



AGENDA
Committee of the Whole
Monday, September 26, 2016 – 5:30 p.m.
City Council Chambers, City Hall 10th Floor

Councilmember Judi Brown Clarke, Chair
Councilmember Jessica Yorke, Vice Chair

1. **Call to Order**
2. **Roll Call**
3. **Minutes**
 - September 12, 2016
4. **Public Comment on Agenda Items**
5. **Discussion/Action:**
 - A.) RESOLUTION – Second Amendment to the Hope Sports Complex Lease
 - B.) RESOLUTION – Set a Public Hearing; SLU-4-2016; 400 & 414 N Larch; 617, 637 Shiawassee Street and vacant Parcel East of 617 E Shiawassee; Residential Use in a “H” Light Industrial District
 - C.) RESOLUTION - FY2017/2018 Budget Priorities
6. **Other**
7. **Adjourn**

The City of Lansing’s Mission is to ensure quality of life by:

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



MINUTES
Committee of the Whole
Monday, September 12, 2016 @ 5:30 p.m.
City Council Chambers

CALL TO ORDER

The meeting was called to order at 5:32 p.m.

PRESENT

Councilmember Brown Clarke
Councilmember Jessica Yorke
Councilmember Patricia Spitzley
Councilmember Adam Hussain
Councilmember Kathie Dunbar-arrived at 6:12 p.m.
Councilmember Carol Wood
Councilmember Jody Washington
Councilmember Tina Houghton

OTHERS PRESENT

Sherrie Boak, Council Office Manager
Randy Hannan, Mayor Executive Assistant
Scott Reenders, Grand Haven Manor
Shirley Woodruff, Grand Haven Manor
Bob Johnson, Planning & Neighborhood Development Director

Minutes

MOTION BY COUNCIL MEMBER SPITZLEY TO APPROVE THE MINUTES FROM AUGUST 22, 2016 AS PRESENTED. MOTION CARRIED 7-0.

MOTION BY COUNCIL MEMBER SPITZLEY TO APPROVE THE MINUTES FROM AUGUST 29, 2016. MOTION CARRIED 7-0

Public Comment

Mr. Reenders spoke on the proposal for the PILOT request and project of Grand Haven Manor for low and moderate income for senior housing.

Council Member Washington as Committee on Development & Planning Chairperson requested all PILOT applications on the agenda be discharged from Development and Planning back to the Council President Brown Clarke to be placed on the Committee of the Whole agenda tonight, due to a conflict. Mr. Smiertka referenced the Charter and Council

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rules that allow any Council Member the option to declare conflict of interest in a matter. The Committee must now vote to discharge from Committee and refer to Committee of the Whole. Council Member Yorke spoke in support of discharging so action on the setting of public hearings can occur tonight. Council Member Houghton asked for clarification if it was being discharged to the President or to the Committee of the Whole, and Mr. Smiertka confirmed it was to discharge to Committee. Action to discharge passed 7-0.

Public Comment continued

Mr. Reenders outlined the project for Grand Haven Manor, which he noted had already secured MSHDA funding and Low Income Tax Credits. They were waiting on the PILOT to finalize to submit to MSHDA. The project will build 78 units on the 8 acres of landlocked property on the campus. In 2007 they opened 150 senior apartments, and in 2002 they opened 80 units of assisted living. He did also noted that they will begin working on 20 units of assisted living in two weeks, and all current apartment and assisted living units are full now. Supplemental information was provided by Ms. Woodruff.

Mr. Smiertka noted that there was an issue raised by some council members that there is a potential conflict of interest. The Committee was referred to the Charter, Section 3-205 which states each member shall vote on each question unless excused by affirmative vote of two-thirds of the members serving. If a conflict is raised under this section, such question shall be determined by a majority of those Council members present and qualified to vote. Therefore, Mr. Smiertka noted that with 4 members concerned of a conflict, that would leave four members, and 3 members would have to approve or deny. It was also noted that the Charter over rules Masons Rule of Order. Council Member Spitzley pointed out that with the potential 4 members having conflict, and only 7 members currently, then 3 would be the voting members, and it would have to be approved or denied by 2. Mr. Smiertka confirmed that statement.

Council Member Wood asked to be excused from any vote on all the PILOT's on the agenda due to a conflict because she is named in a lawsuit and therefore a potential conflict. Motion carried 6-0.

Council Member Washington asked to be recused from all votes on the PILOT applications on the agenda due to conflict because of pending litigation where she is named as a defendant. Motion carried 6-0.

Council Member Hussain asked to be recused from voting on the PILOT applications on the agenda due to a conflict because of being named in pending litigation and being named in a complaint with the Fair Housing. Motion carried 6-0.

Council Member Brown Clarke passed the gavel to Council Member Yorke.

Council Member Brown Clarke asked to be recused from the vote on the PILOT's on the agenda due to conflict because she is named in a case of act of discrimination with HUD and Mr. Saboury's attorney has publicly stated she could be named as a defendant in his law suit. Motion carried 6-0.

Council Member Brown Clarke passed the gavel to Council Member Yorke.

Discussion/Action

Council Member Spitzley asked if Council Member Brown Clarke should recuse from chairing the discussion on the three PILOTS, and Mr. Smiertka confirmed. Council Member Brown Clarke passed the gavel to Council Member Yorke.

RESOLUTION- Set a Public Hearing; PILOT Amendment Grand Haven Manor Retirement Community

Council Staff provided clarification that if the Committee wanted to act on the three PILOT's on the agenda tonight at Council, then they would need to vote them out of Committee to set a public hearing for September 26, 2016, and they will need to be added as "Late Items" on the Council agenda tonight.

Council Member Wood asked to be excused from any vote on the PILOT's on the agenda due to a conflict because she is named in a lawsuit and therefore a potential conflict. Motion carried 6-0.

Council Member Washington asked to be recused from all votes on the PILOT applications on the agenda due to conflict because of pending litigation where she is named as a defendant. Motion carried 6-0.

Council Member Hussain asked to be recused from voting on the PILOT applications on the agenda due to a conflict because of being named in pending litigation and being named in a complaint with the Fair Housing. Motion carried 6-0.

Council Member Brown Clarke passed the gavel to Council Member Yorke.

Council Member Brown Clarke asked to be recused from the vote on the PILOT's on the agenda due to conflict because she is named in a case of act of discrimination with HUD and Mr. Saboury's attorney has publicly stated she could be named as a defendant in his law suit. Motion carried 6-0.

MOTION BY COUNCIL MEMBER HOUGHTON TO APPROVE THE RESOLUTION TO SET THE PUBLIC HEARING FOR SEPTEMBER 26, 2016 FOR THE AMENDMENT TO THE PILOT FOR THE GRAND HAVEN MANOR RETIREMENT COMMUNITY. MOTION CARRIED 3-0.

RESOLUTION – Set a Public Hearing; PILOT Shiawassee Senior Lofts

Mr. Smiertka confirmed that all four members who chose to be recused from the PILOT projects were recused in the beginning for all three (3) applications on the agenda.

Council Member Wood asked to be excused from any vote on all the PILOT's on the agenda due to a conflict because she is named in a lawsuit and therefore a potential conflict. Motion carried 6-0.

Council Member Washington asked to be recused from all votes on the PILOT applications on the agenda due to conflict because of pending litigation where she is named as a defendant. Motion carried 6-0.

Council Member Hussain asked to be recused from voting on the PILOT applications on the agenda due to a conflict because of being named in pending litigation and being named in a complaint with the Fair Housing. Motion carried 6-0.

Council Member Brown Clarke passed the gavel to Council Member Yorke.

Council Member Brown Clarke asked to be recused from the vote on the PILOT's on the agenda due to conflict because she is named in a case of act of discrimination with HUD and

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Mr. Saboury's attorney has publicly stated she could be named as a defendant in his law suit. Motion carried 6-0.

Mr. Johnson noted that Mr. Hughes, with Miller Valentine as present at the D & P meeting last week, and was not able to attend tonight. He then outlined the project as a senior affordable housing of 77 units. Council Member Spitzley asked for renderings and specifics by the public hearing. Mr. Johnson stated he could provide those, and confirmed the PILOT is for the financial piece.

