

Leslie Lechner-Salemi
Chair

James Ensign
Vice-Chair

Commissioners

Eric Hufnagel, *Mayor*
Jean Ruestman, *Vice Mayor*
Heather Hanover
Mark Holden
Melvin Renfrow
Wendy Ward
Eric Harger

Dave J. Kudwa, P.E.
City Manager



CITY OF ST. JOHNS PLANNING COMMISSION

MEETING AGENDA

MEETING DATE: MAY 11th, 2022

The St. Johns Planning Commission will hold a regular meeting on May 11th, 2022 at 5:30 pm in the 2nd Floor Commissioner Chambers located at the Clinton County Courthouse, 100 E. State Street, St. Johns, MI. (Please use Cass St. Entrance.)

AGENDA

1. **Call to Order (5:30 pm)**
2. **Approval of Agenda (5:30 pm – 5:32 pm)**
3. **Public Comment for Agenda / Non-Agenda Items (5:32 pm – 5:33 pm)**
4. **Old Business**
 - A. **April 13th, 2022 meeting minutes**
(5:33 pm – 5:34 pm) (ACTION ITEM)
 - B. **311 N. Clinton Avenue – Special Use Permit**
(Presenter: Chris Khorey, AICP, McKenna & Associates)
(5:33 pm – 5:55 pm) (ACTION ITEM)
5. **New Business**
 - A. **Rental Housing Program**
(Presenter: Chris Khorey, AICP, McKenna & Associates)
(5:55 pm – 6:40 pm) (ACTION ITEM)
 - B. **Downtown Parking Plan**
(Presenter: Dave Kudwa, City Manager, Chris Khorey, AICP, McKenna & Associates)
(6:40 pm – 7:15 pm) (ACTION ITEM)
6. **Planning Commissioner Comments (7:15 pm – 7:17 pm)**
7. **Adjournment (7:17 pm)**

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**CITY OF ST. JOHNS
PLANNING COMMISSION**

**APRIL 11th, 2022
REGULAR MEETING MINUTES**

1. CALL TO ORDER

The meeting of the St. Johns Planning Commission was called to order by Chairperson Salemi at 5:35 p.m.

Members Present: Salemi, Hufnagel, Ruestman, Hanover, Holden, Renfrow, Ward

Staff Present: Dave J. Kudwa, Chris Khorey

Others Present: Kelly Morgan, Ed Thelen, Dymaxion Team, Bill Arens

2. APPROVAL OF AGENDA

- A. A motion was made by Commissioner Ward and supported by Commissioner Hanover to approve the agenda as presented.

Yes: Salemi, Hufnagel, Ruestman, Hanover, Holden, Renfrow, Ward
Nay: None

Motion carried

3. PUBLIC COMMENT ON AGENDA / NON-AGENDA ITEMS

None

4. OLD BUSINESS

- A. A motion was made by Commissioner Ward and supported by Commissioner Holden to approve the February 9th, 2022 meeting minutes as presented.

Yes: Salemi, Hufnagel, Ruestman, Hanover, Holden, Renfrow, Ward
Nay: None

Motion carried

5. NEW BUSINESS

A. Special land use / site plan review – 311 N. Clinton Avenue

Bill Arens presented a concept plan to develop four apartments on the second floor at 311 N. Clinton Avenue. They discussed unit size, trash management, building access, and site lighting. The planning commission discussed the proposal and decided to postpone a decision until additional information was provided. A motion was made by Commissioner Hanover and supported by Vice-Chairperson Ensign to postpone the special land use application.

Yes: Salemi, Hufnagel, Ruestman, Hanover, Holden, Renfrow, Ward

Nay: None

Motion carried

A motion was made by Commissioner Ward and supported by Vice-Chairperson Ensign to postpone the site plan review application.

Yes: Salemi, Hufnagel, Ruestman, Hanover, Holden, Renfrow, Ward

Nay: None

Motion carried

B. Rezoning Request – 101 W. Cass Street

Mr. Chris Khorey provided the city staff review and discussed the rezoning request for 101 W. Cass Street. The planning commission discussed the proposed uses along with the need to provide a preliminary parking plan. The planning commission decided that there was not enough information to act on this proposal.

C. Rezoning Request – 101 W. McConnell Street

Mr. Chris Khorey provided the city staff review and discussed the rezoning request for 101 W. McConnell Street. The planning commission discussed the proposed memory care facility and decided that the R-3 (high density residential) zoning classification was appropriate for this use. A motion was made by Vice-Mayor Ruestman and supported by Commissioner Ward to recommend approving the property rezoning from municipal center to high-density residential.

Yes: Salemi, Hufnagel, Ruestman, Hanover, Holden, Renfrow, Ward

Nay: None

Motion carried

6. PLANNING COMMISSIONER COMMENTS

None

7. ADJOURNMENT

A motion was made by Commissioner Ward and supported by Commissioner Hanover to adjourn the meeting at 7:37 pm.

Yes: Salemi, Hufnagel, Ruestman, Hanover, Holden, Renfrow, Ward

Nay: None

Motion carried

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March 1, 2022

Planning Commission
City of St. Johns
100 E. State Street, Suite 1100
St. Johns, Michigan 48879

Subject: 311 N. Clinton Avenue Special Use and Site Plan Review

Dear Commissioners,

As requested, we have reviewed the application materials submitted for 311 N. Clinton Avenue. The applicant proposes to renovate the existing building to contain the following uses:

- Restaurant (first floor)
- Four Residential Units (second floor)

The building already contains commercial space on the first floor and residential space on the second floor, but the renovation would alter the interior floor plan on both floors, as well as modernizing the systems in the building.

The building is zoned CBD Central Business District. Section 155.101 regulates uses in the CBD District differently depending on what street they are on. Clinton Avenue allows first floor restaurants and upper floor residential by right. However, the units are proposed to be under the minimum area for a dwelling unit, which is 500 square feet. The four units are proposed to be 461, 439, 390, and 390 square feet.

Section 155.199 allows the approval of dwelling units below the minimum size by Special Use Permit. Therefore, while all other aspects of the redevelopment are permitted by right, the layout of the dwelling units must be approved for a Special Use Permit before the renovation can move forward. As with any Special Use Permit, Site Plan Approval is also required.

Our comments below are divided into two parts – the first part discusses the criteria for approving the Special Use for unit size, and the second part discusses the physical site design and whether the Site Plan should be approved.

Special Use (Unit Size)

In order to be approved, the City Commission, upon recommendation of the Planning Commission, must determine that the dwelling units meet the standards of both Section 155.199 (which are specific to undersized dwelling units) and Section 155.258, which are the general standards applicable to all Special Uses.

- 1) Undersized Dwelling Unit Criteria.** Section 155.199 requires undersized dwelling units to be “**safe, sanitary housing promoting high quality of life for their residents.**” The apartments will be completely renovated with modern amenities, and will actually be slightly larger than the existing apartments in the building. All four units have full kitchens and bathrooms with a shower. All living areas and all bedrooms have windows.



The second floor of the building is not as big as the first floor, leaving space for second floor windows that look out over the first floor roof. The building to the south is set back from 311 N. Clinton, giving more light to the windows. But even if a building were to be built right up to the side wall of 311 N. Clinton (which is allowed under the zoning ordinance), the windows would still have light. The front unit has windows that look out over Clinton Avenue, and the rear unit has windows over the alley.

From a planning perspective, the units meet the standard. However, the City Commission and Planning Commission should also consult with the Building and Fire departments in making a final determination.

2) Special Use Criteria. Section 155.258 includes the following criteria:

a) Will be harmonious with and in accordance with the community development plan. In order to be considered “harmonious and in accordance”, the Special Use proposal must:

- **Be consistent with the City’s goals for Land Use, Neighborhoods, Transportation, and Sustainability as articulated in Chapter 3 of the City of St. Johns Master Plan.** The relevant pages of the Master Plan are attached for reference.

This proposal advances Land Use Goals 1, 2, 4, and 5, and is neutral on Goal 3 (which is specifically about the Federal Mogul/FC Mason site).

It also advances Neighborhood Goals 1 and 4, while being neutral about Goals 2 and 3 (which relate to neighborhoods, not the downtown).

With regard to Transportation goals, it is neutral on all goals – while Goal 2 discusses the downtown, the size of these units will no impact on whether the downtown becomes more easily navigable.

The proposal is also neutral on the specific Sustainability goals, though it advances the City’s broader Sustainability goal of creating quality housing in already built-up areas, by modernizing existing downtown apartments.

- **Positively promote the vision described for the Community Character Area that the use will be located in, as described in Chapter 4 of the City of St. Johns Master Plan.**

The proposed use is located in the “Core Downtown” Community Character Area, which specifically states that “upper floor apartments” are appropriate and that “re-use and re-occupancy of existing buildings is preferred whenever possible.” Allowing the undersized units allows the building to be redevelopment and modernized without reducing the number of housing units, which specifically advances the vision of the Community Character Area. The Core Downtown page from the Master Plan is attached for reference.



- **Not hinder the implementation of the Mobility Plan for the street(s) it is adjacent to, as described in Chapter 6 of the City of St. Johns Master Plan.**

There are no concerns that this proposal will negatively impact Clinton Avenue or any other nearby street. The relevant Mobility Plan pages are attached.

- b) **Will be designed, constructed, operated, and maintained so as to be safe, harmonious and appropriate in appearance with the existing or intended character of the general vicinity. Factors affecting this standard include noise, lighting, parking, traffic, garbage, large gatherings of people, water runoff, neighborhood character, heat island effect, and other similar off-site impacts of a use.**

The footprint, height, and use of the building will not change, so this standard is met. Our site plan comments address specific physical development issues.

- c) **Will be a substantial improvement to property in the immediate vicinity and an economic asset to the community as a whole. “Substantial improvement” and “economic asset” shall mean that the proposed use will clearly generate more economic activity, tax revenue, jobs, housing units, and/or spinoff development than the site would generate without the approved Special Use. In evaluating this criteria, the City Commission shall compare the site to its current state at the time of application, not to hypothetical alternative developments other than the proposed Special Use.**

Without the approved Special Use, the building could still be renovated and modernized, but the number of housing units would have to be reduced in order to meet the minimum unit size. Removing the hallway, there are 1,680 square feet on the upper floor that could be used for housing. That means that, using the 500 square foot minimum, the number of units would have to be reduced from 4 to 3. Therefore, approving the Special Use meets this standard, because the Special Use will prevent a decrease in the number of housing units while allowing for investment in the building.

- d) **Will be served adequately, based on the anticipated needs of the use in question, by existing public facilities and services, such as highways, streets, police and fire protection, drainage structures, parking lots, refuse disposal, water and sewer utilities, non-motorized pathways/sidewalks, communications infrastructure, public transportation, waste removal, and schools. The City Commission may also require upgrades to public services directly related to the proposal as a condition of Special Use approval.**

There are already four housing units in the building, and the footprint and height of the building will not expand, so the impact on highways, streets, drainage, water/sewer, sidewalks communications, Blue Bus, waste removal, and schools will be minimal. See Criteria F for an analysis of the impact on parking.

We will defer to the police and fire departments regarding the impact on those services.



- e) **Will be consistent with the Purpose and Intent of allowing Special Uses (see Section 155.255) and the Purpose and Intent of the Zoning District the Special Use is located within.**

The purpose and intent of allowing Special Uses is:

“The special use permit process is based on the concept that some uses are appropriate in a zoning district only under certain circumstances and with specific conditions. The special use permit review process allows the city to review a proposed use, determine if it is appropriate in the location proposed and what conditions are required to be placed on the use to ensure it’s compatibility with other uses in the area.”

The City specifically granted itself the power to approve housing units under 500 square feet by Special Use Permit on the recognition that undersized housing units can be appropriate in some, but not all, contexts. One context where undersized housing units work is in historic downtown buildings, where not only can the residents make use of the City’s parks, businesses, and amenities just steps away from their homes, but where keeping historic buildings historically viable is also an important consideration. Therefore, undersized housing units can be allowed to further the goals of a vibrant downtown.

The purpose and intent of the CBD Zoning District is:

“The CBD District is designed to provide for a variety of retail stores and related activities, and for office buildings and service establishments which occupy the prime retail frontage in the Central Business District, and which serve the comparison, convenience and service needs of a consumer population well beyond the corporate boundaries of the city. The district regulations are also designed to provide for a centrally located major shopping complex, serviced by conveniently located off-street parking facilities and allowing safe pedestrian movement; but to exclude non-retail uses which typically require large areas of land or generate truck traffic”

The Zoning District is specifically designed for the historic buildings along Clinton Avenue, which have unique needs. One of those unique needs is the need for flexibility in certain regulations to keep them economically viable, so the flexibility in unit size is appropriate here.

