the desired architectural character as articulated in the Comprehensive Plan, the intent of the district, and by example of new buildings designed following the standards of this code. This shall not prevent innovation and creativity in design that is in keeping with the Comprehensive Plan, as determined by the Zoning Administrator.
 - ii. The design shall meet district height requirements.

- iii. The exterior finish materials shall be of equal or better quality, in terms of durability and appearance/texture similar to brick, stone, or wood, as those permitted in the district. The intent is to accommodate new technologies and building material while maintaining the desired character of the districts, as defined in paragraph 1, above.

b. Relief from Unlisted Standards.

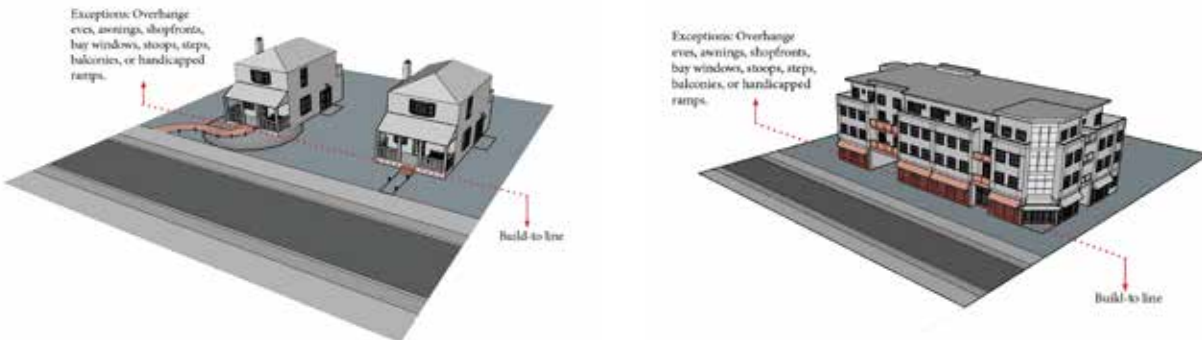
Any request for relief from a standard other than those listed above shall be made through the variance permit procedures set forth in Article 1274.

1246.04 Architectural Regulations

1246.04.01 General Architectural Standards

- a. No part of any building may project forward of the build-to line except overhanging eaves, awnings, shopfronts, bay windows, stoops, steps, balconies, or handicapped ramps approved by the Zoning Administrator.

[FIGURE 107]



b. Stoops and Front Porches

- i. Shall not extend into the public right-of-way.
- ii. All required front porches shall be completely covered by a roof.
- iii. Front porches may be screened (insect screening) when all architectural elements (columns, railings, etc.) occur on the outside of the screen facing the street-space
- iv. Finished floor height shall be no more than 8 inches below the first interior finished floor level of the building.

1

[FIGURE 108]



2

- 3 c. Awnings/Overhangs - When an awning or overhang is incorporated into a building, the
 4 following requirements must be met:
- 5 i. Minimum 10 feet clear height above sidewalk, minimum 5 feet depth out
 6 from the facade. Maximum projection to within 1 foot of back of curb
 7 where there are no street trees, or 1 foot into the tree-planting strip.
 - 8 ii. Canvas cloth or equivalent (no shiny or reflective materials).
 - 9 iii. Metal and glass are permitted, when configured as a marquee over an
 10 entrance.
 - 11 iv. No internal illumination through the awning/overhang.
 - 12 v. Lettering on awnings limited to 6 inches tall on vertically hanging fabric
 13 at curb side of awning.
 - 14 vi. No one-quarter cylinder configurations.
 - 15 vii. Awnings and overhangs shall complement the fenestration pattern of the
 16 building facade.

17

[FIGURE 109]



18

d. Balconies:

- i. Shall not be located within 5 feet of any common lot line and shall not encroach into the public right-of-way.
- ii. Balconies may be a single level or multiple balconies stacked vertically for multiple stories.
- iii. Where Residential Districts include balconies as a method for achieving the required private open area, the balcony:
 1. Shall be enclosed by balustrades, railings, or other means that block at least half of the view through them;
 2. Shall not otherwise be enclosed above a height of 42 inches, except with insect screening and/or columns/posts supporting a roof or connecting with another balcony above; and

[FIGURE 110]



e. Windows

- i. Glass shall be clear, with light transmission at the ground story at least 90 percent and for the upper stories 75 percent (modification as necessary to meet any applicable building and energy code requirements).
- ii. Ground story windows may not be made opaque by window treatments (excepting operable sunscreen devices within the conditioned space).
- iii. A minimum of 80 percent of the ground story window surface shall allow a view into the building interior for a depth of at least 12 inches.

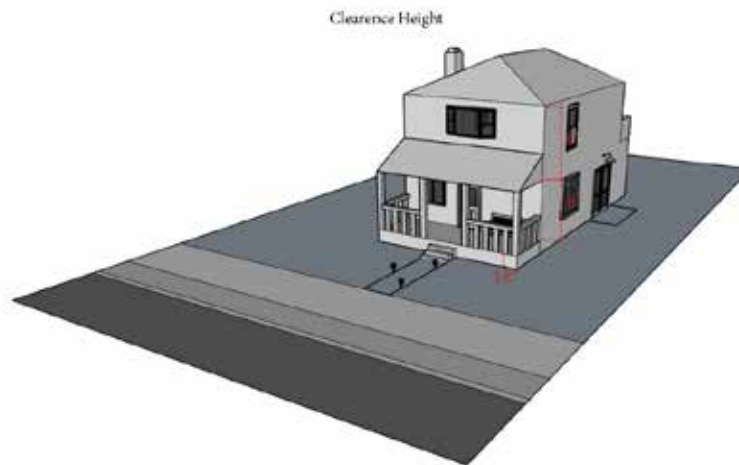
1246.04.02 RESIDENTIAL BUILDING TYPES

First Floor Clear Height 8' min.

Upper Floors Clear Height 8' min.

Ground Floor Finish Elevation Above/Below Sidewalk - minimum 18" with stairs. ADA accessible units with ramp access permitted with approval. Where the first floor is occupied by a lobby, office, or common space and no dwelling are located on the first floor along the front of the building, then the first floor may be at the same grade as the sidewalk.

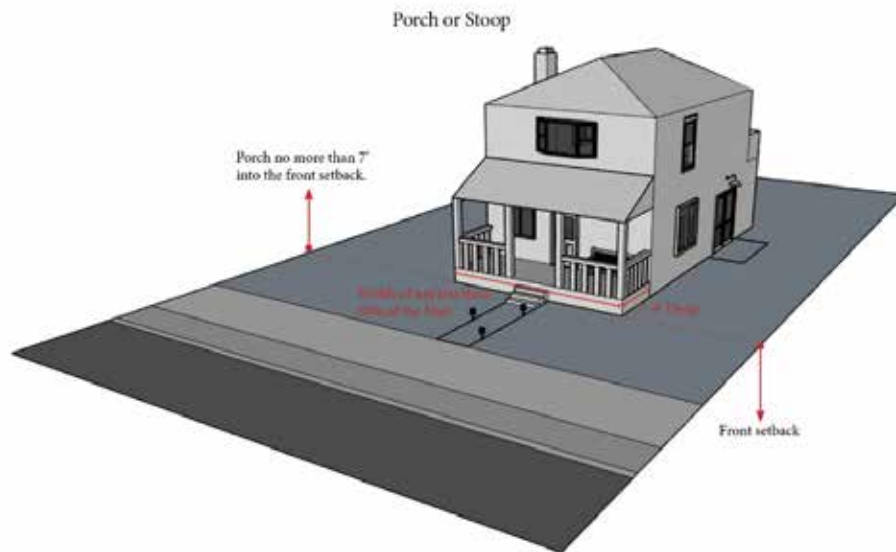
[FIGURE 111]



Porch or Stoop - Each residential unit with a separate entrance shall include a stoop of not more than 5' deep and 6' wide (not including steps or ramp) or a porch between 7' and 9' deep that projects no more than 7' into the front setback and with a width of not less than 65% of each unit with a separate entrance. Where the first floor is occupied by a lobby, office, or common space and no dwelling are located on the first floor along the front of the building, then a stoop or porch is not required.

1

[FIGURE 112]



2

3 Building Access - At least one entry must face onto and connect to the primary street. Secondary
4 entries permitted from the side or rear. Maximum recessed entry of 5'.

5

[FIGURE 113]



6

7

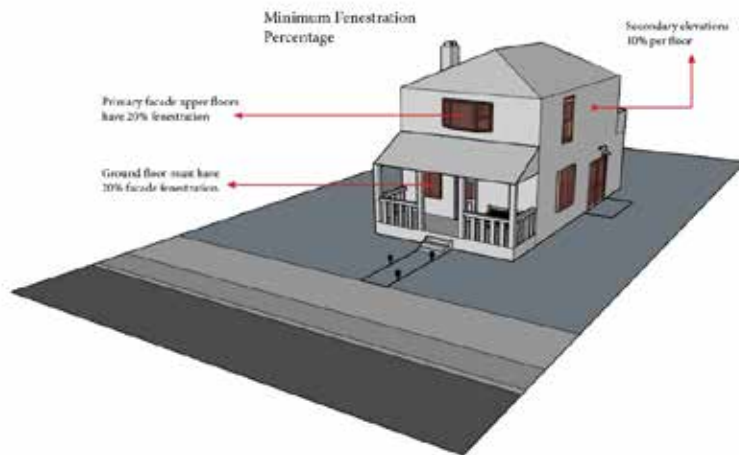
8 Minimum Fenestration Percentage:

9 Primary Façade - Ground Floor 20%; Upper Floors 20%

10 Secondary Elevations - 10% per floor

1

[FIGURE 114]



2

3 Allowed building materials on primary facades (i.e. facing onto a street): Brick or stone siding,
 4 wood siding, vinyl siding, fiber clapboards. Material must be consistent with adjacent residential
 5 character. Other materials as determined by Zoning Administrator.

6 Allowed building materials on secondary facades (i.e. those not facing onto a street): Same as
 7 primary facades, but also including decorative metal, wood; EIFS (on upper floors only); other
 8 similar materials as determined by Zoning Administrator.

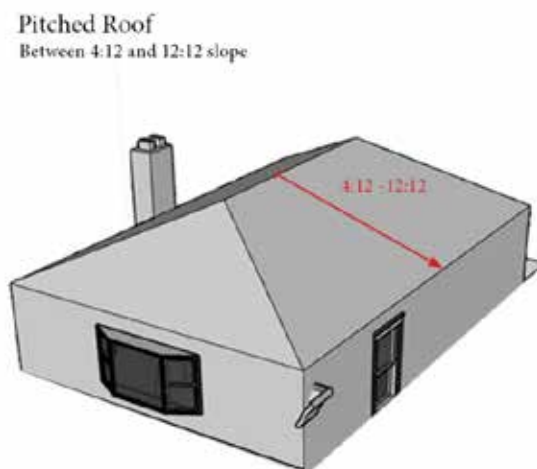
9 Roof Types

10 Pitched: between 4:12 and 12:12 slope

11 Flat roof: with cornice and parapet 30

12

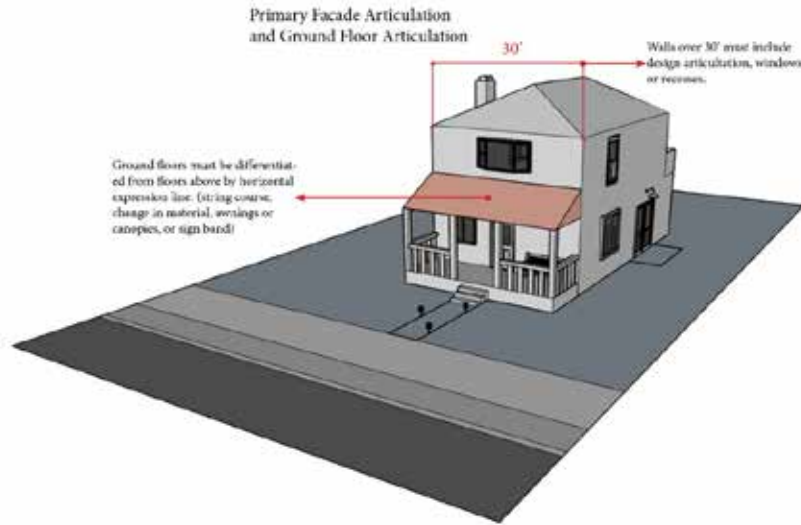
[FIGURE 115]



13

- 1 All rooftop mounted HVAC and mechanical equipment shall be screened from view on all sides
- 2 of the building.
- 3 Roof Materials (for pitched roofs) - Asphalt, fiberglass, tile, slate, standing seam metal
- 4 Primary Facade Articulation - Walls over 30' in length must include design articulation, windows
- 5 or recesses
- 6 Primary Facade Ground Floor Articulation - Ground floors shall be differentiated from the floors
- 7 above by a horizontal expression line such as a string course, change in material or textures,
- 8 awnings or canopies, or sign band.

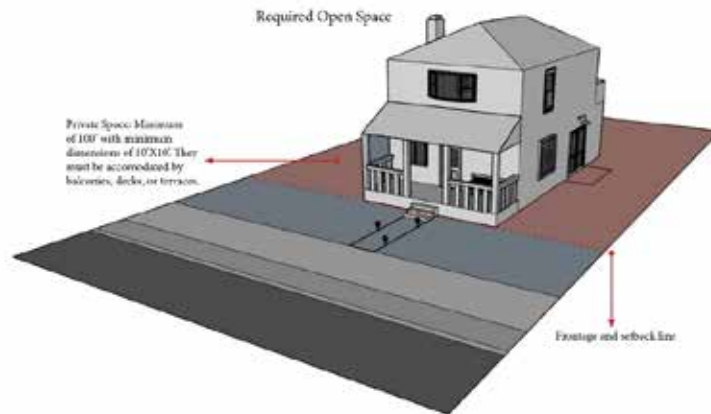
[FIGURE 116]



- 10
- 11 Service - Services and utility hookups shall not be visible from the primary street frontage,
- 12 preferably located in the rear yard.
- 13 Required Open Space (Outside of Frontage and setback areas.) - Private space. Minimum 100
- 14 square feet per unit. Minimum dimensions 10' x 10'. Private open space may be accommodated
- 15 by balconies, decks or terraces.

1

[FIGURE 117]



2

1246.04.03 COMMERCIAL / MIXED-USE BUILDING TYPES

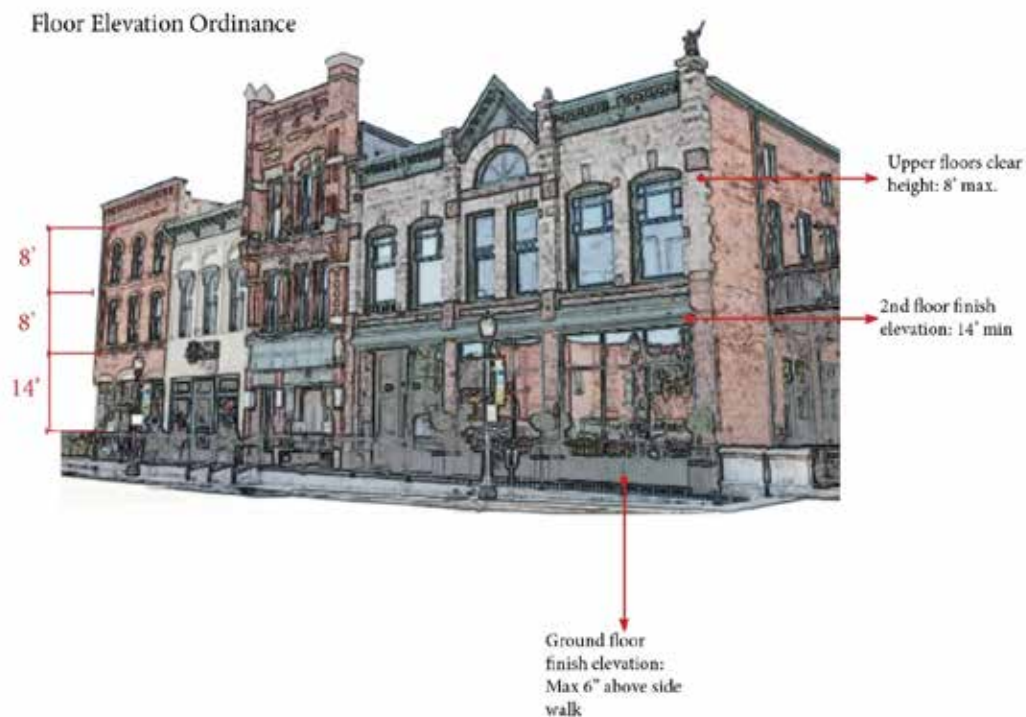
Second Floor Finish Elevation - 14' min.

Upper Floors Clear Height - 8' min.

Ground Floor Finish Elevation Above/Below Sidewalk - Max of 6" above adjacent sidewalk with ramp

8

[FIGURE 118]



9

Minimum Fenestration Percentage:

Storefront 60%

Non-storefront Ground Floor 40%

Upper Floors 20%

[FIGURE 119]



Allowed building materials on primary facades (i.e. facing onto a street) - Brick (masonry); stone; glass; other similar materials as determined by Zoning Administrator

Allowed building materials on secondary facades (i.e. those not facing onto a street) - Same as primary facades, but also including decorative metal, wood; EIFS (on upper floors only); other similar materials as determined by Zoning Administrator

Roof Types

Pitched: between 4:12 and 12:12 slope

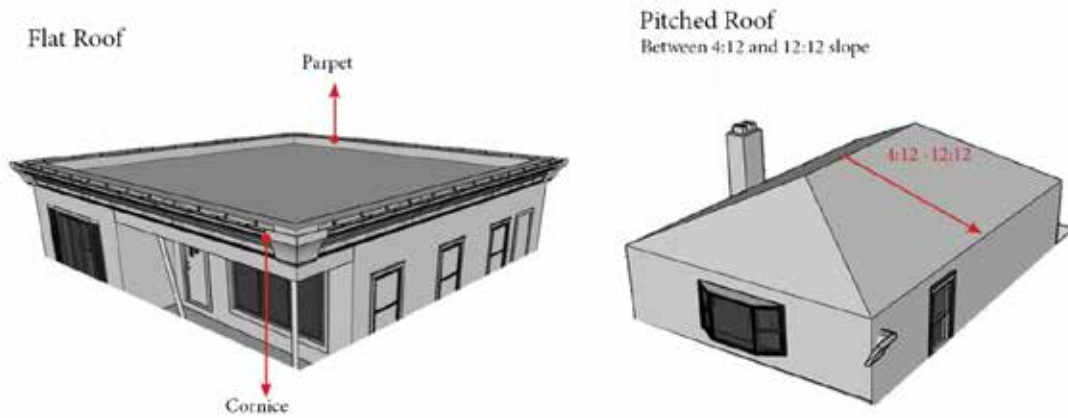
Flat roof: with cornice and parapet

All rooftop mounted HVAC and mechanical equipment shall be screened from view on all sides of the building.

Roof Materials (for pitched roofs) - Asphalt, fiberglass, tile, slate, standing seam metal

1

[FIGURE 120]

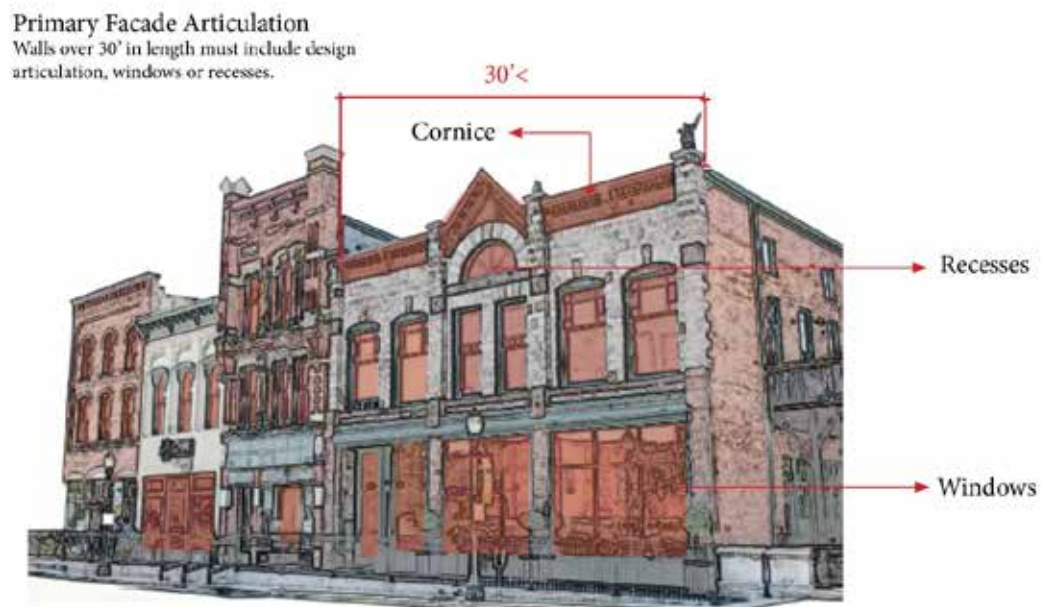


2

3 Primary Facade Articulation - Walls over 30' in length must include design articulation,
4 windows or recesses

5

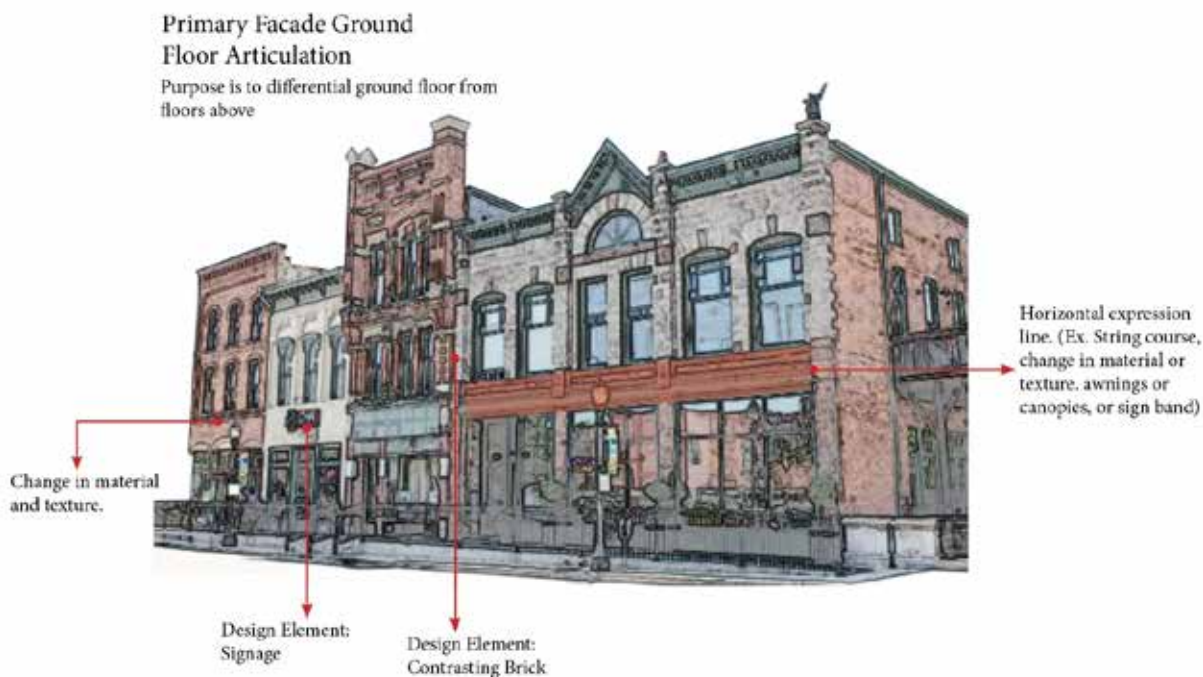
[FIGURE 121]



6

Primary Facade Ground Floor Articulation - Ground floors shall be differentiated from the floors above by a horizontal expression line such as a string course, change in material or textures, awnings or canopies, or sign band.

[FIGURE 122]



Building Access - At least one entry must face onto and connect to the primary street. Secondary entries permitted from the side or rear. Maximum recessed entry of 5'.

[FIGURE 123]



1 Service - Services. Services and utility hookups shall not be visible from the primary street
2 frontage, preferably located in the rear yard.

4 1246.04.04 INDUSTRIAL BUILDING TYPES

5 The following standards shall only apply to those industrial building facades that are at least 50%
6 visible to a Residential use or Non-Local Street within 300 feet of the building façade:

7 Second Floor Finish Elevation - 14' min.

8 Ground Floor Finish Elevation Above/Below Sidewalk - Max of 6" above adjacent sidewalk
9 with ramp

10 [FIGURE 124]



11
12 Minimum fenestration on primary façade - 30%

1

[FIGURE 125]



2

3 Allowed building materials on primary facades (i.e. facing onto a street) - Brick (masonry);
 4 stone; other similar materials as determined by Zoning Administrator

5 Allowed building materials on secondary facades (i.e. those not facing onto a street) - Same as
 6 primary facades, but also including decorative metal, wood; EIFS (on upper floors only); other
 7 similar materials as determined by Zoning Administrator

8 Roof Types

9 Pitched: between 4:12 and 12:12 slope

10 Flat roof: with cornice and parapet

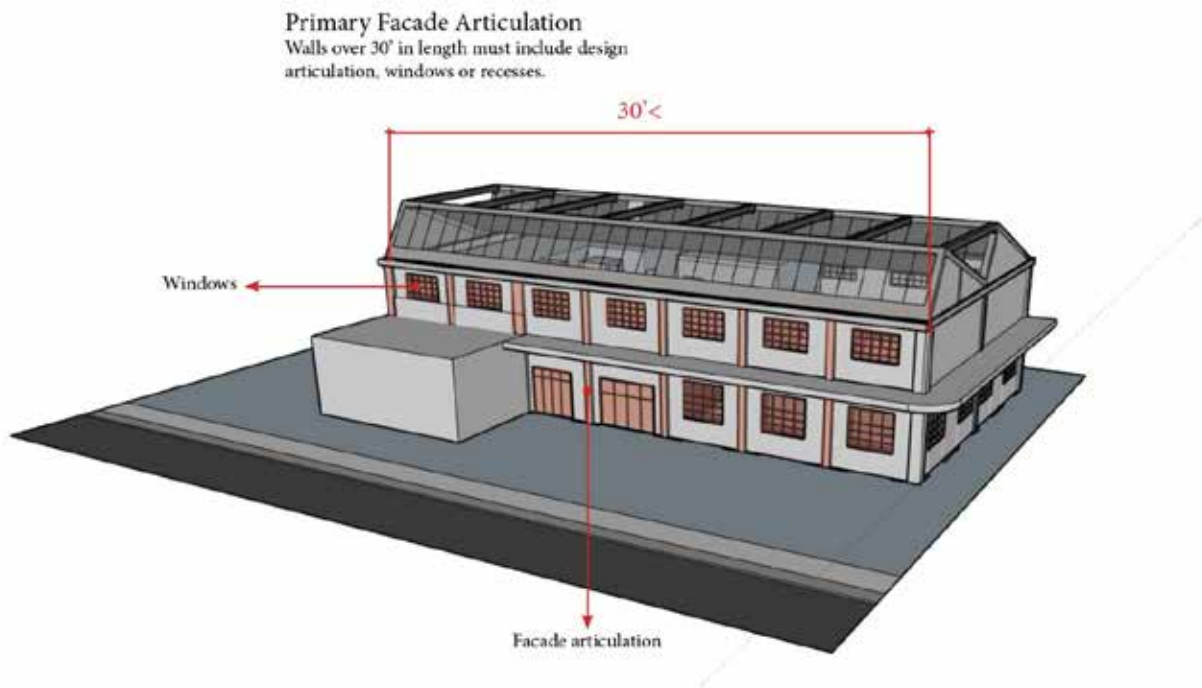
11 All rooftop mounted HVAC and mechanical equipment shall be screened from view on
 12 all sides of the building.

13 Primary Facade Articulation - Walls over 30' in length must include design articulation,
 14 windows or recesses

15

1

[FIGURE 126]

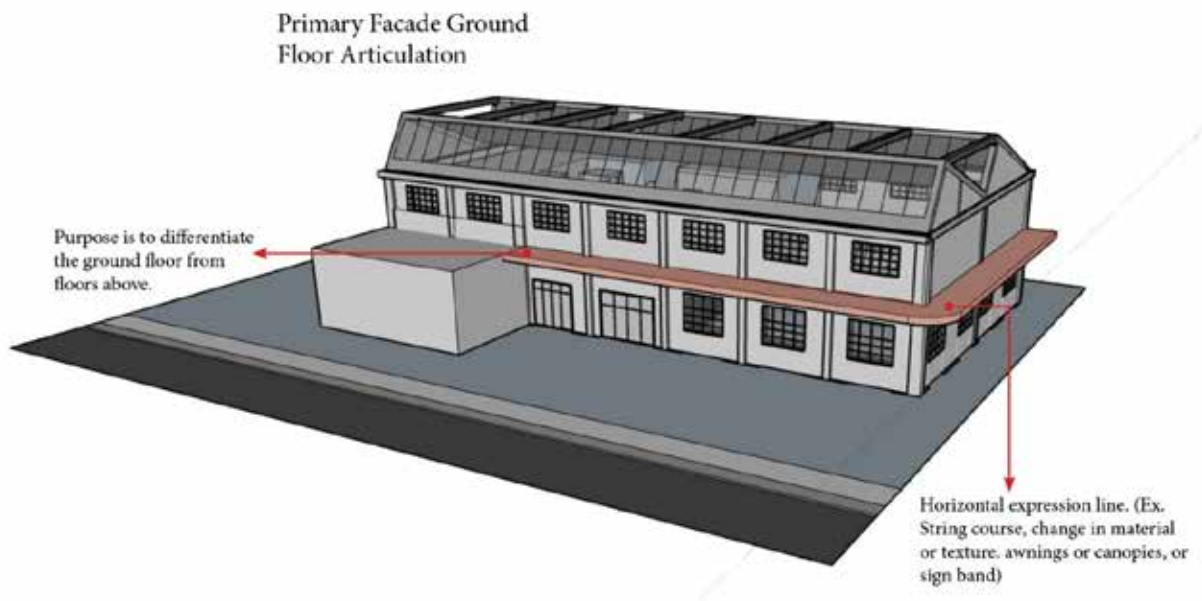


2

3 Primary Facade Ground Floor Articulation - Ground floors shall be differentiated from the floors
4 above by a horizontal expression line.

5

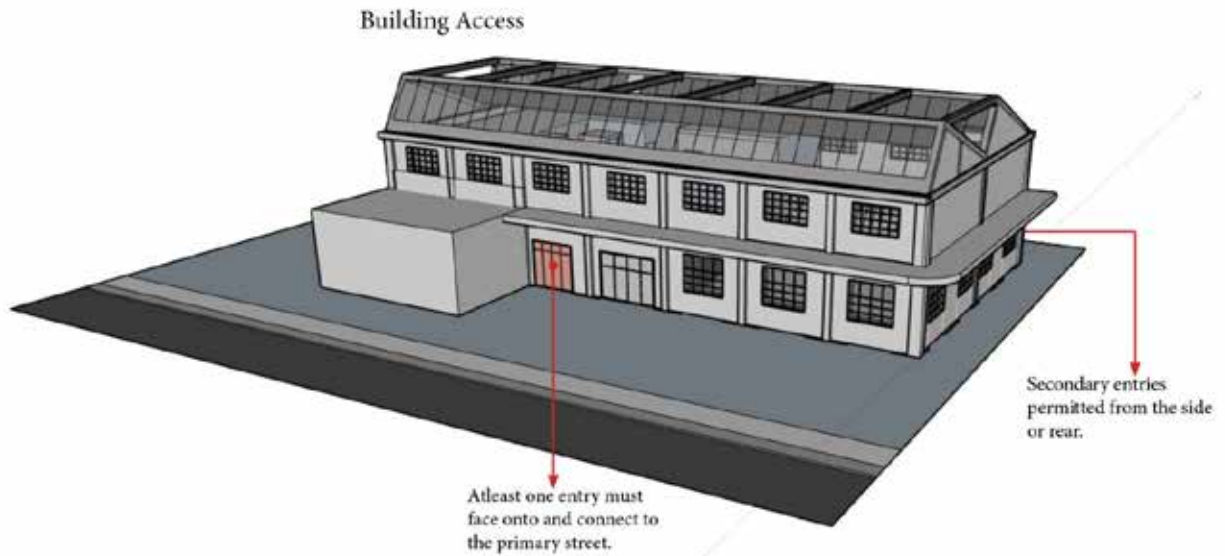
[FIGURE 127]



6

- 1 Building Access - At least one entry must face onto and connect to the primary street. Secondary
2 entries permitted from the side or rear.

3 [FIGURE 128]



- 4
- 5 Service - Services, utility hookups, loading docks and trash/recycling containers shall not be
6 located on the front of the building, and must be screened if visible from the street.

7

8

1246.05 Example Building Types

The following sections illustrate how different types of buildings can meet the intent of the districts in Chapters 1243-1245 and the Architectural Standards of Section 1246.04

1246.05.01 Detached House

[FIGURE 129]

Illustrative examples of the intent of this building



Illustrative examples of the intent of this building

(a) DESCRIPTION

A Detached House is a dwelling unit typically occupied by a single-family household. Detached Houses include one-, one- and-a-half, and two-story dwellings. In the DT-1 district, Detached Houses have been converted to offices. The design and character of a detached house in a given location should be consistent with and reinforce the character of the surrounding neighborhood.

(b) APPLICABILITY

A Detached House is the suggested building type in all residential districts and applicable to most road types. While compatible as “grandfathered in” historic structures, new Detached Houses within higher density residential districts (R-MX 42 and MFR), DT-1, and fronting Arterial, Suburban, and Activity corridors are not generally encouraged.

See also Section 1244.02 - General Development Requirements for Dwelling Units.

1246.05.02 Attached Residential

[FIGURE 130]



Illustrative examples of the intent of this building

(a) DESCRIPTION

Attached residential building types may take the form of small apartment buildings or duplexes integrated into an urban neighborhood or townhouses. Attached Residential buildings should be designed to complement the size, scale, character, and architecture of the surrounding residential district. Attached residential buildings may be designed as side-by-side and/or stacked units and provide a dedicated point of entry for each residential unit or common entry.

(b) APPLICABILITY

Attached residential buildings are applicable in higher density residential and mixed-use districts that serve as a transition between commercial or mixed-use districts and residential neighborhoods: R-MX, R-AR, MFR, S-C, MX-C, MX-1, DT-1, DT-2.

See also Section 1244.02 - General Development Requirements 46 for Dwelling Units.

1246.05.03 Urban Mixed-Use

[FIGURE 131]



Illustrative example of the intent of this building

(a) DESCRIPTION

The purpose and intent of the Urban Mixed-Use building type is to provide a high character pedestrian scaled building that is flexible and mixed in its uses. Typically, ground floor uses include retail, entertainment, dining, and professional services with high transparency window areas creating a connection between the sidewalk and building interiors. Upper floor uses typically includes a mixture of residential and office space. The building form and mass is intended to reinforce pedestrian comfort, walkability, and activity. Larger buildings shall be broken up into multiple store-fronts each with their own entries.

(b) APPLICABILITY

Urban mixed-use buildings are a key building type for urban zones that provide pedestrian scaled buildings oriented on the street. They are less likely to be appropriate along local streets.

1246.05.04 Tower & Podium

[FIGURE 132]



Illustrative example of the intent of this building

(a) DESCRIPTION

Tower & Podium buildings are buildings that consist of a large footprint base, typically 2-3 stories tall, and one or more towers that project upwards from a portion of this base. Tower & Podium type buildings are often used for hotel convention centers, hospitals, and other institutional or commercial activities. The base (podium) levels of the Tower & Podium buildings are intended to be pedestrian oriented facades that encourage an active street frontage.

(b) APPLICABILITY

Tower & Podium buildings are applicable to the most dense commercial districts (Downtown Core) as well as designated institutional districts (INST-1 and INST-2).

1246.05.05 Commercial Flex

[FIGURE 133]



Illustrative example of the intent of this building

(a) DESCRIPTION

Commercial Flex buildings provide opportunities for diverse buildings types - to accommodate a diverse range of uses - in medium density urban environments while retaining a building facade that supports the downtown character. Commercial Flex buildings are 1-3 floors in height and may include high bay spaces to accommodate light industrial or other non-storefront oriented commercial uses. Building facades are oriented towards the street and designed in a pedestrian friendly manner with adequate window transparency and articulation.

(b) APPLICABILITY

Commercial Flex buildings are suggested in the Urban Flex (DT-2) and Urban Industrial (IND-3) districts.

1246.05.06 Parking Structure

[FIGURE 134]



Illustrative example of the intent of this building

(a) DESCRIPTION

Parking Structures provide multiple levels of vehicle parking in higher density locations. Parking Structures are designed to fit the architectural character and context of the urban environment. Open air openings into the parking area and other horizontal or vertical elements should provide an attractive facade that reinforces the pedestrian experience. Parking structures are encouraged to be lined on the exterior by residential, office, and retail, and are required to have the first floors occupied for the first 20 feet by commercial uses along Activity Corridors.

(b) APPLICABILITY

Parking garages are applicable in higher density districts where there is not sufficient space or desire for surface parking lots.

1246.05.07 Suburban Commercial

[FIGURE 135]



Illustrative example of the intent of this building

(a) DESCRIPTION

Suburban Commercial buildings are designed to balance the needs of automobile access to commercial uses (stores, retail, etc.) while still retraining a strong design character and relationship to the street environment that is welcoming to pedestrians and creates an effective transition to non-commercial areas. Commercial buildings are typically 1-2 floors in height, and can accommodate big-box style commercial uses if needed. Individual storefronts within a building should be clearly defined and distinct and sidewalks connect front entrances to the public sidewalk. Suburban commercial buildings can incorporate a mixture of non-residential uses.

(b) APPLICABILITY

Suburban commercial buildings are the primary building type for the Suburban Corridor district (SC) and are used along Arterial, Suburban, and Prime Connector streets. This type of building is not intended for Activity Corridors, Neighborhood Connectors, or Local Streets.

1246.05.08 Suburban Office / Research

[FIGURE 136]



Illustrative example of the intent of this building

(a) DESCRIPTION

Suburban Office/Research buildings are typically multi-story buildings with a primary entrance into a lobby space for accessing office, research, or institutional type uses. Buildings can be designed for a single tenant or for multiple different tenants to provide a mixture of uses within the building.

(b) APPLICABILITY

Suburban commercial buildings are a common building type for the Suburban Corridor district (SC) and can be used along a variety of roadway types. They can be used to transition away from more intense commercial activity towards neighborhood residential areas.

1246.05.09 Motor Vehicle Service Stations

[FIGURE 137]



Illustrative example of the intent of this building

(a) DESCRIPTION

Traditional suburban-style gas station design places the filling pumps and canopy structure in the front or front corner of the lot and the shop at the rear of the lot, which breaks the street edge experience and disconnects the storefront from the sidewalk. New gas stations should adopt a “gas backwards” approach along urban corridors (MX-1, -2, -3, DT-2 where permitted), where filling pumps and canopy are placed to the side or rear of the lot and the shop building occupies the front or front corner of the lot. Traditional configurations are acceptable in S-C and MX-C districts as long as the building form and conditional use standards are met. In both urban and suburban districts, the building should be designed to fit within the district’s context and aesthetics.

(b) APPLICABILITY

Motor vehicle service stations are permitted with conditions in commercial mixed-use districts as described in Section 1245.03. They are less desirable for use along Activity Corridors and Local Streets.

FBC ZONE	STREET TYPE					LOCAL
	ARTERIAL CORRIDOR	SUBURBAN CORRIDOR	ACTIVITY CORRIDOR	PRIME CONNECTOR	NEIGHBORHOOD CONNECTOR	
S-C	X	X	X	X	X	-
MX-C	X	X	-	X	X	-
MX-1	X	X	-	X	X	-
MX-2	X	X	-	X	X	-
MX-3	X	-	-	-	-	-
DT-2	X	-	-	X	X	-

[FIGURE 138]

Chapter 1250

General Provisions

1250.01 SCOPE OF APPLICATION

The standards and regulations listed in this Chapter shall apply to all uses, buildings and structures within all zoning except where it is specified to be district- or use-specific.

1250.02 USE-RELATED REGULATIONS

1250.02.01 USES

Determination of “Similar Uses”: Since every type of potential use cannot be addressed in the Zoning Ordinance, the Zoning Administrator shall be authorized to permit “similar uses” which closely resemble the uses listed for a given zoning district. In making this determination, the Zoning Administrator shall use criteria including, but not limited to the nature of the use, scale, aesthetics, traffic generated, parking, potential impact on property values, noise, vibration, dust, smoke, odor, glare and other objectionable impacts in terms of health, safety and welfare, provided that the proposed use would not constitute a violation of any other Federal, State or local law or regulation. Once a proposed similar use is permitted, the proposed use shall comply with all standards and conditions that apply to that zoning district.

1250.02.02 HOME OCCUPATIONS

A home occupation which meets all of the following conditions shall be permitted as an accessory use to any single family residential use or residential unit in a duplex:

- a. No person, other than a member of the family residing in the dwelling unit, shall engage in the home occupation and no more than one primary caregiver, as that term is defined in the Michigan Medical Marihuana Act, being MCL 333.26421 et seq., as amended, shall engage in the activities of a primary caregiver on any lot.
- b. The use of the dwelling unit as a home occupation shall be clearly incidental and subordinate to its use for residential purposes.
- c. Not more than 20 percent of the gross floor area of the dwelling unit is used in any way for the home occupation.
- d. No change occurs in the outside appearance of the dwelling.
- e. No signs shall be posted on the lot advertising any home occupation.
- f. The sale of goods does not occur in the dwelling unit or on the lot on which the dwelling unit is located.

- g. No equipment is used, except equipment which is normally used for purely domestic or household purposes. Equipment not normally used for purely domestic or household purposes or any portion of the dwelling unit where energy use and heat generation resulting from the growth of marihuana exceeds levels reasonably attributable to residential uses are permitted if the Board of Zoning Appeals approves such use. The Board shall approve of such use if it is satisfied that the intensity of use will not be increased to a level that will adversely impact any lot within 300 feet of the lot seeking Board approval and that any energy use and heat generation resulting from the growth of marihuana exceeding levels reasonably attributable to residential uses has been approved by the Fire Marshal or his or her designee and the Building Safety Office.
- h. No activity related to the occupation occurring on the premises including clients, customers, or pickup and delivery vehicles shall adversely impact the surrounding neighborhood or the right of surrounding residents to quiet enjoyment of their property, including but not limited to, the creation of noise, vibrations, odors, heat, glare, unnatural light, or electrical interference detectable beyond the property line; or have any pickup or delivery by motor vehicle before 7:00 a.m. or after 7:00 p.m. and not more than a total of five (5) pickups, deliveries or customer/client visits each day during the permitted time.
- i. For purposes of this subsection, any term defined by 21 USC 860(e) shall have the meaning given to it by 21 USC 860(e). No person who engages in the activities of a primary caregiver as a home occupation shall engage in the transfer, distribution, or administration to any patient:
 - i. Within 1,000 feet of the real property comprising a public or private elementary, vocational, or secondary school; a public or private college, junior college, or university; a playground; a church or other structure in which religious services are conducted; a facility at which substance abuse prevention services or substance abuse treatment and rehabilitation services, as those terms are defined in part 61 of PA 368 OF 1978, being MCL 333.6101 et seq., are offered; or
 - ii. Within 100 feet of a public or private youth center, public swimming pool, or video arcade facility.
- j. All marihuana plants shall be kept in an enclosed, locked facility, as that term is defined in the Michigan Medical Marihuana Act.
- k. This section shall apply to every person engaging in the activities of a primary caregiver as a home occupation, regardless of whether or not the activities commenced prior to the enactment of this section.

1250.02.03 TEMPORARY BUILDINGS, STRUCTURES, USES AND EVENTS

- a. Temporary Construction Buildings and Storage Trailers. Temporary construction buildings, structures, uses and storage trailers may be permitted, after review and approval of the building official, subject to the following conditions:
 - i. Temporary Construction Buildings

1. Temporary buildings and structures may only be used for the storage of construction materials, tools, supplies and equipment for construction management and supervision offices, and for temporary on-site sanitation, solid waste or fuel facilities, related to construction activity on the same lot.
2. No temporary building or structure shall be used as a dwelling unit.
- ii. Temporary Trailers
 1. Enclosed trailers may be used for the temporary storage of materials only in commercial and Industrial zoning districts and when such materials are in the process of being received or shipped.
 2. The trailer(s) shall not be used for permanent storage of materials.
 3. Each trailer shall be equipped with a current trailer license as issued by a state and be in proper operating condition to be used upon the streets and roadways of this state.
 4. The use of trailer(s) for temporary storage shall be limited to three trailers for the permitted principal use.
- b. Temporary Outdoor Uses, Activities and Special Events
 - i. Temporary outdoor uses and activities, such as but not limited to art shows, sidewalk sales, carnivals, auto shows, and boat shows, may be approved for a period not to exceed consecutive days; provided, the proposed use or event is found to be: temporary in character; not detrimental to adjacent property; not disturbing to the public peace; and will not create undue traffic congestion or hazards. Temporary events, accessory to and on the same lot as a principal permitted use, may be approved by the building official. Any temporary event that is conducted on public right-of-way or city owned property shall require city council approval.
 - ii. Tent sales in a parking lot for individual businesses shall be permitted in all commercial and industrial zoning districts as an accessory use to a primary permitted use. All merchandise sold shall be that of the regular retail use in the principal building of the site. Each business shall be limited to one tent sale per calendar year for a maximum of 10 consecutive days. The area occupied by the tent sale shall not exceed 10% of the floor area of the permanent retail space of the business and the longest dimension of the tent shall not exceed the width of the permanent retail space of the business. Tent sales shall be located in a manner that does not conflict with site circulation for vehicles or pedestrians. A site plan shall be provided for administrative approval by the building official showing the location of the proposed tent, existing structures, sufficient off-street parking, utilities, lighting and signs prior to initiation of such activity
- c. Residential Temporary Uses and Structures

- i. A temporary structure or a temporary use which meets all of the following conditions shall be permitted in a residential district:
 1. In the case of a temporary structure, a permit has been issued by the Building Safety Office authorizing the temporary structure.
 2. In the case of a temporary use, a permit has been issued by the Planning Division. In determining whether to issue a permit, the Planning Division shall review a request in accordance with the standards outlined in Section 1262.02(f)(1) to (9) and shall approve the request, deny it or approve it with conditions.
 3. The person issued a permit under subsection (c)(1) or (2) hereof agrees in writing to remove the temporary structure or cease temporary use pursuant to the permit.
 4. Permits issued under subsection (c)(1) or (2) hereof shall be for a period not to exceed two weeks, and upon request may be extended twice for a period not to exceed two weeks for each extension.
- ii. The temporary use of a permanent structure as a real estate office for the purpose of marketing new residential development which meets all of the following conditions shall be permitted in a residential district:
 1. The temporary use of the permanent structure is located within the residential development.
 2. The temporary use of the permanent structure shall be removed after three years, or after 90 percent of the residential development is sold, whichever comes first.

1250.02.04 (RESERVED)

1250.02.05 KEEPING OF ANIMALS

- a. Definitions, as used in this section:

WILD ANIMAL: Any animal not domesticated by humans or any animal which a person is prohibited from possessing by law. Wild animals shall include, but shall not be limited to, the families of the following: alligator, deer, opossum, badger, wild dog, dog-wolf, coyote, weasel, bear, raccoon, skunk, wild cat, lemur, marten, poisonous spider, poisonous lizard, snake, and primate (excluding humans).

LIVESTOCK: Horses, cattle, sheep, goats, poultry, pigs and other useful animals normally kept or raised on a farm, including pygmy goats and potbelly pigs.
- b. Household pets.
 - i. The keeping of household pets, including dogs, cats, fish, birds, hamsters and other animals generally regarded as commonly housed inside human dwellings as household pets, is permitted as an accessory use in any zoning district.

- ii. No more than three dogs, four months of age and older, shall be kept or housed in or at one dwelling unit.
- c. Wild animals. The keeping of wild animals, as defined in this ordinance, shall be prohibited in any residential zoning district:
- d. Livestock. No livestock or poultry shall be owned, kept, possessed, harbored or kept charge of except as provided for below:
 - i. No more than five (5) hens may be kept on any one- or two-family residential property, and no roosters, ducks, peacocks, turkeys or emus shall be allowed;
 - ii. Hens must be kept in an enclosure so constructed or repaired as to keep the hens confined on the owner's property, and to prevent rats, mice, or other rodents from being harbored underneath, within, or within the walls of the enclosure;
 - iii. A covered enclosure or fenced enclosure shall not be located closer than 10 feet from the property line of any adjacent property, nor closer than 40 feet from any residential structure on an adjacent property, unless the adjacent property owner consents in writing to the Zoning Administrator;
 - iv. All feed and other items associated with the keeping of hens that are likely to attract or to become infested with or infected by rats, mice, or other rodents, shall be protected so as to prevent rats, mice, or other rodents from gaining access to or coming into contact with them.

1250.02.06 RESTRICTIONS ON DEMOLITION AND REUSE OF LOTS

No permit for demolition of a primary structure may be issued if the intended use is for non-required parking or if the property on which the structure is located is zoned for nonresidential purposes and the intended use is for open space, unless the request satisfies one of the following:

- a. The structure is being demolished to accommodate construction of a development plan approved by the City. A demolition permit being authorized under this condition shall not be issued until a site plan has been submitted to the City for review and approval in accordance with the requirements of Chapter 1260.
- b. A special land use permit for parking has been approved by the Lansing City Council.
- c. The owner of the property can demonstrate, to the satisfaction of the Director of the Economic Development & Planning Department that:
 - i. Demolition of the structure will not disrupt the established land use/development pattern in the area in which it is located.
 - ii. Redevelopment or reuse of the site will have no negative impacts on the adjoining property owners.
 - iii. Redevelopment or reuse of the site will be consistent with the land use pattern being advanced in the Comprehensive Plan.

- iv. The additional parking is necessary to accommodate the parking needs of the use that it is intended to serve during a typical day and no other options for providing said parking are reasonably available.
- v. The structure proposed for demolition is deemed to be a threat to the health, safety and welfare of the community by the City of Lansing Building Safety Office, Code Compliance Office, or Fire Department.

1250.02.07 VEHICLE PARKING, SERVICE, AND STORAGE

a. All Districts:

- i. Commercial vehicles used as signs are prohibited. No commercial vehicle may be parked for a time period exceeding 48 hours for the intended purpose, as determined by the Zoning Administrator, of advertising a product or serving as a business sign.
- ii. All vehicles must be incidental to the primary use.
- iii. An accessory use on a lot shall not include the storage of junk or junk vehicles.

b. Residential Districts:

- i. The parking or storage of the following shall not be permitted in a residential district except within a completely enclosed building:
 - 1. A vehicle with three or more axles, with or without a trailer;
 - 2. A bus/motor coach, box truck, flat-bed truck, wrecker, semi-tractor/trailer, construction vehicle, farm vehicle or equipment including, but not limited to, a trailer, backhoe or dump truck,
 - 3. A vehicle with a gross weight exceeding 10,000 pounds; and
 - 4. A vehicle which exceeds 12 feet in height or 35 feet in length.
- ii. The parking or storage of essential public service vehicles (e.g., ambulance) where the vehicle is operated by the homeowner or the occupant of the dwelling is exempt from these provisions.
- iii. An accessory structure shall not be used to service or repair a motor vehicle owned by a person other than a person residing on the premises on which the accessory structure is located.
- iv. An accessory use on a residential lot shall not include motor vehicle repair, except repair to a vehicle owned by a person residing on the premises so long as the repair is completed within a 24-hour period and is limited to:
 - 1. Changing oil or other fluids;
 - 2. Minor tune-up;
 - 3. Tire rotation; and
 - 4. Changing brake pads if the vehicle is supported in a safe manner.
- v. No accessory structure may be a public garage.

- vi. An accessory use of a lot may include the parking of up to four operable vehicles or one operable vehicle for each licensed driver residing in the dwelling, whichever is greater.

1250.02.08 RECREATIONAL VEHICLE AND RECREATIONAL EQUIPMENT PARKING AND STORAGE IN RESIDENTIAL DISTRICTS

The following standards shall apply in all residential districts:

- a. Recreational vehicles shall not be connected to sanitary facilities, shall not be occupied, and shall be locked at all times.
- b. Recreational vehicles and recreational equipment greater than eight feet in width or 32 feet in length shall not be parked or stored on any residential lot, except as otherwise permitted in this ordinance.
- c. No more than two recreational vehicles or pieces of recreational equipment, or a combination thereof, shall be stored on a residential lot.
- d. Only one recreational vehicle or piece of recreational equipment, not exceeding 25 feet in length, may be parked or stored on an approved driveway within the front or side yard of a residential lot.
- e. Except as otherwise permitted in this Section, recreational vehicles must be parked on a paved surface in the rear yard and must be setback as least 3 feet from the side and rear property lines.
- f. Regardless of size, one recreational vehicle may be temporarily parked anywhere on a paved surface within a residential lot for up to 72 hours within a seven (7) day time period for the purpose of loading and unloading or for normal maintenance and cleaning.
- g. Recreational vehicles and equipment may not be stored or parked on a residential lot for the purpose of making major repairs, refurbishing, or reconstruction of the recreational vehicle or equipment.

1250.02.09 RESTAURANTS AND TAVERNS WITH OUTDOOR SEATING.

Outdoor seating areas on private property accessory to a restaurant or bar are permitted only after approval by the Zoning Administrator of a plan, and subject to the following requirements:

- a. The seating area shall be delineated with railings or ornamental walls that are a minimum of three (3) feet tall.
- b. Pedestrian circulation and access to the building entrance shall not be impaired. Access to the outdoor seating shall be provided only through doors leading into the building.
- c. The seating area shall be kept free of debris and litter. Written procedures for cleaning and trash containment and removal must be submitted.
- d. Additional signage shall not be permitted.

- 1 e. Requests for outdoor seating shall include submission to the Zoning
2 Administrator of a plan that demonstrates compliance with the above
3 requirements.

4
5 1250.02.10 MEDICAL MARIHUANA (RESERVED)

6
7 1250.02.11 ADULT BUSINESSES

- 8 a. Intent. In the development and execution of this chapter, it is recognized that there
9 are some uses which, because of their very nature, are recognized as having
10 serious objectionable operational characteristics, particularly when several of
11 them are concentrated under certain circumstances thereby having deleterious
12 effects upon the adjacent areas. Special regulations of these uses is necessary to
13 insure that these adverse effects will not contribute to the blighting or
14 downgrading of the surrounding neighborhood. These special regulations are
15 itemized in this section. The primary control or regulation is for the purpose of
16 preventing a concentration of these uses in any one area or next to residential
17 zones.
- 18 b. Definitions. As used in this section, the following terms shall have the meanings
19 indicated:
- 20 · ADULT BOOKSTORE. An establishment which excludes minors, as defined in
21 M.C.L.A. 722.51 et seq., and has, as a significant portion of its stock in trade,
22 books, periodicals, magazines, newspapers, pamphlets, pictures, photographs,
23 motion picture films and/ or videotapes, or novelty items or paraphernalia which
24 are distinguished or characterized by their emphasis on matter depicting,
25 describing or relating to “specified sexual activities” or “specified anatomical
26 areas,” or an establishment with a segment or section devoted to the sale or
27 display of such material which exceeds percent of the floor area of the
28 establishment.
 - 29 · ADULT BUSINESS. Adult bookstores, adult movie theaters, adult personal
30 service businesses, adult cabarets, adult novelty businesses, massage parlors and
31 nude modeling studios, or any combination thereof, as defined in this section,
32 which meets one or more of the criteria defined in ADULT BUSINESS,
33 SIGNIFICANT PORTION.
 - 34 · ADULT BUSINESS, SIGNIFICANT PORTION. A business where a significant
35 portion of the stock in trade or services provided meets at least one of the
36 following criteria:
 - 37 i. Thirty-five percent or more of the stock, materials, novelties or services
38 provided are classified as adult materials and/or services as defined herein.

- ii. Thirty-five percent or more of the usable floor area of the building, is used for the sale, display and/or provision of services classified as adult materials and/or services, as defined herein.
 - iii. The advertising (on signs, in publications, on television or radio and/or other media forms) associated with the business depicts, describes or relates to specified sexual activities and/or specified anatomical areas.
- ADULT PERSONAL SERVICE BUSINESS. A business having as its principal activity a person, while nude or while displaying specified anatomical areas, as defined herein, providing personal services for another person. Such businesses include, but are not limited to, modeling studios, body painting studios, wrestling studios and conversation parlors.
- ADULT MOTION PICTURE THEATER. An establishment, in a completely enclosed building or room, which excludes minors, with a capacity for more than or persons as defined in M.C.L.A. 722.51 et seq., and offers, for an admission fee, membership fee or other valuable consideration, the viewing of motion picture films, videotapes, pictures or photographs, cable television, satellite transmissions or other visual media, which are distinguished or characterized by their emphasis on matter depicting, describing or relating to specified sexual activity or specified anatomical areas, as defined herein, for the observation of patrons therein.
- ADULT MINI-MOTION-PICTURE THEATER. As defined above with a capacity for 50 or fewer persons.
- ADULT CABARET. An establishment (which may or may not include the service of food or beverages) having as an activity the presentation or display of male or female impersonators, dancers, entertainers, waiters, waitresses or employees who display specified anatomical areas, as defined herein.
- ADULT NOVELTIES. Objects, items, and/or devices offered for sale which are designed for sexual stimulation or which simulate human genitals.
- BUTTOCK. Includes the perineum and anus of any person.
- MESSAGE PARLOR. An enterprise of a nonmedical nature specializing in the manipulation of body tissues for remedial or hygienic purposes, as by rubbing, stroking, or kneading with the hand or instrument.
- MESSAGE. Offering for sale through the use of physical, mechanical or other devices, the manipulation of body muscle or tissue by rubbing, stroking, kneading, tapping or vibrating of the body of another.
- NUDE MODELING STUDIO. A place which offers as its principal activity the providing of models to display specified anatomical areas, as defined herein, for artists and photographers for a fee.
- OFFERED FOR SALE. Offered in exchange for money, a membership fee or any other valuable consideration.
- SPECIFIED ANATOMICAL AREAS:

- i. Less than completely and opaquely covered human genitals, pubic region, buttock and female breast below a point immediately above the top of the areola.
 - ii. Human male genitals in a discernibly turgid state, even if completely and opaquely covered.
- SPECIFIED SEXUAL ACTIVITIES. Human genitals in a state of sexual stimulation or arousal, acts of human masturbation, sexual intercourse or sodomy, fondling or other erotic touching of human genitals, pubic region or buttock or female breast.
 - SODOMY. Sexual bestiality.
 - SEXUAL INTERCOURSE. Genital coitus, fellatio, cunnilingus, anal intercourse or any other intrusion, however slight, of any person's body, or of any object into the genital or anal openings of another's body.
- c. Location of Uses.

Any existing building or land, or new building hereafter erected, converted or structurally altered, used for an adult business, shall meet all of the following conditions:

- i. No adult business, as defined herein, shall be permitted within a 1,000 foot radius of an existing adult business. Measurement of the 1,000 foot radius shall be made from the outermost boundaries of the lot or parcel upon which the proposed adult use will be situated.
 - ii. No adult business, as defined herein, shall be permitted within a 300 foot radius of any residentially used or zoned land as depicted on the official Zoning Map and defined in this Zoning Code. Measurement of the 300 foot radius shall be made from the outermost boundaries of the lot or parcel upon which the proposed adult use will be situated.
 - iii. No adult business, as defined herein, shall be permitted within a 300 foot radius of a school, library, park, playground, licensed group day care center, church, convent, monastery, synagogue or similar place of worship or other place of public congregation. Measurement of the 300 foot radius shall be made from the outermost boundaries of the lot or parcel upon which the proposed adult use will be situated.
 - iv. No adult business, as defined herein, shall be permitted within the Capitol Center District, as defined in Section 1442.23(b) of the Building and Housing Code.
- d. Miscellaneous Requirements.
- i. No person shall reside in or permit any person to reside in the premises of an adult business.
 - ii. The provisions of this section regarding massage parlors shall not apply to hospitals, sanitariums, nursing homes, medical clinics or the offices of a physician, surgeon, chiropractor, osteopath, psychologist, clinical social worker or family counselor who is licensed to practice his or her respective profession in the State of Michigan, or who is permitted to practice temporarily under the auspices of an associate or an establishment

duly licensed in the State of Michigan, clergymen, certified members of the American Massage and Therapy Association and certified members of the International Myomassethics Federation who have a current massage therapist license through the Lansing City Clerk.

1250.03 SUPPLEMENTAL DIMENSIONAL REGULATIONS

1250.03.01 PROJECTIONS INTO YARDS

Certain architectural features may project into the required yards as follows:

(a) PERMITTED PROJECTIONS INTO REQUIRED YARDS

[FIGURE 139]

Projection	Front Yard	Rear Yard	Side Yard
Air conditioning equipment shelters	Not permitted in front yard Permitted up to 3 feet from any side or rear lot line		
Arbors and trellises	Permitted up to 4 feet from any lot line		
Awnings and canopies	3 ft.	5 ft.	0 ft.
Bay windows	3ft.	5 ft.	0 ft.
Eaves, overhanging	3ft.	5 ft.	3 ft.
Flagpoles	Permitted up to 4 feet from any lot line		
Gutters	3 ft.	5 ft.	1 ft.
Light standard, ornamental	Permitted in any yard		
Mechanical equipment such as HVAC	..	3 ft.	5 ft.
Paved terraces	Permitted up to 3 feet from any lot line		
Unroofed porches and stoops*	3 ft.	5 ft.	1 ft.
Stairways, open unroofed	3 ft.	5 ft.	1 ft.
Steps	3 ft.	5 ft.	1 ft.
Window air conditioning units	3 ft.	5 ft.	1 ft.

* See additional regulations in this ordinance.

1250.03.02 SUPPLEMENTARY HEIGHT REGULATIONS

The following structural appurtenances may be permitted to exceed the height limitations for the authorized use, as follows:

- a) Structural extensions appropriate to the building design, such as cornices, shall be limited to five feet above the allowable height limit.

1250.03.03 SIGHT VISIBILITY AT CORNERS AND DRIVEWAYS

- a) Corner Clearance at Street Intersections. No fence, wall, shrubbery, sign or other obstruction to vision above a height of three feet from the established street grades shall be permitted within the triangular area formed at the intersection of any street right-of-way lines by a straight line drawn between said right-of-way lines at a distance along each line of 25 feet from their point of intersection, nor shall such obstruction to vision be permitted at the intersection of any driveway or alley and a street right-of-way line within a triangular area formed at such intersection by a straight line drawn between the driveway or alley line and the street right-of-way line at a distance along each line of 10 feet from their point of intersection. In those instances where such triangular area cannot be constructed on the property in question, a 10-foot setback shall be required between the property line and the driveway or alley.
- b) Visibility at Driveways. No fence or hedge shall materially obstruct the vision of motorists entering any street or other public way open to vehicular traffic from a driveway adjacent thereto. The area of a lot to which this applies is the area within a triangle joining the point of the intersection of the lot line and the side edge of the driveway, a point on the driveway edge line 10 feet from such intersection (away from the right-of-way) and a point on the lot line 10 feet from such intersection (away from the driveway).

1250.04 SITE DEVELOPMENT REGULATIONS

1250.04.01 ACCESSORY BUILDINGS AND STRUCTURES, AND ATTACHED GARAGES

- a) In General, Applies to All Districts
 - a. Accessory buildings and structures are permitted only in connection with and incidental to a principal building or use permitted within the zoning district in which it is located.
 - b. No accessory building or structure shall be occupied or utilized unless the principal structure to which it is accessory is occupied or utilized.
 - c. An accessory building or structure must be located in the same zoning district as the principal building or structure on a lot.
 - d. Where the accessory building or structure is structurally attached to a principal building or structure, it shall be subject to all the regulations of this chapter applicable to principal buildings and structures except as otherwise noted in this section.
 - e. Accessory buildings and structures shall not be occupied for dwelling purposes.
 - f. Detached accessory structures shall not be permitted in a front yard and shall be set back at least three (3) feet from side or rear lot line. Detached accessory structures that are 1,000 square feet or more in area shall be set back not less than

six (6) feet from any side or rear lot line. If an accessory structure is attached to a structure containing the principal use, it shall meet all dimensional requirements imposed upon the structure containing the principal use, except as provided in this section.

- g. The maximum building height of any detached accessory building shall be 15, as defined in Chapter 1240.
 - h. The design and building materials of any accessory building shall be consistent with the character of the principal building on the property.
 - i. The floor area of an accessory building shall not exceed the ground floor area of the principal building.
 - j. Accessory structures for an approved nonresidential use shall comply with the setback requirements for the principal structures and shall provide landscaping, screening and buffering in accordance with Chapter 1252.
- b) Applies to Residential Districts
- a. Single family residential lots shall have no more than one storage shed and one garage or detached carport. Residential lots that contain a legally conforming duplex may have one (1) accessory structure, which may be a garage, carport or storage building, for each unit. Multiple family residential lots may have one accessory building, which may be a garage, carport or storage building, for each legally conforming, multiple family residential building on the property.
 - b. The maximum floor area of an accessory structure, for each unit in a duplex, shall be 600 square feet on a lot less than 10,000 square feet in size and 720 square feet on a lot greater than 10,000 square feet in size.
 - c. The following size limitations shall apply to buildings that are accessory to a single family residential dwelling:

[INFIGURE 140]

Lot Size (square foot)	Maximum Square Footage of Detached Accessory Garages	Maximum Square Footage of All Accessory Buildings	Maximum Square Footage of Attached Garages
Less than 5,000	600	800	600
5,000—7,800	720	1,000	800
7,801—10,800	770	1,050	800
10,801—21,780	840	1,200	1,000
21,781—43,560	1,000	1,200	1,000
43,560+	1,200	1,400	1,200

- d. Accessory buildings and structures combined shall cover no more than 35% of a rear yard.
- e. The floor area of additions and structures attached to the private garage, including, but not limited to, covered patios, decks, storage areas and carports, shall be included in calculating the total allowable floor area of that garage.
- f. The floor area of a garage or carport space in a Planned Unit shall not exceed 770 square feet, per unit.

- g. On through lots, an accessory structure located behind the principal structure shall conform to the front yard setback of the district in which it is located.
- h. Uncovered and unenclosed decks, patios, terraces and porches elevated six (6) inches or more above grade in any residential district shall be set back a minimum of three (3) feet from any side lot line and may project up to eight (8) feet into the required front and rear yard setbacks.
- i. An accessory structure shall not involve the operation of a business.

1250.04.02 MECHANICAL EQUIPMENT

- a) Ground- and building-mounted mechanical equipment including, but not limited to, heating units, cooling units, air handling units, refrigeration units, blowers, ventilating fans, water and gas meters, elevator housing and tanks are subject to the following regulations:
 - a. Mechanical equipment and utilities located on or around any non-residential or multiple-family building shall be screened from public view. Such screening shall be of a height sufficient to screen the equipment.
 - b. Alternatives for screening materials for ground-mounted mechanical and utilities shall include a solid wall, fence, evergreen plantings, berms and/or other decorative features compatible with the principal building. In a non-residential zoning district, ground-mounted mechanical equipment shall not be located within 20 feet of any residential district.
- b) Roof-mounted equipment shall not exceed a height of 10 feet above the surrounding roof surface, and shall occupy no more than 15% of the total roof area.
- c) All roof-mounted equipment shall be screened by parapet walls or a pitched roof of sufficient height to screen rooftop equipment and the screening shall be integrated into the architectural design of the building meeting the standards noted in Section 1246 Building Types. Screening is not required if such equipment is not visible when standing at grade level not less than 200 feet from the front entrance of the building. Where adjacent to any residential district, all roof-mounted mechanical units must be setback a minimum of 20 feet from the side of the building facing the residential district and screened using solid architectural materials that meet the standards noted in Section 1246 Building Types and that provide sound attenuation.

1250.04.03 EXTERIOR LIGHTING

- a) Definitions:

CANOPY STRUCTURE: Any overhead protective structure which is constructed in such a manner as to allow pedestrians/vehicles to pass under.

FLOOD OR SPOT LIGHT: Any light fixture or lamp that incorporates a reflector or refractor to concentrate the light output into a directed beam in a particular direction.

GLARE: Direct light emitted by a lamp, luminous tube lighting or other light source.

1 LAMP: The component of the luminaire that produces the actual light including luminous tube
2 lighting.

3 LIGHT FIXTURE: The assembly that holds a lamp and may include an assembly housing, a
4 mounting bracket or pole socket, a lamp holder, a ballast, a reflector or mirror, and a refractor or
5 lens. A light fixture also includes the assembly for luminous tube and fluorescent lighting.

6 LIGHT POLLUTION: Artificial light which causes a detrimental effect on the environment,
7 enjoyment of the night sky or causes undesirable glare or unnecessary illumination of adjacent
8 properties.

9 LIGHT TRESPASS: The shining of light produced by a luminaire beyond the boundaries of the
10 property on which it is located.

11 LUMINAIRE: The complete lighting system including the lamp and light fixture.

12 LUMINOUS TUBE LIGHTING: Gas filled tubing which, when subjected to high voltage,
13 becomes luminescent in a color characteristic of the particular gas used, e.g., neon, argon, etc.

14 OUTDOOR LIGHT FIXTURES: Outdoor artificial illuminating devices, outdoor fixtures, lamps
15 and other similar devices, permanently installed or portable, used for flood lighting, general
16 illumination or advertisement

17 SHIELDED FIXTURE: Outdoor light fixtures shielded or constructed so that light rays emitted
18 by the fixture are projected below the horizontal plane passing through the lowest point on the
19 fixture from which light is emitted, e.g. “shoebox-type” fixtures. A luminaire mounted in a
20 recessed fashion under a canopy or other structure such that the surrounding structure effectively
21 shields the light in the same manner is also considered fully shielded for the purposes of this
22 article.