MOTION BY COUNCIL MEMBER SPITZLEY TO APPROVE THE RESOLUTION SET THE PUBLIC HEARING FOR SEPTEMBER 26, 2016 FOR THE PILOT FOR SHIAWASSEE SENIOR LOFTS. MOTION CARRIED 3-0.

RESOLUTION – Set a Public Hearing; PILOT The Crossing

Council Member Wood asked to be excused from any vote on all the PILOT's on the agenda due to a conflict because she is named in a lawsuit and therefore a potential conflict. Motion carried 6-0.

Council Member Washington asked to be recused from all votes on the PILOT applications on the agenda due to conflict because of pending litigation where she is named as a defendant. Motion carried 6-0.

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Council Member Brown Clarke passed the gavel to Council Member Yorko.

Council Member Brown Clarke asked to be recused from the vote on the PILOT's on the agenda due to conflict because she is named in a case of act of discrimination with HUD and Mr. Saboury's attorney has publicly stated she could be named as a defendant in his law suit. Motion carried 6-0.

Mr. Johnson noted that this project was also by the developer Miller Valentine, and stated again that Mr. Hughes was present at the D & P meeting last week before it was sent to Committee of the Whole. This project is affordable housing with commercial

MOTION BY COUNCIL MEMBER HOUGHTON TO APPROVE THE RESOLUTION TO SET THE PUBLIC HEARING FOR SEPTEMBER 26, 2016 FOR THE PILOT FOR THE CROSSING. MOTION CARRIED 3-0.

Council Member Yorko passed the gavel back to Council Member Brown Clarke.

FY2017/2018 Budget Priorities

Council Member Brown Clarke reminded the Committee that per the Charter, these Priorities will need to be approved by October 1, 2016. It will appear for action on the Committee of the Whole for final action on September 26, 2016, so she asked for final review before that.

Council Member Wood noted that the Committee on Public Safety will review it this Friday, September 16, 2016, and Council Member Brown Clarke noted that all action can be taken back at Committee of the Whole on September 26, 2016.

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Other

{CLOSED SESSION}

Active Litigation Update

MOTION BY COUNCIL MEMBER YORKO TO GO INTO CLOSED SESSION AT 6:13 P.M.
ROLL CALL VOTE, MOTION PASSED 8-0.

Committee of the Whole was called back to order at 7:05 p.m.

ADJOURN

The meeting was adjourned at 7:06 p.m.

Respectfully Submitted by,

Sherrie Boak

Officer Manager, Lansing City Council

Approved by the Committee on



Virg Bernero, Mayor

City of Lansing
Inter-Departmental
Memorandum



To: Virg Bernero, Mayor

From: Chad A. Gamble, P.E., Director of Public Service

Subject: CITY COUNCIL AGENDA ITEM - Extension of Lease for Hope Sports Complex

Date: August 24, 2016

Please forward this resolution to City Council for placement on the Agenda.

If you have any questions, or need additional information, please give me a call.

Attachments

“Equal Opportunity Employer”



OFFICE OF THE MAYOR

9th Floor, City Hall
124 W. Michigan Avenue
Lansing, Michigan 48933-1694
(517) 483-4141 (voice)
(517) 483-4479 (TDD)
(517) 483-6066 (Fax)

Virg Bernero, Mayor

TO: City Council President Judi Brown Clarke and Councilmembers
FROM: Mayor Virg Bernero
DATE: 8-25-16
RE: Extension of Lease for Hope Sports Complex

The attached correspondence is forwarded for your review and appropriate action.

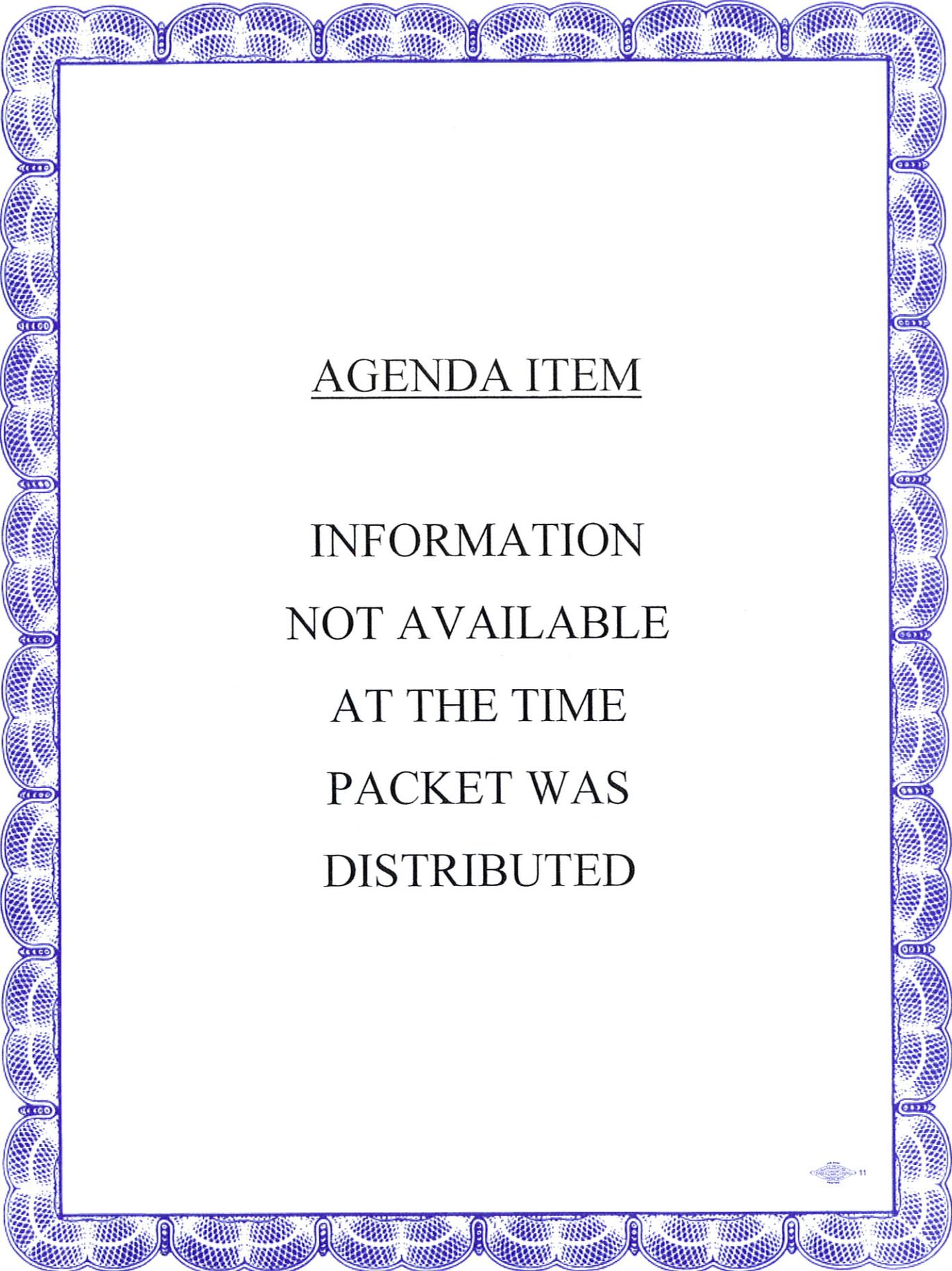
VB/rh
Attachment

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

WHEREAS, a public hearing was held on Monday, September 12, 2016, in consideration of the request from Mid-Michigan Sports Turf, L.L.C., for extension of its lease for the Hope Sports Complex consistent with the proposed Hope Sports Complex Lease Amendment #2, which was placed on file with the City Clerk on July 29, 2016; and

WHEREAS, no substantive written or verbal comments in opposition to extension of the lease for the Hope Sports Complex were received from anyone at the public hearing.

NOW THEREFORE BE IT RESOLVED that City Council grants an extension of the lease for the Hope Sports Complex consistent with the proposed Hope Sports Complex Lease Amendment #2.



