

Bailey Newsletter

BAILEY COMMUNITY ASSOCIATION



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

April 2016, Vol. 37, No. 2

BAILEY ANNUAL MEETING

PLACE: Orchard Street Pump House
368 Orchard Street

DATE: Thursday, April 28th, 2015

TIME: 7:00 p.m. – 9:00 p.m.

BCA BUSINESS: 7:00 - Call to Order; Agenda Approval;
7:05 - Treasurer's Report
7:10 - State of the Neighborhood Report
7:15 - Election of Officers and New Board
Members (See back pages for list of nominees.)

TOPIC: 7:20 - The Work of the City's Non-Conforming Use
Committee

SPEAKERS: *Douglas Jester*, Chair of the Non-Conforming
Use Committee and *Tim Dempsey*, Director of
Planning, Building and Development

Please attend the Bailey Community Association Annual Meeting on Thursday, April 28th from 7 – 9 p.m. at the Orchard Street Pump House at the corner of Orchard and Chittenden. After BCA Chair *Konrad Hittner* summarizes the BCA's actions over the past year and conducts the election of officers and board members, *Douglas Jester*, Chair of the Non-Conforming Use Committee, and *Tim Dempsey*, Director of Planning, Building and Development, will talk about the work of the Non-Conforming Use Committee.

The work of that committee is important to the neighborhood because it may result in rezonings of some parts of the neighborhood, creation of methods to transfer licenses from donor houses and areas to receiving houses and areas, and changes to the basic ordinances that state what types of alterations can be made to non-conforming rental houses. See the article below for more information. **And please come to the meeting with your questions!!!**

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 and PUMPSTOCK.

Saturday, April 23rd – Cari Ray and Michelle Held. *Cari Ray's* Americana blend offers a hint of blues, a little folk-rock, and a flavor of old-time country. Her live show delivers it all handily, with quick wit, infectious groove, and a warm, inviting voice. With a unique blend of heart and grit, this consummate entertainer is winning over audiences of all ages. Please see: www.cariray.com.

Michelle Held harnesses all that encompasses Detroit, from hard-bitten soul to an ethereal grit. Her singular voice, razor sharp candor and intricate guitar style honors the past yet owns a timelessness that rings through each song. See: www.facebook.com/michelleheldmusic.

Friday, May 6th – David G. Smith. Raised in a musical family in the hills of northeastern Iowa, *David G Smith* dropped out of college to pursue music, moved to Nashville, then took his family back to Iowa. Smith relies on real life stories to drive his songs, which have been featured on various TV shows, been accepted for a Grammy nomination, and won 1st place at the 2008 Int'l Song Competition. David will also perform at The Broad Acoustic Lunch, 12:30 Friday May 6th. For more information, see: www.davidgsmithmusic.com.

Saturday June 25th – Malcolm Holcombe with special guest The Rough and Tumble. Born and raised in the Blue Ridge Mountains of N. Carolina, *Malcolm Holcombe* is recognized by the contemporary U.S and European Folk / Americana community, including Emmylou Harris, Wilco, & Steve Earle, as an emotionally captivating performer of national stature, and as a unique guitarist / vocalist. Holcombe, whose “heartfelt baritone” (NPR) delivers “haunted country, acoustic blues and rugged folk” (Rolling Stone), just released his 14th studio album, “Another Black Hole.”

The Rough and Tumble are Mallory Graham and Scott Tyler. They are a close-harmony duo currently from Nashville, TN, and have been touring for the past three years.

!!! SATURDAY JUNE 4th – PUMPSTOCK !!!

Bailey Park, 300 Bailey Street, 2-8 p.m.

A \$10 donation is suggested, kids free.

For more information consult www.facebook.com/pumpstock.

Mid Michigan's favorite American Roots Music Festival is coming again to the lawn of the Bailey Community Center. With music, food, arts and craft, more music, face painting, t-shirts and a terrific lineup of stellar performers to include:

Ann Arbor's own **The Appleseed Collective** www.theappleseedcollective.com,

The Mark Croft Trio, Wisconsin Americana www.markcroftmusic.com,

The Brad Cole Trio, American Song Contest Winner www.bradcolemusic.com,

The Cindy McElroy Band, East Lansing's Finest,

The Accidentals, www.moreaccidentals.com, and **MORE !!!**

Come spend the day, have lunch and dinner, and bring your friends!

