

Bailey Newsletter

BAILEY COMMUNITY ASSOCIATION



Chairperson: Konrad Hittner
Editor: Sally Silver
Circulation: Rilla McHarris

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30th ANNUAL VALENTINE'S PARTY

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| Place: | Orchard Street Pump House at 368 Orchard Street |
| Date: | Saturday, February 6th |
| Time: | 2:00 p.m. – 4:00 p.m. |
| Entertainment: | Beginning at 3 p.m. -- Tim the Music Man |

The *B.C.A.* and *Community Relations Coalition* invite you to the 30th Annual Bailey Valentine's Party on Saturday, February 6th from 2:00 – 4:00 p.m. at the Orchard Street Pump House (368 Orchard Street between Linden and Chittenden). Please join us for card making, cookie decorating, and door prizes. Delicious drinks and snacks will be provided. At 3:00 p.m. **Tim the Music Man** will perform. Come hear Tim sing his original songs about rocket ships, bath time, balloons, and much more. His interactive songs are sure to be a hit with kids and adults alike. Don't miss this great party to brighten a cold winter's afternoon! Bring your big and little friends and sweethearts! **HOPE TO SEE YOU THERE!**

MORE GREAT PUMP HOUSE CONCERTS

All shows start at 7 p.m.

The Pump House Concerts music series at the Bailey Pump House brings in top- level talent from Michigan, Nashville, and across the country to play in this special venue. **All shows begin at 7 p.m. unless there is contrary notice, and a \$15 voluntary contribution/person is appreciated for the artists unless stated otherwise.** More shows may be scheduled beyond those listed below, so do check concert schedules at pumphouseconcerts@gmail.com to receive updates on shows, or go to www.facebook.com/pumphouseconcerts and the new Bailey website at: <http://www.eastlansingneighborhoods.com/Bailey>. You can also call Smitty at 517-927-2100. Here are some of the upcoming concerts. Please consult the above sources for more information.

Saturday, March 5th – Nellie Clay, Megan Palmer, & Brendan Doherty, In The Round. These three singer-songwriters have unique approaches to their art that play off of each other. *Nellie Clay* spent the last 8 years living in Alaska in small rustic cabins without utilities. Nellie credits the solitude and tragedies of that life with her musical rebirth and subsequent song material. *Megan Palmer's* songwriting style is influenced by her extensive work with a variety of American bands. She is as an astute songwriter who balances sentimentality with lyrical smarts." *Brendan Doherty* is a recent transplant from Ireland to East Lansing and is already making a name for himself around Michigan. These are wonderful individual and group performers, so don't miss them! For more information about each of them, please see: www.nellieclaymusic.com, www.meganpalmer.com, and www.facebook.com/Brendandohertymusic.

Friday, March 18th – Jesse Terry and Ken Yates. *Jesse Terry* is a singer/songwriter with an uncanny ability to weave tales of travel and homecoming, of sorrow and redemption, into songs that are simultaneously timeless and fresh. Home is now the coastal village of Stonington, Connecticut, but Terry's music reflects an amalgam of influences from Nashville to Laurel Canyon. His melodic and lyrically driven Americana fits naturally on a playlist between cuts from Josh Ritter, Jackson Browne, Ryan Adams and Neil Young.

Born and raised in London, Ontario, *Ken Yates* moved to Boston to study songwriting at Berklee College of Music. It was there that he developed his skills as a songwriter and released his first album, "The Backseat BP". His songwriting talent got noticed right away, including attention from John Mayer, who posted a full page blog about Yates stating that, "Ken Yates wrote a song called 'I Don't Wanna Fall in Love'" that "moved me when I first heard it and still does today." Livingston Taylor, famous singer / songwriter, is also a fan. He has said that "Ken Yates' music is solid as stone and clear as mountain air ... [H]e proves the future is in very good shape." For more information about Terry go to www.jesseterrymusic.com and for Ken Yates, please see www.kenyates.com.

Saturday, April 2nd – Harper and the Midwest Kind. NOTE: *This concert will take place at the Robin Theatre, 1105 S. Washington Ave in Lansing at 8pm.* Australian singer/songwriter *Peter Harper* creates a heady mix of roots music through his creative use of harmonica and the haunting drone of the didgeridoo. Combining traditional and modern influences, and borrowing from Western and Aboriginal music, Harper has created an original take on World Blues. His music is an amalgam of blues, rock, funk, soul and world music. For more information about Harper, please see www.harper.biz.

RECYCLING REMINDER: This is just a reminder that beginning on October 5th, the city has been picking up recycled items from the new carts placed curbside **every other** week. The next pickup will be the week of January 24th.