AGENDA ITEM

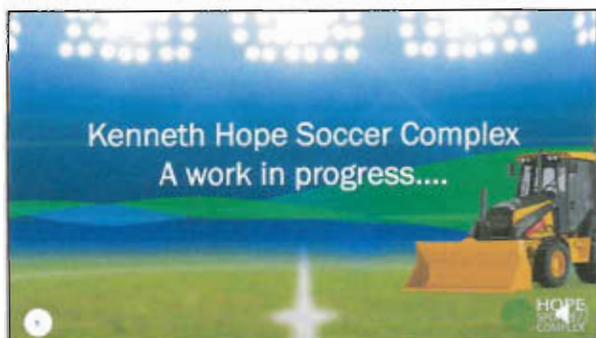
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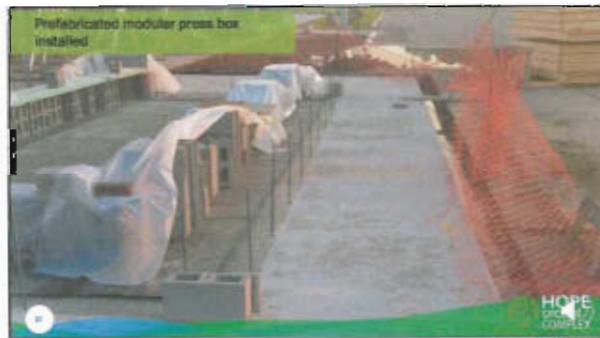
































































OFFICE OF THE MAYOR

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124 W. Michigan Avenue
Lansing, Michigan 48933-1694
(517) 483-4141 (voice)
(517) 483-4479 (TDD)
(517) 483-6066 (Fax)

Virg Bernero, Mayor

TO: City Council President Judi Brown Clarke and Councilmembers
FROM: Mayor Virg Bernero
DATE: 9-8-16
RE: SLU-4-2016, Residential Use in the "H" District

The attached correspondence is forwarded for your review and appropriate action.

VB/rh
Attachment



Virg Bernero, Mayor

City of Lansing
Inter-Departmental
Memorandum



To: Virg Bernero, Mayor
From: Susan Stachowiak, Zoning Administrator
Subject: CITY COUNCIL AGENDA ITEM - SLU-4-2016, Residential Use in the "H" District
Date: September 7, 2016

The Lansing Planning Board, at its regular meeting held on September 6, 2016, voted (6-0) to recommend approval of a request by MV Affordable Housing, LLC for a special land use permit to construct 2, 77 unit residential buildings on the properties at 400 & 414 N. Larch Street, 617 & 637 E. Shiawassee Street and the vacant parcel east of 617 E. Shiawassee Street. The subject properties are zoned "H" Light Industrial, which district permits residential use, if a special land use permit is approved by the Lansing City Council.

The Planning Board found, based on testimony, evidence and the staff report, that the proposed Special Land Use complies with all of the criteria established by Section 1282.02(f)(1-9) of the Zoning Ordinance for granting special land use permits. Based upon these findings, the Planning Board recommended approval of SLU-4-2016, with the following conditions:

1. The non-required parking spaces are converted to an outdoor play area,
2. Landscape, screening and buffering is installed along the interior property lines;
and

At the Planning Board public hearing held on September 6, 2016, the applicant's representative and one other person spoke in favor of the request.

Please forward this resolution to City Council for placement on the agenda.

If you have any questions, or need additional information, please give me a call.

Attachments

"Equal Opportunity Employer"

BY THE COMMITTEE OF THE WHOLE
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, October 24, 2016 at 7 p.m. in City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of approving or opposing the Special Land Use for:

SLU-4-2016: Special Land Use Permit, 400 & 414 N. Larch Street, 617 & 637 E. Shiawassee Street and the vacant parcel east of 617 E. Shiawassee Street, Residential Use in the "H" Light Industrial District

CITY OF LANSING
NOTICE OF PUBLIC HEARING

**SLU-4-2016, Special Land Use Permit –
Residential Use in an “H” Light Industrial District
400 & 414 N. Larch Street, 617 & 637 E. Shiawassee Street and
Vacant Parcel East of 617 E. Shiawassee Street**

The Lansing City Council will hold a public hearing on Monday, October 24, 2016, at 7:00 p.m. in Council Chambers, 10th Floor, Lansing City Hall, 124 W. Michigan Avenue, Lansing, Michigan to consider SLU-4-2016. This is a request by MV Affordable Housing, LLC for a special land use permit to construct 2, 77 unit residential buildings on the properties at 400 & 414 N. Larch Street, 617 & 637 E. Shiawassee Street and the vacant parcel east of 617 E. Shiawassee Street. The subject properties are zoned “H” Light Industrial, which district permits residential use, if a special land use permit is approved by the Lansing City Council.

For more information, please call Lansing City Council at 517-483-4177. If you are interested in this matter, please attend the public hearing or send a representative. Written comments will be accepted between 8 a.m. and 5 p.m. on City business days if received before 5 p.m., Monday, October 24, 2016 at the City Clerk’s Office, Ninth Floor, City Hall, 124 West Michigan Ave., Lansing, MI 48933 or email city.clerk@lansingmi.gov.

Chris Swope, City Clerk

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

SLU-4-2016

400 & 414 N. Larch., 617 & 637 E. Shiawassee, & vacant parcel east of 617 E. Shiawassee Residential Use in the "H" Light Industrial District

WHEREAS, the applicant, Miller Valentine Affordable Housing, LLC, has requested a Special Land Use permit (SLU-4-2016) to permit 2, 77 unit residential buildings on the properties at 400 & 414 N. Larch Street, 617 & 637 E. Shiawassee Street and the vacant parcel east of 617 E. Shiawassee Street; and

WHEREAS, the subject properties are zoned "H" Light Industrial District where residential use is permitted subject to obtaining a special land use permit; and

WHEREAS, a review was completed by staff evaluating the character, location and impact this proposal would have on the surrounding area and the impact on the environment, utilities, services and compliance with the Zoning Code and objectives of the Comprehensive Plan; and

WHEREAS, the Planning Board held a public hearing on September 6, 2016, at which time the applicant's representative and one other person spoke in favor of the request; and

WHEREAS, the Planning Board (based upon testimony, evidence and the staff report) at its September 6, 2016 meeting, voted unanimously (6-0) to recommend approval of SLU-4-2016 to permit 2, 77 unit residential buildings on the properties at 400 & 414 N. Larch Street, 617 & 637 E. Shiawassee Street and the vacant parcel east of 617 E. Shiawassee Street, subject to compliance with the following conditions:

1. The non-required parking spaces are converted to an outdoor play area,
2. Landscape, screening and buffering is installed along the interior property lines;
and

WHEREAS, the City Council held a public hearing regarding SLU-4-2016 on _____, 2016; 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-4-2016, to permit 2, 77 unit residential buildings on the properties at 400 & 414 N. Larch Street, 617 & 637 E. Shiawassee Street and the vacant parcel east of 617 E. Shiawassee Street, subject to compliance with the following conditions:

1. The non-required parking spaces are converted to an outdoor play area,
2. Landscape, screening and buffering is installed along the interior property lines;
and

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 with conditions, the City Council has considered the factors listed in Section 1298.07(B)(2), and determines the following:

1. The proposed residential use is compatible with the essential character of the surrounding area, as designed.
2. The proposed residential use will not change the essential character of the surrounding area.
3. The proposed residential use will not interfere with the general enjoyment of adjacent properties.
4. The proposed residential use will not impact adjacent properties as it will not be detrimental to the use or character of the property under consideration.
5. The proposed residential use will not impact the health, safety and welfare of persons or property in the surrounding area.
6. The proposed residential use can be adequately served by essential public facilities and services.
7. The proposed residential use will not place any demands on public services and facilities in excess of current capacities.
8. The proposed residential use is consistent with the intent and purposes of the Zoning Code and in conformance with the Master Plan.
9. The proposed residential use will comply with the requirements of the "H" Light Industrial district.