- f) **Will be served by adequate, safe, and efficient parking. “Adequate, safe, and efficient parking” shall mean not only meeting the requirements of Section 155.342, but also ensuring that the parking for the use does not burden nearby uses, does not create safety hazards for motorists, cyclists, or pedestrians, does not take up excessive land that could be used for more productive purposes, and does not create a blight on the historic character and charm of the City.**

There is no parking requirement in the CBD District. If this proposal was outside of the CBD District, the requirement would be:



- 4 Residential Units x 2 Spaces per Unit = 8 spaces
- 92 seats maximum restaurant capacity x .25 spaces per Seat = 23 spaces

The total requirement would be 31 parking spaces. If the building were proposed to be built from scratch, we would recommend a more detailed analysis of the capacity of the downtown parking system to absorb that number of spaces. However, the building is already existing, and the uses are permitted by right. The size of the dwelling units (which will actually increase) will not change downtown parking demand from what already exists. Therefore, this standard is met.

g) Comply with the applicable design standards outlined for the specific proposed use in Sections 155.415 through 155.448 of this chapter.”

There are no standards for restaurants or upper floor residential in that portion of the Ordinance. If the applicant decides to add a Sidewalk Café to the use, then the standards of Section 155.446 will apply. But that is not proposed at this time, nor is it relevant to the size of the dwelling units.

Site Plan (Physical Characteristics). Because the building is existing, there are few site plan considerations.

- 1) **Dimensional Standards:** There are no required setbacks in the CBD District. The maximum building height in the CBD District is 35 feet (with extra height allowable by Special Use Permit). Neither the footprint, nor the height, of the building are changing.
- 2) **Parking, Loading, and Access.** There is no parking requirement in the CBD District.
- 3) **Landscaping.** There is no landscaping requirement, and no room for landscaping on the site.
- 4) **Lighting.** No information on exterior lighting has been submitted. The applicant should submit information on proposed light fixtures along Clinton Avenue, along the south side of the building (which partially faces a parking lot), and along the alley to the west of the building. Lighting should be sufficient for safety and aesthetics without becoming a nuisance to nearby properties (or the upstairs residents at 311 Clinton).
- 5) **Trash Receptacles.** No information on trash receptacles has been submitted. Presumably there will be a trash receptacle in the alley for the restaurant? Will the residents use the same dumpster?

RECOMMENDATION

We recommend that the Planning Commission recommend approval of the Special Use to the City Commission, to allow the dwelling units at the square footage proposed by the applicant.

We recommend that the Site Plan Approval be tabled until after the City Commission approval of the Special Use. In the meantime, we recommend that the applicant submit additional information lighting and trash receptacles for review by the Planning Commission.

Please let us know if you have any questions.

Respectfully submitted,
McKENNA



Christopher Khorey, AICP
Senior Principal Planner



Core Downtown

DESIGN GUIDELINES

LOT DIMENSIONS

Minimum Lot Area:
None

Minimum Lot Width:
None

BUILDING SETBACKS

Minimum / Side:
None

Maximum:
Zero feet

Rear:
As needed for loading / parking

BUILDING HEIGHT

Minimum:
2 stories

Maximum:
4 stories

STREET FRONTAGES

Retail storefronts
Outdoor patio / seating areas
Windows and displays
Awnings and canopies
Insert pictures of example development types

General Characteristics. St. Johns Core Downtown area consists of one block on either side of N. Clinton Avenue between State Street and Railroad Street. This area is a hub of commercial activity in the core of the City, and the buildings have historic architectural characteristics and define the downtown character.

Appropriate Land Uses. Mixed uses are compatible within the Core Downtown area. Commercial businesses intended for this category include service, professional, and retail businesses that encourage foot traffic and do not require large parking lots. Other land use types such as institutional or recreational uses, as well as small business “maker spaces” are also encouraged. Some residential uses, such as upper floor apartments, are also compatible in this area.

Density. There is no maximum density recommendation. The design recommendations of this Plan will set densities to a reasonable number of units by requiring good design. Setbacks on the front and side should be minimal and setbacks along the rear of lots should be respectful of parking, loading, and circulation needs.

Streets and Transportation. On-street parking, two-way traffic, and high walkability should be continued on N. Clinton Avenue. Bicycle lanes should be incorporated on all east-west streets through the downtown core. Bicycle parking should also be encouraged in strategic locations. N. Clinton Avenue should include streetscape and landscape elements that enhance the feel and character of downtown. Off-street parking lots serving downtown should include wayfinding signs such as “Free Parking Walk to Shops” or other ways to direct drivers to the downtown area.

Building Location. New buildings or infill development should be built to the sidewalk.

Building and Site Design. Reuse and re-occupancy of existing buildings is preferred whenever possible. Any new buildings should match existing feel and character of N. Clinton Avenue. Buildings should contain two or more stories, be located right on the sidewalk, and have off-street parking located to the rear. No front and side yard setbacks are encouraged. First floor storefronts should be transparent and welcoming with minimal window signage. Signage should be attractive, with projecting signs encouraged.

Parking. Any parking lots should be open to the public and serve the entire Core Downtown area. On street parking should be encouraged where street right-of-way permits, and off street parking should be located at the rear of buildings. Shared parking should be encouraged, and new uses shall not be required to create parking. Wayfinding signage should clearly identify public parking in this district.

In the St. Johns Downtown Plan, the Core Downtown Land Use Category in the provides additional recommendations for this Community Character Category.

CURRENT CHARACTER



PLANNED CHARACTER



Land Use – Development and Redevelopment

Policy Statement: Build an awareness of the City of St. Johns as an outstanding place to live, work and visit by promoting a positive business environment; encouraging new development in industrial parks; supporting redevelopment of brownfield sites; broadening and strengthening the tourism sector; and facilitating economic diversification and business growth. All while preserving and enhancing the traditional, mixed land use character of the City by offering planned integration of land uses that promote positive relationships between businesses and neighborhoods and careful separation of conflicting land uses.

GOAL #1: ACCOMMODATE A DIVERSE, STRONG COMMERCIAL AND OFFICE BASE THAT SERVES THE NEEDS OF RESIDENTS AND BUSINESSES WITHIN THE COMMUNITY.

- a. Increase small business development.
- b. Recruit a diverse number of businesses to St. Johns.
 - 1. Attract Tech Companies to St. Johns.
 - 2. Attract higher education to St. Johns through partnerships with regional institutions.
- c. Provide financial or regulatory incentives for Hotel development.
- d. Increase small town-appropriate commercial options that appeal to young professionals.
- e. Identify and discuss the best and highest uses for Township land that is close to City and within agreed upon development areas.

GOAL #3: REDEVELOP THE FEDERAL MOGUL / FC MASON BUILDING.

- a. Work with owner to address old Federal Mogul / FC Mason building and promote highest and best use of the property.
- b. Implement a phased redevelopment strategy for FC Mason.

GOAL: #2: CREATE A VIBRANT DOWNTOWN WITH DIVERSE BUSINESSES.

- a. Implement the best use of City owned properties downtown.
- b. Create attractive corridors that tie downtown to Old 127.
- c. Provide sidewalks along Old 127.
- d. Increase the amount of retail stores.
- e. Provide business location for online businesses that want a storefront.
- f. Provide incentives to attract, restaurants, brew pubs and entertainment.
- g. Provide outdoor family events such as movie nights downtown.
- h. Attract businesses with varying hours of operating and uses to create vibrant streets.
- i. Add new businesses along the side streets downtown to expand the retail area.
- j. Use public engagement to find the potential uses for the silo / elevator property and other City owned properties in and around the downtown.



GOAL #4: ENCOURAGE ECONOMIC DIVERSITY AND JOB CREATION THAT WILL LEVERAGE ST. JOHNS' GEOGRAPHIC AND CULTURAL ASSETS.

- a. Rezone vacant or underutilized property in and near neighborhoods to encourage redevelopment that is compatible in use and intensity with the existing neighborhood.
- b. Support and encourage efforts to diversify the economic base of St. Johns.
- c. Facilitate economic development activities that will strengthen neighborhoods, provide educational training and employment opportunities and provide necessary support systems.
- d. Create a business incubator to attract small businesses and startups.
- e. Attract information technology companies and Start-Ups.
- f. Expand industrial park.
- g. Incorporate cross municipal relationship to coordinate infrastructure development with Bingham Township.
- h. Reach out to existing business to identify needs for more vocational job training.

GOAL #5: PROVIDE ECONOMIC OPPORTUNITIES IN DEVELOPMENT AND REDEVELOPMENT AREAS.

- a. Encourage a diversity of business sizes and types, including retention of existing businesses and attraction of new businesses.
- b. Identify vacant and underutilized areas and plan to maximize their development.
- c. Reinforce existing business investment and provide for retention and expansion.
- d. Provide for local infrastructure development, where needed, to support economic development efforts.
- e. Continue downtown revitalization efforts by encouraging a mix of housing, retail, and complementary services.
- f. Promote expansion of successful brownfield redevelopment efforts.
- g. Explore creative partnerships between developers and the city in order to expedite environmental remediation.
- h. Encourage businesses to reuse infrastructure rather than relocating to new sites and thereby increase future public capital and operating costs.
- i. Transition of the industrial land along the CIS Trail to residential / mixed use.

Neighborhoods

Policy Statement: Sustain and enhance St. Johns neighborhoods by providing for the safety and protection of all residents, visitors, and property, and enabling the development of strong, cohesive, and stable neighborhoods.

GOAL #1: PRESERVE, PROTECT, AND ENHANCE THE INTEGRITY, ECONOMIC VIABILITY AND LIVABILITY OF ST. JOHNS NEIGHBORHOODS.

- a. Plans, programs and investment opportunities should be consistent with the Future Land Use Plan and with the strategies described below for each neighborhood area.
- b. Limit non-residential intrusions into residential neighborhoods and buffer detrimental effects of commercial and industrial uses through the use of open space and landscape treatments and site design.
- c. Evaluate zoning categories to ensure the character of the neighborhood is maintained and protected.
- d. Promote home ownership in all neighborhoods.
- e. Ensure that all new housing is compatible with the desired characteristics of that particular neighborhood and in accordance with the general neighborhood strategies contained in this chapter.
- f. Improve property maintenance of existing housing stock for renters and homeowners through enhanced code enforcement and rental inspection.
- g. Explore private / public partnerships to establish a home maintenance program for the low income, disabled, and senior populations.
- h. Unifying elements should be utilized as a neighborhood identifier, whether it is signage, similar architecture, street lighting or consistent streetscape landscaping.
- i. Provide opportunities for “aging in place” throughout the City.
- j. Provide opportunities to maintain the quality of older homes and redevelop blighted properties with grants for inside and outside maintenance on the home.
- k. Provide “curb appeal” grants to property owners.



GOAL #2: PROVIDE A HOUSING STOCK THAT MEETS THE NEEDS OF A DIVERSE CITY POPULATION WITH SUPPORTING AMENITIES.

- a. Maintain all City parks and recreation facilities and pursue cooperative arrangements with other public and private groups for maintenance of these facilities.
- b. Involve residents in planning and maintaining open space and neighborhood parks.
- c. Explore opportunities to convert active space to passive space and consider water-storage opportunities.
- d. Create mix of housing and open space in new subdivisions that include sidewalks and trail connections.
- e. Provide housing for all ages. Including younger families and the aging population.
- f. Provide affordable housing for youth families.
- g. Increase housing stock for growing work force.
- h. Provide curb improvement grants for neighborhoods.
- i. Promote and control the further development of living units in the downtown.

GOAL #3: CREATE AN IDENTITY FOR ALL NEIGHBORHOODS.

- a. Encourage cooperation between community groups and the City to implement neighborhood signage programs.
- b. Incorporate expanded streetscape improvements to foster neighborhood identities.
- c. Utilize landscaping at entry points, in rights-of-way, and park areas to improve the image of all residential neighborhoods.
- d. Install new gateway signage at entrances to the City.

GOAL #4: MAINTAIN AND PRESERVE HISTORIC PROPERTIES WITHIN THE CITY.

- a. Secure façade grants for downtown buildings.
- b. Provide a name for the Historic District.
- c. Include the Historic District in the Wayfinding Plan.
- d. Secure historic preservation awards for home restoration projects.
- e. Use historical buildings to promote the up and coming thriving City.
- f. Bed & Breakfast.
- g. Incubator Space.
- h. Determine the buildings at the grain elevator site that are most worthy of preservation, and ensure that those are preserved.
- i. Identify and promote the City's historic Old Village plat, including adding decorative street signs, creating a zoning overlay, creating a local historic district, and seeking State and/or Federal historic status.

Transportation

Policy Statement: To create a safe, connected transportation system that includes street, transit, water, air, and non-motorized components adequate to accommodate the current and future needs of the City of St. Johns and promotes the walkable, traditional character of the community for all users.

GOAL #1: PRESERVE AND ENHANCE THE LEVEL OF SERVICE CIRCULATION AND SAFETY OF THE ROAD NETWORK TO SUPPORT ALL USERS IN THE COMMUNITY.