WANTED: SNOW SHOVELERS & NAMES OF THOSE IN NEED OF HELP: In the October Newsletter, we announced a program to help those who cannot physically handle snow removal nor afford to pay for such removal. Since it has not snowed until recently, we are repeating that announcement below:

If you cannot clear your sidewalks because of age or frailty and cannot afford to hire others to do this, the Bailey Community Association has set up a program to coordinate those who need help with volunteers who can help them, with the staff at Hannah's Senior Center serving as a clearinghouse for this service. Already, MSU students who are interns with the CRC (Community Relations Coalition) and others have volunteered

to help with this effort. And we do hope neighbors will continue to look out for each other and help those in need as they have done in the past. The program still needs additional volunteers, however.

If you live in the Bailey neighborhood and would like to volunteer to help shovel sidewalks, please contact Nancy Cuddeback at 517-214-1598. If you *need* such help, please call the Hannah Senior Center at 517-337-1113. The Center's staff will then contact Nancy who will find volunteers to help you. Homeowners receiving help should provide a shovel and salt to the volunteers – and cookies would be nice, too! (Thanks to Nancy Cuddeback for her initiative and reporting for this article and to the Senior Center and CRC and other volunteers for their help.)

UPDATE: Bailey Community Center Development

The last "Bailey Newsletter" reported that the non profit housing organization, Capital Area Housing Partnership (CAHP) had applied for tax credits from Michigan State Housing Development Authority to help pay for the redevelopment of the Bailey Community Center into senior apartments, a daycare center, and offices. **Good news!** The City reports that CAHP will receive those tax credits. Construction on the project may begin as early as this summer. Please see www.eastlansinginfo.org for more information.

City Council Appoints a Nonconforming Properties Committee

At its very first meeting on November 17th, 2015, a newly elected City Council introduced Ordinance 1361 to amend Section 50-853 (Nonconforming Uses and Structures) of its zoning code and referred this ordinance to the Housing, the Planning, and the University Student Commissions for advice. At its meeting of December 15th, the Council followed up by creating a special Nonconforming Properties Committee to recommend "to the City Council . . . any ordinance amendments, ordinances, or regulations relating to nonconforming rental properties," to "effectuate the recommendations made by [a] previous committee" (which had made 5 recommendations on the matter in October of 2014), and to "specifically address license transfers, rezoning, and structural changes to nonconforming rental properties, among other things, in a report and recommendation to the City Council."

The committee consists of 9 regular members and one alternate and is chaired by former Mayor Douglas Jester and vice-chaired by rental-property owner Brian Hagan. Other members include 2 neighborhood representatives (including the editor of this newsletter, Sally Silver), an additional landlord, one representative each from the Planning, the Housing and the University Student Commissions, and one representative at large. The committee's first meeting will be on Friday, January 22nd and subsequent meetings will take place on the second and fourth Thursdays of February and March (and possibly April) beginning at 7 p.m., probably at City Hall.

Why is this important and of such urgency to the City Council?

The impetus for the council's initiatives arises from the desire of owners of single-family rental houses to make physical alterations to their houses in ways current zoning law does not allow. Although past City Councils sought to address these concerns through several committees appointed as of 2012, the recommendations of those committees did not lead to action by the City Council, in part because those efforts coincided with the creation of a revised Comprehensive Plan, still in process, and in part because the issues concerned are difficult and controversial. Frustrated by this inaction, some landlords approached state legislators in the House Governmental Affairs Committee at election time last Fall and unbeknownst to most citizens of East Lansing, who could therefore not offer comment. That committee was about to vote on a

proposal that would have effectively overruled East Lansing's zoning law quoted below, but Mayor Meadows prevailed on the committee to give East Lansing a chance to revisit and act on the matter within a few months – hence the urgency of the action now.

In general, zoning law regulates land use (such as agricultural, business, residential and community), lot sizes, and the physical dimensions (for example, building heights) and placement of buildings on land (for example, their setbacks from other lots and streets). The current controversy dates to 1997, when the City Council under Mayor Douglas Jester passed Ordinance 900, which reduced the number of tenants legally allowed in *new* rental houses from 3 unrelated adults (or a family) to 2 unrelated adults (or a family). But before then, many landlords could legally rent to 4 or more tenants. Landlords who already could legally rent to 3 or more were NOT required to reduce the number of tenants they could have, for that right was 'grandfathered.' But their properties no longer conformed to the current law, which only allowed 2 people to rent. Their properties thus became 'non conforming' and this non-conforming status applied to the majority of single-family rental houses.