GENERAL INFORMATION

APPLICANT:	Miller Valentine Affordable Housing, LLC 9349 WaterStone Boulevard Cincinnati, OH 45249
OWNER:	Sam & Judith Eyde Eyde Properties, LLC 2800 Bryon Circle Lansing, MI 48912
STATUS OF APPLICANT:	Option to buy
REQUESTED ACTION:	Special Land Use permit to allow residential use in the "H" Light Industrial District
EXISTING LAND USE:	400 N. Larch -- Parking Lot 414 N. Larch -- Office Building 637 E. Shiawassee -- Vacant 617 E. Shiawassee & lot to its east - vacant
EXISTING ZONING:	"H" Light Industrial District
PROPERTY SIZE & SHAPE:	Irregular -- 5.25 acres -- all 5 parcels combined
SURROUNDING LAND USE:	N: Volunteers of America, Vacant lot S: Vacant lots, Industrial buildings E: Parking Lot, Railroad, Oak Park W: Paramount Coffee, Residential, Parking lot
SURROUNDING ZONING:	N: "H" Light Industrial District S: "H" Light Industrial District E: "H" Light Industrial District W: "H" Light Industrial District
MASTER PLAN DESIGNATION:	The Design Lansing Comprehensive Plan designates the subject property for "Downtown Mixed-Use Center: Edge". N. Larch Street is designated as a principal arterial and E. Shiawassee Street is designated as a collector road.
APPLICANT'S PROPOSAL:	
	This is a request by MV Affordable Housing, LLC for a special land use permit to construct 2.77 unit residential buildings on the properties at 400 & 414 N. Larch Street, 617 & 637 E. Shiawassee Street and the vacant parcel east of 617 E. Shiawassee Street. The subject properties are zoned "H" Light Industrial, which district permits residential use, if a special land use permit is approved by the Lansing City Council.

The target population for one of the buildings is seniors, aged 55+, and earning 30%, 40% and 60% of the area median income. The proposed building is a mix of 1 and 2 bedroom units within a 4 story energy efficient apartment building. The building will include fitness, theater and community rooms and other amenities and services for its senior residents.

The target population for the other building is individuals and families earning 30%, 40% and 60% of the area median income. The proposed building is a mix of 1, 2 and 3 bedroom units within a 4 story energy efficient apartment building that will also include fitness, theater and community rooms.

AGENCY RESPONSES:

BWL: Sec attached.

Building Safety: The BSO has no objections. Project will be subject to the requirements of the site plan and building plan reviews.

Development:

Fire Marshal:

Parks & Recreation: No comments.

Public Service: Regarding residential use in this district, Engineering Division doesn't see any issue with that in itself. However, as is typical with our review of these SLU requests, we perform a cursory review of sanitary sewer capacity in the area to anticipate any potential problems accommodating the proposed development. In this case, there may or may not be adequate sanitary sewer capacity depending upon the peak flows that would be generated by an apartment complex of this size. As always, we wouldn't have trouble conveying flows during dry weather, but there may be some capacity issues during wet weather. There are no projected sewer flows accompanying the SLU request, so we don't have any numbers to use in an evaluation.

Regarding availability of sewers, there's a 10" sanitary sewer in Shiawassee St. and a 15" sanitary sewer in Larch St. Both of these sewers ultimately discharge into the Central Interceptor. Based upon my cursory review, it appears that the Larch St. sanitary sewer "route" would be less of a concern due to the larger diameter sewer(s) downstream. Again, a sanitary sewer capacity review would have to be conducted at the time of site plan review and we can't say that on-site sewage flow equalization wouldn't be necessary (I don't think it's necessary, but we don't know for sure, yet).

I should also note that this development would be required to meet the City's post-construction stormwater requirements, including, at a minimum, the requirements for retention and solids treatment.

Transportation:

ANALYSIS

Section 1282.03(f)(1)-(9) 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 subject property is located on the north side of Shiawassee Street between Larch Street to the west and the railroad tracks to the east. The applicant is seeking a special land use permit to construct 2, 77 residential unit apartment buildings on a site that includes 5 parcels totaling 5.25 acres. The entire site is zoned "H" Light Industrial, which district permits residential use to the density of the "DM-4" Residential districts. If a special land use permit is approved by the City Council following review and recommendation by the Planning Board.

The proposed residential development will be harmonious with the character of the area in which it is located. There is already a residential condominium development on a parcel of land zoned "H" Light Industrial on the south side of E. Shiawassee Street along Pere Marquette (see attached aerial photograph). A special land use permit to allow this development was approved by the City in 1999. The other surrounding land uses include the Volunteers of America shelter and community resource building, office buildings and low impact industrial uses, none of which will be negatively impacted as a result of the proposed use. Furthermore, the surrounding industrial uses are relatively quiet and low traffic volume uses that will not impact the quality of life for the residents of the proposed development.

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

The proposed residential development will not change the essential character of the area since there is already a residential condominium development directly south of the subject property.

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

The proposed residential development will not interfere with the enjoyment of adjacent properties. In fact, the proposed residential development is the use that would be the most compatible with the residential use already in existence to the south. Among the uses that would be permitted by right under the current "H" Light Industrial zoning are storage yards, manufacturing, heavy automobile repair and machine shops. These types of uses have the

potential to negatively impact the residential use to the south, both from an appearance standpoint and because of their affinity to generate noise and heavy traffic. In addition, industrial uses are not consistent with the future land use pattern being advanced in the master plan for this area as described under item 8 below.

4. **Will the proposed special land use represent an improvement to the use or character of property under consideration and the surrounding area in general, and will the use be in keeping with the natural environment of the lot?**

The proposed development represents a substantial improvement to the use and character of the property and the surrounding area in general. The current site is predominantly vacant and is maintained to a very marginal standard which detracts, rather than contributes to the surrounding area. The proposed development will consist of 2 residential buildings that will have a very urban architectural design with the parking located behind the building closest to E. Shiawassee Street. The proposed design will greatly enhance, not only the site itself, but the surrounding area in general.

5. **Will the proposed special land use be hazardous to adjacent property or involve uses, activities, materials or equipment which are detrimental to the health, safety or welfare of persons or property through the excessive production of traffic, noise, smoke, odor, fumes or glare?**

The proposed residential use will not generate any hazardous conditions. No smoke, fumes, noise odors or excessive traffic production will result from the proposed development. The proposed development will generate some additional traffic in the area, however, E. Shiawassee Street is a collector road that is designed to accommodate a relatively high volume of traffic.

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

No negative comments have been received from any of the reviewing departments or agencies regarding the ability to provide the public services and facilities necessary to accommodate the proposed development. The proposed development, including the specific details of the utility systems and a storm water management plan, will have to be approved through the City's administrative site plan review process prior to issuance of any permits for the project.

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

No excessive demand on public services has been noted from any of the reviewing departments or agencies.

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 proposed residential development will be consistent with the intent and purpose of both the Zoning Ordinance and the Design Lansing Master Plan. The Zoning Ordinance permits residential land use in the "H" Light Industrial district, with a special land use permit, when it can be determined through an analysis of the criteria contained in Section 1282.03(1)(1)-(9) of the Zoning Ordinance, that such use is appropriate for the proposed location. In this case, the proposed development meets or exceeds all of the criteria necessary for authorization of the special land use permit.

The Design Lansing Comprehensive Plan designates the subject property for "Downtown Mixed Use Center: Edge". The purpose of this district, as stated in the Plan, is:

"To support the downtown area by allowing a mix of uses and to enhance the quality of the pedestrian environment; maintain the presence of older, often historic buildings; and provide for a transition in building height and use intensity to near-downtown neighborhoods."

The Master Plan lists the following as typical uses for the "Downtown Mixed Use Center: Edge" district:

"Office, institutions, entertainment, live-work and **residential**."

The Master Plan establishes the following placemaking characteristics for the "Downtown Mixed Use Center: Edge" land use category:

"Placemaking characteristics: Buildings should maintain a consistent setback and nearly continuous street facade to frame the street, with a clearly-defined primary entrance oriented to the street. Surface parking should be located on the interior of the block where possible and should be well landscaped and screened in all cases. Parking ratio maximums should be considered. Building base and top should be articulated. Facade articulation into vertical components should be considered. Minimum transparency (windows and doors) requirements should be established. Transitional features requirements (architectural elements and building massing height step backs) to mitigate potential conflicts between higher intensity uses and residential uses should be considered. Historic preservation of valuable existing buildings, and residentially-scaled and detailed new architecture should be encouraged in areas where older residential structures remain and on neighborhood edges."

The proposed residential use is consistent with the future land use pattern being advanced in the Master Plan. As evidenced by the attached photographs, the proposed development is also consistent with the "Downtown Mixed Use Center: Edge" placemaking characteristics

described above. One of the buildings will be located near the front property line along E. Shiawassee Street and the parking lot will be located behind the building. In addition, the building will have an urban architectural design that will fit in very nicely with the surrounding area.