23 b) Lighting standards. Unless otherwise exempted by this Section, all lighting must comply
24 with the following standards:

25 a. Freestanding pole lighting.

26 i. Exterior lighting shall be fully shielded and directed downward to prevent
27 off-site glare. Fixed (not adjustable), downward-directed fixtures shall be
28 used in an effort to maintain a unified lighting standard throughout the
29 city and prevent “sky glow.”

30 ii. The intensity of light shall not exceed 5 food-candles within any site. For
31 sites abutting a residential district or use, the intensity of light cannot
32 exceed 0.5 food-candles at the property line. A maximum of 10 food-
33 candles is permitted within a site for gasoline stations and automobile
34 dealerships as long as the light intensity does not exceed the allowable
35 intensities at the property line.

36 iii. The Zoning Administrator may approve decorative light fixtures as an
37 alternative to shielded fixtures when it can be proven that there will be no
38 off-site glare and the proposed fixtures are necessary to preserve the
39 intended character of the site.

- iv. The maximum height of parking lot light fixtures shall be 20 feet, except that the Zoning Administrator may permit a maximum height of 30 feet within commercial, mixed use, industrial, research and office zoning districts and for institutional uses in residential districts when the poles are no closer than 150 feet to a residential district or use.
- b. Building-mounted lighting.
 - i. Building-mounted lighting shall be fully shielded and directed downward to prevent off-site glare. Fixed (not adjustable), downward-directed fixtures shall be used in an effort to maintain a unified lighting standard throughout the city and prevent “sky glow.”
 - ii. The intensity of light shall not exceed 5 foot-candles within any site. For sites abutting a residential district or use, the intensity of light cannot exceed 0.5 foot-candles at the property line. A maximum of 10 foot-candles is permitted within a site for gasoline stations and automobile dealerships as long as the light intensity does not exceed the allowable intensities at the property line.
 - iii. The Zoning Administrator may approve decorative light fixtures as an alternative to shielded fixtures when it can be proven that there will be no off-site glare and the proposed fixtures will improve the appearance of the site.
 - iv. Luminous-tube and exposed-bulb fluorescent lighting is prohibited as an architectural detail on all buildings, e.g. along the roof line and eaves, around windows, etc. The Zoning Administrator may approve internally illuminated architectural bands when it can be shown that the treatment will enhance the appearance of the building or is necessary for security purposes.
- c. Window lighting.
 - i. Any light fixtures visible through a window must be shielded to prevent glare at the property line.
 - ii. Luminous tube and exposed bulb fluorescent lighting (visible from the property line) is prohibited unless it is part of a sign that meets the requirements of Section 220-78, Signs.
- c) Exemptions.

The following are exempt from the lighting requirements of this article, except that the Zoning Administrator may take steps to eliminate the impact of the exempted items when deemed necessary to protect the health, safety and welfare of the public:

 - i. Sports field lighting, in use no later than 11:00 p.m. Other sports field lighting may be approved by the Zoning Administrator after a determination that compliance with the standards in this Section have been met to the greatest extent possible, and that all efforts possible were made to minimize any negative impacts to surrounding uses.
 - ii. Swimming pools.
 - iii. Holiday decorations.

- iv. Window displays without glare.
- v. Shielded pedestrian walkway lighting.
- vi. Residential lighting with no off-site glare.
- vii. Street lights.

1250.04.04 WASTE RECEPTACLES AND ENCLOSURES

- a) Waste receptacles may be permitted as accessory to any use except single or 2-family residential uses, subject to the following conditions:
 - a. Waste receptacles must be clearly accessible to servicing vehicles.
 - b. A concrete pad, at least two feet greater than the dimension of the waste on all sides, shall be provided.
 - c. Waste receptacles shall be screened on all sides. Such screening shall be constructed of an earth mound, brick or decorative concrete block or an opaque wood or vinyl fence with a minimum height of six feet or one foot above the height of the enclosed dumpster, whichever is greater.
 - d. Access gates must provide screening and may be of wood construction or chain-link with screen slats.
 - e. Waste receptacles and their screening enclosures shall be located as far from residential districts/uses as practical.
 - f. Waste receptacles and their screening enclosures shall be located in such a manner as to minimize impacts on adjacent properties by not obstructing or impeding views from windows, doorways, or outdoor gathering areas.
 - g. The location of waste receptacles shall be indicated on the site plans and the location and screening shall be subject to approval of the Zoning Administrator.
 - h. Detail drawings or a note shall be provided on the plan to assure that the above requirements are met.
- b) The above requirements shall not apply to portable trash containers intended for curbside pick-up.

1250.04.05 COLLECTION BINS

- a) Purpose. The purpose of this section is to regulate collection bins in the City of so that they remain clean, safe and do not create hazards to pedestrians or to vehicular traffic.
- b) Definitions. As used in this Section, unless otherwise provided:
 - COLLECTION BIN means any container, receptacle, or similar device that is located on any parcel or lot of record within the City and that is used for soliciting and collecting the receipt of clothing, household items, or other salvageable personal property. This term does not include recycle bins for the collection of recyclable material, any rubbish or garbage receptacle.
 - CODE COMPLIANCE OFFICE means the Code Compliance Supervisor or his or her authorized representative.

1 COLLECTION BIN OPERATOR means a person who owns, operates, supervises or
2 otherwise is in control of collection bins to solicit collections of salvageable personal
3 property.

4 PROPERTY OWNER means any person, agent, firm or corporation having a legal or
5 equitable interest in the property; or recorded in the official records of the State, county
6 or municipality as holding title to the property.

7 PUBLIC SERVICE DEPARTMENT means the Director of Public Service or his or her
8 authorized representative.

9 c) Permit required.

10 No person or entity shall cause or permit the installation or placement of a collection bin
11 upon any real property located within the City of Lansing, whether public or private,
12 without first obtaining an annual permit from the City Clerk.

13 d) Permit application.

14 An application for a collection bin permit, as required by this Section shall be made to the
15 City Clerk upon forms provided by the City. Such application shall be filed with the City
16 Clerk not less than 30 days prior to date that the collection bin is placed on real property.
17 One annual permit is required for each collection bin. The application shall contain the
18 following information:

- 19 i. An affidavit and acknowledgment from the property owner, giving written
20 permission to place a collection bin on the property owner's real property,
21 as well as an acknowledgment of receipt of a copy of this chapter, and a
22 signed statement agreeing to obey all of its requirements.
- 23 ii. A site plan indicating the placement of the collection bin, in compliance
24 with the requirements of this Section.
- 25 iii. The name, address, telephone number and e-mail address of the applicant,
26 property owner and collection bin operator.
- 27 iv. The name, address, telephone number and e-mail address of the agent or
28 person who will be available during regular business hours and will be
29 responsible for compliance.
- 30 v. A photograph of the collection bin to be installed.
- 31 vi. The number to a 24-hour hotline for overflow events.
- 32 vii. A nonrefundable fee determined by resolution as set by City Council.
- 33 viii. A copy of the license and registration from the State of Michigan under
34 the Michigan Consumer Protection Act and the Charitable Organizations
35 Solicitations Act if statutorily required.
- 36 ix. In order to bring existing collection bins into compliance with this section,
37 collection bin operators, of existing collection bins, shall have 30 days
38 from the adoption of this chapter to submit a permit application to the City
39 Clerk.

40 e) Permit form, effective periods and renewal.

41 The City Clerk shall issue a permit for compliant collection bins that conform to the
42 following:

- i. A collection bin permit is valid for a one-year period. The renewal application must be filed not later than 30 days before the current permit expires.
 - ii. If the permit expires and the permit is not renewed, the collection bin must be removed from the real property within a maximum of ten days after expiration of the permit.
- f) Permitted locations.
 - i. Collection bins are allowed in all commercial and industrial districts.
 - ii. Collection bins shall not be located within 1,000 feet from another collection bin as measured along a straight line from one box to the other.
- g) Standards for bin and surrounding area.

Collection bins shall conform to the following standards:

 - i. Collection bins shall be maintained in good condition and appearance with no structural damage, holes or visible rust and shall be free of graffiti.
 - ii. Collection bins are required to be placed on a paved or concrete surface. Collection bins must be level and stable.
 - iii. Collection bins shall be locked and be equipped with a secure safety chute so contents cannot be accessed by anyone other than those responsible for the retrieval of the contents.
 - iv. The collection bins shall be emptied with such frequency and regularity as to ensure that it does not overflow and materials do not accumulate outside the collection bin.
 - v. The collection bin operator and property owner shall maintain, or cause to be maintained, the area surrounding the bins free from any overflow collection items, furniture, rubbish, debris, hazardous materials, and noxious odors. To extent provided by law, the collection bin operator and/or property owner shall be jointly and severally responsible for the City's cost to abate any nuisance.
 - vi. Collection bins shall be located on a parcel where there is a functioning and permitted use. Collection bins shall not be permitted:
 1. On any land used or zoned residential;
 2. On any unimproved parcel;
 3. Where the principal use of the land has been closed or unoccupied for more than 30 days.
 - vii. One collection bin on a single lot of record is allowed.
 - viii. The total size of a collection bin is limited to a maximum dimension of 5' × 5' × 7'.
 - ix. Collection bins shall not cause a visual obstruction, as determined by the Transportation Engineer, City Engineer or Director of Public Service Department, to vehicular or pedestrian traffic.
 - x. No collection bin shall be placed closer than ten feet from:

1. A public or private sidewalk except that this provision does not apply to a private sidewalk as long as the sidewalk maintains a five-foot clearance;
 2. A public right-of-way;
 3. A driveway; or
 4. A side or rear property line of adjacent property used for purposes.
- xi. Collection bins shall not be placed in a designated fire lane, in or adjacent to a handicap parking space, or block a building entrance or exit.
- xii. Collection bins shall be made of durable metal or UV resistant molded hard plastic or fiberglass material that is fire resistant or fire proof.
- h) Identification of collection bins.
- i. Collection bins shall have signage on each bin that identifies the name, mailing address, email address, website and phone number of the collection bin operator. The collection bin signage may include a company logo. Total sign area on the collection bin signage may not exceed 6 square feet per side. The font size used on the sign shall not be less than 1 inch in height.
 - ii. The collection bin must prominently display at all times a readable permit identification sticker provided by the City.
- i) Permit revocation, removal of collection bins and liability.
- i. If the Public Service Department and/or Code Compliance Office determines that a collection bin has been placed or is being maintained in violation of this chapter, a correction notice shall be sent by regular United States Mail to the collection bin operator and property owner of the real property on which the collection bin has been placed, as shown on the most recent permit application. In the event there is not on file a permit application made for the collection bin within 24 months immediately preceding the date of violation, the correction notice shall be sent to the real property tax payer of record in the Assessor's Office. The correction notice shall describe the offending condition and the actions necessary to correct the condition. The correction notice shall provide that the offending condition be corrected or abated within 7 calendar days after mailing.
 - ii. If the offending condition is not corrected or abated within this 7 calendar days after mailing, the City or the City's contractor shall clean-up the collection bin area.
 - iii. All costs incurred by the City or the City's contractor associated with the correction or abatement of a collection bin shall be the responsibility of the property owner and collection bin owner. If such obligation is not paid within 30 days after mailing of a billing of costs to the property owner, the City may place a lien upon such real property enforceable as a tax lien in the manner prescribed by the general laws of this State against the property and collected as in the case of general property tax. If the same is

not paid prior to the preparation of the next assessment roll of the City, the amount shall be assessed as a special tax against such premises on the next assessment roll and collected thereunder.

iv. The City Clerk shall have the right to revoke any permit issued hereunder if:

1. Offending conditions cited in a correction notice are not corrected or abated within seven days after mailing;
2. Placement or conditions of the bin or surrounding area violate any applicable State or Federal law;
3. Any governmental authority or agency determines that the collection bin has violated the Michigan Consumer Protection Act and/or the Charitable Organizations and Solicitations Act or other statute enacted to regulate or govern collection bins.

v. Upon revocation of permit issued pursuant to this chapter, the collection bin shall be removed from the real property within ten calendar days and, if not so removed within the time period, the City or the City's contractor may remove, store or dispose of the collection bin.

vi. All costs incurred by the City or the City's contractor associated with removal, storage or disposal of a collection bin shall be the responsibility of the property owner and collection bin owner. If such obligation is not paid within 30 days after mailing of a billing of costs to the property owner, the City may place a lien upon such real property enforceable as a tax lien in the manner prescribed by the general laws of this State against the property and collected as in the case of general property tax. If the same is not paid prior to the preparation of the next assessment roll of the City, the amount shall be assessed as a special tax against such premises on the next assessment roll and collected thereunder.

vii. If a collection bin permit is revoked, the collection bin operator shall not be eligible for a new permit for 1 year from the date of revocation.

j) Appeal to City Council.

Any person aggrieved by the decision rendered by the City Clerk in granting or denying an application for a permit under this article or in revoking a permit issued under this article may appeal that decision to the City Council. The Public Service Department shall make written findings of fact in support of any license revocation. The appeal shall be made by filing a written request with the City Clerk setting forth the grounds for the appeal not later than ten days after receiving notice of the revocation by the City Clerk. In the event that the written request is filed with the City Clerk, Council shall hold a public hearing on the revocation, and shall have the power to reverse, affirm or modify the decision of the City Clerk. Council shall, in its determination, make written findings of fact supporting its decision. The determination by Council shall be final, subject to appeal to a court of competent jurisdiction.

k) Penalty and remedies.

- i. In addition to revocation of permit pursuant to this Section any person violating the provisions of this article is guilty of a municipal civil infraction.
- ii. In addition to the penalty provided in subsection (a) of this section, any condition caused or permitted to exist in violation of the provisions of this chapter, or any ordinance, shall be deemed a new and separate offense for each day that such condition continues to exist.
- iii. Nothing in this chapter shall prevent the City from pursuing any other remedy provided by law in conjunction with or in lieu of prosecuting persons under this section for violation of this chapter.
- iv. The collection bin operator and real property owner shall be jointly and severally liable for each violation and for payment of 11 any fines and costs.

1250.04.06 FENCES AND HEDGES

a) Purpose; application.

In order to protect the use and enjoyment of properties by providing for the passage of air and light; to protect the public welfare and safety by providing for the safe movement of motor vehicles and pedestrians; and to facilitate efficient police and fire-fighting services, no person shall erect, construct, modify, maintain, plant or grow any fence, hedge, tree, shrub, plant or vine or cause or permit the same to be done in violation of this chapter.

b) Definitions.

As used in this chapter:

MINOR REPAIR Repairs dealing primarily with nonstructural portions of the fence, as well as appearance.

MAJOR REPAIR. Repairs directly connected to the structural portion of the fence.

SAFETY HAZARD. Any fence which is not in conformity with this section.

c) Limitations.

i. Front Yard.

1. No fence or hedge shall exceed a height of three feet within a front yard.
2. In front yard corner lots, an unobstructed clear vision corner shall be maintained as specified in 1250.03.03
3. For driveways not on a corner, see Section 1250.03.03 (b)
4. A fence within the front yard may be erected or maintained to a height above three feet, but not to exceed a height of four feet, if the fence meets all of the following requirements:

- a. The fence consists of at least 50 percent of open spaces uniformly distributed along its surface above a height of three feet.
 - b. Vision through the fence is not materially obstructed from any angle so as to obstruct the view of vehicular traffic on adjacent streets or public ways or of pedestrian traffic on
5. Chain-link, wire, cyclone or similar fences are prohibited in front yards in all non-industrial zoning districts.
 6. A hedge within a front yard may be planted, grown or maintained to a height above three feet if the hedge meets all of the following requirements:
 - a. The property owner prepares and submits to the Zoning Administrator a written plan which complies with the requirements for landscaping, screening and buffering plans as set forth in this Section.
 - b. The abutting road is not a Local Street as defined the Comprehensive Plan, or the abutting property is used for industrial purposes.
 - c. The hedge does not obstruct the vision of motorists and complies with paragraphs (1)(b) and (1)(c) hereof.
 - d. All abutting property owners submit a written statement that they do not object to the plan.
 - e. The plan is approved by the Zoning Administrator.
- ii. Side and Rear Yard
 1. No fence or hedge within a side yard or rear yard shall exceed 6 feet in height but may be permitted to a maximum height of 8 feet, if all of the following requirements can be met:
 - a. The property is zoned for commercial or industrial land use, or in the case of properties zoned for residential or office uses, the abutting property is zoned for commercial or industrial land use.
 - b. The topography of the subject property is generally one or more feet lower than the abutting property, or the health or safety of the owner or occupant of the subject property is endangered by uses of the abutting property.
 - c. The fence is approved by the Zoning Administrator.
- d) Materials.
 - i. Fences shall be constructed of one or more of the following materials: Chain-link, wood, brick, poured concrete, wrought-iron, vinyl or similar material that is approved by the Zoning Administrator.
 - ii. For all fences less than 8 feet in height and for all fences, regardless of height, which are less than 30 feet from a neighboring parcel of land which is being used residentially, barbed wire on fences may be utilized

- only upon the written request of the applicant and written approval by the Zoning Administrator. Approval of such request shall be based on demonstrated need, safety and reasonableness. For all fences 8 feet in height and 30 feet or more away from a neighboring parcel of land which is being used residentially, barbed wire on fences shall be allowed without prior approval of the Zoning Administrator. Under no circumstances will any fence 6 feet in height or less be permitted to use barbed wire. Barbed wire shall not extend more than 3 vertical feet above the top of the fence.
- iii. No fence shall contain razor wire, concertina wire or similar type of wire, or carry any electrical current.
- iv. Berms. If earth berms are to be constructed, they shall have a maximum slope of 3:1 and shall be sodded or seeded or utilize other ground cover. Berm height, width, location and materials must be approved by the Department.
- e) Swimming pool fences.
- i. Except as otherwise provided in this chapter, every swimming pool with a depth of 24 inches at any point and/or a volume of 150 cubic feet or more must be maintained within an adequate enclosure surrounding the pool area that complies with the following provisions:
- a. The pool enclosure shall extend not less than four feet above the ground. All enclosures shall be self-closing and self-latching with latches placed at least four feet above the ground. No opening in a pool enclosure fence or gate shall be designed or maintained so as to permit access to the pool except under the supervision of the pool owner or by his permission.
- b. Pool enclosure fences shall be constructed so as to prohibit the passage of a sphere larger than four inches in diameter through any opening or under the fence. Pool enclosure fences shall be designed to withstand substantial (200 pounds per square foot) concentrated horizontal loads at any point in the fence.
- f) Unsafe or dangerous fences; failure to maintain.
- i. No owner, occupant or agent in charge shall keep or maintain any fence which is unsafe or dangerous. A fence shall be deemed unsafe or dangerous whenever:
1. More than 50 percent of the fence area is in need of paint or other minor repair;
2. Any portion has been damaged by wind, flood, fire or other cause in such a manner that structural strength or stability is appreciably less than it was previous to such event;

3. Any portion of any structural member of the fence is likely to fall, to become detached or dislodged or to collapse and thereby injure persons or damage property; or
 4. More than ten percent of the fence area is in need of major repair.
- g) Repair or removal; remedies of city.

The Department of Economic Development and Planning may order repaired or removed any fence which is hazardous to the health or safety of the community. Sections 1250.04.06 (c) and (f) shall be utilized as the basis for making such decision. Upon finding a fence which is a health or safety hazard, the Department shall adhere to the following process:

- i. The Department, upon finding a fence that is a health or safety hazard, shall notify the property owner of the problem in writing by mail or, if possible, in person. The property owner shall be given ten working days to resolve the identified problem.
 - ii. If the health or safety hazard still exists after ten working days, the Department shall post the fence as being a health or safety hazard. A certified letter, return receipt requested, shall also be sent to the property owner notifying the owner of the health or safety hazard and of the actions necessary to correct the hazard and what the City will do if it is not corrected by a certain date. The owner shall be given 30 days to resolve the identified problem.
 - iii. The Department shall re-inspect the property after 30 days. If the identified problem still exists, the Department shall have the fence, or that portion of the fence causing the problem, repaired or removed with the cost of such repair or removal being attached to the tax rolls for the property.
- h) Conflict of laws.

All ordinances or parts of ordinances in these Codified Ordinances which require fences that are inconsistent with this chapter shall remain effective and nothing in this chapter shall be construed to limit the authority or power granted elsewhere in these Codified Ordinances to any City department, board or commission to require fences in appropriate circumstances which deviate from the requirements of this chapter.

1250.05 ANTENNA, COMMUNICATIONS, AND ENERGY STRUCTURES

1250.05.01 RECEPTION ANTENNA FACILITIES

- a) In all single-family zoning districts, the installation and/or use of a reception antenna facility having a diameter in excess of three (3) feet shall be permitted only as an accessory use and only as authorized in this section.
- b) A ground-mounted reception antenna facility shall be located in the rear yard only and shall be located no closer than six (6) feet from a side or rear lot line.
- c) A roof-mounted reception antenna facility shall be located on that portion of the roof adjacent to the rear yard of the property and a structure-mounted facility shall be located in the rear yard only.
- d) Excluded from the regulations of this section are conventional VHF and UHF television.

1250.05.02 WIRELESS COMMUNICATIONS TOWERS AND ANTENNAS

a) Purpose.

The purpose of this section is to establish general guidelines for the siting of wireless communications towers and antennas. The goals of this ordinance [chapter] are to: (1) protect residential areas, property values, and land uses from potential adverse impacts of towers and antennas; (2) strongly encourage the location of towers in nonresidential areas; (3) minimize the total number of towers throughout the community; strongly encourage the appropriate placement of new and existing towers (4) strongly encourage the joint use of new and existing tower sites as a primary option rather than construction of additional single-use towers; (5) strongly encourage users of towers and antennas to locate them, to the extent possible, in areas where the adverse impact on the community is minimal; (6) strongly encourage users of towers and antennas to configure them in a way that minimizes displeasing aesthetics of the towers and antennas through careful design, siting, landscape screening, and innovative camouflaging techniques; (7) enhance the ability of the providers of telecommunications services to provide such services to the community quickly, effectively, and efficiently; (8) consider, to the extent permitted by law, the public health and safety impacts of communication towers; and (9) avoid potential damage to adjacent properties from tower failure through engineering, design, and careful siting of tower structures. In furtherance of these goals, the city shall give due consideration to the city's comprehensive plan, zoning map, existing land uses, and environmentally sensitive areas in approving sites for the location of towers and antennas.

b) Definitions.

For the purposes of this chapter, the following words and phrases shall have the meanings set forth below:

ALTERNATIVE TOWER STRUCTURE. Clock towers, bell steeples, light poles and similar alternative-design mounting structures that camouflage or conceal the presence of antennas or towers.

ANTENNA. Any exterior transmitting or receiving device mounted on a tower, building or structure and used in communications that radiate or capture electromagnetic waves, digital

1 signals, analog signals, radio frequencies (excluding radar signals), wireless telecommunications
2 signals or other communication signals.

3 FAA. The Federal Aviation Administration.

4 FCC. The Federal Communications Commission.

5 HEIGHT. When referring to a tower or other structure, the distance measured from the finished
6 grade of the parcel to the highest point on the tower or other structure, including the base pad and
7 any antenna.

8 PREEXISTING TOWERS AND PREEXISTING ANTENNAS. Any tower or antenna for which
9 a building permit or special land use permit has been properly issued prior to the effective date of
10 this ordinance, including permitted towers or antennas that have not yet been constructed so long
11 as such approval is current and not expired.

12 TOWER. Any structure that is designed and constructed primarily for the purpose of supporting
13 one or more antennas for telephone, radio and similar communication purposes, including self-
14 supporting lattice towers, guyed towers, or monopole towers. The term includes radio and
15 television transmission towers, microwave towers, common-carrier towers, cellular telephone
16 towers, alternative tower structures, and the like. The term includes the structure and any support
17 thereto.

18 c) Applicability.

- 19 i. New towers and antennas. All new towers or antennas in the city shall be
20 subject to these regulations, except as provided in subsections 1250.05.02
21 (c)(2) through 1250.05.02 (c)(4), inclusive.
- 22 ii. Amateur radio station/receive only antennas. This chapter shall not govern
23 any tower, or the installation of any antenna, that is under 70 feet in height
24 and is owned and operated by a federally-licensed amateur radio station
25 operator or is used exclusively for those antennas defined in Code of
26 Federal Regulations 1.4000.
- 27 iii. Preexisting towers or antennas. Preexisting towers and preexisting
28 antennas shall not be required to meet the requirements of this section,
29 other than the requirements of subsections 1250.05.02 (d)(6) and
30 1250.05.02 (d)(7).
- 31 iv. AM array. For purposes of implementing this chapter, an AM array,
32 consisting of one or more tower units and supporting ground system which
33 functions as one am broadcasting antenna, shall be considered one tower.
34 Measurements for setbacks and separation distances shall be measured
35 from the outer perimeter of the towers included in the AM array.
36 Additional tower units may be added within the perimeter of the AM array
37 by right.

38 d) General requirements.

- 39 i. Principal or accessory use. Antennas and towers may be considered either
40 principal or accessory uses. A different existing use of an existing

- 1 structure on the same lot shall not preclude the installation of an antenna
2 or tower on such lot.
- 3 ii. Lot size. For purposes of determining whether the installation of a tower
4 or antenna complies with district development regulations, including but
5 not limited to setback requirements, lot-coverage requirements, and other
6 such requirements, the dimensions of the entire lot shall control, even
7 though the antennas and/or towers may be located on leased parcels within
8 such lot.
- 9 iii. Inventory of existing sites. Each applicant for an antenna and/or tower
10 shall provide to the zoning administrator an inventory of its existing
11 towers, antennas, or sites approved for towers or antennas, that are either
12 within the jurisdiction of the City or within one mile of the border thereof,
13 including specific information about the location, height, and design of
14 each tower. Information submitted to the zoning administrator shall be
15 considered public information. The zoning administrator may share such
16 information with the public and other applicants applying for special land
17 use permits under this ordinance or other organizations seeking to locate
18 antennas within the jurisdiction of the City, provided, however that the
19 zoning administrator is not, by sharing such information, in any way
20 representing or warranting that such sites are available or suitable.
- 21 iv. Aesthetics. Towers and antennas shall meet the following requirements:
- 22 1. Except as otherwise required for an alternative tower structure,
23 towers shall either maintain a galvanized steel finish or, subject to
24 any applicable standards of the FAA, be painted a neutral color so
25 as to reduce visual obtrusiveness.
- 26 2. At a tower site, the design of the buildings and related structures
27 shall, to the extent possible, use materials, colors, textures,
28 screening, and landscaping that will blend them into the natural
29 setting and surrounding buildings.
- 30 3. If an antenna is installed on a structure other than a tower, the
31 antenna and supporting electrical and mechanical equipment must
32 be of a neutral color that is identical to, or closely compatible with,
33 the color of the supporting structure so as to make the antenna and
34 related equipment as visually unobtrusive as possible.
- 35 v. Lighting. Towers shall not be artificially lighted, unless required by the
36 FAA or other applicable authority. If lighting is required, the lighting
37 alternatives and design chosen must cause the least disturbance to the
38 surrounding views. Lighting may be provided on an alternative tower
39 structure to enhance its camouflaging or concealing effect. All lighting
40 must be approved by the City.
- 41 vi. State or federal requirements. All towers must meet or exceed current
42 standards and regulations of the FAA, the FCC, and any other agency of
43 the state or federal government with the authority to regulate towers and

antennas. If such standards and regulations are changed, then the owners of the towers and antennas governed by this chapter shall bring such towers and antennas into compliance with such revised standards and regulations within six months of the effective date of such standards and regulations, unless a different compliance schedule is mandated by the controlling state or federal agency. Failure to bring towers and antennas into compliance with such revised standards and regulations shall constitute grounds for the removal of the tower or antenna at the owner's expense.

- vii. Building codes; safety standards. To ensure the structural integrity of towers, the owner of a tower shall ensure that it is maintained in compliance with standards contained in applicable state or local building codes and the applicable standards for towers that are published by the electronic industries association, as amended from time to time. If, upon inspection, the City concludes that a tower fails to comply with such codes and standards and constitutes a danger to persons or property, then upon notice being provided to the owner of the tower, the owner shall have 30 days to bring such tower into compliance with such standards. Failure to bring such tower into compliance within said 30 days shall constitute grounds for the removal of the tower or antenna at the owner's expense.
- viii. Measurement. For purposes of measurement, tower setbacks and separation distances shall be calculated and applied to facilities located in the City irrespective of municipal and county jurisdictional boundaries.
- ix. Not essential services. Towers and antennas shall be regulated and permitted pursuant to this chapter and shall not be regulated or permitted as essential services, public utilities, or private utilities.
- x. Public notice. For purposes of this chapter, any special land use request, variance request, or appeal of a special land use shall require public notice to the LPD neighborhood watch coordinators, and all neighborhood associations, property owners, neighborhood associations, neighborhood watches, and all property owners and occupants of properties that are located within 1,000 feet of the parcel that is the subject of the request, in addition to any notice otherwise required by the Zoning Code.
- xi. Signs. No signs shall be allowed on an antenna or tower.
- xii. Buildings and support equipment. Buildings and support equipment associated with antennas or towers shall comply with the requirements of Section 1250.05.02 (h).
- xiii. Multiple antenna/tower plan. The City encourages the users of towers and antennas to submit a single application for approval of multiple towers and/or antenna sites. Applications for approval of multiple sites shall be given priority in the review process.

xiv. Height. No tower shall exceed the maximum allowable height of the zoning district in which it is location, unless a variance is approved by the Board of Zoning Appeals.

e) Permitted use.

The following use is deemed to be a permitted use and shall not require a special land use permit: antennas or towers located 43 on property owned, leased, or otherwise controlled by the City provided a license or lease authorizing such antenna or tower has been approved by the Council.

f) Administratively approved uses.

i. General. The following provisions shall govern the issuance of administrative approvals for towers and antennas.

1. The zoning administrator may administratively approve the uses listed in this section.
2. Each applicant for administrative approval shall apply to the zoning administrator providing the information set forth in subsections 1250.05.02 (g)(2)a. and 1250.05.02 (g)(2)c. of this section and a refundable fee as established by resolution of council to reimburse the city for the costs and expenses incurred in reviewing the application. No application for an administratively approved use shall be considered by the zoning administrator until all conditions required in the resolution of council shall have been met.
3. The zoning administrator shall respond to each such application within 60 days after receiving it by either approving or denying the application. If the zoning administrator fails to respond to the applicant within said 60 days, then the application shall be deemed to be approved.
4. In connection with any such administrative approval, the zoning administrator may, in order to encourage shared use, administratively waive any zoning district setback requirements in section 1250.05.02 (g)(2)d. or separation distances between towers in section 1250.05.02 (g)(2)e. by up to 50 percent .
5. In connection with any such administrative approval, the zoning administrator may, in order to encourage the use of monopoles, administratively allow the reconstruction of an existing tower to monopole construction.
6. If an administrative approval is denied, the applicant shall file an application for a special land use permit pursuant to section 1250.05.02 (g) prior to filing any appeal that may be available under the Zoning Code.

ii. List of administratively approved uses. The following uses may be approved by the zoning administrator after conducting an administrative review:

1. Locating a tower or antenna, including the placement of additional buildings or other supporting equipment used in connection with said tower or antenna, in any heavy industrial zoning district, provided that there is no residential property adjacent to the district.
2. Locating antennas on existing structures or towers consistent with the terms of subsections 1 and 2 below.
 - a. Antennas on existing structures. Any antenna which is not attached to a tower may be approved by the zoning administrator as an accessory use to any commercial mixed-use or residential multi-family structure of eight or more dwelling units, provided:
 - i. The antenna does not extend more than 30 feet above the highest point of the structure;
 - ii. The antenna complies with all applicable FCC and FAA regulations; and
 - iii. The antenna complies with all applicable building codes.
 - b. Antennas on existing towers. An antenna which is attached to an existing tower may be approved by the zoning administrator and, to minimize the displeasing aesthetics associated with the proliferation and clustering of towers, collocation of antennas by more than one carrier on existing towers shall take precedence over the construction of new towers, provided such collocation is accomplished in a manner consistent with the following:
 - i. A tower which is modified or reconstructed to accommodate the collocation of an additional antenna shall be of the same tower type as the existing tower, unless the zoning administrator allows reconstruction as a monopole.
 - ii. Height:
 1. An existing tower may be modified or rebuilt to a taller height, not to exceed 30 feet over the tower's existing height, to accommodate the collocation of an additional antenna.
 2. The height change referred to in subsection A above may only occur one time per communication tower.
 3. The additional height referred to in subsection A above shall not require an additional distance separation as set forth in

Section 1250.05.02 (g). The tower's premodification height shall be used to calculate such distance separations.

iii. Onsite location.

1. A tower which is being rebuilt to accommodate the collocation of an additional antenna may be moved onsite within 50 feet of its existing location.
2. After the tower is rebuilt to accommodate collocation, only one tower may remain on the site.
3. A relocated onsite tower shall continue to be measured from the original tower location for purposes of calculating separation distances between towers pursuant to subsection 1250.05.02 (g)(2)e. The relocation of a tower hereunder shall in no way be deemed to cause a violation of subsection 1250.05.02 (g)(2)e.
4. The onsite relocation of a tower which comes within a location that is less than the separation distances to residential units or residentially zoned lands as established in subsection 1250.05.02 (g)(2)e shall only be permitted when approved by the zoning administrator.

- iii. Installing a cable microcell network through the use of multiple low-powered transmitters/receivers attached to existing wireline systems, such as conventional cable or telephone wires, or similar technology that does not require the use of towers.

g) Special land use permits.

- i. General. The following provisions shall govern the issuance of special land use permits for towers or antennas by the Council following review and recommendation by the Planning Board:
 1. If the tower or antenna is not a permitted use under Section 1250.05.02 (e) of this chapter, then a special land use permit shall be required for the construction of a tower or the placement of an antenna in all zoning districts.
 2. Applications for special land use permits under this section shall be subject to the procedures and requirements of Chapter 1262, Special Land Use Permits, of the Zoning Code, except as modified in this section.

3. In granting a special land use permit, the Council may impose conditions to the extent the Council concludes such conditions are necessary to minimize any adverse effect of the proposed tower on adjoining properties. In addition to any other conditions, Council may require an applicant to post with the City Clerk cash, a certified check, an irrevocable letter of credit issued by a bank, or a surety bond in an amount sufficient to pay for the removal of the tower in case the tower is abandoned as set forth in section 1250.05.02 (i). The surety bond shall be open ended and shall be executed by the applicant and a United States based corporate surety authorized to do business in this state as a surety. Any surety bond or irrevocable letter of credit shall be in a form approved by the City Attorney, and shall be made payable to the City. In the event that an abandoned tower is removed at the applicant's expense, the bond, instrument of credit, cash deposit or certified check shall be released to the applicant.
4. Any information of an engineering nature that the applicant submits, whether civil, mechanical, or electrical, shall be certified by a licensed professional engineer.
5. An applicant for a special land use permit shall submit the information described in this section, the information described in section 1250.05.02 (d), and, in addition to any other fee required by law, a refundable fee as established by resolution of the Council to reimburse the City for the costs and expenses incurred in reviewing the application. No application for a special land use permit shall be considered by the Planning Board until all conditions required in the resolution of council shall have been met.

ii. Towers.

1. Information required. In addition to any information required for applications for special land use permits pursuant to Chapter 1262, Special Land Use Permits, of the Zoning Code, applicants for a special land use permit for a tower shall submit the following information with the application or, with respect to other information deemed by the zoning administrator to be necessary to assess compliance with this chapter pursuant to subsection 1. below, as soon as reasonably practicable as determined by the zoning administrator:
 - a. A scaled site plan clearly indicating the location, type and height of the proposed tower, on-site land uses and zoning, adjacent land uses and zoning (including when adjacent to other municipalities), comprehensive plan classification of the site and all properties within the applicable separation

- distances set forth in subsection 1250.05.02 (g)(2)e, adjacent roadways, proposed means of access, setbacks from property lines, elevation drawings of the proposed tower and any other structures, topography, parking, and other information deemed by the zoning administrator to be necessary to assess compliance with this ordinance.
- b. Legal description of the parent tract and leased parcel (if applicable).
 - c. The setback distance between the proposed tower and the nearest residential unit, platted residentially zoned properties, and unplatted residentially zoned properties.
 - d. The separation distance from other towers described in the inventory of existing sites submitted pursuant to subsection 1250.05.02 (d)(3) shall be shown on an updated site plan or map. The applicant shall also identify the type of construction of the existing tower(s) and the owner/operator of the existing tower(s), if known.
 - e. A landscape plan showing specific landscape materials.
 - f. Method of fencing, and finished color and, if applicable, the method of camouflage and illumination.
 - g. A description of compliance with subsections 1250.05.02 (d)(3), (4)—(7), (11), and (12), 1250.05.02 (g)(2)d,
 - h. 1250.05.02 (g)(2)e and all applicable federal, state or local laws.
 - i. A notarized statement by the applicant as to whether construction of the tower will accommodate collocation of additional antennas for future users.
 - j. Evidence at the time of application of a lease or an option to lease by a telecommunications provider with the owner of the property in question.
 - k. A description of the suitability of the use of existing towers, other structures or alternative technology not requiring the use of towers or structures to provide the services to be provided through the use of the proposed new tower, including specifics as to why such towers, structures or alternative technologies are not suitable or feasible in lieu of a tower.
 - l. A description of the feasible location(s) of future towers or antennas within the city based upon existing physical, engineering, technological or geographical limitations in the event the proposed tower is erected.
2. Factors considered in granting special land use permits for towers. In addition to any standards for consideration of special land use

permit applications pursuant to Chapter 1262, Special Land Use Permits, of the Zoning Code, the Council may consider the following factors and any other factors allowed by law in determining whether to issue a special land use permit, although the Council may waive or reduce the burden on the applicant of one or more of these criteria if the Council concludes that the goals of this chapter are better served thereby:

- a. Height of the proposed tower;
- b. Proximity of the tower to residential structures and residential district boundaries;
- c. Nature of uses on adjacent and nearby properties;
- d. Surrounding topography;
- e. Surrounding tree coverage and foliage;
- f. Design of the tower, with particular reference to design characteristics that have the effect of reducing or eliminating visual obtrusiveness;
- g. Proposed ingress and egress;
- h. Evidence at the time of application of a lease or an option to lease by a telecommunications provider with the owner of the property in question; and
- i. Availability of suitable existing towers, other structures, or alternative technologies not requiring construction of a new tower, as discussed in subsection 1250.05.02 (g)(2)c of this chapter.

3. Availability of suitable existing towers, other structures, or alternative technology. No new tower shall be permitted unless the applicant demonstrates to the reasonable satisfaction of the Council that no existing tower, structure or alternative technology that does not require the use of towers or structures can accommodate the applicant's proposed antenna. An applicant shall submit information requested by the council related to the availability of suitable existing towers, other structures or alternative technology. Evidence submitted to demonstrate that no existing tower, structure or alternative technology can accommodate the applicant's proposed antenna may consist of any of the following:

- a. No existing towers or structures are located within the geographic area which meets the applicant's engineering requirements.
- b. Existing towers or structures are not of sufficient height to meet the applicant's engineering requirements.
- c. Existing towers or structures do not have sufficient structural strength to support the applicant's proposed antenna and related equipment.

- d. The applicant's proposed antenna would cause electromagnetic interference with the antenna on the existing towers or structures, or the antenna on the existing towers or structures would cause interference with the applicant's proposed antenna.
 - e. The fees, costs, or contractual provisions required by the owner in order to share an existing tower or structure or to adapt an existing tower or structure for sharing are unreasonable. Costs exceeding new tower development are presumed to be unreasonable.
 - f. The applicant demonstrates that there are other limiting factors that render existing towers and structures unsuitable.
 - g. The applicant demonstrates that an alternative technology that does not require the use of towers or structures, such as a cable microcell network using multiple low-powered transmitters/receivers attached to a wireline system, is unsuitable. Costs of alternative technology that exceed new tower or antenna development shall not be presumed to render the technology unsuitable.
4. Setbacks. The following setback requirements shall apply to all towers for which a special land use permit is required; provided, however, that the Council may reduce the standard setback requirements if the goals of this chapter would be better served thereby:
- a. Towers must be set back a distance equal to at least 75 percent of the height of the tower from any adjoining lot line.
 - b. Guys and accessory buildings must satisfy the minimum zoning district setback requirements.
5. Separation. The following separation requirements shall apply to all towers and antennas for which a special land use permit is required; provided, however, that the Council may reduce the standard separation requirements if the goals of this chapter would be better served thereby:
- a. Separation from off-site uses/designated areas.
 - i. Tower separation shall be measured from the base of the tower to the lot line of the off-site uses and/or designated areas as specified in Table 1, except as otherwise provided in Table 1250.05.A.
 - ii. Separation requirements for towers shall comply with the minimum standards established in Table 1250.05.A.

[FIGURE 141]

Table 1250.05.A	
Off-Site Use/Designated Area	Separation Distance
Single-family or duplex residential units ¹	100 feet or 150 percent height of tower whichever is greater
Vacant single-family or duplex residentially zoned land which is either platted or has preliminary subdivision plan approval which is not expired	100 feet or 150 percent height of tower ² whichever is greater
Vacant unplatted residentially zoned lands ³	100 feet or 100 percent height of tower whichever is greater
Existing multifamily residential units greater than duplex units	100 feet or 100 percent height of tower whichever is greater
Nonresidentially zoned lands or nonresidential uses	None; only setbacks apply

Footnotes:

1. Includes modular homes and mobile homes used for living purposes.
2. Separation measured from base of tower to closest building setback line.
3. Includes any unplatted residential use properties without a valid preliminary subdivision plan or valid development plan approval and any multifamily residentially zoned land greater than duplex.
 - b. Separation distances between towers.
 - i. Separation distances between towers shall be applicable for and measured between the proposed tower and preexisting towers. The separation distances shall be measured by drawing or following a straight line between the base of the existing tower and the proposed base, pursuant to a site plan, of the proposed tower. The separation distances (listed in linear feet) shall be as shown in Table 1250.05.B.

[FIGURE 142]

Table 1250.05.B				
Existing Towers—Types	Lattice	Guyed	Monopole 75 feet in height or greater	Monopole less than 75 feet in height
Lattice	5,000	5,000	1,500	750
Guyed	5,000	5,000	1,500	750
Monopole 75 feet in height or greater	1,500	1,500	1,500	750
Monopole less than 75 feet in height	750	750	750	750

6. Security fencing. Towers shall be enclosed by security fencing not less than six feet in height and shall also be equipped with an appropriate anti-climbing device; provided however, that the council may waive such requirements, as it deems appropriate.
7. Landscaping. The following requirements shall govern the landscaping surrounding towers for which a special land use permit is required; provided, however, that the Council may waive such requirements if the goals of this chapter would be better served thereby:
 - a. Tower facilities shall be landscaped with a buffer of plant materials that effectively screens the view of the tower compound from property used for residences. The standard buffer shall consist of a landscaped strip at least four feet wide outside the perimeter of the compound.
 - b. In locations where the visual impact of the tower would be minimal, the landscaping requirement may be reduced, deferred, or waived.
 - c. Existing mature tree growth and natural land forms on the site shall be preserved to the maximum extent possible. In some cases, such as towers sited on large, wooded lots, natural growth around the property perimeter may be a sufficient buffer; in these cases, landscaping may be deferred during the time period that the natural growth provides a sufficient buffer.
- h) Building or other equipment storage.
 1. Antennas mounted on structures or rooftops. The equipment cabinet or structure used in association with antennas shall comply with the following:
 - a. The cabinet or structure shall not contain more than 36 square feet of gross floor area or be more than seven feet in height. In addition, for buildings and structures which are less than 65 feet in height, the related unmanned equipment structure, if over 36 square feet of gross floor area or seven feet in height, shall be located on the ground and shall not be located on the roof of the structure.
 - b. If the equipment structure is located on the roof of a building, the area of the equipment structure and other equipment and structures shall not occupy more than five percent of the gross roof area.
 - c. Equipment storage buildings or cabinets shall comply with all applicable building codes.
 2. Antennas mounted on utility poles or light poles. The equipment cabinet or structure used in association with antennas shall be located in accordance with the following:
 - a. In all residential districts, the equipment cabinet or structure may be located:
 - i. In a front or side yard provided the cabinet or structure is no greater than six feet in height or 12 square feet of gross ground

area, including foundation pad and the cabinet/ structure is located a minimum of ten feet from all lot lines, and the cabinet/structure is screened by an evergreen hedge with a height of at least 36 inches.

- ii. In a rear yard, provided the cabinet or structure is no greater than seven feet in height or 36 square feet in gross ground area, including foundation pad. The cabinet/ structure shall be screened by an evergreen hedge with an ultimate height of eight feet and a planted height of at least 36 inches.

- b. In industrial and commercial mixed-use districts, the equipment cabinet or structure shall be no greater than seven feet in height or 42 square feet in gross ground area, including foundation pad. The structure or cabinet shall be screened by an evergreen hedge with an ultimate height of eight feet and a planted height of at least 36 inches. In all other instances, structures or cabinets shall be screened from view of all residential properties which abut or are directly across the street from the structure or cabinet by a solid fence 6 feet in height or an evergreen hedge with an ultimate height of eight feet and a planted height of at least 36 inches.

- 3. Antennas located on towers. The related unmanned equipment structure shall not contain more than 200 square feet of gross floor area or be more than 12 feet in height, and shall be located in accordance with the minimum yard requirements of the zoning district in which it is located.

- 4. Modification of building size requirements. The requirements of subsections 1250.05.02 (h)(1) through 1250.05.02 (h)(3) may be modified by the council to encourage collocation.

- i) Removal of abandoned antennas and towers.

Any antenna or tower that is not operated for a continuous period of 12 months shall be considered abandoned, and the owner of such antenna or tower shall remove the same within 90 days of receipt of notice from the City notifying the owner of such abandonment. Failure to remove an abandoned antenna or tower within said 90-day period shall be grounds for the city to remove, or cause the removal of, the tower or antenna at the owner's expense. If there are two or more users of a single tower, then this provision shall not become effective until all users cease using the tower.

- j) Nonconforming uses.

- a. Not expansion of nonconforming use. Towers that are constructed, and antennas that are installed, in accordance with the provisions of this ordinance [chapter] shall not be deemed to constitute the expansion of a nonconforming use or structure.
- b. Preexisting towers. Preexisting towers shall be allowed to continue their usage as they presently exist. Routine maintenance (including replacement with a new tower of like construction and height) shall be permitted on such preexisting

towers. New construction other than routine maintenance on a preexisting tower shall comply with the requirements of this chapter.

1250.05.03 WIND ENERGY CONVERSION SYSTEMS (WECS)

a) Intent and Purpose

The purpose of this section is to establish guidelines for siting wind turbines and wind energy facilities. This section's goals are as follows:

- a. To promote the safe, effective, and efficient use of wind energy systems installed to reduce the on-site consumption of electricity supplied by utility companies.
- b. To lessen potential adverse impacts wind energy systems may have on residential areas through careful design, siting, noise limitations, and other techniques.
- c. To avoid potential damage to adjacent properties from turbine failure through engineering and proper siting of turbine structures.

b) Definitions

COMMERCIAL WIND ENERGY CONVERSION SYSTEM. Any WECS that is designed and built to provide electricity to the electric utility power grid as an ongoing commercial enterprise or for commercial profit.

DECIBEL. The unit of measure used to express the magnitude of sound pressure and sound intensity.

ROOF-MOUNTED WIND ENERGY CONVERSION SYSTEM. A single wind energy conversion system that is mounted to the roof of any structure.

SHADOW FLICKER. Alternating changes in light intensity caused by the moving blade of a wind energy system casting shadows on the ground and stationary objects, such as a window at a dwelling.

TEMPORARY METEOROLOGICAL TOWERS (TMT). A tower of monopole design which is designed and built to hold wind resource testing devices such as anemometers, wind vanes and accessory equipment and which is to remain in place for no more than 18 months.

WIND ENERGY CONVERSION SYSTEM (WECS). Any device such as a turbine, windmill or charger that converts wind energy to a usable form of energy.

c) Permitted Uses

- a. Permitted Accessory Use. Each parcel of property may contain one of the following which shall be considered lawful accessory uses in all zoning districts:
 - i. One TMT, up to the maximum allowable height of the zoning district in which it is located.
 - ii. One WECS, up to the maximum allowable height of the zoning district in which it is located.
 - iii. One Roof-Mounted WECS, per building, with may extend no more than ten (10) feet above the area of the roof structure to which it is attached.

- b. Special Land Use. All Commercial WECS's regardless of height, a WECS's or TMT's that exceeds the maximum height allowed within the zoning district in which it is located, up to a maximum height of 150 feet, buildings with more than one roof mounted WECS and parcels of land with more than 1 freestanding WECS shall be permitted as a special land use in all industrial zoning districts, and shall be subject to the provisions of Section 1262, Special Land Use Permits.

d) Application

Application Process: The following information shall be provided with all applications for WECS's and TMT's

- a. Applicant Information. Name, address and contact information.
- b. Legal Description. A legal description of the property on which the system would be located.
- c. Plot Plan and Documentation. The Plot Plan shall include maps showing the physical features and land uses of the project area, both before and after construction of the proposed wind energy system. The plot plan shall include:
 - i. The project area boundaries.
 - ii. The location, height and dimensions of all existing and proposed and fencing.
 - iii. Distance of proposed structure from all property lines and structures.
 - iv. The location and dimensions of all temporary and permanent access roads.
 - v. All new infrastructure above ground related to the project.
 - vi. The location of all overhead utility wires.
- d. Additional Documentation.
 - i. Insurance: Proof of the applicant's appropriate liability insurance.
 - ii. Sound Pressure Level: Documentation of the manufacturers designed sound pressure levels (decibels) for unit to be installed.
 - iii. Certifications: Certification that applicant has complied or will comply with all applicable state and federal laws and regulations.
 - iv. Grant of Authority: The applicant shall provide evidence of ownership of the land which the WECS or TMT is to be located and the written consent of the land owner if different from the applicant. If the applicant is leasing land the applicant shall provide a copy of the lease agreement and the land owner's written authorization for the applicant to construct the structure.

e) Standards and Requirements

All WECS's and TMT's shall comply with the following standards and requirements:

- a. Property setbacks.
 - i. The distance between a freestanding WECS or TMT and the nearest property line shall be at least the 1.5 times the height of the tower.
 - ii. No part of a freestanding WECS or TMT, including guy wire anchors, may extend closer than ten (10) feet to the owner's property line.
- b. Height.

- i. Freestanding WECS's and TMT's shall have a height not greater than 150 feet.
 - ii. Roof-Mounted WECS's shall not exceed a height of ten (10 feet above the uppermost peak of the roof to which it is attached.
 - iii. For freestanding WECS's and TMT's, the height shall be measured from the existing grade to the tip of the turbine blade at its highest point.
 - iv. The applicant shall demonstrate compliance with all FAA lighting regulations and the Michigan Tall Structures Act as part of the approval process, if applicable.
- c. Location & Other Required Setbacks.
 - i. No freestanding WECS or TMT shall be located within a front yard of any residential, commercial or office zoning district.
 - ii. Roof-mounted wind energy systems shall be setback from the building edge a distance equal to 1/2 the diameter of its rotor and blades.
 - iii. The distance between a WECS or TMT and any road or public right-of-way shall be at least 1.5 times the height of the WECS or TMT.
 - iv. Distance Between - The distance between a freestanding and any other freestanding WECS shall be at least 1.5 times the height of the taller of the two WECS's.
- d. Noise.
 - i. Audible noise or the sound pressure level of a WESC or TMT shall not exceed 55 decibels at any property line.
 - ii. No WESC or TMT shall create, regardless of decibel levels, any ticking, humming, or other sound which annoys,
 - iii. Noise and sound pressure levels may be temporarily exceeded short-term events such as utility outages and/or severe wind storms.
- e. Lighting. WECS and TMT shall not be artificially lighted unless required by the FAA or other applicable authority. Where FAA lighting is required, minimum FAA lighting standards shall not be exceeded. All FAA lighting shall be shielded to the extent possible to reduce glare and visibility from the ground. The tower shaft shall not be illuminated unless required by the FAA.
- f. Shadow Flicker. No WECS or TMT shall cause shadow flicker upon any building on a neighboring property.
- g. Vibrations. No WECS or TMT shall produce vibrations through the ground that are humanly perceptible beyond the parcel on which it is located.
- h. Construction Codes, Towers & Interconnections Standards.
 - i. WECS and TMT shall comply with all applicable State construction codes and local building permit requirements.
 - ii. WECS and TMT shall comply with Federal Aviation Administration requirements, the Michigan Airport Zoning Act (PA 23 of 1950), The Michigan Tall Structures Act (PA 259 of 1959), and any other applicable State or Federal laws or regulations.

- 1 iii. A WECS that is tied to the electrical grid shall comply with Michigan
2 Public Service Commission and utility interconnection requirements.
- 3 b. Safety.
- 4 i. Design Safety Certification. The safety of the design of every WECS or
5 TMT shall be certified by the applicant's professional engineer, or
6 certified installer/technician. The standard for certification shall be
7 included with the permit application. If WECS or TMT construction is
8 approved, the professional engineer shall that the construction and
9 installation of the WECS or TMT meets or exceeds the manufacturer's
10 construction and installation standards, and any applicable State and
11 Federal laws and regulations prior to operation.
- 12 ii. Controls and Brakes. Every WECS or TMT shall be equipped with manual
13 and automatic controls/braking systems to limit rotation speeds to the
14 designed limits of the WECS or TMT. The applicant's professional
15 engineer, installer or technician must certify that the rotor and overspeed
16 controls conform to applicable design standards. No changes or alterations
17 from the certified design shall be permitted unless accompanied by a
18 professional engineer's, installer or technician's statement of certification
19 approved by the City.
- 20 iii. Lightning. Every WECS or TMT shall have lightning protection.
- 21 iv. Guy Wires. If a TMT is supported by guy wires, the wires shall be clearly
22 visible to a height of a least six (6) feet above the guy wire anchors. All
23 permanent WECS must be of a freestanding monopole design and guy
24 wires shall not be used.
- 25 v. Grade Clearance. The minimum vertical blade tip clearance from grade
26 shall be 20 feet for any WECS or TMT employing a horizontal axis rotor.
- 27 vi. Ice Throw. Every WECS or TMT shall be designed so that ice throw or
28 ice shedding does not cross the property lines of the site or impinge on any
29 right-of-way or overhead utility line.
- 30 vii. Interference. Every WECS or TMT shall be designed and operated to
31 minimize or mitigate interference with electromagnetic communications,
32 such as radio, telephone, microwave or television signals.
- 33 viii. Climb Prevention. Every freestanding WECS or TMT must be protected
34 by anti-climbing devices such as:
 - 35 1. Fences with locking portals at least eight (8) feet high;
 - 36 2. Anti-climbing devices twelve (12) feet from base of pole; and
 - 37 3. Anchor points for TMT guy wires shall be enclosed by a fence at
38 least six (6) feet in height or shall be located within the confines of
39 a yard that is completely surrounded by a fence at least six (6) feet
40 in height.
- 41 a. Warnings. A visible warning sign of High Voltage shall be
42 placed at the base of every Commercial WECS. The sign
43 must have at six (6) inch letters with 3/4-inch stroke. Such

signs shall be located at all points of site ingress and egress. In addition to warning signs and signs required by law, every Commercial shall be equipped with a sign containing owner identification and contact information. No other signs or are permitted.

f) Appearance

All WECS's and TMT's shall comply with the following standards and requirements:

- a. All permanent freestanding WECS's must be of monopole design and guy wires shall not be used.
- b. Color. Towers and blades shall be painted a non-reflective neutral color approved by the City or as otherwise required by law.
- c. Visual Appearance; Power lines. The design of the WECS buildings and related structures shall, to the extent reasonably possible, use materials, colors, textures, screening and landscaping that will blend WECS components with the natural setting and existing environment. The electrical collection system shall be placed underground within the interior of each parcel at a depth designed to accommodate any existing land use to the maximum extent practicable. The collection system may be placed overhead adjacent to public roadways, at points of interconnection to the electric grid or in other areas as necessary.

g) Abandonment and Removal

The following regulations shall apply to all WECS's and TMT's:

- a. A WECS or TMT that has not been in operation for 12 consecutive months shall be deemed to have been abandoned. The Zoning Administrator shall issue a notice of abandonment to the owner of a WECS or TMT, giving the owner 30 days to respond. If the owner provides information demonstrating that the system has not been abandoned and is still in compliance with all requirements of this ordinance and the Building Code, the notice of abandonment shall be withdrawn. If the tower is determined to be abandoned, the owner shall be given 60 days to remove the WECS or TMT. If the owner fails to comply, the Zoning Administrator shall have the WECS or TMT removed at the owner's expense.
- b. The city may require that a tower be removed in accordance with the above standards if any portion of the system becomes a nuisance, is damaged or is in any way deemed to be detrimental to the public health, safety and welfare as determined by the City Building Inspector.

h) Insurance and Maintenance

The following requirements shall apply to all WECS's and TMT's

- a. Liability Insurance. The owner or operator of a Commercial WECS shall maintain a current commercial liability and property damage insurance policy with coverage limits acceptable to the City pertaining to installation and operation of the Commercial WECS. The amount and terms of the policy shall be established

as a condition of special land use permit approval. The City and land owner shall be named as additional insured. Certificates of insurance shall be provided to the City annually.

- b. Annual Inspection; Maintenance. The WECS and surrounding area shall be maintained in accordance with industry standards. Every Commercial WECS must be inspected annually by a professional engineer or authorized installer/technician to certify that the WECS is in good working condition and is not a hazard to persons or property. Certification records shall be submitted annually to the City.

1250.06 FLOODPLAIN REGULATION

- a) Intent. It is the intent of this Ordinance to protect human life, health, and property from flood conditions, to preserve the ability of floodplains to carry and discharge a base flood, and to significantly reduce potential hazards as a result of flood conditions within the City of Lansing. Further, it is the purpose of this Ordinance to comply with the statutory and regulatory requirements of the National Flood Insurance Program.
- b) Definitions.

AREA OF SPECIAL FLOOD HAZARD. The land in the flood plain within a community subject to a one percent or greater chance of flooding in any given year.

BASE FLOOD. The flood having a one percent chance of being equaled or exceeded in any given year; also known as the 100-year flood.

DEVELOPMENT. Any man made modification to unimproved or improved real estate, including but not limited to: buildings, pools, decks or other structures, mining, dredging, filling, grading, paving, excavation, or drilling operations or storage of equipment or 38 materials.

ENCROACHMENT. Development or a structure which is located within the area of special flood hazard.

FLOOD or FLOODING:

1. A general and temporary condition of partial or complete inundation of normally dry land areas from: 1) the overflow of inland or tidal waters, 2) the unusual and rapid accumulation or runoff of surface waters from any source, 3) mudflows, and
2. The collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as flash flood or an abnormal tidal surge, or by some similarly unusual and unforeseeable event which results in flooding, as defined in the Section.

FLOOD DAMAGE. Any damage to persons, materials, supplies, property or real estate caused by and as a direct result of flooding and /or the influence of flood conditions.

FLOODPLAIN. Any land area susceptible to being inundated by water from any source (see definition of flooding).

FLOODPLAIN and FLOODWAY BOUNDARIES. The boundaries of the floodplain and floodway that coincide with the boundaries of the areas indicated as such in the most current report entitled “Ingham County, Michigan (All Jurisdictions)” dated 8/16/11 and the Flood Insurance Rate Map (FIRMS) panel number(s) of 26065C; 0013D, 0014D, 0018D, 0020D, 0108D, 0126D, 0127D, 0128D, 0129D, 0131D, 0132D, 0133D, 0134D, 0136D, 0137D, 0139D, 0141D, 0142D, 0143D, 0144D, 0151D, 0153D, 0154D, 0161D, 0162D, and 0170D, dated 8/16/11.

FLOOD INSURANCE RATE MAP (FIRM). An official map of a community, on which the Federal Emergency Management Agency has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.

FLOODWAY OR REGULATORY FLOODWAY. The designated area of a river or other watercourse and the adjacent land areas that must be reserved from development or construction activity in order to discharge the base flood without cumulatively increasing the water surface elevation beyond these areas.

NEW CONSTRUCTION. Structures and/or development for which the “start of construction” commenced on or after the effective date of this ordinance, and includes any subsequent improvements to structures.

ORDINARY HIGH WATER MARK. A point that represents the maximum rise of a body of water in non-flood conditions.

STRUCTURE. A walled and/or roofed building that is principally above ground.

SUBSTANTIAL IMPROVEMENT. Any repair, reconstruction, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure either,

1. Before the improvement or repair is started; or
2. If the structure has been damaged and is being restored, before the damage occurred.

For the purposes of this definition, “substantial improvement” is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. The term does not, however, include either:

1. Any project for improvement of a structure to comply with existing state or local health, sanitary, or safety code specifications which are the minimum necessary to assure safe conditions, or

- 1 2. Any alteration of a structure listed on the National Register of Historic Places or a
2 State Inventory of Historic Places.

3 WATERCOURSE. Any natural or artificial drainage way wherein waters flow either
4 continuously or intermittently, including any adjacent areas subject to flooding. Watercourses
5 include both natural and manmade open ditches, streams, enclosed storm drains, lakes, and
6 ponds.

7 c) General Standards for Flood Hazard Reduction

8 All new construction and substantial improvements within an area of special flood hazard, shall
9 be constructed by methods and practices that minimize flood damage including, but not limited
10 to:

- 11 a. Be designed and anchored to prevent flotation, collapse, or lateral movement of
12 the structure;
13 b. Be constructed with materials and utility equipment resistant to flood damage;
14 c. All new and replacement water supply systems shall not allow infiltration of flood
15 waters into the systems;
16 d. All public utilities and facilities shall be designed, constructed and located to
17 minimize or eliminate flood damage.
18 e. Drainage shall be provided to reduce damage to structures created by flood
19 hazards.

20 d) Specific Base Flood Elevation Standards

- 21 a. On the basis of the most recent available base flood elevation data the following
22 standards shall apply in the area of special flood hazard:
23 i. All new construction and substantial improvements of residential
24 structures shall have the lowest floor, including basement, elevated to a
25 minimum of one (1) foot above the base flood level.
26 ii. All new construction and substantial improvements of structures shall
27 have either:
28 1. The lowest floor, including basement, elevated to a minimum of
29 one (1) foot above the base flood elevation;
30 or
31 2. Be constructed such that below base flood elevation, together with
32 attendant utility and sanitary facilities:
33 a. The structure is watertight, with walls impermeable to the
34 passage of water; and
35 b. Is constructed with structural components having the ability
36 to neutralize hydrostatic and hydrodynamic loads; and
37 c. The effects of buoyancy must be resisted.

38 A registered professional engineer or architect shall certify that the standards of this
39 subparagraph are satisfied, and that the flood proofing methods employed are adequate to
40 withstand the flood depth, pressures, velocities, impact and uplift forces and other factors

associated with a base flood in the location of the structure. Such certification shall be submitted to the Building Safety Office, and shall indicate the elevation to which the structure is flood proofed.

- b. The most recent base flood elevation data received from the Federal Emergency Management Agency shall take precedence over data from other sources.
- e) Construction.
 - a. Any use permitted by right or by special conditions for the zoning district applicable to the land in question, as governed by this Zoning Ordinance, shall be permitted in a designated floodplain, subject to compliance with all rules and regulations of the Federal Emergency Management Agency's National Flood Insurance Program and all applicable requirements of the City and the State Department of Natural Resources/Environmental Quality.
 - b. Where topographical data, engineering studies or other studies are needed to determine the effects of flooding on a structure and/or the effects of the structure on the flow of water, the applicant shall submit such data or studies. All such data shall be prepared by a registered professional engineer, architect or land surveyor.
 - c. No construction shall be allowed within a 100 year floodplain without obtaining the necessary permits from all City, State and Federal authorities.
 - d. Encroachments, new construction, substantial improvements and development shall be prohibited within the floodway. Exception to this prohibition shall only be made upon certification by a registered professional engineer and the Michigan Department of Environmental Quality that the proposed development will not result in any increases in the base flood elevation during a base flood discharge.
 - e. Dumping or backfilling with any material or excavation in any manner is prohibited, unless:
 - i. Through compensating excavation and shaping of the floodplain, the flow and impounding capacity of the floodplain will be maintained or improved, will not cause an increase in the flood hazard or damage from floods and will not allow water to collect in pools that will stagnate.
 - ii. No significantly measurable reduction in the flow or capacity of the floodplain thereby results.
 - iii. Adequate site plans and engineering drawings shall be submitted to effectively show the final results of all dumping, backfilling or excavation.
 - iv. Alteration of any floodplain area shall be subject to approval by the State of Michigan Department of Natural Resources/Environmental Quality.
 - f. The construction or location of bridges, outdoor play equipment, bleachers and similar outdoor equipment and appurtenances and the storage of materials or equipment is prohibited in a floodplain, unless such elements would not cause any significant obstruction to the flood or reduction in the impoundment capacity of the floodplain and would not suffer flood damage.
- f) Special Permit Required. A special permit is required for use of the floodplain on parcels of one-half acre or more in size. Such requests shall be made in writing, to the Planning Office, with the data required by section 1250.06 (e)(3) and (5)(c). Requests for special

permits under this Section shall be submitted to the Planning Board for recommendation, to the Public Service Department for its technical report and to the Building Safety Office for compliance with all applicable building codes relative to construction in a 100 year floodplain, before final action is taken by the City Council.

- g) Nonliability of City. The degree of flood protection required by this Ordinance is considered reasonable for regulatory purposes and is based upon National and State regulations and standards. Larger floods and increased flood elevations may occur on occasions. Approval of the use of land, construction and/or development under this Ordinance shall not be considered a guarantee or warranty of safety or damage from flood events. This Ordinance does not imply that areas outside the area of special flood hazard will be free from flood damage, nor does this Ordinance create liability on the part of the City of Lansing or any officer or employees thereof for any flood damages that result from reliance on this Ordinance or any administrative decision lawfully made thereunder.

1250.07 VESTED RIGHTS

- (a) Nothing in this chapter shall be interpreted or construed to give rise to permanent vested rights in the continuation of any particular use, density, Zone District, neighborhood classification or permissible activity therein. All land, buildings, structures, uses and designations are hereby declared to be subject to such subsequent amendment, change or modification as may be necessary for the preservation or protection of the public health, safety and welfare.

Chapter 1252

Landscaping

1252.01 Applicability

- a) Landscaping for all districts in the city shall comply with the standards of this section.
- b) An approved landscape, screening and buffering plan that meets the requirements of this Section is required prior to issuance prior to approval of a site plan for activities listed in Section 1260.02, Site Plans Required.

1252.02 Planting plan specifications

- a) A planting plan shall be provided to include the following:
 - a. Minimum scale of one inch equals 50 feet.
 - b. Existing and proposed contours with contour interval not to exceed two feet.
 - c. The planting plan shall indicate, to scale, the location, spacing and starting size for all proposed landscape material within the required buffer or landscaped area.
 - d. Typical straight cross section including slope, height and width of berms and type of ground cover or height and type of construction for all proposed walls, including footings.
 - e. Significant construction details to resolve specific site conditions, e.g., tree wells to preserve existing trees, culverts to maintain natural drainage patterns.
 - f. Planting and staking details in either text or drawing form to insure proper installation and establishment of proposed plant materials.
 - g. A tree survey identifying the location and species of existing trees twelve (12) inches or greater in caliper, measured at 12 inches off the ground, and identifying which trees are to be preserved. The Zoning Administrator may require an evaluation of the quality of the trees for purposes of determining which trees should be removed or preserved.
- b) The requirements of an approved landscape, screening and buffering plan shall remain in force, unless written revision is approved by the Zoning Ordinance.
- c) The landscaping shown on the approved landscape, screening and buffering plan shall be maintained according to Section 1252.09. Any plants in the approved plan that die shall be replaced within a reasonable time, but in no case shall such time exceed 4 months. The replacement plants shall meet the purpose of the original specifications of an approved landscape, screening and buffering plan.

1252.03 Plant material sizes and spacing

- a) Trees and woody shrubs shall not be placed closer than 3 feet to the fence line or property line as measured from the center of root ball. Branches of trees may extend over property line but shrubs must be properly trimmed at the property line. Adjacent property owners reserve the right to trim branches of vegetation extending onto their property.
- b) Evergreen trees shall have a minimum starting size of at least 5 feet in height.

- c) Deciduous trees shall have a minimum starting size of at least 2 caliper inches.
- d) Shrubs shall have a minimum starting size of at least 24 inches in height and spread and spaced a distance apart equal to or less than 75% of the shrub's mature spread diameter.

1252.04 Species

- a) Mixing of Species. The overall landscape plan shall not contain more than 33% of any one plant species. The use of trees native to the area, and mixture of trees from the same species association, is encouraged in all landscaped area.
- b) Prohibited Species. Species deemed invasive by the State of Michigan or Michigan State University will be heavily disfavored during Landscape Plan review. Such invasive species may be rejected in the discretion of the Zoning Administrator.

1252.05 Interior Site Landscaping

Areas of lot coverage that are not paved or occupied by building footprint must be landscaped with grass lawn, ground covers, perennial / shrub beds, or a combination thereof.

Non-organic ground covers (e.g. stone chips, rock) must be arranged in a deliberate manner and may not exceed more than 25% of the site landscape area. Rubber pellets or other freely migrating materials require Zoning Administrator Approval.

1252.06 Non-residential Right of Way and Front Setback Planting

- a) Street yard landscaping within the public rights-of-way
 - a. Public rights-of-way shall be planted with grass. Trees, shrubs, or other ground covers may be planted within the right-of-way with permission from the City Forester and other appropriate authorities with jurisdiction over the street.
 - b. Yards abutting Activity Corridors shall incorporate decorative paving and streetscape elements. Plant material shall be located in tree wells, bioswales, and above ground planters.
- b) Between sidewalk and parking
 - a. Setback landscaping between the edge of sidewalk and parking lot edge shall consist of lawn and landscape planting beds.
 - b. Landscape planting beds shall be a minimum of 25% of the landscape setback area.
 - c. Setback areas greater than 20 feet in depth must plant at least one deciduous tree for every 30 feet of frontage or part thereof and a minimum of one shrub shall be planted for each ten lineal feet of frontage, or portion thereof.
 - d. These landscape requirements are in addition to other screening or buffer requirements as indicated in the applicable zoning district section.
- b) Between sidewalk and building

- a. Non-residential setback landscaping between the edge of sidewalk and building face shall consist of lawn, landscape planting beds, and paved pedestrian areas.
- b. Landscape planting beds shall be a minimum of 25% of the landscape setback area. This may be reduced to 0% in areas where the public sidewalk is immediately adjacent to the building face.
- c. Setback areas greater than 20 feet in depth must plant at least one deciduous tree for every 30 feet of frontage or part thereof and a minimum of one shrub shall be planted for each ten lineal feet of frontage, or portion thereof.
- d. (d) These landscape requirements are in addition to other screening or buffer requirements as indicated in the applicable zoning district section.