- a. Control noise of truck traffic in expanding industrial park.
- b. Mitigate for increased truck traffic, with buffers such as street trees and green infrastructure.
- c. Improve and maintain the specific roads that are being impacted by additional industrial park traffic.
- d. Increase safety at the intersection of M-21 and Scott Road through growth of businesses and providing infrastructure to increase walkability. Consider a roundabout.
- e. Classify all existing and proposed streets by their function and develop a circulation system, which recognizes these functions. The functions should include consideration of emergency routes.
- f. Work toward the development of an overall circulation system for the City, which is coordinated with the transportation systems of the region, and which includes a connected network of residential streets designed to connect residents to each other by walking, cycling, or driving.
- g. Require that all land developments be designed in a manner that reduces the number of potential traffic conflicts (curb cuts), particularly along streets that serve as City-wide or regional traffic carriers. Require connections for both cars and pedestrians between adjacent sites on commercial thoroughfares. New developments should not adversely affect the safety, efficiency, and function of streets.
- h. Require street layouts of contiguous residential areas to be coordinated and connected. Residential street patterns should provide access for emergency vehicles and smooth and safe flow of pedestrians, bicycles, and cars through the neighborhood.
- i. Provide street layouts and street design and paving standards in industrial areas which are appropriate for the heavier truck traffic associated with such uses and which facilitate peak-hour smooth traffic flows with minimum disruption to the general traffic flow of the community.



GOAL #2: MAKE DOWNTOWN MORE NAVIGABLE AND EASIER TO ACCESS

- a. Increase signage leading to downtown, including pavement markings at M-21 and Old 127.
- b. Provide directional signs on Old 127 to direct people downtown.
- c. Increase wayfinding signs that directs drivers to available parking.
- d. Provide on-street overnight parking on Spring Street, Brush Street, and Railroad Street.
- e. Expand public parking options downtown.
- f. Repair parking lots that are damaged.
- g. Provide a variety of parking options including parking permit types and fees.
- h. Wayfinding Sign Plan with suggested designs for both the downtown and Old 127 Corridor and tying the two together.
- i. Brand Wayfinding to downtown as "St. Johns - Where Up North Begins" and "Take a shortcut through time and visit historic downtown St. Johns".
- j. Create Walk and Bike routes / maps that tie to downtown, parks, Wilson Center and Rail Trails.

GOAL #3: IMPROVE SAFETY AND QUALITY OF LIFE ON OLD 127

- a. Collaborate with MDOT to increase traffic safety and walkability along OLD 127.
- b. Provide Beautification to OLD 127 to change the road into a gateway.
- c. Provide green infrastructure and landscaping to act as beautification.
- d. Provide basic signage at turnarounds along Old 127.
- e. Increase streetscape and building improvements to beautify Old 127 Corridor.

Sustainability and Environmental Preservation

Policy Statement: Create a healthy, sustainable environment for St. Johns citizens by preserving and enhancing St. Johns natural resources and planning for the efficient, attractive and environmentally sound use of land.

GOAL #1: INTEGRATE NATURAL FEATURES INTO SITE DEVELOPMENT WHILE CLEANING UP EXISTING CONTAMINATION TO PROTECT THE QUALITY OF NATURE IN URBAN AREAS.

- a. Promote the clean-up of contaminated sites with innovative incentives through zoning flexibility and with assistance from the Brownfield Redevelopment Authority.
- b. Promote sensitive and responsible storm water management practices by developing guidelines and policies based on Best Management Practices.
- c. Encourage developers to integrate existing natural features into new developments.
- d. Develop ordinances which preserve the integrity of the natural settings of neighborhoods, communities, open spaces and parks, and develop clear procedures for their enforcement.
- e. Integrate vegetation and natural features in road construction and improvements.

GOAL #2: PRESERVE EXISTING TREES AND WORK TO EXPAND THE TREE CANOPY.

- a. Regulate tree clearing through a tree preservation ordinance to preserve landmark trees and require effective tree preservation methods during construction.
- b. Establish a community-wide tree planting program to add neighborhood appeal, increase the community's aesthetic appeal, and reduce impacts of extreme heat events (saving energy costs).
- c. Research projected shifts in tree population and aggressively transition street tree-planting program to trees that will thrive in hotter summers and wetter winters.
- d. Increase the diversity of tree species planted in the City.
- e. Focus new vegetation and tree canopy development efforts on areas identified as high relative exposure to heat events and flooding.



Joint Planning

Policy Statement: Coordinate with Bingham Township to do joint planning areas.

GOAL #1: IDENTIFY KEY AREAS AROUND THE CITY THAT REQUIRE JOINT PLANNING EFFORTS AND INCLUDE RECOMMENDED LAND USES FOR THESE AREAS.

- a. Plan for the area bounded by the US-127 freeway, Wildcat Road, and the City limits.
- b. Plan for area bounded by the US-127 freeway, County Farm Road, Taft Road, and Townsend Road.
- c. Plan for the area along M-21 west of the City, especially the vicinity of the M-21 / DeWitt Road intersection.
- d. Prevent areas mentioned above from turning into dead space which occurs at borders of municipalities.
- e. Assign land uses that benefit both Bingham Township and the City of St. Johns.
- f. Provide land uses based on feedback from both communities.



Automobile Transportation

OLD 127 SAFETY AND ACCESSIBILITY

Old 127 runs north-south through St. Johns, spanning four lanes for most of its length except for E. Steel Street to E. Baldwin Street, where it reduces to two lanes with a center turn lane. The width of the road poses a safety concern for not only drivers, but potential bicycle and pedestrian users of the corridor. This plan envisions the following strategies:

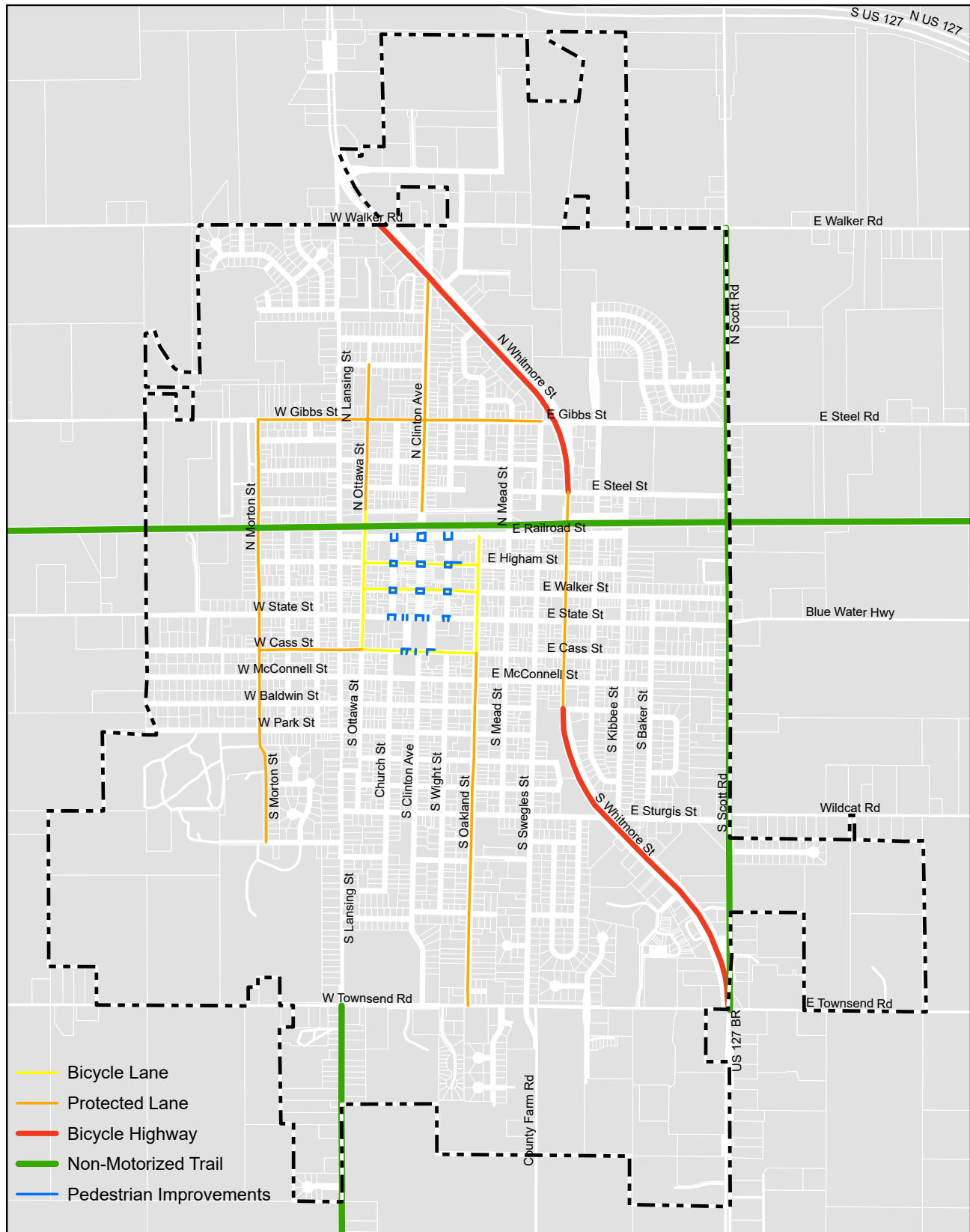
- » Create a zoning district that reflects the new Gateway Corridor Community Character District and implement a front yard setback that brings buildings closer to Old 127 for a more enclosed feeling.
- » Construct a sidewalk and plant trees along Old 127 to create visual interest and a feeling of enclosure.
- » Develop a bicycle highway within Old 127 that is physically protected from vehicle traffic.

Non-Motorized Transportation and Complete Streets

“Complete Streets” is the concept that the roads should be safe and available for all types of users, not merely automobiles. The street character and design aspects described above help to create complete streets by making walking a more enjoyable activity. On-street parking and narrow road lanes can calm traffic and lower speeds, creating a safer environment for people. New infrastructure for bicyclists and pedestrians brings encouragement and investment to these modes, and creates opportunities for both transportation and recreation.

The City of St. Johns has the opportunity to build a robust non-motorized transportation network in the near future, providing connections to the Fred Meijer Clinton-Ionia-Shiawassee Trail which extends 41.4 miles between Ionia to the west and Owosso to the east. Map 2 depicts the future non-motorized network in the City.

Map 6: Non-Motorized Network



PATHWAYS AND TRAILS

Non-motorized infrastructure should connect users to key destinations and corridors in a safe manner. Providing shared use paths and bicycle lanes where deemed appropriate can encourage users of all types and abilities to take advantage of the network. The following infrastructure priorities have been identified for the mobility plan:

- » Incorporate bicycle lanes connecting to downtown, specifically on the less busy streets parallel to N. Clinton Avenue (Ottawa Street and Oakland Street) as well as the streets that intersect with N. Clinton Avenue (Higham Street and Walker Street).
- » Install protected bicycle lanes on N. Clinton Avenue, north of the Meijer Trail up to Old 127.
- » Provide safe bicycle lane connections or shared use paths to destinations such as St. Johns Park, the Wilson Center, St. Johns High School, Gateway North Elementary School, Senior Citizen Park, Jaycee Park, and Sparrow Clinton Hospital.

SIDEWALKS

Some neighborhoods are not currently connected to the City's sidewalk network, creating a difficult walking environment. Old 127 does not have sidewalks, limiting its accessibility as a major corridor. Priorities for St. Johns should be filling in the gaps in the existing sidewalk network, connecting sidewalks to downtown and to other destinations, and requiring sidewalk improvements as part of new development or redevelopment. Priority projects include the following:

- » Complete the existing sidewalk network, especially on Old 127, Sturgis, Lincoln, and Mead Streets to provide more connections in and around downtown.
- » Sidewalks should continue to be installed as new neighborhoods are constructed to add to the extensive sidewalk network already in place.
- » Sidewalk connections to the school campus areas, particularly the middle school, are highly encouraged to promote safe routes to school and as part of encouraging more walking activity.

STREET CHARACTER AND GREEN TREATMENTS

The streets leading into Downtown St. Johns should be designed to feel comfortable and welcoming for all users. Consistent landscape and streetscape elements should be utilized to create a cohesive and aesthetically interesting design. The following strategies can create a distinct street character, indicating to people that they are entering a walkable and compact place while improving the environmental quality:

- » Street furniture should be strategically designed on N. Clinton Avenue and its intersecting streets:
 - Benches should be located in shaded and sunny areas and face a view that is worth looking at.
 - Bicycle parking should be adequately lit, evenly spaced, and easily accessible from all sides.
 - Lighting should be at the pedestrian scale, not to primarily light the road or cast broad shadows.
 - Signage should be consistent, clear, and well-located.
 - Trash receptacles should be easy to find, evenly spaced, and intentionally incorporated as part of the street furniture.
 - Landscaping should be featured on all streets, including street trees, ornamental trees, and landscaped beds with low-maintenance plantings. Benches should be located near landscaped areas.
- » Green treatments:
 - Plant shade trees along streets and in public spaces wherever possible.
 - Reconstruct and expand the bulb-outs at the four main intersections along N. Clinton Avenue to increase pedestrian space, trees, and landscaping, effectively improving the street character and shortening the length of the crosswalks to create a safer and more comfortable pedestrian environment.
 - Implement a cohesive landscape design along E. State Street to create a natural barrier that would help protect the historic buildings closest to E. State Street from the long-term damage that comes from the vibrations of the heavy truck traffic.