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

Since the site is zoned "H" Light Industrial and is surrounded on all sides by "H" Light Industrial zoning, there are no setback requirements, other than what may be required by the Building Code based on the building design/construction type. The building height limitation in the "H" Light Industrial district is 120 feet which is more than adequate to accommodate the proposed 4 story building.

The required lot area for the proposed 56 1-bedroom units, 90 2-bedroom units and 8 3-bedroom units is 135,900 square feet. The site contains 228,690 square feet of lot area.

189 parking spaces are required for the development. 218 parking spaces are shown on the attached site plan.

SUMMARY

This is a request by MV Affordable Housing, LLC for a special land use permit to construct 2. 77 unit residential buildings on the properties at 400 & 414 N. Larch Street, 617 & 637 E. Shiawassee Street and the vacant parcel east of 617 E. Shiawassee Street. The subject properties are zoned "H" Light Industrial, which district permits residential use, if a special land use permit is approved by the Lansing City Council.

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

1. The proposed Special Land Use will be harmonious with the character of adjacent properties and surrounding uses.
2. The proposed Special Land Use will not change the essential character of the surrounding properties.
3. The proposed Special Land Use will not interfere with the general enjoyment of adjacent properties.
4. The proposed Special Land Use does represent an improvement to the lot as it currently exists.
5. The proposed Special Land Use will not be hazardous to adjacent properties.
6. The proposed Special Land Use can be adequately served by public services and utilities.
7. The proposed Special Land Use will not place any demand on public services and facilities in excess of current capacities.

8. The proposed Special Land Use is consistent with the designations of the Zoning Code and the Design Lansing Comprehensive Plans.
9. The proposed Special Land Use will comply with the dimensional requirements of the Zoning Ordinance.

RECOMMENDATION

Staff recommends approval of SLU-4-2016, a special land use permit to allow the development of 2, 77 unit residential buildings with related site improvements on the properties at 400 & 414 N. Larch Street, 617 & 637 E. Shiawassee Street and the vacant parcel east of 617 E. Shiawassee Street, based upon the findings of fact as outlined in this staff report.

Respectfully Submitted,

**Susan Stachowiak
Zoning Administrator**



BOARD OF WATER AND LIGHT MEMO

August 31, 2016

TO: City of Lansing – Planning Department – Susan Stachowiak
FROM: John Folino, Supervisor of Customer Projects, Marketing & Development- 517 702-6708
RE: SLU-A-2016

LBWL Electric:

No comment on rezoning. For any questions regarding electric service for this project please contact LBWL Electric Utility Designer Randy Plaunt at 517.702.6067 or rkp@lbwl.com.

LBWL Street Lighting:

The LBWL has two street lights on Larch. They are located north of Shiawassee on the east side of Larch. For any questions regarding street lighting services for this project please contact LBWL Electric Utility Designer Gary Simpson at 517-702-6647.

LBWL Water Distribution:

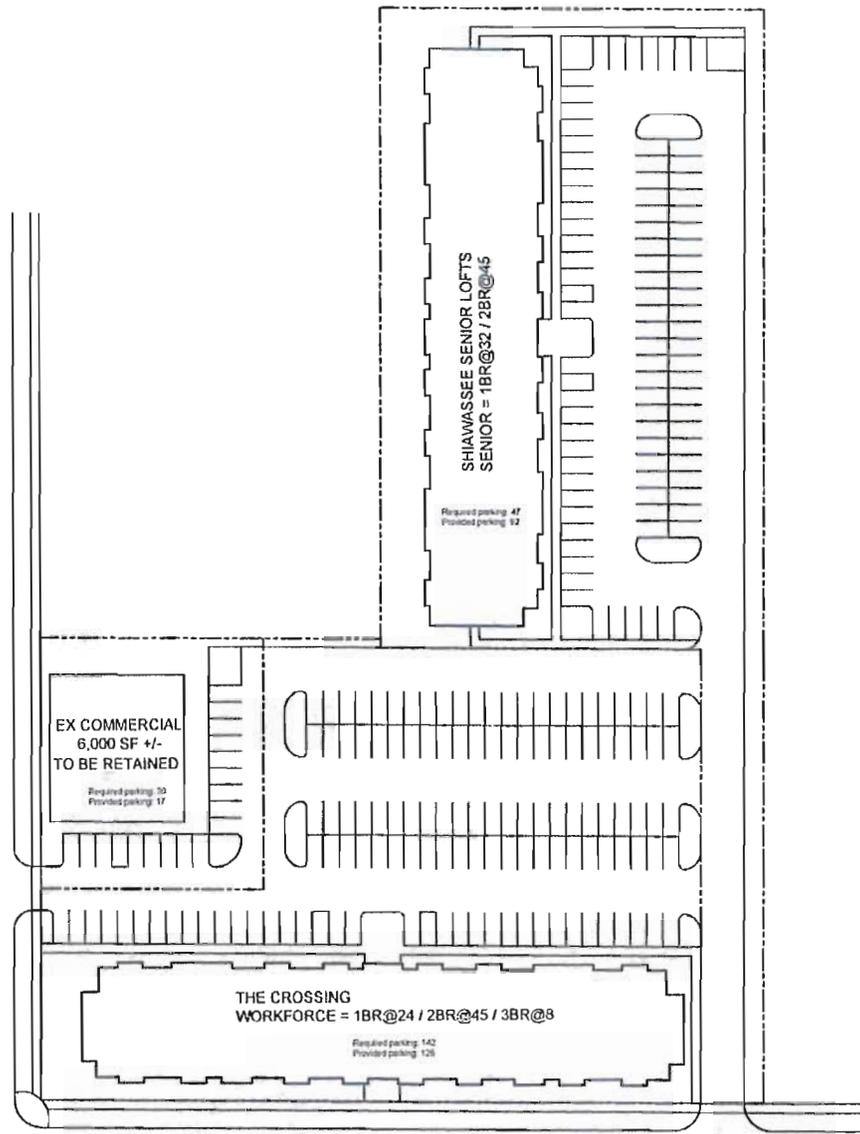
Approved With Conditions

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

- The LBWL has water mains in this area which can serve the property. The owner/developer must submit detailed plans so that actual service characteristics and demand requirements can be determined.
- The provided plans do not meet LBWL's drawing requirements. Drawings which meet LBWL requirements must be reviewed and approved prior to construction. Any questions about specific water service requirements may be directed to the LBWL Water Distribution Department Engineer; Mike Schorsch @ (517) 930-5791.
- Plans must detail the proposed sizes and locations of domestic water services, fire services, and any mains to be located on the site.
- Customer must submit an application for water service to the LBWL.
- Customer must provide a plumbing plan which will include how the building's water service will be metered, the location of these meters, meter size and dimensions of the room proposed for meter location.
- Should this project require any changes/alterations to the water distribution system, including mains, services and meters, the customer will be required to meet LBWL requirements, enter a service agreement and pay applicable fees. Additional information can be found online at <http://www.lbwl.com/Commercial/Water-Services/Water-Service-Installation/>
- All services, mains, and metering to comply with LBWL Rules and Regulations for Water Service.

Note that any site plan approval does not constitute an agreement for service. All customers must meet LBWL requirements and enter a service agreement prior to receiving service.