1252.07 Parking lot landscaping

Parking lot landscaping shall be arranged in a manner that improves the safety of pedestrian and vehicular traffic, guides traffic movement, improves the environment and improves the appearance of the parking area and site. Parking lot landscaping shall be provided in accordance with the following standards:

- a) In all industrial districts, one tree for each 6,000 square feet of the total of the paved driveway and parking lot surface is required.
- b) In all other districts, one tree shall be required for each 4,000 square feet of paved driveway and parking lot surface, provided that no fewer than 2 trees are provided.
- c) All of the required parking lot trees and landscape areas shall be placed within landscape islands inside of the parking lot or the area within 10 feet surrounding the parking lot.
- d) Each tree shall be provided with an open land area of not less than 150 square feet to provide area for infiltration and with a minimum diameter of 6 feet at the trunk of the tree for protection. If a sprinkled irrigation system is provided, the open land areas can be reduced to no less than 75 square feet. Tree plantings shall also be protected from automobiles with curbing or other suitable device.
- e) Landscaping shall be installed such that, when mature, it does not obscure traffic signs, fire hydrants, lighting, drainage patterns on site or adjacent properties, or obstruct vision for safety of ingress or egress.

1252.08 Buffering and Screening

- a) A landscaped buffer shall be provided between the subject site and all adjacent properties as regulated in the district chapters.
- b) At least 1 tree for each 30 linear feet, or fraction of buffer area shall be provided.
- c) Landscape buffers shall consist of woody shrubs, evergreens, fencing/screen walls (75% or more opaque), or any combination thereof that forms a contiguous visual buffer at the required buffer height by district and at least 40% of the overall area must be covered by plant materials at the time of planting.

- d) The Zoning Administrator may allow a consistent 75% or more opaque screen wall or fence for the entire length of the buffer to provide buffering that meets the intent of this section. If a screen wall or fence is used for all of the buffer area, the overall landscape buffer width may be reduced to 5 feet in depth. The remaining landscape buffer area must be covered at least 40% by plant materials at the time of planting.
- e) Where a screen wall or fence is not otherwise required, the Zoning Administrator may require an opaque screening within the buffer area, to block views and contain materials. Screening shall be provided in the form of a 6 foot tall ornamental fence or wall, capable of keeping paper and other debris from blowing off the premises.

1252.09 Maintenance

- a) Plant materials, including lawn, shall be kept trimmed and maintained so as to promote proper growth and a neat and orderly appearance.
- b) Trees and shrubs shall be trimmed to avoid conflicts with pedestrian use of the sidewalk.
- c) Landscaping at corner properties shall be planted to provide the clear vision required in Section 1250.003.03. Landscaping in the clear vision triangle shall not contain obstructions greater than 18" in height.
- d) Weeds shall be kept under control.
- e) Buffer strips shall be properly maintained according to the types of materials utilized. Cover materials shall be maintained in a manner as specified at the time of the plan's approval.
- f) Landscape/buffer areas shall be kept free from refuse and debris.
- g) No buildings or parking or storage of materials or vehicles shall be allowed in any designated buffer strips, unless approved by the Zoning Administrator.

1252.10 Waivers & Implementation

- a) If the Zoning Administrator, upon inspection, determines that suitable landscaping, screening and buffering on a site already exists or that such landscaping, screening and buffering should not be required, then the provisions requiring landscaping, screening and buffering may be waived in whole or in part. However, such waiver shall not apply to the maintenance portion of this chapter.
- b) Criteria which shall be used when considering a waiver shall include, but shall not be limited to:
 - a. Existing natural vegetation;
 - b. Topography;
 - c. Existing wetland, floodplain and poor soils areas;
 - d. Existing and proposed building placement;
 - e. Building heights;
 - f. Adjacent land uses;
 - g. Distance between land uses;

- 1 h. Dimensional conditions unique to the parcel;
- 2 i. Traffic sight distances;
- 3 j. Traffic operational characteristics on and off site;
- 4 k. Visual, noise and air pollution levels;
- 5 l. Presence of utility easements and adjacent utility corridors
- 6 m. Health, safety and welfare of the City;
- 7 c) The Zoning Administrator may consider fewer plantings than otherwise required if larger
- 8 plantings are proposed.
- 9 d) If, in the determination of the Zoning Administrator, the weather makes it impossible or
- 10 impractical to implement or maintain the landscape, screening and buffering plan prior to
- 11 issuance of a certificate of occupancy or approval of the completed building or site
- 12 improvements, the Zoning Administrator may grant an extension of up to 6 months to
- 13 fully implement the landscape plan. Failure to implement the landscape plan shall be
- 14 considered a violation of this Zoning Ordinance and subject to the enforcement
- 15 procedures contained herein.

16

Chapter 1254

Parking

1254.01 OFF-STREET PARKING

1254.01.01 PARKING REQUIREMENTS IN GENERAL

- a) Purpose. Off-street parking and loading areas are to be designed, maintained and operated in a manner that will ensure adequate parking is provided, provide uncongested access for emergency vehicles, limit interference with the pedestrian realm and, where appropriate, protect surrounding uses from undesirable impacts of traffic and parking. Site access standards are intended to reduce the potential for crashes and congestion through a reduction of conflict points associated with traffic movements at other access points or street intersections. The standards of this section apply at the time of erection, enlargement or change in use, of any principal building or structure.
- b) Compliance required. In each zoning district the off-street parking requirements for the storage or parking of a motor vehicle for the use of occupants, employees or patrons, in a structure which is erected, constructed, substituted, resumed or extended after the effective date of this Zoning Code (Ordinance 636, passed March 7, 1983), shall be as prescribed in this chapter. The determination of the required number of off-street parking spaces and the regulation of such spaces shall be as described in this chapter.
- c) Ownership of Parking Lot. All off-street parking shall be under the direct control, either by ownership, lease, or other legally binding agreement, of the beneficial user of the property. If the off-street parking is controlled by lease and the lease is discontinued, it shall be the obligation of the beneficial user of the property served to provide replacement parking that meets the requirements of this chapter.
- d) All off-street parking shall be under the direct control, either by ownership, lease, or other legally binding agreement, of the beneficial user of the property. If the off-street parking is controlled by lease or agreement and the lease/agreement is discontinued, it shall be the obligation of the beneficial user of the property served to provide replacement parking that meets the requirements of this chapter.
- e) The storage of inoperable vehicles is prohibited in the off-street parking area required by Section 1250.02.07.

1254.01.02 LOCATION; EXPANSION; ENCROACHMENTS.

Except as provided in subsections (a) to (c) hereof, all required off-street parking for a principal use, conditional use, special land use or nonconforming use shall be located on the same lot on which such principal use, conditional use, special land use or nonconforming use is located. Permitted locations for off-street parking are marked with an “X” in the following table and also described by district in Chapters 1243-45.

District	Front	Side	Rear
R-1		X	X

R-2			X	X
R-3			X	X
R-4			X	X
R-5			X	X
R-6A			X	X
R-6B			X	X
MFR			X	X
R-MX			X	X
RAR			extended where transitions and buffers will exceed requirements	X
SC	2 Rows, aisle		X	X
MXI				
Arterial	1 Row		X	X
Suburban	1 Bay, Row		X	X
Prime Connector			X	X
Neighborhood Connector			X	X
MX2			X	X
MXC			X	X
MX3			X	X
DTI			X	X
DT2	1 Single loaded bay		X	X
DT3			X	X
IND-1	X		X	X
IND-2	X		X	X
IND-3	X		X	X
INST-1				
Arterial	X		X	X
Suburban	X		X	X
Activity			X	X
Prime Connector	X		X	X
Neighborhood Connector	X		X	X
Local Street	X		X	X
INST-2				

Arterial	X	X	X
Suburban	X	X	X
Activity		X	X
Prime			
Connector	X	X	X
Neighborhood			
Connector	X	X	X
Local Street	X	X	X

- a) The off-street parking for a lot which is zoned IND-1 or IND-2 be located on a separate lot, if the following 3 conditions are met:
 - a. The lot does not contain a cabaret, as defined by Section 808.01.
 - b. The separate lot is zoned IND-1 or IND-2.
 - c. The separate lot is not more than 5,280 feet, measured from the closest point on the closest lot line of the separate lot to the closest point on the closest lot line of the lot served, provided that is said parking is more than 1,000 feet from the Principal Use then a shuttle service shall be provided.
- b) Off-street parking for nonresidential uses on a lot which is zoned a Commercial Mixed-Use District may be located on a separate lot if the following 3 conditions are met:
 - a. The lot does not contain a cabaret, as defined by Section 808.01.
 - b. The separate lot is zoned a Commercial Mixed-Use District.
 - c. The separate lot is not more than 300 feet, as measured from the closest point on the closest lot line of the separate lot to the closest point on the closest lot line of the lot served.
- c) Valet parking, approved as noted in Section 1254.01.04 may be on another lot.

1254.01.03 PARKING REQUIRED

- a) Factors for Calculation of Parking:
 - a. Gross Floor Area. Where floor area is the unit for determining the required number of off-street parking and loading spaces, said unit shall mean the gross floor area (GFA), unless otherwise noted.
 - b. Gross Leasable Floor Area. Where the floor area measurement is specified as gross leasable floor area (GLA), parking requirements shall apply to all internal building areas excluding the floor area used for incidental service, storage, mechanical equipment rooms, heating/cooling systems and similar uses, and other areas nor intended for use by the general public. Where these areas are not yet defined, leasable floor area shall be considered to be eighty-five percent (85%) of the gross floor area.
 - c. Bench Seating. In calculating bench seating for places of assembly, each twenty-four (24) inches of benches, pews or other such seating shall be counted as one seat.

- d. Employees. Where the number of spaces required is based on the number of employees, calculations shall be based upon the maximum number of employees likely to be on the premises during the peak shift.
- e. Fractional Requirements. When units of measurements determining the number of required parking or loading spaces result in a fractional space, any fraction up to and including One-half shall be disregarded and fractions over one-half shall require one additional parking space.
- f. Similar uses. If a use is not specifically described in Table 1254.01.03, the minimum number of spaces for the use shall be determined by the Zoning Administrator by requiring the minimum number of spaces for a use which is listed and is similar to the use in question.
- b) Table 1254.01.03 Parking Requirements

Vehicle parking spaces shall be provided in accordance with the following table. The required parking shall include barrier free parking as required per 1254.01.05, bike parking per 1254.02.02 and loading/unloading zones per 1254.01.05.

Use	Minimum Number of Parking Spaces
Residential	
Single-family detached dwellings	Two (2) spaces for each dwelling unit. One (1) parking space may be in a private garage on the property. Parking spaces may be on an approved driveway but only the part of the driveway outside of the public street right-of-way may be included.
Two-family dwellings	
Multiple dwelling	One (1) space per each efficiency. One and a half (1.5) spaces per 1 bedroom dwelling unit. Two (2) spaces per each unit with 2 or more bedroom.

Mobile home park	Two (2) spaces per lot, at least one (1) space of which to be provided on the lot. To provide the balance of this requirement, parking may be provided within 300 feet of all lots it is intended to serve. All parking areas shall be clearly defined and hard surfaced.
Bed and breakfast inn	Two (2) spaces for the permanent residents plus one (1) space for each room rented.
Human Care Facilities	
Child care facility	One (1) space for each employee and one (1) space for each 10 children, plus three (3) passenger vehicle spaces for loading and unloading children.
Group day care and foster care group home	One (1) employee parking space, plus three (3) passenger vehicle spaces for loading and unloading children, either on-site or in legal parking areas along the street adjacent to the house.
Housing for the elderly	Senior independent units one (1) space per unit plus point twenty five (0.25) spaces per unit for visitor parking. Senior "interim care" and "intermediate care" units retirement villages point five (0.5) spaces per unit or 2 beds point twenty five (0.25) spaces per unit for visitor/employee parking. Point five (0.5) spaces per unit for visitor/employee parking.
Institutional, Recreational, and Public Gathering Venues	
Places of public assembly	One (1) space per 3 seats or 6 feet of bench seating. Calculations shall be based on the occupancy for all assembly areas combined.
Hospital	Two (2) spaces per each inpatient room or exam or outpatient procedure/ operating room procedure. One (1) space per laboratory or recovery room plus, One (1) space for each patient or procedure room for employee parking plus, Parking for any medical offices is in addition. to the above.
Museum or library	One (1) parking space per 250 square feet plus separate parking for school or charter buses.

Use	Minimum Number of Parking Spaces
Hospital	Two (2) spaces per each inpatient room or exam or outpatient procedure/ operating room procedure. One (1) space per laboratory or recovery room plus, One (1) space for each patient or procedure room for employee parking plus, Parking for any medical offices is in addition. to the above.
Museum or library	One (1) parking space per 250 square feet plus separate parking for school or charter buses.
Elementary and middle schools	One (1) space for each teacher or administrator or staff person plus separate loading /unloading areas for buses. Adequate and distinct parking and drop-off/ pick-up zones for parents shall be provided for any auditorium or athletic fields, as required for "places of public assembly".
High Schools, Colleges and Universities	One (1) space for each 1 teacher or administrator or staff person plus, One (1) space for each 5 students. For High Schools: Separate areas for any bus drop-off and pick-up zones. Additional parking shall be provided for any auditorium or athletic fields as noted under "Places of Public Assembly" provided the Zoning Administrator may reduce that additional parking if activities are during the school day (such as a cafeteria) or will occur during non-school times when adequate parking is available.
Bowling alley	Five (5) for each bowling lane, plus parking required by this section for any bar, restaurant or assembly space attached to a bowling alley.
Dance hall, pool or billiard parlor, roller or ice skating rink, fitness center or gym, exhibition hall or assembly hall without fixed seats	One (1) space for each 3 persons allowed within the maximum occupancy load as established by the local, County or State fire, building or health codes.
Golf course (except a miniature or par 3 course)	Six (6) spaces for each hole and 1 for each employee.
Miniature or par 3 golf course	Three (3) spaces for each hole and one (1) for each employee.
Parks, open space, plaza (public or private)	As determined by the Zoning Administration consideration of types of activities, facilities, and potential for walking and bicycling visits.

Use	Minimum Number of Parking Spaces
Community or senior centers	One (1) space per each 200 square feet, provided by the Zoning Administrator may modify the requirements based on the types of activities provided, level of programming, and potential for trips to be via transit, walking, biking, or shared ride.
Offices	
Professional and business offices (non-medical)	One (1) space per 300 square feet. For any building or percentage of building used for medical or clinic, additional parking shall be required for that use, as noted above.
Clinic/ medical office	One (1) space for every 200 square feet.
Bank	One (1) space for every 250 square feet of gross floor area plus, Three (3) parking or stacking spaces for each ATM machine plus, Three (3) stacking spaces for each drive-in window.
General Retail Uses	
Retail use	Up to 300,00 square feet of shopping area: One (1) space per 250 square feet plus parking required for any areas used as a grocery or sit-down type restaurant. For part of building over 300,000 square feet: One (1) space per 300 square feet providing a parking management system is in place for employee parking for peak holiday shopping days. Parking for a theater shall be calculated separately.
Shopping center (which may include a grocery and restaurants)	One (1) space per 200 square feet for up to 100,000 square feet, then One (1) space per 250 square feet for the remainder of the building(s).
Grocery store, liquor or beverage store	One (1) space per 200 square feet.
Showroom or repair shop for the display or repair of goods such as bathroom and kitchen fixtures, shoes, plumbing and heating/cooling equipment, machinery, and similar goods.	Four (4) spaces for each establishment plus, One (1) space for every 800 square feet of usable floor area.
Outdoor sales facility (not including specific types such as vehicle sales addressed separately)	One (1) space for every 500 square feet of lot area used for retail sales or retail use.

Use	Minimum Number of Parking Spaces
Food and Beverage Sales	
Restaurant (General sit-down types not including restaurant categories with specific uses below)	One (1) space per 125 square feet of usable floor area.
Coffee, tea, and beverages (may include bakery items)	One (1) space per 100 square feet of usable floor area plus, At least 10 stacking spaces for any drive through.
Carry-out restaurant (with no or limited seating for eating on premises)	Six (6) space per station or counter service plus, One (1) space for each employee (minimum of 3)
Drive-in restaurant	One (1) space or each customer order station Parking for employees (minimum of 6) Parking required for any indoor seating.
Bars, taverns, brewpubs, etc..	One (1) space per each 60 square feet of usable floor area or one (1) space per 2 seats, whichever is greater.
Commercial Services	
Animal hospital or kennel	One (1) space per 500 square feet.
Dry cleaners	One (1) space per 100 square feet of area open to the public (minimum of 2). Employee parking (minimum of 2).
Personal service Use	Two (2) spaces for each chair, booth, or bed.
Hotel	One (1) space per room plus additional meeting rooms, banquet facilities and restaurants as determined by the Zoning Administrator.
Nursery, commercial, greenhouse	One (1) space per 500 square feet.
Funeral home	One (1) space for each 50 square feet of assembly, parlor, or chapel room floor area.
Laundromat or coin-operated dry cleaner	One (1) space for each 3 washing or dry cleaning machines.
Studio, such as dance, health, music, or other similar places of instruction	One (1) space for every 40 square feet of usable floor area.
Self storage rental	One (1) space for each employee, plus one space for each 50 storage rental units.
Auto-Related Uses	
Motor vehicle service station	One (1) space at each fueling station plus at least three (3) spaces for employees plus one (1) space per each tow truck, plus One (1) space for each 500 square feet devoted to sales of automotive goods or convenience items.
Motor vehicle repair station	One (1) space for each 250 square feet, plus one (1) space for each service bay.

Use	Minimum Number of Parking Spaces
Vehicle sale, vehicle leasing	One (1) space for each 300 square feet of usable floor space in the sale room. Two (2) for each auto service stall in the service area. Spaces shall be distinct from, and shall not include, spaces for display or storage of vehicles for sale or lease.
Auto wash	One (1) space for each employee plus, Five (5) stacking spaces for the storage of waiting vehicles plus, Four (4) waiting spaces per wash rack for self-serve auto washes.
Industrial	
Whole sale and warehouse activates	Five (5) spaces plus one (1) space for each employee in the shift which has the greatest number of employees, or one (1) space for each 1,500 square feet, which ever is greater.
Manufacturing, processing, and other types of industrial use	One (1) space per 400 square feet or One point two (1.2) spaces per employee at peak shift, whichever is greater; plus one (1) space for each corporate vehicle.

- c) Limits on Excessive Parking. In order to minimize excessive areas of pavement which reduces aesthetic standards and contribute to high rates of storm water runoff, exceeding the minimum parking space requirements by more than twenty percent (20%) shall only be allowed with approval by the Zoning Administrator. In granting such additional space, the Zoning Administrator shall determine that such parking will be required, based on documented evidence, to accommodate the use on a typical day. Except in industrial districts or an institutional use, the spaces exceeding the 20% minimum must be made available for public parking.

1254.01.04 FACTORS TO PERMIT A REDUCTION FROM THE AMOUNT OF PARKING REQUIRED

- a) Shared Parking on the Same Lot. Where two or more uses are present on the premises, parking requirements shall be calculated for each use, based on the Table 1254.01.03. However, the Zoning Administrator may permit a reduction for shared parking between two or more uses where the applicant can document that the amount of parking provided will meet the peak needs of the uses collectively as noted in (d) below.
- b) Shared Parking on Adjacent Lots. Two (2) or more buildings or uses may collectively provide the required off-street parking, in which case the required number of parking spaces for the uses calculated individually may be reduced by the Zoning Administrator

- by up to 25%, provided a parking study is provided as noted in (d) below and a signed agreement is provided by the property owners in a form acceptable to the City Attorney.
- c) Parking Reductions. The Zoning Administrator may permit a reduction of required parking by up to 20% provided that a parking study is provided as noted in (d) below.
 - a. Owner provides a parking study as noted in (d) below that demonstrates the amount of parking provided will be sufficient for the nature of the use as determined by the City Transportation Engineer. Such parking study shall be based upon publications of research and/or actual parking counts for the particular use. In such case, the city may require the owner provide a program to provide the amount of required parking if the actual parking needed exceeds the parking provided.
 - b. Owner demonstrates that there is available shared parking available, either in a municipal lot, parking structure, or shared with another property. For shared use of a private lot, the owner shall demonstrate that there will be sufficient parking available for all users during the time of peak shared demand.
 - c. Owner provides incentives for employees to use public transit, bicycle or live within walking distance of the use. In such case the applicant shall provide information on the program that demonstrates effectiveness to the city. This could include priority on-site bicycle parking, stipends for use of transit, employee reward programs for non-single occupant vehicle commutes or similar incentives. The accepted parking reduction program would be a condition of zoning approval.
 - d. The amount of required parking may be reduced if a shared car or program is provided. The amount of the reduction shall be determined by the Zoning Administrator, with input from the Transportation Engineer, in consideration of the number of shared vehicles provided and the level of availability.
- d) Parking Study. A parking study to support a parking reduction shall be prepared by a qualified professional based on methodologies of recognized parking organizations such as the Urban Land Institute or the Institute of Transportation Engineers.
- e) Valet Parking. The Zoning Administrator may allow a reduction in on-site parking required for valet parking provided the valet parking area is under the same ownership as the Principal Use or is leased and that a shared parking agreement has been approved by the City Attorney. Such parking agreement shall be considered as part of the permitted use such that, if the parking agreement is no longer valid, the city may restrict the use to the scale of parking available.
- f) Exceptions in the DT-3, MX-C & MX-3 Districts:
 - a. Properties located within the DT-3 district are exempt from the requirements of Section 1254.01.03.
 - b. Properties zoned MX-C, located on the north side of the 900 block and east ½ of the 1000 block of W. Saginaw Street, are exempt from the requirements of Section 1254.01.03, except that at least one (1) off-street parking space shall be required for each residential unit. The required parking spaces must be located within 300 feet of the property they serve and may be located on city-owned off-street parking lots and private parking lots where a permit has been issued or an

agreement has been established allowing use of the parking spaces on a 24 hour basis.

- c. Commercially zoned properties in the MX-3 districts are exempt from the requirements of Section 1254.01.03, with the following exceptions:
 - i. Properties in the MX-3 district on S. Cedar Street must provide parking in accordance with Section 1254.01.03.
 - ii. Properties in the MX-3 that have frontage on E. Michigan Avenue or adjoin properties that have frontage on E. Michigan Avenue, except those located in the 2000 block on both the north and south sides of the street, must provide at least 20% of the on-street parking required by Section 1254.01.03. 25
 - iii. At least one (1) off-street street parking space shall be required for each residential unit in the MX-3 district.
 - iv. All required parking spaces in the MX-3 districts must be located within 300 feet of the property they serve and may be located on city-owned off-street parking lots and private parking lots where a permit has been issued or an agreement has been established allowing use of the parking spaces on a 24 hour basis.

1254.01.05 BARRIER FREE PARKING REQUIREMENTS

- (a) Barrier Free Parking. Within each parking lot, signed and marked barrier free spaces shall be in accordance with the Michigan Department of Labor, Construction Code Commission, Barrier Free Design Division.

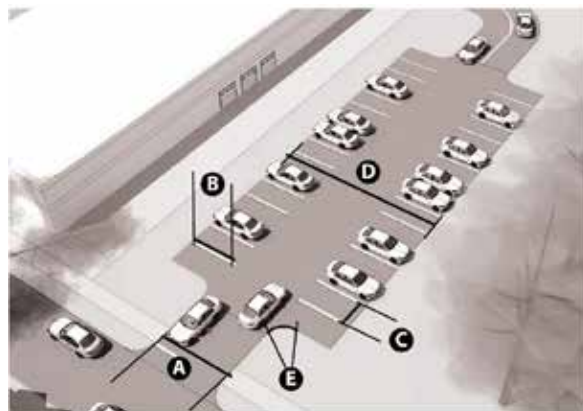
1254.01.07 STORAGE OF MERCHANDISE AND INOPERABLE VEHICLES.

- a) The storage of merchandise, motor vehicles for sale and trucks, or the repair of vehicles, is prohibited in the off-street parking area required by Table 1254.01.03, if such activity reduces the number of off-street parking spaces available below the number required by Section 1254.01.03.

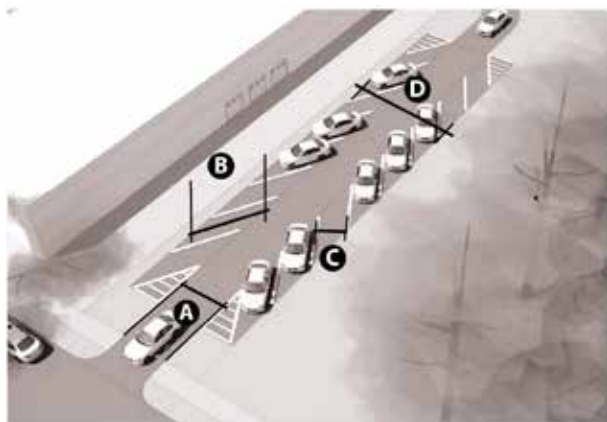
1254.01.08 PARKING SPACE DIMENSIONS

- a) Except for 1-family or two-family dwellings, required off-street parking shall be designed pursuant to this section.
- b) Dimensions. All parking spaces and maneuvering aisles shall be designed and marked with minimum dimensions described

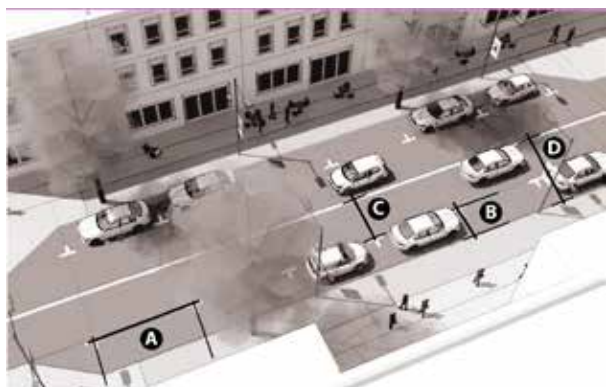
(1) Perpendicular (90-degree) parking		
-A- Aisle Width	2-way	24 ft.
	1-way	18 ft.
-B- Stall Depth		18 ft. min. ¹
-C- Stall Width		9 ft.
-D- Overall Width (double-loaded bay)	2-way	60 ft.
	1-way	54 ft.
-E- Corner Radius		5 ft.



(2) Angled (45, 60, 75-degree) parking		
-A- Aisle Width	2-way	20 ft.
	1-way	15 ft.
-B- Stall Depth		18 ft. min. ¹
-C- Stall Width		9 ft.
-D- Overall Width (double-loaded bay)		varies depending on the angle of the parking and 1-way or 2-way traffic



(3) Parallel parking	
-A- Stall Length	20 ft. min.
-B- Stall Width	7 ft. min., 8 ft. typical
-C- Aisle Width	10 ft. min., 12 ft. max.
-D- Overall Width (single-loaded bay)	18 ft. min



- a. Space length may be reduced by up to two feet if an unobstructed overhang of not less than two feet is provided, such as a landscaped area or sidewalk. A sidewalk shall have a minimum width of seven feet where abutting a parking area.
- c) Islands
 - a. Mid-bay islands: minimum of 9' wide
 - b. Between facing bays: minimum of 6' wide
 - c. End-cap islands: minimum of 6' wide 20
- d) If requested by an applicant, the width of a parking space and any dimension described in (b) above may be varied by the Transportation Engineer, based upon all of the following criteria:

- a. The size of vehicles which use the lot;
- b. The turnover rate;
- c. The shape of the lot;
- d. Sound traffic flow principles;
- e. The use of the lot; and
- f. Adequacy of signs that provide information or restrict parking in certain spaces.

1254.01.09 SURFACING

- a) Except as provided for in subsections (b) and (c) hereof, off-street parking and loading areas, including access drives, shall be hard-surfaced with either Portland cement or asphalt.
- b) An alternative surface, including, but not limited to, gravel, may be approved by the Zoning Administrator, if circumstances exist which justify the alternative surface, and if the City Engineer believes the alternative surface will not result in an unreasonable amount of sediment being deposited in the sewers, and so long as the alternative surface is maintained in a dust-controlled condition.
- c) A lot used temporarily for off-street parking may be surfaced with gravel, so long as the temporary use does not extend for more than two years, and so long as the surface is maintained in a dust-controlled condition.

1254.01.10 GRADING AND DRAINAGE

- a) The City Engineer shall approve the grading of required off-street parking areas, based upon the design standards promulgated by the American Association of State and Highway Transportation Officials.
- b) The City Engineer shall approve drainage of required off-street parking areas, if the drainage may adequately be served by an existing storm sewage system.

1254.01.11 SIGNS, STRIPING, AND MAINTENANCE

- a) The City may require the installation of pavement markings and signs to direct circulation, provide information, and identify restrictions on use of parking spaces and loading areas.
- b) Except for one-family or two-family dwellings parking spaces shall be striped and such striping shall be maintained.
- c) Maintenance of Parking Lot. All off-street parking and loading facilities required by this Chapter shall be maintained free of accumulated snow, debris or other materials which prevent full use and occupancy of such facilities except for temporary periods of no more than five (5) days in the event of heavy rainfall or snowfall.

1254.01.12 INGRESS AND EGRESS

- a) The number and location of points of ingress and egress to off-street parking areas developed after the effective date of this Zoning Code (Ordinance 636, passed March 7, 1983) shall be approved by the Transportation Engineer.
- b) The number of access points shall be the minimum necessary to provide reasonable access as determined by the City Transportation Engineer.
- c) To reduce conflicts which can contribute to congestion and crash potential, access shall be located as far from signalized intersections as is practical.
- d) Access shall be located to minimize conflicts with through traffic, pedestrians, bicyclists and movements into access points adjacent to the property or across the street. To confirm this, a site plan shall include driveways across from the property frontage and adjacent access points.
- e) The City Transportation Engineer may require redesign, relocation, easements for a shared access system or restrict some movements at an access point to provide safe and efficient operations.
- f) Each ingress and egress to and from any off-street parking area located in an area zoned for other than single-family residential use shall be at least 5 feet from any adjacent property located in any Single-Family Residential District.
- g) All parking spaces shall be provided adequate access by means of maneuvering lanes. Backing directly into a street is prohibited.

1254.01.13 UNOBSTRUCTED ACCESS

- a) Except as provided in subsection (b) or (c) hereof, each required off-street parking space shall be arranged in a way which provides for unobstructed access to a public right-of-way. Unobstructed access shall not be construed to prohibit security devices.
- b) In the case of a lot used as a single-family dwelling, 1 of the two off-street parking spaces required by Table 1254.01.03 may be obstructed from access to a public right-of-way by another parking space, if all of the following conditions are met:
 - a. The obstructed space is located on an approved driveway.
 - b. The obstructed space is not in the front yard.
 - c. The driveway is surfaced pursuant to the requirements of Section 1254.01.09 40
 - d. The unobstructed space is directly behind the obstructed space.
- c) In the case of a lot used as a two-family dwelling, two of the four off-street parking spaces required by Table 1254.01.03 may be obstructed from access to a public right-of-way by another parking space, if all of the following conditions are met:
 - a. The obstructed space is located behind the front line of the dwelling.
 - b. The obstructed space is not in the front yard.
 - c. The driveway is surfaced pursuant to the requirements of Section 1254.01.09.
 - d. The unobstructed space is directly behind the obstructed space.

1 1254.01.14 LIGHTING.

2 All lighting used to illuminate any off-street parking area shall be so installed as to be confined
3 within and directed onto the parking area only.

5 1254.01.15 VEHICLE STOPS

6 a) A vehicle stop shall be provided for any parking space if the space abuts a public right-
7 of-way, sidewalk, or landscaping or screening required by Chapter 1252, and shall either
8 be one of the following or be approved by the Transportation Engineer:

- 9 a. A concrete curb;
10 b. A concrete, or similar durable material, stop properly anchored; or
11 c. A steel or concrete post at least 3 feet in height.

13 1254.01.16 CHANGES TO A PARKING LOT

- 14 a) An area designated as required off-street parking may be changed to another use or
15 encroached upon, so long as the minimum requirements of Table 1254.01.03 continue to
16 be met.
17 b) Changes to parking areas other than for single family detached homes or duplexes on
18 individual lots shall be approved as part of a site plan. Minor changes to the parking
19 layout, such as a reconfiguration, as determined by the Zoning Administrator, shall
20 require submittal of a parking plan which indicates property lines, existing and proposed
21 ground elevations at two (2) foot contour intervals, the number of spaces, calculations for
22 meeting the minimum space requirements of this Article, dimensions of aisles, driveways
23 and typical parking stalls, location of curbs and curb blocks, location and size of signs,
24 existing and proposed landscaping, existing and proposed lighting and drainage facilities.
25 c) Reduction prohibited. A substitution, alteration or deletion of any off-street parking shall
26 not have the effect of reducing the off-street parking below the number required in Table
27 1254.01.03.

29 1254.01.17 LOADING

30 When on premise space for standing, loading and unloading vehicles is necessary for uses
31 involving the receipt or distribution of goods, the following provisions shall apply:

- 32 a) Traffic Flow. The size of the loading area shall be sufficient to prevent undue
33 interference with adjacent required parking spaces, maneuvering aisles, or traffic flow on
34 public streets.
35 b) Alleys. Where an alley exists at the rear of the building, the loading area may be
36 computed from the centerline of the alley.

- c) Location. Loading/unloading areas and docks shall not be provided in the front yard or on any building side facing and directly visible to a public street. Where possible, loading areas shall be integrated into the design of the building to minimize visibility.
- d) Screening. Loading docks and loading areas facing a residential district shall be adequately screened by a wall and/or landscaping.
- e) Not Included with Parking. Required loading areas shall not be included in calculations for off-street parking space requirements.
- f) Size. The size of all required loading/unloading spaces shall be at least ten (10) feet by fifty (50) feet or five-hundred (500) square feet in area, with a clearance of at least fourteen (14) feet in height. The Zoning Administrator may modify this requirement for uses that will involve smaller delivery trucks such as offices.
- g) An alternative surface, including, but not limited to, gravel, may be approved by the Zoning Administrator, if circumstances exist which justify the alternative surface, and if the City Engineer believes the alternative surface will not result in an unreasonable amount of sediment being deposited in the sewers, and so long as the alternative surface is maintained in a dust-controlled condition.

1254.01.18 FRONT YARD PARKING

- a) Prohibitions; Exceptions.
 - a. In Residential districts described in Chapter 1244 no person shall park or place a motor vehicle, trailer or watercraft in a front yard. However, this section shall not apply:
 - i. To vehicles parked or placed in a driveway;
 - ii. While engaged in actual loading or unloading;
 - iii. Where permitted pursuant to any other provision of these Codified Ordinances;
 - iv. Where parking areas were legally established by designating front yard parking on plot plans in connection with plans submitted for building permits which were issued prior to the effective date of this chapter
 - b. Where prior to such effective date, parking areas were established in front yards as an accessory use to a lawful conforming use by the development of hard-surfaced parking areas.
- b) Notice of violation

Whenever any motor vehicle, trailer or watercraft is found parked in violation of this chapter, the personnel authorized by Council resolution shall take the registration number and any other information displayed which may identify its user and shall conspicuously affix to such motor vehicle, trailer or watercraft a notice, in writing, on a form provided by the City Controller and approved by the City Controller and the Director of the Department of Planning and Municipal Development, for the driver or operator to answer the charge against him or her within 3 days, Saturdays, Sundays and holidays excepted, during the hours and at the place specified in the notice.

c) Failure to comply with notices

If a violator of any of the provisions of this chapter does not appear in response to the notice affixed pursuant to subsection (b) above within a period of 5 days, Saturdays, Sundays and holidays excepted, a final notice shall be sent to the owner of the motor vehicle, trailer or watercraft to which the notice was affixed, informing him or her of the violation and warning him or her that if such notice is disregarded, a complaint will be filed and a warrant of arrest issued in the same manner provided for parking tickets in the Traffic Code.

d) Presumption in reference to illegal parking

In any prosecution under this chapter, proof that the particular motor vehicle, trailer or watercraft described in the complaint was parked in violation of this chapter, together with proof, as disclosed by the records of the Secretary of State, that the defendant named in the complaint was, at the time of such parking, the registered owner of such motor vehicle, trailer or watercraft, shall constitute in evidence a prima-facie presumption that the registered owner thereof was the person who parked or placed such motor vehicle, trailer or watercraft at the point where, and for the time during which, such violation occurred.

1254.02 BICYCLE PARKING

1254.02.01 DEFINITIONS.

For purposes of this chapter:

APBP GUIDELINES. The 2nd edition of the bicycle parking guidelines issued by the Association of Pedestrian and Bicycle Professionals.

BICYCLE LOCKER. A locked compartment for the storage of a single bicycle.

BICYCLE PARKING SPACE. A secure structure designed and available exclusively for the storage of a bicycle.

BICYCLE ROOM. A room with controlled access for users of bicycles to be stored in the room.

EXEMPT PROPERTY. Is property:

- e) For which the Zoning Administrator, per Section 1254.01.04(f), reduces or eliminates the off-street parking requirements of Table 1254.01.03 and
- f) For which the property owner does not actually provide off-street parking.

Non-exempt property in a DT-3 or MX-3 district is property:

- g) For which the Zoning Administrator, per Section 1254.01.04(f), reduces or eliminates the off-street parking requirements of Table 1254.01.03; and
- h) For which the property owner does actually provide off-street parking.

1 LONG-TERM BICYCLE PARKING SPACE. Bicycle parking that is covered and enclosed on
2 all four sides.

3 SHORT-TERM BICYCLE PARKING SPACE. Any bicycle parking space that is not a long-
4 term bicycle parking space.

5
6 1254.02.02 REQUIRED BICYCLE PARKING SPACES.

7 Bicycle parking spaces shall be provided for the benefit of any structure identified in Section
8 1254.02.04 or Section 1254.02.05 if, after the effective date of this chapter:

- 9 a) A site plan for the property on which the structure is located must be submitted to the
10 Planning Office;
11 b) The property on which the structure is located is rezoned to a district other than a
12 Residential District; or
13 c) A special land use permit is granted for the property on which the structure is located.

14
15 1254.02.03 BICYCLE PARKING GUIDELINES.

- 16 a) To the extent feasible and unless otherwise provided by this chapter or the City of
17 Lansing Bicycle Parking Guidelines promulgated by the Zoning Administrator, property
18 owners are encouraged to conform to the APBP Guidelines, copies of which are available
19 in the Planning Office and the City Clerk's Office.
20 b) During the operating hours of the structure identified in Sections 1254.02.04 and
21 1254.02.05, bicycle parking spaces required by this chapter shall be lighted at an
22 illumination level of at least .4 foot-candles.
23 c) Bicycle parking spaces shall be located within 100 feet of an entrance to the structure or
24 inside the structure.
25 d) Bicycle parking spaces shall be adequately maintained and kept free of mud, debris, ice,
26 and snow.
27 e) Each short-term bicycle parking space provided pursuant to the provisions of this chapter
28 shall support a bicycle in an upright position; allow both the bicycle frame and the front
29 wheel to be locked; be securely anchored; have a hard surface, such as asphalt, concrete,
30 or brick pavers, with dimensions of at least 6 feet by two feet; be constructed of materials
31 that resist cutting, rusting, bending, and deformation; and be installed in accordance with
32 the City of Lansing Bicycle Parking Guidelines promulgated by the Zoning
33 Administrator based on the APBP Guidelines, maintenance of uniformity among
34 Michigan communities, and other best practices.
35 f) Long-term bicycle parking spaces provided pursuant to the provisions of this chapter
36 shall be provided in (1) bicycle lockers that ensure adequate clearance for simultaneous
37 users; (2) bicycle racks in locked cages; or (3) bicycle rooms.

1254.02.04 SHORT-TERM BICYCLE PARKING REQUIREMENTS BASED ON LAND
USE.

- a) For purposes of this section:
- a. Every 24 inches of bench seating shall be counted as 1 seat.
 - b. Numbers resulting from the prescribed formulas shall be rounded up from $\frac{1}{2}$ to the next whole number in calculating the number of required bicycle parking spaces.
- b) Short-term bicycle parking is not required on exempt property. On non-exempt property in a DT-3 or MX-3 district the property owner shall provide a number of short-term bicycle parking spaces that is at least 5 percent of the number of off-street parking spaces actually provided.
- c) Except as otherwise provided in subsection (b), property owners shall provide the following number of short-term bicycle parking spaces for the benefit of the corresponding specified structures:

Structure	Required Number of Bicycle Parking Spaces
Multifamily Residential	2 for every 10 dwelling units
Churches and Other Places of Worship	2 for every 50 seats in the main unit of worship
Lodging	2 for every 50 units
Athletic Clubs and Fitness Centers	2 for every 500 square feet of usable floor area, with a maximum of 30
Libraries and Museums	
Planned Developments and Shopping Centers	
Retail Stores not Otherwise Identified	
Banks and Financial Institutions	
Offices of Medical Professionals, Health Clinics, and Medical Centers	
Gas Stations	
Sports Arenas and Stadiums	2 for every 250 seats, with a maximum of 30
Theaters and Auditoriums	2 for every 100 seats, with a maximum of 30
Eating and Drinking Establishments	2 for every 24 seats
Commercial Property not Otherwise Identified	2 for every 5,000 square feet of usable floor area, with a minimum of 2
Industrial, Manufacturing, Wholesale, and Research Establishments	2 for every 20,000 square feet of usable floor area, with a minimum of 2
Commercial Off-Street Parking Facilities	2 for every 20 vehicle parking spaces, with a maximum of 30
Consumer Repair Service Establishments	2 for every 3,000 square feet of usable floor area, with a minimum of 2 and a maximum of 30
Cemeteries, Mausoleums, and Parks	2 for every 20,000 square feet of land, with a maximum of 10

1 1254.02.05 LONG-TERM BICYCLE PARKING REQUIREMENTS BASED ON
2 EMPLOYMENT AND TRANSIT.

- 3 a) For purposes of this section, numbers resulting from the prescribed formulas shall be
4 rounded up from $\frac{1}{2}$ to the next whole number in calculating the number of required long-
5 term bicycle parking spaces.
- 6 b) Except as otherwise provided in subsection (c), in addition to any requirements imposed
7 by Section 1254.02.04:
- 8 a. Property owners are not required to provide long-term bicycle parking spaces for
9 the benefit of structures other than bus stations in which no more than 40
10 employees work at any given time.
- 11 b. Property owners shall provide two bicycle parking spaces for every 40 employees
12 that work in a structure other than a bus station at any given time.
- 13 c. Property owners shall provide two bicycle parking spaces for every bus bay in a
14 bus station.
- 15 c) Long-term bicycle parking is not required on exempt property. On non-exempt property
16 in a DT-3 or MX-3 district, in addition to any requirements imposed by Section
17 1254.02.04, the property owner shall provide a number of long-term bicycle parking
18 spaces that is at least 5 percent of the number of off-street parking spaces actually
19 provided.

21 1254.02.06 OFFSET OF REQUIRED OFF-STREET PARKING SPACES.

22 The number of off-street parking spaces required by section 1254.01 will be reduced by 1 space,
23 with a maximum reduction of 20 percent of the number of off-street parking spaces required by
24 Table 1254.01.03, for each of the following:

- 25 a) Every 6 bicycle parking spaces provided in excess of those required by this chapter;
26 b) Every 6 short-term bicycle parking spaces covered by a permanent structure approved by
27 the Zoning Administrator.

Chapter 1260

Site Plan Review

1260.01 Intent

It is the intent of this article to require site plan review and approval prior to issuance of a zoning compliance permit for certain buildings, structures and uses to ensure that the arrangement, location, design and materials within a site are consistent with the character of the city and the goals and design guidelines in the Design Lansing Comprehensive Plan, the regulations in this Zoning Ordinance, and compliance with other City Ordinances related to development. In particular, the standards herein are intended to minimize negative impacts on natural resources, utility systems, public service delivery, traffic operations, pedestrian and bicyclist safety, adjacent neighborhood or district character, and the character of future development.

It is further the intent of this article to bring existing sites that do not conform with current standards of this chapter into greater conformity when uses change or an exterior renovation or expansion is proposed.

1260.02 Uses Subject to Review

- a) Except for individual single or two-family principal or accessory structures, a site plan shall be submitted to the Planning Office for all of the following activities:
 - a. Construction of a new building or building addition that is 1,000 square feet or greater in area;
 - b. Structural alteration of an existing structure or a change of use when the effect of the alteration or change is to increase the intensity of the land use;
 - c. Excavation or filling of ground within the boundaries of the 100-year base floodplain;
 - d. The installation of 1,000 square feet or more of new impervious surface;
 - e. A manufactured housing community;
 - f. An activity which relocates a structure from one lot to another lot or within the same lot; and
 - g. Mass grading of topography and/or grading that alters the existing site drainage patterns.
- b) The Planning Office may waive the requirement of site plan review when the Planning Office and all other City departments that are charged with reviewing site plans, including the Board of Water & Light, are in agreement that there is no reasonable need for site plan review under the circumstances involved.

1260.03 Standards for Approval

The Zoning Administrator may deny, approve, or approve with conditions the plan based on the following design standards that apply in addition to the applicable use and dimensional regulations:

- a) Site Design Characteristics. All elements of the plan shall be designed to take into account the site's topography; the size and type of lot; the character of adjoining property; the type and size of buildings; pedestrian circulation and the traffic operations of adjacent streets. The site shall be developed so as not to impede the normal and orderly development or improvement of surrounding property for uses permitted in this ordinance.
- b) Building Design. The building design shall relate to the surrounding area in regard to texture, scale, mass, and proportion. The quality of building design and construction materials shall be in accordance with the requirements of Chapter 1246 – Building Types. Buildings shall be designed to take advantage of natural heating, cooling, and buffering opportunities and incorporate energy efficient fixtures.
- c) Change of Use and Redevelopment. For changes of use and site alterations or building expansions, the Zoning Administrator shall determine the extent of improvement required in relation to the extent of change proposed. In particular the Zoning Administrator may require changes to improve public safety; closure or redesign of driveways; redesign or resurfacing of parking and loading areas; installation of curbing; replacement or additions to landscaping or screening; upgrades to lighting; relocation and enclosure of waste receptacles; and upgrades to the building exterior.
- d) Preservation or Conservation of Significant Natural Features. The landscape shall be preserved in its natural state, insofar as practicable, by minimizing tree and soil removal, alteration to the natural drainage courses, and the amount of cutting, filling and grading. Views of the river shall be preserved and protected. Insofar as practical, natural features and the site topography shall be incorporated into the proposed site design.
- e) Preservation of Capital Views. The design shall be considerate of existing public views of Michigan's State Capitol.
- f) Streets. All streets shall be developed in accordance with the City of Lansing engineering standards. All streets shall be designed to accommodate multiple modes of transportation (autos, trucks, transit pedestrians and bicyclists). Street connections shall be provided where necessary to enhance vehicular, pedestrian and bicycle connectivity to surrounding neighborhoods.
- g) Access, Driveways and Circulation. Safe, convenient, uncongested and well defined vehicular circulation within and to the site shall be provided and shall meet the following criteria:
 - a. Drives, streets, parking and other elements shall be designed to discourage through traffic, while promoting safe and efficient traffic operations within the site and at its access points.
 - b. The number of access points shall be the minimum necessary to provide reasonable access to the property.

- c. Access to the site shall be designed to minimize conflicts with traffic on adjacent streets, particularly to avoid conflicts with traffic operations at street intersections and associated with left turns into and from the site. The city may require closure or relocation or redesign of access points, or a redesign of on-site parking and circulation, to improve operations and safety.
- d. For uses having frontage and/or access on a major street, the number, design, and location of access driveways and other provisions for vehicular circulation shall comply with the provisions of Chapter 1254 – Parking. The city may require shared access with adjacent parcels with a shared access agreement, especially where safe access spacing from intersections or other driveways cannot be provided on a site.
- e. All driveways shall meet the design and construction standards of the city or the MDOT for access along state routes.
- h) Emergency Vehicle Access. Site circulation, parking lot design, and buildings or groups of buildings shall be arranged so as to permit emergency vehicle access as required by the fire department and police department.
- i) Sidewalks, Pedestrian and Bicycle Circulation. Safe pedestrian circulation and access to building entrances shall be provided. Conflicts between pedestrian pathways and traffic circulation shall be minimized to the extent practical. In locations where transit is available, convenient pedestrian access shall be provided from the building entrance to the transit stop. Pedestrian circulation shall be as provided in 1250.04.06 Pedestrian and Bicycle Oriented Design Features.
- j) Parking. The number and dimensions of off-street parking spaces shall be sufficient to meet the minimum required by Chapter 1254 parking. Parking lots shall be designed to minimize the amount of impermeable surface. Bicycle parking shall be provided as required in Section 1254.02.
- k) Loading. All loading and unloading areas and outside storage areas, including waste receptacles, shall be accessed and screened in accordance with Section 1254.01.17 Loading.
- l) Waste Receptacles. Waste receptacles shall be provided as required in 1250.04.04 Waste Receptacles and Enclosures.
- m) Lighting. Exterior lighting shall be arranged so that it is deflected away from adjacent properties and so that it does not impede the vision of traffic along adjacent streets in accordance with Section 1250.04.03 Exterior Lighting.
- n) Mechanical Equipment and Utilities. Mechanical equipment and utilities, including roof-, building- and ground-mounted, shall be screened in accordance with the requirements of Section 1250.04.02 Mechanical Equipment.
- o) Landscaping. Landscaping, landscape buffers and greenbelts shall be provided and designed in accordance with the provisions of Chapter 1252 – Landscaping. Potable water consumption for irrigation shall be minimized to the extent practical through utilization of plant species that minimizes the need for irrigation, irrigation efficiency, use of captured rainwater or use of recycled wastewater.

- p) Utilities and Storm Water Management. Public water and sewer facilities shall be available or shall be provided for by the developer as part of the site development. All utilities and storm water management facilities shall be reviewed and approved by the city engineer. Low impact stormwater management techniques shall be used wherever possible such as pervious pavement, bio-swales, rain gardens and green roofs.
- q) Noise. The site has been designed, buildings so arranged, and activities/equipment programmed to minimize the emission of noise, particularly for sites adjacent to residential districts and to comply with the city's noise ordinance.
- r) Other Agency Reviews. The applicant has provided documentation of compliance with other appropriate agency review standards, including, but not limited to, the Board of Water & Light, the Michigan Department of Environmental Quality (MDEQ), Michigan Department of Transportation (MDOT) and other federal, state and county agencies, as applicable.

1260.04 Submittal Requirements

A site plan shall be dated, submitted in electronic format, drawn to a scale of not less than one inch equals 50 feet, if the subject property is less than three acres, and one inch equals 100 feet, if three acres or more. The site plan shall contain all of the following information, provided that the Zoning Administrator may waive certain submittal requirements for a reoccupancy or minor change on an existing site where it is determined such information is not necessary to determine compliance with this Ordinance:

- a) The names, addresses, telephone number and email address of the applicant, owner and the architect, engineer, or other design professional who prepared the plan;
- b) The parcel numbers, addresses and legal descriptions of all parcels that are related to the project for which site plan approval is being sought;
- c) Location map and north arrow;
- d) Existing and proposed lot lines, acreage and dimensions of the site including width, length and frontage;
- e) Locations and dimensions for all existing and proposed easements, sidewalks, fire lanes, streets/alley right-of-ways,
- f) Location of existing access points (driveways) adjacent to, and across the street from, the site including the spacing from the proposed access points.
- g) Location and dimensions (width, radii, grades) of proposed access points and existing or proposed acceleration/deceleration tapers or lanes along or adjacent to the site;
- h) Location of all existing and proposed buildings;
- i) Required and proposed setbacks for all buildings and parking lots;
- j) The height of all proposed buildings and structures;
- k) The location and dimensions of all bicycle parking spaces, vehicular parking spaces/aisles, loading and unloading areas and driveways on or within 120 feet of the site;
- l) Number of required and proposed vehicular and bicycle parking spaces;

- m) The location of all existing and proposed right-of-way trees and a landscaping, screening and buffering plan that demonstrates compliance with the requirements of Chapter 1252 – Landscaping;
- n) The location and enclosure details for all waste receptacles;
- o) A photometric plan and a detail of the proposed exterior lighting poles/fixtures;
- p) Existing and proposed land elevations and/or contours to appropriately illustrate and direction of drainage flow;
- q) The location and elevations of existing water courses and water bodies, including county drains and manmade surface drainage ways, floodplains, and wetlands;
- r) A soil erosion and sedimentation control plan unless no earth changes are proposed as part of the site plan (an associated permit may also be required consistent with the requirements of City of Lansing Ordinance 1218.06.);
- s) Where required consistent with City of Lansing Ordinance 1219.04, a proposed, post-construction storm water management plan consistent with the requirements of Chapter 1219 of the City Code, including design of storm sewers, stormwater outlets, and stormwater retention or detention ponds;
- t) The location and status of any floor drains in existing or proposed structures on the site. The point of discharge for all drains and pipes shall be specified on the site plan;
- u) Location of any on-site wastewater treatment and disposal systems;
- v) Location of existing and proposed public water mains, public and private drinking water wells, monitoring wells, irrigation wells, test wells or wells used for industrial processes;
- w) Inventory of hazardous substances (including include CAS numbers) to be stored, used or generated on-site, presented in a format acceptable to the City Fire Marshal;
- x) Descriptions of type of operations proposed for the project and drawings show size, location, and description of any proposed interior or exterior areas of structures for storing, using, loading or unloading of hazardous substances, hazardous wastes, and/or polluting materials;
- y) Description and location for any existing or proposed above ground and below ground storage tanks;
- z) Delineation of areas on the site which are known or suspected to be contaminated, together with a report on the status of cleanup or closure.

1260.05 Compliance and Construction with Approved Site Plan.

(a) Property which is the subject of site plan approval must be developed in strict compliance with the approved site plan including any approved revisions, amendments or modifications made thereto. Failure to conform to the approved site plan shall constitute a violation of this Chapter. In order to assure compliance with the approved site plan, a completion bond equivalent to the value of the site work shall be submitted to the Planning Office prior to commencement of construction. If construction and development does not conform to the approved plan, the approval thereof shall be revoked by the zoning administrator by written notice of such revocation. Upon revocation of such approval, all further construction activities shall cease upon

1 the site, other than for the purpose of correcting the violation. If necessary based upon continued
2 non-compliance, the City may also elect to invoke the provisions of the completion bond for the
3 purposes of mobilizing forces to correct any non-compliant aspects of the development. The
4 completion bond shall be released by the Planning Office upon confirmation that the
5 development is compliant with the approved site plan including any approved revisions,
6 amendments or modifications made thereto.

7 (b) For all approved site plans, as-built drawings for all site work and utility construction shall
8 be submitted to the Public Service Department within fourteen (14) days of completion of
9 construction.

10 (c) The approval of any site plan under this provision shall expire one year after the date of such
11 approval, unless actual construction and development have been commenced in accordance with
12 said site plan prior thereto. If such construction and development is commenced within said one
13 year period, then such approval shall continue for a period of two years from the date thereof;
14 provided, however, that should a lapse of more than six months in continuous substantial
15 construction and development not occur, said approval shall expire.

16

Chapter 1262

Special Land Use Permits

1262.01 Compliance required

Special land uses shall be permitted as provided in this Zoning Code if the requirements of this chapter are met.

1262.02 Applications; review procedures

- a) An application for a special land use permit may be made by an applicant on forms provided by the Planning Division. The application shall be filed with the City Clerk and shall be accompanied by the fees established by Council and the documents required by Chapter 1260.
- b) The City Clerk shall refer the application described in subsection (a) hereof to the Planning Board for consideration and recommendation to Council.
- c) The Board, upon receipt of an application from the City Clerk, shall publish one notice in a newspaper of general circulation in the City that a request for a special land use approval has been received. The Board shall also send a notice by first class mail to all persons to whom real property is assessed, according to the records maintained in the office of the City Assessor, within 300 feet of the boundary of the lot. If the name of the occupant is not known, the term “occupant” may be used in making notification.
- d) The notice described in subsection (c) hereof shall be given not less than ten days and not more than 15 days before the public hearing described in subsection (f) hereof.
- e) The notice shall:
 - a. Describe the nature of the special land use request;
 - b. Indicate the lot which is the subject of the special land use request;
 - c. State when and where the special land use request will be considered;
 - d. Indicate when and where written comments concerning the request will be received; and
 - e. Indicate that a public hearing will be held by the Board on the special land use request and give the date, time and location of the public hearing described in subsection (f) hereof.
- f) The Board shall hold a public hearing for the purpose of considering the special land use request and recommend to Council whether it should approve, approve with conditions or deny the special land use. In making its recommendation, the Board shall consider each of the following standards:
 - a. If the special land use is designed, constructed, operated and maintained in a manner harmonious with the character of adjacent property and the surrounding area;
 - b. If the special land use changes the essential character of the surrounding area;
 - c. If the special land use interferes with the general enjoyment of adjacent property;

- d. If the special land use represents an improvement to the use or character of property under consideration and the surrounding area in general and also is in keeping with the natural environment of the lot;
- e. If the special land use is not hazardous to adjacent property, or does not involve uses, activities, materials or equipment which are detrimental to the health, safety or welfare of persons or property through the excessive production of traffic, noise, smoke, odor, fumes or glare;
- f. If the special land use is adequately served by essential public facilities and services, or it is demonstrated that the person responsible for the proposed special land use is able to continually provide adequately for the services and facilities deemed essential to the special land use under consideration;
- g. If the special land use does not place demands on public services and facilities in excess of current capacity;
- h. If the special land use is consistent with the intent and purpose of this Zoning Code and the objectives of any currently adopted Comprehensive Plan; and
- i. If the special land use meets the dimensional requirements of the district in which the property is located.

(g) The Board shall state to Council, in writing, its recommendations as to each special land use request and the reasons for its recommendation.

(h) Council, upon receiving the recommendation from the Board, shall hold a public hearing for the purpose of a de novo review of the recommendation of the Board and deciding whether to concur in such recommendation.

(i) A notice that a request for special land use approval has been received by Council and that a public hearing will be held, shall be published in a newspaper of general circulation in the City. Notice shall also be sent by first class mail to those persons described in subsection (c) hereof.

(j) The notice described in subsection (i) hereof shall meet all of the requirements described in subsections (d) and (e) hereof.

(k) Council may deny, approve or approve with conditions a request for special land use approval, based upon the standards described in subsection (f) hereof. If conditions are imposed, they shall meet the requirements of Section 1262.03. The decision of Council shall be reduced to writing. The writing shall state Council's decision and shall specify the basis for the decision and conditions imposed upon the special land use, if any.

1262.03 Conditions on special land uses

- a) Council may impose conditions on its grant of a special land use to achieve any of the following findings:
 - a. Compatibility of the special land use with existing adjacent land uses;
 - b. Protection of the natural environment and natural resources;

- 1 c. Energy conservation;
- 2 d. Accommodation of increased public service needs likely to result from the special
- 3 land use;
- 4 e. Protection of the health, safety, and welfare of the property owner and the
- 5 community;
- 6 f. Accommodation of considerations listed in section 1262.02(f).
- 7 b) A new building or building addition, that is 1,000 square feet or more in area, and on a
- 8 parcel of land for which a special land use permit has been granted on or after the
- 9 effective date of this ordinance, shall require an amendment to the special land use permit
- 10 after review and approval by the City Council in accordance with the following
- 11 procedure:
- 12 a. Within five days upon receipt of a site plan for a new building or building
- 13 addition 1,000 square feet or greater in area, the planning office shall refer the
- 14 matter to the City Council which shall schedule a public hearing on amending the
- 15 special land use permit. Notification of the public hearing, in accordance with
- 16 requirements of section 1262.02(e) shall be sent by first class mail to the
- 17 following, not less than seven days prior to the hearing:
- 18 i. All property owners within 500 feet of the subject property;
- 19 ii. The applicable neighborhood watch officer, if any; and
- 20 iii. The applicable neighborhood association, if any.
- 21 b. (2) Following the public hearing, the Council shall review the site plan for
- 22 compliance with the criteria contained in this chapter for evaluating special land
- 23 use permits and shall deny, approve or approve with conditions the amendment to
- 24 the original special land use permit.
- 25 c. (3) The Council shall complete its review and render its decision within 60 days
- 26 from the date that the site plan was referred by the planning office. Failure to act
- 27 shall be deemed approval of the amended special land use permit.
- 28 c) Conditions of approval, if any, shall be recorded in the written decision described in
- 29 section 1262.02(k) and shall remain unchanged, except upon the mutual consent of the
- 30 applicant and Council.

Chapter 1264

Planned Unit Developments

1264.01 Applicability

The Planned Unit Development (PUD) process is an option for properties within all zoning districts, and is mandatory for some larger parcels, or groups of parcels, as designated on the Form-Based Code zoning map.

1264.02 Intent

- a) The intent of this article is to offer an alternative to conventional development by permitting flexibility in the regulations for development. The standards contained herein are intended to promote and encourage development on parcels of land which are suitable in size, location and character for the uses proposed while ensuring compatibility with adjacent land uses.
- b) The PUD zoning standards are provided as a design option to:
 - (a) Encourage innovation in land development in terms of variety, design, layout and type of structures constructed;
 - (b) Accommodate development on sites that exhibit difficult development constraints;
 - (c) Encourage redevelopment of brownfield or greyfield sites as mixed-use neighborhoods;
 - (d) Encourage the adaptive reuse of historic buildings;
 - (e) Provide the opportunity to mix compatible uses, or residential types;
 - (f) Preserve and protect significant natural features, open space and cultural/historic resources;
 - (g) Ensure that new developments are consistent with the historic character of the community;
 - (h) Promote efficient provision of public services and utilities;
 - (i) Minimize adverse traffic impacts;
 - (j) Encourage development of convenient recreational facilities; and
 - (k) Encourage the use and improvement of land where site conditions make development under conventional zoning difficult or less desirable.
- c) For properties approved for PUD designation, these PUD standards provide the developer with flexibility in design and permit variation of the specific bulk, area, and in some situations, the density requirements of this chapter on the basis of the total PUD plan, subject to the approval of the PUD by the Planning Board in accordance with the requirements set forth herein. The PUD standards shall not be sought primarily to avoid the imposition of standards and requirements of other zoning classifications rather than to achieve the stated purposes set forth in this section

- 1 d) The applicant shall submit a written application for a planned residential development on
2 forms provided by the Planning Office. The application shall be filed with the City Clerk
3 and shall be accompanied by the following:
- 4 a. The fees established by Council; and
 - 5 b. Four copies of a development plan which meets the requirements of Section
6 1264.03(b).
- 7 e) Upon submission of a written application as described in subsection (c) hereof, the
8 Planning Board shall follow the procedures described in Section 1262.02(f) and (g).
- 9 f) Upon following the procedures described in Section 1262.02(f) and (g), the Board shall
10 recommend to Council to approve, approve with conditions or disapprove the
11 development plan contained in the written application.
- 12 g) Council, upon receiving a recommendation from the Board as described in subsection (e)
13 hereof, shall approve, approve with conditions or disapprove the development plan.
- 14 h) Approval by Council of an application for a planned residential development pursuant to
15 this section shall expire two years after the date of approval by Council, unless within
16 such two-year period the applicant has either started construction or has filed a
17 preliminary plat for tentative approval pursuant to Public Act 288 of 1967, as amended,
18 being M.C.L.A. 560.101 to 560.293. If the start of construction for a planned residential
19 development has not begun or the filing of a preliminary plat for tentative approval has
20 not occurred within the time period permitted by this subsection, then the Board may,
21 upon written request, extend approval for two years beyond the time permitted by this
22 subsection. If one extension is granted by the Board, then any further extensions shall be
23 granted with Council approval after approval by the Board.

24
25 1264.03 Eligibility Criteria

26 The following criteria shall apply all planned unit developments (PUDs):

- 27 a) Unified Control. The planned unit development shall be under the control of one (1)
28 owner or group of owners and shall be capable of being planned and developed as one (1)
29 integral unit.
- 30 b) Recognizable Benefit.
- 31 a. The applicant shall demonstrate to the Planning Board that the PUD provides at
32 least three (3) of the following site design elements that could not be attained
33 through a project designed under conventional zoning:
 - 34 i. Mixed-use development with residential, and nonresidential uses or a
35 variety of housing types;
 - 36 ii. Redevelopment of brownfield or greyfield sites;
 - 37 iii. Pedestrian/transit-oriented design with buildings oriented to the sidewalk
38 and parking to the side or rear of the site;
 - 39 iv. High quality architectural design beyond the site plan requirements of this
40 chapter;
 - 41 v. Extensive landscaping beyond the site plan requirements of this chapter;

- vi. Preservation, enhancement or restoration of natural resources (trees, slopes, nonregulated wetland areas, views to the river);
- vii. Preservation or restoration of historic resources;
- viii. Provision of open space or public plazas or features;
- ix. Efficient consolidation of poorly dimensioned parcels or property with difficult site conditions (e.g., topography, shape etc.);
- x. Effective transition between higher and lower density uses, and/or between nonresidential and residential uses; or allow incompatible adjacent land uses to be developed in a manner that is not possible using a conventional approach;
- xi. Shared vehicular access between properties or uses;
- xii. Mitigation to offset impacts on public facilities (such as road improvements); or
- xiii. Significant use of sustainable building and site design features such as: water use reduction, water-efficient landscaping, innovative wastewater technologies, low impact stormwater management, optimize energy performance, on-site renewable energy, passive solar heating, reuse/recycled/renewable materials, indoor air quality or other elements identified as sustainable by established groups such as the U.S. Green Building Council (LEED) or ANSI National Green Building Standards.

b. In granting the relaxation of any district standard for a PUD, the Planning Board may require the applicant to demonstrate through bona fide documentation that the project will not be detrimental to the public health, safety or welfare of the future occupants of the PUD, the surrounding neighborhood, or the city as a whole. Such documentation may include, but is not limited to, traffic impacts studies, environmental impact studies, market needs assessments, infrastructure impact studies and any other such reports or studies.

c) Compatibility with Adjacent Uses. The proposed location of uses or structures that are of a significantly different scale or character than the abutting residential districts, such as access drives, parking areas, waste receptacles, swimming pools, tennis courts and facilities of a similar nature, shall not be located near the perimeter of the PUD unless designed to prevent any negative impacts on adjoining residential uses.

d) Master Plan. The proposed PUD shall be consistent with the City of Lansing Comprehensive Plan.

1264.04 Permitted Uses.

The uses permitted in the PUD shall be consistent with and in accordance with the uses permitted by right or by special land uses in the underlying zoning district. Other uses, however, may be permitted upon a finding by the Planning Board that such uses will be appropriate and compatible with the uses proposed for the development and with surrounding uses. The Planning Board may permit additional uses to create an integrated, mixed-use development based upon the

recommendations of the City of Lansing Master Plan. Approval of a PUD shall include the specific identification of the uses permitted within the PUD, and only those uses so approved shall be permitted.

1264.05 Height, Area and Bulk Regulations.

The height, bulk and area conditions set forth in the underlying district requirements shall be used as guidelines for the use areas set forth in the PUD. However, to encourage flexibility and creativity consistent with the intent of the PUD, the Planning Board may permit specific departures from the requirements of this chapter. Any regulatory modification shall be approved through a finding by the Planning Board that the deviation shall result in a higher quality of development than would be possible using conventional zoning standards.

- a) Modifications to Dimensional Requirements. Where modification of the zoning ordinance standards is requested, the applicant shall provide a table for each specific standard proposed to be modified. Unless modifications are specifically requested and approved by the city, the site plan shall comply with the appropriate requirements of the city.

1264.06 Approval Procedure

- a) Overview of PUD Review and Approval Process. The PUD review and approval process includes the following steps:
 - a. Preapplication conference with Planning Board OFFICE on the PUD concept plan.
 - b. Planning Board review of PUD concept plan and scheduling of public hearing.
 - c. Planning Board public hearing and recommendation on PUD concept plan.
 - d. City council review and approval of PUD overlay zone, PUD concept plan and PUD agreement.
- b) Preapplication Conference with Planning Office.
 - a. Applicant Request. An optional pre-application conference with the Planning Board Office may be requested by the applicant to discuss the appropriateness of a PUD and the concept plan to solicit feedback and to receive requests for additional materials supporting the proposal.
- c) Planning Office Review of PUD Concept Plan.
 - a. PUD Concept Plan. A concept plan for the PUD that contains all of the following information, along with fees established by City Council, shall be submitted for Planning Office review:
 - i. A conceptual plan for the development, drawn to an engineer's scale of not less than one (1) inch = fifty (50) feet for property less than three (3) acres, or one (1) inch = one hundred (100) feet for property three (3) acres or more in size, that includes all of the following:

1. Title block with sheet number/title; name, address and telephone number of the applicant and firm or individual who prepared the plans; and date(s) of submission and any revisions;
 2. Scale and north-point;
 3. Location map drawn to a separate scale;
 4. Legal description of property;
 5. Zoning classification of site and all abutting parcels;
 6. Net acreage (minus rights-of-way) and total acreage;
 7. Existing lot lines, building lines, structures, parking areas and other improvements on the site and within one hundred (100) feet of the site;
 8. Proposed lot lines, lot dimensions, property lines, setback dimensions and other improvements;
 9. Location and height of all proposed buildings or structures;
 10. Location of existing and proposed roads, driveways, parking lots, sidewalks and pathways on or within two hundred fifty (250) feet of site;
 11. Proposed off-street parking lots and number of spaces;
 12. Conceptual landscape plan;
 13. The general location of existing plant material;
 14. Location of existing drainage courses, floodplains, rivers and MDEQ regulated wetlands;
 15. Location of existing and proposed sanitary sewers;
 16. Location of existing and proposed water mains;
 17. Stormwater retention and detention pond locations and existing, or proposed storm sewers;
 18. Number and location of residential units;
 19. Density calculations by type of residential unit; and
 20. Location and size of recreation and open space areas.
- ii. Documentation indicating how the criteria for qualification for a PUD have been met.
 - iii. A table which details all deviations from the established zoning district uses; area, height and setback requirements; off-street parking regulations; general provisions; or subdivision regulations which would otherwise be applicable to the uses and development proposed in the absence of this PUD article; this table shall clearly identify the allowed regulation in comparison to the requested deviation.
 - iv. The manner of the ownership and dedication, and any mechanism to protect and maintain any areas designated as common areas or open space.
 - v. Any additional information requested by the Planning Board to better assist in the determination of PUD qualification such as, but not limited to: market studies, fiscal impact analysis, traffic impact studies, and environmental impact assessments.