UPDATE: Report on Non-Conforming Use Committee

As reported in the February *Bailey Newsletter*, last winter the city council appointed a nine-member committee to deal with the problem of non-conforming rental properties, charging it to pay particular attention to license transfers, rezoning, and structural changes to such properties. Starting in late January, the committee has been meeting twice monthly. It was to have completed its task in April, but the deadline has been extended to the end of June.

In 1997, the City Council enacted Ordinance 900, which reduced the number of legal tenants in a rental house from 3 or more to only 2 unrelated individuals or a family. This legislation followed a detailed study of rental housing that showed that single-family rental houses created more maintenance, nuisance, safety, and other problems than other forms of rentals. In December 2015, Doug Jester, mayor when the ordinance was passed, wrote that "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." The Ordinance also aimed to reduce the rampant conversions to rental of owner-occupied houses then taking place in urban neighborhoods. When Ordinance 900 went into effect, the great majority of single-family rental houses in Bailey became 'non-conforming.' That is, although these houses retained the right to rent to more than 2, that right no longer 'conformed' to the current law.

Generally, if permitted uses in a zone change, it is because the city no longer wants those uses in a particular area or wants to reduce them. Since the owners of the non-conforming rentals retained their right to rent to more than 2, this created a conflict between landlords who wished to maintain their non-conforming rentals and modify them as they desired, and those who wished to see those uses reduced or curtailed. The city's ordinance that deals with the types of modifications that non-conforming rental houses can make reflects this goal of discouraging non-conforming uses. It does not allow a non-conforming rental property to make major structural changes such as additions or the relocation of supporting walls. Yet until 2011, for reasons unknown, the city staff permitted landlords to make such additions. In 2011, the city administration changed course and indicated that its laws prevented such additions, just as tenants were less willing to share bedrooms and had more rental options. After that, landlords asked the city council to place a moratorium on this stricter enforcement of its law. It's important to note that landlords want to be able to make additions to their houses, but not increase occupancy. When the moratorium failed, the city put together several committees to deal with non-conforming rentals and related matters.

The Non-Conforming Use Committee has looked at a number of approaches to the problem: (1) changes to the ordinance that defines what types of modifications can be made to non-conforming rental houses; (2) zoning changes that might permit rental to more than two unrelated adults in single-family houses in some

places; and (3) methods to extinguish rental licenses or to transfer licenses from one house to another. These three items are often interconnected.

The committee has proceeded by creating a list of possible ways to approach each goal listed on a kind of menu. Eventually, committee members will vote on each of these menu items and the city staff will collate those results and write a report making recommendations to the City Council, probably in July. The City Council will also receive recommendations on this matter from the Housing, the Planning, and the Student Commissions.

Examples of the different types of modifications up for eventual vote include permitting small additions for bathrooms that slightly bump out the exterior walls of a house, small additions for any type of room if equaling no more than 10% of the structure's total square footage, and larger additions up to 40% of a house's square footage. Such additions are now disallowed. Other items would only allow various kinds of interior modifications to a non-conforming structure.

Although extinguishing rental licenses through outright purchase by a public entity (as occurred with the Avondale Square development south of Marble School) was discussed, that possibility seemed unlikely because of the city's financial situation. Instead, the committee devoted more time to 'rental license transfers.' The 'transfer' idea entails separating a rental license from the house to which it is 'attached,' through some kind of trade or outright purchase of the license, then using that license on a different house. However, since single-family houses in places zoned for single-family dwellings cannot have new licenses allowing rental for more than two, a landlord would probably not be tempted to buy a license for purposes of transferring it to another house, such as to a non-rental house closer to campus, since it could only become a rental for two and thus not very profitable.

One way around this problem that the committee discussed involves zoning: The city could create 'rooming house zones' that would allow single-family houses to have more than two-unrelated tenants, perhaps as many as eight, *but only if the right to those additional tenants came through the transfer of a license from a donor area or donor house*. This would mean no net gain in the number of tenants in a neighborhood or in the city, but would decrease the number of tenants in houses in some areas and increase them elsewhere. Bailey representative Sally Silver suggested that such transfers and related zones, if agreed upon, should only occur within neighborhoods, so one neighborhood would not seek to unload its rental licenses on another.