LARCH ST



SHIAWASSEE ST

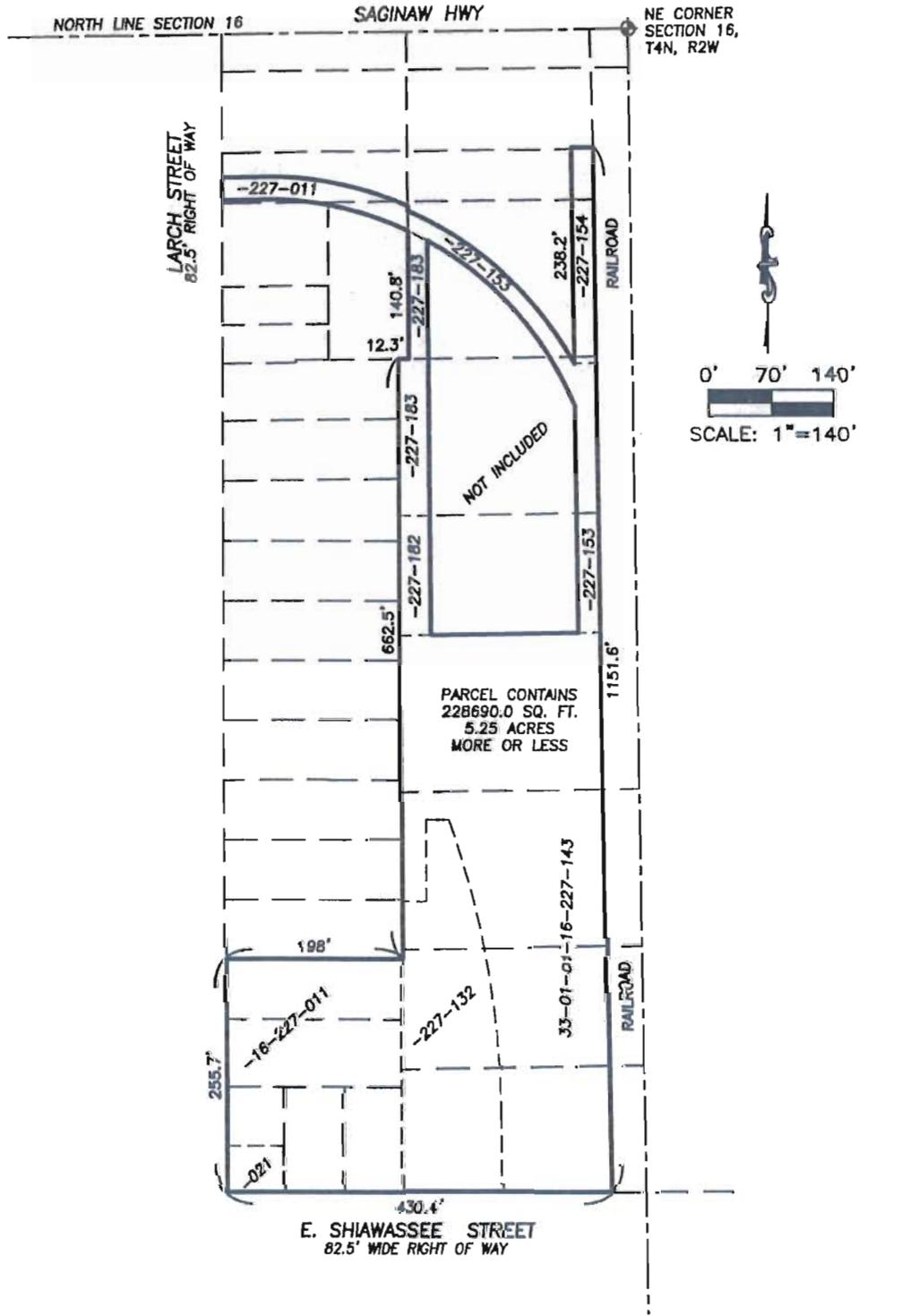
site plan



Miller-Valentine Group
9349 WaterStone Blvd.
Suite 200
Cincinnati, Ohio 45249
513-774-8400
513-683-6165 Fax

PREPARED FOR:
SAM EYDE

PARCEL DIAGRAM
A PART OF BLOCK 248, ORIGINAL PLAT
CITY OF LANSING,
INGHAM COUNTY, MICHIGAN.



GEODETIC DESIGNS INCORPORATED
2300 N. GRAND RIVER AVE.
LANSING, MI 48906
PHONE: (517) 908-0008
FAX: (517) 908-0009
www.geodeticdesigns.com



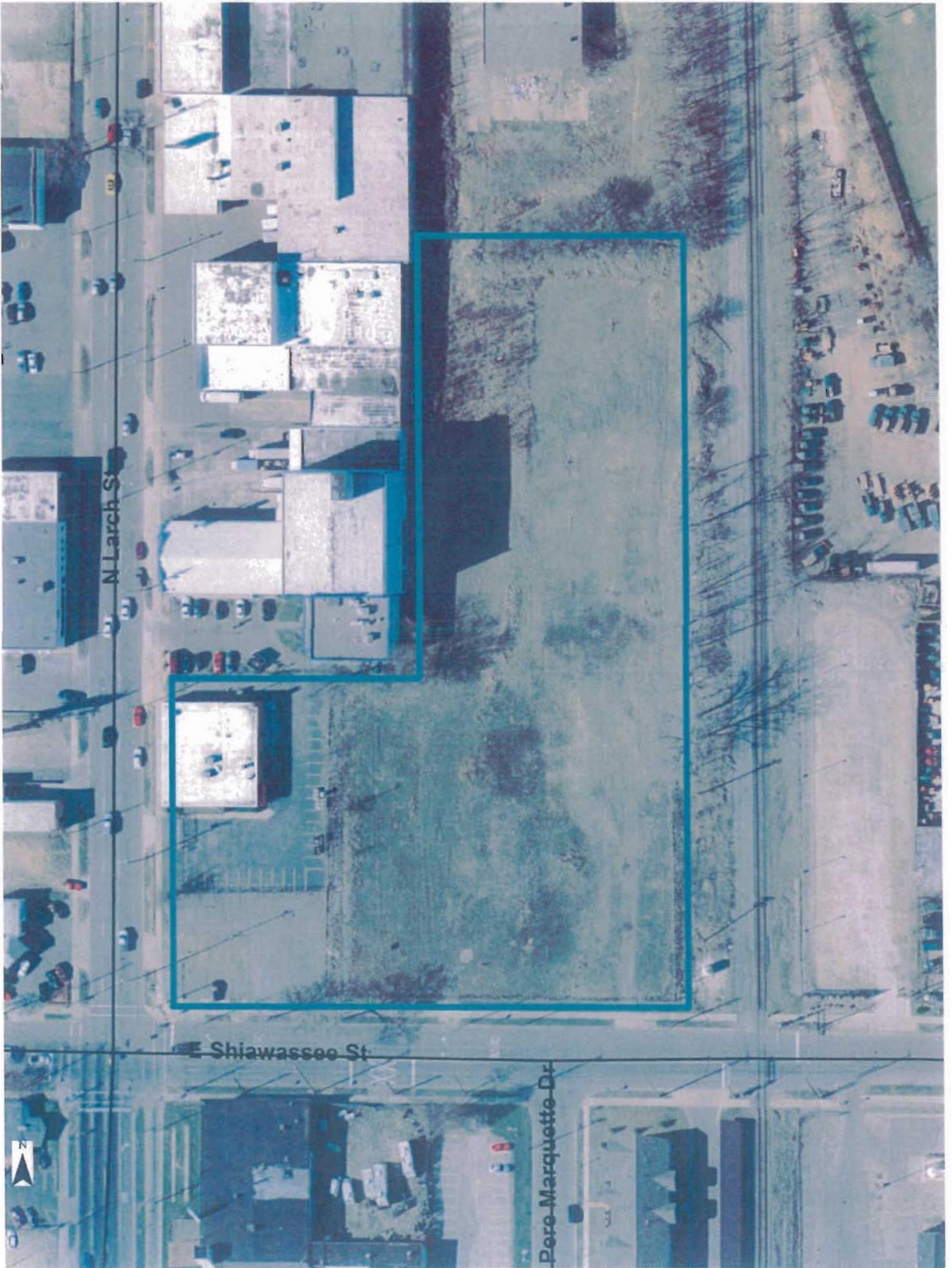
REVISION DATE:	
FIELD: -	DRAWN BY: RW
DATE:	JUNE 28, 2016
FILE:	S-2016
SHEET	1 OF 1



This rendering represents the type of building design that the applicant intends to construct