- b. Planning Board Public Hearing. A public hearing for the Planning Board to review the requested PUD concept Plan shall be scheduled in accordance with the Michigan Zoning Enabling Act (P.A. 110 of 2006, as amended).
- c. Planning Board Review, Decision, and Recommendation.
 - i. PUD Concept Plan. The Planning Board shall review the PUD concept plan in consideration of public hearing comments, technical reviews from city staff, correspondence from applicable review agencies and compliance with the standards of this article and other applicable standards and requirements of this chapter. The Planning Board shall recommend approval, approval with conditions or denial of the PUD request to the City Council. The recommendation shall be based on the following:
 1. Whether the proposal provides the recognizable benefits intended in this Chapter;
 2. Promotes the land use goals and objectives of the City or the master plan;
 3. Whether all applicable provisions of this article and this chapter are met;
 4. Whether eligibility criteria of section 35-132 are met;
 5. Whether there is, or will be at the time of development, adequate facilities to accommodate the sanitary sewage, stormwater, solid waste, water supply needs and traffic generated by the proposed project; and
 6. Whether the project successfully provides a transition between higher and lower density uses and/or between nonresidential and residential.
- d. Draft PUD Agreement. The applicant shall submit a draft PUD agreement for review and approval by the City Council after review by the city attorney. The agreement shall provide:
 - i. A survey of the acreage comprising the proposed development.
 - ii. The manner of ownership of the developed land.
 - iii. The manner of the ownership and of dedication or mechanism to protect any areas designated as common areas or open space.
 - iv. Provision assuring that open space areas shown on the plan for use by the public or residents of the development will be or have been irrevocably committed for that purpose; the city may require conveyances or other documents to be placed in escrow to accomplish this.
 - v. Satisfactory provisions have been made to provide for the future financing of any improvements shown on the plan for site improvements, open space areas and common areas which are to be included within the development and that maintenance of such improvements is assured by a means satisfactory to the City Council.

- vi. The cost of installing, improving and maintaining streets and the necessary utilities has been assured by a means satisfactory to the City Council.
 - vii. Provisions to ensure adequate protection of natural features.
 - viii. The PUD site plan shall be incorporated by reference and attached as an exhibit.
 - e. Planning Board Public Hearing. A public hearing for the Planning Board to review the requested PUD concept Plan shall be scheduled in accordance with the Michigan Zoning Enabling Act (P.A. 110 of 2006, as amended).
- d) City Council Review of PUD Overlay Zoning PUD Concept Plan and PUD Agreement.
 - a. Following receipt of a recommendation from the Planning Board on the PUD overlay zoning and PUD concept plan and draft PUD agreement; the City Council shall conduct a public hearing to review the concept plan and PUD agreement.
 - b. Notice regarding this public hearing shall be given in accordance with Section 3-303 of the Lansing City Charter.
 - c. After the public hearing, City Council shall either approve, deny, or approve with a list of conditions made part of the approval.
- e) Conditions. In accordance with the Michigan Zoning Enabling Act (P.A. 110 of 2006, as amended), reasonable conditions may be required with the approval of a PUD for the purpose of ensuring that public services and facilities affected by a proposed land use or activity will be capable of accommodating increased service and facility loads caused by the land use or activity, protecting the natural environment and conserving natural resources, ensuring compatibility with adjacent uses of land, promoting the use of land in a socially and economically desirable manner, and further the implementation of the City of Lansing Comprehensive Plan. Conditions attached shall be included in the PUD agreement.
- f) Time Limits for PUD Concept Plan Approval. Approval of the PUD concept plan by the City Council shall confer upon the owner the right to proceed through the subsequent planning phase for a period not to exceed two (2) years from date of approval. If application for final site plan approval for the PUD or a phase of the PUD is not requested within this time period, the PUD concept plan approval shall automatically become null and void and all rights thereunder shall terminate. The City Council may for good cause extend the period up to an additional two (2) years, if requested in writing by the applicant prior to the expiration date. Upon expiration of a PUD concept plan, the City Council may direct the Planning Board to conduct a public hearing and make a recommendation to remove the PUD overlay district.
- g) Final Approval of Site Plan
 - a. Following City Council approval of the PUD concept plan, a final site plan for the PUD or individual phases of the PUD shall be submitted in accordance with Chapter 1260, Site Plan Review procedures.
 - b. All site plans subsequently submitted shall conform with the PUD concept plan, all conditions attached to preliminary approval, the PUD agreement and the requirements of this ordinance. Where the Planning Office determines that changes to the final site plan significantly deviate from the PUD concept plan, the

1 Planning Board Office shall refer the PUD to the Planning Board to conduct
2 another public hearing, review the plan as an amended resubmission of the PUD
3 concept plan under the requirements of this article, and make a recommendation
4 on the proposed changes to the City Council for approval, denial, or approval with
5 conditions.

6

7

Chapter 1270

Nonconformities

1270.01 Purpose and Intent

- (a) Within the districts established by this chapter or amendments that may later be adopted, there exist lots, structures uses of land, and sites which were lawful before this chapter was passed or amended but which would be prohibited, regulated or restricted under the terms of this chapter or future amendment. It is the intent of this Chapter to permit non-conforming lots, buildings, structures, uses, and sites to continue until they are removed, but not to encourage their continued use or survival.
- (b) No Expansion of Nonconformities. Non-conforming lots, buildings, structures, uses, and sites are hereby declared to be incompatible with the zoning districts in which they are located. It is the intent of this Chapter that these nonconformities shall not be enlarged upon, expanded, or extended, nor be used as grounds for adding other buildings, structures or uses prohibited elsewhere in the zoning district, except as may be provided for in this Chapter.
- (c) Required upgrades to Nonconforming Sites. Similar to other types of non-conforming situations noted herein, there exist sites that were developed consistent with an approved site plan and other site regulated standards applicable at that time said use or site plan was approved, but that do not fully meet the requirements of this ordinance. Those site design features include parking space and aisle sizes, access, parking lot, landscaping/buffering, waste receptacle screening, lighting and similar standards. One purpose is this chapter is to define the extent to which a site plan must be upgraded to meet the current site plan related standards when changes or minor modifications to a conforming use and/or conforming building are proposed for a lot that does not fully meet the current standards. The intent is to require a level of upgrade that is reasonable to improve compliance given the nature of the existing nonconforming site features and extent of the changes proposed on the lot.
- (d) Construction Prior to Effective Date of this Chapter. Nothing in this Chapter shall be deemed to require a change in the plans, construction, or designated use of any building on which actual construction was lawfully begun prior to the effective date of this Chapter, or an amendment thereto, and upon which actual building construction has been diligently conducted.

1270.02 Non-Conforming Lots of Record

If two or more lots or combinations of lots and portions of lots with continuous frontage in single ownership are of record and if all or part of the lots do not meet the requirements for lot width and area, the lands involved shall be considered to be an undivided parcel for the purposes of this chapter, and no portion of said parcel shall be used or sold in a manner which diminishes compliance with lot width and area requirements established by this chapter, nor shall any division of any parcel be made which creates a lot with width or area below the requirements stated in this chapter.

1270.03 Non-conforming Buildings or Structures

(a) Continuation of Non-conforming Buildings or Structures. Where a lawful building or structure exists prior to the effective date of this Chapter, or an amendment hereto, that does not comply with the requirements of this Chapter because of restrictions such as parking, lot area, coverage, width, height, or yards, that building or structure may be continued so long as it remains otherwise lawful, subject to the following provisions:

- (1) No such structure may be enlarged or altered in a way which increases its nonconformity.
- (2) Should such structure be destroyed by any means to an extent of more than 50% of its replacement cost at time of destruction, it shall not be reconstructed except in conformity with the provisions of this chapter. The owner shall provide the necessary information to make a determination as to whether or not repairs to the structure will exceed 50% of the replacement cost, exclusive of the foundation.
- (3) Should a non-conforming building or structure be destroyed to an amount equal to or less than fifty (50) percent of its estimated replacement cost, exclusive of the foundation, it may be reconstructed in its previously non-conforming location.

1270.04 Non-Conforming Uses

(a) Enlargement or Increase of Non-conforming Use. No non-conforming use shall be enlarged or increased, nor extended to occupy a greater area of land than was occupied prior to the effective date of this Chapter, or an amendment thereto, except as may be permitted by the Board of Zoning Appeals in determining that the proposed enlargement, increase, or greater area shall:

- (1) Not have a substantial detrimental effect on the use and enjoyment of adjacent uses or lots;

- (2) Comply with all parking, sign, or other applicable regulations for accessory uses for the area affected by the proposed enlargement, increase, or greater area;
 - (3) Comply with any reasonable conditions imposed by the Board of Zoning Appeals that are necessary to ensure that the proposed enlargement, increase, or greater area shall not prove detrimental to adjacent properties, the neighborhood, or the community.
- (b) Extension within a Building. Any non-conforming use may be extended throughout any parts of a building which were manifestly arranged or designed for that use at the time of adoption or amendment of this Chapter and would have been permitted by right, but the use shall not be extended to occupy any land outside the building.
- (c) Reduction in Non-conforming Use. If any part of a non-conforming use is moved or reduced in size by action of the owner, the part of the non-conforming use that is moved or reduced in size shall be considered to be abandoned and any subsequent use shall conform to the requirements of this Chapter.
- (d) Abandonment of a Non-conforming Use. If a non-conforming use is abandoned for any reason for a period of more than twelve (12) calendar months, any subsequent use shall conform to the requirements of this Chapter. Where nonconforming use status applies to a structure and premises in combination, removal or destruction of the structure shall eliminate the nonconforming status of the land.
- (e) Extensions. Upon request, the Zoning Administrator may approve an administrative extension of up to an additional six (6) calendar months where a property owner can demonstrate a good faith effort to sell or lease the premises to another, similar use prior to determining abandonment. Requested extensions beyond the six (6) months must be approved by the Board of Zoning Appeals.
- (f) Change to Other Non-conforming Use. A non-conforming use may be changed to another non-conforming use provided the Zoning Administrator makes all of the following determinations:
 - (1) The proposed use shall be as compatible as, or more compatible with, the surrounding area than the previous non-conforming use.
 - (2) The proposed non-conforming use shall not be enlarged or increased, nor extended to occupy a greater area of land than the previous non-conforming use, except as may otherwise be permitted by this Article.
 - (3) That appropriate conditions of approval and safeguards are provided that ensure compliance with the intent and purpose of this Chapter.

1270.05 Non-conforming Sites

This section applies when a change in use or a site plan is proposed on a site that does not conform with the current ordinance standards,

- 1 (a) New development or a replacement of the existing building(s). Where a new building is
2 being constructed, full compliance with the current ordinance standards shall be required.
- 3 (b) Building Façade Renovations. Renovations to a building that does not include changes to
4 the site, shall not be required to be brought into compliance with the ordinance, except for
5 conforming features that impact safety such as building code compliance.
- 6 (c) Change in use, expansion or reconstruction on part of the site. The Zoning Administrator
7 may review the extent of the non-compliance and may require full or partial compliance, or
8 allow certain non-conforming features to remain, based on the relationship to the extent of
9 the change proposed for the lot. In making such a determination, the Zoning Administrator
10 may require an upgrade to the site based upon the following standards.
 - 11 (1) Reasonable site improvements to be made in relation to the scale and
12 construction cost of the improvements
 - 13 (2) Improvements to the site are necessary to address safety-related site issues in
14 accordance with the building code, fire code and other safety regulations.
 - 15 (3) Existing parking and loading spaces do not meet the current requirements of
16 Chapter 1254 – Parking. The Zoning Administrator may allow for continued use
17 of parking and loading spaces that do not meet the current required dimensions
18 within all or a portion of the existing parking area if the intensity of the use will
19 not increase. The Zoning Administrator may require improvements to the
20 pavement and parking lot striping.
 - 21 (4) The closing, relocating, redesigning or reconfiguring of access points to allow
22 shared access with an adjacent parcels for the purpose of reducing conflicts with
23 traffic and non-motorized travel along the public street. (For example, driveways
24 closest to signalized intersections or that have a poor offset spacing from
25 driveways across the street may need to be closed, relocated or restrict certain
26 turning movements to improve traffic flow and reduce crash potential). The
27 Zoning Administrator may defer to the City Transportation Engineer for required
28 changes to access design. See CHAPTER 1254.01.12 - INGRESS AND
29 EGRESS.
 - 30 (5) Improved landscaping, to the extent practical, is necessary to provide sufficient
31 buffering from less intensive adjacent uses, to improve the streetscape, mitigate
32 the impact of non-conforming buildings or structures, and reduce the flowrate
33 and improve the quality of stormwater runoff.
 - 34 (6) Conformance with the standards of section will result in reduced glare onto
35 adjacent residential or institutional properties and public rights-of-way.
 - 36 (7) Relocating and screening waste receptacles that are not fully conforming to
37 current placement and screening standards will reduce conflicts with vehicles,
38 improve views from the public street, and reduce impacts on adjacent residential
39 property.

Chapter 1272

Administration, Enforcement and Penalty

1272.01 Enforcement by Planning Office, Code Compliance Office and Building Safety Office; violations; reviews

- (a) The Planning Office, the Code Compliance Office and the Building Safety Office are hereby authorized and directed to enforce this Zoning Code, and for such purpose the authorized representatives of such Offices shall have the powers of a law enforcement officer. The Director of Economic Development and Planning, the Zoning Administrator, the Planning Manager and all code compliance officers are designated as the authorized City officials to issue Municipal civil infraction citations (directing alleged violators to appear in court) or Municipal civil infraction violation notices (directing alleged violators to appear at the Municipal Ordinance Violations Bureau) as provided in Chapter 203 of these Codified Ordinances. As used in this section and throughout these Codified Ordinances, “Planning Office”, “Code Compliance Office” and “Building Safety Office” means the Offices within the Department of Economic Development and Planning.
- (b) Whenever necessary to make an inspection to enforce any provision of this Zoning Code, or whenever the Planning Office, the Code Compliance Office and the Building Safety Office or their authorized representatives have reasonable cause to believe that there exists in any structure or upon any lot a violation of this Zoning Code, any authorized City representative may, if entry would not otherwise be lawful, enter the structure or upon the lot to inspect the same, after obtaining the consent of the owner or person having charge or control of the structure or lot, or after obtaining a warrant authorizing entry.
- (c) The Planning Office, the Code Compliance Office and the Building Safety Office and their authorized representatives charged with enforcement of this Zoning Code, acting in good faith and without malice in the discharge of their duties, shall be indemnified and held harmless by the City against any liability for any damage that may accrue to persons or property as the result of any act or by reason of any act or omission in the discharge of their duties. Any suit brought against the Planning Office, the Code Compliance Office and/or the Building Safety Office and/or any employee of the Planning Office, the Code Compliance Office or the Building Safety Office, because of such act or omission performed by the employee in the enforcement of any provision of this Zoning Code, shall be defended by legal counsel provided by the City.
- (d) No person shall erect, construct, enlarge, alter, repair, move, improve, remove, convert, demolish, equip, use, occupy or maintain any building, structure or lot, or cause or permit the same to be done, in violation of this Zoning Code.

(e) Any building, structure or lot erected, constructed, enlarged, altered, repaired, moved, improved, removed, converted, demolished, equipped, used, occupied or maintained in violation of this Zoning Code shall be a nuisance per se. The City may enjoin or abate any violation of any of the provisions of this Zoning Code by appropriate action.

1272.02 Fees

Fees required by this Zoning Code shall be set by resolution of Council.

1272.04. Penalty; notice to abate violations; equitable remedies

- (a) Except as otherwise provided in this Zoning Code, whoever violates any of the provisions of this Zoning Code is responsible for a Municipal civil infraction and shall be subject to the civil fine provided in Section 203.06 of these Codified Ordinances, plus costs and other sanctions, for each infraction. Repeat offenses shall be subject to increased fines as provided in Section 202.99(c)(2).
- (b) In all cases where penalties or forfeitures are provided for any act or omission, they shall be held to apply to each and every such act or omission. Each and every day the violation exists shall be a separate act or omission. In addition to the foregoing penalties, the City may enjoin or abate any violation of any of the provisions of this Zoning Code by appropriate action.

Chapter 1274

Board of Zoning Appeals

1274.01 Establishment

There is hereby established a Board of Zoning Appeals as provided in Section 5 of Public Act 207 of 1921, as amended, being M.C.L.A. 125.585.

1274.02 Composition; terms of office; vacancies

- (a) The Board of Zoning Appeals shall consist of nine members who are appointed by the Mayor with the advice and consent of Council. To be eligible for appointment, each person shall possess the qualifications required by the City Charter for holding office.
- (b) After the effective date of this Zoning Code (Ordinance 636, passed March 7, 1983), each subsequent appointment to the Board shall be for one, two or three years, respectively, so as to provide for the appointment of an equal number of members each year. Thereafter, each member shall be appointed for a full three-year term. The Mayor shall attempt to appoint at least one member to the Board who is serving as a member of the Planning Board. The Chairperson of the Board of Zoning Appeals shall be elected annually by the membership of the Board.
- (c) Members may be removed at the pleasure of the Mayor, with the advice and consent of Council. Appointments to fill vacancies shall be made upon the occurrence of the vacancy and each person so appointed shall take office immediately upon the confirmation of Council, to serve for the remainder of the unexpired term. If a vacancy is not filled within 60 days after the occurrence of the vacancy, Council shall appoint a committee of three of its members to act instead of the Mayor in the making of such appointment.

1274.03 Powers and duties

- (a) The Board of Zoning Appeals shall hear and decide appeals from, and review any order, requirement, decision or determination made by, the Planning Office related to the Zoning Code.
- (b) The Board of Zoning Appeals shall determine if a Class A nonconformity may be restored or reconstructed pursuant to Section 1270.06(c).

- (c) If requested by an applicant, the Board of Zoning Appeals shall review any decision of the Planning Board, which decision is made under Chapter 1270.
- (d) The duty to alter or change the Zoning Code or the Zoning Map is reserved to Council in the manner provided by law.
- (e) The Board of Zoning Appeals shall hear and determine requests for variances in accordance with Section 1274.06.

1274.04 Appeal procedures.

- (a) Either of the following may take an appeal to the Board of Zoning Appeals pursuant to the procedures described in this section:
 - (1) A person aggrieved by a Planning Office decision regarding this Zoning Code; or
 - (2) Any officer, department, board or bureau of the City aggrieved by a Planning Office decision regarding this Zoning Code.
- (b) An applicant shall file with the Planning Office all of the following:
 - (1) A notice of appeal on forms provided by the Office. The notice of appeal shall specify the grounds for the appeal.
 - (2) A drawing which, by a decision of the Office, reasonably reflects the factors involved in the appeal.
- (c) The Office shall, upon the proper filing of the notice of appeal, immediately transmit to the Board of Zoning Appeals all the papers constituting the record of the appeal.
- (d) An appeal shall stay all proceedings in furtherance of the action appealed from, unless the Office certifies to the Board, after the notice of appeal is filed, that by reason of facts stated in an Office certification, a stay would, in the opinion of the Office, cause imminent peril to life or property. If the Office so certifies, proceedings shall not be stayed, otherwise than by a restraining order which may be granted by the Board or by the Circuit Court by giving notice to the Office and showing due cause.

1274.05 Hearings

- (a) The Board of Zoning Appeals shall fix a reasonable time for the hearing of an appeal filed pursuant to Section 1274.04.
- (b) The Board shall give notice of the appeal to the persons to whom real property within 300 feet of the lot in question is assessed, according to the records held in the office of the City Assessor. The board shall also give notice to the occupants of single-family and two-family dwellings within 300 feet of the lot. If the occupant's name is not known, the term "occupant" may be used.
- (c) The notices described in subsection (b) hereof shall be delivered personally or by mail at the address given in the last assessment roll.

- (d) The Board shall decide an appeal within a reasonable time.
- (e) At the hearing a party may appear in person, by agent or by attorney.
- (f) The Board may reverse or affirm, wholly or partly, or may modify, the order, requirement, decision or determination appealed from, and shall make an order, requirement, decision or determination as in its opinion ought to be made on the lot, and to that end shall have all the powers of the officer or body from whom the appeal is taken.

1274.06 Variances

- a) The Board of Zoning Appeals may authorize a variance described in subsection (b) hereof. For the purposes of this section, “variance” means a modification of the strict letter of this Zoning Code, granted when strict enforcement of this Zoning Code would cause practical difficulties or unnecessary hardship.
- b) The Board may grant variances for the following:
 - 1. Modification of the dimensional requirements as may be necessary to secure appropriate improvement of a lot, which lot is of such shape or so located with relation to surrounding development or physical characteristics that it cannot otherwise be appropriately improved without such modification; and
 - 2. Modification of zoning requirements for additions or enlargements to existing structures, provided that all requirements for the particular use in the zoning district where such use is first permitted cannot be met without physical hardship pertaining to the shape of the lot and adjacent land uses or topography.
- c) When considering a variance described in subsection (b) hereof, the Board shall consider the following criteria in determining if a practical difficulty or unnecessary hardship exists:
 - 1. If the owner of the lot complies with this Zoning Code, he or she can secure no reasonable return from, or make no reasonable use of, his or her property.
 - 2. The hardship results from the application of this Zoning Code to his or her lot, rather than from some other factor.
 - 3. The hardship is not the result of his or her own actions.
 - 4. The hardship is peculiar to the lot of the applicant.
- d) The procedure for obtaining a variance in accordance with this section shall be the same as that outlined in Section 1274.04.
- e) In considering a proposed variance from this Zoning Code, the Board shall first, in each specific case, determine that practical difficulties or unnecessary hardships exist, according to the following standards:
 - 1. The proposed use will be of such location, size and character that it will be in harmony with the appropriate and orderly development of the surrounding neighborhood.

2. The proposed use will be of a nature that will make vehicular and pedestrian traffic no more hazardous than is normal for the district involved, taking into consideration vehicular turning movements in relation to routes of traffic flow, proximity and relationship to intersections, adequacy of sight distances, location and access of off-street parking and provisions for pedestrian traffic, with particular attention to minimizing child-vehicle contacts in residential districts.
3. The location, size, intensity, site layout and periods of operation of any such proposed use will be designed to eliminate a possible nuisance emanating therefrom, which nuisance might be noxious to the occupants of any other nearby permitted use, whether by reason of dust, noise, fumes, vibration, smoke or lights.
4. The location and height of structures and joint driveways and the location, nature and height of walls and fences will be such that the proposed use will not interfere with or discourage the appropriate development and use of adjacent land and structures or unreasonably affect their value.

1274.07 Vote required

The concurring vote of a majority of the members serving on the Board of Zoning Appeals shall be necessary to reverse an order, requirement, decision or determination of the Planning Office or to decide in favor of the applicant a matter upon which it is required to pass under an ordinance, or to effect a variance of such ordinance.

1274.08 Conditions for approval

The Board of Zoning Appeals, in acting favorably in connection with an appeal or variance, may attach any condition to its approval which it finds necessary to accomplish the reasonable application of the standards described in Section 1274.06(e).

1274.09 Appeals to Circuit Court

- (a) The decision of the Board of Zoning Appeals shall be final. However, a person having an interest affected by this Zoning Code may appeal to the Circuit Court. Upon appeal, the Court shall review the record and decision of the Board to ensure that the decision:
 - (1) Complies with the Constitution and laws of the State;
 - (2) Is based upon proper procedure;

1 (3) Is supported by competent material and substantial evidence on the
2 record; and

3 (4) Represents the reasonable exercise of discretion granted by law to
4 the Board.

5 (b) If the Court finds that the record of the Board is inadequate to make the
6 review required by this section, or that there is additional evidence
7 which is material and with good reason was not presented to the Board,
8 the Court shall order further proceedings before the Board on conditions
9 which the Court considers proper. The Board may modify its findings
10 and decision as a result of the new proceedings, or may affirm its
11 original decision. The supplementary record and decisions shall be filed
12 with the Court.

13 (c) As a result of the review required by this section, the Court may affirm,
14 reverse or modify the decision of the Board.

Chapter 1276

Amendments

1276.01 Application for Amendment

- (a) An application to amend, supplement or change the regulations and boundaries of zoning districts may be made by any of the following persons:
 - 1. A person having a legal or equitable interest in the property;
 - 2. The authorized representative of a person having a legal or equitable interest in the property; or
 - 3. Council.
- (b) The application described in subsection (a) hereof shall be made on forms provided by the Planning Office and shall be filed with the City Clerk and accompanied by the fees required by Council.
- (c) Within one day after receipt of the application, the City Clerk shall refer the application to the Planning Board. Simultaneously, the City Clerk shall place the application on the agenda for the next Council meeting.
- (d) After the City Clerk refers the application to the Board, the Board shall hold not less than one public hearing before submitting a final report to Council and shall provide notice of the public hearing as described in subsection (e) hereof.
- (e) Not less than 15 days' notice of the time and place of the public hearing described in this subsection shall first be published in an official paper or a paper of general circulation in the City. In addition, not less than 15 days' notice of the time and place of the public hearing shall be given by mail to each public utility company and to each railroad company owning or operating any public utility or railroad within the districts or zones affected, if the public utility company or railroad registers its name and mailing address with the City Clerk for the purpose of receiving the notice. An affidavit of mailing shall be maintained by the Planning Office. In addition, the Planning Office shall provide not less than 15 days' notice of a public hearing on a proposed amendment to a zoning district boundary to the owner of the property in question, as represented on the tax records held in the office of the City Assessor. A hearing shall be granted an interested person at the time and place specified on the notice.

1276.02 Approval

- (a) After the public hearing described in subsection 1276.01(d), the Board shall make its final report to Council. A summary of the comments submitted at the public hearing shall be transmitted with the report of the Board to Council. Council shall hold at least one

public hearing and shall provide notice of a public hearing as described in subsection 1276.01(e).

- (b) Council shall not determine the boundaries of districts nor impose regulations until after the final report of the Board, nor shall this Zoning Code or the maps be amended after they are adopted in the first instance until the proposed amendment has been submitted to the Board and it has held at least one hearing and made a report. In either case, Council may adopt the ordinance and maps, with or without amendments, after receipt of the Board's report, or refer this Zoning Code and maps again to the Board for a further report.
- (c) Upon presentation of a protest petition meeting the requirements of this subsection, an amendment to this Zoning Code which is the object of the petition shall be passed only by a two-thirds vote of Council. The protest petition shall be presented to Council before final legislative action on the amendment, and shall be signed by one of the following:
- (1) The owners of at least 20 percent of the area of land included in the proposed change; or
 - (2) The owners of at least 20 percent of the area of land included within an area extending outward 100 feet from any point on the boundary of the land included in the proposed change.
- (d) For purposes of subsection (b) hereof, publicly owned land shall be excluded in calculating the 20 percent land area requirement.
- (e) Following the adoption of this Zoning Code and following the adoption of subsequent amendments to this Zoning Code by Council, one notice of adoption shall be published by the City Clerk in a newspaper of general circulation in the City within 15 days after adoption. The notice shall include the following information:
- (1) In the case of a newly adopted zoning ordinance, the following statement: "A zoning ordinance regulating the development and use of land has been adopted by Council;"
 - (2) In the case of an amendment to an existing ordinance, either a summary of the regulatory effect of the amendment, including the geographic area affected, or the text of the amendment;
 - (3) The effective date of the ordinance; and
 - (4) The place and time where a copy of the ordinance may be purchased or inspected.

1276.03 Conditional rezoning

- (a) Intent. It is recognized that there are certain instances when it would be in the best interests of the City, as well as advantageous to land owners seeking a change in zoning boundaries, if specific conditions were to be proposed by the land owner as part of a request for a rezoning. It is the intent of this section to provide a process consistent with MCL Section 125.3405 by which a land owner seeking a rezoning may voluntarily

propose conditions regarding the use and/or development of land as part of the rezoning request.

(b) Application and offer of conditions.

- (1) A land owner or a land owner's agent may voluntarily offer in writing conditions relating to the use and/or development of land for which a rezoning is requested. This offer may be made either at the time the application for rezoning is filed or at a later time during the rezoning process.
- (2) The required application and process for considering a rezoning request with conditions shall be the same as that for considering rezoning requests made without any offer of conditions, except as modified by the requirements of this section.
- (3) The land owner's offer of conditions may not purport to authorize uses or developments not permitted in the requested new zoning district.
- (4) Any use or development proposed as part of an offer of conditions that would require a special land use permit under the terms of this ordinance may only be commenced if a special land use permit for such use or development is ultimately granted in accordance with the provisions of this ordinance.
- (5) Any use or development proposed as part of an offer of conditions that would require a variance under the terms of this ordinance may only be commenced if a variance for such use or development is ultimately granted by the zoning board of appeals in accordance with the provisions of this ordinance.
- (6) Any use or development proposed as part of an offer of conditions that would require site plan approval under the terms of this ordinance may only be commenced if site plan approval for such use or development is ultimately granted in accordance with the provisions of this ordinance.
- (7) The offer of conditions may be amended during the process of rezoning consideration provided that any amended or additional conditions are offered voluntarily by the owner. an owner may withdraw all or part of its offer of conditions any time prior to final rezoning action of the City Council provided that, if such withdrawal occurs subsequent to the Planning Board's public hearing on the original rezoning request, then the rezoning application shall be referred to the Planning Board for a new public hearing with appropriate notice and a new recommendation.

(c) Planning Board review. The Planning Board, after public hearing and consideration of the factors for rezoning set forth in this ordinance, may recommend approval, approval with recommended changes or denial of the rezoning; provided, however, that any recommended changes to the

offer of conditions are acceptable to and thereafter offered by the land owner.

(d) City Council review. After receipt of the Planning Board's recommendation, the City Council shall deliberate upon the requested rezoning and may approve or deny the conditional rezoning request. The City Council's deliberations shall include, but not be limited to a consideration of the factors for rezoning set forth in this ordinance.

(e) Approval.

(1) If City Council finds the rezoning request and offer of conditions acceptable, the offered conditions shall be incorporated into a formal written statement of conditions acceptable to the land owner and conforming in form to the provisions of this ordinance. The statement of conditions shall be incorporated by attachment or otherwise as an inseparable part of the ordinance adopted by City Council to accomplish the requested rezoning.

(2) The statement of conditions shall:

- a. Contain a legal description of the land to which it pertains.
- b. Contain a statement acknowledging that the statement of conditions runs with the land and is binding upon successor owners of the land.
- c. Incorporate by attachment or reference any diagram, plans or other documents submitted or approved by the land owner that are necessary to illustrate the implementation of the statement of conditions. If any such documents are incorporated by reference, the reference shall specify where the document may be examined.
- d. (Contain the notarized signatures of all of the land owners of the subject land preceded by a statement attesting to the fact that they voluntarily offer and consent to the provisions contained within the statement of conditions.

(3) Upon the rezoning taking effect, the zoning map shall be amended to reflect the new zoning classification along with a designation that the land was rezoned with a statement of conditions. The City Clerk shall maintain a listing of all lands rezoned with a statement of conditions.

(4) The City Council shall have authority to require that the statement of conditions be recorded with the register of deeds if it determines that, given the nature of the conditions, the recording of such a document would be of material benefit to the City or to any subsequent owner of the land.

(5) Upon the rezoning taking effect, the use of the land so rezoned shall conform thereafter to all of the requirements regulating its use and development as contained in the statement of conditions.

- 1
- 2 (f) Compliance with conditions.
- 3 (1) Any person who establishes a development or commences a use
- 4 upon land that has been rezoned with conditions shall
- 5 continuously operate and maintain the development or use in
- 6 compliance with all of the conditions set forth in the statement of
- 7 conditions. Any failure to comply with a condition contained
- 8 within the statement of conditions shall constitute a violation of
- 9 this zoning ordinance and be punishable accordingly.
- 10 Additionally, any such violation shall be deemed a nuisance per se
- 11 and subject to judicial abatement as provided by law.
- 12 (2) No permit or approval shall be granted under this ordinance for
- 13 any use or development that is contrary to a statement of
- 14 conditions.
- 15 (g) Time period for establishing development or use. Unless another time
- 16 period is specified in the ordinance rezoning the subject land, the
- 17 approved development and/or use of the land pursuant to building and
- 18 other required permits must be commenced upon the land within 18
- 19 months (or shorter if specified) after the rezoning takes effect and
- 20 thereafter proceed diligently to completion. This time limitation may,
- 21 upon written request, be extended by the City Council if: (1) It is
- 22 demonstrated to the City Council's satisfaction that there is a strong
- 23 likelihood that the development and/or use will commence within the
- 24 period of extension and proceed diligently thereafter to completion and
- 25 (2) the City Council finds that there has not been a change in
- 26 circumstances that would render the zoning with statement of conditions
- 27 incompatible with other zones and uses in the surrounding area or
- 28 otherwise renders it inconsistent with zoning policy.
- 29 (h) Reversion of zoning. If approved development and/or use of the rezoned
- 30 land does not occur within the time frame specified under subsection (g)
- 31 above, then the land shall revert to its former zoning classification as set
- 32 forth in MCL § 125.3405.
- 33 (i) Subsequent rezoning of land. When land that is rezoned with a
- 34 statement of conditions is thereafter rezoned to a different zoning
- 35 classification or to the same zoning classification but with a different or
- 36 no statement of conditions, whether as a result of a reversion of zoning
- 37 or otherwise, the statement of conditions imposed under the former
- 38 zoning classification shall cease to be in effect. Upon the land owner's
- 39 written request, the City Clerk shall record with the register of deeds a
- 40 notice that the statement of conditions is no longer in effect.
- 41 (j) Amendment of conditions when extension requested. If a conditional
- 42 zoning has been approved and the applicant requests an extension of
- 43 time for commencement of the development, the City Council may add

1 to, delete or modify the conditions in the previously approved statement
2 of conditions as part of its decision to grant the requested extension so
3 long as the changes are proposed by the developer.

4 (k) City's right to rezone. Nothing in the statement of conditions nor in the
5 provisions of this section shall be deemed to prohibit the City from
6 rezoning all or any portion of land that is subject to a statement of
7 conditions to another zoning classification. Any rezoning shall be
8 conducted in compliance with City Ordinances and City Charter.

9 (l) Failure to offer conditions. The City shall not require a land owner to
10 offer conditions as a requirement for rezoning. The lack of an offer of
11 conditions shall not affect a land owner's rights under this ordinance.

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

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

20 Section 4. Section 8. This ordinance shall take effect thirty days after passage, and
21 pursuant to Section 3-307 of the City Charter, this Chapter shall expire December 31, _____

INTRODUCTION OF ORDINANCE

An ordinance of the City of Lansing, Michigan, to amend Chapter 1300, Section 1300.11 of the Lansing Codified Ordinances to allow marihuana microbusinesses to operate in a “F” and “F-1” Commercial Zoning District.

The Ordinance was introduced by Council Member Patricia Spitzley, read a first time by its title and referred to the Committee on Development and Planning

RESOLUTION SETTING PUBLIC HEARING BY CITY COUNCIL

Resolved by the City Council of the City of Lansing that a public hearing be set for November 30, 2020 at 7 p.m. in Tony Benavides Lansing City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, or by electronic interactive means, for the purpose of to prevent disease, prolong life and promote public health by providing for enforcement of local health orders or regulations issued pursuant to the Michigan public health code, being 1978 PA 368, as amended, MCL 333.1101, et seq.; to provide for penalties for willful violation of such orders or regulations with personal knowledge as a misdemeanor, or upon being informed of such order or regulation by a law enforcement officer, as a civil infraction.

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

Interested Persons are invited to attend this Public Hearing

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO AMEND THE
LANSING CODIFIED ORDINANCES BY AMENDING CHAPTER 1300, SECTION 1300.11,
TO ALLOW MARIHUANA MICROBUSINESSES TO OPERATE IN A F AND F-I
COMMERCIAL ZONING DISTRICT.

THE CITY OF LANSING ORDAINS:

Section 1. That Chapter 1300 Section 1300.11, of the Code of Ordinances of the City of
Lansing, Michigan be and is hereby amended to read as follows:

1300.11. - Location of Marihuana Growers, Marihuana Safety Compliance Facilities, Marihuana
Processors, Marihuana Secure Transporters, Marihuana Microbusinesses, and Designated
Consumption Establishment.

(a) All Marihuana Growers ~~and Marihuana Microbusinesses~~ shall be limited to H-Light
Industrial and I-Heavy Industrial zoning districts as identified in this Code.

(b) All Marihuana Safety Compliance Facilities, Marihuana Processors, and Marihuana Secure
Transporters shall be limited to the H-Light Industrial, I-Heavy Industrial, or G2-Wholesale
zoning districts as identified in this Code.

(c) All Designated Consumption Establishments shall be limited to F and F-1 Commercial, G2-
Wholesale, H-Light Industrial, and I-Heavy Industrial zoning districts as identified in this Code.

(D) ALL MARIHUANA MICROBUSINESSES SHALL BE LIMITED TO F AND F-1
COMMERCIAL, H-LIGHT INDUSTRIAL, AND I-HEAVY INDUSTRIAL ZONING
DISTRICTS AS IDENTIFIED IN THIS CODE.

1 ~~(d)~~ (E) No marihuana operation shall be located in an unzoned area or in an area subject to an
2 agreement entered into pursuant to Public Act 425 of 1984.

3 Section 2. All ordinances, resolutions or rules, parts of ordinances, resolutions or rules
4 inconsistent with the provisions are repealed.

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

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

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Approved as to form:

City Attorney

Dated: _____



Chris Swope
Lansing City Clerk

November 6, 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 Entertainment and Public Facilities

April 28, 2020
May 26, 2020
June 24, 2020
September 2, 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 NAME>>
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Licensing and Enforcement Division of the Michigan Liquor Control Commission received a request from Sidecar Lansing, LLC to transfer ownership of Escrowed 2020 Class C Licensed Business, New SDM License Issued Under MCL 436.1533(5)(A), Non-Transferable, New Sunday Sales Permit (AM & PM); and

WHEREAS, the «Committee_Name» met on _____ to review the request with affirmative action taken;

NOW, THEREFORE, BE IT RESOLVED, the Lansing City Council, hereby, approves the request from Sidecar Lansing, LLC to transfer ownership of Escrowed 2020 Class C Licensed Business, New SDM License Issued Under MCL 436.1533(5)(A), Non-Transferable, New Sunday Sales Permit (AM & PM);

RESOLUTION

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

WHEREAS, City Clerk Chris Swope submitted a recommended list of dates for the Lansing City Council meetings for 2021 to the Lansing City Council; and

WHEREAS, the Committee of the Whole will meet at 5:30 p.m. or at another time or date as determined by the Council President, before all Monday Council meetings listed below; and

WHEREAS, the Committee of the Whole will meet at 5:30 p.m. on Monday, January 4, 2021; and

WHEREAS, the Lansing City Charter requires the City Council to meet at least 26 times each year; and

WHEREAS, the Committee of the Whole has reviewed the City Clerk's recommendations for the meeting dates for 2021.

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby approves the Lansing City Council meeting dates for 2021 as follows:

Monday, January 4, 2021; Annual Organizational - 1st meeting of year
Monday, January 11, 2021
Monday, January 25, 2021
Monday, February 8, 2021
Monday, February 22, 2021; Board List - prior to first meeting in March
Monday, March 8, 2021
Monday, March 22, 2021; Mayor's Budget - on or before 4th Monday in March
Monday, April 12, 2021
Monday, April 26, 2021; Mayor's Board Appointments - prior to first meeting in May
Monday, May 3, 2021
Monday, May 10, 2021
Monday, May 17, 2021; Adopt Budget - not later than 3rd Monday in May
Monday, June 7, 2021 Council Act on Appointments - at or before 1st meeting in June
Monday, June 21, 2021
Monday, July 12, 2021
Monday, July 26, 2021
Monday, August 9, 2021
Monday, August 23, 2021
Monday, August 30, 2021
Monday, September 13, 2021
Monday, September 20, 2021; Budget Priorities - no later than October 1
Monday, October 11, 2021
Monday, October 25, 2021

Monday, November 8, 2021
Monday, November 29, 2021
Monday, December 13, 2021

All meetings will be on Monday at 7:00 p.m. in the the Tony Benavides Lansing City Council Chambers, 10th Floor City Hall.

BE IT FURTHER RESOLVED that the Council shall meet as a Committee of the Whole on Monday, January 4, 2021 at 5:30 p.m.



Chris Swope

Lansing City Clerk



XV A 1 d

November 6, 2020

Lansing City Council Members

10th Floor City Hall

Lansing, MI 48933

Dear Councilmembers:

This is to notify you that my office received on October 30, 2020 Mayor Schor's Executive Order 2020-006 which extends the closure of City owned buildings to the public until January 11, 2020 except by appointment. The Order is attached.

Sincerely,

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

Chris Swope, MMC/MiPMC

Lansing City Clerk

Andy Schor
Mayor



City Hall - 9th Floor
124 W Michigan Avenue
Lansing, MI 48933-1694
PH: 517.483.4141 - FAX: 517.483.6066
Lansing.Mayor@lansingmi.gov

OFFICE OF THE MAYOR
CITY OF LANSING, MICHIGAN

RECEIVED
2020 OCT 30 AM 11:45
LANSING CITY CLERK

TO: COUNCIL PRESIDENT, COUNCIL VICE PRESIDENT, MEMBERS OF LANSING CITY COUNCIL; ALL OFFICERS, EMPLOYEES, AGENCIES, BOARDS, AUTHORITIES, AND DEPARTMETNS OF THE CITY OF LANSING

RE: EXECUTIVE ORDER 2020-06 CONTINUED CITY OF LANSING BUILDING CLOSURE

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.

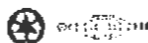
On January 21, 2020, the United States Department of Health and Human Services Secretary Alex Azar declared a public health emergency for COVID-19.

On or about March 10, 2020, Governor Gretchen Whitmer issued Executive Order 2020-04 declaring a state of emergency for the State of Michigan.

On March 16, 2020, pursuant to Section 10 of Public Act 390 as amended, I declared that a State of Emergency exists in the City of Lansing in response to the novel coronavirus (COVID-19) pandemic.

That since I issued my last order on March 16, 2020, Ingham County, State of Michigan in most recent reports from the CDC show a significant increase in COVID cases in Lansing, in Ingham County, and in over 40 states.

Therefore, pursuant to the direction and mandate given to me by the People of the City of Lansing, as expressed in State Law, City Charter and City Ordinances, and through emergency declaration, I hereby issue the following Order:



EXECUTIVE ORDER 2020-06

IT IS HEREBY ORDERED:

- I. City of Lansing City Hall and all City owned buildings shall continue to remain closed to the public until January 11, 2021.**
- II. That City Hall and City buildings will remain accessible to the public by appointment only.**
- III. That the City Clerk's offices in City Hall and in the South Washington Office Complex shall remain open to the public for all voting purposes as required by law through November 3rd.**

This Executive Order, signed on the 30th of October, 2020, shall remain in full force and effect until it is rescinded or suspended.



Andy Schor, Mayor of the City of Lansing
Michigan

INTRODUCTION OF ORDINANCES

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

Z-4-2020: 220 N. Pennsylvania Avenue from “C” Residential district to “DM-4” Residential district

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

BY THE COMMITTEE ON DEVELOPMENT & PLANNING

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

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

Z-4-2020: 220 N. Pennsylvania Avenue from “C” Residential district to “DM-4”
Residential district

CITY OF LANSING
NOTICE OF PUBLIC HEARING

Z-4-2020, 220 N. Pennsylvania Avenue
Rezoning from “C” Residential to “DM-4” Residential

The Lansing City Council will hold a public hearing on Monday, 2020 at 7:00 p.m. to consider Z-4-2020, a request by Edward W. Sparrow Hospital Association to rezone the property located at 220 N. Pennsylvania Avenue from “C” Residential district to “DM-4” Residential district. The purpose of the rezoning is to permit the use of the property for expansion of the Sparrow hospital facilities.

The meeting will be conducted remotely via Zoom Conferencing at <https://us02web.zoom.us/j/> or by dialing 312-626-6799 using meeting ID: .

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

Chris Swope, City Clerk

Z-4-2020 is a request by Sparrow Hospital to rezone the property at 220 N. Pennsylvania Avenue. This is the site of the now closed Eastern High School that has been purchased by Sparrow Hospital.

The intent of the rezoning is to allow Sparrow to expand its facilities onto the subject property.

On November 4, 2020, the Planning Board voted unanimously to recommend approval of the request.

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

ORDINANCE # _____

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

The City of Lansing ordains:

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

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

Case Number: Z-6-2020

Parcel Number: 33-01-01-15-126-287

Address: 220 N. Pennsylvania Avenue

Legal Descriptions: Part of the North 1/2, Section 15, T4N, R2W, City of Lansing, Ingham County, Michigan, being more particularly described as: Commencing at the North 1/4 corner of Section 15; thence S01°15'05"W, 40.00 feet; thence N88°31'40"W, 335.76 feet along the South line of East Saginaw Street; thence S01°52'00"W, 395.17 feet along the East line of "Jones & Porter's Addition to the City of Lansing", as recorded in Liber 2 of Plats, Page 20, Ingham County Records and the East line of "Fairview Subdivision to the City of Lansing" as recorded in Liber 3 of Plats, Page 46, Ingham County Records; thence N88°32'59"W, 940.21 feet along the South line of said "Fairview Subdivision to the City of Lansing"; thence S01°52'00"W, 942.18 feet along the East line of Pennsylvania Avenue to the Point of Beginning of the following described Parcel; thence N85°29'19"E 7.66 feet; thence S88°24'47"E, 158.60 feet; thence N88°39'04"E, 165.79 feet; thence S00°24'18"E, 35.16 feet; thence 125.62 feet along a 79.58 foot radius curve to the right, said curve having a central angle of 90°26'45" and a chord of S38°39'35"E, 112.98 feet; thence S89°11'28"E, 373.45 feet; thence S01°26'08"W, 268.86 feet; thence S88°41'53"E, 17.71 feet; thence N78°04'10"E, 85.00 feet; thence S88°16'29"E, 359.67 feet to the West line of "Gower's Addition to the City of Lansing", as recorded in Liber 3 of Plats on Page 31, Ingham County Records; thence S01°56'21"W, 239.02 feet along the West line of said "Gower's Addition to the City of Lansing"; thence N88°43'18"W, 552.36 feet; thence S01°17'55"W, 228.76 feet to the North line of Jerome Street; thence N88°44'59"W, 691.62 feet along said North line of Jerome Street to the East line of Pennsylvania Avenue; thence N01°52'00"E, 831.60 feet along the said East line of Pennsylvania Avenue to the Point of Beginning. Containing 15.92 acres, more or less, from "C" Residential district to "DM-4" Residential district.

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

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

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

GENERAL INFORMATION

APPLICANT/OWNER:	Edward W. Sparrow Hospital Association 1215 E. Michigan Avenue Lansing, MI 48912
REQUESTED ACTIONS:	Rezone the property at 220 N. Pennsylvania Avenue from “C” Residential to “DM-4” Residential
EXISTING LAND USE:	Former Lansing Eastern High School
EXISTING ZONING:	“C” Residential District
PROPOSED ZONING:	“DM-4” Residential District
PROPERTY SIZE:	Irregular Shape 928,340.4 square feet – 21.3 acres
SURROUNDING LAND USE:	N: Commercial Building S: Motor Vehicle Repair Facility E: Urgent Care Facility & Multi-Family Residential W: Consumer’s Energy Right-of-Way
SURROUNDING ZONING:	N: “C” Residential District S: “DM-4” Residential District E: “C” & “DM-4 Residential & “J” Parking Districts W: “DM-4” Residential District
MASTER PLAN:	The Design Lansing Comprehensive Plan designates the subject property for use as a “Community Facility”. N. Pennsylvania is designated as a principal arterial. N. Holmes and Jerome Streets are designated as local road (in the process of being vacated).

DESCRIPTION:

This is a request by Edward W. Sparrow Hospital Association to rezone the property located at 220 N. Pennsylvania Avenue from “C” Residential district to “DM-4” Residential district. The purpose of the rezoning is to permit the use of the property for expansion of the Sparrow hospital facilities.

AGENCY RESPONSES**BWL:**

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

Fire Marshal:

Parks & Recreation: No comments

Public Service: No Issues. Any development would require a site plan

Traffic Engineer: If any new use of the site increases the amount of ingress and egress traffic, or if additional access points are requested on Pennsylvania Avenue, a traffic study will be required prior to approval of the development.

COMPATIBILITY WITH SURROUNDING LAND USE

The subject property is located just north of the Sparrow Hospital main campus at 1215 E. Michigan Avenue and just west of the Sparrow office building at 1223 Jerome Street. Both properties are zoned "DM-4" Residential which is the appropriate zoning for hospital facilities. It is part of the former Eastern High School property. The purpose of rezoning the subject property to "DM-4" Residential is to allow for expansion of the Sparrow hospital facilities onto the subject property. As evidenced by the attached aerial photograph, the main Hospital campus is completely developed, as is the property to the south, east and west. The subject property is therefore, the only option for expansion of the hospital which is why it was purchased from the Lansing School District when Eastern High was closed. The property to the north is still owned by the School District and is zoned "C" Residential. The property to the east contains a Sparrow parking lot that is zoned "J" Parking and the properties on the west side of N. Pennsylvania Avenue are primarily being used for multi-family residential apartments that are zoned "DM-3" Residential. The proposed rezoning and hence, the proposed use of the property for expansion of the Sparrow hospital facilities are therefore, consistent with the established zoning and land use patterns in the area.

COMPLIANCE WITH MASTER PLAN

The Design Lansing Comprehensive Plan designates the subject property for use as a "Community Facility", presumably since there was no reason to believe that the school would be closed and the property sold into private ownership at the time that the Plan was written. When the Plan is updated, the staff recommendation will be to designate the subject property for "institutional" land use which, by definition, includes hospitals.

IMPACT ON VEHICULAR AND PEDESTRIAN TRAFFIC

The proposed rezoning and future development of the subject property will have no negative impacts on vehicular or pedestrian traffic in the area. The City is currently processing an ACT 33 request to vacate N. Holmes & Jerome Streets. Once that is finalized, the vacated streets will automatically be combined with the adjoining Sparrow properties. These streets will continue to provide access to the existing Sparrow Hospital facilities and to the property that is the subject of this rezoning. The primary access to the subject property is via the existing driveway along N. Pennsylvania Avenue. N. Pennsylvania is a principal arterial that is designed to carry a high volume of traffic. A traffic study

may be required as part of the site plan review process to determine what traffic control measures are necessary to accommodate the traffic that would be generated by the proposed development. There are traffic control mechanisms (signals, designated crosswalks, signs, etc.) already in place to safely accommodate existing pedestrian traffic in the area. Additional mechanisms necessary to accommodate safe pedestrian access to future development of the site will be determined as part of the site plan review process.

IMPACT ON PUBLIC FACILITIES

New development will have to be reviewed and approved through the City's administrative site plan review process, at which time the adequacy of utilities to accommodate the proposed development will be determined. Any extensions or upgrades necessary to serve the proposed development will be the responsibility of the applicant/owner. A primary component of the site plan review process is the evaluation and approval of a storm-water management plan by the City Engineers to ensure that run-off from the site flows into the storm sewer system at a rate that does not exceed its capacity.

ENVIRONMENTAL IMPACT

The proposed rezoning to accommodate an expansion of the Sparrow Hospital facilities will not negatively impact the environment. New development will be subject to compliance with all applicable City codes and ordinances, many of which are specifically designed to protect the environment. These include a 75% lot coverage limitation, landscaping requirements and storm-water management requirements to prevent soil erosion and to ensure that run-off from the site does not overwhelm the storm sewer system. As evidenced by the attached aerial photograph, the current site is at least 70% impervious. Redevelopment thus, will not degrade the natural environment of the site as it currently exists.

IMPACT ON FUTURE PATTERNS OF DEVELOPMENT

Approval of the requested rezoning will not negatively impact future patterns of development in the area. With the exception of the 52 acre School property to the north and east of the subject property, the area is completely developed. At some point the School property will likely need to be rezoned as its current "C" Residential zoning does not allow for many uses other than a school that would be appropriate for the site, given its size and location. Unlike the subject property, the School property directly adjoins a single family residential neighborhood and Lansing Catholic Central High School. A rezoning of that property thus, will need to restrict the uses to those that would be compatible with and not negatively impact the peaceful enjoyment of adjoining uses. The purpose for rezoning the subject property is not to introduce a new land use into the area but merely to allow for expansion of the existing Sparrow Hospital facilities. This subject property does not directly adjoin any residential uses. There is a dense residential neighborhood on the west side of N. Pennsylvania Avenue but it is separated from the subject property by a 5 lane road within a 120 foot road right-of-way.

SUMMARY

This is a request by Edward W. Sparrow Hospital Association to rezone the property located at 220 N. Pennsylvania Avenue from "C" Residential district to "DM-4" Residential district. The purpose of the rezoning is to permit the use of the property for expansion of the Sparrow hospital facilities.

The proposed "DM-4" zoning is consistent with the established zoning pattern in the area and will allow the subject property to be used for expansion of the Sparrow Hospital facilities which would be consistent with the existing land use pattern in the area. In addition, the transportation system in the area is designed to accommodate heavy volumes of vehicular and pedestrian traffic. The adequacy of utilities to serve future development of the property will be evaluated during the site plan review process.

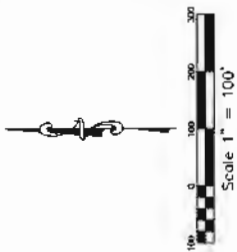
RECOMMENDATIONS

Pursuant to the findings described above, staff recommends approval of Z-4-2020 to rezone the property at 220 N. Pennsylvania Avenue from "C" Residential District to "DM-4" Residential District.

Respectfully Submitted,

**Susan Stachowiak
Zoning Administrator**

A diagram showing a stepped profile with diagonal hatching. The label 'ST' is written vertically within the profile.



LEGAL DESCRIPTION

FOR INFORMATION

**ZONED
COMMERCIAL MULTIPLE**

C - RESIDENTIAL - 2 UNIT

ZONED
DM-3 RESIDENTIAL MULTIPLE

ZONED
C - RESIDENTIAL - 2 UNIT

**ZONED
F-1 COMMERCIAL**

**ZONED
0-1 BUSINESS**

REZONING PLAN
FOR
SPARROW HEALTH SYSTEM
LANSING, MICHIGAN

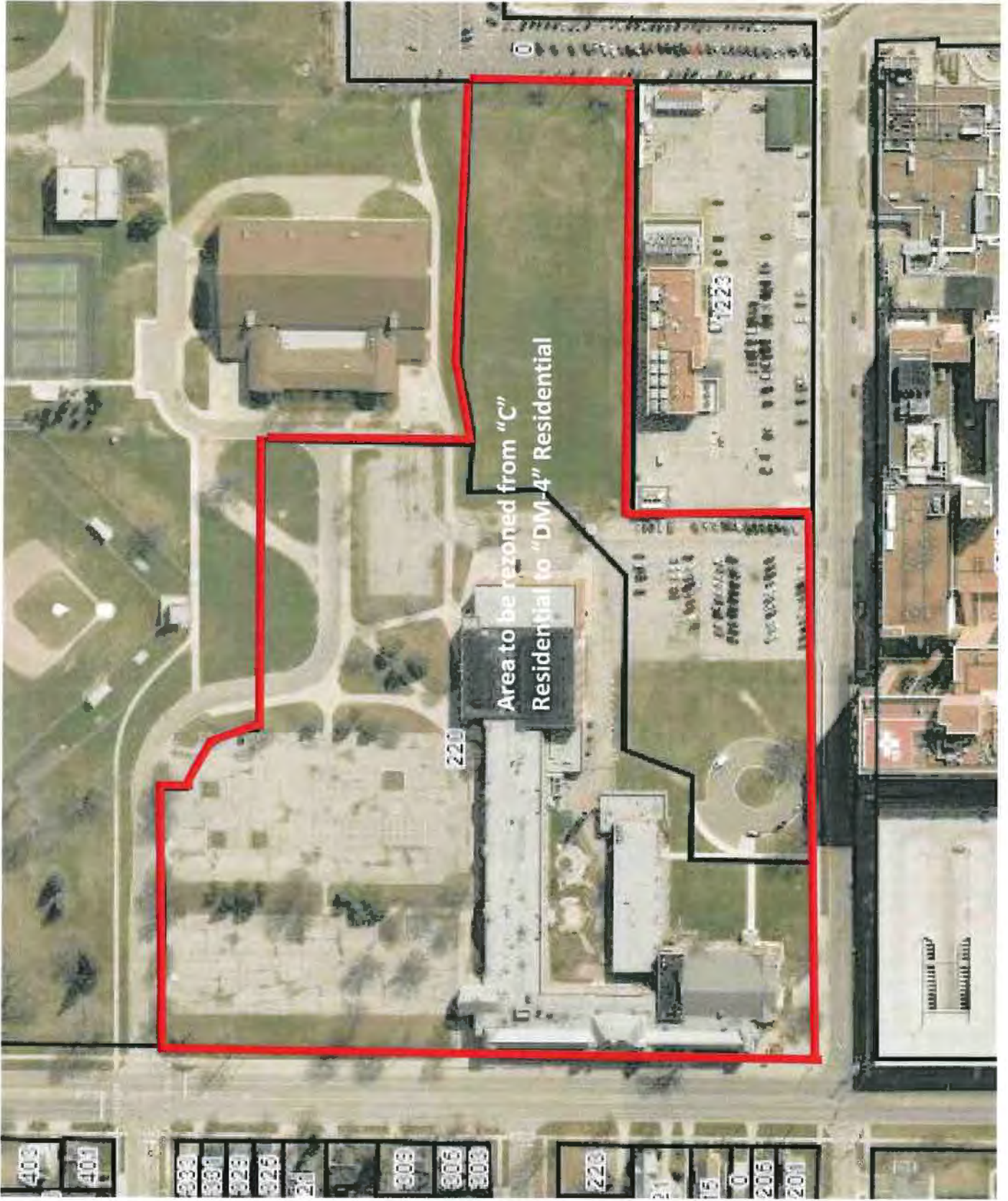
Sparrow
SPARROW HEATH SYSTEM
1215 E. MICHIGAN AVENUE
LANSING, MICHIGAN 48912

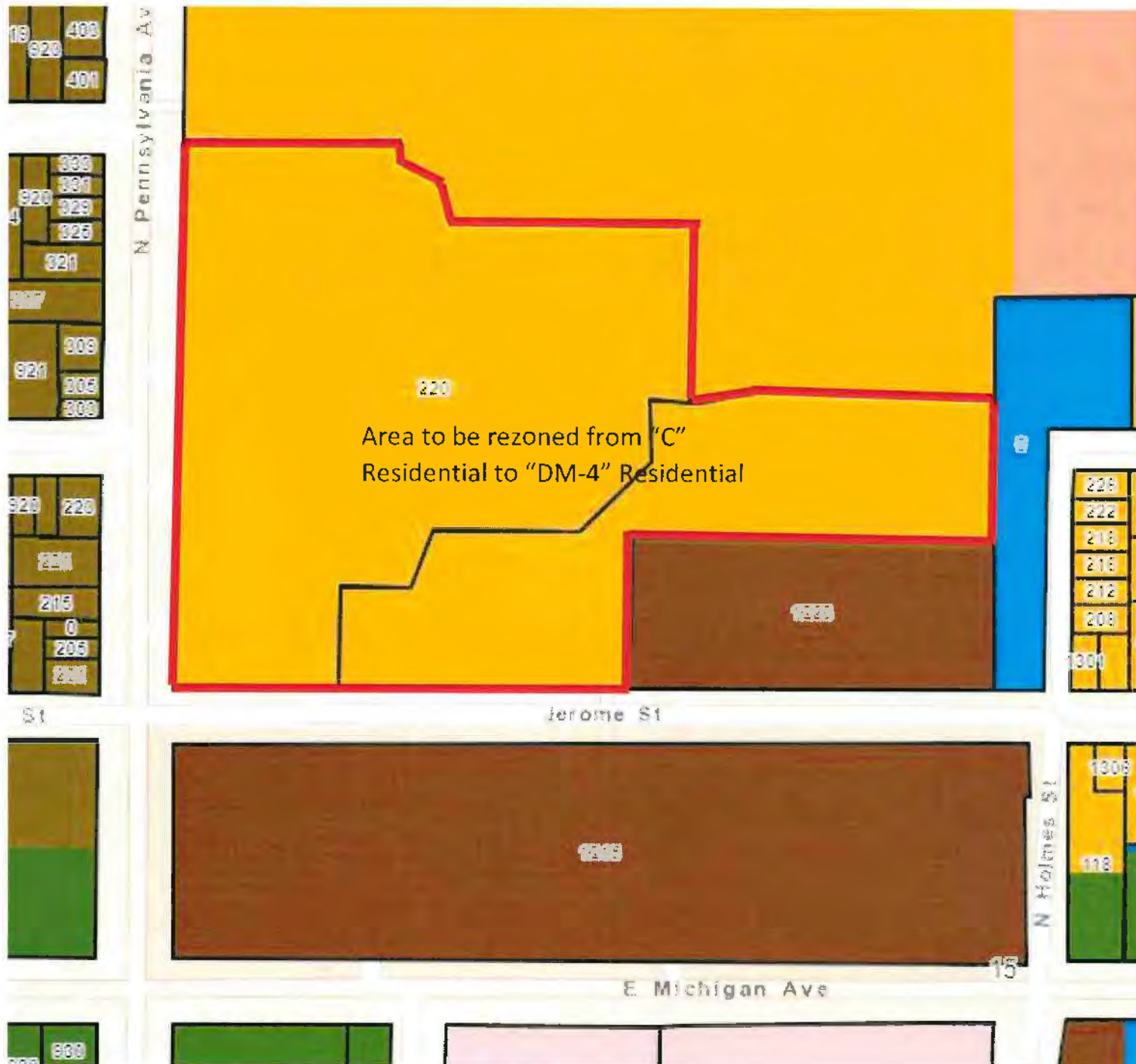
LSG
Engineers
& Surveyors

PERSONAL INFORMATION	
NAME	DATE
NAME (LAST, FIRST, MIDDLE)	DATE

NAME: JOHN DOE
 ADDRESS: 123 MAIN ST
 CITY: ANYTOWN
 STATE: CA
 ZIP: 90210
 PHONE: 555-1234
 FAX: 555-5678
 E-MAIL: JOE@EXAMPLE.COM
 PROJECT NO.: 2467
 SHEET NO.: 1 OF 1







Zoning District

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



BY THE COMMITTEE ON DEVELOPMENT & PLANNING

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, _____, 2020, at 7 p.m. in City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of approving and/or opposing the request to amend Chapter 1279, Appendix D of the Zoning Ordinance to expand the W. Saginaw Street Overlay District by including the area bounded by W. Oakland Avenue to the north, W. Saginaw Street to the south, Westmoreland Avenue to the west and N. M.L. King Jr. Blvd. to the east, with the exception of the property at 743 N. M.L. King Jr. Blvd. and an 80 foot wide by 377 foot deep strip of land along the west side of the site.

This is a request by RE Fund Lansing 1, LCC to amend Chapter 1279, Appendix D of the Zoning Ordinance to expand the W. Saginaw Street Overlay District by including the area bounded by W. Oakland Avenue to the north, W. Saginaw Street to the south, Westmoreland Avenue to the west and N. M.L. King Jr. Blvd. to the east, with the exception of the property at 743 N. M.L. King Jr. Blvd and an 80' x 377' strip of land along the west line of the site. The purpose of the rezoning is to allow the property to be redeveloped for commercial and multiple family residential use.

There are no changes to the text of the Ordinance. The change is to Appendix D of the Ordinance which is the map of the W. Saginaw Overlay District.

On November 4, 2020, the Planning Board voted unanimously to recommend approval of the request.

The applicant's representatives spoke at the public hearing and no other comments have been received.

CITY OF LANSING
NOTICE OF PUBLIC HEARING

**Zoning Ordinance Amendment
Expansion of the W. Saginaw Overlay District**

The Lansing City Council will hold a public hearing on Monday, 2020 at 7:00 p.m. to consider a request by RE Fund Lansing 1, LCC to amend Chapter 1279, Appendix D of the City of Lansing Zoning Ordinance to expand the W. Saginaw Street Overlay District by including the area bounded by W. Oakland Avenue to the north, W. Saginaw Street to the south, Westmoreland Avenue to the west and N. M.L. King Jr. Blvd. to the east, with the exception of the property at 743 N. M.L. King Jr. Blvd and an 80' x 377' strip of land along the west line of the site. The purpose of the rezoning is to allow the property to be redeveloped for commercial and multiple family residential use.

The meeting will be conducted remotely via Zoom Conferencing at <https://us02web.zoom.us/j/> or by dialing 312-626-6799 using meeting ID: .

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

Chris Swope, City Clerk

CHAPTER 1279. - OVERLAY DISTRICTS

[1279.01. - Intent.](#)

[1279.02. - General provisions.](#)

[1279.03. - Location.](#)

[1279.04. - Principal uses permitted.](#)

[1279.05. - Uses permitted subject to special conditions.](#)

[1279.06. - Special land uses.](#)

[1279.07. - Height and area requirements generally.](#)

[1279.08. - Off-street parking.](#)

[1279.09. - Signs.](#)

1279.01. - Intent.

The intent of this chapter is to encourage appropriate development within each **overlay** district by providing relief from on-site parking requirements, allowing pedestrian-oriented signage, and establishing criteria to assure compatibility of new, infill, and redevelopment with the unique character of each district conserving cultural, historic and property values.

1279.02. - General provisions.

- (a) The **overlay** districts of this chapter apply in combination with the underlying base district to impose regulations and standards that address special geographic areas or land use issues.
- (b) In the event of conflict between **overlay** district regulations and the regulations of the underlying base district, the **overlay** district regulations govern. In all other cases, both the **overlay** district and base district regulations apply.

1279.03. - Location.

The location and extent of each district shall be depicted in the appendices as follows:

- (1) Old Town Neighborhood **Overlay** District: Appendix A
- (2) Reo Town Neighborhood **Overlay** District: Appendix B
- (3) East Michigan Avenue Neighborhood **Overlay** District: Appendix C
- (4) West Saginaw Street Neighborhood **Overlay** District: Appendix D

1279.04. - Principal uses permitted.

All principal uses permitted in the Underlying Zoning District(s) are permitted by right in the **Overlay** Districts, provided they comply with all applicable requirements of the Underlying Zoning District and of this chapter. In addition, residential use to the density of the "DM-4" Residential District shall be permitted as a secondary use to a primary commercial use in all commercially zoned buildings located within the **Overlay** Districts.

1279.05. - Uses permitted subject to special conditions.

All conditional uses of the Underlying Base Zoning Districts, except vehicle dealerships are permitted in the **Overlay** Districts if the required conditions of the Underlying Zoning District and all applicable requirements of this chapter are met.

1279.06. - Special land uses.

Vehicle dealerships and all other special land uses described in the Underlying Zoning Districts may be permitted in the **Overlay** Districts, in accordance with the procedures described in [Chapter 1282](#) (special land use), if the conditions described in [Chapter 1282](#), the Underlying Zoning District and the applicable requirements of this chapter are met. No special land use permit shall be required for residential uses that are secondary to a primary commercial use and meet the density restrictions of the "DM-4" Residential District.

1279.07. - Height and area requirements generally.

In the **Overlay** Districts, the following height and area requirements shall apply:

- (1) *Front yards.* There shall be no front yard setback requirement in the **Overlay** Districts. Buildings shall be placed up to the front property line or to the average setback within the blockface, or anyplace in between. The setback shall not be greater than the average setback of the other buildings within the same blockface and parking shall not be permitted in a front yard.
- (2) *Side yards.* There shall be no side yard setback requirements in the **Overlay** Districts.
- (3) *Rear yards.* There shall be no rear yard setback requirement in the **Overlay** Districts.
- (4) *Height restrictions.*
 - A. All new buildings shall have at least two stories and shall be at least 25 feet in height measured from grade level at the front wall of the building.
 - B. All buildings, or portions of buildings, less than 50 feet from a residential use parcel shall not exceed 40 feet in height or the height of the existing structures on the residential use parcels, whichever is higher;
 - C. All buildings, or portions of buildings, 50 feet or greater than 50 feet from a residential use parcel shall not exceed 80 feet in height.

1279.08. - Off-street parking.

- (a) All areas included in the **Overlay** Districts, with the exception of those listed in subsections [1279.08\(b\)](#) and (c), are granted an 80 percent reduction in the minimum parking requirements of [Chapter 1284](#). All required parking spaces, except those required for residential uses, must be located within 300 feet of the property they serve and may

include legal on-street parking, city-owned off-street parking lots and private parking lots where there is an agreement for joint use.

- (b) All commercially zoned properties located within the Reo Town and Old Town **Overlay** Districts; that portion of the West Saginaw **Overlay** District on the north side of the right-of-way in the 900 block and the east ½ of the 1000 block; and that portion of the East Michigan Avenue District in the 2000 block on both the north and south sides of the right-of-way shall not be subject to the minimum parking requirements of [Chapter 1284](#)
- (c) In all **Overlay** Districts, at least one off-street parking space shall be required for each residential unit. Parking spaces for residential units may be located on the same lot as the unit or on a separate lot if it is located within 300 feet of the unit that it serves and there is an existing enforceable agreement with owner of said lot.

1279.09. - Signs.

The definitions set forth in [Chapter 1442](#) shall apply to this section.

