

**City of Wyandotte Review Policy for Building Rehabilitation Under the
Obsolete Property Rehabilitation Act,
P.A. 146 OF 2000, as amended**

Engineering and Building Department - City of Wyandotte
Adopted by the Mayor and City Council on May 7, 2001

This review policy serves as a general guide to the establishment of an Obsolete Property Rehabilitation District and outlines the criteria used by the City of Wyandotte to review applications for an Obsolete Property Rehabilitation Exemption Certificate.

The Obsolete Property Rehabilitation Act, Public Act 146 of 2000, as amended, should be reviewed for a full understanding of the administration of the Act and its requirements.

I. Establishing an Obsolete Property Rehabilitation District

- A. Upon submittal of a written request to the City Council to establish a single property district, the applicant must submit documentation from a licensed builder or other qualified professional that the commercial or commercial housing property is “blighted” or “functionally obsolete,” as defined in the Act. If the application is to establish a district for a commercial or commercial housing property that is a “facility,” as defined in the Act, documentation from an environmental scientist or other qualified professional is required. The City of Wyandotte may concur with the findings of said documentation or they may make their own inspection of the building and/or property. The applicant will be responsible for any required inspection fees or other costs incurred by the City. A recommendation will be forwarded to the City Council for consideration regarding the adoption of the single property Obsolete Property Rehabilitation District.
- B. A district may also be established when fifty-percent (50%) of the property owners of a certain location file a written request to the City Council for establishment of the district. In this case, no documentation is necessary to establish the district. However, when an application for an exemption certificate is received, documentation from a qualified professional will be required determining that the commercial or commercial housing property is blighted, functionally obsolete or a facility. A City inspection may be necessary to verify whether the commercial or commercial housing property is blighted, functionally obsolete or a facility. The applicant will be responsible for any required inspection fees or other costs incurred by the City.
- C. In the instance that the City Council establishes a district upon their own initiative, no such documentation will be necessary for the purpose of establishing the district. However, when an application for an exemption certificate is received, documentation from a qualified professional will be required and a City inspection may be necessary to verify whether the commercial or commercial housing property is blighted, functionally obsolete or a facility. The applicant will be responsible for any required inspection fees or other costs incurred by the City.
- D. A public hearing will be held for each district to be established, whether by City Council initiative or upon request of the building owner(s).

II. Criteria for Issuing an Exemption Certificate Criteria

- A. Once a district is established, an application for an exemption certificate may be obtained at the City of Wyandotte’s Engineering and Building Department. State Tax Commission Form 3674 must be used. Applications must be reviewed with the City Engineer or his designee to ensure an application is complete

and includes all required information, i.e. application materials, building elevations, etc. After said review, completed applications will be submitted to the Clerk to place on the City Council agenda.

- B. After a complete application is submitted, the City Council, not more than 60 days after receipt of the application by the City Clerk, shall by resolution either approve or disapprove the application. The Obsolete Property Rehabilitation Review Committee (the Committee) will meet as needed to discuss each application and determine the recommended length of an exemption certificate. The Committee shall consist of the City Engineer, Community Development Coordinator and the Director of Museums.
- C. The Committee will take into consideration the type of rehabilitation, the length of time of the certificate requested, and ensure that the requirements within P.A. 146 of 2000 are followed, which include:
 - (1) Commencement of rehab does not occur prior to establishment of the district.
 - (2) When completed, the rehab program shall constitute a rehabilitated facility within the district.
 - (3) Have the likelihood to accomplish one or more of the following:
 - a. Increase commercial activity
 - b. Create employment
 - c. Retain employment/prevent employment loss
 - d. Revitalize urban areas
 - e. Increase number of residents in the community
 - (4) The applicant states, in writing, that the rehabilitation of the facility would not be undertaken without the applicant's receipt of the exemption certificate.
 - (5) The applicant is not delinquent in the payment of any taxes or fees related to the facility.

The Committee will also recommend to City Council the length of an exemption certificate. The length of the exemption certificate recommended to Council will be based on: (1) how well the rehabilitation accomplishes one or more of the requirements of the Act; and (2) the degree to which the proposed rehabilitation plans follow the standards outlined in the City's Architectural Review Policy (see Section III). The Committee may recommend tax abatement for up to twelve (12) years.

The recommendations of the Committee will be forwarded to City Council for approval. A public hearing will be held regarding each rehabilitation application prior to City Council consideration. Upon City Council approval of an application for a tax exemption certificate, the application and resolution of approval will be forwarded to the State Tax Commission for final approval and certificate issuance. A resolution is not effective unless approved by the State Tax Commission.