Indeed, the committee's options create a number of interesting questions and potential conflicts. For example, if the goal of creating 'donor areas' or 'receiving areas' for rental license transfer is to reduce non-conforming rentals in some areas to make those areas more livable for families, how does one choose those areas? Landlords would prefer to have rental houses closer to campus, but many permanent residents also prefer living near campus and downtown. One proposed way to decide where such areas might be is to allow the property owners in an area to use a petition process to create an overlay zone allowing increased tenancy ('rooming house zone'). This kind of 'choose your own zoning' would get around the usual methods and purposes for rezoning, namely, executing a comprehensive plan and considering what choices best serve the public welfare, not the welfare of a particular group of owners.

There may also be a conflict between the idea that a single-family house may have as many as 8 unrelated tenants and the observation that single-family houses occupied by large numbers of tenants create nuisances and other problems. Moreover, since the enlargement of single-family rental houses enhances their value for the landlord, this would likely limit the incentives landlords might have to sell their properties for other future land uses that the comprehensive plan prefers.

In short, many of the matters discussed by the non-conforming use committee contain quandaries and tradeoffs that are difficult to resolve, thus making this an interesting topic for the Annual Meeting.

To learn more about this, please reread the February "Bailey Newsletter" on this topic and the detailed reports Sally Silver has made about the committee's work, available on the Bailey website: <http://www.eastlansingneighborhoods.com/Bailey>, which also links to the city's coverage of it.

UPDATE: Bailey Community Center

At the March 10th Bailey Community Association board meeting, representatives from Capitol Area Housing Partnership (CAHP) and PK development, who will be redeveloping the Bailey Community Center, discussed some proposed changes to their plan that would add 5 market-rate apartment units to the building, making 30 units in all. These units would be available to seniors *only, but not income limited as would be most tenants*. Additional parking requirements have been waived by the city. The city requires that the project have an art component valued at 2% of the project's value (about \$25,000). Board members variously suggested that people in the neighborhood be invited to contribute ideas, that the Arts Commission be involved, and that the city conduct an online survey. The art component could involve a donation, a performance space, or an object among other things. If you have an idea, please contact B.C.A. chairperson, Konrad Hittner, at: khittner1@gmail.com. This proposal has since been approved by the Planning Commission and by the Historic District Commission.

According to Mikki Droste, Executive Director of CAHP, CAHP is on the City Council agenda for a final review on April 26th, and hopes to go through the permitting process in May. It is in discussions with two respected day-care providers to use some of the project's space, and is optimistic about the outcome of those discussions. CAHP aims to begin construction on July 1st, with onsite staging, and still hopes to complete the work by November 2017, but hopes the work will go faster. Stay tuned! (Thanks to Mikki Droste for this information.)

Thanks to All Neighborhood Helpers!

This is the time of year when we thank all those who have contributed to the neighborhood over the past year – members of the Bailey Community Association board of directors, members of the Pump House Board, members of the Community Relations Coalition, the many people who help with the Valentines Party, those helping with the “Bailey Newsletter” and its distribution, luminary captains, and those who work in so many ways to make the Bailey Neighborhood a great place to live. The online version of this newsletter that will appear by May 1st will include a fuller description of what neighbors have done and a mention of some of their names – too long a list to put in this shorter paper addition of the newsletter. But we are very grateful to all of them and to all of you for being a part of the neighborhood! For that longer edition, please go to: <http://www.eastlansingneighborhoods.com/Bailey>.

List of Board Nominees for 2016

Officers (one-year term):

Chairperson: Konrad Hittner*, 639 Kedzie Street (351-6354). Bailey resident for 17 years. Lawyer by training and licensure, but not by recent practice. Wife Suzette, one high-school aged son and one college-aged son. Member of the Zoning Board of Appeals, a leader of the Pump House board, and the incumbent B.C.A. chairperson.