- (1) Each commercial business establishment is permitted to have one projecting sign. Such sign shall not exceed 16 square feet in area and cannot project more than four and one-half feet from the front wall of the building. Projecting signs shall have a minimum of ten feet of clearance from the bottom of the sign to grade and may not extend above the roof line. The area of the projecting sign shall not be considered for the number of wall signs and maximum wall sign area permitted under [Chapter 1442](#). Projecting signs are subject to the provisions of Section [1022.06](#), encroachments, of the City of Lansing Codified Ordinances.
- (2) Each business establishment within an **Overlay** District is permitted to have one sandwich board sign not to exceed four feet in height and two feet in width. Sidewalk signs may be displayed during regular business hours and must be placed in a location that does not interfere with vehicular or pedestrian traffic.
- (3) No ground pole signs are allowed, except in those cases where the existing building is setback further than 20 feet.
- (4) No billboards shall be permitted within an **Overlay** District.



Andy Schor, Mayor

November 5, 2020

W. Saginaw Street Overlay District Amendment

RE Fund Lansing 1, LCC is requesting that the City amend Chapter 1279, Appendix D of the Zoning Ordinance to expand the W. Saginaw Street Overlay District by including the area bounded by W. Oakland Avenue to the north, W. Saginaw Street to the south, Westmoreland Avenue to the west and N. M.L. King Jr. Blvd. to the east, with the exception of the property at 743 N. M.L. King Jr. Blvd. which is the site of Westminster Presbyterian Church and a strip of land along the west side of the site. This area includes 5 parcels of land and Rose Court which is currently the subject of an Act 33 request by RE Fund to vacate that right-of-way. Mercy St. Lawrence Corporation owns the parcels that contain the hospital and the parking lot at the northeast corner of W. Saginaw and Westmoreland Avenue. The other 3 parcels are owned by RE Fund. Two of them are being used for parking and the parcel at the northwest corner of W. Saginaw & N. ML King contains a 5 story office building. RE Fund is acting on behalf of Mercy St. Lawrence Corp. in making this request for the parcels under its ownership.

The City has not been provided with a specific plan for redevelopment of the subject properties. The purpose of including this area in the W. Saginaw Overlay District is so that it can be redeveloped at some point in the future for a mix of commercial and multiple family residential use in accordance with the more flexible overlay district development standards as follows:

- No building setback requirements
- Increased building height
- Pedestrian oriented signage
- Residential use to the density of the "DM-4" district which is the City highest density residential zoning district
- A significant reduction in the number of required parking spaces

The subject properties will not be negatively impacted in any way by including them into the overlay district. No nonconformities will be created and no changes to the properties as they currently exist will be required. Additionally, the underlying zoning of the properties and the permitted uses will not change as a result of becoming part of the overlay district.

The staff recommendation is to approve the request to amend Chapter 1279, Appendix D of the Zoning Ordinance to expand the W. Saginaw Street Overlay District by including the area bounded by W. Oakland Avenue to the north, W. Saginaw Street to the south, Westmoreland Avenue to the west and N. M.L. King Jr. Blvd. to the east, with the exception of the property at 743 N. M.L. King Jr. Blvd. and with the exception of a strip of land along the west side of the site, legally described as follows:

Beginning at a point 130 feet north of the northwest corner of Lot 143, thence north 377 feet to the northwest corner of Lot 129, east 80 feet, south 377 feet, west 80 feet to the point of beginning, Oakdale Addition.

The intent of not including the area described above in the Overlay District is to preserve a setback along Westmorland Avenue to protect the residential character of that street.

RE FUND

August 14, 2020

Ms. Susan Stachowiak, Zoning Administrator
Department of Economic Development & Planning
Planning Office
City of Lansing
316 N. Capitol Avenue
Suite D-1
Lansing, Michigan 48933

Re: Amendment – Chapter 1279 Overlay District Regulations – West Saginaw Street

Dear Ms. Stachowiak:

On behalf of RE Fund Lansing 1, LCC, please accept this as our formal request to amend Chapter 1279 “Overlay District Regulations – West Saginaw Street” for the purpose of incorporating the following parcels within the boundaries governed by the aforementioned Zoning Chapter:

- 33-01-01-08-458-065
- 33-01-01-08-458-103
- 33-01-01-08-458-370
- Rose Court, a public right-of-way (vacation request has been submitted concurrently, under separate cover, with the request to amend the overlay district)
- 33-01-01-08-458-002
- 33-01-01-08-458-052

The request to amend is necessitated by our interest to redevelop portions of the West Saginaw corridor for both commercial and multi-family residential uses.

Please provide me with any formal application and/or procedural requirements necessary to have Chapter 1279 Overlay District Regulations – West Saginaw Street amended to include the area as identified.

We understand that the entirety of parcel 33-01-01-08-458-052 may not qualify for inclusion, due to depth of the parcel. Having said that, it would be helpful to understand the depth parameters that may apply.

Thank you for considering our request, and we look forward to your response.

Best regards,

A handwritten signature in black ink, appearing to read 'Bob Waun', with a large, stylized loop at the end.

Bob Waun

Member

RE Fund Lansing 1, LLC

(248) 722-9286

Bob@pspcrc.com

CHAPTER 1279. - OVERLAY DISTRICTS

1279.01. - Intent.

1279.02. - General provisions.

1279.03. - Location.

1279.04. - Principal uses permitted.

1279.05. - Uses permitted subject to special conditions.

1279.06. - Special land uses.

1279.07. - Height and area requirements generally.

1279.08. - Off-street parking.

1279.09. - Signs.

1279.01. - Intent.

The intent of this chapter is to encourage appropriate development within each **overlay** district by providing relief from on-site parking requirements, allowing pedestrian-oriented signage, and establishing criteria to assure compatibility of new, infill, and redevelopment with the unique character of each district conserving cultural, historic and property values.

1279.02. - General provisions.

- (a) The **overlay** districts of this chapter apply in combination with the underlying base district to impose regulations and standards that address special geographic areas or land use issues.
- (b) In the event of conflict between **overlay** district regulations and the regulations of the underlying base district, the **overlay** district regulations govern. In all other cases, both the **overlay** district and base district regulations apply.

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The location and extent of each district shall be depicted in the appendices as follows:

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All principal uses permitted in the Underlying Zoning District(s) are permitted by right in the **Overlay** Districts, provided they comply with all applicable requirements of the Underlying Zoning District and of this chapter. In addition, residential use to the density of the "DM-4" Residential District shall be permitted as a secondary use to a primary commercial use in all commercially zoned buildings located within the **Overlay** Districts.

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 - B. All buildings, or portions of buildings, less than 50 feet from a residential use parcel shall not exceed 40 feet in height or the height of the existing structures on the residential use parcels, whichever is higher;
 - C. All buildings, or portions of buildings, 50 feet or greater than 50 feet from a residential use parcel shall not exceed 80 feet in height.

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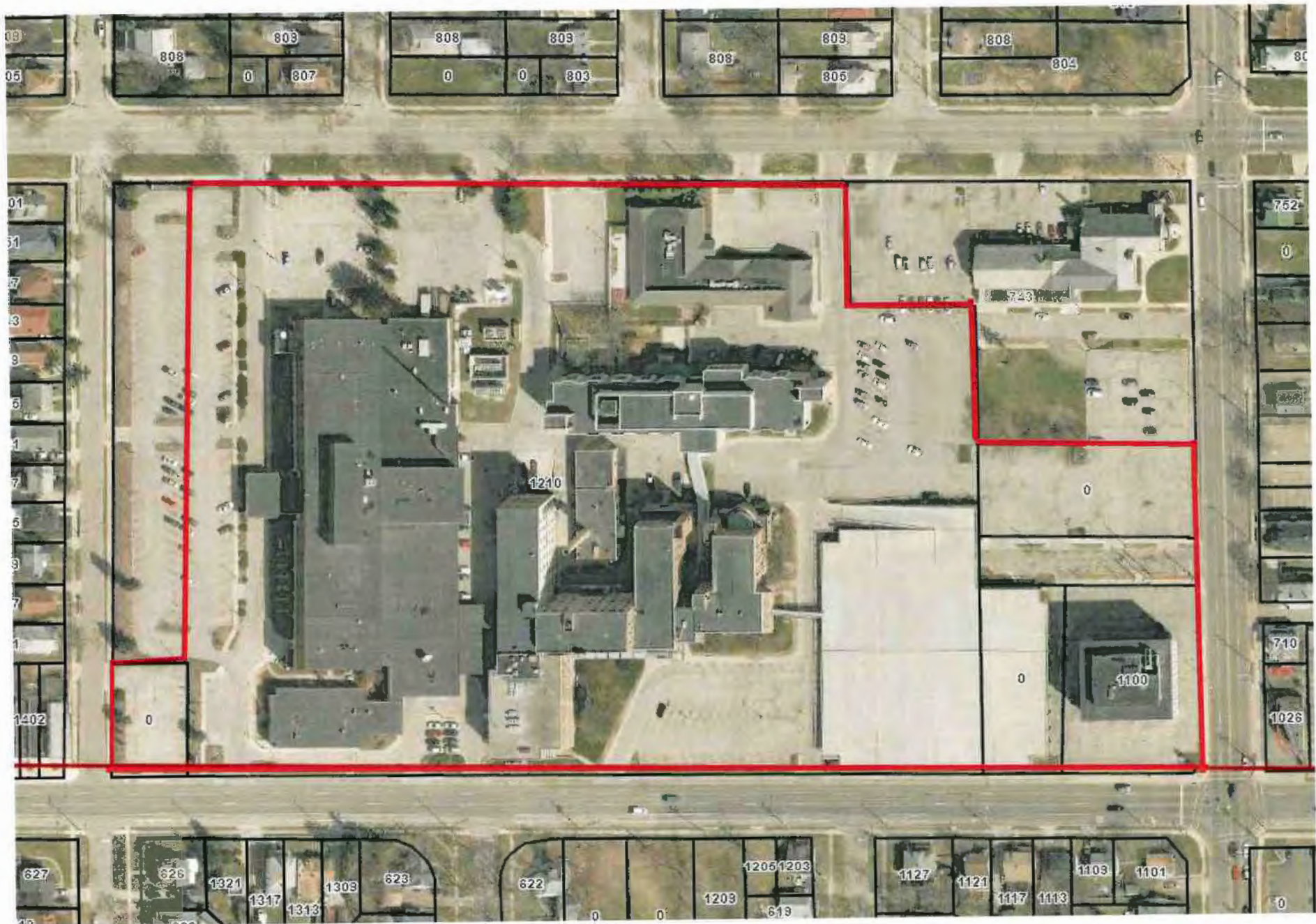
include legal on-street parking, city-owned off-street parking lots and private parking lots where there is an agreement for joint use.

- (b) All commercially zoned properties located within the Reo Town and Old Town **Overlay** Districts; that portion of the West Saginaw **Overlay** District on the north side of the right-of-way in the 900 block and the east ½ of the 1000 block; and that portion of the East Michigan Avenue District in the 2000 block on both the north and south sides of the right-of-way shall not be subject to the minimum parking requirements of [Chapter 1284](#)
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- (3) No ground pole signs are allowed, except in those cases where the existing building is setback further than 20 feet.
- (4) No billboards shall be permitted within an **Overlay** District.



**CITY OF LANSING
NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that the City Council of the City of Lansing will hold a public hearing at 7:00 p.m. during the City Council Meeting, via ZOOM Conferencing, Meeting ID **882 5906 2610**, on Monday, December 14, 2020 at 7:00 p.m. in the City Council Chambers, 10th Floor Lansing City Hall, 124 W. Michigan Ave., Lansing, MI for the purpose of considering:

An Ordinance of the City of Lansing, Michigan, to amend the Code of Ordinances of the City of Lansing by adding a new Section 888.32 for the purposes of providing for an extension of a service charge in lieu of taxes for seventy-six (76) low income multi-family dwelling units in a project known as the Walter French Apartments, pursuant to the provisions of The State Housing Development Authority Act of 1966, As Amended.

Note: Michigan Director of Health and Human Services Robert Gordon's Order of October 9, 2020 regarding Gather Prohibition and Face Covering, as well as states of emergency declared by the Mayor and approved by City Council have led to a closure of City Hall to public at this time due to COVID-19. Public observation and participation may be facilitated 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 <https://us02web.zoom.us/j/88259062610> or phone number 312 626 6799 and Meeting ID **882 5906 2610**. Michigan Public Act 228 of 2020 provides for authorization of remote participation in public meetings and hearings.

For more information, please call Lansing City Council at 517-483-4177. If you are interested in this matter, please attend the public hearing or send a representative. Written comments will be accepted between 8 a.m. and 5 p.m. on City business days if received before 5 p.m., 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
www.lansingmi.gov/Clerk

www.facebook.com/LansingClerkSwope

RESOLUTION #2020-

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

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Lansing that a public hearing be set for Monday, December 14, 2020, at 7 p.m. in City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of supporting and/or opposing the Ordinance establishing a Payment in Lieu of Taxes (PILOT) for Walter French Apartments.

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 December 14, 2020, meeting agenda.



Andy Schor, Mayor

APPLICATION FOR PAYMENT IN LIEU OF TAXES (PILOT)

PROJECT NAME:	Walter French
PILOT PERIOD REQUESTED:	2023 - 2039 Years (Should match term of qualifying mortgage)
NUMBER OF PARCELS IN PROJECT:	2 Parcels
APPLICATION TYPE: (Check all that apply)	☒ NEW PROJECT ☐ RESTRUCTURE OF PROJECT FINANCING ☐ CHANGE IN OWNERSHIP

A. OWNERSHIP INFORMATION

NAME OF OWNERSHIP ENTITY:	Capital Area Housing Partnership (as funding is received this will change to: 1900 Cedar Development, LLC/ Walter French LDHA LP)
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TYPE OF OWNERSHIP:	☒ LIMITED DIVIDEND HOUSING ASSOCIATION
	☐ QUALIFIED NONPROFIT HOUSING CORPORATION
	☐ CONSUMER HOUSING COOPERATIVE
	☒ OTHER: (DESCRIBE) current nonprofit – will change at funding

DEVELOPER/SPONSOR:	Capital Area Housing Partnership
DEVELOPER ADDRESS:	600 W Maple Suite D, Lansing, MI 48906

CONTACT PERSON:	Rawley Van Fossen	Mikki Droste
TELEPHONE:	517.332.4663	517.256.0286
EMAIL:	rawley@capitalareahousing.org	mikki@housinglinks.net

B. CITY APPROVALS NEEDED

PLANNING BOARD	☐ YES ☐ NO ☒ NOT APPLICABLE
	STATUS:
ZONING BOARD OF APPEALS	☐ YES ☒ NO ☐ NOT APPLICABLE
	STATUS: Was previously rezoned for mixed use/multifamily



Andy Schor, Mayor

HISTORIC DISTRICT COMMISSION	☐ YES ☒ NO ☐ NOT APPLICABLE
	STATUS:
OTHER:	STATUS:
EXPECTED PROJECT START DATE:	September 2022
EXPECTED PROJECT COMPLETION DATE:	December 2023

C. PROJECT INFORMATION

Project Address:	1900 S Cedar
General Location (e.g. cross streets)	Cedar/Mt. Hope
Is Project located in a Renaissance Zone?	☐ Yes ☒ No
Is Project located in a Neighborhood Enterprise Zone?	☐ Yes ☒ No
Is Ownership Entity able to demonstrate site control?	☒ Yes ☐ No

Note: Project is not eligible for PILOT if Ownership Entity is not able to demonstrate site control. Site control is demonstrated through ownership, purchase/option agreement, etc. Contact the Community Development Department with questions regarding sufficient documentation.

Provide a complete description of the project including the parties involved, necessary background information, number of parking spaces being provided, and any special certification (e.g. LEED) the project will target. (Provide attachment if necessary)



Andy Schor, Mayor

If project financing is being restructured, detail all physical improvements to the project completed within the last five (5) years and any planned improvements. (Provide as attachment if necessary)

D. BUILDING INFORMATION

Building Type (e.g. single/multi-family, number of floors)	Old school, 3 story
Total Number of Units:	76
Number of Rent Restricted Units:	76
Number of Market Rate Units:	0
Total Number of Barrier-Free Units:	8
Target Demographic(s)	seniors, families, persons with disabilities/homelessness

Transitional Housing for Homeless Project	☐ Yes ☒ No
Emergency Shelter Project	☐ Yes ☒ No
Targeted Income (% of Area Median Income)	30% - 80%
Residential Space Square Footage:	139,000 approx
Non-Residential (N/R Space):	☒ Yes ☐ No
Square Footage (of N/R Space):	30,000 approx
Use (of N/R Space):	Community, commercial
Neighborhood District:	

Describe how the project will fit into the neighborhood: As Walter French is a very visible anchor in the neighborhood, the redevelopment of this building/site is a vast improvement over the vacant, deteriorating condition of the site as has been the state it has been in for prior years. Mixed residential/commercial use of the space creates a good segway between the surrounding commercial/retail and residential uses on each side of the site.

Provide neighborhood feedback regarding any proposed new construction: No new construction, though a neighborhood meetings and tours have been held and project support was voiced from those who participated.



Andy Schor, Mayor

E. UNIT INFORMATION

Unit Type	Number of Units	Average Unit Size (sq. ft.)	Projected Monthly Rent per Unit (including utility allowances)	
			Restricted Rate	Market Rate
Rent Restricted Units				
0- Bedroom	0			
1- Bedroom	39	650	451-949	n/a
2- Bedroom	31	900	541-1137	n/a
3- Bedroom	6	1250	626-1311	n/a
4- Bedroom				
5- Bedroom				
Subtotal	76	estimated		

Provide a description of the units in the project:

The project will include 76 units that will follow the configuration of previous classrooms to allow for the historic renovation of the building. Large windows, high ceilings and large units will make units marketable.

Unit Type	Number of Units	Average Unit Size (sq. ft.)	Projected Monthly Rent per Unit (including utility allowances)
Market Rate Units			
0- Bedroom			
1- Bedroom			
2- Bedroom			
Subtotal			
Total	0		



Andy Schor, Mayor

F. PROJECT FINANCING

Federally-aided Mortgage, Advance, or Grant	☐ Yes	☒ No
Name of Loan/Credit Program	Term of Financing	Amount
		\$

State-aided Mortgage, Advance, or Grant	☒ Yes	☐ No
Name of Loan/Credit Program	Term of Financing	Amount
Taxable Loan	40 year/4.25% Mtg	\$1,816,957
HOME Gap Funding	Cash share loan	\$363,028
		\$

City-aided Mortgage, Advance, or Grant	☒ Yes	☐ No
Name of Loan/Credit Program	Term of Financing	Amount
CDBG	30 year	\$600,000
		\$

Low Income Housing Tax Credits (LIHTC)	☒ Yes	☐ No
Name of Loan/Credit Program	Term of Financing	Amount
MSHDA LIHTC/Cinnaire – 4%		\$1,399,343
Historic Tax Credits/Cinnaire		\$2,810,258
MSHDA LIHTC/Cinnaire – 9%		\$13,048,695

LIHTC Application Date: 9% - 2/1/21; 4% Gap 12/1/2020	
LIHTC Status:	Application in process for October funding round
Initial Use Commitment in LIHTC Application:	15 Years
Extended Use Commitment in LIHTC Application:	30 Years
Total Length of Affordability Commitment in LIHTC Application:	45 Years



Andy Schor, Mayor

Contact Person for Qualifying Federal or State Financing:	MSHDA/Chad Benson
Phone Number:	517.335.9874
Email:	bensonc@michigan.gov

Description and status of other (private) financing:	Commitment In process
--	-----------------------

Description why PILOT is necessary:	Rent affordability, competitive points to bring LIHTC. PILOT request at 6% of 76 units. A 10% PILOT was approved in 2019. Since that time the project costs have increased and the committed HOME/CDBG funds from the City of Lansing were reduced, requiring a lower PILOT. The difference between a 10% and 6% PILOT is approximately \$441,789 in increased hard debt to the project. As CAHP has provided the maximum commitment of funding allowed by MSHDA at \$1.3 million, the project requires the additional hard debt to be feasible.
Funding to project	

G. ADDITIONAL INFORMATION

Attach the following required documents to this application.

- ☒ Ownership Entity Organizational Documents
- ☒ Description of Project
- ☒ Legal Description of property (electronic version should be available on request)
- ☒ Evidence of Site Control
- ☒ Statement of Development Team Experience (be specific)
- ☒ Sources and Uses Statement (indicate if the funding is committed or pending)
- ☒ Operating Proforma (highlighting PILOT contribution to project)
- ☐ Financing Mortgage
- ☐ Financing Note
- ☐ Financing or Development Agreement/Copy of Regulatory Agreement
- ☒ Location Map of Project Parcels
- ☒ Property Manager Portfolio (of properties)
- ☐ PILOT "Savings Worksheet" (template provided by Development Office)
- ☐ Other Attachment (Describe)



Andy Schor, Mayor

Provide explanation below if any required documents are unavailable at the time of this application.

Financing mortgage/note/regulatory agreement are not available prior to award of funding and/or closing on financing.

The applicant is responsible for providing written notification to the Development Office of any change in the information contained in this application or its attachments as soon as the applicant becomes aware of the change.

The Development Office reserves the right to request additional information and/or supporting documentation related to this application

The undersigned hereby attests that to the best of his or her knowledge the information presented herein, including the attachments, is true and correct.

A handwritten signature in blue ink, reading "Rawley Van Fossen", is written over a horizontal line.

Date: 11-3-2020

Signature of Authorized Representative

Name: Rawley Van Fossen

Title: CAHP, Executive Director

1900 S Cedar Development, LLC, General Partner, Manager

401

06

**MICHIGAN DEPARTMENT OF CONSUMER AND INDUSTRY SERVICES
CORPORATION, SECURITIES, AND LAND DEVELOPMENT BUREAU**

Date Received			(FOR BUREAU USE ONLY)
JUN 20 2019			
Name THOMAS L. LAPKA Address 605 S. CAPITOL AVE City LANSING State MICHIGAN Zip Code 48933			
			TranInfo: 1 23730027-2 06/18/19 Chk#: 11329 Amt: \$10.00 ID: MALLORY LAPKA SCOTT & SELIN PLLC FILED EFFECTIVE DATE: JUN 21 2019

Document will be returned to the name and address you enter above

CERTIFICATE OF LIMITED PARTNERSHIP
For use by Domestic Limited Partnership
 (Please read information and instructions on the last page)

ADMINISTRATOR
CORPORATIONS DIVISION

Pursuant to the provisions of Act 213, Public Acts of 1982, the undersigned person(s) execute the following Certificate:

Section 1

The name of the limited partner is:

WALTER FRENCH LIMITED DIVIDEND HOUSING ASSOCIATION LIMITED PARTNERSHIP

Section 2

The general character of its business is: The purpose of the Partnership is to acquire, construct, rehabilitate, develop, improve, maintain, own, operate, lease, dispose of and otherwise deal with the Project in accordance with the Project Documents, any applicable Regulations and provisions of the Partnership Agreement. The Partnership has been organized exclusively to provide housing facilities for families of low and moderate income, or for persons whose income does not exceed limits established in Act No. 346 of Public Acts of 1966 of the State of Michigan, as amended, (the "Housing Act") and Section 42 of the Internal Revenue Code of 1986, as amended, and for social, recreational, commercial and communal facilities as may be necessary to serve and improve a residential area in which Authority-aided or federally-aided housing is located or is planned to be located, thereby, enhancing the viability of the housing. The Partnership shall not engage in any other business or activity.

Section 3

- a. The address of the office at which the limited partnership records are kept is: **600 W. Maple, Ste D., Lansing MI 48906**
- b. The name of the agent for service of process is: **Rawley Van Fossen**
- c. The address of the agent for service is: **600 West Maple, Suite D, Lansing MI 48906**

Section 4

The power of a limited partner to grant the right to become a limited partner to an assignee of any part of the partnership interest, and the terms and conditions of the power, are as follows:

Upon the admission of the Investor Limited Partner to the Partnership the Initial Limited Partner shall withdraw and it shall have no further interest in the Partnership except to the extent of its interest as a General Partner. No Limited Partner's interest may be sold.

Section 5

- a. Describe the times or events when a **general partner** may terminate membership in the limited partnership, and the

JP

terms and conditions of the termination.

If there is only one General Partner, it shall not have the right to retire or withdraw voluntarily from the Partnership without the prior written consent of the Limited Partners. If there is more than one General partner, it shall have the right to retire or voluntarily withdraw from the Partnership with the prior written consent of all other General Partners, provided that the Partnership has received an opinion of counsel (which counsel may be counsel to the Partnership) to the effect that the withdrawal will not affect the classification of the Partnership as a partnership by the Internal Revenue Service under the Code, Treasury Regulations thereunder or administrative guidelines or interpretations related thereto.

b. Describe the times or events when a **limited partner** may terminate membership in the limited partnership. Include the amount or method of determining any distribution the limited partner is entitled to receive upon termination of their membership.

A Limited Partner may terminate membership in the event of termination and dissolution of the Partnership pursuant to Article VII of the Partnership Agreement. A Limited Partner shall have the right to withdraw its capital account upon the termination of the Partnership as provided in the Partnership Agreement; provided, however, that no part of the capital account of any Limited partner shall withdraw unless all liabilities of the Partnership, except liabilities to Partners on account of their contributions have been paid to or unless the Partnership has the assets sufficient to pay them. Upon termination and dissolution of the Partnership, the then General Partners or General Partner shall proceed to the liquidation of the Partnership, and the proceeds of such liquidation shall be applied and distributed in accordance with the provisions of the Article VIII of the Partnership Agreement.

Section 6

The right of the limited partner to receive distributions of property, including cash, from the limited partnership, other than indicated in 5(b), is:

Distributions to the Limited Partnership(s) from cash flow shall be made in accordance with their respective capital accounts. The net cash proceeds resulting from the refinancing of any mortgage on, or sale, exchange, condemnation (or similar eminent taking), casualty or other disposition of all or any substantial part of the Partnership property or from the liquidation of the Property of the Partnership following a dissolution of the Partnership, shall be distributed and applied as set forth in the Partnership Agreement.

Section 7

The right of the limited partner to receive, or a general partner to make to a limited partner, distributions of property, which include a return of all or any part of the limited partner's contribution, other than indicated in 5(b), is:

None.

Section 8

The times or events at which the limited partnership is to be dissolved and its affairs wound up are:

The term of the Partnership shall be until December 31, 2075, unless the Partnership shall terminate upon the happening of any of the following events:

1. The bankruptcy, death, dissolution or adjudication or incompetence of a sole General Partner, subject to the Partnership Agreement;
2. The satisfaction of payment of an amount due to the Partnership pursuant to the sale of the last remaining Partnership asset;
3. The election by the General Partner pursuant to the Partnership Agreement;
4. The happening of any other event causing the dissolution of the Partnership under the laws of the State of Michigan and not otherwise addressed specifically on this Agreement.

Dissolution of the Partnership shall be effective on the day on which the event occurs giving rise to the dissolution, but the Partnership shall not terminate until the Partnership's certificate of limited partnership shall have been cancelled and the assets of the Partnership have been distributed as provided herein. Notwithstanding the dissolution of the Partnership, prior to the termination of the Partnership, the business of the Partnership and the affairs of the Partners, as such, shall continue to be governed by this Agreement.

Section 9

The right of the remaining general partner(s) to continue the business upon the event of withdrawal of a general partner is:

In the event of death, dissolution, retirement or adjudication of bankruptcy, or incompetency (hereinafter collectively referred to as "an event of termination") of any General Partner, the Partnership shall dissolve unless if at the time of the event termination, there is at least one other General Partner, then the remaining General Partner(s) shall continue the business of the partnership and shall give notification to the Limited Partners and make and file those amendments necessary to reflect the termination of the General Partner.

Section 10

Enter any other matters the partners may desire to include. If additional space is required, attach Supplement O. Attached are 0 page(s) of Supplement O.

Michigan State Housing Development Authority Provisions

1. Supervision of Authority. Notwithstanding any other provisions of this Agreement, the operations of the Partnership may be supervised by the Authority or by any other governmental body as the Authority directs and the Partnership shall enter into agreements with the Authority or with the governmental body as the Authority from time to time requires. The Agreements shall provide for regulation by the Authority or the governmental body of the planning, development and management of the housing development undertaken by the Partnership and the disposition of the property and franchises of the Partnership.
2. Right to Appoint Managing Agent. The Authority shall have the power to appoint a managing agent of the Partnership and its members, who may be an officer, employee, or agent of the Authority, and such managing agent shall have complete power to act as agent and attorney-in-fact for the Partnership and its members, in connection with any assets or liability of the Partnership, to fulfill any obligations the Partnership may have to the Authority if:
 - (a) The Partnership has received a loan or advance as provided in Act No. 346 of the Public Acts of 1966 of the State of Michigan, as amended (the "Housing Act") and the Authority determines that the loan or advance is in jeopardy of not being repaid.
 - (b) The Partnership has received a loan or advance as provided for in the Housing Act and the Authority determines that the proposed housing development for which the loan or advance was made is in jeopardy of not being constructed.
 - (c) The Authority determines that some part of the net income or net earnings of the Partnership, in excess of that permitted by other provisions of the Housing Act, shall inure to the benefit of any private individual, firm, corporation, partnership, trust or association.
 - (d) The Authority determines that the Partnership is in violation of any agreements entered into with the Authority providing for regulation by the Authority of the planning, development and management of any housing development undertaken by the Partnership or the disposition of the property and franchises of such Partnership.
 - (e) The Authority determines that the Partnership is in violation of its rules as promulgated under Section 22 of the Housing Act.
3. Return. By acceptance of a beneficial interest in said Partnership or by executing this Agreement, every member of the Partnership shall be deemed to have agreed that he, she or it at no time shall receive from the Partnership, any return in excess of the face value of the investment attributable to his, her or its respective interest plus cumulative dividend payments at a rate as the Authority determines to be reasonable and proper, computed from the initial date on which money was paid or property delivered in consideration for the interest, and that upon the dissolution of the Partnership, any surplus in excess of such amounts shall be paid to the Authority or to any other regulating governmental body as the Authority directs. As used in this paragraph, "surplus" shall not be deemed to include any increase in assets of the Partnership by reason of reduction of a mortgage, by amortization or similar payments or realized from the sale or disposition of any assets of the Partnership to the extent such surplus can be attributed to any increase in market value of any real property or tangible personal property occurring during the period the assets were owned and held by the Partnership. Any payment to a person having a beneficial interest in the Partnership shall not be deemed a "return" to such person if the funds with which such payment is made are funds contributed to the Partnership by persons purchasing a beneficial interest in the Partnership.
4. Authority's Reliance on Continuing Effect of Provisions. Notwithstanding any other provisions of this Agreement,

the Partners of the Partnership agree that the Authority may rely upon the continuing effect of this Agreement in form as approved by the Authority and, by the execution of this Agreement, such Partners agree not to amend, alter or change the provisions of this Agreement without the prior written consent of an Authorized Officer of the Authority.

Except as otherwise defined, all capitalized words and phrases used in this certificate of Limited Partnership (other than the full names and addresses of the Partners and governmental subdivisions and agencies) shall have the meanings set forth in the Partnership Agreement.

The responses to Section 4 through 9 above are all subject to the specific terms of the Partnership Agreement which is on file in the office of the Partnership.

Section 11

Complete one section for each partner (general and limited). General partners must be listed first followed by limited partners.

Item 1 - The type of partner must be either general or limited. The Certificate must include a definition of the title of the classification for any partner identified as other than general or limited.

Item 2 - Partner names of individuals must appear in the last name, first name, middle initial sequence. Partner names of trusts should be the trust name excluding the name of the trustee or trustees.

Item 3 - Indicate the business or residence address of the partner. The address should include the street number and name, city, state and ZIP code.

ITEMS 4 & 5 - LIMITED PARTNERS ONLY - ONE OR BOTH MUST BE COMPLETED

Item 4 - If applicable, indicate the amount of cash previously contributed. If contributions have been made in the form of property or services, indicate the agreed dollar value of the contribution in the "other \$ _____" space and complete Item 6.

Item 5 - If applicable, indicate the amount of cash to be contributed in the future and complete Item 7. If there are future contributions in the form of property or services, indicate the agreed dollar value of the contribution in the "other \$ _____" space and complete Items 6 and 7.

Item 8 - This certificate must be signed and dated by all partners (general and limited) named in the certificate. A partner may sign by attorney in fact.

Name of person or organization remitting fees:

MALLORY, LAPKA, SCOTT & SELIN, PLLC

Preparer's name and business telephone number:

Thomas L. Lapka

(517) 482-0222

SUPPLEMENT P

(This form replaces former Supplements P and L)
(Please read instructions on reverse side before completing form)

Limited Partnership Name: WALTER FRENCH LIMITED DIVIDEND HOUSING ASSOCIATION LIMITED PARTNERSHIP

Supplement to: Certificate of Limited Partnership

1. Type of Partner ☒ General ☐ Limited	2. Partner Name: 1900 Cedar Development, LLC
3. Address (No., Street, City, State, ZIP Code) 600 West Maple, Suite D, Lansing MI 48906	
4. Contributions Previously Made (Limited Partners Only) Cash \$ _____ Other \$ _____	5. Future Contributions to be Made (Limited Partners Only) Cash \$ _____ Other \$ _____
6. Description of Contributions Other than Cash: (Include all property or services contributed or to be contributed) NONE	
7. Times or Event Requiring Future Contributions: (Cash, Property or Services) NONE	
8. Signature: By: Capital Area Housing Partnership, its sole member  By: <u>Rawley Van Fossen, Executive Director</u>	
1. Type of Partner ☐ General ☒ Limited	2. Partner Name: Capital Area Housing Partnership
3. Address (No., Street, City, State, ZIP Code) 600 West Maple, Suite D, Lansing MI 48906	
4. Contributions Previously Made (Limited Partners Only) Cash \$ <u>10.00</u> Other \$ _____	5. Future Contributions to be Made (Limited Partners Only) Cash \$ _____ Other \$ _____
6. Description of Contributions Other than Cash: (Include all property or services contributed or to be contributed) NONE	
7. Times or Event Requiring Future Contributions: (Cash, Property or Services) NONE	
8. Signature:  Rawley Van Fossen, Executive Director	
9. Date: May 1, 2019	

Walter French



76 Residential Rental Units Adaptive Re-Use of Walter French Academy Lansing, Michigan November 2, 2020

EXECUTIVE SUMMARY

Project Type:	The adaptive re-use of this building will include residential housing, with target clientele to include seniors, families and persons with special needs. Spaces previously used as the gym and auditorium will be renovated for non-housing use.
Owner:	Limited Partnership: Walter French LDHA LP General Partner: 1900 Cedar Development, LLC
Location:	1900 S Cedar, Lausing, MI 48910 The development is located on the very visible corner of Mt. Hope/Cedar in Lansing.
Building Description:	The property was built as the Walter French Junior High School in 1925. In 2014 it was included in National Register of Historic Places for both its distinctive architectural characteristics and its significant contribution to the broad patterns of history. It is a three-story brick building that sustained interior fire damage in 2016 and 2019. The building currently retains much of the configuration of the school it was designed as. The Capital Area Housing Partnership is working with the Lansing Board of Water & Light to include Walter French in a demonstration program for power generation as a part of the adaptive reuse of this building.

Rental Unit Mix:	Unit Type	Percent of Median	2% Units	4% Units	Rents per Month
	Bedrooms				
	1 Bedroom	30% - 120%	27	12	\$344-\$747
	2 Bedroom	30% - 120%	20	11	\$411-\$901
	3 Bedroom	30% - 80%	5	1	\$665-\$1,142
			52	24	

PROPOSED DEVELOPMENT TEAM

Outlined below are the team members assembled to develop, design, construct, manage and finance this mixed use development.

Owner:	Walter French LDHA LP
General Partners:	1900 Cedar Development, LLC
Developers:	Capital Area Housing Partnership Rawley Van Fossen, Executive Director Mikki Droste, Consultant
Architect:	Quinn Evans Ann Dilcher, AIA, LEED AP, Principal
General Contractor:	Rohde Construction Chad White, Vice President
Property Management:	Continental Management Gary Offenbacher, Executive Vice President
LIHTC Syndicator:	Cinnaire Tom Edmiston, Sr. Vice President
Historic Tax Credit Syndicator:	Cinnaire Tom Edmiston, Sr. Vice President
Lender:	MSHDA/TBD
FHLE Member Bank:	TBD
Legal Counsel:	Mallory, Lapka, Scott & Selin Thomas L Lapka
Title Insurance:	Cinnaire Title Services Steve Smith, Executive Director
Environmental Services:	PM Environmental & Engineering Services Jaclyn Schafer, Regional Manager
Support Service Providers:	Advent Housing Clinton, Eaton, Ingham Community Mental Health
Other Financing/Partners:	City of Lansing, Development Partner Investment/LEAP (EPA grant for Phase I) Lansing Board of Water & Light Lansing Housing Commission (Rent vouchers)

DEVELOPMENT SUMMARY

Capital Area Housing Partnership intends to redevelop the now vacant and underutilized property located at 1900 South Cedar in Lansing. The development will include the historic restoration and adaptive reuse of the existing school adding 76 affordable housing units in the space previously used as classroom/office space. The proposed unit mix includes 46 one-bedroom, 24 two-bedroom and 6 three-bedroom units. 8 units will meet barrier free standards. Nineteen units will be reserved for persons of the highest need in the area and supportive services provided via partnerships with Advent Housing, CMH and other area providers.

Energy efficiency and green design are planned. A partnership with the Lansing Board of Water & Light will provide power generation on the site that will increase affordability of both the development and the ongoing operations of the building.

The walk-score rating for the site is 70, labeling it 'very walkable' and the site is within ¼ mile of an 80 walkscore as required to achieve maximum scoring. Shopping, entertainment, schools, parks and medical facilities are within 1 mile of the property, increasing its desirability for residential tenants.

Common/Community/Commercial use of the previous gyms, auditorium and cafeteria is in the design phase with ongoing conversations with BWL and several mid-Michigan community service agencies in need of collaboration and office space.

General Partners, 1900 Cedar Development LLC and Capital Area Housing Partnership bring a long history of affordable housing development, management and community collaboration.

1900 Cedar Development, LLC/Capital Area Housing Partnership is a nonprofit Community Housing Development Organization (CHDO) and a Community Based Development Organization (CBDO) that has been providing affordable housing opportunities for 26 years in mid-Michigan, including the LIHTC funded Deerpath Apartments, Marsh Point Apartments, Bailey Center in East Lansing and is in the process of completing the renovation of Walnut Manor, extending the life of 32 affordable/permanent supportive housing units. A strong understanding of federal funding regulations and a staff and board with development, property management and compliance experience will be valuable to the development and ongoing prosperity of this project.

Additional programs offered by the Capital Area Housing Partnership in the mid-Michigan market include home-buyer assistance (down payment and rehabilitation), home-owner rehabilitation, development of affordable single-family housing for home-owners, education and counseling for home-buyers and an employee down payment assistance program administered for progressive local employers.

ECONOMIC IMPACT – JOB CREATION

The economic impact of building new housing, according to an April 2015 report from the Housing Policy Department National Home Builders Association in the report named “The Economic Impact of Home Building in a Typical Local Area”, is listed below.

Using the below computations, the estimated one-year impact, or short term job creation for Walter French will be 116 local jobs. Annually recurring impacts, or long-term job creation equals 32 local jobs.

Multifamily Construction

The estimated one-year impacts of building 100 rental apartments in a typical local area include

- *\$11.7 million in local income,*
- *\$2.2 million in taxes and other revenue for local governments, and*
- *161 local jobs.*

These are local impacts, representing income and jobs for residents of the typical metropolitan area or nonmetropolitan county, and revenue for all jurisdictions within the local area. They are also one-year impacts that include both the direct and indirect impact of the construction activity itself, and the impact of local residents who earn money from the construction activity spending part of it within the local area's economy.

The additional, annually recurring impacts of building 100 rental apartments in a typical local area include

- *\$2.6 million in local income,*
- *\$503,000 in taxes and other revenue for local governments, and*
- *44 local jobs.*

These are ongoing, annual local impacts that result from the new apartments becoming occupied, and the occupants paying taxes and otherwise participating in the local economy year after year. They also represent impacts that have been reduced to account for the natural vacancy rate that tends to prevail in multifamily properties (see page 23 of the Technical Documentation).

The full report can be found at:

https://www.nahbclassic.org/fileUpload_details.aspx?contentTypeID=3&contentID=243689&subContentID=645614&channelID=311

Issued Through:
CINNAIRE TITLE SERVICES, LLC
1118 S. Washington
Lansing, MI 48910
517-482-8555

Legal Description

Agents for: **OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY**

ALTA COMMITMENT

SCHEDULE A

COMMITMENT NO. 702827a

1. Effective Date: **February 21, 2020, AT 8:00 am**
2. Policy or policies to be issued: **AMOUNT**

(a) **OWNERS POLICY** **\$21,000,000.00**
Proposed Insured:
Walter French Limited Dividend Housing Association Limited Partnership

(b) **MORTGAGEE POLICY**
Proposed Insured: **(W/O STD. EXCEPTIONS)**

3. The estate or interest in the land described or referred to in this Commitment and covered herein is **Fee Simple** and title thereto is at the effective date hereof vested in:

Capital Area Housing Partnership

4. The land referred to in this commitment is situated in the County of Ingham, State of Michigan, is described as follows:

Parcel 1:

That part of Assessor's Plat No. 46, on Northeast 1/4 of Section 28, T4N, R2W, City of Lansing, Ingham County, Michigan, recorded in Liber 12 of Plats, Page 7, Ingham County Records, beginning on the South Right of Way line of Mt. Hope Avenue, 43.0 feet South of the North Section line, at a point 100.0 feet Easterly of the West line of Lot 5 of said Assessor's Plat No. 46, running thence along said right of way line North 89°11'30" East 593.67 feet to a point of curvature; thence Southeasterly 53.53 feet along the arc of a 30 foot radius curve to the right whose chord bears South 39°41'30" East 46.71 feet to the Westerly right of way line of Cedar Street; thence along said Westerly line the following five courses, South 11°25'30" West 118.66 feet; thence Southerly 197.93 feet along the arc of a 917.22 foot radius curve to the left whose chord bears South 5°14'25" West 197.53 feet to a point of tangency; thence South 0°56'30" East 5.43 feet; thence South 10°34'39" West 22.18 feet; thence South 0°56'30" East 83.05 feet; thence South 89°08' West 403.42 feet; thence South 350.30 feet; thence West 268.84 feet; thence North 648.14 feet; thence North 89°11'30" East 100.0 feet; thence North 0°53' West 162.0 feet to the point of beginning.

Address:

1900 S. Cedar St, Lansing, MI 48910

Parcel 2:

Lot 57, Chittenden's Subdivision City of Lansing, according to the recorded plat thereof, Ingham County Records.

QUIT CLAIM DEED

Louis J. Eyde Family, LLC, a Michigan limited liability company, successor by conversion to Louis J. Eyde Limited Family Partnership, a Michigan limited partnership and George F. Eyde Family, LLC, a Michigan limited liability company, successor by conversion to George F. Eyde Limited Family Partnership, a Michigan limited partnership, whose address is 300 South Washington Square, Suite 400, Lansing, Michigan 48933 (collectively, "Grantor"), quit claims to CAPITAL AREA HOUSING PARTNERSHIP, a Michigan nonprofit corporation, whose address is 1290 Deerpath Lane, East Lansing, Michigan 48823 ("Grantee"), whatever right, title and interest Grantor has in and to that certain real property situated the City of Lansing, County of Ingham, State of Michigan described on Exhibit A attached hereto and made a part hereof subject to all building and use restrictions, easements and rights of way and all matters of record.

Grantor grants to Grantee the right to make 100% of remaining division(s) under Section 108 of the Land Division Act, Act No. 288 of the Public Acts of 1967. This property may be located within the vicinity of farmland or farm operations. Generally accepted agricultural and management practices which may generate noise, dust, odors, and other associated conditions may be used and are protected by the Michigan Right to Farm Act.

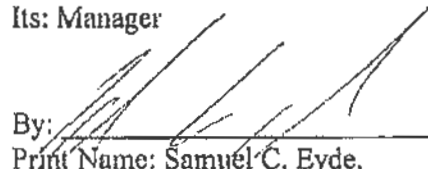
There being no consideration for this instrument, it is exempt from transfer tax under MCL 207.505(n), MCL 207.505(k), MCL 207.505(l), MCL 207.526(a), MCL 207.526(m) and MCL 207.526(n).

[Signature pages and acknowledgements follows.]

Dated as of this 27th day of December, 2017.

LOUIS J. EYDE FAMILY, LLC, a Michigan
limited liability company

By: Louis J. Eyde Manager, LLC
Its: Manager

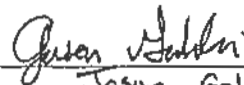
By: 
Print Name: Samuel C. Eyde,
Authorized Representative

STATE OF MICHIGAN)
) ss.
COUNTY OF INGHAM)

⁵⁶ 2017 The foregoing instrument was acknowledged before me this 27th day of December,
~~2016~~ by Samuel C. Eyde, as Authorized* of Louis J. Eyde Manager, LLC, a Michigan limited
liability company, as manager of the Louis J. Eyde Family, LLC, a Michigan limited liability
company (the "Company") on behalf of the Company.

* representative

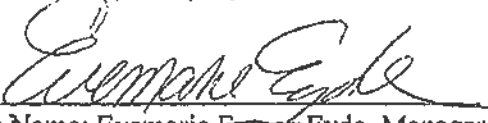
JASON GOLDIE
NOTARY PUBLIC - STATE OF MICHIGAN
COUNTY OF CLINTON
My Commission Expires August 30, 2022
Acting in the County of Ingham



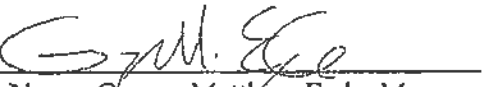
Jason Goldie
Notary Public, State of
Clinton County, Michigan
Acting in the County of Ingham
My Commission Expires: 8-30-2022

[Signature page and acknowledgement continues on next page]

GEORGE F. EYDE FAMILY, LLC, a Michigan
limited liability company

By: 
Print Name: Evemarie Francis Eyde, Manager
Francis

-and-

By: 
Print Name: George Matthew Eyde, Manager

STATE OF MICHIGAN)
) ss.
COUNTY OF INGHAM)

²⁰¹⁷ The foregoing instrument was acknowledged before me this 27th day of December,
²⁰¹⁶ by Evemarie Francis Eyde and George Matthew Eyde, as managers of the George F. Eyde
Family, LLC, a Michigan limited liability company (the "Company") on behalf of the Company.

JASON GOLDIE
NOTARY PUBLIC - STATE OF MICHIGAN
COUNTY OF CLINTON
My Commission Expires August 30, 2022
Acting in the County of Ingham


Jason Goldie
Notary Public, State of
Clinton County, Michigan
Acting in the County of Ingham
My Commission Expires: 8-30-2022

When Recorded Return To:	Send Subsequent Tax Bills To:	Drafted By:
Capital Area Housing Partnership 1290 Deerpath East Lansing, MI 48933 Attn: Mikki Droste	Capital Area Housing Partnership 1290 Deerpath East Lansing, MI 48933 Attn: Mikki Droste	Peter J. Kulick (P61513) 215 S. Washington Square, Suite 200 Lansing, Michigan 48933 Tel: (517) 371-1730

Exhibit A

LEGAL DESCRIPTION

The real property located in the City of Lansing, Ingham County, Michigan, legally described as follows:

PARCEL 1:

That part of Assessor's Plat No. 46, on the Northeast 1/4 of Section 28, T4N, R2W, City of Lansing, Ingham County, Michigan, recorded in Liber 12 of Plats, Page 7, Ingham County Records, beginning on the South right of way line of Mt. Hope Avenue, 43.0 feet South of the North Section line, at a point 100.0 feet Easterly of the West line of Lot 5 of said Assessor's Plat No. 46, running thence along said right of way line North 89°11'30" East 593.67 feet to a point of curvature; thence Southeasterly 53.53 feet along the arc of a 30 foot radius curve to the right whose chord bears South 39°41'30" East 46.71 feet to the Westerly right of way line of Cedar Street; thence along said Westerly line the following five courses, South 11°25'30" West 118.66 feet; thence Southerly 197.93 feet along the arc of a 917.22 foot radius curve to the left whose chord bears South 5°14'25" West 197.53 feet to a point of tangency; thence South 0°56'30" East 5.43 feet; thence South 10°34'39" West 22.18 feet; thence South 0°56'30" East 83.05 feet; thence South 89°08' West 403.42 feet; thence South 89°11'30" West 268.84 feet to the West line of said Lot, thence along said West line North 0°53' West 297.42 feet; thence North 89°11'30" East 100.0 feet; thence North 0°53' West 162.0 feet to the point of beginning; ALSO Lot 65 of Chittenden's Subdivision of a part of the Northwest 1/4 of the Northeast 1/4 of Section 28, T4N, R2W, City of Lansing, Ingham County, Michigan, recorded in Liber 5 of Plats, Page 7, Ingham County Records. Contains 7.03 Acres.

PARCEL 2:

Lot 57, Chittenden's Subdivision of a part of Northwest 1/4 of Northeast 1/4 of Section 28, Town 4 North, Range 2 West, City of Lansing, Ingham County, Michigan, also commencing at a point 100.00 feet East and 469.70 feet South of Southeast corner of Teel Avenue and Mt. Hope Avenue, Lansing and running thence East 268.84 feet; thence South 350.30 feet, more or less, to the South line of Lot 5 of Assessor's Plat No. 46, Lansing; thence West 268.84 feet and thence North 350.30 feet, more or less to the place of beginning, being a part of Lot 5 of Assessor's Plat No. 46 on the Northeast 1/4 of Section 28, Town 4 North, Range 2 West, City of Lansing, Ingham County, Michigan.

Parcel ID: _____ (Parcel 1)

Parcel ID: _____ (Parcel 2)

Street Address: 1900 S. Cedar Street, Lansing, Michigan 48910 (Parcel 1)

Street Address: 8 Teel Court, Lansing, Michigan 48910 (Parcel 2)

LANSING 528830

Waiter French Academy Historic Rehab
52 Unit PSH Development

9%

UNIT DESCRIPTION	Income Target (AMI)	# of Bedrooms	# of Units	Utility Allowance	Net Rent	Gross Rent	Monthly Rent	Annual Rent	
One Bedroom LHC	30%	1	3	74	720	794	2,160	25,920	0.90
One Bedroom PSH	60%	1	12	74	720	794	8,640	103,680	7.20
One Bedroom	40%	1	3	74	720	794	2,160	25,920	1.20
One Bedroom	40%	1		74	528	602	-	-	
One Bedroom	50%	1		74	678	752	-	-	
One Bedroom	60%	1	2	74	739	813	1,478	17,736	1.20
One Bedroom	80%	1	7	74	949	1,023	6,643	79,716	5.60
Two Bedroom LHC	30%	2	6	90	892	982	5,352	64,224	1.80
Two Bedroom PSH	60%	2	7	90	892	982	6,244	74,928	4.20
Two Bedroom LHC	40%	2	1	90	892	982	892	10,704	0.40
Two Bedroom	40%	2		90	632	722	-	-	
Two Bedroom	50%	2		90	812	902	-	-	
Two Bedroom	60%	2	1	90	885	975	885	10,620	0.60
Two Bedroom	80%	2	5	90	1,137	1,227	5,685	68,220	4.00
Three Bedroom LHC	30%	3	4	108	1,176	1,284	4,704	56,448	1.20
Three Bedroom PSH	60%	3		108	1,176	1,284	-	-	
Three Bedroom	40%	3		108	726	834	-	-	
Three Bedroom	50%	3		108	935	1,043	-	-	
Three Bedroom	60%	3		108	1,018	1,126	-	-	
Three Bedroom	80%	3	1	108	1,311	1,419	1,311	15,732	0.80
52							46,154	553,848	29.10

Bedrooms -

30% Area Median Income
40% AMI
50% AMI
60% AMI
80% AMI

MAX County Rent 04/1/20			
1	2	3	Voucher Rents
451	541	625	794
602	722	834	982
752	902	1,043	1,284
903	1,083	1,251	
1,204	1,444	1,669	

Family Size -

30% Area Median Income
40% AMI
50% AMI
60% AMI
80% AMI

Income Limits - 04/1/20					
1	2	3	4	5	
16,860	19,260	21,660	24,060	26,010	
22,480	25,680	28,880	32,080	34,680	
28,100	32,100	36,100	40,100	43,350	
337,250	38,520	43,320	48,120	52,020	
44,960	51,360	57,760	64,160	69,360	

Bedrooms -

Heating - Gas
Cooking - Gas
Hot Water - Gas
Electricity
Service Charge - Gas
Service Charge - Electric
Total

Utility Allowance - MSHDA 1/1/20				
0	1	2		3
	20.00	23.00		27.00
	2.00	3.00		4.00
	5.00	7.00		10.00
	26.00	36.00		46.00
	12.00	12.00		12.00
	9.00	9.00		9.00
-	74.00	90.00		108.00

	# of Units	% of Units	AMI	Points
30% units	13	33.33%	30%	23.33
40% units	4	10.26%	40%	4.10
50% units			50%	-
60% units	3	7.69%	80%	
60% - PSH Units	19	48.72%	80%	
Market	39	100%		27.44

Walter French Academy Historic Rehab
52 Unit PSH Development

	Total	Per Unit	24 units 4%	Total
Audit Fees	4,968		2,232	7,200
Accounting	276		124	400
Legal	828		372	1,200
Total Professional Fees	6,072	117		
Office Expenses	8,280		3,720	12,000
Leasing Agent Expense	37,950		17,050	55,000
Total Administrative	46,230	889		
Electricity	20,000		5,940	24,000
Water/Sewer	42,780		16,500	62,000
PSH Utilites	39,798			39,798
Gas/Heat	12,000		-	12,000
Total Utilites	114,578	2,203		
Maintenance	27,600		12,400	40,000
Janitorial Supplies & Salaries	10,350		4,650	15,000
Maintenance supplies	8,280		3,720	12,000
Repair Contracts/Work	5,175		2,325	7,500
Exterminating	2,208		992	3,200
Rubbish Removal	5,106		2,273	7,400
Security	828		372	1,200
Grounds Maintenance	5,106		2,294	7,400
Snow Removal	6,900		3,100	10,000
	71,553	1,376		
MSA				
PILOT	24,577		11,533	36,110
Insurance	20,368		10,032	30,400
Replacement Reserves	19,500		9,000	28,500
Total Escrows	64,445	1,239		
Total Marketing and Leasing	1,608	31	792	2,400
Total Property Management Fee	27,768	534	12,816	40,584
Other -	-			
Other - Investor services fee	4,500		3,500	10,000
Total Other Fees	4,500	87		
Misc. Expense -				
Misc. Expense				
Total Miscellaneous Expenses	-			
Total Operating Expenses/Unit	336,754	6,476	125,737 5,239	465,292 6,122

Total Rent Potential	553,848
Less Vacancy	(38,769)
Less Utilities	(114,578)
Net Collected Rents	400,501
PILOT %	6%
PILOT %	24,030

Walter French Academy Historic Rehab
52 Unit PSH Development

SOURCES OF FUNDS	Rate	Term	Proposed Amount		
1st Mortgage	4.82000%	12.470	40	2,651,372	
LP Capital Contribution	120.0%	9.00%	0.8700	13,046,695	
HOME MSHDA	1,500,000			-	
City					
Historic Credits	1,961,627		0.8700	1,706,615	
Owner investment					
Deferred Developer Fees				88	
TOTAL SOURCES OF FUNDS				17,406,770	
Funding Surplus<Gap>:				(0)	0.0%

APPLICATION OF FUNDS	Per Unit	Total Residential	9.00%	Historic Basis	Non-depr
ACQUISITION COSTS					
Land Purchase - Vacant	-	-	-	-	-
Demo	-	-	-	-	-
Subtotal	-	-	-	-	-
CONSTRUCTION/REHABILITATION COSTS					
Site work	52	13,942	725,000	225,000	500,000
New structures		196,650	10,225,800	5,750,000	-
General requirements		11,969	622,386	424,699	-
Builder overhead		4,228	219,903	150,166	-
Builder profit		12,940	672,902	459,509	-
Building Permits		345	17,940	17,940	-
Bond Premium		464	24,150	24,150	-
Tap Fees		2,017	104,880	104,880	-
Gym and Auditorium		-	-	-	-
Cost Certification		113	5,865	4,800	-
Subtotal		242,669	12,618,808	6,936,444	500,000
Construction Contingency	8.00%	23,914	1,243,505	693,644	-
Cost increases needed	0.00%	-	-	-	-
Subtotal		266,583	13,862,311	7,630,088	500,000
PROFESSIONAL FEES & OTHER SOFT COSTS					
Design Architect		10,923	568,000	568,000	-
Engineering		796	41,400	41,400	-
Soil Borings/Geotechnical/Soils Engineering		106	5,520	5,520	-
Environmental Study		159	8,280	8,280	-
Survey (Boundary/Topo/As-Built)		80	4,140	4,140	-
Hazard Insurance		239	12,420	12,420	-
Property Taxes		796	41,400	41,400	-
Market Study		166	8,625	8,625	-
Accounting/Audit		152	7,925	7,925	-
Appraisal		80	4,140	4,140	-
Cost Certification		106	5,520	5,520	-
Real Estate Attorney		796	41,400	41,400	-
Furniture, Furnishings & Equipment		1,592	82,800	82,800	-
Developer Fees		28,846	1,500,000	1,500,000	-
Subtotal		44,836	2,331,570	2,176,045	-
FINANCING COSTS					
Construction Loan Interest		8,115	422,000	372,000	50,000
Title Insurance		332	17,250	17,250	-
Loan Fees		385	20,000	9,000	11,000
Lender Loan & Legal Fees		398	20,700	18,000	2,700
Subtotal		9,230	479,950	416,250	63,700
TAX CREDIT & SYNDICATION COSTS					
Tax Credit Fees - MSHDA - 6%		1,746	90,805	-	90,805
Tax Credit Fees - MSHDA - Application		48	2,500	-	2,500
Compliance Fees		694	36,100	-	36,100
Syndication Fee		365	20,000	-	20,000
Supervising Architect		154	8,000	8,000	-
Subtotal		3,027	157,405	8,000	149,405
START-UP COSTS, RESERVES & ESCROWS					
Marketing/Rent-Up Expenses		780	40,534	-	40,534
Rent Up Reserve		-	-	-	-
Operating Assurance Reserves	Months - 6.07	5,385	280,000	-	280,000
Other Reserve: Support Services		4,904	255,000	-	255,000
Subtotal		11,068	575,534	-	575,534
TOTAL APPLICATION OF FUNDS		334,746	17,406,770	16,118,131	1,288,639
			15,906,770	16,118,131	1,855,821
			Historic Basis	(1,961,627)	20%
				14,156,505	1,961,627
			Boost	120.0%	3,462,113
				16,967,805	

Walter French Academy Historic Rehab
52 Unit PSH Development

		Yr 1	Yr 2	Yr 3	Yr 4	Yr 5	Yr 6	Yr 7	Yr 8	Yr 9	Yr 10	Yr 11	Yr 12	Yr 13	Yr 14	Yr 15
Rent	102%	553,648	564,925	578,223	587,748	599,503	611,493	623,723	638,197	648,921	661,900	675,138	688,640	702,413	716,461	730,791
Vacancy	7%	38,769	39,545	40,336	41,142	41,965	42,806	43,661	44,534	45,424	46,333	47,260	48,205	49,169	50,162	51,156
Net Rent		515,079	526,380	535,888	546,606	557,538	568,688	580,062	591,663	603,497	615,567	627,878	640,436	653,244	666,309	679,635
Accounting & Audit	103%	5,244	5,401	5,563	5,730	5,902	6,079	6,262	6,449	6,643	6,842	7,047	7,259	7,477	7,701	7,932
Legal	103%	828	853	878	905	932	960	989	1,018	1,049	1,080	1,113	1,146	1,181	1,216	1,252
Administrative Expenses	103%	46,230	47,617	49,045	50,517	52,032	53,593	55,201	56,857	58,563	60,320	62,129	63,993	65,913	67,890	69,927
Utilities	103%	114,578	118,015	121,556	125,202	128,959	132,827	136,812	140,916	145,144	149,498	153,983	158,603	163,361	168,262	173,310
Maintenance	103%	71,553	73,700	75,911	78,188	80,534	82,950	85,438	88,001	90,641	93,360	96,161	99,046	102,017	105,078	108,230
PILOT		24,030	24,442	24,860	25,284	25,715	26,152	26,595	27,045	27,501	27,964	28,434	28,910	29,393	29,883	30,380
Insurance	103%	20,388	20,979	21,608	22,257	22,924	23,612	24,320	25,050	25,802	26,576	27,373	28,194	29,040	29,911	30,808
Replacement Reserves	100%	19,500	19,500	19,500	19,500	19,500	19,500	19,500	19,500	19,500	19,500	19,500	19,500	19,500	19,500	19,500
Marketing & Leasing	103%	1,608	1,656	1,706	1,757	1,810	1,864	1,920	1,978	2,037	2,098	2,161	2,226	2,293	2,361	2,432
Property Management	103%	27,768	28,601	29,459	30,343	31,253	32,191	33,156	34,151	35,176	36,231	37,318	38,437	39,591	40,778	42,002
Investor Services Fee	103%	4,500	4,635	4,774	4,917	5,065	5,217	5,373	5,534	5,700	5,871	6,048	6,229	6,416	6,608	6,807
Total Expenses		336,207	345,399	354,861	364,600	374,625	384,945	395,567	406,501	417,756	429,341	441,267	453,543	466,180	479,189	492,580
NOI		178,872	179,981	181,027	182,005	182,912	183,744	184,496	185,163	185,741	186,225	186,611	186,892	187,064	187,120	187,056
Funding from ODR																
Total Cash Available		178,872	179,981	181,027	182,005	182,912	183,744	184,496	185,163	185,741	186,225	186,611	186,892	187,064	187,120	187,056
Loan Payment		(149,644)	(149,644)	(149,644)	(149,644)	(149,644)	(149,644)	(149,644)	(149,644)	(149,644)	(149,644)	(149,644)	(149,644)	(149,644)	(149,644)	(149,644)
Net Cash to Partnership		29,227	30,337	31,382	32,361	33,268	34,099	34,851	35,518	36,097	36,581	36,966	37,248	37,419	37,476	37,411
DCR		1.20	1.20	1.21	1.22	1.22	1.23	1.23	1.24	1.24	1.24	1.25	1.25	1.25	1.25	1.25
Loan Amount/Def Dev Fee		88	29,315	59,652	91,034	123,395	156,663	190,763	225,614	261,132	297,229	333,810	370,776	408,024	445,443	482,919
Interest Expense	0.00%	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Payment Amount		29,227	30,337	31,382	32,361	33,268	34,099	34,851	35,518	36,097	36,581	36,966	37,248	37,419	37,476	37,411
Loan Balance		29,315	59,652	91,034	123,395	156,663	190,763	225,614	261,132	297,229	333,810	370,776	408,024	445,443	482,919	520,330
Operating Assurance Reserves		280,000	282,800	285,628	288,484	291,389	294,283	297,226	300,198	303,200	306,232	309,294	312,387	315,511	318,666	321,853
Interest Earned	1.00%	2,800	2,828	2,856	2,885	2,914	2,943	2,972	3,002	3,032	3,062	3,093	3,124	3,155	3,187	3,219
Amount Used		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Balance Forward		282,800	285,628	288,484	291,369	294,283	297,226	300,198	303,200	306,232	309,294	312,387	315,511	318,666	321,853	325,071
Cash Flow to LP life of Project		29,227	59,564	90,946	123,307	156,575	190,674	225,526	261,044	297,141	333,722	370,688	407,936	445,355	482,831	520,242

Existing Reserve Analysis		
DCE Interest:	Current Owner's Reserves:	0
Insurance:	Reserves Transferred in to Project	0
Taxes:	Tax/Ins Escrows transferred to project	0
Rep. Reserve:		
ORC:		
DCE Principal:		
Other:		

Development Walter French 4
 Financing Tax Exempt
 MSHDA No. 3966
 Step Notice of Intent to Apply
 Date #####
 Type Adaptive Reuse

Instructions

Income Limits for	Ingham County (Effective April 1, 2020)					
	1 Person	2 Person	3 Person	4 Person	5 Person	6 Person
30% of area median	16,860	19,260	21,660	24,060	26,010	27,930
40% of area median	22,480	25,680	28,880	32,080	34,680	37,240
50% of area median	28,100	32,100	36,100	40,100	43,350	46,550
60% of area median	33,720	38,520	43,320	48,120	52,020	55,860

Rental Income

Unit	No. of Units	Unit Type	Bedrooms	Baths	Net Sq. Ft.	Contract Rent	Utilities	Total Housing Expense	Gross Rent	Current Section 8 Contract Rent	% of Gross Rent	% of Total Units	Gross Square Feet	% of Total Square Feet	TC Units Square Feet	Unit Type	Max Allowed Housing Expense
30%	Area Median Income Units																
30%	Tenant AMI Restriction (if different from rent restriction)																
	MSHDA Project Based Voucher Units																
	Occupancy																
A	2	Apartment	1	1.0	600	720	74	794	17,280	794	7.0%	8.3%	1,200	6.7%	1,200	High HOME	451
B	1	Apartment	2	1.5	850	892	90	982	10,704	982	4.3%	4.2%	850	4.8%	850	High HOME	541
C		Apartment	3	2.0	1,250	1,176	108	1,284	0	1,284	0.0%	0.0%	0	0.0%	0		N/A
D							0	0	0	0	0.0%	0.0%	0	0.0%	0		N/A
E							0	0	0	0	0.0%	0.0%	0	0.0%	0		N/A
F							0	0	0	0	0.0%	0.0%	0	0.0%	0		N/A
G							0	0	0	0	0.0%	0.0%	0	0.0%	0		N/A
H							0	0	0	0	0.0%	0.0%	0	0.0%	0		N/A
I							0	0	0	0	0.0%	0.0%	0	0.0%	0		N/A
J							0	0	0	0	0.0%	0.0%	0	0.0%	0		N/A
									27,984	3,060	11.3%	12.5%	2,050	11.5%	2,050		
60%	Area Median Income Units																
	Tenant AMI Restriction (if different from rent restriction)																
	MSHDA Project Based Voucher Units																
	Occupancy																
A	10	Apartment	1	1.0	600	739	74	813	88,680	794	35.8%	41.7%	6,000	33.7%	6,000		903
B	7	Apartment	2	1.5	850	885	90	975	74,340	982	30.0%	29.2%	5,950	33.4%	5,950		1,083
C	0	Apartment	3	2.0	1,250	1,018	108	1,126	0	1,284	0.0%	0.0%	0	0.0%	0		1,251
D							0	0	0	0	0.0%	0.0%	0	0.0%	0		N/A
E							0	0	0	0	0.0%	0.0%	0	0.0%	0		N/A
F							0	0	0	0	0.0%	0.0%	0	0.0%	0		N/A
G							0	0	0	0	0.0%	0.0%	0	0.0%	0		N/A
H							0	0	0	0	0.0%	0.0%	0	0.0%	0		N/A
I							0	0	0	0	0.0%	0.0%	0	0.0%	0		N/A
J							0	0	0	0	0.0%	0.0%	0	0.0%	0		N/A
									163,020	3,060	65.8%	70.8%	11,950	67.1%	11,950		
80%	Area Median Income Units																
	Tenant AMI Restriction (if different from rent restriction)																
	MSHDA Project Based Voucher Units																
	Occupancy																
A		Apartment	1	1.0	600		74	0	0	794	0.0%	0.0%	0	0.0%	0		N/A
B	3	Apartment	2	1.5	850	1,137	90	1,227	40,932	982	16.5%	12.5%	2,550	14.3%	2,550		1,444
C	1	Apartment	3	2.0	1,250	1,311	108	1,419	15,732	1,284	6.4%	4.2%	1,250	7.0%	1,250		1,669
D							0	0	0	0	0.0%	0.0%	0	0.0%	0		N/A
E							0	0	0	0	0.0%	0.0%	0	0.0%	0		N/A
F							0	0	0	0	0.0%	0.0%	0	0.0%	0		N/A
G							0	0	0	0	0.0%	0.0%	0	0.0%	0		N/A
H							0	0	0	0	0.0%	0.0%	0	0.0%	0		N/A
I							0	0	0	0	0.0%	0.0%	0	0.0%	0		N/A
J							0	0	0	0	0.0%	0.0%	0	0.0%	0		N/A
									56,664	3,060	22.9%	16.7%	3,800	21.3%	3,800		
	Area Median Income Units																
	Tenant AMI Restriction (if different from rent restriction)																
	MSHDA Project Based Voucher Units																
	Occupancy																
A		Apartment	1	1.0	600		74	0	0	794	0.0%	0.0%	0	0.0%	0		N/A
B		Apartment	2	1.5	850		90	0	0	982	0.0%	0.0%	0	0.0%	0		N/A
C		Apartment	3	2.0	1,250		108	0	0	1,284	0.0%	0.0%	0	0.0%	0		N/A
D							0	0	0	0	0.0%	0.0%	0	0.0%	0		N/A
E							0	0	0	0	0.0%	0.0%	0	0.0%	0		N/A
F							0	0	0	0	0.0%	0.0%	0	0.0%	0		N/A
G							0	0	0	0	0.0%	0.0%	0	0.0%	0		N/A

D		0	0	0.0	0		0	0	0	0	0.0%	0.0%	0	0.0%	0		N/A
E		0	0	0.0	0		0	0	0	0	0.0%	0.0%	0	0.0%	0		N/A
F		0	0	0.0	0		0	0	0	0	0.0%	0.0%	0	0.0%	0		N/A
G		0	0	0.0	0		0	0	0	0	0.0%	0.0%	0	0.0%	0		N/A
H		0	0	0.0	0		0	0	0	0	0.0%	0.0%	0	0.0%	0		N/A
I		0	0	0.0	0		0	0	0	0	0.0%	0.0%	0	0.0%	0		N/A
J		0	0	0.0	0		0	0	0	0	0.0%	0.0%	0	0.0%	0		N/A
									0	3,060	0.0%	0.0%	0	0.0%	0		

Area Median Income Units
 Tenant AMI Restriction (if different from rent restriction)
 MSHDA Project Based Voucher Units
 Occupancy