Ordinance 900 was passed for a number of reasons including first of all the desire to curb the rampant conversion of owner-occupied houses to rentals by making such conversions less profitable (because *new* rentals could only garner rent from 2 rather than 4 tenants). But according to a memo written by Douglas Jester and submitted to the House Governmental Affairs Committee in December 2015, "Ordinance 900 recognizes that, in East Lansing, renting houses to large groups of unrelated persons is incompatible with the traditional family-occupied neighborhood, much as are other commercial uses." He notes that the Council reached this conclusion after studies comparing single-family rentals to apartments showed that the former experienced many more public nuisance citations than apartments, had poor safety and maintenance records, and led to neighborhood blight among other things.

Since 1997, the city has enacted laws that have sought to address some of those issues. However, in a detailed memo dated September 20th 2012 on the nonconforming use of buildings, Zoning Administrator Darcy Schmitt states that "[t]he 2006 Comprehensive Plan has a clear focus on maintaining strong neighborhoods throughout the City. It stresses the importance of preserving the single-family neighborhood character and integrity through the removal of nonconforming rental licenses and by converting homes back to owner-occupied properties." The 2006 Comprehensive Plan also seeks to develop quality student housing.

As more and more apartment houses were built and continue to be built in the area around Michigan State University, the owners of single-family rentals faced new competition. They wished to be able to add bedrooms and bathrooms to their houses to compete with the amenities provided by apartment houses. But according to the new Zoning Administrator, that was forbidden by Section 50-583 of the city's zoning law governing the nonconforming use of buildings, which states that:

"a) A structure, the use of which does not conform to the use regulations for the district in which it is situated, shall not be enlarged or extended unless the use therein is changed to a conforming use" and . . . "(c) A nonconforming use may be extended throughout any parts of the structure which were manifestly arranged or designed for such use at the time of the adoption of the ordinance from which this chapter is derived, provided this extension was made within one year after the date of such adoption."

Despite the clarity of this zoning language, it appears that prior to 2011 the city staff had interpreted that language more loosely than the new zoning administrator did, creating new concerns for landlords that were only enhanced by the large number of new apartment houses. Ordinance 1361 mentioned above would allow landlords with nonconforming houses to alter their houses in more ways than now allowed, but it is not yet clear to this writer just how the ordinance would work. This is important because if rental property owners can alter their homes in ways that continue to allow their rentals to be highly profitable by attracting more tenants than would otherwise rent (though no more than legally allowed), it is less likely that those homes will become conforming and less likely that the city will be able to accomplish any goals that call for converting tracts of land with rental properties to other uses (such as commercial development or apartment houses) or

converting such houses back to owner occupancy. The matter is further confused by the Legislature's role in it and the lack of completion of the new Comprehensive Plan.

As the representative of the Bailey Neighborhood on this committee, Sally Silver urges concerned neighbors to consult the City's website at www.cityofeastlansing.com to check meeting times and places and to attend those meetings if desired, and also to check out the Bailey neighborhood's website at: <http://www.eastlansingneighborhoods.com/Bailey> where she plans to post her impressions of the committee's meetings. If you have concerns or comments, she welcomes your emails at: sallytsilver@hotmail.com.

About the Bailey Community Association

The Bailey Community Association was founded to enhance the residential quality of life for those living in the Bailey Neighborhood. The Bailey neighborhood extends from Hagadorn to Abbot, and from Saginaw to Grand River. Anyone living within the boundaries of the neighborhood is welcome to join the association. The BCA Board of Directors meets on the second Monday of each month except August at 7:30 p.m. at the Bailey Community Center. Meetings are open to the public, and all residents are urged to attend meetings with their concerns. If you have questions, please contact Chairperson Konrad Hittner at khittner1@gmail.com or Vice Chairperson Erik Altmann at ema@msu.edu.

Dues help the Bailey Community Association to organize meetings where viewpoints and concerns can be aired, organize "meet the candidates" forums; organize and complete Bailey park and neighborhood cleanup days; work with MSU's Community Relations Coalition; work with the Pump House Board to organize social events such as the Ice Cream Social and Valentine's Party; and publicize these through emails and newsletters. Don't forget the **Bailey website** for updates and more information: found under <http://www.eastlansingneighborhoods.com/Bailey>.

BCA MEMBERSHIP and ANNUAL DUES FORM

NAME: _____ ADDRESS: _____

EMAIL: _____ PHONE: _____

ANNUAL DUES: \$10.00 for couples and families

\$5.00 for singles

\$5.00 for couples and singles over 65 or for students.

(Please send dues to Jim Liesman, 436 Division Street, East Lansing, MI 48823. Checks should be made out to the Bailey Community Association. If you are sending annual dues, please make a note of the date for your records so you do not send another payment by mistake in the same year period. Thank you!)

Thanks to the City of East Lansing for helping to pay for the copying of this *Newsletter!*