The key intersections on Map 3 are the primary focus areas for traffic calming and green nodes. The two bounding intersections of downtown, where N. Clinton Avenue crosses W. Railroad Street and where it crosses E. State Street, should have intentional pedestrian-oriented designs to draw people into downtown.

Map 7: Street Character and Green Treatments

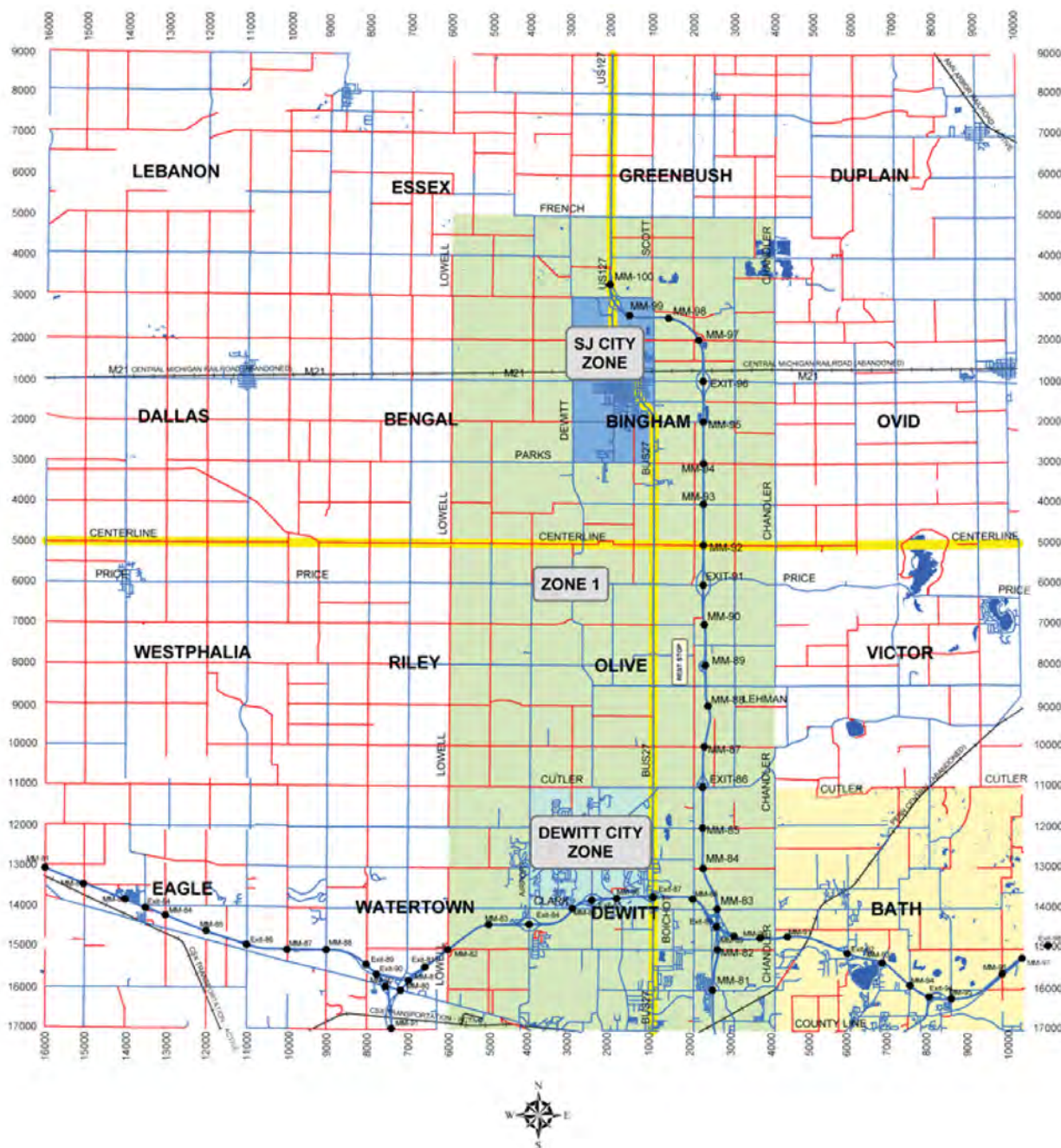


Bicycle Parking

Downtown has several bikeable destinations and will also be a main point of interest on the Meijer Trail, so it is a primary location for bike parking. There are currently several bicycle parking locations on N. Clinton Avenue between the Meijer Trail and State Street. The mobility plan envisions a City-wide non-motorized network with the following goals:

- » Ensure there is bicycle parking at key locations around St. Johns such as the Wilson Center, schools, parks, and activity nodes within the Neighborhood Center Commercial areas.
- » Develop trailheads with bicycle parking and amenities like water fountains and repair stations at key intersections of trails and pathways with other points of interest.

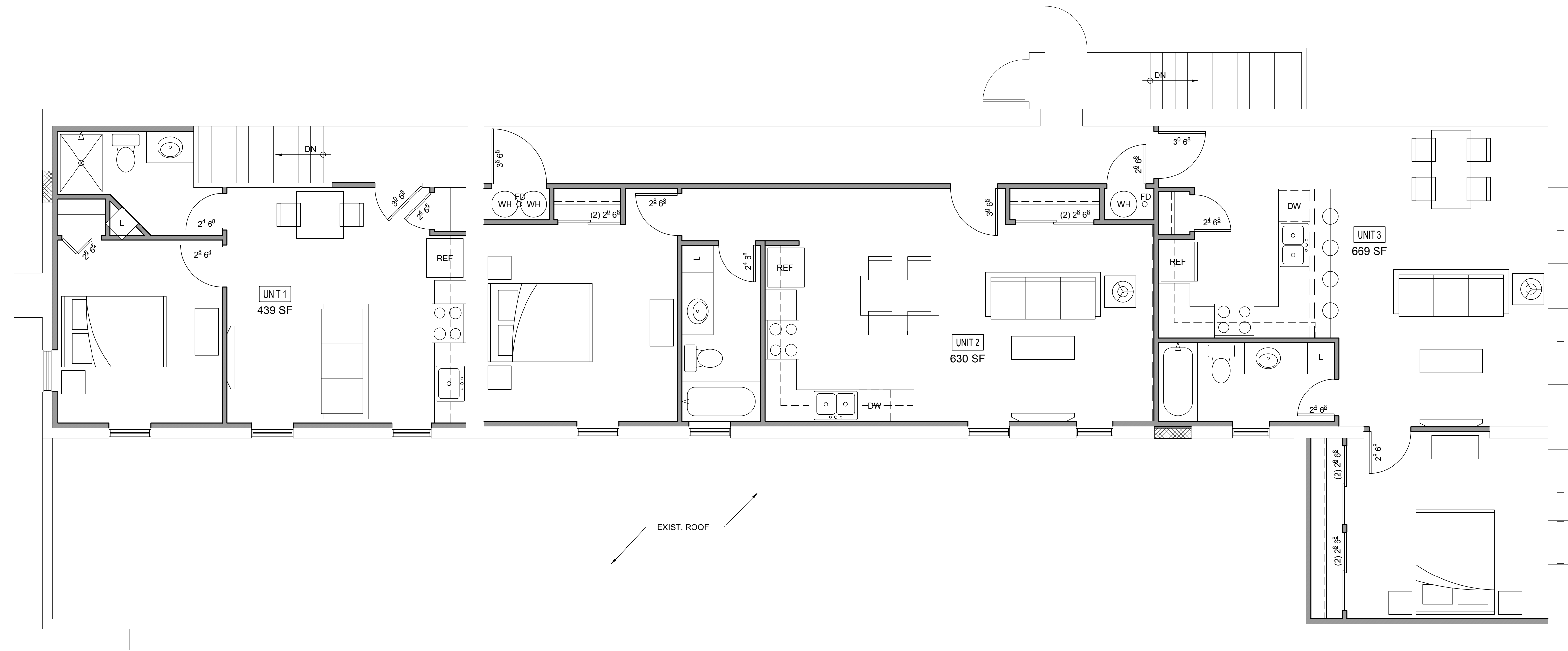
Map 8: Clinton Transit



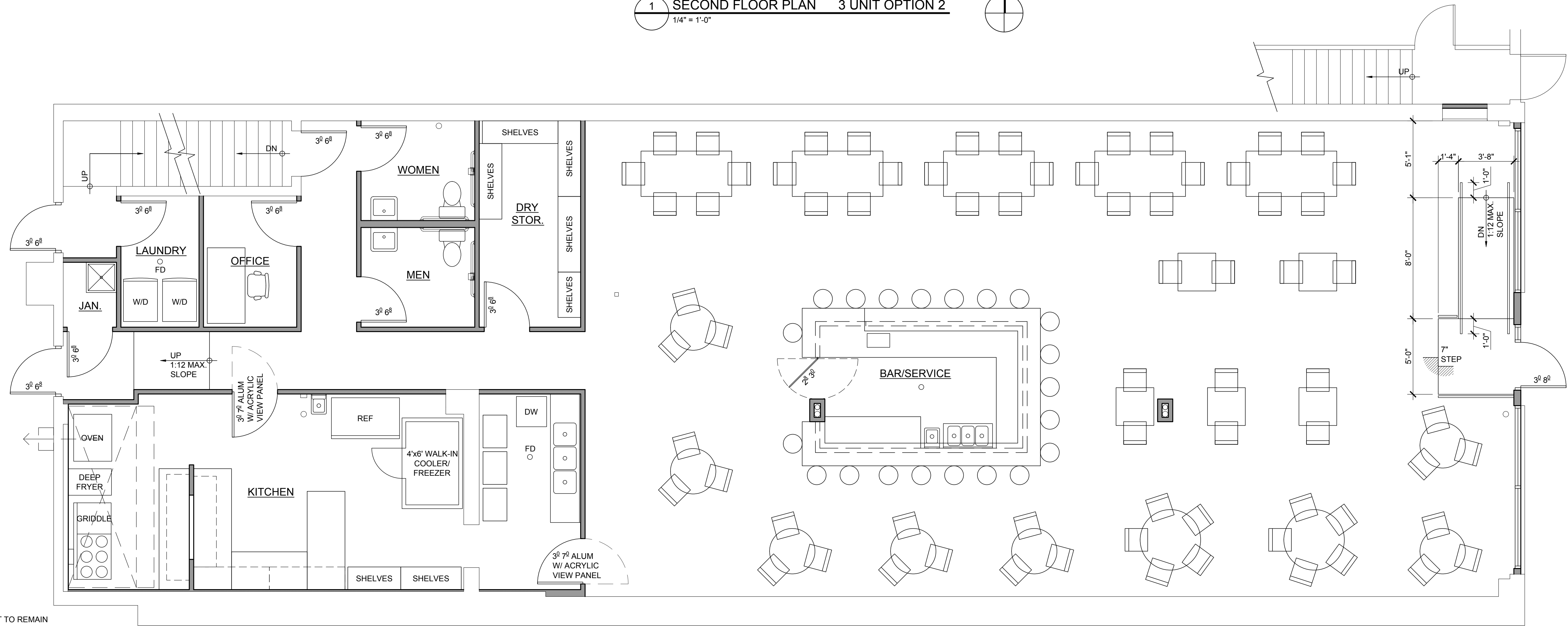
Public Transit

Established in 2001, Clinton Transit services the St. Johns / Bingham Township community, as well as Olive, DeWitt, and Bath Townships, and the City of DeWitt. Service is provided on a "dial-a-ride" basis, delivering riders door-to-door through prearranged and scheduled trips.

There are no fixed route services serving St. Johns. The City will work with Clinton Transit to evaluate service and ridership on an ongoing basis, and to evaluate the need for fixed-route service, including commuter service to Lansing and East Lansing, in the future.



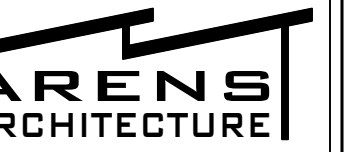
1 SECOND FLOOR PLAN 3 UNIT OPTION 2
1/4" = 1'-0"



2 FIRST FLOOR PLAN
1/4" = 1'-0"

LEGEND

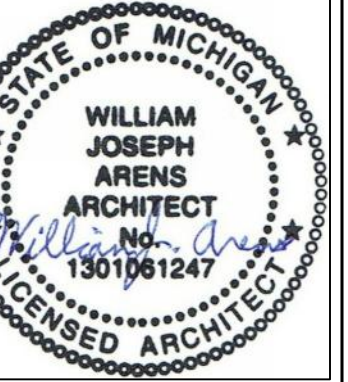
- EXIST. WALL OR ELEMENT TO REMAIN
- EXIST. WALL OR ELEMENT TO BE REMOVED U.N.O.
- NEW FULL HEIGHT 2x WOOD STUD WALL (2x4, U.N.O.)
- 1 HR FIRE-RATED WALL (EXIST. OR NEW) NOTE: DASHED LINE REPRESENTS SIDE OF WALL TO RECEIVE RESILIENT MTL CHANNELS, WHERE APPLICABLE.
- NEW CMU WALL



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DEWITT, MI 48820
517-668-5015
WWW.ARENSARCH.COM

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IF PROVIDED FOR ADDITIONAL INFORMATION.