This is NOT the specific building design that is being proposed

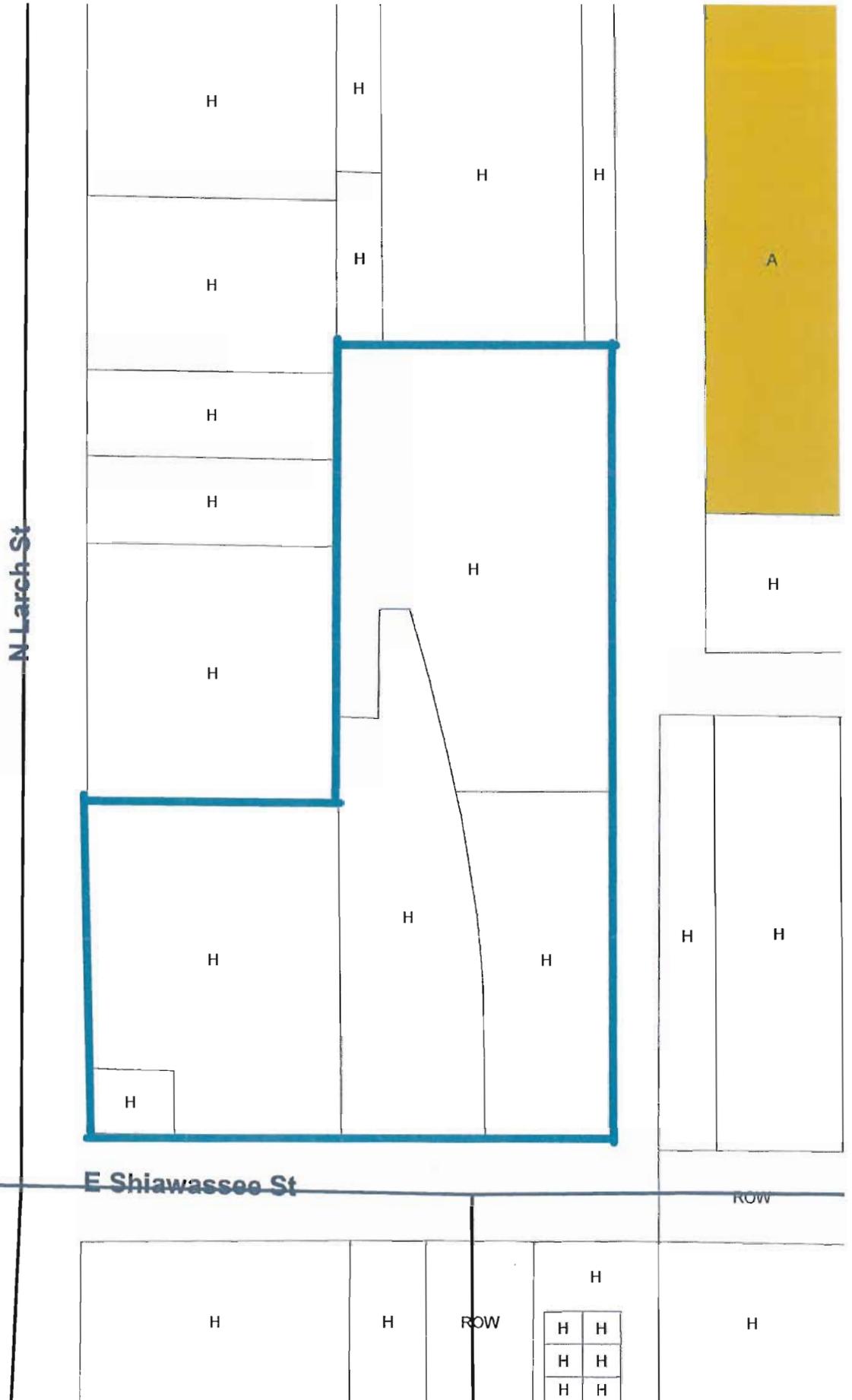




Legend

-  roads_final
-  Tax Parcels
-  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

City of Lansing Zoning Map



Proposed Changes by Committee Of Public Safety

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

WHEREAS, the Charter of the City of Lansing requires the Council to adopt an annual statement of Budget Policies and Priorities serving to guide the Administration in developing and presenting the Fiscal Year 2017-2018 budget; and

WHEREAS, the City Council, with joint efforts from the Administration and the Financial Health Team, established the following Mission/Vision and goals; and

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

- I. Promoting a vibrant, safe, healthy and inclusive community that provides opportunity for personal and economic growth for residents, businesses and visitors
 - a. The City's diverse economy generates and retains (sustains) high quality stable jobs that strengthen the sales and property tax base and contribute to an exceptional quality of life.
 - b. The City is governed in a transparent, efficient, accountable and responsive manner on behalf of all citizens.
 - c. The City's neighborhoods have various resources that allow them to be on a long term viable and appealing basis.
 - d. Support economic development initiatives that promote and retain new industries and markets.
- II. Securing short and long term financial stability through prudent management of city resources.
 - a. Wise stewardship of financial resources results in the City's ability to meet and exceed service demands and obligations without compromising the ability of future generations to do the same.
 - b. Pursue and facilitate shared services regionally that allow for cost savings and revenue enhancement.
 - c. Support initiatives that build the City's property and income tax base.
- III. Providing reliable, efficient and quality services that are responsive to the needs of residents and businesses.
 - a. The City's core services and infrastructure are efficiently, effectively and strategically delivered to enable economic development and to maintain citizen's health, safety and general welfare.

IV. Adopting sustainable practices that protect and enhance our cultural, natural and historical resources.

- a. Seek partnership opportunities with educational and corporate institutions and to maintain and expand our talent base.
- b. Create vibrant places, support events and activities that showcase our waterfront and green spaces.
- c. Raise the level of support for projects and initiatives that showcase local and state history.

V. Facilitating regional collaboration and connecting communities.

- a. The City has a safe efficient and well connected multimodal transportation system that contributes to a high quality of life and is sensitive to surrounding uses.
- b. Seek a balanced distribution of affordable housing in the tri-county region.

WHEREAS, the City Council would like to continue its commitment, if funding is available, to:

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

WHEREAS, in considering these Fiscal Year 2017-2018 Budget priorities, the Administration is encouraged to ascertain the feasibility of funding any new programs through either the reduction of spending in existing program areas or the exploration of new funding sources that would assure the sustainability of the program; and

WHEREAS, the Administration is encouraged to supplement, not supplant any existing resources for police, fire and local roads with the General Fund revenues collected under this millage; and

WHEREAS, the Administration was requested to include in its Fiscal Year 2016-2017 Budget, the necessary funding to accomplish all requested plans, studies, evaluations, reviews, report submissions, program assessments, and analyses noted within this resolution below, or alternatively documentation as to why such activities are prohibitively costly; and

WHEREAS, the Lansing City Charter states that the budget proposal due on the fourth Monday in March of each year shall contain "the necessary information for understanding the budget" and how the proposal addresses the priorities proposed by the City Council.

NOW BE IT RESOLVED, that the Lansing City Council, hereby, acknowledges that the City will likely need to adopt, at best, a budget which recognizes the structural changes that are the result of lost revenues and future liabilities, encourages the Administration to prudently develop next year's budget with the following conditions:

- Protection of public and emergency services.

BE IT FURTHER RESOLVED, that the Administration review the attached statement of policies and priorities and implement those items that would boost efficiencies to increase productivity or reduce costs, that could replace existing programming, or if funding becomes available, that could be considered as new programming; and

BE IT FURTHER RESOLVED, that the Administration is requested to the extent practicable to include non-appropriations clauses and other similar out provisions in existing and future leases, and vendor contracts upon review of City Council; and

NOW THEREFORE BE IT FURTHER RESOLVED that the Administration provide all requested plans, studies, evaluations, reviews, report submissions, program assessments, and analyses noted within this resolution below, or alternatively documentation as to why such activities were prohibitively costly, by the fourth Monday in March 2017.

- I. Promoting a vibrant, safe, healthy and inclusive community that provides opportunity for personal and economic growth for residents, businesses and visitors.
 - a) The City's diverse economy generates and retains (sustains) high quality stable jobs that strengthen the sales and property tax base and contribute to an exceptional quality of life
 - (1) Economic Development The Administration should require a beautification standard/expectation and a storm water mitigation plan for all proposed development projects that receive incentives from the City. Such standards should serve as a planning and economic development tool that will enhance property values, create jobs, and revitalize neighborhoods and business areas. These standards and plan should be presented to the City Council.
 - b) The City is governed in a transparent efficient accountable and responsive manner on behalf of all citizens.
 - (1) Administration is to present to City Council a delineation of recommendations of the Financial Health Team, noting which recommendations have been implemented, which are in the FY 2017/2018 proposed Budget, which are planned to be implemented

at a future time, and which have been determined not to be implemented at any time. A timetable for future implementation is requested.