Vice-Chairperson: Ed Wagner*, 630 Snyder Rd. (cell 215-806-5493). Bailey resident for four years. Wife Suzanne and two young sons, one-year old Owen Allan and 6-year old Toby. Political scientist/assessment specialist at Educational Testing Service (ETS). Member of East Lansing Housing Commission. After Erik Altmann resigned as Vice-Chair of the board last Fall to become a City Council member, the board appointed Ed to take his place. Until then, he had been the BCA Treasurer.

Membership Secretary and Treasurer, Jim Liesman*, 436 Division St. (517-337-9339). Bailey

resident for 41 years. Wife Alicia Dudek and two adult children. M.S.U. technician. Jim is a current board member and past B.C.A. President. When Ed Wagner was appointed Vice-Chair, Jim took his place as Treasurer while also serving as Membership Secretary.

Recording Secretary in Training: Irene McDonnell Cahill, 657 Virginia Avenue in Avondale Square (517 580-3034). Bailey resident for six years. Husband former board members Jack Cahill. Irene is a horticulturalist. She has worked as a forestry supervisor for the City of Lansing, for the U of M's Matthaei Botanical Gardens, and for NYC Parks and Recreation. She is the former board president and current board member of the Michigan League of Conservation Voters and is currently involved with tree preservation in East Lansing among other things. Since Irene is just joining the Bailey board, she expects help in fulfilling her new responsibilities.

New Board Members (two-year term):

Two M.S.U. student representatives from the Community Relations Coalition to be named next Fall.

Charles (Chuck) Overbey, 433 Butterfield Drive (517-351-2009). Resident of Bailey Neighborhood and East Lansing for 10 years. Retired from the State of Michigan in 2015 after 43 years. Last position was Director of the Office of Health and Human Services in the State Budget Office. Other functions included policy analysis, program evaluation, employment and training services, and eligibility determination for poverty programs. Personal interests include gardening, biking, swimming, reading for pleasure and politics.

One additional new board member to be announced at the Annual Meeting.

Incumbent Board Members Beginning New 2-Year Term:

Thomas Baumann*, 952 Lantern Hill Drive (333-8823). Bailey residents for 11.5 years. Wife Krista and three school-aged children, Elisabeth, Timothy, and Susanna. Physicist at the National Superconducting Cyclotron Laboratory, MSU. He has been the BCA recording secretary and is a new member of the Transportation Commission.

Nancy Cuddeback*, 710 Virginia Avenue (517-214-1598). Bailey resident for 37 years, first on Ann, then Burcham, now Virginia. Husband Jim and two adult sons, Abraham and Arjuna. She is a retired teacher.

Sally Silver*, 426 Bailey Street (517-337-2314). Bailey resident for 39 years. Husband Brian and two adult children, Nate and Rebecca. Current *Bailey Newsletter* editor and past chair and secretary of the B.C.A.

Mary Lou Terrien*, 232 Durand (351-8226). Bailey resident for 41 years. Welsh Terrier named Sophie. Mary Lou works for the House of Representatives and was a member of the East Lansing Housing Steering Committee created to revise the city's Comprehensive Plan.

*A Returning Board Member

Returning Board Members Who Are Not Beginning New Terms: In addition to those with asterisks, **Michelle Lane, Charles Hoogstraten and Jim Secor.**

In Memoriam of LIZ SIGNELL
NOTICE of Change of Venue For The Celebration of Her Life
to Edgewood Church, Sat., May 14th, 2016 from 2 – 4 p.m.

To the sorrow of her many Bailey neighbors, friends, and family, Liz Signell passed away on March 29th at age 86. She lived with her husband, Peter, on Butterfield for 50 years, where she and Peter raised their 3 sons. She was a valued Bailey neighborhood activist. She served on the committee that opposed the proposal to make Albert and Ann each into one-way streets, which occasioned the founding of the Bailey Community Association. She served as Circulation Manager for the *Bailey Newsletter* for many years and afterwards assisted in that endeavor. Deeply involved in mental health issues, she served on the Tri-County Community Mental Health Board's Citizens Advisory Council. The celebration of Liz's life was originally planned for the Orchard Street Pump House. **But the venue has been changed to the Edgewood Church** on May 14th from 2 – 4 p.m. Please come to celebrate her life, and alert others to the change of location. Memorial gifts may be made to the Listening Ear (<http://theear.org>).

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 clean-up 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!*