311 N CLINTON
INTERIOR & FACADE RENOVATION
311 N CLINTON AVE
ST JOHNS, MI 48879

PROJECT NO.: 21042
DATE: 04/15/22

REVISIONS:

NO.	DATE	DESCRIPTION

SHEET NO.:

A102

M E M O

TO: RANDY L. HUMPHREY
City Manager

RE: NORTH CLINTON AVENUE
ALLEY VACATION

FROM: PAUL A. MAPLES
City Attorney

DATE: SEPTEMBER 10, 1986

I have again asked First American Title Insurance Company to verify what portions of the existing alley behind the stores on the West side of the third block of North Clinton Avenue are preserved on the record. We have repeated our efforts in this regard since some interested persons at the initial City Commission hearing indicated all property owners in that block had joined in deeds granting to the City an easement and right-of-way behind their respective locations.

The result of this survey is exactly as we had previously been advised and as the City Engineer had drawn. In summary, I will attempt to verbally describe the City's right-of-ways, starting at the Northern point at what was the Odd Fellows Building.

There exists an eight (8) foot easement across the entire Western portion of the Odd Fellows property. The next building is Woodbury's Flower Shop and there is no easement whatever across that parcel. The next lot which was Pierson's Shoe Repair, and is now Domino's Pizza, has a narrow angulating easement, at the North end I would estimate about 4½ to 5 feet and at the South end of the lot, about 2 feet. The next two parcels which were Heathman's buildings, there is a very small angular parcel at the North end, the same 2 feet which triangularly disappears before the midpoint of the two former Heathman parcels. The next lot which is now Green's, has a full 16 foot easement, not across the Western most portion of the lot, but towards the East, however, it is a full 16 feet. The next parcel, now Ken's Longhorn Saloon,

has no easement whatsoever.

I have obtained good, legible copies of all the easements and the title insurance company has made its own drawing depicting these easements and how they lie. It is interesting to note that all easements bear the same legal description, i.e., lying within 8 feet either side of the following described line:

Commencing at the NW corner of said Lot 2, thence SW'ly to a point on the South line of Lot 4, said Block 3, 16 feet East from the SW corner thereof.

Consequently, the legal terminology sounds as though the easements should be 16 feet throughout the traveled portion. This is not the case since 8 feet either side of that described line is 8 feet on the lots in question and the Westerly 8 feet would be on Lots 13 or other adjoining lots. There are no easements from Lot 13.

Further, the line they have defined in the easements, 8 feet either side of the following described line, angles in a NE'ly or SW'ly direction as opposed to being due North and South; hence, the easements that are recorded are not full 8 feet on the Western portion of the lots. The reason the Green easement is a full 16 feet is the Green lot and Ken's Longhorn Saloon's lot are much longer lots East and West than those to the North.

Consequently, the City is left with very little easement to be concerned with; to reconstruct the easement and complete it, the City would have to acquire the additional 8 feet from Lot 13 at the North end and progressively more from Lot 13 as it proceeds South until at the end of Lot 13, the entire 16 feet of the easement would be located on that lot. The 8 feet would have to be obtained from Woodbury's and presumably the entire 16 feet would have to be obtained from Ken's Longhorn.

As the easement presently is used, the 16 feet even overlapped onto Lot 13 is used as an easement; however, I do not assume the City wishes to expend the funds to attempt to prove that easement and right-of-way by adverse possession.

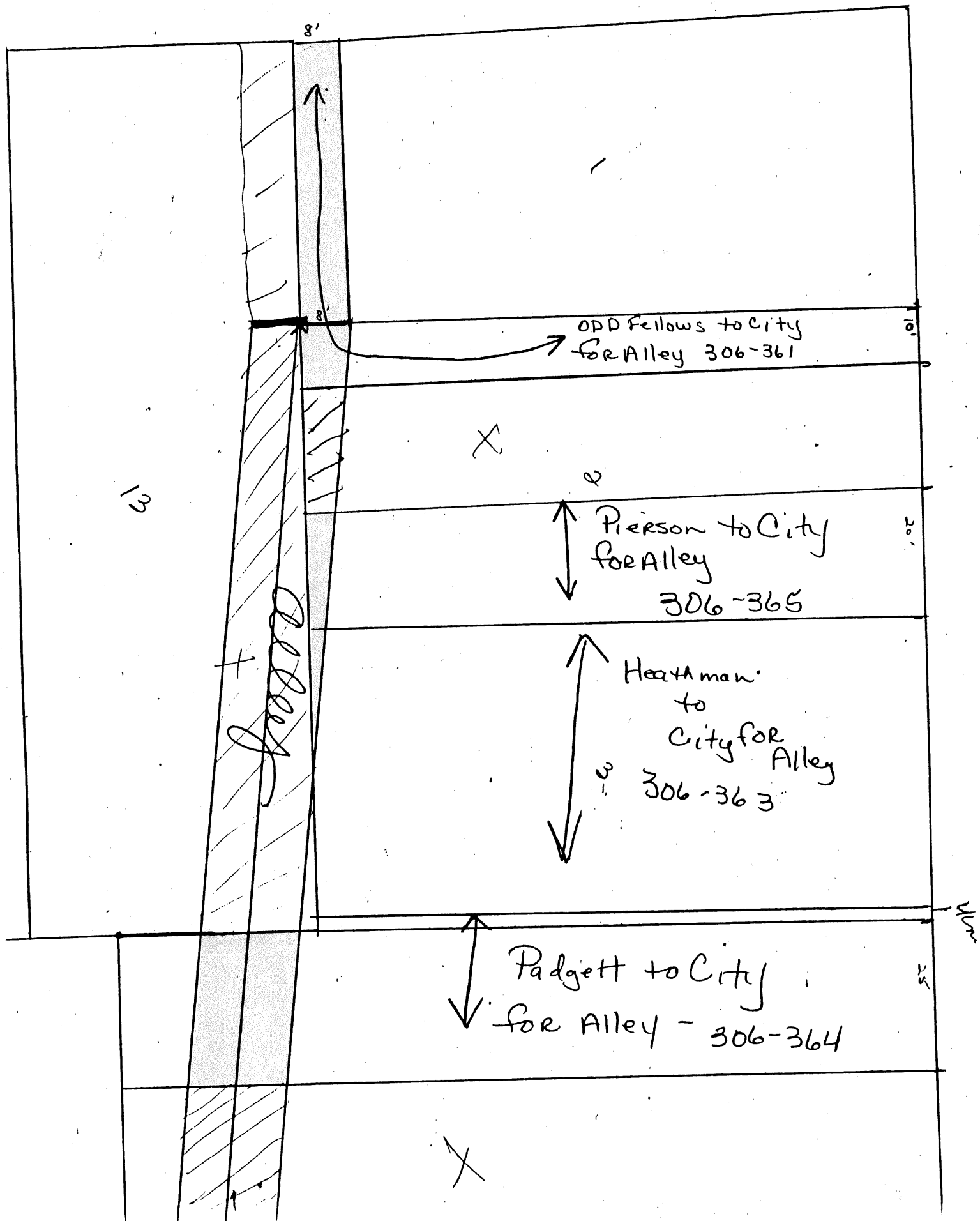
It would appear the owners of Lot 13 could simply terminate that use tomorrow of the bulk of this proposed easement if they so desired.

I trust the enclosed diagram and documents will better clarify the easement which does exist for the benefit of the City Commission when it considers this abandonment.

Respectfully Submitted

A handwritten signature in cursive script, appearing to read "Paul A. Maples", written over a horizontal line.

PAUL A. MAPLES, City Attorney



ORDINANCE NO. 365

RECORDED

AN ORDINANCE TO VACATE AN ALLEY OR RIGHT-OF-WAY WITHIN THE CITY LIMITS OF THE CITY OF ST. JOHNS, MICHIGAN.

Nov 19 3 21 PM '86
REGISTER OF DEEDS
CLINTON COUNTY, MICH.
D. D. Wickham

THE CITY OF ST. JOHNS ORDAINS:

Section 1. Vacation of Street or Alley Right of Way. The City Commission of the City of St. Johns hereby vacates such portion of a public alley and right-of-way being more particularly described as follows:

Those alleys or right-of-ways, located in Block 3, original plat, City of St. Johns, running North and South adjacent to and West of Lots 1, 2, 3, 4, and 5, Block 3, City of St. Johns, according to the the original plat thereof.

Section 2. Compliance with Charter. The City Commission, in adopting this Ordinance, certifies that a public hearing has been held after due notice to those persons entitled to receive notice, and that a Resolution declaring the City Commission's intent to vacate said alley or right-of-way and other provisions of the City Charter relative to vacating streets and alleys have been complied with; that notice of said public hearing was, pursuant to Charter, served upon persons entitled to receive such notice.

Section 3. Easement Retained. Notwithstanding the vacation of said street or alley right-of-way, the City of St. Johns retains for and unto itself, for the benefit of the public, an easement under, over and across said vacated premises, for the installation, maintenance, and repair or any drain, sewer, water pipes, gas pipes, electric and telephone lines, and other essential public utilities, said easement being perpetual and unlimited unless hereinafter released and discharged by the City Commission.

Section 4. The effective date of this Ordinance shall be the 20th day after its passage.

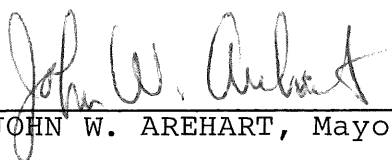
Adoption of the Ordinance was moved by Commissioner Starck and supported by Commissioner Munger.


Yeas: Commissioners Arehart, Starck, Wiseman, Munger, Parr

Nays: Commissioners None


Absent: Commissioners None

PASSED, ORDAINED AND ORDERED PUBLISHED THIS 22ND DAY OF SEPTEMBER, A.D., 1986, BY THE CITY COMMISSION OF THE CITY OF ST. JOHNS AT A REGULAR MEETING HELD ON SAID DATE.


JOHN W. AREHART, Mayor


RICHARD L. COLETTA, City Clerk

I hereby certify that the above Ordinance was published in the Clinton County News on the 30th day of September, A.D., 1986.


RICHARD L. COLETTA, City Clerk

RESOLUTION OF INTENT
TO VACATE STREET AND ALLEY RIGHT-OF-WAY

Commissioner Munger offered the following Resolution and moved the adoption thereof, which Resolution was supported by Commissioner Starck.

The City Commission, as legislative body of the City of St. Johns, Michigan, pursuant to Section 21, Page 5, of the City Charter for the City of St. Johns, and pursuant to Michigan statutes, MSA 5.1808, MCL 102.3, hereby declares its intention to vacate and permanently close alleys within the city limits, of the City of St. Johns;

BE IT THEREFORE RESOLVED, the City Commission hereby declares its intention to vacate such portions of alley, right-of-way, platted alleys, or platted right-of-ways, which alleys or right-of-ways are commonly described and denoted as follows:

Those alleys or right-of-ways, located in Block 3, original plat, City of St. Johns, running North and South adjacent to and West of Lots 1, 2, 3, 4, and 5, Block 3, City of St. Johns, according to the original plat thereof.

BE IT FURTHER RESOLVED the City of St. Johns makes no warranty of any specific interest, title, or reservations in and to said properties, but resolves to vacate and abandon any interest they might have therein, except for reservations of utility right-of-ways, as set forth herein.

BE IT FURTHER RESOLVED that the City Manager be directed, pursuant to Section 21, Page 5 of the City Charter, and pursuant to statute cause notice of the Resolution of Intention to be served upon all interested parties as therein provided;

BE IT FURTHER RESOLVED that a public hearing shall be held on said vacation proceedings, Monday, September 22, 1986, at 7:45 p.m., in the City Commission Chambers of the Municipal Building in the City of St. Johns, Michigan.

Yeas: Arehart, Starck, Wiseman, Munger, Parr

Nays: None

Absent: None

RESOLUTION DECLARED CARRIED THIS 12TH DAY OF AUGUST, A.D., 1986.

I hereby certify that the above Resolution is an excerpt of the City Commission Meeting Minutes of said date.



Richard L. Coletta
City Clerk

NOTICE OF INTENT TO VACATE

NOTICE IS HEREBY GIVEN that the St. Johns City Commission intends to vacate such portions of alleys, right-of-ways, platted alleys or platted right-of-ways, which alleys or right-of-ways are commonly described as follows:

Those alleys or right-of-ways, located in Block 3, original plat, City of St. Johns, running North and South adjacent to and West of Lots 1, 2, 3, 4, and 5, Block 3, City of St. Johns according to the original plat thereof.