- (2) Administration is to present to Council a Supplemental Accounting Level Detail. Administration is to develop a plan and timeline for the implementation of performance based budgeting.
 - (3) Develop and analyze a cost recovery schedule for City services.
 - (4) Develop a return on investment analysis for all proposed changes in City services.
 - (5) Identify and provide a complete and ongoing analysis of the City's structural deficits and the Administration's plan to eliminate the same.
 - (6) Incorporate into the proposed Budget a 5-Year projection of revenues and expenditures.
- c) The City's neighborhoods have various resources that allow them to be long term viable and appealing.
- (1) Administration research and issue a report on surrounding community models for neighborhood organization technical support structure within the City.
 - ~~(2) Expedite Improving Abandoned Residential and Commercial Buildings: The City Attorney and the Planning and Neighborhood Development Department should continue expediting the forced improvements or closure of abandoned, neglected, and burned out houses and commercial buildings, and use the International Property Maintenance Code (IPMC). Working with the City Attorney and Fire Department Code Compliance Division to expedite improvements or closure of abandoned, neglected, and burned out houses and commercial building by using the International Property Maintenance Code (IPMC).~~
 - (3) Grocery Stores: The Administration and the City of Lansing Economic Development Corporation should pursue grocery stores in the urban core using all State and Federal incentives, such as Public Act 231 of 2008 (Tax Incentive for the establishment of retail groceries promoting healthy foods), the Federal Community and Economic Development Healthy Food Financing Initiative and the

issuance of a national request for proposals, to be shared with the Lansing City Council, to encourage the location of urban grocery stores.

(4) Code Compliance: The Administration shall ensure the Code Compliance Department is conducting the appropriate inspections and issuing appropriate fines to ensure the buildings in our City are safe and that we have quality neighborhoods. The Administration is to conduct a study of the Code Compliance needs for the City and report back to the City Council on the findings of the study.

d) Support economic development initiatives that promote and retain new industries and markets.

II. Securing short and long term financial stability through prudent management of City resources.

a) Wise stewardship of financial resources results in the City's ability to meet and exceed service demands and obligations without compromising the ability of future generations to do the same.

(1) Administration is requested to submit the following list of deliverables when they are due per City Charter and State Statute and adhere to them based on these priorities.

(a) Comprehensive Annual Financial Audit (CAFR)- annually, no later than December 31st of each year, in accordance with the State Statute.

(b) During the months of October, January and April of each fiscal year, the Director of Finance shall provide a written report showing the control of expenditures. (Charter- Article 7-110)

(c) By September 1st of each fiscal year, the Administration shall provide a written budget update report so that Council can review their standings on current budget items in preparation for the Council required creation of Budget Policies and Priorities that need to be adopted by October 1, 2016. (Charter- Article 7-102)

(d) No later than the last regular City Council meeting in January of each year, the Mayor shall present a state of the City report to the City Council and to the public. (Charter- Article 4 -102.4)

- (e) The Mayor shall submit the Proposed Budget with annual estimate of all revenues and annual appropriation of expenditures no later than the 4th Monday in March of each year. (Charter – Article 7-101)
 - (f) Administration shall present to Council each department budget in preparation for Council to adopt the Budget Resolution no later than the 3rd Monday in May each year.
- b) Pursue and facilitate shared services regionally that allow for cost savings and revenue enhancement.
- (1) Administration pursue partnerships with stakeholders, (intra municipal and intergovernmental), to align services in relation to public services.
 - (2) Facilities Plan: The Administration is requested to submit to the City Council a five and ten year Master Facilities Plan including school and county facilities that are used for current and future City uses. City Council is also requesting that the Administration continue to work on any delayed maintenance issues with regard to all City Facilities.
- c) Support initiatives that build City's property and income tax base

III. Providing reliable, efficient and quality services that are responsive to the needs of residents and businesses.

- a) The City's core services and infrastructure are efficiently, effectively and strategically delivered to enable economic development and to maintain citizen's health, safety and general welfare.
 - (1) ~~Establish and report to the Lansing City Council uniform procedures for staff and contractors pertaining to code compliance remediation and reporting.~~ Establish funding for an additional Code Compliance Officer dedicated to Commercial buildings based under the authority of the International Property Maintenance Code (IPMC). As well as an additional support staff to track down property owners that have not scheduled re-inspection and to research properties suspected of being unregistered rentals.
 - (2) City-wide Emergency Preparedness: The Administration should allocate sufficient funding for the Emergency Management Division to prepare City Employees with appropriate emergency training, continue efforts to prepare the public and neighborhood groups to assist in emergencies, and provide basic search and rescue

operations and necessary emergency equipment at key City facilities, and communicate the plan to the Lansing City Council and the public. Updated and continual training should be provided. The Administration shall assist residents in times of unforeseen disasters.

- (3) Fire Facilities Maintenance: The Administration is to conduct a study of the maintenance needs of all fire stations and report to City Council an update of the status of the study by the 4th Monday of March. Along with a funding recommendation for short and long term improvement to these structures.
- (4) Regionalism: The Administration should continue with the current regional efforts, and look into the possibility of expanding the efforts.
- (5) Police-Community Relations: ~~The Police Department should continue to ensure and work on improving police-community relations. Reaffirm the City's commitment to equality and freedom for all people regardless of actual or perceived race, sex, religion, ancestry, national origin, color, age, height, weight, student status, marital status, familiar status, housing status, military discharge status, sexual orientation, gender identification or express, mental or physical limitation, and legal source of income.~~ **Designate funding to help the Police Department to ensure the improvement of police-community relations. Reaffirming the City's commitment to equality and freedom for all people regardless of actual or perceived race, sex, religion, ancestry, national origin, color, age, height, weight, student status, marital status, familiar status, housing status, military discharge status, sexual orientation, gender identification or express, mental or physical limitation, and legal source of income.**
- (6) Crime Prevention: ~~The Administration is requested and encouraged to invest in programs for long-term crime prevention strategies.~~ **Designate funding to invest in programs for long-term crime prevention strategies.**
- ~~(7) Allocate Overtime for Zero Tolerance Areas: The Administration should earmark sufficient overtime funds for patrol officers to address problem solving to help curtail crime in zero tolerance areas.~~ **Problem Solving Area: Designate sufficient funding for**

overtime for police officers to address problem solving to help certain crime and address quality of life issues.

- (8) Community Policing: ~~Continue to develop programming and search for grant funds to increase COPs in neighborhoods with a goal not only to reduce crime but to stabilize the neighborhood over an extended period of time that will help to ensure its ability to rebound.~~ Continue and increase funding along with searching for grant funds for COPs in neighborhoods with goal not only to reduce crime but to stabilize the neighborhood over an extended period of time that will help to ensure its ability to rebound.
- (9) Leadership vacancies: Develop and implement a plan and timeline to fill all funded vacancies and provide a report to City Council.

IV. Adopting sustainable practices that protect and enhance our cultural, natural and historical resources.

- a) Seek partnership opportunities with educational and corporate institutions and to maintain and expand our talent base.
- b) Create vibrant places, support events and activities that showcase our waterfront and green spaces.
 - (1) Trail/Greenways The Administration should encourage the Parks and Recreation Department to work collaboratively with the Tri-County Planning Commission to develop/expand our citywide/regional trail system and seek opportunities to reduce expenses in this effort. Additionally, look at the feasibility of connecting the River Trail (through bike lanes/Greenways to Trails) where there is currently no access to the trail.
- c) Raise the level of support for projects and initiatives that showcase local and state history.

V. Facilitating regional collaboration and connecting communities

- a) The City has a safe efficient and well connected multimodal transportation system that contributes to a high quality of life and is sensitive to surrounding uses.
 - (1) Corridor: City Council encourages the Administration continue to develop a plan and report its status to the Lansing City Council that seeks to revitalize and enhance all major corridors that lead into the City.

b) Seek a balanced distribution of affordable housing in the tri-county region.

~~c) Administration shall encourage the Lansing School District Board to re-enact a functional Intergovernmental Relations Committee that is comparative to our Intergovernmental Relations Committee.~~