A	Apartment	1	1.0	600	74	0	0	794	0.0%	0.0%	0	0.0%	0	N/A
B	Apartment	2	1.5	850	90	0	0	982	0.0%	0.0%	0	0.0%	0	N/A
C	Apartment	3	2.0	1,250	108	0	0	1,284	0.0%	0.0%	0	0.0%	0	N/A
D	0	0	0.0	0	0	0	0	0	0.0%	0.0%	0	0.0%	0	N/A
E	0	0	0.0	0	0	0	0	0	0.0%	0.0%	0	0.0%	0	N/A
F	0	0	0.0	0	0	0	0	0	0.0%	0.0%	0	0.0%	0	N/A
G	0	0	0.0	0	0	0	0	0	0.0%	0.0%	0	0.0%	0	N/A
H	0	0	0.0	0	0	0	0	0	0.0%	0.0%	0	0.0%	0	N/A
I	0	0	0.0	0	0	0	0	0	0.0%	0.0%	0	0.0%	0	N/A
J	0	0	0.0	0	0	0	0	0	0.0%	0.0%	0	0.0%	0	N/A
Mgrs							0	3,060	0.0%	0.0%	0	0.0%	0	

Total Tenant Units 24
 Manager Units 0
 Income Average 59.58%
 Set Aside 100.00%

Gross Rent Potential	247,668
Average Monthly Rent	860
Gross Square Footage	17,800

HOME Units SF/Total Units SF 11.5%
 # HOME Units/# Total Units 12.5%

Annual Non-Rental Income	
Misc. and Interest	250
Laundry	1,500
Carports	
Other:	
Other:	1,750

Utility Allowances

Tenant-Paid Tenant-Paid Tenant-Paid Owner-Paid

	Electricity	A/C	Gas	Water/ Sewer	Other	Total	Override
A						0	74
B						0	90
C						0	108
D						0	
E						0	
F						0	
G						0	
H						0	

Total Income	Annual	Monthly
Rental Income	247,668	20,639
Non-Rental Income	1,750	146
Total Project Revenue	249,418	20,785

H		0	0	0.0	0		0	0	0	0	0.0%	0.0%	0	0.0%	0	N/A
I		0	0	0.0	0		0	0	0	0	0.0%	0.0%	0	0.0%	0	N/A
J		0	0	0.0	0		0	0	0	0	0.0%	0.0%	0	0.0%	0	N/A
									0	3,060	0.0%	0.0%	0	0.0%	0	

Area Median Income Units
Tenant AMI Restriction (if different from rent restriction)
MSHDA Project Based Voucher Units
Occupancy

A	Apartment	1	1.0	600		74	0	0	794	0.0%	0.0%	0	0.0%	0		N/A
B		2	1.5	850		90	0	0	982	0.0%	0.0%	0	0.0%	0		N/A
C		3	2.0	1,250		108	0	0	1,284	0.0%	0.0%	0	0.0%	0		N/A
D		0	0	0.0		0	0	0	0	0.0%	0.0%	0	0.0%	0		N/A
E		0	0	0.0		0	0	0	0	0.0%	0.0%	0	0.0%	0		N/A
F		0	0	0.0		0	0	0	0	0.0%	0.0%	0	0.0%	0		N/A
G		0	0	0.0		0	0	0	0	0.0%	0.0%	0	0.0%	0		N/A
H		0	0	0.0		0	0	0	0	0.0%	0.0%	0	0.0%	0		N/A
I		0	0	0.0		0	0	0	0	0.0%	0.0%	0	0.0%	0		N/A
J		0	0	0.0		0	0	0	0	0	0.0%	0.0%	0	0.0%		0
							0	3,060	0.0%	0.0%	0	0.0%	0			

Area Median Income Units
Tenant AMI Restriction (if different from rent restriction)
MSHDA Project Based Voucher Units
Occupancy

A	Occupancy	Apartment	1	1.0	600		74	0	0	794	0.0%	0.0%	0	0.0%	0		N/A
B		Apartment	2	1.5	850		90	0	0	982	0.0%	0.0%	0	0.0%	0		N/A
C		Apartment	3	2.0	1,250		108	0	0	1,284	0.0%	0.0%	0	0.0%	0		N/A
D		0	0	0.0	0		0	0	0	0	0.0%	0.0%	0	0.0%	0		N/A
E		0	0	0.0	0		0	0	0	0	0.0%	0.0%	0	0.0%	0		N/A
F		0	0	0.0	0		0	0	0	0	0.0%	0.0%	0	0.0%	0		N/A
G		0	0	0.0	0		0	0	0	0	0.0%	0.0%	0	0.0%	0		N/A
H		0	0	0.0	0		0	0	0	0	0.0%	0.0%	0	0.0%	0		N/A
I		0	0	0.0	0		0	0	0	0	0.0%	0.0%	0	0.0%	0		N/A
J		0	0	0.0	0		0	0	0	0	0.0%	0.0%	0	0.0%	0		N/A
										0	3,060	0.0%	0.0%	0	0.0%	0	

Area Median Income Units
Tenant AMI Restriction (if different from rent restriction)
MSHDA Project Based Voucher Units
Occupancy

A	Occupancy	Apartment	1	1.0	600		74	0	0	794	0.0%	0.0%	0	0.0%	0		N/A
B		Apartment	2	1.5	850		90	0	0	982	0.0%	0.0%	0	0.0%	0		N/A
C		Apartment	3	2.0	1,250		108	0	0	1,284	0.0%	0.0%	0	0.0%	0		N/A
D		0	0	0.0	0		0	0	0	0	0.0%	0.0%	0	0.0%	0		N/A
E		0	0	0.0	0		0	0	0	0	0.0%	0.0%	0	0.0%	0		N/A
F		0	0	0.0	0		0	0	0	0	0.0%	0.0%	0	0.0%	0		N/A
G		0	0	0.0	0		0	0	0	0	0.0%	0.0%	0	0.0%	0		N/A
H		0	0	0.0	0		0	0	0	0	0.0%	0.0%	0	0.0%	0		N/A
I		0	0	0.0	0		0	0	0	0	0.0%	0.0%	0	0.0%	0		N/A
J		0	0	0.0	0		0	0	0	0	0.0%	0.0%	0	0.0%	0		N/A
										0	3,060	0.0%	0.0%	0	0.0%	0	

Area Median Income Units
Tenant AMI Restriction (if different from rent restriction)
MSHDA Project Based Voucher Units
Occupancy

A	Occupant	Apartment	1	1.0	600		74	0	0	794	0.0%	0.0%	0	0.0%	0		N/A
B		Apartment	2	1.5	850		90	0	0	982	0.0%	0.0%	0	0.0%	0		N/A
C		Apartment	3	2.0	1,250		108	0	0	1,284	0.0%	0.0%	0	0.0%	0		N/A
D		0	0	0.0	0		0	0	0	0	0.0%	0.0%	0	0.0%	0		N/A
E		0	0	0.0	0		0	0	0	0	0.0%	0.0%	0	0.0%	0		N/A
F		0	0	0.0	0		0	0	0	0	0.0%	0.0%	0	0.0%	0		N/A
G		0	0	0.0	0		0	0	0	0	0.0%	0.0%	0	0.0%	0		N/A
H		0	0	0.0	0		0	0	0	0	0.0%	0.0%	0	0.0%	0		N/A
I		0	0	0.0	0		0	0	0	0	0.0%	0.0%	0	0.0%	0		N/A
J		0	0	0.0	0		0	0	0	0	0.0%	0.0%	0	0.0%	0		N/A
										0	3,060	0.0%	0.0%	0	0.0%	0	

Area Median Income Units
Tenant AMI Restriction (if different from rent restriction)
MSHDA Project Based Voucher Units
Occupancy

A	Apartment	1	1.0	600		74	0	0	794	0.0%	0.0%	0	0.0%	0	N/A
B	Apartment	2	1.5	850		90	0	0	982	0.0%	0.0%	0	0.0%	0	N/A
C	Apartment	3	2.0	1,250		108	0	0	1,284	0.0%	0.0%	0	0.0%	0	N/A

Development Walter French 4
 Financing Tax Exempt
 MSHDA No. 3966

Step Notice of Intent to Apply
 Date 10/26/2020
 Type Adaptive Reuse

Mortgage Assumptions:

Debt Coverage Ratio 1.1
 Mortgage Interest Rate 4.250%
 Pay Rate 4.250%
 Mortgage Term 40 years
 Income from Operations No

Instructions

Total Development Income Potential

	Per Unit	Total
Annual Rental Income	10,320	247,668
Annual Non-Rental Income	73	1,750
Total Project Revenue	10,392	249,418

Total Development Expenses

		Per Unit	Total
Vacancy Loss	7.00% of annual rent potential	722	17,337
Management Fee	534 per unit per year	534	12,816
Administration		917	22,000
Project-paid Fuel		165	3,960
Common Electricity		248	5,940
Water and Sewer		688	16,500
Operating and Maintenance		1,333	32,000
Real Estate Taxes		0	
Payment in Lieu of Taxes (PILOT)	5.66% Applied to: All Units	481	11,543
Insurance		418	10,032
Replacement Reserve	375 per unit per year	375	9,000
Other: Marketing		33	792
Other: Investor Service		146	3,500

Initial Inflation Factor	Beginning in Year	Future Inflation Factor
2.0%	6	2.0%
2.0%	6	2.0%
Future Vacancy		
	6	7.0%
3.0%	1	3.0%
3.0%	1	3.0%
3.0%	6	3.0%
3.0%	6	3.0%
3.0%	6	3.0%
3.0%	1	3.0%
5.0%	1	5.0%
3.0%	1	3.0%
3.0%	1	3.0%
3.0%	1	3.0%
3.0%	1	3.0%

Total Expenses	58.30%	6,059	145,419
Base Net Operating Income		4,333	103,999
Part A Mortgage Payment	37.91%	3,939	94,544
Part A Mortgage		75,707	1,816,957
Non MSHDA Financing Mortgage Payment		0	
Non MSHDA Financing Type:		0	
Base Project Cash Flow (excludes ODR)	3.79%	394	9,454

Override

	Initial Inflator	Starting in Yr.	Future Inflator	11	12	13	14	15	16	17	18	19	20
Income													
Annual Rental Income	2.0%	6	2.0%	301,806	307,944	314,103	320,385	326,783	333,329	339,995	346,795	353,731	360,806
Annual Non-Rental Income	2.0%	6	2.0%	2,133	2,178	2,219	2,264	2,309	2,355	2,402	2,450	2,499	2,549
Total Project Revenue				304,039	310,120	316,322	322,649	329,102	335,684	342,397	349,245	356,230	363,355
Expenses													
Vacancy Loss	7.0%	6	7.0%	21,133	21,556	21,987	22,427	22,875	23,333	23,800	24,278	24,761	25,251
Management Fee	3.0%	1	3.0%	17,224	17,740	18,273	18,821	19,385	19,967	20,566	21,183	21,818	22,473
Administration	3.0%	1	3.0%	28,586	30,453	31,367	32,308	33,277	34,275	35,304	36,363	37,454	38,577
Project-paid Fuel	3.0%	6	3.0%	5,322	5,482	5,648	5,815	5,990	6,170	6,355	6,545	6,742	6,944
Common Electricity	3.0%	6	3.0%	7,983	8,222	8,469	8,723	8,985	9,254	9,532	9,818	10,112	10,416
Water and Sewer	3.0%	6	3.0%	22,175	22,840	23,525	24,231	24,958	25,706	26,478	27,272	28,090	28,933
Operating and Maintenance	3.0%	1	3.0%	43,005	44,295	45,624	46,993	48,403	49,855	51,351	52,891	54,478	56,112
Real Estate Taxes	5.0%	1	5.0%	0	0	0	0	0	0	0	0	0	0
Payment in Lieu of Taxes (PILOT)				13,884	14,141	14,403	14,670	14,942	15,218	15,499	15,785	16,076	16,372
Insurance	3.0%	1	3.0%	13,482	13,887	14,303	14,732	15,174	15,630	16,098	16,581	17,079	17,591
Replacement Reserve	3.0%	1	3.0%	12,095	12,458	12,832	13,217	13,613	14,022	14,442	14,876	15,322	15,782
Other:	3.0%	1	3.0%	1,084	1,098	1,129	1,163	1,198	1,234	1,271	1,309	1,348	1,389
Other:	3.0%	1	3.0%	4,704	4,845	4,990	5,140	5,294	5,453	5,618	5,785	5,959	6,137
Subtotal: Operating Expenses				191,837	197,016	202,549	208,240	214,094	220,116	226,311	232,663	239,239	245,982
Debt Service													
Debt Service Part A				94,544	94,544	94,544	94,544	94,544	94,544	94,544	94,544	94,544	94,544
Debt Service Conventional/Other Financing				0	0	0	0	0	0	0	0	0	0
Total Expenses				286,181	291,560	297,093	302,784	308,639	314,681	320,855	327,228	333,783	340,526
Cash Flow/(Deficit)				17,858	18,560	19,229	19,865	20,463	21,023	21,542	22,018	22,447	22,829
Cash Flow Per Unit				744	773	801	828	853	876	898	917	935	951
Debt Coverage Ratio on Part A Loan				1.19	1.20	1.20	1.21	1.22	1.22	1.23	1.23	1.24	1.24
Debt Coverage Ratio on Conventional/Other Financing				N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Interest Rate on Reserves	3%												
Operating Deficit Reserve (ODR) Analysis													
Maintained Debt Coverage Ratio (Hard Debt)	1.00												
Maintained Operating Reserve (No Hard Debt)	250												
Initial Balance		Initial Deposit		0	0	0	0	0	0	0	0	0	0
Total Annual Draw to achieve 1.0 DCR				0									

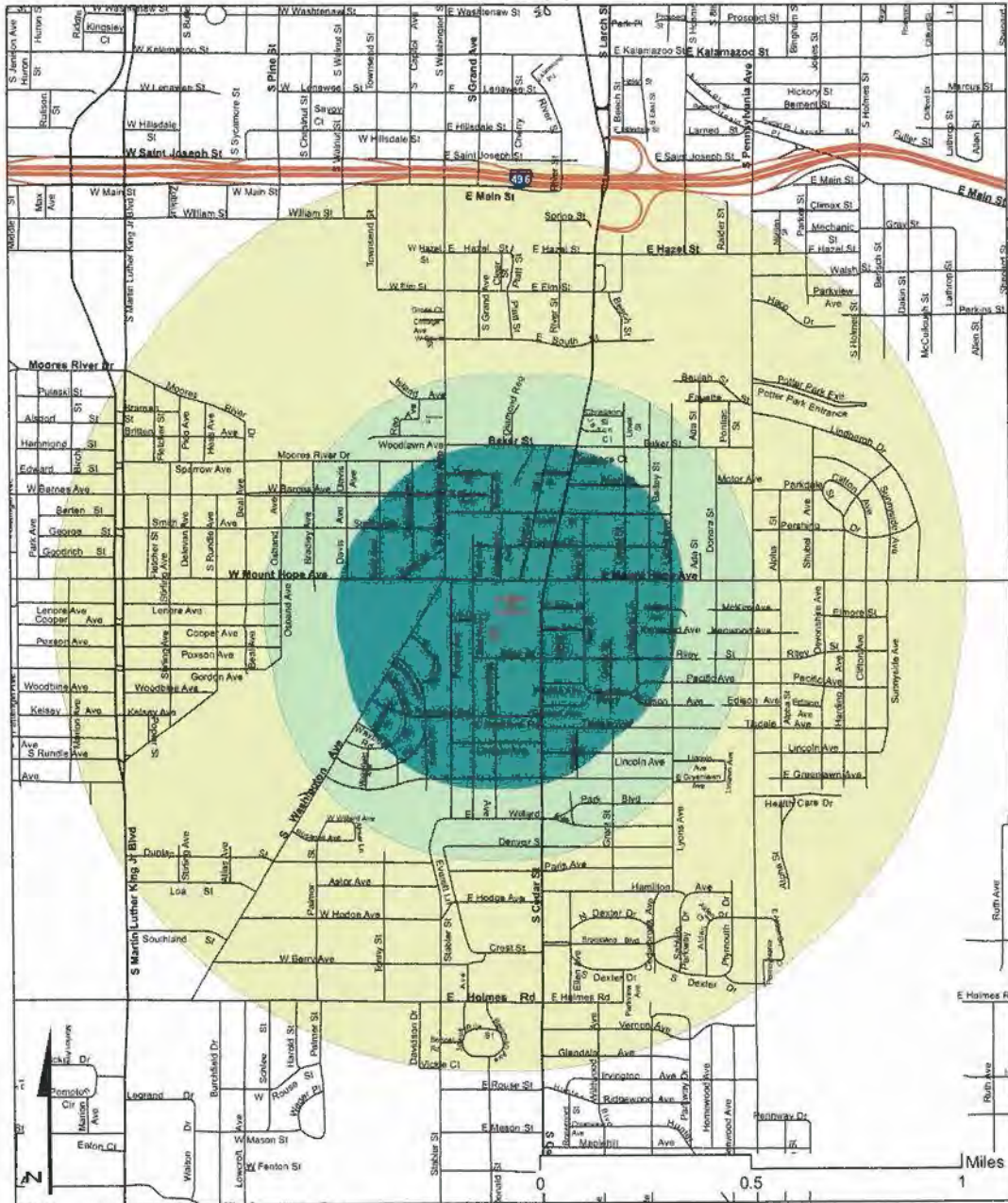
Development: Walter French 4
Financing: Tax Exempt
MSHDA No. 3966
Step: Notice of Intent to Apply
Date: 10/26/2020
Type: Adaptive Reuse

			Date 10/26/2020										
			Type Adaptive Reuse										
Initial Inflation	Starting in Yr	Future Inflation											
			1	2	3	4	5	6	7	8	9	10	
Income													
Annual Rental Income	2.0%	8	2.0%	247,668	252,621	257,574	262,827	268,084	273,445	278,914	284,493	290,183	295,998
Annual Non-Rental Income	2.0%	8	2.0%	1,750	1,785	1,821	1,857	1,894	1,932	1,971	2,010	2,050	2,091
Total Project Revenue				249,418	254,406	259,494	264,684	269,978	275,378	280,885	286,503	292,233	298,078
Expenses													
Vacancy Loss	7.0%	6	7.0%	17,337	17,683	18,037	18,398	18,768	19,141	19,524	19,914	20,313	20,719
Management Fee	3.0%	1	3.0%	12,816	13,200	13,596	14,004	14,425	14,857	15,303	15,762	16,235	16,722
Administration	3.0%	1	3.0%	22,000	22,660	23,340	24,040	24,761	25,504	26,269	27,057	27,869	28,705
Project-paid Fuel	3.0%	6	3.0%	3,960	4,079	4,201	4,327	4,457	4,591	4,728	4,870	5,016	5,167
Common Electricity	3.0%	6	3.0%	5,940	6,118	6,302	6,491	6,686	6,886	7,093	7,305	7,525	7,750
Water and Sewer	3.0%	6	3.0%	16,500	16,965	17,505	18,030	18,571	19,129	19,702	20,293	20,902	21,529
Operating and Maintenance	3.0%	1	3.0%	32,000	32,960	33,849	34,967	36,016	37,097	38,210	39,356	40,537	41,753
Real Estate Taxes	5.0%	1	5.0%	0	0	0	0	0	0	0	0	0	0
Payment in Lieu of Taxes (PILOT)				11,543	11,758	11,978	12,202	12,430	12,661	12,897	13,137	13,382	13,630
Insurance	3.0%	1	3.0%	10,032	10,333	10,643	10,962	11,291	11,630	11,979	12,338	12,708	13,089
Replacement Reserve	3.0%	1	3.0%	9,000	9,270	9,548	9,835	10,130	10,433	10,748	11,069	11,401	11,743
Other:	3.0%	1	3.0%	792	816	840	865	891	918	946	974	1,003	1,033
Other:	3.0%	1	3.0%	3,500	3,605	3,713	3,825	3,939	4,057	4,179	4,305	4,434	4,567
Subtotal, Operating Expenses				145,419	149,478	153,653	157,948	162,362	166,904	171,578	176,381	181,324	186,408
Debt Service													
Debt Service Part A				94,544	94,544	94,544	94,544	94,544	94,544	94,544	94,544	94,544	94,544
Debt Service Conventional/Other Financing				0	0	0	0	0	0	0	0	0	0
Total Expenses				239,964	244,022	248,197	252,491	256,907	261,449	266,120	270,926	275,868	280,952
Cash Flow/(Deficit)													
Cash Flow Per Unit				9,454	10,384	11,298	12,194	13,071	13,929	14,765	15,577	16,385	17,126
Debt Coverage Ratio on Part A Loan				1.10	1.11	1.12	1.13	1.14	1.15	1.16	1.16	1.17	1.18
Debt Coverage Ratio on Conventional/Other Financing				N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Interest Rate on Reserves				3%									
Average Cash Flow as % of Net Income													
Operating Deficit Reserve (ODR) Analysis													
Maintained Debt Coverage Ratio (Hard Debt)				1.00									
Maintained Operating Reserve (No Hard Debt)				250									
Initial Balance				0	0	0	0	0	0	0	0	0	0
Total Annual Draw to achieve 1.0 DCR				0	0	0	0	0	0	0	0	0	0
Total Annual Deposit to achieve Maintained DCR				0	0	0	0	0	0	0	0	0	0
Total 1.0 DCR and Maintained DCR				0	0	0	0	0	0	0	0	0	0
Interest				0	0	0	0	0	0	0	0	0	0
Ending Balance at Maintained DCR				0	0	0	0	0	0	0	0	0	0
Maintained Cash Flow Per Unit				394	433	471	508	545	580	615	649	682	714
Maintained Debt Coverage Ratio on Part A Loan				1.10	1.11	1.12	1.13	1.14	1.15	1.16	1.16	1.17	1.18
Maintained Debt Coverage Ratio on Conventional/Other				N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Standard ODR				0									
Non-standard ODR				0									
Operating Assurance Reserve Analysis													
Required in Year:	1			111,983									
Initial Balance				111,983	115,342	118,803	122,367	126,038	129,819	133,714	137,725	141,857	146,112
Interest Income				3,358	3,460	3,564	3,671	3,781	3,895	4,011	4,132	4,256	4,383
Ending Balance				115,342	118,803	122,367	126,038	129,819	133,714	137,725	141,857	146,112	150,498
Deferred Developer Fee Analysis													
Initial Balance				425,874	416,419	408,035	394,738	382,544	369,472	355,544	340,779	325,202	308,837
Dev Fee Paid				9,454	10,384	11,298	12,194	13,071	13,929	14,765	15,577	16,385	17,126
Ending Balance				416,419	408,035	394,738	382,544	369,472	355,544	340,779	325,202	308,837	291,711
Mortgage Resource Fund Loan													
Interest Rate on Subordinate Financing				3%									
Principal Amount of all MSHDA Soft Funds				0	0	0	0	0	0	0	0	0	0
Current Yr Int				0	0	0	0	0	0	0	0	0	0
Accrued Int				0	0	0	0	0	0	0	0	0	0
Subtotal				0	0	0	0	0	0	0	0	0	0
Annual Payment Due				0	0	0	0	0	0	0	0	0	0
Year End Balance				0	0	0	0	0	0	0	0	0	0

CAHP Site Buffer Zones

Walter French Academy

1900 S Cedar Street, Lansing, MI 48910



- Freeway
- Freeway Onramp
- Main Arterial
- Collector Road
- 1/3 Mile Buffer Zone
- 1/2 Mile Buffer Zone
- One Mile Buffer Zone
- Site Location



Company Profile, Management

Continental Management, LLC

About Continental Management, LLC

Founded in 2003 as a fully-integrated property management company, the executive staff of Continental Management has a total of over 100 years of experience in the affordable housing industry. As a proven leader in the industry, Continental Management combines fresh, progressive management strategies with modern communications in order to provide affordable housing and maximize investment return in tandem with insuring long-term property appreciation. While maintaining an emphasis on profitability, residents are still at the heart of Continental Management's goals and business practices.

Our Vision

Our team is committed to providing quality service to our residents and clients. Continental Management's primary objective is to provide the best possible living environment for every resident, creating a sense of ownership and pride, and to continually enhance the surrounding neighborhoods where communities are located. This is done by creating new job opportunities and use of local vendors, through construction and renovation efforts, as well as extra tax revenues to the community at large. Continental Management's on-site professionals provide daily service to residents and demonstrate the company's commitment to quality through their dedicated management of the properties. Continental Management's services also include performance-based fee management, consulting, marketing, statistical research, maintenance, and energy management.

Award-Winning Management

Continental Management has been recognized by several organizations for providing quality management. Some of our awards include:

- Management Company of the Year-Detroit Metropolitan Apartment Association (DMAA)
- Excellence in Education-Property Management Association of Michigan (PMAM)
- Top Workplaces 2010, 2011, 2012, 2013, & 2014 -Detroit Free Press

Community Impact

With an emphasis on community impact and customer service, Continental Management is a key contributor to the revitalization of the communities it serves. Continental Management has provided community safety programs in conjunction with the local police departments, neighborhood clean-ups, community dinners, scholarships, paid internships for students. We also support community organizations that benefit the neighborhoods we serve. This culture of service motivates staff to not only help in their communities, but to serve one another as partners, friends, and mentors.

Commitment to Quality & Education

Continental Management can attribute much of its success to the extensive training in good business practices it provides for all of its employees. Three of the company's trainers have earned the prestigious National Apartment Association-Advanced Instructor Trainer (AIT) designation. We also encourage and support training through the NAA affiliates and other trade organizations.

What Makes Us Different?

Continental Management has a wealth of in-house expertise, which allows us to provide training programs and specialized services that other companies typically outsource. Most training and education is taught by our five National Apartment Association certified Advanced Instructor Trainers. We provide training in fair housing, customer service, risk management, leasing, outreach, compliance, inspections, legal processing, leadership, and finance. Continental Management also has several specialized departments. We offer legal services, security management, landscaping, facilities team and compliance management. This allows Continental Management to reduce operating costs by decreasing the expense of outside vendors and consultants.

16 Years of Business. A Lifetime of Impact

It is our continued duty to invest in people first and to foster a community where employees can grow personally and professionally. In 16 years, the company has grown exponentially and continues to provide exceptional service to clients and residents. Our progressive business practices will continue to drive higher occupancies, resident renewals and referrals.

Executive Profiles

Timothy Van Pelt Fox, President

Since 1995 Timothy Van Pelt Fox has been involved with the operations and growth of MHT Housing, Inc. In 2004 he became president and owner, continuing to lead the company & establishing a new property management company, Continental Management, LLC. His expert knowledge in the development process, tax credit industry, understanding of municipal approvals, construction, acquisition/rehabilitation requirements, and conceptualization of development possibilities has been the catalyst in developing new construction tax credit units and the rehabilitation of existing multifamily & senior apartments. Along with his corporate involvement, Mr. Fox is committed to community service, dedicating time & resources to neighborhood clean-up projects, coordinating dinners for those in need, & contributing to student scholarships. Mr. Fox received his Bachelor of Arts degree in Economics and Business from Olivet College in Olivet, MI.

Gary Offenbacher, Executive Vice President

Gary Offenbacher has more than 35 years experience in property management. Prior to joining Continental Management, LLC Mr. Offenbacher was VP of Demar Construction and Standard Federal Savings Bank in Maryland where he oversaw 1,200 apartment units and the construction/lease up of 700 apartment units. He then became a Senior Regional Manager for a property management company where he was responsible for a portfolio of 3,000 apartment units in Southeast Michigan. He then held the position of Executive Vice President of Lockwood Management until 2006 when he arrived at Continental Management, LLC. Today Mr. Offenbacher is responsible for all aspects of property and asset management, including, leasing, compliance, training, budgeting, human resources, and capital improvements. Mr. Offenbacher has a Bachelor of Science degree from Frostburg State University in Maryland and Master of Business Administration from Marymount University in Arlington, VA. Mr. Offenbacher is Past President of IREM Chapter 5, The DMAA and the Property Association of Michigan. He also currently serves on the Board of IREM Chapter 5.

Brian Gallaher, Chief Financial Officer

As Chief Financial Officer, Brian A. Gallaher oversees all financial matters for Continental Management's entire portfolio of properties, including financial reporting, audits and taxes. Mr. Gallaher also plays a key role as underwriter in the financial planning of new projects and acquisitions along with securing investors and negotiation of partnership agreements. Prior to coming to Continental Management in 2004, Mr. Gallaher was the Controller for a large Midwest management company, located in Milford, Michigan, where he was responsible for all aspects of accounting and finance for 92 properties. Mr. Gallaher received his Bachelor of Business Administration in Accounting from Eastern Michigan University, in Ypsilanti, Michigan. He continued on to complete his Master of Science in Corporate Finance at Walsh College, located in Troy, Michigan, graduating Cum Laude.

Tom Lydick, Controller

Tom Lydick has been employed in the development, construction, and property management industries for more than 30 years. He joined Continental Management, LLC in January of 2010 and serves as the controller. He is responsible for all aspects of financial analysis, financial reporting for the company, and oversees the accounting department staff. Mr. Lydick has a Bachelor of Science degree in accounting and a Masters in Business Administration in finance from the University of Detroit. He is a registered CPA, and also holds a real estate license and is a certified financial planner.

Property / # of Units			Address
630 Lofts/Cottage 36	39 Units/29 Units		630 Cottageview Drive Traverse City, MI 49684 Grand Traverse County
	Tax Credit		
Adams Senior Village	120 Units	Tax	2001 Kaley Westland, MI 48186
	Credit/Senior		Wayne County
Agnes Street Apartments	24 Units		9141 Agnes Detroit, MI 48124 Wayne
	Tax Credit		County MAILING ADDRESS: Village Park
Ambrose Ridge	84 Units	Senior Tax	1501 Woodworth NE Grand Rapids, MI 49525
	Credit		Kent County
Apple Ridge	56 Units		2231 Flower Street
	Tax Credit		Kalamazoo, MI 49001
			Kalamazoo County
Arthur Antisdel Apartments	(aka Cass Communities)		1584 Elmhurst Detroit, MI 48206 Wayne
	41 Units PBV		County
Artworks	26 Units		600 W Clay Ave Muskegon MI 49440
	Tax Credit		Muskegon County
Aspen Hills Apartments	70 Units	Section 8/Tax Credit	1291 Oak Terrace Dr. Traverse City, MI 49686
			Grand Traverse County
The Avenue Apartments	10 Units		1300 Madison SE Grand Rapids, MI 49507
	Tax Credit / Home		MAILING ADDRESS: 1167 Madison SE
			Grand Rapids, MI 49507 Kent County
Baker Lofts I & II	43/44 Units	Tax Credit	40 Logan St Grand Rapids, MI 49503
			Kent County
Baldwin Villas	65 Units	Tax	122 Warwick Drive Pontiac, MI 48340
	Credit		Oakland County
Beacon Square Apts	& Townhomes	40 Units	101 Mechanic St & 460 Auburn Ave
	Tax Credit		Pontiac, MI 48342 Oakland County
			MAILING ADDRESS: Colonial Meadows
Bellemere Senior Apartments	88 Units Tax		14824 Greenfield Detroit, MI 48227
	Credit		Wayne County
Benjamin Manor	81 Units		141 Manchester Parkway Highland Park,
	Tax Credit/NSP/PBV		MI 48203 Wayne County
Benton Harbor Hope VI	70 Units	Tax Credit	406 Pipestone Street Benton Harbor, MI 49022
			Berrien County
Brentwood II Apartments	48 Units		1180 Brentwood Street Belding, MI 48809
	Section 8/Tax Credit		

Brookwood	60 HOME Units		3622 Hess Ave.	Saginaw, MI 48601
	Tax Credit		Saginaw County	
Brunson Hill Homes	48 Units	Tax Credit	406 Pipestone Rd.	Benton Harbor, MI 49022
			Berrien County	
Calumet	104 Units	Section 8	4387 Third	Detroit, MI 48201
			Wayne County	
Camelot Hills	102 Units	Section 8	601 Sadie Court	Lansing, MI 48906
			Ingham County	
Campus Creek Apartments and Cottages	248 Beds		14135 Bull Dog Lane	Big Rapids, MI 49307
(80 Units)/	66 Units	Student Housing	Meccosta County	
Centerline Park Towers	300 Units		8033 E. Ten Mile Road	Centerline, MI 48015
	Tax Credit/Section 8		Macomb County	
Chapel Hill Townhouses	12 Units	Tax Credit	9368 Yosemite Street	Detroit, MI 48204
			Wayne County	MAILING ADDRESS
				Robert Thomas
Chase Run	160 Units	Tax Credit	3726 S. Isabella Rd.	Mt.Pleasant, MI 48858
			Isabella County	
Clear Creek/Indiana Development	64 units	Tax Credit	1001 Clear Creek Trail	N. Manchester, IN 46962
			Wabash County	
Colonial Meadows	82 Units	Tax	1246 E Walton Blvd	Pontiac, MI 48340
	Credit - SENIOR		Oakland County	
Colony Arms	(AKA River Crest)	161 Units	9333 E. Jefferson Ave.	Detroit, MI 48214
	Section 8		Wayne County	
Colony House	33 Units	Market	313 W. Chicago St	Coldwater, MI 49036
Conner Creek	48 Units		4661 E Outer Drive	Detroit, MI 48234
	Tax Credit/Senior		Wayne County	
Core City Estates I	50 Units		1928 W. Alexandrine	Detroit, MI 48208
	Tax Credit		Wayne County	MAILING ADDRESS: 3540
			Harrison	Detroit, MI 48208
Core City Estates II	66 Units		1928 W. Alexandrine	Detroit, MI 48208
	Tax Credit		Wayne County	MAILING ADDRESS: 3540
			Harrison	Detroit, MI 48208

Core City West Village Tax Credit 59 Units	1928 W. Alexandrine Wayne County Harrison Detroit, MI 48208 MAILING ADDRESS: 3540 Detroit, MI 48208
Dauner Haus Dauner Haus II 151 Units 41 Units Section 8 Tax Credit	400 Dauner Haus St (I) Fenton, MI 48430-1503 500 Dauner Haus St (II) Genesee County
Day Star Estates 48 Homes Tax Credit	13021 E. Forest County Detroit, MI 48215 MAILING ADDRESS: Lakewood Manor Wayne
Dearborn Town Center Senior Tax Credit 77 Units	4550 Calhoun St. Wayne County Dearborn MI, 48126
Deerpath 126 Units Section 8	1290 Deerpath Lane East Lansing, MI 48823
Delhi Stratford Place Senior Tax Credit/PBV 96 Units	2385 Cedar Park Drive Ingham County Holt, MI 48842
Dickerson Manor 66 Units Senior Tax Credit	722 Emerson Detroit, MI 48215 County Wayne
Elaine Apartments 33 Units Section 8	101 E Michigan Ave Jackson County Jackson, MI 49201
Field Street I & II Tax Credit 21/28 Units	231 E. Grand Blvd. Wayne County Detroit, MI 48207 MAILING ADDRESS: Prince Hall
Gabrielle Section 8 Senior/Family 336 Units	14201 Second Avenue Wayne County Highland Park, MI 48203
Genesis Villas 89 Units Credit Tax	91 Harper Detroit, MI 48202 County Wayne
9100 on Gratiot 36 Units Credit Tax	9100 Gratiot Wayne County Detroit MI 48213
Glendale Buena Vista Home 93 Units	2 East Buena Vista Wayne County Highland Park, MI 48203
Gray Street I & II 10/24 Units Tax Credit	12801 Kercheval Wayne County Detroit, MI 48215
Green Meadows 48 Units Tax Credit	900 Northmeadow Dr Otsego County Gaylord, MI 49735
Greenwood Village 48/48 Units Tax Credit I & II	300 Village Green Blvd Hillsdale County Hillsdale, MI 49242

Harbor Bluffs	52 Units	Tax Credit	406 Pipestone Street Benton Harbor, MI 49022 Berrien County
Heritage Park	66 Units Credit	Tax	8550 Heritage Place Detroit, MI 48208 Wayne County MAILING ADDRESS: 3540 Harrison Detroit, MI 48208
Highland Manor	48 Units Tax Credit/PBV		20 Sears Ave. Highland Park, MI 48203 Wayne County
Hillside I & II	56/104 Units	Tax Credit	501 Valley Ridge Petoskey, MI 49770 Emmett County
Hope Senior	50 Units Senior Tax Credit		210 W. Drahner Rd. Oxford, MI 48371 Oakland County
Jefferson Meadows	83 Units Credit Senior	Tax	13101 Freud Street Detroit, MI 48215 Wayne County
Jefferson Square	180 Units Credit/Section 8	Tax	541 Dickerson Detroit, MI 48215 Wayne County
Jennings Senior Living	46 Units Senior Tax Credit		7815 E Jefferson Ave Detroit, MI 48214 Wayne County
Kendall Homes	38 Units	Tax Credit	19416 Charleston Detroit, MI 48203 Wayne County
Klingman Lofts I 42 Units	41 units Klingman Lofts II Tax Credit		400 Ionia St SW Grand Rapids, MI 49503 Kent County MAILING ADDRESS: Baker Lofts
Lakewood Manor	30 Units	PBV	14200 Kercheval Detroit, MI 48215 Wayne County
Lighthouse Village	48 Units Credit/Home	Tax	400 Duncan Ave Cheboygan, MI 49721 Cheyboygan County
Loomis	30 Units Tax Credit Senior		200 Loomis
Luddington	30 Units Tax Credit		225 Ludington
McDonald Square	180 Units	Section 8	2900 East Vernor Detroit, MI 48207 Wayne County
Meetinghouse at Fidelity	30 Units Senior Tax Credit		162 Pipestone Street Benton Harbor, MI 49022 Berrien County MAILING ADDRESS: River Terrace

Mill Pond Manor Apartments Section 8	58 Units		614 N. 2nd Ave	Brighton, MI 48116	Livingston County
Mitchell Street Condos	13 Homes Credit	Tax	20 Sears Ave.	Highland Park, MI 48203	Wayne County
Morningside Commons	64 Units Credit/Home	Tax	14200 Kercheval Wayne County	Detroit, MI 48215 MAILING ADDRESS: Lakewood Manor	
Newman Court Apts Section 8	172 Units		630 Kettering Ave	Pontiac, MI 48340	Oakland County
Norman Towers	109 Units	Tax Credit	810 W. Elm Ave	Monroe, MI 48162	Monroe County
Nortown I	50 Units Home Tax Credit		20017 Van Dyke	Detroit, MI 48234	Wayne County
Oakhill Vlg/Townhomes	203 Units Student Housing/Market		1010 Marguerite Ave	Muskegon, MI 49442	
Oakwood Senior Apartments Senior Home	40 Units		14825 Nehls	Eastpointe, MI 48021	Macomb County
Pablo Davis	75 Units	Senior/Tax Credit	9200 W Vernor Hwy	Detroit, MI 48209	Wayne County
Palmer Court Townhomes	173 Units Tax Credit		5721 St. Antoine Street 48202	Detroit, MI	Wayne County
Park Place	165 Units	Tax Credit	2932 Marshall Ave, SE	Grand Rapids, MI 49508	Kent County
Parkview Place	199 Units Credit/Section 8	Tax	1401 Chene	Detroit, MI 48207	Wayne County
Penrose Village I & II	36/36 Units Tax Credit		19416 Charleston	Detroit, MI 48203	Wayne County
Pilgrim Meadows	30 Units	Tax Credit	3843 Puritan	Detroit, MI 48238	Wayne County
Pilgrim Village	22 Units	Tax Credit	15949 Quincy Wayne County	Detroit, MI 48238 MAILING ADDRESS: Pilgrim Meadows	
Prince Hall	156 Units Credit	Tax	2199 Prince Hall Drive	Detroit, MI 48207	Wayne County
Renaissance	56 Units Tax Credit		129 South Edith St	Pontiac, MI 48342	Oakland County

Reuben Daniels	50 Units	Tax Credit	1718 Sanford St Saginaw County	Saginaw, MI 48601 MAILING ADDRESS: Vista Villa
Ridgewood Vista	150 Units	Section 8	5000 Ponderosa Drive Jackson County	Jackson, MI 49201-8817
River Terrace	270 Units 8 Senior/Family	Section	200 River Terrace Drive Berrien County	Benton Harbor, MI 49022
Riverside Apartments	67 Units Credit	Tax	1800, 1801, 1830, 1730 Magnolia MI 48208 ADDRESS: 3540 Harrison	Detroit, Wayne County MAILING ADDRESS: Detroit, MI 48208
Robert Thomas	49 Units	Tax Credit	5121 West Chicago Wayne County	Detroit, MI 48204
Roberts III Apartments	197 Units 236/HOME	RAP	3901 Grand River Wayne County	Detroit, MI 48208
Roosevelt Park Lofts	21 Units Tax Credit / Home		1363 Grandville Ave SW 49503 Kent County 1167 Madison SE	Grand Rapids, MI MAILING ADDRESS: Grand Rapids, MI 49507
Royal Oak Tower	200 Units Credit Senior	Tax	20800 Wyoming Oakland County	Ferndale, MI 48220
San Juan	11 Units Credit/Home	Tax	7418 Puritan Wayne County	Detroit, MI 48238 MAILING ADDRESS: Pilgrim Meadows
Sarah Garrett Homes	35 Home Units Tax Credit/PBV		5148 Yemans Wayne County	Hamtramck, MI 48212 MAILING ADDRESS: Highland Manor
Shiloh Commons	125 Units Tax Credit		3209 Buick St Genesee County	Flint MI 48505
Silver Creek	111 Units Tax Credit		25617 Valley Creek Drive #100 Flat Rock, MI 48134	Wayne County
South Hill	120 Units	Section 8	585 Gwendolyn Blvd. Oakland County	Milford, MI 48381

Southtown Square	(aka Madison Square) Section 8	44 Units	1167 Madison Ave SE 49507 ADDRESS: 1167 Madison SE Rapid, MI 49507	Grand Rapids, MI Kent County Grand Kent County
Springwells Village	24 Units	Tax Credit	9200 W Vernor Hwy Wayne County	Detroit, MI 48209
Thurgood Marshall Homes	Tax Credit	72 Units	406 Pipestone Rd. Berrien County	Benton Harbor, MI 49022
University Club	120 Units	Tax Credit/Home	4707 Anthony Wayne Dr. Wayne County	Detroit, MI 48201
Uptown Village	Tax Credit / Home	24 Units	950 Wealthy Street SE Kent County Madison SE	Grand Rapids, MI 49506 MAILING ADDRESS: 1167 Grand Rapids, MI 49507 Kent County
Van Dyke Center	200 Units	Section 8 Senior	8100 Gratiot Wayne County	Detroit, MI 48213-2970
Village at Irving Park	Tax Credit	39 Units	115 West Street Calhoun County	Battle Creek, MI 49037
Village of Royal Oak	Tax Credit Senior	147 Units	3442 Devon Road Oakland County	Royal Oak, MI 48073
Village Park	NSP/PBV	57 Units	1085 Van Dyke Wayne County	Detroit, MI 48214
Vista Villa	100 Units Credit/Home	Tax	3622 Hess Ave. Saginaw County	Saginaw, MI 48601
Walnut Grove Apartments	Section 8/Tax Credit	80 Units	875 Sheffield SW Kent County	Grand Rapids, MI 49503
Wellington I & II	45/46 Units Credit	Tax	59 Sewerd St Wayne County	Detroit MI 48202
Wildwood Apartments	Tax Credit/PBV	229 Units	5995 N. Wildwood Street Wayne County	Westland, MI 48185

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

WHEREAS, the City of Lansing's Department of Neighborhoods & Citizen Engagement / Office of Financial Empowerment was awarded an FEC Expert City stipend of \$10,000 by Cities for Financial Empowerment;

WHEREAS, these dollars will be used to cover DNCE staff time and/or other expenses incurred while providing technical assistance to Richmond County, VA and Washtenaw County, MI in launching their Financial Empowerment Centers;

WHEREAS, the award for \$10,000 does not require a local match;

NOW, THEREFORE, BE IT RESOLVED, the Lansing City Council approves acceptance of the Cities for Financial Empowerment grant in the total amount of \$10,000 for the grant period beginning September 15, 2020 and ending May 31, 2021.

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

BY THE COMMITTEE ON DEVELOPMENT & PLANNING

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

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

SLU-2-2020: 900 Southland Avenue, Suite 910, Special Land Use Permit, Church in the
“F” Commercial zoning district

CITY OF LANSING
NOTICE OF PUBLIC HEARING

SLU-2-2020, 900 Southland Avenue, Suite 910
Special Land Use Permit – Church

The Lansing City Council will hold a public hearing on Monday, 2020 at 7:00 p.m. to consider SLU-2-2020, a request by Soulwinners Ministries International for a special land permit to utilize 900 Southland Avenue, Suite 910 for a church.

The meeting will be conducted remotely via Zoom Conferencing at <https://us02web.zoom.us/j/> or by dialing 312-626-6799 using meeting ID: .

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

Chris Swope, City Clerk

SLU-2-2020 is a request for a special land use permit to establish a church at 900 Southland Avenue, suite 910. 900 Southland is a multi-tenant building located on the north side of Southland Avenue which is an east-west road that connects S. MLK and S. Washington Avenue, north of W. Holmes Road. The City approved a special land use permit for another church in one of the suites in this building in 2019.

On November 4, 2020, the Planning Board voted unanimously to recommend approval of the request.

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

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

SLU-2-2020

**Church in the "F" Commercial District
900 Southland Avenue, Suite 910**

WHEREAS, Soulwinners Ministries International has requested a Special Land Use permit to allow a church at 900 Southland Avenue, Suite 910; and

WHEREAS, churches are permitted in the "F" Commercial district, which is the zoning designation of the subject property, if a Special Land Use permit is approved by the Lansing City Council; and

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

WHEREAS, the Planning Board held a public hearing on November 4, 2020, at which the applicant's representative spoke in favor of the request and no other comments were received; and

WHEREAS, the Planning Board, at its regular meeting held on November 4, 2020, voted (5-0) to recommend approval of SLU-2-2020, a Special Land Use permit to allow a church at 900 Southland Avenue, Suite 919 with the condition that the church agrees, in writing, that it will not object to the issuance of liquor license within 500 feet of its location; and

WHEREAS, the City Council held a public hearing regarding SLU-2-2020 on 2020; and

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

NOW THEREFORE BE IT RESOLVED that the Lansing City Council hereby approves SLU-2-2020, a Special Land Use permit to allow a church at 900 Southland Avenue, Suite 910 with the condition that the church agrees, in writing, that it will not object to the issuance of liquor license within 500 feet of its location.

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

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

1. The proposed church is compatible with the essential character of the surrounding area, as designed.
2. The proposed church will not change the essential character of the surrounding area.

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

GENERAL INFORMATION

APPLICANT:	Soulwinners Ministries International 819 Blanchette Drive East Lansing, MI 48823
OWNERS:	Lanprop, LLC 2740 Bronson Blvd. Kalamazoo, MI 49008
REQUESTED ACTION:	Special Land Use permit to permit a church at 900 Southland Avenue, Suite 910
EXISTING LAND USE:	Multi-tenant commercial building that includes an existing church in suite 918 (west end of the building)
EXISTING ZONING:	"F" Commercial District
PROPERTY SIZE & SHAPE:	Irregular Shape – 47,467 square feet (1.08 acres)
SURROUNDING LAND USE:	N: Dollar General/Apartment Complex S: Multi-tenant commercial building E: Multi-tenant commercial building W: McDonald's
SURROUNDING ZONING:	N: "DM-1" Residential, "J" Parking & "G-2" Wholesale Districts S: "F" Commercial District E: "F" Commercial & "J" Parking Districts W: "F" Commercial & "J" Parking Districts
MASTER PLAN DESIGNATION:	The Design Lansing Comprehensive Plan designates the subject property as "Community Mixed Use Center". Southland Avenue is designated as a local road.

SPECIFIC INFORMATION

This is a request by Soulwinners Ministries International for a special land permit to utilize 900 Southland Avenue, Suite 910 for a church. Churches are permitted in the "F" Commercial district, which is the zoning designation of the subject property, if a Special Land Use permit is approved by the Lansing City Council.

According to the information provided by the applicant, the church is comprised of approximately 110 members with an average of 50 members attending a service on Sunday, 40 members on Wednesdays and 20 members attending the Friday service. There is 1 full-time staff member and 8

volunteer staff members. Services are held at 11:00 a.m. on Sundays, 7:00 p.m. on Wednesdays and Fridays. A more detailed description of the church's weekly activities is provided in the attachment labeled "Church Information".

The suite that would be occupied by the church is located somewhat in the middle of the multi-tenant building at 900 Southland Avenue, the majority of which is currently vacant. A small church occupies the suite at the west end of the building (approved by Special Land Use permit in 2019) and there is a laundromat in the suite at the east end of the building.

AGENCY RESPONSES:

BWL:

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

Development:

Fire Marshal:

Parks & Recreation: No comment.

Public Service: No comments or issues

Transportation: No issue with this request as the number of members will have minimal impact on traffic.

ANALYSIS

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

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

The proposed church will occupy one small suite in a multi-tenant commercial building located on a side street that extends between S. ML King and S. Washington Avenue. The subject property and the majority of the adjoining properties are zoned "F" Commercial. Given its small size and location on a side street, the proposed church is not anticipated to have any negative impacts on the surrounding area. There is more than enough parking on the site to accommodate the church as well as all existing and future tenants in the building, particularly since church activities typically occur during times when business/commercial activity is not operating at peak levels.

The proposed church will not negatively impact the commercial area in which it is located. One of the greatest impacts that a church can have on a commercial environment is that they have the ability to object to and possibly prevent the issuance of liquor licenses within 500 feet of their building. Liquor stores, bars, taverns and restaurants, which are uses permitted by right in all commercial zoning districts, contribute to the economic vibrancy of commercial corridors as they are customer-oriented businesses that generate traffic on a regular basis. In this case, however, it is unlikely that there would be a request to establish a liquor license type business within 500 feet of the proposed church since the commercial properties within that area are not located on a major corridor where there is exposure to potential customers.

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

The proposed church will not “change” the essential character of the area. It will, however, have a positive impact on the area by filling a suite and bringing some much needed activity to an area that is primarily characterized by vacant buildings. The properties along Southland Avenue contain multi-tenant buildings, all of which have been mostly vacant for the past several years. It is assumed that one of the challenges involved in attracting and retaining tenants to these buildings is the lack of exposure to even low levels of traffic, thus, making them more desirable for destination type businesses such as offices and churches, as opposed to retail stores, restaurants, gas stations, salons and other uses that depend on pass-by traffic to establish a customer base.

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

The primary concern with churches in terms of interfering with the enjoyment of adjacent properties is the potential conflicts with liquor licenses. By state law, a church has an opportunity to object to all new liquor licenses within 500 feet of its building. The proposed church would be located in the middle of an area that is zoned “F” Commercial, which district permits alcohol establishments (retail, bar, tavern, restaurant, etc.) as a matter of right. In this case, the properties that are within 500 feet of the proposed church are all located along Southland Avenue which is a side street that experiences very low volumes of traffic. Given the lack of exposure to high volumes of traffic, the properties along Southland Avenue would not be very desirable for the types of businesses that would need a liquor license. In order ensure, however, that there will not be any conflicts in the future, if the special land use permit is approved, it should be conditioned upon the church agreeing, in writing that it will not object to the issuance of liquor licenses in the area. The City of Lansing has a standard format that is used for such an agreement.

4. Will the proposed special land use represent an improvement to the use or character of property under consideration and the surrounding area in general, and will the use be in keeping with the natural environment of the lot?

No physical changes will be made to the site as a result of the special land use permit and thus, it will have no impact on the natural environment. The proposed church will represent

an improvement to the use and character of site and the surrounding area in general as it will bring some much needed activity to a building that is otherwise predominately vacant.

5. **Will the proposed special land use be hazardous to adjacent property or involve uses, activities, materials or equipment which are detrimental to the health, safety or welfare of persons or property through the excessive production of traffic, noise, smoke, odor, fumes or glare?**

The church will not generate any nuisances or hazardous conditions.

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

The subject property is currently served by all necessary public services and utilities. A change of use permit will be necessary to determine if the structure complies with current building code and fire code requirements for an assembly use.

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

The proposed special land use will not increase the demand on public services and facilities in excess of current capacity.

8. **Is the proposed special land use consistent with the intent and purpose of this Zoning Code and the objectives of any currently adopted Comprehensive Plan?**

The Design Lansing Master Plan designates the subject property and the surrounding area as a "Community Mixed-Use Center". The purpose of this district, as stated in the plan, is to encourage the transformation of large commercial concentrations into mixed-use districts consisting of offices, *institutions*, live-work, retail, personal services, entertainment, hotel and residential uses. Since a church is considered an "institution" the proposal is consistent with the intent and purpose of the Master Plan.

The proposed church is also consistent with the intent and purpose of the Zoning Ordinance. Churches are permitted by special land use permit in all zoning districts. The Zoning Ordinance establishes 9 criteria to evaluate whether a particular location is appropriate for a church. Churches in general do not contribute to the vibrancy of commercial areas because they generate very little activity on a daily basis and they have the ability to object to the issuance of liquor licenses within 500 feet of their location. In this case, the proposed church will be located on a side street rather than a major commercial corridor and because of its small size, the lack of daily activity will not impact the commercial vibrancy of the area in which it is located. Furthermore, it is unlikely that an establishment that would need a liquor license would desire to locate within 500 feet of the proposed church because of its lack of exposure from a major corridor.

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

The only dimensional requirement that applies to this request is parking. Section 1284.13(b)(1) of the Zoning Ordinance requires 1 parking space for each 3 seats in the sanctuary. Based on the projected peak occupancy level for the Sunday service (50 parishioners and 8 staff members), 19 parking spaces are required for the church. There are 62 parking spaces on the site that are shared by all of the tenants. The existing church on the site is very small and only requires 7 of the 62 parking spaces. Also, parking for the laundromat is relatively light and does not typically consume more than about 10-15 parking spaces, at its peak usage. Even if the remaining suites were to be filled by uses permitted in the "F" Commercial district, the church will not place excessive demands on the parking, particularly since services are held at times when most businesses are not operating at peak levels. The 62 space parking lot on the site is therefore, more than adequate to accommodate the current membership of the church and any growth that may occur, while not placing a burden on the site's parking that would negatively impact existing or future tenants in the remainder of the building.

SUMMARY

This is a request by Soulwinners Ministries International for a special land permit to utilize 900 Southland Avenue, Suite 910 for a church. Churches are permitted in the "F" Commercial district, which is the zoning designation of the subject property, if a Special Land Use permit is approved by the Lansing City Council.

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

1. The proposed church will be harmonious with the character of surrounding uses/properties.
2. The proposed church will not change the essential character of the surrounding properties.
3. The proposed church will not interfere with the general enjoyment of adjacent properties.
4. The proposed church does represent an improvement to the existing property.
5. The proposed church will not be hazardous to adjacent properties.
6. The proposed church can be adequately served by public services and utilities.
7. The proposed church will not place any demand on public services and facilities in excess of current capacities.
8. The proposed church is consistent with the intent and purpose of the Zoning Code and the Design Lansing Comprehensive Plan.
9. The proposed church will comply with all applicable dimensional requirements.

RECOMMENDATION

Staff recommends approval of SLU-2-2020, a special land use permit to allow a church at 900 Southland Avenue, Suite 910, based upon the findings of fact as outlined in this staff report, with the condition that the applicant agrees, in writing, that it will not object to the issuance of liquor licenses in the area.

Respectfully Submitted,
Susan Stachowiak, Zoning Administrator

Soulwinners Ministries International

Church Information

Soulwinners Ministries International is an international Christian ministry, founded in 2004 (by Pastor Michael Venyah, ordained into Christian Pastoral Ministry, on December 8, 1996), registered with the IRS as a 501-C3 organization in 2007, possessing headquarters in East Lansing, Michigan, USA. The Lord Jesus Christ has established SMI church congregations in various locations both in the USA - Lansing, Michigan; Beulahville, North Carolina; Beech Park, Illinois - and overseas - in the East African nations of Tanzania, Kenya, Uganda, and in Myanmar, Southeast Asia.

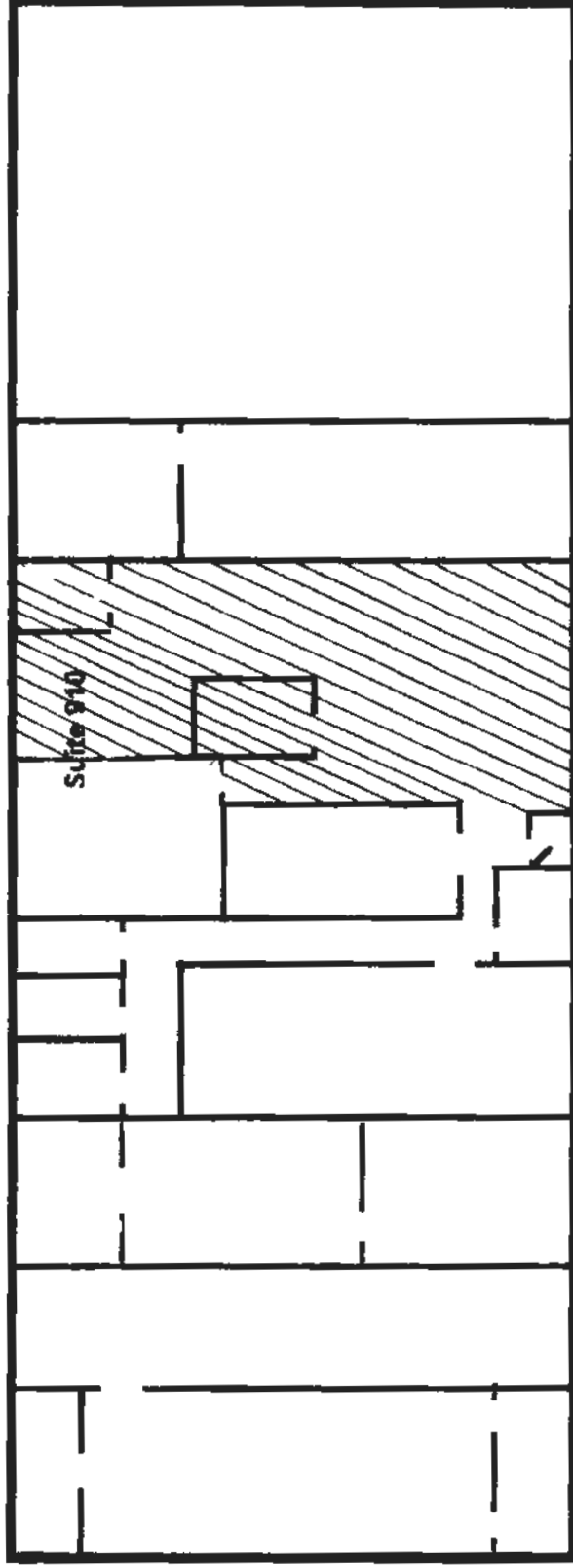
The ministry's headquarters church, located in Lansing, Michigan, consists of approximately 110 members - an average of 50 attending Sunday, 40 attending Wednesday, and 20 attending Friday - with 1 full-time staff member, and 8 volunteer staff.

Weekly Worship Service times are held Sundays at 11:00am (with Pre-service prayer convening at 10:00am), and Wednesday 7:00pm (with prayer at 6:00pm). "Friday Night Fire" the church's weekly Fasting-Prayer Meeting - entailing fasting and prayer for church members, the citizenry and leadership of Lansing, the state of Michigan, the USA, and the world - occurs Friday at 7:00pm. On Saturdays, at 1:00pm, Community Service Day commences, in which members gather to pray for the city, then go out into the community to share the Gospel of the Lord Jesus, pray for people, offer food to the homeless and needy, and afford spiritual and material assistance.

In addition to weekly church services, Bible Studies, and prayer meetings, the ministry broadcasts all Biblical sermons to viewers throughout Lansing, and the world, via its Facebook Live broadcast, offers free materials and Biblical instruction through its website www.soul-winners.org, and formerly broadcasted its Gospel Preaching Messages to the citizens of Lansing via the Good-News television station in Lansing, Michigan, and a radio program which aired throughout the tri-county area of Michigan.

Annually, SMI hosts a convocation in January, attended by pastors of the ministry's daughter churches, sponsors a free financial seminar for the people and businesses of Lansing and other Michigan cities taught by a Christian financial advisor trained and certified by international financial expert Dave Ramsey, makes missionary journeys to Africa and Asia to preach Soulwinners Gospel Crusades to multitudes, trains pastors and leaders in continent-wide Soulwinners Leadership Training Conferences, trains SMI churches on those continents, in addition to traveling throughout the USA, training SMI churches, and giving the Good News of the Lord Jesus Christ to the people of this nation.

EXHIBIT A



900 Southland Ave
Lansing MI 48910









Zoning District

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



North

INTRODUCTION OF ORDINANCES

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

Z-6-2020: 2420, 2432, 2442 & 2506 N. Grand River Avenue from “F” Commercial, “J” Parking, “A” Residential, “D-1” Professional Office and “G-2” Wholesale Districts to “H” Light Industrial District

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

BY THE COMMITTEE ON DEVELOPMENT & PLANNING

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

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

Z-6-2020: 2420, 2432, 2442 & 2506 N. Grand River Avenue from “F” Commercial, “J” Parking, “A” Residential, “D-1” Professional Office and “G-2” Wholesale Districts to “H” Light Industrial District

CITY OF LANSING
NOTICE OF PUBLIC HEARING

Z-6-2020, 2420, 2432, 2442, 2506 N. Grand River Avenue

Rezoning from “F” Commercial, “J” Parking, “A” Residential, “D-1” Professional Office and
“G-2” Wholesale to “H” Light Industrial

The Lansing City Council will hold a public hearing on Monday, 2020 at 7:00 p.m. to consider Z-6-2020, a request by Grand River Development, LLC to rezone the properties at 2420, 2432, 2442, 2506 N. Grand River Avenue from “F” Commercial, “J” Parking, “A” Residential, “D-1” Professional Office and “G-2” Wholesale districts to “H” Light Industrial district. The purpose of the rezoning is to eliminate an inconsistent zoning pattern along the north side of the 2400 and 2500 blocks of N. Grand River Avenue.

The meeting will be conducted remotely via Zoom Conferencing at <https://us02web.zoom.us/j/> or by dialing 312-626-6799 using meeting ID: .

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

Chris Swope, City Clerk

Z-6-2020 is a request by Grand River Development, LLC to rezone the properties at 2420, 2432, 2442, 2506 N. Grand River Avenue from “F” Commercial, “J” Parking, “A” Residential, “D-1” Professional Office and “G-2” Wholesale districts to “H” Light Industrial district. The purpose of the rezoning is to eliminate an inconsistent zoning pattern along the north side of the 2400 and 2500 blocks of N. Grand River Avenue.

The applicant has no immediate plans for development of the property but would like to clean up the zoning so that it could be developed at some point in the future.

On November 4, 2020, the Planning Board voted unanimously to recommend approval of the request.

The owners, taxpayers and occupants of all real property within 300 feet of the site were notified of the public hearing. One email from a neighboring property owner in support of the request has been received. Only the applicant’ representative spoke at the public hearing.

ORDINANCE # _____

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

The City of Lansing ordains:

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

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

Case Number: Z-6-2020

Parcel Number's: 33-01-01-05-427-101, 33-01-01-05-427-111, 33-01-01-05-427-121, 33-01-01-05-427-131

Addresses: 2420, 2432, 2442 & 2506 N. Grand River Avenue

Legal Descriptions: Lots 13, 14, 15 & 17, Assessor's Plat No. 57, from F" Commercial, "J" Parking, "A" Residential, "D-1" Professional Office and "G-2" Wholesale to "H" Light Industrial.

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

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

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

GENERAL INFORMATION

APPLICANT/OWNER:	Grand River Development, LLC 2420 N. Grand River Avenue Lansing, MI 48906
REQUESTED ACTIONS:	Rezone the properties at 2420, 2432, 2442 & 2506 N. Grand River Avenue from "F" Commercial, "J" Parking, "A" Residential, "D-1" Professional Office and "G-2" Wholesale Districts to "H" Light Industrial District
EXISTING LAND USE:	2420 N. Grand River – Office/Storage 2432 N. Grand River – Parking/Storage Yard 2442 N. Grand River – Parking/Storage Yard 2506 N. Grand River - Vacant
EXISTING ZONING:	2420 N. Grand River – "G-2" Wholesale & "D-1" Prof. Office 2432 N. Grand River – "G-2" Wholesale 2442 N. Grand River – "D-1" Professional Office 2506 N. Grand River – "H" Light Industrial, "A" Residential & "J" Parking
PROPOSED ZONING:	"H" Light Industrial District
PROPERTY SIZE:	2420 N. Grand River – 1.047 acres 2432 N. Grand River – .459 acres 2442 N. Grand River – 1.26 acres 2506 N. Grand River – .308 acres
SURROUNDING LAND USE:	N: Warehouse/Storage/Railroad S: Office/Residential/Vacant E: Storage Yard/Vacant W: Warehouse/Storage/Retail
SURROUNDING ZONING:	N: "H" Light Industrial & "I" Heavy Industrial S: "F" Commercial & "A" Residential E: "H" Light Industrial, "I" Heavy Industrial & "A" Residential District W: "H" Light Industrial, "I" Heavy Industrial & "A" Residential District
MASTER PLAN:	The Design Lansing Comprehensive Plan designates the subject property for light industrial land use. N. Grand River is designated as a major arterial.

DESCRIPTION:

This is a request by Grand River Development, LLC to rezone the properties at 2420, 2432, 2442, 2506 N. Grand River Avenue from "F" Commercial, "J" Parking, "A" Residential, "D-1" Professional Office and "G-2" Wholesale districts to "H" Light Industrial district. The purpose of the rezoning is to eliminate an inconsistent zoning pattern along the north side of the 2400 and 2500 blocks of N. Grand River Avenue.

AGENCY RESPONSES

BWL:	See attached – no concerns or objections
Building Safety:	The Building Safety Office has no objections. Future construction is subject to site and construction document reviews.
Parks & Recreation:	No comments.
Public Service:	No comments.
Traffic Engineer:	

COMPATIBILITY WITH SURROUNDING LAND USE

As evidenced by the attached zoning map, the zoning pattern in the 2400-2500 blocks of N. Grand River Avenue is very inconsistent. 2442 N. Grand River is entirely zoned "D-1" Professional Office. 2432 N. Grand River is entirely zoned "G-2" Wholesale and 2420 N. Grand River is zoned both "D-1" and "G-2". 2506 N. Grand River is zoned "H" Light Industrial and "A" Residential with a small strip of "J" Parking in the center of the lot. In the distant past, the City used "J" Parking and "A" Residential zoning to limit the buildable area on a nonresidential site so that the City could maintain control over property by making it difficult for any new construction to occur without a rezoning. That is not an acceptable planning/zoning practice and the inconsistent zoning patterns that occurred as a result should be corrected as the opportunities to do so present themselves. Additionally, there is no logical reason why the properties in the 2400-2500 blocks of N. Grand River all have a different zoning designation when they are all located along a major arterial and all adjoin properties that are zoned industrial and being used for industrial purposes.

While the applicant does not have a specific plan at this time, the purpose of the rezoning is to eliminate the zoning inconsistencies that would make any future development of the properties very difficult. The zoning of a property should be determined by whether it will allow uses that will be compatible with existing land uses in the area in terms of level of activity, noise, fumes and the amount and type of traffic that would be generated. Given the potential impacts of some industrial uses on adjoining or nearby residential properties, the areas in the City that would be appropriate for industrial zoning are very limited. In this case, the subject properties all adjoin existing industrial zoning/uses to their north, none of the properties directly adjoin any residential land uses and all of the sites are located along and have direct access to N. Grand River Avenue which is a major arterial

designed to carry the heaviest volumes of traffic. The proposed “H” Light Industrial zoning is therefore, appropriate for all four of the subject properties.

COMPLIANCE WITH MASTER PLAN

The proposal to rezone the subject properties to “H” Light Industrial will allow for future use in a manner consistent the light industrial land use designation being advanced in the Design Lansing Comprehensive Plan. The purpose of the light industrial land use designation is:

“To provide an environment for commercial services, sales, warehousing/wholesaling, and manufacturing when located within an enclosed structure. No outdoor storage of materials or equipment other than sales displays should be permitted.”

The typical location/location criteria as stated in the Plan is:

“Within easy access of rail, air and highway transportation without traveling neighborhood streets. Clustering of uses in a business park environment served by an internal street system is preferred.”

Three of the subject properties directly adjoin an active railway to their north and all four properties have frontage upon and direct access to N. Grand River Avenue which is a major arterial.

IMPACT ON VEHICULAR AND PEDESTRIAN TRAFFIC

The proposed rezoning, regardless of the uses that could potentially be established on the subject properties under the “H” Light Industrial district, would not have any negative impacts on traffic in the area. All 4 properties are located on N. Grand River Avenue which is a major arterial, designed to carry the highest volumes of traffic.

IMPACT ON PUBLIC FACILITIES

New construction will be reviewed and approved through the City’s administrative site plan review process, at which time the adequacy of utilities will be determined. Any utility extensions or upgrades necessary to serve future development will be the responsibility of the applicant/owner.

ENVIRONMENTAL IMPACT

The subject properties will have to be brought into compliance with all applicable codes and ordinances as part of any new construction projects that are subject to site plan review. The City Engineers will review the plan to ensure that it does not negatively impact the environment. In fact, a primary component of the site plan review process is the evaluation and approval of a storm-water management plan by the City Engineers to prevent soil erosion and to ensure that run-off from the site flows into the storm sewer system at a rate that that does not exceed its capacity. A landscape plan will also be required as part of the site plan review process.

IMPACT ON FUTURE PATTERNS OF DEVELOPMENT

The proposed rezoning will have no negative impacts on future patterns of development along N. Grand River Avenue. The proposed "H" Light Industrial zoning will be consistent with the existing zoning pattern in the area and will allow for uses that are consistent with surrounding land uses and with the light industrial land use pattern being advanced in the master plan for the subject properties. There are other properties in the area that would also be appropriate for rezoning to the "H" Light Industrial district for these same reasons which are the basic criteria used for evaluating rezoning requests. Approval of this rezoning will not establish a negative precedent to rezone properties in the area that would not meet the criteria for rezoning.