NOTICE IS FURTHER GIVEN that a public hearing will be held on September 22, 1986, at 7:45 p.m., in the Commission Chambers of the Municipal Building in the City of St. Johns, Michigan, at which time persons interested are welcomed to attend and give testimony in support, or in opposition to, said vacation proceedings.

CITY OF ST. JOHNS

Dated: August 12, 1986

By: 

RANDY L. HUMPHREY
CITY MANAGER

MEMO

TO: RANDY L. HUMPHREY
CITY MANAGER

RE: VACATION OF ALLEY - BLOCK 3
ORIGINAL PLAT

FROM: PAUL A. MAPLES
CITY ATTORNEY

DATE: AUGUST 5, 1986


Enclosed please find the proposed Resolution of Intent to vacate that portion of public alleys or right-of-ways we might own, immediately adjacent to Fred Green's property, as well as, the other properties in the same block downtown St. Johns.

You will notice I have not described the alley definitively, as I was not able to determine from a search at the title insurance company precisely what portions of each lot were reserved or retained by the City as right-of-ways. The only method to do so at this point in time would be to acquire an accurate survey of the block, which expense I assume the City is not anxious to assume.

We also discussed the possibility of potential liability on the City as a result of the inability to gain access for fire purposes. However, I do not feel this is a real fear.

The South end of the right-of-way was closed several years ago, and the alley or whatever remains of an alley is no longer a through area. Consequently, I do not anticipate a large exposure.

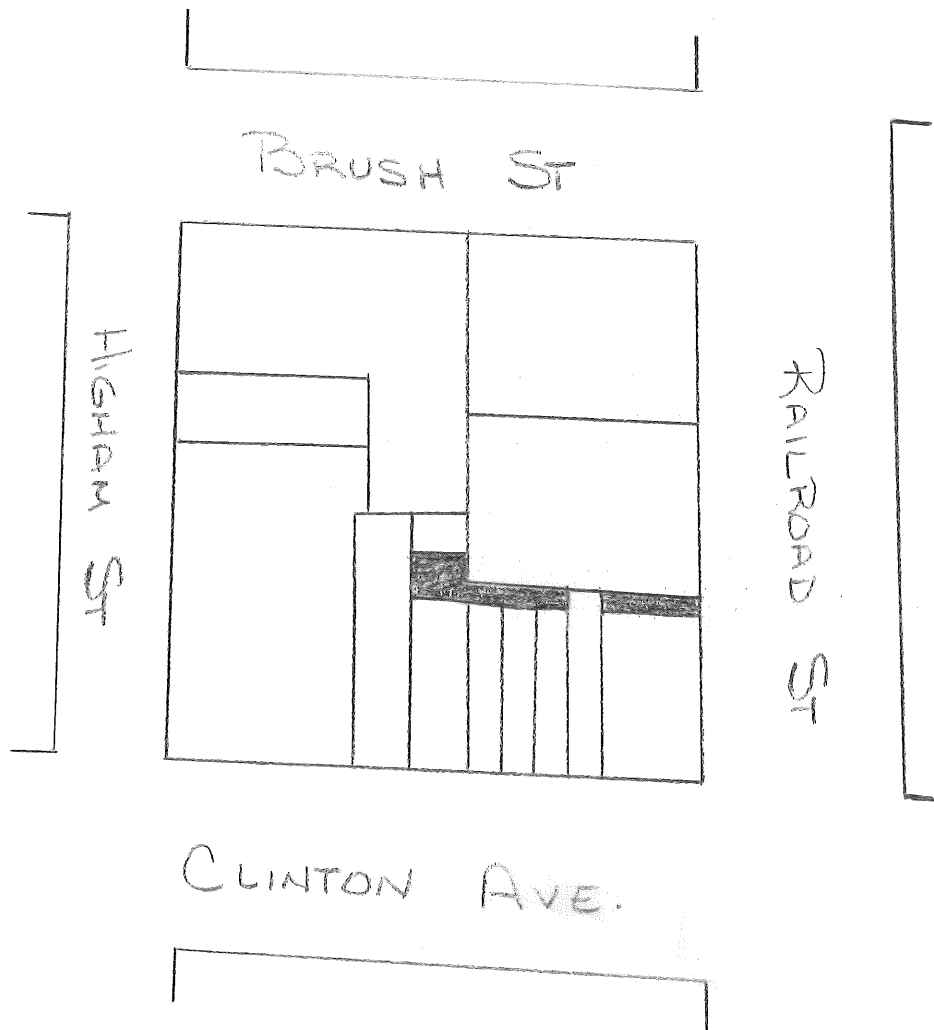
I have indicated the public hearing would be September 22nd, inasmuch as the statute requires us to publish the Notice of Intention for four (4) consecutive weeks prior to the hearing, and with the publication deadline occurring prior to the meetings expiration on August 11th. It would appear the four weeks consecutive publication cannot be satisfied in time for the September 8th meeting.



PAUL A. MAPLES
City Attorney

PAM:nm

300-000-003-001-00	-	323 N. Clinton Avenue AMS Development Company 109 Spring Street
300-000-003-002-00	-	321 N. Clinton Avenue Howard & Jean Woodbury
300-000-003-003-00	-	319 N. Clinton Avenue - Domino's Pizza - Joe VanRooyen 223 N. Clinton Avenue
300-000-003-004-00	-	315 N. Clinton Avenue Clinton County Senior Citizens
300-000-003-005-00	-	317 N. Clinton Avenue Scott N. Croisant - Central National Bank
300-000-003-006-00	-	313 N. Clinton Avenue Green Printing - Central National Bank
300-000-003-007-00	-	311 N. Clinton Avenue - H & H Lounge - Kenneth R. Morgan 45 Riemer Drive, Ionia, MI 48846
300-000-003-008-00	-	301 N. Clinton Avenue - Capitol Savings - Capitol Savings 112 E. Allegan, Lansing, MI 48933
300-000-003-009-00	-	108 W. Higham Street Bees Chevrolet-Oldsmobile 2100 South US-27
300-000-003-010-00	-	110 W. Higham Street Bees Chevrolet-Oldsmobile
300-000-003-011-00	-	109 W. Railroad Street Bees Chevrolet-Oldsmobile
300-000-003-012-00	-	107 W. Railroad Street Gerald Roberts - Central National Bank



Listing REALTOR®'s Email Address: _____

Listing REALTOR®'s Phone: _____

facsimile: _____

BUYER offers to purchase from SELLER the following:

1. **PROPERTY** situated in the City of MI Twp. of _____
County of Clinton Michigan,
located at: 311 N. Clinton Ave. St Johns 48879
and legally described as: _____
T7N R2W, CITY OF ST JOHNS, ORIGINAL PLAT BLK 3, S 1/2 OF LOT 4 AND N 6 1/2 FT OF LOT 5.
ALLEY VACATION ORD #365 1986.

MLS #(s) Non-List Permanent Parcel #(s): 300-000-003-007-00

Subject to any existing building and use restrictions, zoning ordinances, and easements, if any. The Property includes all buildings; GAS, OIL, AND MINERAL RIGHTS OWNED BY SELLER; all attached fixtures such as carpeting and linoleum; mirrors; complete lighting and fan fixtures; window treatment hardware/rods; window shades, curtains, and blinds; screens, storm windows and doors; stationary laundry tubs; heating and air conditioning equipment; water heater, water softener (unless rented), water pump and pressure tank; sump pump; satellite dish and controls; garage door opener and controls; attached work benches; all attached shelving; stationary outdoor grills; all support equipment for in-ground pools; detached storage buildings; fireplace doors and screens; built-in appliances; mail box; all plantings; underground sprinkling system, water pumps and timers; fences; awnings; basketball hoop; outdoor play equipment; fuel (unless metered) and fuel tanks (unless rented).

EXCEPTIONS OR ADDITIONS:

1. **All tenants will be evicted by close of sale. Any security deposits transfer to purchaser.**

2. **PRICE:** The purchase price will be \$ _____
(_____ Dollars)

3. **A. This offer**

☒ is **NOT** Contingent upon the Sale or Close of another property

☐ IS contingent upon the Sale and Close of _____

☐ IS contingent upon the Close of _____

SCHEDULE B, PART II
EXCEPTIONS

THIS COMMITMENT DOES NOT REPUBLISH ANY COVENANT, CONDITION, RESTRICTION, OR LIMITATION CONTAINED IN ANY DOCUMENT REFERRED TO IN THIS COMMITMENT TO THE EXTENT THAT THE SPECIFIC COVENANT, CONDITION, RESTRICTION, OR LIMITATION VIOLATES STATE OR FEDERAL LAW BASED ON RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, GENDER IDENTITY, HANDICAP, FAMILIAL STATUS, OR NATIONAL ORIGIN.

The Policy will not insure against loss or damage resulting from the terms and provisions of any lease or easement identified in Schedule A, and will include the following Exceptions unless cleared to the satisfaction of the Company:

1. Rights or claims of parties in possession not shown by the Public Records.
2. Any facts, rights, interests or claims not shown by the Public Records but that could be ascertained by an inspection of the Land or by making inquiry of persons in possession thereof of the Land.
3. Easements, claim of easements or encumbrances that are not shown in the Public Records and existing water, mineral, oil and exploration rights.
4. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title including discrepancies, conflicts in boundary lines, shortage in area, or any other facts that would be disclosed by an accurate and complete land survey of the Land, and that are not shown in the Public Records.
5. Any lien or right to lien for services, labor or material theretofore or hereafter furnished, imposed by law and not shown by the Public Records.
6. The lien, if any, of real estate taxes, assessments, and/or water and sewer charges, not yet due and payable or that are not shown as existing liens in the records of any taxing authority that levies taxes or assessments on real property or in the Public Records; including the lien for taxes, assessments, and/or water and sewer charges, which may be added to the tax rolls or tax bill after the effective date. The Company assumes no liability for the tax increases occasioned by the retroactive revaluation or changes in the Land usage or loss of any homestead exemption status for the insured premises.
7. Defects, liens, encumbrances, adverse claims or other matters, if any created, first appearing in the public records or attaching subsequent to the effective date hereof but prior to the date the Proposed Insured acquires for value of record the estate or interest or mortgage thereon covered by this commitment.
8. Building and Use restrictions and other covenants and conditions, but deleting any covenant, condition or restriction, indicating a preference, limitation or discrimination based on race, color, religion, sex, handicap, family status, or national origin to the extent such covenants, conditions, or restrictions violate 42 USC 3604(c), disclosed in instrument recorded in Liber 228, Page 90 and Liber 298, Page 543, Clinton County Records.
9. Rights of adjoining owners in a party wall, together with all liability that common use entails, as disclosed in the Deeds recorded in Liber 228, Page 90 and Liber 298, Page 543, Clinton County Records.
10. Easement in the vacated alley as evidenced by the instrument recorded in Liber 446, Page 212, Clinton County Records.
11. Terms, conditions, and provisions which are recited in the Joint Stairway Agreement as recorded on Liber 252, Page 39 and Liber 303, Page 626, Clinton County Records.
12. Rights of tenants now in possession of the land under unrecorded leases or otherwise.

This page is only part of a 2016 ALTA Commitment for Title Insurance. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I - Requirements; and Schedule B, Part II - Exceptions; and a countersignature by the Company or its issuing agent that may be in electronic form.

City of St. Johns, Michigan
DRAFT Ordinance – April 21, 2022

An Ordinance to Require Registration, Inspection, and Certification of Residential Rental Properties in the City of St. Johns

The St. Johns City Commission hereby enacts Ordinance No. _____, to be known as the “Rental Registration and Certification” Ordinance.

SECTION 1. A New Ordinance ____ shall be adopted, containing the following language:

- 1) **Title.** This Ordinance may be cited as the Rental Registration and Certification Ordinance of the City of St. Johns.
- 2) **Registration for Rental or Lease of Dwellings.** It shall be unlawful for an owner to rent or lease a dwelling for financial compensation, for any period of time, unless a registration certificate has been issued and maintained for the dwelling in the manner required by this chapter.
- 3) **Registration Procedures.** The City Commission shall establish, by resolution, the required fees for Registration, Certification, Inspection, Appeals, and other applications under this Ordinance, as well as the fines for non-compliance with this Ordinance. The City Commission shall also establish, by resolution, procedures and deadlines for initial Registration and Certification of Rental Dwelling Units under this Ordinance. The City Commission may establish a fee schedule that includes deadlines for Registration and/or Certification and higher fees or fines if those deadlines are not met.
 - a. **Notice to Non-100% PRE Residential Property Owners.** Prior to a date set by the City Commission by resolution, the City shall inform, in writing, the owners of all residential dwelling units that do not claim a 100% Principal Residence Exemption of the Rental Registration requirement.
 - b. **Application for Registration.** Following the written notice described in Subsection 3.a, any property owner renting or leasing a dwelling unit in exchange for financial compensation, for any period of time, shall be required to be registered. The City shall create a registration form and shall provide it to property owners upon request. The registration form, or another form to be included with the registration form, shall require such information as shall be determined by the public safety departments of the City. Once all required registration information is submitted for a given property, the property shall be placed on the Rental Registration List, which the City shall maintain.
 - c. **Inspection and Certification Requirement.** Prior to a date set by the City Commission by resolution, there shall be no inspection or certification requirement. All registration applications prior to that date shall be approved by the City, with the dwelling units listed in the application added to the Rental Registration List. After the date set by City Commission, all registered rental dwelling units must be in Good Standing under the Rental Inspection and Certification Program described in Subsection 4 in order to house tenants for any period of time.
 - d. **Conversion from Owner-Occupied to Rental.** No owner-occupied dwelling unit

shall be rented or leased for financial compensation for any period of time until the following requirements have been met.

- i. The Rental Registration Application must be submitted and the dwelling unit must be added to the Rental Registration List.
 - ii. The Principal Residence Exemption for the dwelling unit must be voided by the City Assessor.
 - iii. An Inspection as described in Subsection 3.b.iii must occur, and the dwelling must be Certified by the Inspector.
 - iv. All required fees must be paid.
- e. **Newly Created Rental Dwelling Units.** When a dwelling unit is newly constructed, or created through renovation, the City shall register the unit as a rental at the time of the issuance of a Certificate of Occupancy, unless the property owner submits a Principal Residence Exemption claim to the City Assessor. There shall be no fee for registering a newly created dwelling unit, provided that all required Zoning and Building Fees have been paid.
- f. **Removal from Rental Registration List.** If a property owner is approved for a Principal Residence Exemption, or otherwise demonstrates to the City that the dwelling unit is not being rented or leased, and is not being marketed for rental or lease (for any period of time), the property shall be removed from the Rental Registration List.

4) **Rental Inspection and Certification Program.** Beginning on a date to be set by the City Commission by resolution, it shall be unlawful for an owner to rent or lease a dwelling for financial compensation unless the dwelling unit is in “Good Standing” under the Rental Inspection and Certification program, as described below.

- a. **Good Standing.** A dwelling unit shall be considered in “Good Standing” if it meets the following criteria:
- i. A registration application has been submitted to the City and the dwelling unit is included on the Rental Registration List described in Subsection 3.
 - ii. The dwelling unit was Certified following an inspection of the building it is located within by the City, as described in Subsection 3.c-d within the previous three calendar years OR the building the dwelling unit is located within is scheduled for its first inspection under the Rental Inspection and Certification Program within the coming three calendar years.
 - iii. All required fees have been paid.
- b. **Inspection Requirement.** The owners of all dwelling units listed in the Rental

Registration List shall make their dwellings available for inspections by the City once in every third calendar year.

- i. After a date to be set by the City Commission by resolution, the City shall divide the buildings containing dwelling units on the Rental Registration List into three Groups, and shall notify property owners of the Group each building has been assigned to.
 1. Group 1 shall be inspected in a year to be established by the City Commission by resolution, and each subsequent third year, for as long as any dwelling units in the building remain on the Rental Registration List.
 2. Group 2 shall be inspected in the year after Group 1, and each subsequent third year, for as long as any dwelling units in the building remain on the Rental Registration List.
 3. Group 3 shall be inspected the year after Group 2, and each subsequent third year, for as long as any dwelling units in the building remain on the Rental Registration List.
- ii. Newly created residential buildings containing dwelling units shall be added to the Group that will be inspected in the third calendar year following the issuance of their Certificate of Occupancy.
- iii. Fully or partially owner-occupied buildings that are converted to rentals shall be subject to the requirements of Subsection 3.e and must be inspected and certified prior to any tenants occupying the dwelling unit. Once certified, the buildings shall be added to the Group that was inspected in the calendar year that it was certified, and shall be inspected in each subsequent third year.
- iv. **Number of Units Inspected Per Building.** For each building to be certified, the following number of units shall be inspected during each regularly scheduled inspection. When calculating the required number of units, fractional units shall always be rounded up. The Inspector shall choose the units to inspect at random, and shall not inform the property owner in advance which units will be chosen for inspection. Additionally, if the building contains a basement dwelling unit, the basement dwelling unit must be one of the units inspected during every regularly scheduled inspection of the building.
 1. **Buildings with 4 or Fewer Units:** All units in the building.
 2. **Buildings with 5-10 Units:** 50% of the units in the building, minimum of 4 units.
 3. **Buildings with 11 or More Units:** 25% of the units in the building, minimum of 5 units.

v. **Complaint-Based Supplemental Inspections.** A tenant may request a supplemental inspection of their unit at any time. In the event of a request for a supplemental inspection, the inspection shall take place within 60 days using the process and criteria described in Subsections c and d.

1. Only the unit of the tenant making the request shall be inspected.
2. If the unit passes the inspection, then the property owner shall be refunded 50% of the inspection fee.
3. The regularly scheduled inspections on the three year cycle described in Subsection b.i shall be unaffected by a request for a supplemental inspection.

c. **Certification Criteria.** The Planning Commission shall develop and adopt a list of inspection criteria. The list shall include “Life Safety” requirements that directly impact the life, safety, and welfare of the tenants, and “Quality of Life” requirements that do not impact safety, but are important for the comfortable enjoyment of the unit by the tenant. In order to be Certified, a unit must comply with all Life Safety requirements, and at least 80% of the Quality of Life requirements. The Planning Commission shall review the inspection criteria on an annual basis and make adjustments to the list as necessary.

d. **Rental Certification Determination and Outcome.**

- i. **Good Standing.** If all of the Life Safety criteria and 80% of the Quality of Life criteria are met, in the opinion of the inspector, the City shall issue a Rental Certification Certificate to the building and shall designate the building as in “Good Standing” on the Rental Registration List. The criteria shall not be cumulative among units, but shall apply to each unit individually.
- ii. **Failure to Meet Criteria.** If ANY of the Life Safety criteria OR more than 20% of the Quality of Life criteria, are not met, in the opinion of the inspector, for any inspected dwelling unit, the inspector shall instruct the owner to make the necessary improvement within 7 days (for Life Safety issues) or 30 days (for Quality of Life issues). The property owner may choose which Quality of Life improvements to make to bring the unit up to 80% compliance. If the inspector determines that the work may reasonably take longer than that, the inspector may designate a different deadline. The inspector shall schedule a re-inspection on or soon after the deadline. If the improvements are made by the deadline, the City shall issue the Rental Certification Certificate and designate the building as in “Good Standing” on the Rental Registration List.
- iii. **Failure to Meet Improvement Deadline.** If required improvements are

not made by the deadline designated by the inspector, then the owner of the property shall be fined an amount to be set by the City Commission by resolution, and a new deadline shall be set for completion of the improvements. If that deadline is also missed, the owner of the property shall be fined double the amount of the first fine, a new deadline shall be set, and the City Attorney may begin proceedings to remove the tenants. Any further missed deadlines shall result in a fine of four times the amount of the first fine.

- e. **Appeals.** If an inspection requires improvements, the property owner may, within 21 days of receiving the inspection report, appeal the inspector's determination to the Planning Commission.
- i. The fee for the appeal shall be set by the City Commission by resolution.
 - ii. Filing the appeal shall stay any deadline imposed by the inspector until after the Planning Commission hearing.
 - iii. The Planning Commission hearing shall take place no more than 60 days after the appeal is filed with the City.
 - iv. The Planning Commission shall hear evidence from both the inspector and the property owner, and shall either determine that the inspector's required improvement to the property is not necessary, or shall order the improvement completed, setting a new deadline under Subsection 3.d.ii.. In order for the Planning Commission to determine that an improvement is not necessary, both of the following criteria must be met:
 - 1. The existing condition of the dwelling unit does not threaten the life, health, or safety of the tenant.
 - 2. The improvement is not possible due to historic preservation requirements, potential damage to other parts of the unit or other dwelling units, or potential long term deterioration of the unit due to the impacts of the required improvement.
 - v. The outcome of re-inspection of a unit to determine if improvements required by an inspector or the Planning Commission have been satisfactorily completed may not be appealed to the Planning Commission. The ordered improvements must be completed to the satisfaction of the inspector.
 - vi. A determination by the Planning Commission that an improvement is not necessary shall not exempt the unit from the requirement to comply with that improvement at the next regularly scheduled inspection. However, the Planning Commission ruling shall exempt the unit from the requirement during any Supplemental Inspections.

SECTION 2. Repealer Clause

All Ordinances or parts of Ordinances in conflict herewith are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

SECTION 3. Savings Clause

This Ordinance shall in no manner affect pending litigation, either civil or criminal, founded or growing out of any Ordinance, Resolution, Order or parts hereof, hereby repealed, and this Ordinance shall in no manner affect any rights, claims, privileges, immunities or causes of action of the City, or other person, either criminal or civil, that may have already occurred, accrued or grown out of any Ordinance, Resolution, Order or policy, or any part thereof, hereby repealed.

SECTION 4. Validity and Severability

Should any portion of this Ordinance be found invalid for any reason, such a holding shall not be construed as affecting the validity of the remaining portions of this Ordinance.

SECTION 5. Effective Date

This Ordinance shall be effective seven (7) days from and after its adoption by the City of St. Johns City Commission and after its publication.

Eric Hufnagel, Mayor

Mindy Seavey, City Clerk



RENTAL HOUSING INSPECTION CHECKLIST **(BASIC REQUIREMENTS FOR CERTIFICATE OF COMPLIANCE)** **(UPDATED 3-7-22)**

INSPECTION STANDARD	LIFE SAFETY	QUALITY OF LIFE	Comments
ALL ROOMS			
The unit is free of any exposed wiring	X		
All of the electrical and switch covers are present, secure, and free from cracks		X	
At least one (1) window per room shall be easily openable and capable of being held in position by window hardware.	X		Language made more specific.
All windows shall be kept in sound condition, good repair, and weather tight. Glazing materials shall be maintained free from cracks and holes. Every window other than a fixed window, shall be easily openable and capable of being held in position by window hardware.		X	
All windows on the ground level shall be provided with locks sufficient to provide security for the occupants and property within.		X	
Doors or hatchways on the ground level shall be provided with locks sufficient to provide security for the occupants and property within.		X	
All ceilings are sound and intact, and free from structural damage. Cracked or loose plaster, decayed wood or other defective surface condition shall be corrected.		X	Added list of specific problems to replace "defects." Reference to paint removed to focus on structural issues, rather than cosmetic ones.
All floors are sound, intact, and free from trip hazards or holes. Decayed wood or other defective surface condition shall be corrected.		X	Added list of specific problems to replace "defects." This also consolidates two different floor standards.
All walls are sound, intact, and free from structure damage. Cracked or loose plaster, decayed wood or other defective surface condition shall be corrected.		X	Added list of specific problems to replace "defects." Reference to paint removed to focus on structural issues, rather than cosmetic ones.
All closet doors are hung properly so that they do not fall. and have the proper hardware.		X	
All rooms are free of inadequate maintenance, dilapidation, decay, damage, faulty construction, mold growth, or other condition that renders the room likely to cause injury or disease.	X		Replaced broad "hazardous features" with a more specific list. Switched this to a "life safety" issue.

GENERAL REQUIREMENTS		
A working smoke detector is installed on each level of the dwelling unit and in each bedroom	X	
When gas-fired appliances are used, carbon monoxide detectors are installed on each level of the dwelling unit	X	
Dwelling units are free of pests, insects, rodents, and vermin.	X	
Dwelling units are free from the accumulation of garbage and debris.		X
A handrail needs to be present when there are four (4) or more risers on the exterior or interior of the unit.	X	
Guardrail openings must be 4" or less and are required where stairs or a drop is greater than 30".		X
All stairwells (interior and exterior) must be free from loose, broken, or missing steps. Stairwells will be reviewed for visual evidence of structural failure or lack of structural integrity. Every handrail and guard shall be firmly fastened and capable of supporting normally imposed loads and shall be maintained in good condition.	X	
The dwelling unit is free from air pollutants (mold, sewer gas, natural gas, etc.)	X	
All inoperable appliances have been removed from the dwelling unit		X
All elevators have up-to-date certifications	X	
A safe, continuous, and unobstructed path of egress exists from any point in a building to the public way.	X	
Indoor storage is safe and sanitary; does not block doors, windows, or stairways.		X
No flammable liquids, such as gasoline or propane, are stored inside.	X	

Comment suggested this could be a tenant problem, not a landlord problem, which is true. However, this is an example of how these inspections can protect landlords, by drawing their attention to a tenant that has created unsanitary conditions. No changes proposed.

Added specific language about handrail structural integrity.

Comment suggests that this standard should have a caveat for a "verified plan and timetable for repair." We disagree. The process for correcting violations already allows for an inspector and landlord to agree on a reasonable timetable for correcting issues.

Separated this item from the flammable liquids item, in order to make this item a "quality of life" issue. This is another area where we agree the tenant could be responsible, though we do not agree it should be removed from the list for that reason.