SUMMARY

This is a request by Grand River Development, LLC to rezone the properties at 2420, 2432, 2442, 2506 N. Grand River Avenue from "F" Commercial, "J" Parking, "A" Residential, "D-1" Professional Office and "G-2" Wholesale districts to "H" Light Industrial district. The purpose of the rezoning is to eliminate an inconsistent zoning pattern along the north side of the 2400 and 2500 blocks of N. Grand River Avenue.

The proposed "H" Light Industrial zoning will be consistent with the established zoning pattern in the area, will allow for uses that are consistent with the established land use pattern in the area and with the light industrial land use pattern being advanced in the master plan. In addition, future use of the properties for light industrial purposes will have no negative impacts on traffic, utilities or the environment and will not set a negative precedent to rezone other properties in the area that would not be appropriate for industrial use.

RECOMMENDATIONS

Pursuant to the findings described above, staff recommends approval of Z-6-2020 to rezone the properties at 2420, 2432, 2442, 2506 N. Grand River Avenue from "F" Commercial, "J" Parking, "A" Residential, "D-1" Professional Office and "G-2" Wholesale districts to "H" Light Industrial district.

Respectfully Submitted,

Susan Stachowiak
Zoning Administrator



BOARD OF WATER AND LIGHT MEMO

October 29, 2020

TO: City of Lansing – Planning Department, Susan Stachowiak
FROM: Andy Baumgartner, Real Property Analyst, Legal Services, 517-702-6795
RE: COL Z-6-2020_2420 N. Grand River Ave_Comments

BWL Electric: Approved.

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

BWL Street Lighting: Approved with comments:

- LBWL Has 480v street light duct running along north side of GRAND RIVER behind curb the length of the property and beyond. Gary Simpson 517-702-6647

BWL Water & Steam Distribution:

Approved

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

- **Site-Specific Comments:**
 - BWL records indicate active services on the proposed parcels. Should the customer wish to develop area further, they must submit a plan for these services as well as any plans to connect to BWL's existing mains in the area.
 - The BWL owns and maintains existing water facilities in adjacent areas. Should the customer choose to connect to BWL's water, the BWL will require the customer to maintain a minimum of 10-feet horizontal and 18-inches vertical separation from the water and any sanitary or storm sewer, and 5-feet horizontal and 12-inches vertical between water and all other utilities.
 - The customer should ensure that they meet proper fire flow requirements for the new zoning allocation with the Lansing Fire Marshall, should the area be further developed.
- **General Comments:**
 - Any alteration to the BWL Water Distribution System is subject to review by the BWL. Alterations may include installation of new services, relocation or removal of existing water distribution facilities, any meter work, or work the changes cover over existing water utilities. The owner is responsible for the costs of any alteration to these facilities.
- Any questions about specific water service requirements may be directed to the BWL Water Distribution Department; Lilli Celovsky via phone at 517-702-6807 or e-mail at Lilli.Celovsky@lbwl.com.

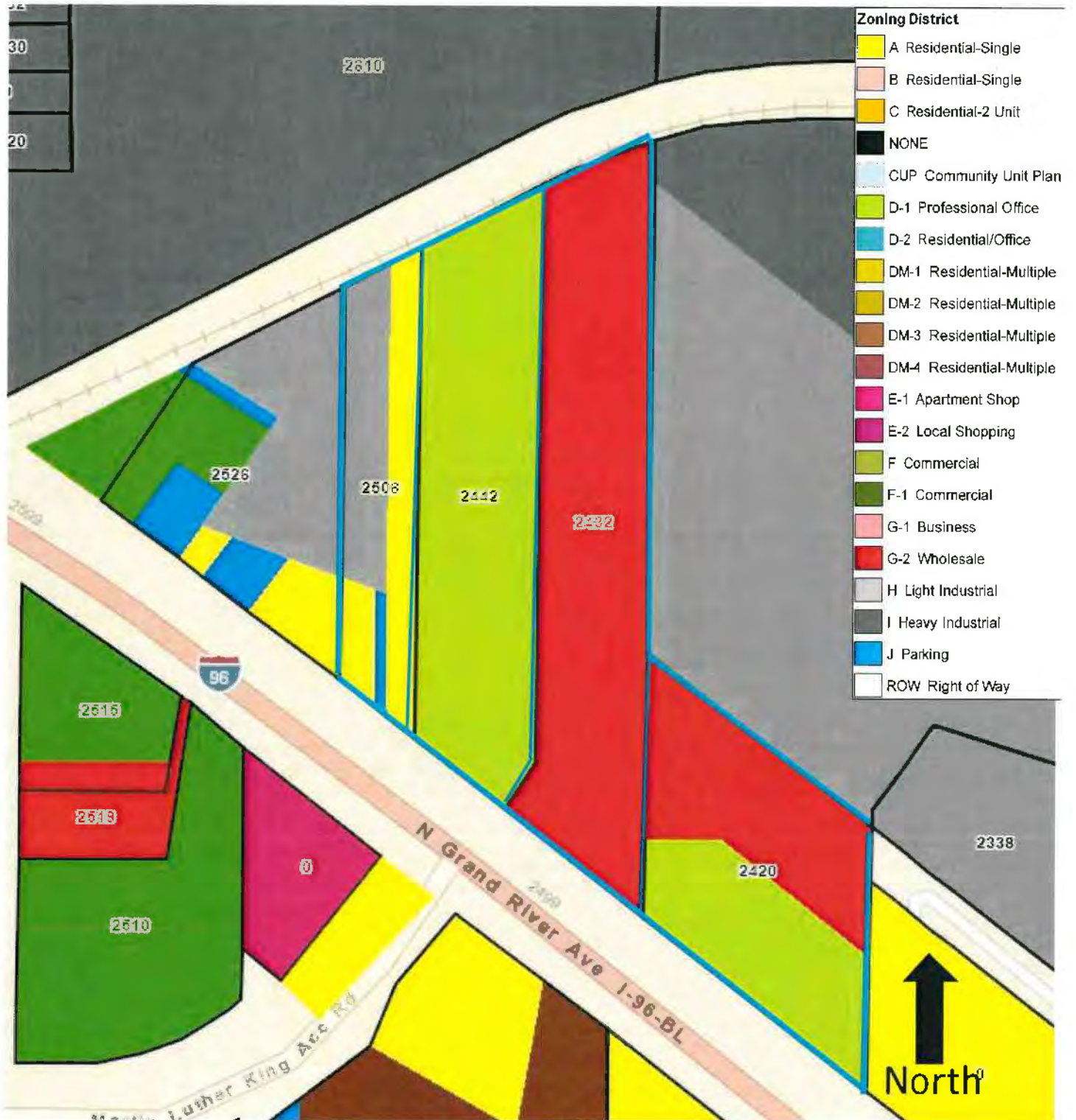
BWL Water Operations: Derek Ambs

No concerns. Water system improvements are planned for 2021, which will improve available fire protection to this area.

BWL Environmental Wellhead Protection: Angie Goodman, Water Quality

No concerns with rezoning

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



2420 N. Grand River



2432 N. Grand River



2506 N. Grand River



2432 N. Grand River





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

Act-4-2020, Rose Court Street Vacation

WHEREAS, RE Fund Lansing 1 LLC, 33 N. Saginaw St., Pontiac, MI 48342, has requested that the City vacate Rose Court; and

WHEREAS, RE Fund Lansing 1 LLC owns three parcels of land on the north and south sides of the subject rights-of-way; and

WHEREAS, on November 4, 2020, the Planning Board reviewed the proposal for the vacation of the subject right-of-way, and found that:

- The request can be granted without a significant impact on the circulation network
- The public purposes of the right-of-way (access & utilities) can be satisfied without the street remaining in public ownership; and

WHEREAS, the Planning Board voted unanimously (4-0) on the proposal to recommend the vacation of Rose Court with the following conditions:

- That all utilities are protected through easements or relocation; 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-4-2020, and approves the vacation of the subject right-of-way, legally described as:

Beginning at the southeast corner of Lot 1, Block 2, McPherson's Saginaw Street Addition, thence west 231 feet, south 50 feet, east 231 feet, north 50 feet to the point of beginning.

With the following conditions:

- That all utilities are protected through easements or relocation

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 33 REVIEW APPLICATION

CITY OF LANSING
PLANNING OFFICE

[Reset Form](#)[Print](#)

FILE NUMBER: ACT-_____

DATE SUBMITTED:_____

Applicant: **RE Fund Lansing 1, LLC**Address (including zip code): **33 N. Saginaw, Pontiac, MI 48342**Phone number: **248-722-9286**

Fax number: _____

Email: **bob@pspcrc.com**

Interest in Property:

☐ Owner☐ Represent owner☐ Option to buy☒ Other:**Need the city to vacate to enable development**

If applicant of not the owner, or if there is more than one owner, provide the following information (attach additional sheets if necessary):

Name of owner(s): **City of Lansing**Address (including zip code): **124 W. Michigan Avenue, Lansing, MI 48933**Phone number(s): **517-483-4141**

Fax number: _____

Email: _____

SUBJECT PROPERTY GENERAL INFORMATION:

Address (if any): _____

Location description: **Rose Court a Public street, west side of N. MLK Jr., Blvd.**Permanent parcel #: **none**Legal description (see note below): **Bounded by the following parcels: 33-01-01-08-458-065, 33-01-01-08-458-103, 33-01-01-08-458-370**Applicant's proposal: **Development of an approximately 70 unit multi-family development slightly north of the building located at 1100 W. Saginaw Street.**

REQUESTED ACTION: (please check one)

☐ City Acquisition of Property

☐ Street or Alley Closure

☐ City Sale of Property

☒ Vacation of R.O.W

☐ Significant Change of Use of City Property

☐ Other: _____

What positive impacts (if any) will occur as a result of approving this proposal?

Investment of approximately \$17 million along N. Martin Luther King, Jr. Blvd.

What negative impacts (if any) will occur if this proposal is not approved?

An unkempt section of right-of-way will continue to present a challenge to any future development along this section of the N. MLK, Jr. Blvd. corridor.

What negative impacts (if any) will occur as a result of approving and implementing your proposal?

None.

Please fill out this application **COMPLETELY** and make sure that the following items are included:

Maps describing proposal. Maps should be readable and drawn to a specific scale.

Any other materials, brochures, pictures, etc. which will further explain the proposal.

NOTE:

If the action applied for will result in transfer of legal title from the City to the applicant or another or if the City otherwise requires, the applicant agrees to provide at the applicant's expense:

- A certified legal description
- Title insurance
- An appraisal
- An environmental report for the property

or to pay for same at closing, whichever the City determines.

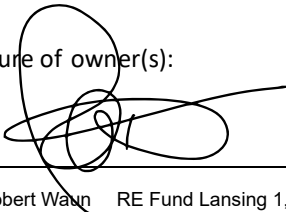
FEES:

Involving land sales over \$50,000	\$100.00
Involving land sales under \$50,000	\$50.00

Signature of applicant:


_____/_____
Date

Signature of owner(s):


_____/_____
Robert Waun RE Fund Lansing 1, LLC 8-11-20
Date

_____/_____
Date

_____/_____
Date

SUBMIT THE FULLY COMPLETED APPLICATION TO THE ADDRESS BELOW.

For assistance, please contact:

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

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: RE Fund Lansing 1, LLC, 33 N Saginaw St. Pontiac, MI is requesting the vacation of Rose Court, west of N Martin Luther King Jr. Blvd. RE Fund Lansing 1, LLC owns three of the four properties adjacent to Rose Ct.

LOCATION: Rose Ct, north of N MLK Jr. Blvd. and W Saginaw St.

CURRENT OWNER(S): City of Lansing

EXISTING LAND USE & ZONING: Use: Public right-of-way, local street. Zoning: Unzoned

PROPERTY SIZE AND SHAPE: 231' x 50', Rectangular

SURROUNDING LAND USE & ZONING: North: "J", Parking
South: "F", Commercial
West: "J", Parking
East: "B", Residential

ANALYSIS

LOCATION:

Rose Court extends west off of N. MLK Jr. Blvd. for a distance of 231 feet and ends at the property line with Mercy St. Lawrence Corp. RE Fund Lansing 1 LLC owns the three other connecting properties to the north and south, and would take possession of the land if the street were to be vacated. With respect to traffic, Rose Court serves only to access the abundance of surface parking to the north, south, and west sides of the street.

CHARACTER:

Rose Court is a small local street that currently serves only the parking lots connecting to it. However, RE Fund Lansing 1 LCC proposes using the land of the street in redevelopment plans to erect a multi-family residential building.

EXTENT:

The extent of the vacation is limited to the public street and right-of-way of Rose Ct. approximately 231' x 50', having no meaningful impact on the traffic pattern in the area. All utilities in the existing Rose Court right-of-way will have to either be relocated or protected via an easement. The entirety of the right-of-way land would be conveyed to RE Fund Lansing 1 LLC.

AGENCY REFERRALS

Lansing Board of Water and Light (BWL)

BWL Electric: Approved with the following comments:

- The BWL can provide an (underground and/or overhead) electric service to serve the new development based on the Board's Rules and Regulations for Electric Service.
- A copy of the final site, grading, and electrical plans for the proposed development must be supplied to the Customer Projects Department before a final cost for electric service and service agreement can be provided to the owner/developer.
- Owner/developer must contact BWL Customer Projects Department, Jerry Wheeler @ 517-702-6644, to initiate service agreement process.
- There are no apparent conflicts with the proposed development and the existing BWL electric distribution facilities.

BWL Electric System Integrity: Approved with strict conditions:

- BWL electric is located on both sides of Rose Ct. and serves 1120 and 1100 W. Saginaw. It is expected that this would be included in an easement upon abandonment of the right-of-way and any relocations, if feasible, would be the cost of the developer. Additionally, north of Rose Ct. on the property being proposed to be developed, critical overhead wires are in easement that feed Sparrow St. Lawrence Campus electric service. These will be potentially difficult and costly to relocate while maintaining adequate service to the medical facility. Those costs would be required to be covered by the developer and a viable route for relocation established if that is part of their development plan.

BWL Water Operations: Derek Ambs, No comments or concerns.

BWL Street Lighting: Gary Simpson 517-702-6647, **Approved**, BWL Street lighting has overhead lighting on Rose Ct. and also on MLK.

BWL Water & Steam Distribution: Approved on condition

- Site Specific Comments:
 - BWL cannot vacate an easement where there are active water facilities. If the customer would need BWL to vacate current easement, the customer would have to propose a relocation of BWL's active water facilities or propose a new 20-foot easement that includes the existing facilities on the east end of Rose Court.
 - BWL Records show abandoned water main along with lead and copper stubs. Records also show an active hydrant in the area, so caution must be made to protect any active water facilities if site were to develop.

- General Comments:
 - The BWL owns and maintains existing water facilities within the area. The facilities are within a 20-foot wide utility easement. Should the customer install utilities within BWL easement, the BWL will require the customer to maintain a minimum of 10-feet horizontal and 18-inches vertical separation from the water and any sanitary or storm sewer, and 5-feet horizontal and 12-inches vertical between water and all other utilities.
 - Prior to receiving service, the customer must submit an application to the BWL Utility Service Department at 517-702-6700 for any new service or alterations to existing services or metering. The customer will be required to enter a service agreement, meet BWL requirements, and pay applicable fees prior to receiving service. Additional information can be found online at <https://www.lbw.com/customers/services/water>.
 - The customer is responsible for verifying the precise location and depths of the existing water mains or services prior to construction. The BWL will not be responsible for unanticipated conflicts caused by inaccuracies in the customer's design documents or MISS-DIG staking in the field.
 - The customer is responsible for all costs of water service installation and removals, including connection fees, installation, metering, and engineering and administration costs for the work.
 - It is the applicant's responsibility to determine the estimated water demand (including fire flow requirements) of this project, and sizing services accordingly. The BWL will not take responsibility for inadequately sized services or metering specified by the applicant.
 - Any questions about specific water service requirements may be directed to the BWL Water Distribution Department; Lilli Celovsky via phone at 517-702-6807 or e-mail at Lilli.Celovsky@lbw.com.

BWL Environmental Wellhead Protection: Angie Goodman, Water Quality.

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

Public Service Department:

- No issue with vacation of Rose Court. [Public Service] needs to provide the standard comment regarding sanitary sewer capacity for this project. Of note, this frontage has already gone through the CSO/sewer separation project and the project was designed and

intended to accommodate SOME redevelopment, including these parcels specifically. However, depending upon the specific proposal for a sanitary sewer discharge, Public Service Dept. will need to perform a detailed review of the proposed discharge vs. existing sewer pipe capacity. It will probably be OK, but we'll need to confirm based on number of units, etc., because the in-sewer flows in this area will go up significantly as a result of this discharge.

There may be some underground utilities that would need easements. From looking at drawings for the area, the utilities in Rose Court serve these parcels only, but we need to 100% confirm. I see overhead electric, but, again, this appears to serve these parcels only. The storm sewer there serves Rose Court, only. [Public Service] can confirm for the sewer utilities WE operate (the City does not need any sewer easements).

Building Safety Office:

- No objections. This project [multi-family residential redevelopment] will be subject to site and building reviews. As set forth by the State Construction Code Act.

Lansing Fire Department:

- No objection.

Lansing Parks and Recreation:

- No objection.

STAFF RECOMMENDATION

The request can be granted without a significant impact on the circulation network. Staff recommends approval of Act-4-2020, a request by RE Fund Lansing 1 LLC, to vacate Rose Court west of N MLK Jr. Blvd., on a finding that the public purposes of the right-of-way (access & utilities) can be satisfied without the street remaining in public ownership, subject to the condition that all utilities are protected through easements or relocation per Lansing Board of Water & Light staff comments.

Westmoreland Ave

Oakland Ave

Saginaw St

N
M
L
K
Jr.
B
I
V
d





Westminster
Presbyterian
Church

Sparrow

RE Fund Lansing

Rose Ct

RE
Fund
Lansing

RE Fund Lansing

1100

1205

1208

1127

1109

1101

748

749

784

0

0

0

722

719

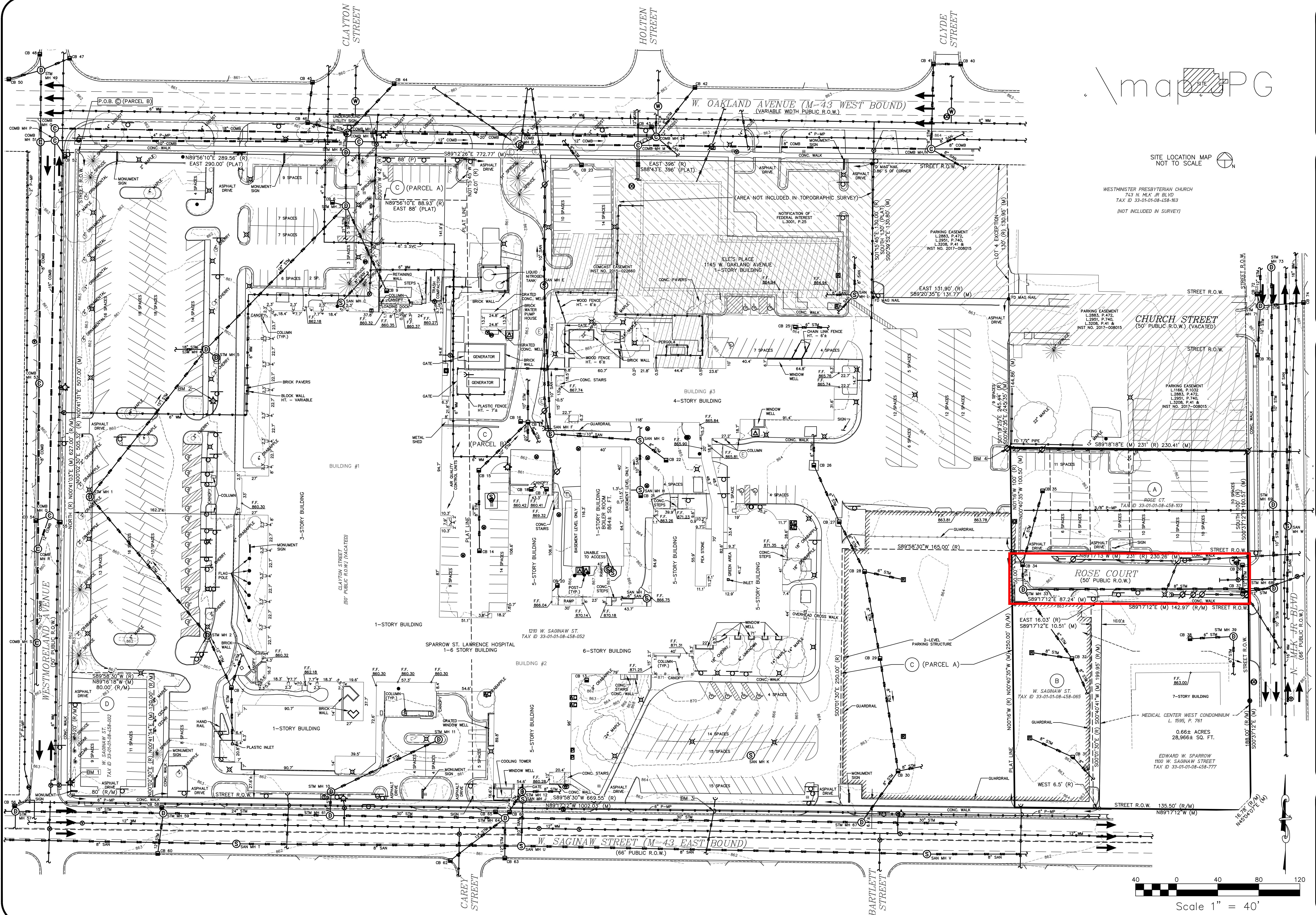
710

1026

1016



FILE: C:\USERS\WAKELAND\AppData\Local\Microsoft\Windows\NetCache\Content.Outlook\BFC07B8A\TOPODWG - PLOT DATE: 12/3/2019 8:38 AM BY: Andy Wakeland SCALE: 1:1



mapPG

SITE LOCATION MAP
NOT TO SCALE

WESTMINSTER PRESBYTERIAN CHURCH
743 N. MLK JR. BLVD
TAX ID 33-01-01-08-458-163
(NOT INCLUDED IN SURVEY)

CHURCH STREET
(50' PUBLIC R.O.W.) (VACATED)

ROSE COURT
(50' PUBLIC R.O.W.)

EDWARD W. SPARROW
100 W. SAGINAW STREET
TAX ID 33-01-01-08-458-777

Scale 1" = 40'

NO.	DATE	DESCRIPTION	REVISIONS
1	12/3/2019	ISSUED FOR PERMIT	

LSG
Engineers
& Surveyors

3135 PINE TREE ROAD
SUITE D
LANSING, MI 48911
PH. (517) 393-2902
FAX (517) 393-2608
www.lsg-es.com

SPARROW HEALTH SYSTEM
1215 E. MICHIGAN AVENUE
LANSING, MICHIGAN 48912

BOUNDARY & TOPOGRAPHIC SURVEY
OF
SPARROW - ST. LAWRENCE HOSPITAL
1210 W. SAGINAW STREET
LANSING, MICHIGAN 48915

FILE	TOPO.dwg
FIELD WORK	JS/JZ
DRAWN BY	JML
CHECKED BY	DKR
DATE OF SURVEY	3/14/2018
SCALE	1" = 40'
HOR.	N/A
VERT.	N/A
PROJECT NO.	2090
SHEET NO.	1 OF 2

INTRODUCTION OF ORDINANCES

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

Z-5-2020: Parcel No.: 33-01-05-03-352-431, Northeast corner of E. Miller Road and Orchard Court from “F” Commercial district to “DM-3” Residential district

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

ORDINANCE # _____

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

The City of Lansing ordains:

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

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

Case Number: Z-5-2020

Parcel Number: 33-01-05-03-352-431

Location: Northeast corner of E. Miller Road & Orchard Court

Legal Descriptions: Commencing 445.5 feet East of the Southwest corner of Section 3, thence North 238 feet, East 115 feet, South 238 feet, West 115 feet to the point of beginning; Section 3, T3N R2W, from "F" Commercial district to "DM-3" Residential district.

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

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

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

BY THE COMMITTEE ON DEVELOPMENT & PLANNING

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

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

Z-5-2020: Parcel No.: 33-01-05-03-352-431, Northeast corner of E. Miller Road and Orchard Court from "F" Commercial district to "DM-3" Residential district

CITY OF LANSING
NOTICE OF PUBLIC HEARING

**Z-5-2020, Northeast corner of E. Miller Road & Orchard Court
Rezoning from “F” Commercial to “DM-3” Residential**

The Lansing City Council will hold a public hearing on Monday, 2020 at 7:00 p.m. to consider Z-5-2020, a request by Raymundo Garcia to rezone the vacant .541 acre property located at northeast corner of E. Miller Road and Orchard Court from “F” Commercial district to “DM-3” Residential district. The purpose of the rezoning is to permit the use of the property for multiple family residential use.

The meeting will be conducted remotely via Zoom Conferencing at <https://us02web.zoom.us/j/> or by dialing 312-626-6799 using meeting ID: .

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

Chris Swope, City Clerk

Z-5-2020 is a request by Raymundo Garcia to rezone the vacant .541 acre property located at northeast corner of E. Miller Road and Orchard Court from “F” Commercial district to “DM-3” Residential district. The purpose of the rezoning is to permit the use of the property for multiple family residential use.

On November 4, 2020, the Planning Board voted unanimously to recommend approval of the request.

The owners, taxpayers and occupants of all real property within 300 feet of the site were notified of the public hearing. One letter of opposition has been received. 2 phone calls from area residents expressing opposition to the request have also been received. The applicant and the property owner’s representative spoke at the public hearing.

GENERAL INFORMATION

APPLICANT/OWNER: Raymundo Garcia
6739 S. Washington
Lansing, MI 48911

REQUESTED ACTIONS: Rezone the property at the northeast corner of E. Miller Road & Orchard Court from "F" Commercial to "DM-3" Residential

EXISTING LAND USE: Vacant

EXISTING ZONING: "F" Residential District

PROPOSED ZONING: "DM-3" Residential District

PROPERTY SIZE: Rectangular Shape
205' x 115' = 23,575 – .54 acres

SURROUNDING LAND USE: N: Duplex
S: Meijer Store
E: Cemetery
W: Restaurant

SURROUNDING ZONING: N: "C" Residential District
S: "F" Commercial District
E: "F" Commercial District
W: "F" Commercial District

MASTER PLAN: The Design Lansing Comprehensive Plan designates the subject property for low density residential use. E. Miller Road is designated as a collector road. Orchard Court is designated as local road.

DESCRIPTION:

This is a request by Raymundo Garcia to rezone the vacant .541 acre property located at northeast corner of E. Miller Road and Orchard Court from "F" Commercial district to "DM-3" Residential district. The purpose of the rezoning is to permit the use of the property for multiple family residential use up to 10 units.

AGENCY RESPONSES**BWL:**

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

Fire Marshal:

Parks & Recreation: Parks has the land immediately to the east of this property and that parcel is connected to North Cemetery. This could be a possible sale item in the future but would need council approval and approval of the electorate to be offered for sale.

Public Service: No Issues. Any development would require a site plan

Traffic Engineer: Transportation does not have an issue with this request as the area is a blend of both commercial and residential. A site plan addressing parking, sidewalk gaps and access points will be required if this request is approved. Depending on the final number of units, a traffic study may be requested during site plan review process.

COMPATIBILITY WITH SURROUNDING LAND USE

The subject property is vacant and is located at the northeast corner E. Miller and Orchard. The residential properties to the north are primarily duplexes. The property to the east is a City owned cemetery, Meijer is located to the south and there is a restaurant on the property to the west. The applicant is proposing to construct 10 apartment units on the subject property. Given the 60% lot coverage limitation, the additional setback requirements that apply to corner lots and the prohibition on parking within the required front yard, the applicant may not be able to construct 10 apartments as the site is relatively small for multi-family residential development. The applicant would need to hire a design professional to prepare a development plan that complies with the applicable ordinance amendments to determine how many units can actually be accommodated on the site.

The subject property is zoned "F" Commercial. The property to the east is a City owned cemetery that is zoned "A" Residential, which the exception of the area that directly adjoins the subject property which is zoned "F" Commercial. The applicant should explore the possibility of purchasing this property from the City (Parks and Recreation Dept.) and rezoning it to not only eliminate a spot of "F" Commercial zoning that would be left behind following this rezoning, but to create a larger lot for development.

The proposed multiple family residential use will be more compatible with and have much less of an impact on the residential property to its north than many of the uses that would be permitted by right under the existing "F" Commercial zoning such as gas stations, car washes, convenience stores and auto repair facilities. These types of uses have the potential to generate noise, light glare, heavy traffic and a level of activity in general that could be disruptive to the peaceful enjoyment of an adjoining residential property.

COMPLIANCE WITH MASTER PLAN

The Design Lansing Comprehensive Plan designates the subject property for low density residential use. While rezoning the property to permit multiple family residential development is not consistent with the land use pattern being advanced in the Plan, it would be more consistent than the uses that would be permitted under the existing "F" Commercial zoning.

IMPACT ON VEHICULAR AND PEDESTRIAN TRAFFIC

The City of Lansing Transportation Division does not object to the request as there is already a mix of commercial and residential zoning/land uses in the area. As noted in the Transportation comments on page 1 of this report, "A site plan addressing parking, sidewalk gaps and access points will be required if this request is approved. Depending on the final number of units, a traffic study may be requested during site plan review process." The site is located on E. Miller Road which is a collector road that is designed to carry a high volume of traffic. While access to the site will likely be from Orchard Court which is a local road, the amount of traffic generated by the proposed 10 residential units will be minimal and motorists will have a very short distance to travel to reach E. Miller Road.

IMPACT ON PUBLIC FACILITIES

New development will have to be reviewed and approved through the City's administrative site plan review process, at which time the adequacy of utilities to accommodate the proposed development will be determined. Any extensions or upgrades necessary to serve the proposed development will be the responsibility of the applicant/owner. A primary component of the site plan review process is the evaluation and approval of a storm-water management plan by the City Engineers to ensure that run-off from the site flows into the storm sewer system at a rate that does not exceed its capacity.

ENVIRONMENTAL IMPACT

New development will be subject to compliance with all applicable City codes and ordinances, many of which are specifically designed to protect the environment. These include a 60% lot coverage limitation in the proposed "DM-3" Residential zoning district, landscaping requirements and storm-water management requirements to prevent soil erosion and to ensure that run-off from the site does not overwhelm the storm sewer system.

IMPACT ON FUTURE PATTERNS OF DEVELOPMENT

Approval of the requested rezoning will not negatively impact future patterns of development in the area. There are no other properties along E. Miller Road between Cedar and Pennsylvania that would be appropriate for rezoning to permit multiple family residential use. All other properties in this area are either developed for commercial use or directly adjoin commercial uses. The subject property adjoins residential uses to its north and a cemetery to its east. The proposed rezoning, therefore, will allow for a use that is compatible with the adjoining uses and will not create an

inconsistent land use and zoning pattern as would occur if any property along E. Miller Road between Cedar and Pennsylvania were to be rezoned from commercial to residential, with the exception of the area of the cemetery property to the east that is already zoned "F" Commercial. The applicant should explore the possibility of purchasing that land from the City and rezoning it to "DM-3" Residential to create a larger site for multiple family residential development.

SUMMARY

This is a request by Raymundo Garcia to rezone the vacant .541 acre property located at northeast corner of E. Miller Road and Orchard Court from "F" Commercial district to "DM-3" Residential district. The purpose of the rezoning is to permit the use of the property for multiple family residential use.

The proposed "DM-3" zoning would be consistent with the established zoning pattern in the area and will allow the subject property to be used for multiple family residential use that would be far more consistent with the existing land use pattern in the area than many of the uses that are permitted by right under the current "F" Commercial zoning. In addition, the proposed use will have no negative impacts on traffic, the environment or public services.

RECOMMENDATIONS

Pursuant to the findings described above, staff recommends approval of Z-5-2020 to rezone the property at the northeast corner of E. Miller Road and Orchard Court from "F" Commercial District to "DM-3" Residential District.

Respectfully Submitted,

**Susan Stachowiak
Zoning Administrator**







Zoning District

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



Joshua Blackburn
123 east Mason St

I have been living in the house for 4 years. All repairs, though I live here under land contract House, is in good condition Garage roof has been replaced and roof on the house has been repaired Communication with Ray Garcia is quick and respectful

September 8, 2020

Angilique Kapalla
2308 1/2 S Pennsylvania
Lansing, MI 48910

I have lived at 2308 S Pennsylvania Lansing MI 48910 for a little over 2 years. Any time I have asked for a service Ray has had it serviced in a timely matter. Ray is great at responding and working with you. The properties are up to date and tended too. I would recommend him to any one I know.

Angilique Kapalla
517-410-8841
Tenent

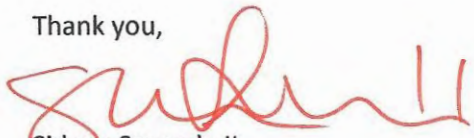
Sept 24th , 2020

Sidney Sauseda II
1201 Loraine Ave
Lansing, MI 4891
517-221-9268
ssausedaii@gmail.com

To Whom It May Concern:

Ray Garcia is currently my landlord at the above referenced address. I moved into the residence 3/2020. Ray has been timely and effect whenever there is a need or concern. Maintenance and inspections have been quickly and efficiently. Ray is one of the few landlords I have had that treat their rentals as their own residence; I would recommend him to anyone.

Thank you,



Sidney Sauseda II

September 6, 2020

To whom it may concern:

My name is Timothy Lopez, and I live at 732 Maplehill Ave in Lansing, MI. Myself, along with my fiancé and two sons have lived at this location since February of this year (2020). The overall condition of the house is great. There are a few minor bumps and bruises but mostly cosmetic.

Our landlord Ray Garcia is kind, understanding, and easy to talk to. The home has not needed many repairs since we have been here. In fact, the only modification made since my family and I have been here was replacing the carpet. Although it was purely cosmetic, Mr. Garcia agreed, and in a short period of time (wait time was due mostly to COVID-19) the carpet was changed out.

Mr. Garcia works hard and takes pride in his work. His positive outlook on life is infectious. I plan on being a tenant of Mr. Garcia's for the foreseeable future and would highly recommend him as a landlord to anyone searching for a home.

Timothy Lopez
517-488-5828
Tenant

To whom this may concern

My name is Grace Garcia and I am a tenant at 1225 Otto st. Lansing Mi.48906

I have been a tenet in one of Raymond Garcia Newly updated properties since May of 2018.

During the time that I have been here, he has always been very timely and professional with any issues I've had.

e.g. Back in 2019 I had a back up due to roots growing into the main sewage line and he was on it within 24 hours.

He also built a new stair guardrail going into the basement so accessing that area would be safer for my family and myself.

He is a very professional And trustworthy.

x Grace Garcia

RESOLUTION #2020-0XX

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

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

WHEREAS, the administration is submitting fees for consideration and approval for bicycle lockers which will begin operation prior to the new fiscal year; and

WHEREAS, the Public Service Department desires to offer these services at fees that recover a portion of the costs of providing these lockers; and

WHEREAS, the new fees proposed are to compensate the Public Service Department for operating and maintaining the lockers and administering the mobile application for use of the lockers.

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council approves the fee schedule for bike locker rentals as stated below, effective on the date of passage of this resolution.

BICYCLE LOCKER RENTAL PROPOSED FEES:

Daily (calendar day)	\$ 1.00
Weekly (7 days)	\$ 5.00
Monthly (up to 31 days, depending on month)	\$12.00

Andy Schor
Mayor



City Hall - 9th Floor
124 W. Michigan Avenue
Lansing, MI 48933-1694
PH: 517.483.4141 – FAX: 517.483.6066
Lansing.Mayor@lansingmi.gov

Andy Schor, Mayor

OFFICE OF THE MAYOR
CITY OF LANSING, MICHIGAN

MEMORANDUM

To: Lansing City Council

From: Andy Schor, Mayor of Lansing 

cc: Robert J. F. Widigan, Finance Director

Date: October 27, 2020

Re: 2020 Bond Sales Results Memorandums

Dear City of Lansing Councilmembers,

The Finance Department saved the City a net \$1.3M by recently completing three financings with the City of Lansing's municipal advisor, Baird. These savings will benefit our parking services and further economic development in the City of Lansing.

Attached you will find the sales result memorandums for the City's Capital Improvement and Refunding Bonds, Series 2020 and the Tax Increment Finance Authority ("TIFA") and Lansing Building Authority ("LBA") Refunding Bonds issues.

In summary:

- The City's Capital Improvement and Refunding Bonds, Series 2020 resulted in \$265,085 net total nominal savings on \$1,740,000 of par amount of bonds sold.
- The TIFA and LBA Refunding Bonds resulted in \$1,063,575 net total nominal savings on \$13,220,000 of par amount of bonds sold.
- These resulted in a combined net total nominal savings of \$1,328,660.

Regards,

MEMORANDUM

To: Robert Widigan, Finance Director
City of Lansing, Michigan

Cc: Jake Brower, Budget Director
City of Lansing, Michigan

Date: October 7, 2020

Re: Results Related to: City of Lansing | Capital Improvement and Refunding Bonds, Series 2020

Background

On March 16, 2020 City Council approved two bond authorizing resolutions for the purpose of (i) paying the cost of certain public improvements related the City's parking system (the "Parking Project"); (ii) refinancing the City's 2010 General Obligation Limited Tax Bonds (Taxable – Recovery Zone Economic Development Bonds) (the "Refunding Project"); and, 3) paying the cost of issuance incurred with the respect to the bonds to be issued.

Capital Improvement and Refunding Bonds, Series 2020 (Limited Tax General Obligation)

Capital Improvement and Refunding Bonds, Series 2020 (Limited Tax General Obligation) (the "2020 Bonds") provided proceeds for the Parking Project which consisted of improvements at the North Grand and South Capital Parking Structures and the Refunding Project which would refinance \$2,005,000 2010 RZEDB from a federally taxable interest rate to a tax-exempt interest rate to provide the City interest savings net of the prorate costs of issuance.

On July 30, 2020, the marketing and sale of the 2020 Bonds was led by Siebert Williams Shank & Co., LLC as senior managing underwriter (selected pursuant to an RFP process) and purchased the 2020 Bonds from the City. Municipal bond insurance was also employed to elevate the rating on the 2020 Bonds to "AA" by S&P Global Ratings to increase the marketability and to reduce the interest rates of the 2020 Bonds. The economic benefit exceeded the cost of purchasing the municipal bond insurance. Having a final maturity of 2035, the 2020 Bonds had an all-inclusive true interest cost (includes the cost of issuance) of 1.86%.

Project	Bond Proceeds	Cost of Issuance ¹	Net Total Nominal Savings	Net Present Value Savings	NPV Savings as % of Par Refunded
Refunding	\$2,102,670	\$45,555	\$265,085	\$240,425	11.99%
Parking	8,829,125	179,415	N/A	N/A	N/A
Totals	\$10,931,795	\$224,970			

1 The estimated cost of issuance for the proposed TIFA and LBA 2020 Refunding Bonds represents its pro-rata share of the total estimated cost of issuance for these bonds, which includes, but is not limited, to underwriting, bond insurance, legal, financial advisory, verification, and bond rating.

MEMORANDUM

To: Board of Directors | Tax Increment Finance Authority of Lansing
Board of Commissioners | City of Lansing Building Authority

Date: August 7, 2020

Re: Results Related to Refinancing:
Tax Increment Finance Authority | 2014 Refunding Bonds (Federally Taxable) (LTGO)
Lansing Building Authority | 2014 Building Authority Refunding Bonds (Federally Taxable) (LTGO)

Background

Since the beginning of the Great Recession in 2008 until 2013 and a change in the tax status of certain properties (e.g. House Office Building), the total tax base of the taxable properties located in the tax increment district located in downtown Lansing declined approximately 45%. As a result, the corresponding capture of tax increments also declined by 45% to pay the debt service on Tax Increment Finance Authority (TIFA) and Lansing Building Authority (LBA) bond issues, which also have a pledge of the City's full faith and credit from the City's General Fund. With the passage of legislation in 2014, the TIFA and the LBA refinanced and restructured its debt service to better match the projected tax increment capture to eliminate the potential contribution from the City's General Fund to pay debt service. In 2014 and 2017, the TIFA and or the LBA issued refunding bonds to realign its debt service to better match the then projected tax capture. In 2019, the TIFA issued refunding bonds to refinance for interest savings its 2009 TIFA bonds.

Results of Refinancing the TIFA 2014 Bonds and LBA 2014 Bonds

Earlier this year, the TIFA and the LBA adopted resolutions which authorized the refinancing of their respective 2014 Refunding Bonds. On July 29, 2020, the marketing and sale of the TIFA and LBA's 2020 Refunding Bonds was completed. The table below provides the net total nominal savings and net present value interest savings, which are net of the estimated cost of issuance. The TIFA and LBA 2020 Refunding Bonds have an all-inclusive true interest cost (includes the estimated cost of issuance) of 2.76%¹ and have the same final maturity as their respective 2014 Refunding Bonds. The interest savings were structured to occur each fiscal year on a uniform basis.

Issuer	Par Amount Refunded	Estimated Cost of Issuance ²	Net Total Nominal Savings	Net Present Value Savings	NPV Savings as % of Par Refunded
TIFA	\$3,720,000	\$93,050	\$358,037	\$286,990	7.71%
LBA	\$7,245,000	\$177,300	\$705,478	\$559,945	7.72%
Totals	\$10,965,000	\$270,350	\$1,063,515	\$846,935	7.72%

¹ Interest rates as of July 29, 2020.

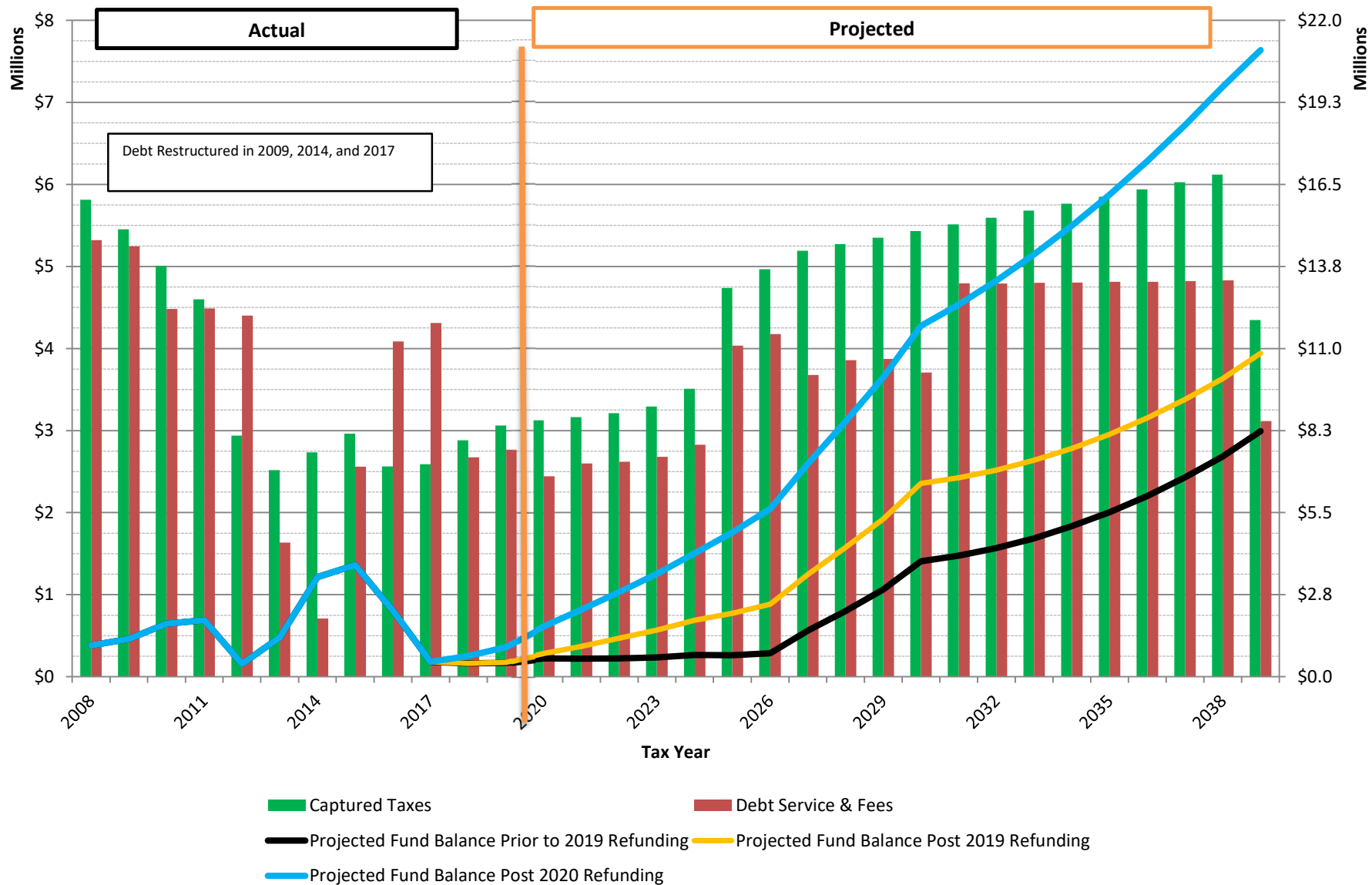
² The estimated cost of issuance for the TIFA and LBA 2020 Refunding Bonds represents its pro-rata share of the total estimated cost of issuance for these bonds, which includes, but is not limited to, underwriting, bond insurance, legal, financial advisory, verification, and bond rating.

Using the FY2019 tax capture, projected growth, and the net interest savings from the 2020 Refunding Bonds issues, the TIFA fund balance is projected to remain positive without any support from the City's General Fund.

Tax Increment Finance Authority of Lansing | City of Lansing Building Authority

Revenue Versus Expenditure Analysis and Cumulative Fund Balance

Estimated Fund Balance After 2020 TIFA & LBA Refinancing



Tax Increment Finance Authority of Lansing
Projected Tax Increment Revenues, Protected Obligations, Expenditures and Debt Service Coverage (Estimated)

				Protected Obligations Projected Net Debt Service Requirements														S = D - R	T = Prior T + S
A	B	C	D	E	F	G	H	I	J	K	L	M	N = Sum(E:M)	O	P = N + O	Q = D x 5%	R = P + Q	S = D - R	T = Prior T + S
Tax Year	Fiscal Year	% Change	Total Revenue Available	1994 TIFA	2009 LBA CAB	2014 TIFA CIB [1]	2014 LBA CIB [1]	2017 LBA NET CIB	2017 TIFA NET CIB	2019 TIFA CIB	2020 TIFA CIB	2020 LBA CIB	Total Protected Obligations	Share of 2005 Courts Refunding	Total Projected Capital Expenditures	5% TIFA Operating Expenses	Total Projected Expenditures	Revenue Less Proj. Expenditures	Projected FYE Fund Balance
2018	2019		2,879,420	1,685,000	-	-	-	-	-	-	-	-	1,956,370	573,367	2,529,737	143,971	2,673,708	205,712	701,141
2019	2020	6.33%	3,061,687	1,530,000	-	82,461	172,069	-	-	255,386	-	-	2,039,916	571,900	2,611,816	153,084	2,764,900	296,787	997,928
2020	2021	2.10%	3,125,983		1,613,355			-	-	260,451	138,647	272,366	2,284,818	-	2,284,818	156,299	2,441,117	684,866	1,682,793
2021	2022	1.20%	3,163,495		1,705,000			-	-	260,451	160,498	314,836	2,440,785	-	2,440,785	158,175	2,598,959	564,535	2,247,328
2022	2023	1.50%	3,210,947		1,725,000			-	500	260,451	160,137	314,115	2,460,203	-	2,460,203	160,547	2,620,750	590,197	2,837,525
2023	2024	2.55%	3,292,815		1,155,000			9,000	618,384	260,451	159,717	313,274	2,515,825	-	2,515,825	164,641	2,680,466	612,349	3,449,874
2024	2025	6.62%	3,510,635					423,373	629,884	1,125,451	159,194	312,229	2,650,130	-	2,650,130	175,532	2,825,662	684,973	4,134,848
2025	2026	34.91%	4,736,163					898,373	1,299,884	1,129,068	158,622	311,084	3,797,030	-	3,797,030	236,808	4,033,838	702,325	4,837,173
2026	2027	4.82%	4,964,284					757,674	1,162,740	1,540,876	157,910	309,660	3,928,860	-	3,928,860	248,214	4,177,074	787,211	5,624,383
2027	2028	4.62%	5,193,398					595,757	1,023,842	1,332,488	157,143	308,126	3,417,356	-	3,417,356	259,670	3,677,026	1,516,373	7,140,756
2028	2029	1.50%	5,271,299					613,647	1,063,378	1,453,293	156,252	306,344	3,592,914	-	3,592,914	263,565	3,856,479	1,414,821	8,555,577
2029	2030	1.50%	5,350,369					590,423	1,305,469	1,237,408	160,311	309,462	3,603,072	-	3,603,072	267,518	3,870,591	1,479,778	10,035,355
2030	2031	1.50%	5,430,624					607,537	1,352,306	1,010,880	159,248	307,434	3,437,405	-	3,437,405	271,531	3,708,936	1,721,688	11,757,043
2031	2032	1.50%	5,512,084					1,223,596	1,665,915		552,911	1,074,880	4,517,301	-	4,517,301	275,604	4,792,905	719,179	12,476,221
2032	2033	1.50%	5,594,765					1,220,443	1,665,811		551,967	1,073,600	4,511,820	-	4,511,820	279,738	4,791,559	803,206	13,279,428
2033	2034	1.50%	5,678,686					1,225,510	1,668,123		550,779	1,071,834	4,516,246	-	4,516,246	283,934	4,800,180	878,507	14,157,934
2034	2035	1.50%	5,763,867					1,224,008	1,668,471		549,349	1,074,581	4,516,409	-	4,516,409	288,193	4,804,602	959,265	15,117,199
2035	2036	1.50%	5,850,325					1,225,649	1,671,200		552,675	1,071,720	4,521,244	-	4,521,244	292,516	4,813,760	1,036,564	16,153,763
2036	2037	1.50%	5,938,080					1,225,700	1,671,743		548,850	1,069,907	4,516,200	-	4,516,200	296,904	4,813,104	1,124,976	17,278,739
2037	2038	1.50%	6,027,151					1,224,161	1,670,099		554,745	1,072,396	4,521,402	-	4,521,402	301,358	4,822,759	1,204,392	18,483,131
2038	2039	1.50%	6,117,558					1,224,948	1,674,789		555,082	1,069,047	4,523,866	-	4,523,866	305,878	4,829,744	1,287,815	19,770,945
2039	2040	-28.95%	4,346,525					1,224,450	1,673,415				2,897,865	-	2,897,865	217,326	3,115,191	1,231,334	21,002,279
Totals			101,140,741	3,215,000	6,198,355	82,461	172,069	15,514,246	23,485,950	10,126,651	6,144,038	11,956,896	77,167,036	1,145,267	78,312,303	5,201,008	83,513,311		

[1] Refinanced by the Bonds described herein



U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
 OFFICE OF COMMUNITY PLANNING AND DEVELOPMENT
 DETROIT FIELD OFFICE
 477 MICHIGAN AVENUE, STE. 1600
 DETROIT, MI 48226-2592
 DetroitCPD@hud.gov

October 22, 2020

Ms. Kim Coleman
 Director, Department of Human Relations
 & Community Services (HRCS)
 City of Lansing | City Hall
 124 W. Michigan Ave, 4th Floor
 Lansing, MI 48933

SUBJECT: Federal Single Audit Report – HUD’s Management Decision Letter Response #2

- Continuum of Care Program – CFDA Number: 14.267
- Emergency Solution Grants Program – CFDA Number: 14.231
- Community Development Block Grant Program – CFDA Number: 14.218

Fiscal Year 2019 Single Audit Report (For the period ended June 30, 2019)

Dear Ms. Coleman:

Our Office is in receipt of your reply letter dated September 29, 2020 to HUD’s initial Audit Management Decision Letter, dated June 12, 2020, for the four findings contained in the City of Lansing’s FY 2019 Single Audit Report related to our federal programs, CoC, ESG and CDBG. After careful review and consideration of your reply, our response and determination to this letter follows:

Finding 2019-005 – Conflict of Interest: City Payments to Sub-Recipients.

Condition: Five (5) instances of conflict of interest violations were [detailed and] noted during the grant compliance meeting [associated with the HRCS Director and the CoC Program].

Criteria: City policies, and clauses in external contracts and grant agreements, require reporting of any potential conflicts of interest related to payments to outside organizations for services provided to or on behalf of services provided by the City. (2 CFR 200.112, 318 | 24 CFR 578.95)

HUD’s 06/12/2020 Management Decision: HUD sustains the finding of questioned cost for \$195,747.00 (CoC) and \$37,963.28 (ESG), respectively. To close this finding, HUD requests the following documents:

- (1) Develop an internal conflict of interest policy that covers both Employees and Organizational interests. Detail the process to include a step-by-step policy procedure for vetting during hiring of Employees, selection of Executive (Board Members) or Agents.
- (2) During the procurement process, the City must administer a test for compliance of inappropriate relationships with vendors, and all payment requests must include a review and sign-off by the City’s Finance department prior to payment.

- (3) A copy of the Memo to staff to implement these policies/procedures along with a copy of the internal control procedures must be forwarded to HUD for review.
- (4) Repayment of \$233,710.28 for questioned costs must be returned to HUD by 06/30/2020 via wire transfer. A 36-month repayment agreement is also an available option.

City of Lansing's 9/29/2020 Response: The City of Lansing's reply letter included the following documents related to this finding in response to HUD's request to strengthen internal controls to thwart future conflict of interest behaviors related to Employee, Board, Organizational and/or Procurement Activities:

Conflict of Interest Memo to Staff, 9/29/2020, with the following attachments:

- Administrative Policy, ethics disclosure (9/29/2020)
- Ethics Policy | not dated – NOTE: Penalty = \$50 fine, cumulative
- MC1, City of Lansing Ethics Policy (8/27/2020)
- Code of Conduct Policy (9/22/2020)
- HRCS Vendor Test Policy (9/28/2020) (Board of Director disclosures)
- HR Memo, 9/28/2020 + Training Video's on Ethics, Sexual Harassment & OSHA
- Ethics Manual 3/14/1968 | Conflict of Interest, p. 13
- Employee Handbook + Ethics Manual (p. 9-35) 01/30/2018
- City Charter | Board of Ethics | Standards of Conduct, Chapter 5, 9/22/2020
- *Affidavit of Disclosure* Form (Blank)

In addition, the City of Lansing's reply letter requested "an appeal for the return of CoC and ESG funds in the amount of \$195,747 and \$37,963.28, respectively. We provided documentation and evidence that the funds were used appropriately for allowable costs for the payment of rehousing qualified participants who would have otherwise been homeless. Appropriate management of these grants were witnessed and verified during a [monitoring] site visit by HUD-Detroit Field Office (C. Hines) July 29-August 2, 2019, Portia McGoy, and noted in the subsequent monitoring letter dated September 30, 2019. The Continuum of Care funds were used in accordance with 24 CFR 578.39 through 578.63 to pay for eligible costs. We believe the documentation is appropriate for providing the funding and shows the proper use of funds. Repayment would be a hardship for the City of Lansing, especially, during the COVID pandemic as our local funds are needed to continue supporting homeless persons. ... Our appeal is based on the fact that the funds were not misspent, nor did an individual profit from them and there is no evidence to the contrary regarding MI0417L5F081704 and the ESG program. Although we acknowledge a deficiency in the policy, procedure, and disclosure surrounding conflict of interest, we ask that the City of Lansing be absolved from repayment of expenses for reasons noted."

HUD's 10/22/2020 Management Response #2: The documents submitted by the City were requested, because the HRCS Department lacked internal controls at the time of the single audit report to prevent the conflict of interest violation, and (2) the finding was sustained because the violation required reporting of any potential conflict(s) of interest related to payments to outside organizations for services provided to or on behalf of services provided by the City prior to the payments being made.

Although the attachments submitted are acceptable, HUD requests that **(1a)** the penalty of \$50 for mistrust and abuse of conflict of interest behaviors using government [local, state and federal] funds, in light of the current situation, be increased to a more severe penalty that is more in line with the offense and violation at hand; **(1b)** the City submit a list of the current HRCS Staff and CoC Board Members to HUD along with the date that the conflict of interest form was recently signed by each Employee or Board Member. Going forward, this list and a current roster with HRCS Staff and CoC Board must be updated annually and kept on file to comply with the Conflict of Interest Policy; and **(1c)** HUD's response related to conflict of interest policies regarding Procurement Activities and Payments for this finding is addressed under Finding 2019-008 to provide more detail. A copy of the requested documents in **1b** should be scanned to HUD for review and acceptance within 30 days from the date of this letter.

In further response to your reply, HUD believes it is appropriate to distinguish between the terms *monitoring* and *auditing* – although similar, they are vastly different. Monitoring can be defined as an *internal evaluation* and is the principle means by which HUD ensures that programs and technical areas are carried out efficiently and effectively and that the programs comply with applicable laws and regulations. Auditing is defined as a *formal* review that is conducted by independent, licensed Auditor(s) who are governed by professional industry standards and government regulations.

These two terms, *monitoring* and *auditing*, are not interchangeable, and should not be construed to mean the same type or kind of review when completed. Furthermore, the sample documents requested during a review, whether monitoring or auditing, are both selective, (random or otherwise), and are generally, comprised of a diverse set of requested documents, which are seldom identical.

The City of Lansing's reply letter referenced the September 30, 2019 monitoring letter and report for the on-site visit that HUD held during the period 07/29/2019 - 08/02/2019 (M-F). The visit reviewed seven areas of the CoC Program and used ten internal Exhibits to determine the programs' compliance. As noted in our report and, included in these reviews were CoC Match (Exhibit 29-11) and Financial Management (Exhibit 34-1). In these two areas, this Office did not issue either a finding or a concern based on the selected sampling of financial documents that were reviewed (p. 10).

In the same letter, under the heading Recipient (Exhibit 29-3) and Sub-Recipient Grants Management (Exhibit 29-4), our Office determined Finding 3, "*a potential conflict of interest.*" Specifically, she wrote, "The City of Lansing's Director of HRCS is also the Director of the Subrecipient, One Church One Family. The dual responsibilities of the Director of the Lansing HRCS leaves potential for roles to influence the decisions of the subrecipient organization. When requested, the agency was not able to provide a disclosure document" (p. 7).

Please be reminded that it was in the HUD September 30th monitoring letter, Finding 3, that HUD (and possibly the City of Lansing) first learned that "a potential conflict of interest" existed in the City of Lansing's Human Relations & Community Services

Department with Dr. Joan Jackson-Johnson, its Director, and a Sub-Recipient associated with the CoC Program. HUD's 5-day monitoring review did not investigate the finding to the extent needed to determine the validity of this Office's observation. The extent was subsequently identified through a third-party forensic audit, hired independently and exclusively by the City of Lansing for this potential conflict and, thereafter reported in the FY 2019 Single Audit Report prepared by the Independent Auditors, Rehmann, Inc., in which HUD's June 12, 2020 management decision letter is based.

HUD sustains the finding for this violation and requests repayment using non-federal funds of \$195,747.00 and \$37,963.28 to reimburse the CoC and ESG Programs, for questioned costs of \$233,710.28.

As stated throughout the published reports referenced above, Dr. Joan Jackson-Johnson's non-compliance occurred over several of the last years with multiple interests, financial and/or otherwise. The consequences of her conflicts resulted in unethical behavior, a lack of integrity and mistrust, misuse of power in an official business capacity; profiting from governmental resources (city, state, federal); perceived favoritism with select Sub-Awardees; and a conscious decision to choose private interests over her employee obligations.

More specifically, the violations are identified in the FY 2019 Single Audit Report, as **Finding 4** (p.15-16), that detected five (5) separate conflicts of interest violations related to City business that involved Dr. Joan Jackson-Johnson, former HRCS Director, discovered by a third-party forensic accounting firm, hired by the City of Lansing:

- The Director, her husband and daughter have been directly or indirectly involved in the governing boards of several area non-profits that have received payments from HRCS during the last several years, which is in violation of the City's policy, as noted above.
Funding to these entities varied from general fund dollars to federal awards (see finding 2019-005 for impact on the related grants).
- The third-party forensic team discovered no evidence that these relationships were disclosed to the City Council as is required by City policy.
- Despite submitting a letter of resignation to one payee, the third-party forensic team discovered that the entity's state filing still showed the Director as a member of the governing board.
- The third-party forensic team cited an instance where a grant reimbursement request from one payee was signed by the Director, as President of that Organization, and showed the Director as approving the disbursement of grant funds for the City.
- The third-party forensic team cited a couple of invoices for home rehabilitation work, funded with general fund dollars, that appears to be for the benefit of property that the third-party forensic team believes is owned by the HRCS Director.

In addition to the violations listed in Finding 4; there were six (6) additional conflict incidents documented, and, identified as **Finding 5** in the FY 2019 Single Audit Report (p. 17-18), that are specific to HUD's Continuum of Care (CoC) and Emergency Solution Grants (ESG) programs, that totaled \$233,710.28 in questioned costs. This finding is directly

related to the non-disclosed, conflicts of interest relationships between the Recipient (HRCS, City of Lansing) and its CoC and ESG Sub-Recipients and payments made using federal funds:

- The Human Relations and Community Services (HRCS) Director was identified on a monitoring checklist as the Director of a Sub-Recipient entity.
- The HRCS Director was also noted as the Executive Director in a subsequent organization chart (her daughter is also listed as a Director).
- The HRCS Director signed checks on behalf of the Sub-Recipient agreement, submitted in support of the Sub-Recipient reimbursement requests.
- The HRCS Director signed off on the Sub-Recipient Agreement and Sub-Recipient Reporting, as evidence of independent review and approval, as the HRCS Director.
- The Sub-Recipient's form 990-EZ, included in the grant file was also signed on behalf of the Sub-Recipient, by the HRCS Director.
- We noted that conflict of interest questions included in a Sub-Recipient monitoring compliance checklist were marked N/A and contained one comment, "No incidents [were] reported to [the] Recipient."

Overall, these violations acknowledged that Dr. Jackson-Johnson had conflicts of interest in many nonprofit organizations that served as Sub-Recipients to the CoC and ESG Programs, but neither finding in the single audit report cited or insinuated that CoC or ESG funds were expended on ineligible homeless activities. However, contrary to the City's written reply to HUD's 6/12/2020 letter, both the forensic audit and the annual independent audit found that Dr. Jackson-Johnson and her family profited from the very funds she was entrusted to oversee. This finding is about the management process and violation of all protocols put in place to protect and deter conflict of interest behaviors by Joan Jackson-Johnson. The federal funds in question are *disallowed costs* based on the unauthorized payments that were executed to outside organizations for services provided to or on behalf of services provided by the City's HRCS Department.

Again, Dr. Jackson-Johnson failed to disclose her relationships to the City Council, federal funders, and to nonprofit organizations that she was serving in dual roles as both the sponsor and the receiver of local, state, and federal funds. She failed to follow the Uniform & Administrative Guidance related to several federal government requirements, including *internal controls* (2 CFR 200.61-62, 69); *cost principles* (2 CFR 200.400-404); *conflict of interest* (24 CFR 578.95; 2 CFR 112); and *procurement activities* (2 CFR 200.318-326). She was biased in the award selection process and in the administration of federal contracts; signed unauthorized checks using federal funds to nonprofits for which she and/or her family served in either a leadership position and/or benefitted financially; and, failed to recuse herself when the need arose. We believe the FY 2019 Single Audit Report said it best:

“Effect. As a result of this condition, the City HRCS Department was in violation of the City's internal conflict of interest policy, as well as conflict of interest clauses in the grant agreement related to the Continuum of Care and Emergency Solutions Grant programs. The fact that payments to these entities do not constitute an "arm's length transaction," causes the costs reported by these subrecipients to be in noncompliance with federal cost

principles. Additionally, because these relationships were not properly disclosed, along with the fact that there does not appear to be a process in place for testing for these of relationships, the procurement process fails to comply with the requirements set forth in the Uniform Guidance.” (p.18).

To be clear, “an *arm's length transaction* refers to a business deal in which the buyers/seller (in this case, recipient/sub-recipients) act independently without one party influencing the other.” (Source: <https://www.investopedia.com/terms/a/armslength.asp>, 10/13/2020).

The single audit working papers prepared and used by Rehmann, Inc. were obtained by HUD per our request on June 23, 2020 for use in verifying the financial instruments prepared during the single audit that rendered a finding and questioned costs of \$233,710.28.

Specifically, the working papers identified seven (7) financial instruments (or records) that were selected for review, which showed a conflict of interest for the CoC Grant #MI0417L5F081704 in the amount of \$195,747.00 by Dr. Jackson-Johnson, in which she clearly held a conflict of interest role with more than one Sub-Recipient. The \$37,963.28 shown in the chart is identified as questioned costs for the ESG program funding that identified the entity with whom Dr. Jackson-Johnson also had a vested interest.

The Rehmann working papers highlighted the questioned costs as shown in the chart below:

Subrecipient Monitoring Testing
For the June 30, 2019 Audit

☒ Selected for testing per sampling forms

Fund	Proj	Vendor	Vendor Name	Total	Select
1 264	02018	V010583	BOYSVILLE OF MICHIGAN INC (DBA Holy Cross Children's Services)	40,588.76	
2 264	02018	V010841	VOLUNTEERS OF AMERICA	16,397.24	
3 264	02018	V010608	HAVEN HOUSE	10,894.00	
4 264	02018	V033830	NATIONAL COUNCIL ON ALCOHOLISM (Changed name to Mid-Michigan Recovery Services)	21,789.00	☒
5 264	02018	V010831	LOAVES AND FISHES MINISTRIES	10,894.00	
6 264	02018	V004315	GATEWAY YOUTH SERVICES DIVISION (DBA CFC - Gateway)	14,246.00	
7 264	02018	V029012	LEGAL SERVICES OF SOUTH CENTRAL MICHIGAN	25,141.00	
8 264	02018	V006685	EVE INC	10,894.00	☒
9 273	18803	V010583	BOYSVILLE OF MICHIGAN INC (DBA Holy Cross Children's Services)	134,655.06	☒
10 273	18803	V010841	VOLUNTEERS OF AMERICA	71,259.02	
11 273	18803	V010608	HAVEN HOUSE	21,702.74	☒
12 273	18803	V033830	NATIONAL COUNCIL ON ALCOHOLISM (Changed name to Mid-Michigan Recovery Services)	14,139.97	
13 273	18803	V010831	LOAVES AND FISHES MINISTRIES	16,850.87	☒
14 273	18803	V004315	GATEWAY YOUTH SERVICES DIVISION (DBA CFC - Gateway)	11,006.26	
15 273	18803	V012086	ADVENT HOUSE MINISTRIES INC	11,796.01	☒
16 273	18820	V010583	BOYSVILLE OF MICHIGAN INC (DBA Holy Cross Children's Services)	109,779.05	
17 273	18820	V010608	HAVEN HOUSE	19,362.75	
18 273	18820	V033830	NATIONAL COUNCIL ON ALCOHOLISM	9,736.98	
19 273	18820	V010831	LOAVES AND FISHES MINISTRIES	10,218.41	
20 273	18820	V004315	GATEWAY YOUTH SERVICES DIVISION (DBA CFC - Gateway)	8,389.47	☒
21 273	18820	V012086	ADVENT HOUSE MINISTRIES INC	6,586.43	
Sum of				37,963.28	Total paid to Loaves and Fishes during 2019 fiscal year
				195,747.00	Total subrecipient payments - Continuum of Care MI0417L5F081704
				233,710.28	Total

Again, HUD sustains the finding and requests \$233,710.28 be returned in questioned costs using non-federal funds. Funds can be via wire transfer as instructed using the enclosed instructions. For the wire transfer, please include in the memo section the following: FY

2019 Single Audit Finding #2019-005, your TIN and DUNS # and Grant Award Number (MI0417L5F081704). (See Attachment #2). The second option for the City of Lansing is to enter into a Repayment Agreement to make 36 monthly installment payments until the balance is paid in full. If the repayment option is selected, please request the instructions from HUD via your official reply to this letter. Please scan the City's reply to: DETFY2018CoC@hud.gov and DetroitCPD@hud.gov. This finding remains open.

Finding 2019-006: Interdepartmental Rental Facilities (CDBG)

Condition: The City charged to the CDBG grant a monthly rental charge for facilities owned by the City without having the documentation of the actual costs related to the facility to support the amount of the charge.

Criteria: Per 2 CFR 200.465(c), rental costs under “less-than-arm’s length” leases are allowable only up to the amount that would be allowed if the non-federal entity owned the property, including expenses such as depreciation (subject to related limits), maintenance, taxes, and insurance.

Cause: The cause of this issue appears to be the lack of understanding related to the principle around charging of interdepartmental rental of facilities to federal awards.

Effect: As a result of this condition, the City charged amounts to the CDBG that were not supported by documentation of actual costs incurred.

Questioned Costs: The total amount of the rent charged to the CDBG grant for the year ended June 30, 2019 was \$29,612.

HUD’s 6/12/2020 Management Decision: This finding is sustained and remains open pending HUD’s approval of the City’s corrective actions. The City must pay whatever amount of the \$29,612 that cannot be properly documented by actual costs. Within the next 30 days, the City must provide HUD with sufficient support including cost documentation and payment verifications. The City must provide the IDIS drawdown voucher numbers for the questioned amount in order for proper repayment instructions to be issued for the unsupported amount.

City of Lansing’s 9/29/2020 Response: In response/appeal to the corrective action, the City of Lansing has provided the documentation to support the actual costs for the facility that exceeded the amount charged to the grant (**Exhibit B**). The documentation includes the general ledger documents as verification of actual costs. We are optimistic the documentation will be sufficient to close this finding, but will provide other information, if needed.

HUD’s 10/22/2020 Management Response #2: The City must repay whatever amount of the \$29,612 that cannot be properly documented by actual costs. The September 29, 2020 letter from the City of Lansing stated that, “Since the actual costs exceeds the

amount the City charged, we respectfully request that you close this Finding with no reimbursement from the City required.” This response is not in compliance with 2 CFR Part 200. Per 2 CFR Part 200.302(b)(3) and 2 CFR Part 200 Subpart E – Cost Principles, the City must identify the specific costs paid for with CDBG funds and maintain source documentation to support that the costs complied with applicable Federal regulations. Please note an area of concern in the “GL Transaction by Date Range” document: there were highlighted entries for Summer 2018, Winter 2018, and Winter 2017 property taxes. Property taxes levied by the grantee are not eligible CDBG costs.