All utilities (water, gas, electric) are turned on. If they are not, the landlord must provide proof that the utilities are not included in the lease, and that the tenant has been made aware, in writing, that they are responsible for those costs.	X		Added language regarding potential tenant responsibility for this issue.
All units must be connected to the public sanitary sewer and water service in accordance with city standards	X		
KITCHEN			
The kitchen must have proper ventilation (hood vent or operable window), sufficiently close to the stove and oven to release steam and smoke out of the room.		X	Language added to more specifically state when this standard applies.
All kitchen appliances provided by the landlord must function properly		X	Comment suggests that this standard should have a caveat for a "verified plan and timetable for repair." We disagree. The process for correcting violations already allows for an inspector and landlord to agree on a reasonable timetable for correcting issues.
All basement bedrooms have at least one form of egress AND one emergency escape window with minimum dimensions of 20 inches by 24 inches	X		
The kitchen sink has sufficient plumbing connections to provide hot and cold running water, are free of leaks, and drain		X	Comment suggests that a landlord should not fail because a tenant has not paid a bill and has water shut off. We agree. However, insufficient plumbing would be a landlord issue, and we have edited this standard to specifically apply to that.
HEATING EQUIPMENT/AIR CONDITIONING			
All heating equipment is capable of maintaining 68 degrees without the use of space heaters	X		
The unit is free from unvented fuel burning space heaters or any other unsafe heating conditions		X	
All window air conditioning units are secure	X		
All vents and ductwork are installed and maintained in working order, free from obstructions, leaks, or defects		X	
If the furnace is located in a closet, the doors need to be vented.		X	Removed outright prohibition on furnaces in "bedroom closets"
BATHROOMS			
The toilet operates, is secure to the floor, and free of leaks		X	

The sink, washbasin, and shower must have sufficient plumbing connections to provide hot and cold running water, be free of leaks, and drain		X	Comment suggests that a landlord should not fail because a tenant has not paid a bill and has water shut off. We agree. However, insufficient plumbing would be a landlord issue, and we have edited this standard to specifically apply to that.
Every bathroom must have proper ventilation (fan or operable window).		X	Removed the requirement that the fan be vented to the outside, as some older versions vent to attics.
All plumbing must be sealed		X	
All plumbing fixtures must be installed and maintained in working order, free from obstructions, leaks, or defects. Volume and water pressure sufficient for the intended use of the fixture must be supplied to ensure proper function of these fixtures.		X	Added additional clarity on how to determine "sufficient."
All toilets must have lids		X	
Basement toilets must be properly vented to the outside and enclosed for privacy		X	
All faucet fixtures must be in working condition		X	
WATER HEATER			
The water heater and associated piping is free from leaks or corrosion that is likely to create leaks in the near future.		X	Added additional clarity on how to determine whether corrosion is severe enough to cause a failure on this item.
The pressure relief valve is free from leaks and has a discharge pipe that extends approximately six inches from the floor		X	
All flame shields (cover plates) are in place and properly installed	X		
The flue pipe is installed and properly sealed		X	
LAUNDRY ROOM			
The dryer is installed and vented per manufacturer specifications. If manufacturer specifications are not available, the inspector shall use their best judgement regarding installation procedures.	X		Added language regarding what happens if manufacturer specifications are not available.
The laundry area is free of accumulation of lint and debris sufficient to cause a fire hazard.		X	Language added to determine how much debris is too much. This is another area where the inspection may alert a landlord to a tenant problem.
EXTERIOR OF BUILDING			
Private electric service lines are free from hazards (i.e. tree limbs)	Checked but not used for Life Safety or Quality of Life determination		

All exterior vents must have operable vent hoods free from debris or damage		X
All gutters and downspouts are functional and secured		X

City of St. Johns, Michigan
DRAFT Resolution – May 4, 2022

An Resolution to Establish the Procedures, Fines, Fees, and Deadlines for the Rental Registration and Certification Program established under Ordinance No. ____.

The St. Johns City Commission hereby enacts the following resolution:

SECTION 1. The following procedures, fines, and fees and deadlines shall apply to the Rental Registration and Certification Program established under Ordinance No. ____.

- 1) **Notice to Non-100% PRE Residential Property Owners.** Within 90 days following the adoption of Ordinance No. _____, the City shall inform, in writing, the owners of all residential dwelling units that do not claim a 100% Principal Residence Exemption of the Rental Registration requirement.
- 2) **Application for Registration.** The City shall create a registration form and shall provide it to property owners upon request. The application form shall require the following information.
 - i. Address of the Property
 - ii. Property ID Number
 - iii. Number of Dwelling Units on the Property
 - iv. Address, Phone Number, and Email Address for the Property Owner
 - v. Address, Phone Number, and Email Address for the primary property manager, if different from the owner.
 - vi. Signature of the Owner
- 3) **Inspection and Certification Requirement.** Prior to October 1, 2022, there shall be no inspection or certification requirement to register under Ordinance No. _____. All registration applications prior to that date shall be approved by the City, with the dwelling units listed in the application added to the Rental Registration List described in Ordinance No. _____. After September 30, 2022, all registered rental dwelling units must be in Good Standing under the Rental Inspection and Certification Program described in Ordinance No. _____ in order to house tenants for any period of time.
- 4) **Registration Deadlines and Fee Schedule.**
 - a. Registration shall begin on July 1, 2022.
 - b. From July 1, 2022 to July 31, 2022, there shall be no fee to register a dwelling unit that existed and was rented or leased for financial compensation prior to July 1, 2022.
 - c. From August 1, 2022 to August 31, 2022, there shall be a \$100 fee to register a dwelling unit that existed and was rented or leased for financial compensation prior to July 1, 2022.
 - d. From September 1, 2022 to September 30, 2022, there shall be a \$200 fee to register a dwelling unit that existed and was rented or leased for financial compensation prior to July 1, 2022.

- e. After September 30, 2022, there shall be a \$300 fee to register a dwelling unit.
 - f. Once a dwelling unit is registered, the owner shall not be required to register again, and shall not be required to pay additional registration fees, provided that the dwelling unit remains in Good Standing under the Rental Inspection and Certification Program described in Ordinance No. _____. Fees for Inspection and Certification shall apply as described in Subsection 8.
- 5) **Rental Inspection and Certification Program Start Date.** Beginning on July 1, 2022, it shall be unlawful for an owner to rent or lease a dwelling for financial compensation unless the dwelling unit is in “Good Standing” under the Rental Inspection and Certification program, as described in Ordinance No. _____.
- 6) **Inspection Schedule.** The owners of all dwelling units listed in the Rental Registration List shall make their dwellings available for inspections by the City once in every third calendar year. After September 30, 2022, the City shall divide the buildings containing dwelling units on the Rental Registration List into three Groups, and shall notify property owners of the Group each building has been assigned to.
- a. Group 1 shall be inspected in 2022, 2025, 2028, and each subsequent third year, for as long as any dwelling units in the building remain on the Rental Registration List.
 - b. Group 2 shall be inspected in 2023, 2026, 2029, and each subsequent third year, for as long as any dwelling units in the building remain on the Rental Registration List.
 - c. Group 3 shall be inspected in 2024, 2027, 2030, and each subsequent third year, for as long as any dwelling units in the building remain on the Rental Registration List.
 - d. Newly created residential buildings containing dwelling units shall be added to the Group that will be inspected in the third calendar year following the issuance of their Certificate of Occupancy.
 - e. Fully or partially owner-occupied buildings that are converted to rentals shall be subject to the requirements must be inspected and certified prior to any tenants occupying the dwelling unit. Once certified, the buildings shall be added to the Group that was inspected in the calendar year that it was certified, and shall be inspected in each subsequent third year.
- 7) **Failure to Meet Improvement Deadline.** If required improvements are not made by the deadline designated by the inspector, then the owner of the property shall be fined \$1,000, and a new deadline shall be set for completion of the improvements. If that deadline is also missed, the owner of the property shall be fined \$2,000, a new deadline shall be set, and the City Attorney may begin proceedings to remove the tenants. Any further missed deadlines shall result in a fine of \$4,000.
- 8) **Fee Schedule for Inspections and Certifications.** The following fees shall be required at

the time of inspection for all buildings. No Rental Certification Certificate shall be issued unless all required fees have been paid.

a. First Inspection: \$175 per dwelling unit inspected.

b. Re-Inspections (as necessary under Ordinance No. _____): \$50 per re-inspection

9) **Fee for Appeals.** The fee for an appeal as described in Ordinance No. _____ shall be \$100.

10) **Revisions.** The provisions of this resolution may be altered by a subsequent resolution of the City Commission.

SECTION 2. Effective Date

This Resolution shall be effective on the same date as Ordinance No. _____.

Eric Hufnagel, Mayor

Mindy Seavey, City Clerk



MEMORANDUM CITY OF ST. JOHNS

To: City Planning Commission

From: Dave Kudwa, City Manager

Date: May 6th, 2022

Subject: Downtown parking plan

Memo objective:

To have the planning commission review the proposed downtown parking plan

We've been working to develop a parking plan that manages the quantity, location, and enforcement of public parking in the central business district.

As you know, this project is more complicated than it appears especially since each street, each block, is unique from the others. We feel this proposal adds parking capacity by expanding areas for on-street, overnight parking.

Proposal highlights (Phase I)

Permit Structure

Tier 1: \$750 annually, allows parking in designated spaces on Clinton Avenue, public parking lots, and designated on-street parking areas.

Tier 2: \$500 annually, allows parking in public parking lots and designated on-street parking areas (including the fifth block of Clinton Avenue).

Tier 3: \$100 annually, allows parking in designated on-street parking areas only.

Permit Revenue: Permit revenue would be assigned to a budget line item dedicated to downtown parking lot improvements.

Public parking lots: Currently, short-term parking (less than 2 hours) is allowed in the public parking lots along with permitted overnight parking. The new plan would require permits at all times.

Clinton Avenue:

The daily use of Clinton Avenue will remain the same with a 2-hour parking limit. However, six spaces per block would be added for overnight parking with a Tier 1 permit. This would allow 18 spaces in the first three blocks of Clinton Avenue to be used for this purpose. However, these spaces could still be used during the day for local shoppers in the same way they've been used in the past.

The fifth block of Clinton Avenue (Ross to Steel) would differ slightly from the first three blocks by allowing overnight parking. Tier 3 parking passes would still be required for these spaces.

Walker Street and Higham Street (Spring to Brush)

The use of these spaces would not change (short-term parking during the day, no overnight parking).

Spring Street and Brush Street (State Street to Railroad Street)

Select parking spaces in the second and third blocks of these streets would allow on-street, overnight parking (see included map-Tier 3 permit). Daily use would remain the same.

Railroad Street (Brush to Oakland), Oakland Street (near Railroad Street)

Select parking spaces would allow on-street, overnight parking (see included map-Tier 3 permit). Daily use would remain the same.

Wilson Center (adjacent streets – Cass, Clinton, McConnell, Church)

On-street, overnight parking would be allowed but only adjacent to the building and with a Tier 3 permit.

PROPOSED DOWNTOWN PARKING PLAN

ON-STREET PARKING (OVERNIGHT PARKING ALLOWED)
OAKLAND STREET: 7 SPACES
SPRING STREET: 16 SPACES
DEPOT PARKING LOT: 17 SPACES
RAILROAD STREET: 44 SPACES
CLINTON AVENUE: 18 SPACES (FIRST THREE BLOCKS), 14 SPACES (FIFTH BLOCK)
BRUSH STREET: 10 SPACES

TOTAL: 112 SPACES

WILSON CENTER PARKING (OVERNIGHT PARKING ALLOWED)
CASS STREET: 26 SPACES
CHURCH STREET: 10 SPACES
MCCONNELL STREET: 36 SPACES
CLINTON AVENUE: 17 SPACES

TOTAL: 89 SPACES

PARKING FEES:
CLINTON AVENUE (OVERNIGHT—FIRST THREE BLOCKS): \$750 ANNUALLY
CITY PARKING LOTS (PERMIT PARKING ONLY): \$500 ANNUALLY
DESIGNATED ON-STREET SPACES: \$100 ANNUALLY
(BRUSH/SPRING/RAILROAD/OAKLAND/CLINTON—FIFTH BLOCK)
DESIGNATED ON-STREET SPACES—WILSON CENTER: \$100 ANNUALLY
(CASS/CHURCH/CLINTON/MCCONNELL)

PARKING TIME LIMITS
CLINTON AVENUE — NO CHANGE FOR DAYTIME PARKING (OVERNIGHT PARKING IN DESIGNATED SPACES ONLY)
WALKER/HIGHAM — NO CHANGE FOR DAYTIME PARKING
SPRING/BRUSH/RAILROAD/CLINTON (FIFTH BLOCK) — NO CHANGE FOR DAYTIME PARKING (OVERNIGHT PARKING ALLOWED)
PARKING LOTS — PERMIT PARKING ONLY