Within in the next 30 days the City must provide HUD with the “GL Transaction by Date Range” document that highlights the specific costs that were covered by the \$29,612 in CDBG. In addition, the City must provide documentation to support the CDBG costs only. Do not include any supporting documentation for costs outside of the questioned \$29,612 in CDBG. The support must include cost documentation, payment verifications, and the IDIS drawdown voucher numbers specific for those costs. **This finding remains open.**

Finding 2019-007: Lack of Support for Matching Funds – Sub-Recipients (CoC)

Condition: For two of the fourteen (14) grant files tested, we were not able to verify the matching funds provided by the associated Sub-Recipients. The files contained summaries of Matching amounts provided, but appropriate documentation to support the amount claimed was not attached.

Criteria: During the award, monitoring of Sub-Recipients should provide reasonable assurance(s) that the Sub-Recipient has adhered to all compliance areas that are direct and material to the grant being passed-through.

HUD’s 06/12/2020 Management Decision: HUD sustains the finding that Recipient’s must match all grant funds awarded, except Leasing, with no less than 25% of either cash or in-kind contributions (donations) from 3rd party or other sources (24 CFR 578.73).

Documentation to verify this compliance can be requested by any HUD Representative. To close this finding, HUD requests copies of the match support documents for the two grants that failed the Match test during the single audit. Please contact the Sub-Recipient(s) and obtain the Match source documentation and accounting records to show the pledge (donor letter or donor MOU) of the obligation prior to expenditure, the receipts (cash, check, invoice, bank transfer, bank statements) for all Match. In addition, please provide a list of the uses in the CoC Program for the missing documents.

City of Lansing’s 9/29/2020 Response: To respond and close this finding, extensive documentation is being provided to show cash funds and in-kind match supplied by the Sub-Recipient and the City of Lansing to account for the required 25% match for Grants MI0582L5F081700 and MI0507L5F081601. The documentation for the match was missed by the Auditing Firm but is kept in proximity to the other documentation in a secure cabinet and locked file room. See **Exhibit C** for the matching funds evidence. We hope this will be sufficient to close this finding, but will provide other information, if needed.

HUD's 10/22/2020 Management Response #2: A review of the match documentation submitted for this finding revealed a lack of missing and required documents, as detailed herein.

We agree with the Auditors that the files contained summaries of Matching amounts provided, but appropriate documentation to support the amount claimed was not attached. It must be noted also that the documents submitted did not followed the CoC or Federal Match requirements (24 CFR 578.73, 2 CFR 200.306) for support documents. As such, we have summarized both cash and in-kind contribution requirements (**See Attachment #1**) and provided a determination for the (2) grants for which Match documentation was submitted for HUD's review.

CoC Match: Document #1:

- Grant #MI0582L5F081700 | Awarded: \$169,057 | Sub-Recipient: Child & Family Services | Term Dates: 09/01/2018 to 08/31/2019. Match required: \$42,264.25**

For this award, there is a discrepancy in the final amount that HUD awarded this project. Both the Auditors and City's paperwork shows the grant was awarded for \$163,724, but HUD records, both the grant agreement and eLOCCS, show the awarded amount as \$169,057 (see the screenshot below). These awarded funds did not include a Leasing budget line item, and the awarded amount was exhausted by the City of Lansing. The entire amount was calculated and required 25% Match (or \$42,264.25) either in cash or in-kind contributions.

Line of Credit Control System (A67)																																					
Award Detail																																					
Front Page → MI0582L5F081700 MI0582L5F081700 CITY OF LANSING Special Needs Assistance (SNAP) General Budget Vouchers Recent Emails																																					
Region: 05 MID WEST Office: 28 MICHIGAN STATE OFC. Tax ID: 38-6004628 → SNAP	<table border="1"> <thead> <tr> <th colspan="2">Core Award Dates</th> <th colspan="2">Award Amounts</th> </tr> </thead> <tbody> <tr> <td>LOCCS Created:</td> <td>07-18-2018</td> <td>Committed:</td> <td>169,057.00</td> </tr> <tr> <td>POP Start:</td> <td>09-01-2018</td> <td>Obligated:</td> <td>169,057.00</td> </tr> <tr> <td>POP End:</td> <td>08-31-2019</td> <td>Contracted:</td> <td>169,057.00</td> </tr> <tr> <td>Final Report(s) Due:</td> <td>11-29-2019</td> <td colspan="2">LOCCS Amounts</td> </tr> <tr> <td>Closeout:</td> <td></td> <td>Authorized:</td> <td>169,057.00</td> </tr> <tr> <td colspan="2">Other Dates/Elements</td> <td>Disbursed:</td> <td>169,057.00</td> </tr> <tr> <td>Operating Start:</td> <td>09-01-2018</td> <td>Balance:</td> <td>0.00</td> </tr> <tr> <td>Term (months):</td> <td>12</td> <td colspan="2"></td> </tr> </tbody> </table>	Core Award Dates		Award Amounts		LOCCS Created:	07-18-2018	Committed:	169,057.00	POP Start:	09-01-2018	Obligated:	169,057.00	POP End:	08-31-2019	Contracted:	169,057.00	Final Report(s) Due:	11-29-2019	LOCCS Amounts		Closeout:		Authorized:	169,057.00	Other Dates/Elements		Disbursed:	169,057.00	Operating Start:	09-01-2018	Balance:	0.00	Term (months):	12		
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Award Alerts																																					

- HUD's review noted several deficiencies in the C&FS submission packet, to include: The Ingham County MOU Agreement is missing its signature page; the date of the final Match letter (11/7/2019) is three months past the expiration of the grant, which expired on 08/31/2019 and is signed by the Sub-Recipient. CoC Match regulations state that Match is required to be finalized prior to the expiration of the grant. This letter altered the source of Match contributions and used salaries and wages to cover the Match

shortfall. The Excel spreadsheets submitted cannot be substituted as timesheets. Timesheets are required for capturing the required information when used as Match. The spreadsheets do not provide enough detail to determine what tasks were performed on any given day, and the sheets are not signed or dated by an Employee and/ or Supervisor. These spreadsheets were not accompanied by payroll registers nor a General Ledger to verify the employee, title, salary, or time worked, or which showed wages tied to a CoC Sub-Recipient or a specific project. Although the federal (pass-through) grant can be used as Match, the supporting documents submitted are not valid for this use.

- The 16 rental receipts (Program Income) were not supported by a Revenue/ Expense Report that detailed receipt of cash funds, disbursement, or CoC end uses. There was no General Ledger showing the cash funds receipted or bank statements to verify funds were deposited in a financial institution.
 - In light of this review, HUD was not able to verify or support the receipt, disbursement or use of a large portion of the Match documents submitted for this project. All in all, using the original documents, the Match submitted by the City of Lansing for this project fell short and did not meet the Match required. In order to meet this Match requirement, the City of Lansing must resubmit to HUD all of the Match support documents as outlined above for the required match equivalent to \$42,265.25 for this award.
2. **CoC Grant #MI0507L5F081601 | Awarded: \$172,321 | Sub-Recipient: Advent Housing Ministries (AHM) | Term Dates: 10/01/2017 to 09/30/2018. Match required: \$43,080.25**

For this award, there is a discrepancy in the amount that HUD awarded for this project, as both the Auditors and City's paperwork shows the grant was awarded for \$166,988, but HUD records, both the grant agreement and eLOCCS, shows the awarded amount as \$172,321 (see screenshot below). These awarded funds did not include a Leasing budget line item, and the entire amount funded by HUD was expended by the City of Lansing. The entire amount was calculated and required 25% Match (or \$43,080) in cash and/or in-kind contributions.

LOCCS Web
Line of Credit Control System (A67)
Award Detail

MI0507L5F081601

MI0507L5F081601 CITY OF LANSING
Special Needs Assistance (SNAP)

General Budget Vouchers Recent Emails

Region: 05 MID WEST Office: 28 MICHIGAN STATE OFC. Tax ID: 38-6004628 → SNAP	Core Award Dates LOCCS Created: 04-20-2017 POP Start: 10-01-2017 POP End: 09-30-2018 Final Report(s) Due: 12-29-2018 Closeout: Other Dates/Elements Operating Start: 10-01-2017 Term (months): 12	Award Amounts Committed: 172,321.00 Obligated: 172,321.00 Contracted: 172,321.00 LOCCS Amounts Authorized: 172,321.00 Disbursed: 172,321.00 Balance: 0.00
Contractual Organization Tax ID: 38-6004628 CITY OF LANSING 119 NORTH WASHINGTON SQUARE DEVELOPMENT DIVISION DIRECTOR LANSING, MI 48933-0000	DUNS Organization DUNS: 069835882 Tax ID: 38-6004628 ✓ Matches contractual tax ID LANSING, CITY OF 124 W MICHIGAN AVE (FL 8) LANSING, MI 48933-1665	Business Partner Level Payment Information ABA No.: 0720-0009-6 COMERICA BANK Account No.: 1840010514 Checking Pymt Mthds: ACH
Program Area Level Correspondence Mailing Address CITY OF LANSING 124 W. MICHIGAN AVENUE 4TH FLOOR HRCS LANSING, MI 48933-1665	Payee Organization Tax ID: 38-6004628 - same as contractual -	

- HUD's review noted several deficiencies in the AHM submission packet, to include:
The timesheets submitted throughout the term of the grant (10/1/2017 – 09/30/2018) had no MOU or contract attached to show it was an in-kind contribution for time donated (staff on loan) from another company. The 26 timesheets were for a specific individual (SC) and was accompanied by bi-weekly payroll registers. There was no documentation provided for what task was being performed or for what program. There was no Employee signature on the timesheets, as SC signed in the Supervisor block, (an employee cannot sign their own time sheet) and none of the timesheets had a date near the signature block to show when the time was authorized for payment in a payroll registry.
- There were 12 months of facility usage calculated monthly and used as Match that totaled \$28,421.25. However, there was no MOU or contract submitted to determine if the facility(s) used during the term of the grant benefitted the CoC Program. There are two different buildings being used as Match for this award – (1) 9,000 sq. ft. (used 10/1/2017 to 6/30/2018) and value assessed at \$24,502.50) and (2) 7,500 sq. ft. (07/01/2018 to 09/30/2018) and value assessed as \$3,918.75, respectively.

However, no support documents were submitted to show the building make-up and/or how the square footage was determined, no data to show the dates the building was used by the CoC or its Sub-Recipient (rental agreement); no attendance rosters (sign-in sheets) of CoC program participants (to include the name of the training, date of training, location/address, name of the Trainer), procurement contract, etc.

- There were 12 months of utilities used as Match. The value for BW&L (Water/Lighting) was assessed at 22% or \$2,817.52 and Consumer Powers (Gas) was assessed at 22% or \$2,255.43 – for a total of \$5,072.95 being gifted by AHM towards the grant. The utility invoices and AHM checks were submitted to show that these costs were paid for by AHM and a percentage of the totals were used as Match. Missing from these utility bills were the General Ledger and Bank Statements.

- In the final quarter (July - September 2018) of the grant, there were ten rent payments used as Match on behalf of 7 program participants. Since HUD awards grant funds specifically for housing (rental and/or leasing), and AHM is *the* Sub-Recipient that is reimbursed for these payments, HUD has determined these rental payments, which totaled \$5,820.64 are disallowed for use as Match for this grant.
- Lastly, there were costs for a sliding glass door repair (\$1,250) on 01/12/2018 that was also used as Match. HUD has determined, this cost, too, is disallowed, as it should have been paid for either by the Landlord/Property Manager or submitted as a direct cost (reimbursement) for housing damages (security deposit) – not credited as Match.
- As a result of this review, HUD was not able to verify or support the receipt, disbursement or use of a large portion of the Match documents submitted for this project. All in all, using the original documents, the Match submitted by the City for Lansing for this CoC project, the amount of support fell short and did not meet the Match required. However, in order to meet this Match requirement, the City of Lansing must re-submit to HUD, all of the Match support documents as outlined above for the required match of \$43,080.00 for this award.

HUD was not able to verify the matching funds provided by the associated Sub-Recipients for Grant #MI0582L5F081700 and Grant #MI0507L5F081601. Overall, the files contained various receipts, but appropriate and required documentation to support the amounts calculated was not included. As such, please resubmit the required Match documentation as outlined above for HUD's review and acceptance by scanning your reply to DETFY2018CoC@hud.gov and DetroitCPD@hud.gov. **This finding remains open.**

Finding 2019-008: Written Policies required by the Uniform Grant Guidance (Repeat 2018-004) (CoC, ESG and CDBG).

Condition: Although the City has processes in place to cover these areas, there are no formal written policies covering payment, procurement and allowability of costs that address these areas required by the Uniform Guidance. The City does have a written conflict of interest policy related to the procurement process.

Criteria: The Uniform Guidance requires a non-federal entity that has expended Federal Awards for a grant awarded on or after December 26, 2014, to have written policies pertaining to various areas, including (1) Payments (draws of federal funds and how to minimize the time lapse between the receipt of federal funds and the disbursement to contractor/employees/Sub-Recipients (2 CFR 200.302(6))); (2) Procurement including bidding and a conflict of interest policy (2 CFR 200.318-326); and (3) Allowability of Costs charged to the federal programs (2 CFR 200.302(7)).

HUD's 06/12/2020 Management Decision: HUD sustains this finding. The *Uniform Administrative Requirements, Cost Principles & Audit Requirements for Federal Awards*

was issued December 14, 2014 by the U.S. Office of Management & Budget (MB). The Guidance unified, streamlined and consolidated eight (8) OMB Circulars into one Uniform Guide. It required a non-federal entity to prepare policies and procedures to adhere to the new Guidance in 2015. HUD extended this requirement by 2 years requiring all HUD Grantee's and Recipients to update their records accordingly. This is a requirement of all Grantees.

To close this finding, effective immediately, please prepare or update your current internal control policies and procedures to include: (1) Payments (2 CFR 200.302(6), 302(7), 400-404; (2) Procurement (2 CFR 200.318-326); and (3) Allowability of Costs charged to the federal programs (2 CFR 200.302(7).

City of Lansing 09/29/2020 Response: To respond and close this finding, please see **Exhibit D**. This is the updated internal control policies and procedures that cover payments, procurement and allowable costs for grants. This [these] will be used to manage grants going forward. We believe the updated internal control policy and subsequent procures shows official written policies covering payments, procurement and allowability of costs that addresses the requirements of the Uniform Guidance.

HUD's 10/14/2020 Management Decision #2: HUD's review of your submitted documentation for Finding 2019-008 included both procurement methods and allowable costs. It did not include the required federal language for procurement contracts or a policy for payments requiring review and sign off of the invoice by the Finance Department prior to the instrument being paid.

Furthermore, HUD recommends that your internal control documents, which are now separate, independent policies, be formulated as inclusive policies. It would be easier to review one procurement policy instead of several individual limited policies that are paginated and encompass the entirety of the procurement process (procurement standards, the 5 procurement methods, thresholds, policies, bonds requirements, W/MBE, Affirmative Action, etc.), instead of being perceived as piecemeal. The same with internal financial control policies – all of them should be inclusive policies encompassing the entire policies within one file for your financial controls (payments, allowed/disallowed costs, cost principles, time and attendance, Match, fidelity bond requirements, conflicts of interests, record retention, records storage, etc.).

Although some of the policies individually submitted hint at a structure being in place, they miss the mark for the overall language required by the OMB Uniform Regulations and Administrative Requirements. As such, **(1)** please submit a copy of your procurement policies that govern the entire procurement process up to contracts for Sub-Recipients using HUD funds complete with the required procurement language. This language must include the required OMB procurement language (2 CFR 200.112, 318-326). **(2)** Although requested, the attachments submitted by the City lacked a separate internal control policy detailing the payment policy. Language in the policy must state that the Finance Department must sign off [approve] all submitted invoices prior to writing the check for Sub-Recipient payments. (Payments (2 CFR 200.302(6), 302(7), 400-404).

Please submit the required procurement and payment policies as outlined above for HUD's review and acceptance by scanning your reply to DETFY2018CoC@hud.gov and DetroitCPD@hud.gov. **This finding remains open.**

With this letter, the Single Audit findings contained within the FY 2019 Audit Report and identified as 2019-005, 2019-006, 2019-007 and 2019-008 remain open. Please respond to (this) HUD's Management Decision #2 Letter not later than November 25, 2020.

Please forward all requested documents to DETFY2018CoC@hud.gov and DetroitCPD@hud.gov as your official reply to close any of the remaining findings. Please use the subject: City of Lansing FY 2019 Single Audit Response in the email of your reply to our Office. We ask that you do not send your reply to our Office via regular mail, as we are working remotely.

Should you have any questions, please feel free to email either Margaret A Momon, Senior Financial Analyst at Margaret.a.momon@hud.gov or Cynthia C. Vails, Senior Financial Analyst at Cynthia.c.vails@hud.gov for further assistance.

Sincerely,

A handwritten signature in blue ink, appearing to read 'K. Hernández', with a large circular flourish at the end.

Keith E. Hernández, AICP, FMP
Director
Office of Community Planning and Development

Attachments: #1 - Match Requirements
#2 - HUD Wire Transfer Instructions

cc: The Honorable Andy Schor, Mayor, City of Lansing, MI
Katrina Urista, HRCS Contract Manager, City of Lansing, MI
Toni Young, HRCS Contract Manager, City of Lansing, MI

CoC & Federal Match Requirements 24 CFR 578.73, 2 CFR 200.306

Attachment #1 | FY 2019 Single Audit Response #2 | 2019-007

- Match documentation must be in place prior to the signing of the grant agreement for the CoC awarded project. Match documentation may be updated throughout the year as funds fall through; but must be in place for the full 25% Match requirement prior to the expiration of the grant. Match is calculated on each individual award, not cumulative, for all CoC funds granted to the Recipient. If Match is cumulative, it must list all grants individually in the body of the donor letter for grants covered, whether a cash match or an in-kind contribution.
- Cash Match:
 - Cash must be documented, tracked in your accounting system; and submitted upon request.
 - The financial gift must be written from the donor on company letterhead with contact info, the letter must be addressed to the Recipient and be signed by a company authorized rep. along with their name and title clearly printed. The letter must provide details for the cash (i.e., name of the CoC organization, CoC project name, TIN/DUNS #, Grant Number, Term, Gift Amount) and this must be clearly spelled out in the body of the donor letter.
 - Cash donations must be traceable (i.e., in the form of a check, electronic funds transfers (EFT), purchase orders (POs), invoices, written receipt, etc.), and these instruments are to be used to support the receipt of cash along with the CoC's General Ledger (G/L) to show that Cash Match was received by the CoC organization.
 - Both the G/L and a Revenue/Expense Report must be submitted to show Program Income (PI), name of the Donor, cash receipt, receipted/disbursement/end uses in the CoC program.
 - Program Income used as Match (30% received from CoC program participants' rental payment contributions) are eligible to be used for the Program, provided they are receipted properly. Also, some federal grant programs allow their awarded funds for use as match.
 - All cash donations, to include other federal funds and program income payments must be deposited in your bank or financial institution and bank statements must be submitted to demonstrate deposits were receipted and disbursed on behalf of the CoC Match program.
- In-Kind Match:
 - In-Kind Match is defined as a donation or contribution (**not cash**) received from third parties that support the CoC program. All donations must be tracked in your accounting system. A tracking log must list all in-kind gifts with donor, date receipt, value, uses, etc.
 - The CoC Recipient and 3rd Party Donors must enter into a formal *Memorandum of Understanding* (MOU) or Contract on company letterhead for the CoC Program.
 - The MOU/Contract must be signed and dated by authorized reps from both parties.
 - The body of the letter must clearly show the donor, contact information, the name of the CoC nonprofit, CoC project name, TIN, DUNS #, Grant Number, Term, and Gift donation.
 - The in-kind donation must state that the gift is an unconditional commitment.
 - A system must be established to document the actual total value (\$) of goods/services that will be provided during the term of the grant in the MOU (i.e., if staff is on "loan", include the name of person, person's profession, type of service, hourly rate and dates of service, which must coincide with the grant term. A timesheet is required, which identify duties and it must be fully executed by employee/manager. When using facilities as Match, the scope, sq. ft., uses, dates of use, persons using it/attendance log/tracking log must be disclosed.
 - Prior to HUD's conditional award, an initial executed MOU commitment letter/contract must be written and must include all Match required documents in advance of executing a formal HUD grant agreement for a specific project
 - Prior to the expiration of the grant, the Match MOU and all supporting documents must be updated and finalized to include all Match being considered for credit in the CoC Program.

U.S. Department of Housing and Urban Development

Abbreviated Wire-Transfer Instructions

Bank Name: U.S. Treasury FRB New York

Bank Address: 33 Liberty St,
New York, NY 10045

ABA Routing Number: 021030004

Beneficiary: D

Account Number: 86011101

Account Holder: U.S. Department of HUD (Washington,DC)

Originator to Beneficiary Info

City of Lansing, MI - TIN: 38-6004628 - DUNS #069835882 (CoC, ESG & CDBG Findings).

FY 2019 Audit Finding - 2019-005 \$233,710.28 CoC Grant #: MI0417L5F081704

124 Michigan Avenue, 4th Floor, HRCS, Lansing, MI 48933

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

WHEREAS, the Mayor recommends the reappointment of Jonathon Lum, as a Member of the Michigan Avenue Corridor Improvement Authority for a term to expire June 30, 2024; and

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

WHEREAS, the Committee of the Whole met on _____, 2020 and took affirmative action.

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the reappointment Jonathon Lum, as a Member of the Michigan Avenue Corridor Improvement Authority for a term to expire June 30, 2024.

From: [Clerk, City](#)
To: [Woods, Lachlan](#); [Jackson, Brian](#)
Subject: FW: [EXTERNAL] Pass the Invest in the People of Lansing resolution
Date: Wednesday, October 28, 2020 9:58:00 AM
Attachments: [image003.png](#)

For council agenda

Sincerely,



Chris Swope, MMC/MiPMC | pronouns: He/Him/His

Lansing City Clerk

Lansing City Clerk's Office

City Hall/Main Office | 124 W. Michigan Ave. | 9th Floor | Lansing MI 48933

Elections Unit/Marijuana Licensing | 2500 S. Washington Ave. | Rear Entrance | Lansing MI 48910

Main: (517) 483-4131 | Fax: (517) 377-0068

Direct: (517) 483-4130 | Mobile: (517) 230-1566

chris.swope@lansingmi.gov

[Website](#) | [Facebook](#) | [Twitter](#) | [Census 2020 Website](#)



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From: louagiej@grassrootsmessages.com <louagiej@grassrootsmessages.com>

Sent: Tuesday, October 27, 2020 3:47 PM

To: Clerk, City <City.Clerk@lansingmi.gov>

Subject: [EXTERNAL] Pass the Invest in the People of Lansing resolution

Dear Lansing City Council members, I'm writing today in support of the Invest in the People of Lansing resolution to reduce the Lansing police budget and reinvest those funds into other city programs, centering community input and those adversely affected by over-policing. Following the murders of George Floyd, Breonna Taylor, Dreasjon "Sean" Reed, and Tony McDade, and too many others, it is painfully clear that police systems are not keeping our communities safe, especially our Black and Brown communities. The way to reduce police

violence is to reduce the scope, size, and role of police in our communities. The way we currently allocate money for the well-being of the community is not working. We need those resources in schools, toward our health, and for our futures. The Police budget has grown 11% over the past 3 years, at nearly double the rate of the Public Services budget and while the Human Services budget has decreased, reflective of a deadly skewing of our priorities. I ask that you listen to the public and the pain that many in our communities are in. This is a systemic problem, and you were elected to be part of the solution. I urge you to use your power to support this resolution and be on the right side of history -- building a new vision of community safety grounded in what our families and communities need to thrive. Sincerely,
Jennifer

From: [Clerk, City](#)
To: [Woods, Lachlan](#); [Jackson, Brian](#)
Subject: FW: [EXTERNAL] Pass the Invest in the People of Lansing resolution
Date: Wednesday, October 28, 2020 9:58:14 AM
Attachments: [image003.png](#)

For council agenda.

Sincerely,



Chris Swope, MMC/MiPMC | pronouns: He/Him/His

Lansing City Clerk

Lansing City Clerk's Office

City Hall/Main Office | 124 W. Michigan Ave. | 9th Floor | Lansing MI 48933

Elections Unit/Marijuana Licensing | 2500 S. Washington Ave. | Rear Entrance | Lansing MI 48910

Main: (517) 483-4131 | Fax: (517) 377-0068

Direct: (517) 483-4130 | Mobile: (517) 230-1566

chris.swope@lansingmi.gov

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From: hthornley@grassrootsmessages.com <hthornley@grassrootsmessages.com>

Sent: Tuesday, October 27, 2020 10:02 PM

To: Clerk, City <City.Clerk@lansingmi.gov>

Subject: [EXTERNAL] Pass the Invest in the People of Lansing resolution

Dear Lansing City Council members, I'm writing today in support of the Invest in the People of Lansing resolution to reduce the Lansing police budget and reinvest those funds into other city programs, centering community input and those adversely affected by over-policing. Following the murders of George Floyd, Breonna Taylor, Dreasjon "Sean" Reed, and Tony McDade, and too many others, it is painfully clear that police systems are not keeping our communities safe, especially our Black and Brown communities. The way to reduce police violence is to reduce the scope, size, and role of police in our communities. The way we

currently allocate money for the well-being of the community is not working. We need those resources in schools, toward our health, and for our futures. The Police budget has grown 11% over the past 3 years, at nearly double the rate of the Public Services budget and while the Human Services budget has decreased, reflective of a deadly skewing of our priorities. I ask that you listen to the public and the pain that many in our communities are in. This is a systemic problem, and you were elected to be part of the solution. I urge you to use your power to support this resolution and be on the right side of history -- building a new vision of community safety grounded in what our families and communities need to thrive. Sincerely,
Heidi Thornley

Jackson, Brian

From: mitchelllawrence98@grassrootsmessages.com
Sent: Wednesday, October 28, 2020 3:16 PM
To: Clerk, City
Subject: [EXTERNAL] Pass the Invest in the People of Lansing resolution

Dear Lansing City Council members, I'm writing today in support of the Invest in the People of Lansing resolution to reduce the Lansing police budget and reinvest those funds into other city programs, centering community input and those adversely affected by over-policing. Following the murders of George Floyd, Breonna Taylor, Dreasjon "Sean" Reed, and Tony McDade, and too many others, it is painfully clear that police systems are not keeping our communities safe, especially our Black and Brown communities. The way to reduce police violence is to reduce the scope, size, and role of police in our communities. The way we currently allocate money for the well-being of the community is not working. We need those resources in schools, toward our health, and for our futures. The Police budget has grown 11% over the past 3 years, at nearly double the rate of the Public Services budget and while the Human Services budget has decreased, reflective of a deadly skewing of our priorities. I ask that you listen to the public and the pain that many in our communities are in. This is a systemic problem, and you were elected to be part of the solution. I urge you to use your power to support this resolution and be on the right side of history -- building a new vision of community safety grounded in what our families and communities need to thrive. Sincerely, Mitchell Lawrence Westside Neighborhood

Jackson, Brian

From: jcjarvey@grassrootsmessages.com
Sent: Wednesday, October 28, 2020 3:26 PM
To: Clerk, City
Subject: [EXTERNAL] Pass the Invest in the People of Lansing resolution

Dear Lansing City Council members, I'm writing today in support of the Invest in the People of Lansing resolution to reduce the Lansing police budget and reinvest those funds into other city programs, centering community input and those adversely affected by over-policing. Following the murders of George Floyd, Breonna Taylor, Dreasjon "Sean" Reed, and Tony McDade, and too many others, it is painfully clear that police systems are not keeping our communities safe, especially our Black and Brown communities. The way to reduce police violence is to reduce the scope, size, and role of police in our communities. The way we currently allocate money for the well-being of the community is not working. We need those resources in schools, toward our health, and for our futures. The Police budget has grown 11% over the past 3 years, at nearly double the rate of the Public Services budget and while the Human Services budget has decreased, reflective of a deadly skewing of our priorities. I ask that you listen to the public and the pain that many in our communities are in. This is a systemic problem, and you were elected to be part of the solution. I urge you to use your power to support this resolution and be on the right side of history -- building a new vision of community safety grounded in what our families and communities need to thrive. Sincerely, Julie

Jackson, Brian

From: cmhorgan@grassrootsmessages.com
Sent: Wednesday, October 28, 2020 9:41 PM
To: Clerk, City
Subject: [EXTERNAL] Pass the Invest in the People of Lansing resolution

Dear Lansing City Council members, I'm writing today in support of the Invest in the People of Lansing resolution to reduce the Lansing police budget and reinvest those funds into other city programs, centering community input and those adversely affected by over-policing. Following the murders of George Floyd, Breonna Taylor, Dreasjon "Sean" Reed, and Tony McDade, and too many others, it is painfully clear that police systems are not keeping our communities safe, especially our Black and Brown communities. The way to reduce police violence is to reduce the scope, size, and role of police in our communities. The way we currently allocate money for the well-being of the community is not working. We need those resources in schools, toward our health, and for our futures. The Police budget has grown 11% over the past 3 years, at nearly double the rate of the Public Services budget and while the Human Services budget has decreased, reflective of a deadly skewing of our priorities. I ask that you listen to the public and the pain that many in our communities are in. This is a systemic problem, and you were elected to be part of the solution. I urge you to use your power to support this resolution and be on the right side of history -- building a new vision of community safety grounded in what our families and communities need to thrive. Sincerely, Cindy

Jackson, Brian

From: jneuroth@grassrootsmessages.com
Sent: Wednesday, October 28, 2020 11:25 AM
To: Clerk, City
Subject: [EXTERNAL] Pass the Invest in the People of Lansing resolution

Dear Lansing City Council members, The heartbreaking and ongoing national litany of murders in the name of law and order sounds a clear call to realize that we need transformational rather than incremental ideas about necessary cultural change in our cities, our police departments, and our neighborhoods. "Trainings," body cameras and tinkering with use-of-force guidelines are usually suggested as responses, but they are a continuation of business-as-usual, and are not likely to interrupt a militarized and fear-based culture among law enforcement personnel. PLEASE support the Invest in the People of Lansing resolution to reduce the Lansing police budget and reinvest those funds into other city programs, centering community input and those adversely affected by over-policing. I ask that you listen to the public and the pain that many in our communities are in. This is a systemic problem, and you were elected to be part of the solution. I urge you to use your power to support this resolution and be on the right side of history -- building a new vision of community safety grounded in what our families and communities need to thrive. Sincerely, Joann Neuroth 219 Virginia Street Lansing, MI 48912

Jackson, Brian

From: Clerk, City
Sent: Wednesday, October 28, 2020 3:19 PM
To: Jackson, Brian; Woods, Lachlan
Subject: FW: [EXTERNAL] Pass the Invest in the People of Lansing resolution

Sincerely,



Chris Swope, MMC/MiPMC | pronouns: He/Him/His

Lansing City Clerk

Lansing City Clerk's Office

City Hall/Main Office | 124 W. Michigan Ave. | 9th Floor | Lansing MI 48933

Elections Unit/Marijuana Licensing | 2500 S. Washington Ave. | Rear Entrance | Lansing MI 48910

Main: (517) 483-4131 | Fax: (517) 377-0068

Direct: (517) 483-4130 | Mobile: (517) 230-1566

chris.swope@lansingmi.gov

[Website](#) | [Facebook](#) | [Twitter](#) | [Census 2020 Website](#)



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From: merry.stanford@grassrootsmessages.com <merry.stanford@grassrootsmessages.com>

Sent: Wednesday, October 28, 2020 10:40 AM

To: Clerk, City <City.Clerk@lansingmi.gov>

Subject: [EXTERNAL] Pass the Invest in the People of Lansing resolution

Dear Lansing City Council members, Just as I have shown you my support in the past for investing in local parks for our neighborhoods with my pocketbook, my vote, and my time, I want Lansing to prioritize programs that support physical and mental health for ALL of our residents, especially those who have been most disenfranchised by our political system! Today I'm writing specifically in support of the Invest in the People of Lansing resolution. Once passed, this will reduce the Lansing police budget and reinvest those funds into other city programs, on the basis of input from community members and those adversely affected by over-policing. It is CRITICAL that Lansing leaders pay serious attention to this issue, and prioritize it now, over everything else. This includes your fears and wishes about re-election. Please do what is right. Following the murders of George Floyd, Breonna Taylor, Dreasjon "Sean" Reed, and Tony McDade, and too many others, it is painfully clear

that police systems are not keeping our communities safe, especially our Black and Brown communities. The way to reduce police violence is to reduce the scope, size, and role of police in our communities. The way we currently allocate money for the well-being of the community is not working. We need those resources in schools, toward our health, and for our futures. The Police budget has grown 11% over the past 3 years, at nearly double the rate of the Public Services budget and while the Human Services budget has decreased, reflective of a deadly skewing of our priorities. I ask that you listen to the public and the pain that many in our communities are in. This is a systemic problem, and you were elected to be part of the solution. I urge you to use your power to support this resolution and be on the right side of history -- building a new vision of community safety grounded in what our families and communities need to thrive. Sincerely, Merry Stanford

From: [Clerk, City](#)
To: [Woods, Lachlan](#); [Jackson, Brian](#)
Subject: FW: [EXTERNAL] Pass the Invest in the People of Lansing resolution
Date: Wednesday, October 28, 2020 9:57:14 AM
Attachments: [image003.png](#)

For council agenda

Sincerely,



Chris Swope, MMC/MiPMC | pronouns: He/Him/His

Lansing City Clerk

Lansing City Clerk's Office

City Hall/Main Office | 124 W. Michigan Ave. | 9th Floor | Lansing MI 48933

Elections Unit/Marijuana Licensing | 2500 S. Washington Ave. | Rear Entrance | Lansing MI 48910

Main: (517) 483-4131 | Fax: (517) 377-0068

Direct: (517) 483-4130 | Mobile: (517) 230-1566

chris.swope@lansingmi.gov

[Website](#) | [Facebook](#) | [Twitter](#) | [Census 2020 Website](#)



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From: andrew.leon.murray@grassrootsmessages.com

<andrew.leon.murray@grassrootsmessages.com>

Sent: Tuesday, October 27, 2020 4:43 PM

To: Clerk, City <City.Clerk@lansingmi.gov>

Subject: [EXTERNAL] Pass the Invest in the People of Lansing resolution

Dear Lansing City Council members, I'm writing today in support of the Invest in the People of Lansing resolution to reduce the Lansing police budget and reinvest those funds into other city programs, centering community input and those adversely affected by over-policing. Following the murders of George Floyd, Breonna Taylor, Dreasjon "Sean" Reed, and Tony McDade, and too many others, it is painfully clear that police systems are not keeping our communities safe, especially our Black and Brown communities. The way to reduce police

violence is to reduce the scope, size, and role of police in our communities. The way we currently allocate money for the well-being of the community is not working. We need those resources in schools, toward our health, and for our futures. The Police budget has grown 11% over the past 3 years, at nearly double the rate of the Public Services budget and while the Human Services budget has decreased, reflective of a deadly skewing of our priorities. I ask that you listen to the public and the pain that many in our communities are in. This is a systemic problem, and you were elected to be part of the solution. I urge you to use your power to support this resolution and be on the right side of history -- building a new vision of community safety grounded in what our families and communities need to thrive. Sincerely,
Andrew



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

ORLENE HAWKS
DIRECTOR

October 30, 2020

WNC of Grand Rapids 2 LLC
Attorney Mike Brown
(mbrown@cebhlaw.com)

RID # 2009-12209 Reference/Transaction: Transfer Ownership 2020 Class C & SDM license with Sunday Sales Permit (AM & PM), Dance-Entertainment Permit and Outdoor Service (2 areas) from McPat Corporation; transfer location from 101 S Washington Square Ste 101, Lansing; cancel existing Outdoor Service (2 areas) and Sunday Sales Permit (AM), CONDITIONAL LICENSE.

Please let this letter serve as notice the Michigan Liquor Control Commission has referred your application to our Enforcement Division for investigation of your request.

Applicant/Licensee: WNC of Grand Rapids 2 LLC

Business address and phone number: 580 Frandor Ave, Lansing 48912

Home address and phone number of partner(s)/subordinates:

1. Nechole Culp: 2973 Hunters Meadow, Kalamazoo 49048 C: (269) 986-5066

As part of the licensing process, an investigation is required by the Michigan Liquor Control Commission Enforcement Division. The Enforcement investigation will be conducted from the following designated District Office:

Lansing District Office (866) 813-0011

You may contact your designated District Office regarding any appointments or questions on documentation requested by the Investigator. **Failure to provide requested information or to keep scheduled appointments will cause the application to be returned to the Lansing office for cancellation.**

Since this request is a transfer under MCL 436.1529(1), approval of the local unit of government is not required. However, a copy of this notice is also being provided to **Local Governmental Unit** should they wish to submit an opinion on the application or advise of any local non-compliance issues.

Under administrative rule R 436.1105, the Commission shall consider the opinions of the local residents, local legislative body, or local law enforcement agency with regard to the proposed business when determining whether an applicant may be issued a license or permit.

Under administrative rule R 436.1003, the licensee shall comply with all state and local building, plumbing, zoning, sanitation, and health laws, rules, and ordinances as determined by the state and local law enforcements officials who have jurisdiction over the licensee. The licensee must obtain all other required state and local licenses, permits, and approvals before using this license for the sale of alcoholic liquor. Approval of this license by the Michigan Liquor Control Commission does not waive any of these requirements.

MICHIGAN LIQUOR CONTROL COMMISSION
Retail Licensing Division
(866) 813-0011

cc: City of Lansing (chris.swope@lansingmi.gov)



CITY OF LANSING
AFFIDAVIT OF DISCLOSURE

TO: CITY CLERK

DATE: October 15, 2020I, Angie Qawwee

Name (please print)

make the following disclosure under oath:

PLEASE CHECK THE BOX AND FILL IN THE APPROPRIATE BLANKS FOR EACH OF THE FOLLOWING ITEMS

Yes No

1. ☒ I am an ☐ elected or ☐ appointed ☐ officer or ☐ employee of the City of Lansing holding the position of Office Specialist in the Information Technology Department.
- ☐ ☒ I am an immediate family member related to an elected or appointed officer or employee of the City of Lansing named _____, holding the position of _____ in the _____ Department
- ☐ ☒ I am a Business Associate of an elected or appointed officer or employee of the City of Lansing named _____ holding the position of _____ in the _____ Department.
2. ☐ ☒ I may derive income or benefit directly or indirectly from the bidding of, negotiation of, solicitation of or entry into a contract with the City or from any City action detailed below. (Charter 5-505.1)
- ☐ ☒ I may have a conflict between a personal interest and the public interest, the nature of which is disclosed below. (Charter 5-505.2) [Chapter 290.04(I) of the Code of Ordinances]
- ☐ ☒ I may have a financial interest in a matter proposed to be acted upon by the City of Lansing as described below. [Chapter 290.04(I) of the Code of Ordinances]
- ☐ ☒ I make this disclosure because of a possible appearance that I may be in violation of or in conflict with the City of Lansing Ethics Ordinance as provided for in the Code of Ordinances and in the City Charter.
3. My City of Lansing position is:
☒ Full-time ☐ Part-time (less than 25 hours/wk) ☐ Unpaid
4. Name of the activity/business in question: Part-Time Bookkeeping position
5. Do you have ownership or interest in the activity/business? Yes x No _____

6. Does this activity/business conduct business with the City of Lansing? Yes ☒ No ☐
If yes, please explain The position is offered thru Leaves and Fishes
-
7. Does the activity/business depend on you being an employee of the City of Lansing?
Yes ☐ No ☒
If yes, please explain: N/A
-
8. Who are the clients/customers of the activity/business?
Women and families of domestic abuse
-
9. Does this activity/business require your using equipment/facilities of the City of Lansing?
Yes ☐ No ☒
If yes, please explain: N/A
-
10. Does the activity/business use any advertisements or circulars that reference your employment with the City of Lansing? Yes ☐ No ☒
If yes, please attach copies.

11. Explain what you will be doing in the activity/business:

Facilitate the billing process through Quickbooks as well as completing monthly grant reporting/spending.

12. Explain why you believe a conflict may/may not exist with this activity/business:

I do not believe there is a conflict of interest but wanted to make sure due to currently being a City of Lansing employee that there are no issues with this position. It is being offered as part-time in the evenings for supplemental income for my family.

13. Is there any additional information that you believe would assist the Board of Ethics in its review of your business or personal activities for potential conflicts of interest? Yes ☐ No ☒
If so, please describe:

N/A

In providing this additional information, the Board of Ethics asks that you give special attention to the Conflicts of Interest section of the Charter found at 5-505.1 – 5-505.3. A copy is enclosed for your convenience.

I hereby certify that this disclosure is complete and accurate to the best of my knowledge, information and belief. The foregoing Affidavit of Disclosure was executed on this 5th day of November, 2020.

[Signature]

Signature of Filer

State of Michigan, County of Eaton

Subscribed and sworn to before me this 5th day of November Hannah Holoway Notary ~~Public~~ or Deputy Clerk

Ingham County, Michigan

My Commission Expires: March 23, 2022

HANNAH L. HOLOWAY
Notary Public, Ingham County, MI
Acting in the County of Eaton
My Commission Expires: 03/23/2022

October 28, 2020

Bengt Jansson
407 Marshall Street
East Lansing, MI 48823

Lansing City Clerk
9th Floor, City Hall
Lansing, MI 48933

Re: Claim - 1122 Platt St.

Dear Lansing City Council:

I am writing to appeal the decision of the Claims Review Committee in a letter dated October 15, 2020 not to reimburse the Tag Monitoring Fees I paid on my property at 1122 Platt Street. This letter further explains the reason for the delay in demolishing the property, which has deteriorated beyond repair. I am additionally requesting that the Code Enforcement Office stop charging me monthly Tag Monitoring Fees.

I bought the property on 1122 Platt Street on May 22, 2019 with the plan to fix it up in my spare time. When I purchased the foreclosed property, the house had been sitting empty for at least three years. According to City of Lansing Building Department's Enforcements Record, the City of Lansing never requested that the previous owner repair the house and restore the property to a livable condition. A few months after I bought the property, on October 24, 2019, the Code Enforcement sent me an Exterior Correction Notice containing a list of required repairs. To my surprise, around the same time I also received a Notice of Assessment stating that the assessed value of the property had increased by \$2,000.00.

In moving forward with my plans to renovate the property, I had a structural engineer come out on November 25, 2019 to give me an opinion about the foundation of the house, which was in worse condition than I had noticed upon purchase. The engineer discovered that one side of the building was supported only by 2x4 lumber driven into the ground. The remainder of the foundation is stone and extends less than two feet below grade. I then had a mason visit the property for an estimate to repair the stone foundation and replace the 2x4s with a block foundation. I never received this estimate after several attempts to follow up with him.

Given all the repairs needed, I deemed it easier and more cost effective to tear down the existing house in order to build a new house. With the beginning of spring, I started the process of applying for a demolition permit in early March 2020. However, due to the Coronavirus pandemic and the shut down of the State of Michigan beginning on March 23, the process was extremely slow and I faced many delays. I also lost my

father to COVID and was taking care of family affairs for much of May and June. After numerous requests to Consumers Energy and Board of Water and Light to disconnect the utilities, this was finally completed in late August 2020. I was then able to move forward with the Demolition Permit Application, which I first submitted on September 28, 2020. Since then I have been in regular correspondence with Steve Swan, Building Safety Manager, and have updated my application with the additional information requested. This application is still under review.

Beginning in June 2020, the Code Enforcement Office started charging me a monthly Tag Monitoring Fee of \$150.00. Given the Coronavirus pandemic, I did not think it was prudent of the city to charge these fees when much of the state was required to shut down and all construction work was delayed. I submitted a Claims Review Committee Form on June 19, 2020 requesting that this fee be waived. I did not receive a reply. In the meantime, I paid these fees each month (currently totaling \$450). When I called the Office of the City Attorney to follow up on my request, I was told the Claims Review Committee had been unable to meet due to the pandemic. I submitted a second Claims Review Committee Form on September 27, which was subsequently denied to my surprise in the meeting on October 15, 2020.

I therefore request a full refund of the Tag Monitoring Fees I have paid to date (\$450). I am also requesting that the Code Enforcement Office stop charging me monthly Tag Monitoring Fees. I am not a negligent homeowner. I purchased the property at 1122 Platt in an already deteriorated condition with the intent of renovating the house, which I unfortunately discovered was beyond repair. I was excited to invest in Reo Town. I find it particularly egregious that the City of Lansing waited for a private citizen to purchase the property from a holding company for the demands for repair and the penalties to begin. Furthermore, how can the City expect the immediate action of property owners during the Governor's mandated shutdown when the City itself failed to hold scheduled meetings and failed to respond to claims in a timely manner? Such business practices are a discouragement to investing in the City of Lansing. Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read 'Bengt Jansson', with a stylized flourish at the end.

Bengt Jansson



RECEIVED JUN 30 2020

City of Lansing

OFFICE OF THE CITY ATTORNEY

1794

Claims Review Committee Form

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

NAME: Bengt Jansson DATE: 06/19/2020
MAILING ADDRESS: 407 Marshall Street EMAIL: bjansson1228@gmail.com
CITY: East Lansing STATE: MI ZIP CODE: 48823
TELEPHONE: Home (859-630-3997) Work ()

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

ADDRESS: 1122 Platt Street PARCEL NO. 33-01-01-21-258-110
DATE OF INCIDENT: 06/04/2020 AMOUNT YOU WERE BILLED: \$150.00/month
TOTAL AMOUNT YOU ARE CONTESTING: \$150.00/month
TYPE OF ASSESMENT: Tag Monitoring Fee

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

I bought this foreclosed house in May 2019 with the intent of fixing it up. The house had been vacant and neglected for several years. After careful examination of the poor condition of the house, including a foundation inspection in November 2019 and subsequent estimates to have the foundation repaired, I decided to have the house demolished. That decision was made in March 2020, shortly before the State of Michigan shut down on March 23 due to the spread of COVID-19. I was unable to complete the permit process and demolition due to the stay-at-home order. I also lost my father to the coronavirus the end of May and was taking care of family affairs for the past few weeks.

I therefore request that you kindly waive the tag monitoring fee. I expect to have the house demolished before the end of summer.

Thank you for your understanding and consideration.

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

To download the claim form: <https://www.lansingmi.gov/DocumentCenter/View/4619/Claims-Review-Committee-Form?bidId=>



CITY OF LANSING

316 N. CAPITOL SUITE 400

Lansing, MI 48933

PH: (517) 483-4361

Fax: (517) 377-6100

DUE DATE: 07/03/2020

Bill To:

JANSSON BENGT

407 MARSHALL ST

EAST LANSING, MI 48823

INVOICE

06/04/2020

TOTAL AMOUNT DUE

\$ 150.00



	Invoice Number	Record No.	Address	Amount Due
	00153794	E20-24124	1122 PLATT ST	\$150.00
	06/03/2020			
	Tag Monitoring Fee - Res			
			TOTAL DUE:	\$150.00

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

Payment Information:

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

Appeals Process:

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

Other Information:

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

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

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



City of Lansing

OFFICE OF THE CITY ATTORNEY

James D. Smiertka, City Attorney

October 15, 2020

Bengt Jansson
407 Marshall Street
East Lansing, MI 48823

Re: Claim – 1122 Platt St.

Dear Mr. Jansson:

Please be advised that the Claims Review Committee reviewed the claims you submitted in the amount of \$450.00 for Red Tag Monitoring fees for property located at 1122 Platt St., Lansing, Michigan, and denied the claims you filed with the City of Lansing.

You have the right to appeal the decision of the Claims Review Committee to the Lansing City Council. If you desire to do so, please submit your appeal in writing, within thirty (30) days of the date of this letter, to the Lansing City Clerk, 9th Floor, City Hall, Lansing, MI 48933, for placement on the Council's agenda.

If you have any questions concerning this matter, please contact this office. .

Sincerely,

A handwritten signature in blue ink that reads "Venus Kumar".

Venus Kumar
Paralegal

Claim: 1794 & 1819

RECEIVED AUG 31 2020

DATE: 7/15/2020

PPN: 33-01-01-21-258-110
DATE SUBMITTED: 6/30/2020
ADDRESS OF VIOLATION: 1122 Platt Street
LISTED TAXPAYER OF RECORD: Jansson, Bengt
OTHER TAXPAYER OF RECORD:
CLAIMANT: Jansson, Bengt
CLAIMANT'S ADDRESS: 1122 Platt Street
Lansing, MI 48910
TYPE OF ACTIONS CONTESTED: Red Tag Monitoring
VIOLATION DATE: 2/05/2020 & 10/24/2019
NOTIFICATION DATE: 2/05/2020 & 10/24/2019
2ND NOTICE ASSESSMENT DATE:
AMOUNT OF ASSESSMENT: \$307.50 (paid \$150 7/09/2020)
CONTRACTOR NAME - INVOICE NO. - DATE: City of Lansing Code
Enforcement
AMOUNT OF CLAIM: \$157.50

#1794

ADDITIONAL ACTIONS CONTESTED:
VIOLATION DATE:
NOTIFICATION DATE:
2ND NOTICE ASSESSMENT DATE:
AMOUNT OF ASSESSMENT:
CONTRACTOR NAME - INVOICE NO. - DATE:
AMOUNT OF CLAIM:
MEMO DATE - INVOICE NO.:

HISTORY: Board Up Safety
2/06/2020 Red Tagged
2/06/2020

CITATIONS IN PREVIOUS YEAR: Exterior
10/24/2019

CLAIMANT'S CIRCUMSTANCES: See Attached

CODE OFFICER'S NOTES: This property has had an open exterior letter since 10/24/2019 then in February of 2020 the on call Code Enforcement Officer was called to the property by the Lansing Police Department due to the interior conditions this property was Red Tagged. The owner called the Code Officer on 11/06/2019, 1/22/2020, and 3/25/2020 for extensions all extensions were granted and have now expired. The Building Safety Department is issuing permits the owner of this property cannot demolish the home they must have a licensed demolition contractor that is registered with the Building Safety Department complete the demolition. This office recommends denial of the claim



RECEIVED JUN 30 2020

City of Lansing

OFFICE OF THE CITY ATTORNEY

1794

Claims Review Committee Form

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

NAME: Bengt Jansson DATE: 06/19/2020
MAILING ADDRESS: 407 Marshall Street EMAIL: bjansson1228@gmail.com
CITY: East Lansing STATE: MI ZIP CODE: 48823
TELEPHONE: Home (858) 630-3997 Work ()

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

ADDRESS: 1122 Platt Street PARCEL NO. 33-01-01-21-258-110
DATE OF INCIDENT: 06/04/2020 AMOUNT YOU WERE BILLED: \$150.00/month
TOTAL AMOUNT YOU ARE CONTESTING: \$150.00/month
TYPE OF ASSESSMENT: Tag Monitoring Fee

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

I bought this foreclosed house in May 2019 with the intent of fixing it up. The house had been vacant and neglected for several years. After careful examination of the poor condition of the house, including a foundation inspection in November 2019 and subsequent estimates to have the foundation repaired, I decided to have the house demolished. That decision was made in March 2020, shortly before the State of Michigan shut down on March 23 due to the spread of COVID-19. I was unable to complete the permit process and demolition due to the stay-at-home order. I also lost my father to the coronavirus the end of May and was taking care of family affairs for the past few weeks.

I therefore request that you kindly waive the tag monitoring fee. I expect to have the house demolished before the end of summer.

Thank you for your understanding and consideration.

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

To download the claim form: <https://www.lansingmi.gov/DocumentCenter/View/109/Claims-Review-Committee-Form?bid=1>



CITY OF LANSING

316 N. CAPITOL SQUARE

LANSING, MI 48933

Ph: (517) 463-4361

Fax: (517) 377-3100

DUE DATE: 07/03/2020

INVOICE

06/04/2020

TOTAL AMOUNT DUE

\$ 150.00



Bill To:

JANSSON BENGT

407 MARSHALL ST

EAST LANSING, MI 48823

Invoice Number	Record No.	Address	Amount Due
00153794	E23-24124	1122 PLATT ST	\$150.00
06/03/2020			
Tag Monitoring Fee - Res			

TOTAL DUE:

\$150.00

Questions regarding this invoice: Contact CODE COMPLIANCE at 517.483.4361

Payment Information:

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

Appeals Process:

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

Other Information:

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

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

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



Economic Development & Planning Code Enforcement Office

316 N. Capitol, Ste C-1, Lansing, MI 48933-1238
(517) 483-4361 FAX (517) 377-0100

Notice Printed: 02/07/2020

Unsafe and Dangerous Correction Notice

JANSSON BENGT
407 MARSHALL ST
EAST LANSING, MI 48823

Inspection Type:	Safety
Inspection Date:	02/05/2020
Compliance Due Date:	03/06/2020

Warning:

Failure to comply with the requirements of this notice may result in the issuance of a Municipal Civil Infraction Violation Ticket. (Fines: \$500 per day for each violation)

Violation Location:	1122 PLATT ST
Parcel No:	33-01-01-21-258-110

The above referenced address was found to have certain violations of the Lansing Housing and Premises Code, Chapter 108 of the Code of Ordinances. The violations are listed below and must be corrected by the compliance due date.

At the request of LPD a Safety Inspection was performed on this Dwelling. Due to the amount of clutter and debris in the dwelling I was not able to do a complete inspection. Please contact Officer Walter Allen at 483-4335 to schedule a complete inspection; all corrections must be completed before any further occupancy of the dwelling will be allowed.

NOTE: Some listed corrections may require mechanical, plumbing, electrical, demolition or building permits from The Building Safety Office. You can call (517-483-4355) to determine if State Law requires a permit for your particular repair / correction.

Sec 305.3 Wall and/or ceiling covering is deteriorated and/or damaged.

Sec 305.3 Walls are deteriorated - damaged with holes - bowed - leaning.

Sec 305.2 Floor framing is deteriorated and/or damaged.

Sec 304.7 Roof on house/garage is deteriorated and damaged. Replace all deteriorated wood and shingles.

This dwelling has been declared an UNSAFE STRUCTURE as defined in section 108 of the Lansing Housing and Premises Code. Signs have been posted at each entrance that read - DO NOT ENTER, UNSAFE TO OCCUPY. It is a misdemeanor to occupy this building, or to remove or deface this notice.

Said dwelling shall remain vacant until this office has conducted a complete inspection and approved all corrections.

Failure to comply by the compliance due date may result in the issuance of a Municipal Civil Infraction. Violation with **Fines: \$500 per day for each violation.**

Pursuant to Section 107.2 of the IPMC, you have the right to appeal this notice of violation. In accordance with Section 106.3 any action taken by the City on such premises shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.

If you have any questions or concerns about complying within the time indicated, you may contact at (517) 483 6849 Monday through Friday between the hours of 8-9 - AM or 12-1 - PM.

Officer: Meredith D Johnson Meredith.Johnson@lansingmi.gov

This does not guarantee discovery or reporting of all code violations or property defects, manifest or latent, which exist at the property inspected. The City of Lansing, its officers and employees, shall not be liable for any injury or damage, including incidental or consequential damages, claimed to be a result of any failure to discover or report code violations or property defects.

As specified by section 107- Notices and Orders - a copy of this violation was sent to:

Taxpayer of Record: JANSSEN BENGT, 407 MARSHALL ST, EAST LANSING, MI 48823



Economic Development & Planning Code Enforcement Office

316 N. Capitol, Ste C-1, Lansing, MI 48933-1238
(517) 483-4361 FAX (517) 377-0100

Notice Printed: 02/07/2020

Unsafe and Dangerous Correction Notice

Occupant
1122 PLATT ST
LANSING, MI 48910

Inspection Type: Safety
Inspection Date: 02/05/2020
Compliance Due Date: 03/06/2020

Warning:

Failure to comply with the requirements of this notice may result in the issuance of a Municipal Civil Infraction Violation Ticket. (Fines: \$500 per day for each violation)

Violation Location:	1122 PLATT ST
Parcel No:	33-01-01-21-258-110

The above referenced address was found to have certain violations of the Lansing Housing and Premises Code, Chapter 108 of the Code of Ordinances. The violations are listed below and must be corrected by the compliance due date.

At the request of LPD a Safety Inspection was performed on this Dwelling. Due to the amount of clutter and debris in the dwelling I was not able to do a complete inspection. Please contact Officer Walter Allen at 483-4335 to schedule a complete inspection; all corrections must be completed before any further occupancy of the dwelling will be allowed.

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Sec 305.3 Walls are deteriorated - damaged with holes - bowed - leaning.

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Sec 304.7 Roof on house/garage is deteriorated and damaged. Replace all deteriorated wood and shingles.

This dwelling has been declared an UNSAFE STRUCTURE as defined in section 108 of the Lansing Housing and Premises Code. Signs have been posted at each entrance that read - DO NOT ENTER, UNSAFE TO OCCUPY. It is a misdemeanor to occupy this building, or to remove or deface this notice.

Said dwelling shall remain vacant until this office has conducted a complete inspection and approved all corrections.

Failure to comply by the compliance due date may result in the issuance of a Municipal Civil Infraction. Violation with **Fines: \$500 per day for each violation.**

Pursuant to Section 107.2 of the IPMC, you have the right to appeal this notice of violation. In accordance with Section 106.3 any action taken by the City on such premises shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.

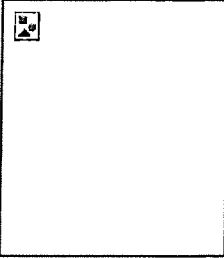
If you have any questions or concerns about complying within the time indicated, you may contact at (517) 483 6849 Monday through Friday between the hours of **8-9 - AM** or **12-1 - PM**.

Officer: Meredith D Johnson Meredith.Johnson@lansingmi.gov

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As specified by section 107- Notices and Orders - a copy of this violation was sent to:

Taxpayer of Record: JANSSON BENGT, 407 MARSHALL ST, EAST LANSING, MI 48823



Economic Development & Planning Code Enforcement Office

316 N. Capitol Ave Lansing, MI 48933-1238
(517) 483-4361 FAX (517) 377-0100

Notice Printed: 10/24/2019

Exterior Correction Notice

JANSSON BENGT
1122 PLATT ST
LANSING, MI 48910

Inspection Type:	Safety
Inspection Date:	10/24/2019
Compliance Due Date:	11/23/2019

Warning: *Failure to comply with the requirements of this notice may result in the issuance of a Municipal Civil Infraction Violation Ticket. (Fines: \$500 per day for each violation)*

Violation Location:	1122 PLATT ST
Parcel No:	33-01-01-21-258-110

The above referenced address was found to have certain violations of the Lansing Housing and Premises Code, Chapter 304 of the Code of Ordinances. The violations are listed below and must be corrected by the compliance due date.

AREA: Exterior

NOTE: Some listed corrections may require mechanical, plumbing, electrical, demolition or building permits from The Building Safety Office. You can call (517-483-4355) to determine if State Law requires a permit for your particular repair / correction.

Sec 304.7 Roof on house is deteriorated and damaged. Replace all deteriorated wood and shingles.

INSPECTOR COMMENTS: Bring roof up to code with the benefit of a building permit.

Sec 304.2 Soffit and the fascia is deteriorated.

Sec 304.10 Front porch has deteriorated wooden members and must be repaired or replaced.

INSPECTOR COMMENTS: Bring front porch up to code.

Sec 304.7 Roof covering is deteriorated - damaged - leaking - missing.

Section 304.6 Siding - trim is deteriorated - damaged - missing.

Section 304.2 Paint or protective coating is missing and deteriorated at siding and/or trim on house.

Section 304.13.1 Window glass is broken and/or missing.

Section 304.13 Windows and/or trim around the windows are deteriorated and need to be repaired or replaced.

Section 304.11 Deteriorated blocks and mortar at chimney.

INSPECTOR COMMENTS: Bring chimney up to code with the benefit of a building permit.

If you have any questions or concerns about complying within the time indicated, you may contact at (517) 483 4335 Monday through Friday between the hours of 8-9 - AM or 12-1 - PM.

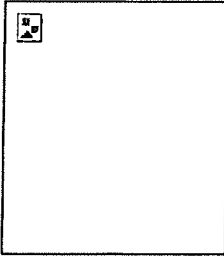
Officer: Walter Allen walter.allen@lansingmi.gov

Pursuant to Section 107.2 of the IPMC, you have the right to appeal this notice of violation. In accordance with Section 106.3 any action taken by the City on such premises shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.

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As specified by section 107- Notice and Orders - a copy of this violation was sent to:

Taxpayer of Record: JANSSEN BENGT, 1122 PLATT ST, [String.Parcel Owner.CityStateZip]



Economic Development & Planning Code Enforcement Office

316 N. Capitol Ave Lansing, MI 48933-1238
(517) 483-4361 FAX (517) 377-0100

Notice Printed: 10/24/2019

Exterior Correction Notice

BENGT RUNE JANSSON
407 MARSHALL ST.
EAST LANSING, MI 48823

Inspection Type:	Safety
Inspection Date:	10/24/2019
Compliance Due Date:	11/23/2019

Warning: *Failure to comply with the requirements of this notice may result in the issuance of a Municipal Civil Infraction Violation Ticket. (Fines: \$500 per day for each violation)*

Violation Location:	1122 PLATT ST
Parcel No:	33-01-01-21-258-110

The above referenced address was found to have certain violations of the Lansing Housing and Premises Code, Chapter 304 of the Code of Ordinances. The violations are listed below and must be corrected by the compliance due date.

AREA: Exterior

NOTE: Some listed corrections may require mechanical, plumbing, electrical, demolition or building permits from The Building Safety Office. You can call (517-483-4355) to determine if State Law requires a permit for your particular repair / correction.

Sec 304.7 Roof on house is deteriorated and damaged. Replace all deteriorated wood and shingles.

INSPECTOR COMMENTS: Bring roof up to code with the benefit of a building permit.

Sec 304.2 Soffit and the fascia is deteriorated.

Sec 304.10 Front porch has deteriorated wooden members and must be repaired or replaced.

INSPECTOR COMMENTS: Bring front porch up to code.

Sec 304.7 Roof covering is deteriorated - damaged - leaking - missing.

Section 304.6 Siding - trim is deteriorated - damaged - missing.

Section 304.2 Paint or protective coating is missing and deteriorated at siding and/or trim on house.

Section 304.13.1 Window glass is broken and/or missing.

Section 304.13 Windows and/or trim around the windows are deteriorated and need to be repaired or replaced.

Section 304.11 Deteriorated blocks and mortar at chimney.

INSPECTOR COMMENTS: Bring chimney up to code with the benefit of a building permit.

If you have any questions or concerns about complying within the time indicated, you may contact at (517) 483 4335 Monday through Friday between the hours of 8-9 - AM or 12-1 - PM.

Officer: Walter Allen walter.allen@lansingmi.gov

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As specified by section 107- Notice and Orders - a copy of this violation was sent to:

Taxpayer of Record: JANSSON BENGT, 1122 PLATT ST, [String.Parcel Owner.CityStateZip]



Nuisance Fees
City of Lansing Treasurers Office
124 W Michigan Ave 1st Floor
Lansing, MI 48933
Ph: (517) 483-4361 Fx: (517) 377-0169

Nuisance Fee Billing Statement

Date Created: 06/03/2020

Due Date: 07/03/2020

Pay Invoice In Full



JANSSON BENGT
407 MARSHALL ST
EAST LANSING MI 48823

Inv Number: 00153794

Parcel: 33-01-01-21-258-110

Address: 1122 PLATT ST

Parcel: 33-01-01-21-258-110

Bill Detail

Invoice Number	Date of Service	Enforcement Num	Address	Amount Due
00153794		E20-24124	1122 PLATT ST	\$7.50
Fee Details: Quantity Description				Balance
1.000	Tag Monitoring Fee - Res			\$ 0.00
1.000	Penalty Fee - 30 Days Overdue			\$ 7.50



Nuisance Fees
City of Lansing Treasurers Office
124 W Michigan Ave 1st Floor
Lansing, MI 48933
Ph: (517) 483-4361 Fx: (517) 377-0169

Nuisance Fee Billing Statement

Date Created: 07/07/2020

Due Date: 08/06/2020

Pay Invoice In Full



JANSSON BENGT
407 MARSHALL ST
EAST LANSING MI 48823

Inv Number: 00156085

Parcel: 33-01-01-21-258-110

Address: 1122 PLATT ST

Parcel: 33-01-01-21-258-110

Bill Detail

Invoice Number	Date of Service	Enforcement Num	Address	Amount Due
00156085		E20-24124	1122 PLATT ST	\$150.00
Fee Details: Quantity Description				Balance
1.000	Tag Monitoring Fee - Res			\$ 150.00

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

Payment Information:

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

Appeals Process:

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

Other Information:

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

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

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



Andy Schor, Mayor

ECONOMIC DEVELOPMENT & PLANNING
CODE ENFORCEMENT OFFICE

3/25/2020 Granted a 30 day extension. W.A.

Moved to NEAT and set to Bill by WA on 6/3/2020. sks



Andy Schor, Mayor

ECONOMIC DEVELOPMENT & PLANNING
CODE ENFORCEMENT OFFICE

Owner called and requested an extension, granted 60 days to allow him to get an engineer to look at the property and access if it is worth saving. 11-6-19 sks

1/22/2020 Granted a 60 day extension to Bengt Jansson. House is vacant. W.A.

3/25/2020 Granted a 30 day extension. W.A.













RECEIVED OCT 06 2020

City of Lansing

OFFICE OF THE CITY ATTORNEY

Claims Review Committee Form

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

1819

NAME: Bengt Jansson DATE: 09/27/2020
MAILING ADDRESS: 407 Marshall Street EMAIL: bjansson1228@gmail.com
CITY: East Lansing STATE: MI ZIP CODE: 48823
TELEPHONE: Home () 859-630-3997 Work () _____

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

ADDRESS: 1122 Platt Street PARCEL NO. 33-01-01-21-258-110
DATE OF INCIDENT: 06/04/2020 AMOUNT YOU WERE BILLED: \$450.00
TOTAL AMOUNT YOU ARE CONTESTING: \$450.00
TYPE OF ASSESMENT: Tag Monitoring Fee

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

I previously sent a Claims Review Committee Form dated 06/19/2020, where I explained the reasons for the delay of the demolition of the building on 1122 Platt St. I have not received a response to that letter. I am certain that you are dealing with the effects of Covid, so I am sure you can I understand my dilemma also.

I am requesting that you refund the \$450.00 I have paid so far in tag monitoring fees due. I submitted the demolition application so the building should be demolished as soon as the application is approved.

Thank you for your understanding and consideration.

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

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



Nuisance Fees
City of Lansing Treasurers Office
124 W Michigan Ave 1st Floor
Lansing, MI 48933
Ph: (517) 483-4361 Fx: (517) 377-0169

RECEIVED OCT 06 2020
Nuisance Fee Billing Statement

Date Created: 10/01/2020
Due Date: 10/31/2020
Pay Invoice In Full



JANSSON BENGT
407 MARSHALL ST
EAST LANSING MI 48923

Inv Number: 00161666
Parcel: 33-01-01-21-258-110
Address: 1122 PLATT ST

Parcel: 33-01-01-21-258-110

Bill Detail

Invoice Number	Date of Service	Enforcement Num	Address	Amount Due
00161666		E20-24124	1122 PLATT ST	\$150.00
		Fee Details:	Quantity	Description
			1.000	Tag Monitoring Fee - Res
Total Amount Due				\$ 150.00

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

Payment Information:

- Make checks payable to: City of Lansing
- Mail payments or pay in person at:
City of Lansing Treasurers Office
124 W Michigan Ave 1st Fl
Lansing MI 48933
- In order to assure proper credit, please send the top portion of this bill along with your payment.
- Payment in full is due within 30 days from the billing date
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CITY OF LANSING
316 N. CAPITOL SUITE C2
Lansing, MI 48933
Ph: (517) 483-4361
Fax: (517) 377-0100

Invoice No.: 00153794

Date: 06/03/2020

Record: E20-24124

JANSSON BENGT
407 MARSHALL ST
EAST LANSING, MI 48823

TOTAL AMOUNT DUE

\$157.50

Item Category	Item Description	Amount Due
Code Compliance Monitoring	Tag Monitoring Fee - Res	\$150.00
Code Compliance Penalty	Penalty Fee - 30 Days Overdue	\$7.50
Total Amount Due		\$157.50

CITY OF LANSING
316 N. CAPITOL SUITE C2
Lansing, MI 48933
Ph: (517) 483-4361
Fax: (517) 377-0100

Invoice No.: 00156085

Date: 07/07/2020

Record: E20-24124

TOTAL AMOUNT DUE

JANSSON BENGT
407 MARSHALL ST
EAST LANSING, MI 48823

\$150.00

Item Category	Item Description	Amount Due
Code Compliance Monitoring	Tag Monitoring Fee - Res	\$150.00
Total Amount Due		\$150.00

CITY OF LANSING
316 N. CAPITOL SUITE C2
Lansing, MI 48933
Ph: (517) 483-4361
Fax: (517) 377-0100

Invoice No.: 00157962

Date: 08/04/2020

Record: E20-24124

JANSSON BENGT
407 MARSHALL ST
EAST LANSING, MI 48823

TOTAL AMOUNT DUE

\$157.50

Item Category	Item Description	Amount Due
Code Compliance Monitoring	Tag Monitoring Fee - Res	\$150.00
Code Compliance Penalty	Penalty Fee - 30 Days Overdue	\$7.50
Total Amount Due		\$157.50

CITY OF LANSING
316 N. CAPITOL SUITE C2
Lansing, MI 48933
Ph: (517) 483-4361
Fax: (517) 377-0100

Invoice No.: 00159674

Date: 09/01/2020

Record: E20-24124

JANSSON BENGT
407 MARSHALL ST
EAST LANSING, MI 48823

TOTAL AMOUNT DUE

\$150.00

Item Category	Item Description	Amount Due
Code Compliance Monitoring	Tag Monitoring Fee - Res	\$150.00
Total Amount Due		\$150.00