- D. The City Council may, by resolution, revoke an exemption certificate of a facility if:
 - (1) It finds that the completion of the rehabilitation of the facility has not occurred within the time authorized in the exemption certificate or a duly authorized extension of that time; OR
 - (2) It finds that the holder of the certificate has not proceeded in good faith with the operation of the facility in a manner consistent with the purposes of the Act.

III. Architectural Review Policy

- A. Purpose. Assuring that future improvements fit the architectural character of existing commercial areas, particularly within the Central Business District and the Downtown Development Area, is a major goal of the City's Master Plan for Future Land Use, adopted in 1994. The City of Wyandotte has prepared the following standards regulating the construction, addition, alteration and repair of buildings, structures and properties requesting inclusion within an Obsolete Property Rehabilitation District and applying for an Obsolete Property Rehabilitation Exemption Certificate. For properties rehabilitated under this Act, it is the intent of the City to establish said standards to protect the public health, safety and general welfare, as well as the social and economic well being of the community. More specifically, the purpose of this policy is to:
- (1) Encourage and direct development within the City, particularly within the Downtown Development Area and the Central Business District.
 - (2) Encourage a form of development that will achieve the physical qualities necessary to maintain and enhance the economic vitality of downtown Wyandotte and the surrounding community.
 - (3) Encourage and ensure that all construction activity and site improvements are compatible with their context and the desired character of the City.
 - (4) Promote the preservation and restoration of architecturally significant buildings and ensure that improvements are compatible with and enhance the City's character.
- B. Scope. The requirements of this policy shall apply to all properties included within an Obsolete Property Rehabilitation (OPRE) District and for which an Obsolete Property Rehabilitation Exemption Certificate is requested. This policy may also be used to guide development and redevelopment in areas not included within an OPRE District, but require the City's participation or special consideration, including, but not limited to, the following: properties rezoned to PD Planned Development District or a use requiring Site Plan Review by the Planning Commission.
- C. Administration. The Obsolete Property Rehabilitation Review Committee (the Committee) is hereby established as an administrative body whose purpose is to review applications for compliance with the Act and the standards contained in this review policy. The Committee shall prepare a written recommendation to City Council on every Obsolete Property Rehabilitation Exemption Certificate, including the recommended length of the exemption certificate and the basis for said recommendation. The Committee shall consist of the City Engineer, Community Development Coordinator and the Director of Museums.
- D. Design Review Standards. The Committee shall apply the following standards for rehabilitation in a reasonable manner, taking into consideration economic and technical feasibility. These standards are based on the U.S. Secretary of the Interior's Standards for Rehabilitating Historic Buildings, but have been revised to address construction activity on both historic and non-historic structures.
- (1) The architectural value and significance of the building and its relationship to the historic value of the surrounding area.
 - (2) The relationship of any architectural features of the building to the rest of the building and to the surrounding area.
 - (3) The general compatibility of the design, arrangement, texture, and materials proposed to be used.
 - (4) Other factors, such as aesthetic value, that the Committee finds relevant. These factors may include, but are not limited to, the following elements: masonry; wood; architectural metals; windows; roof design and materials; entrances and porches; traditional storefront design elements; structural systems; and mechanical systems.

- (5) The distinguishing original qualities or character of a building, structure, or site and its environment shall not be destroyed. The removal or alteration of any distinctive architectural features or materials should be avoided when possible.
- (6) All buildings, structures, and sites shall be recognized as products of their own time.
- (7) Changes that may have taken place over the course of time are evidence of the history and development of a building, structure, or site and its environment. These changes may have acquired significance in their own right, and this significance shall be recognized and respected.
- (8) Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a property shall be treated with sensitivity.
- (9) Deteriorated architectural features shall be repaired rather than replaced, wherever possible. In the event replacement is necessary, the new material should match the material being replaced in composition, design, color, texture, and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplications of features, substantiated by historic, physical, or pictorial evidence rather than on conjectural designs or the availability of different architectural elements from other building or structures.
- (10) The surface cleaning of structures shall be undertaken with the gentlest means possible. Sandblasting and other cleaning methods that will damage the building materials shall not be undertaken.
- (11) The design for new construction, additions, exterior alterations, or other related new construction shall be differentiated from any historic structure but shall be compatible with the massing, size, scale, color, material, architectural features and character of adjoining properties and the surrounding area.

E. Design Review Procedures

Information Required. Depending upon the nature and scale of the proposed activity, any or all of the following information may be required for a review by the Committee: architectural plans, site plans, landscaping plans, proposed signs and appropriate detail as to character, proposed exterior lighting arrangements, elevations of all portions of the building and indications as to construction materials, design of doors and windows, ornamentation, colors and the like, photographs or perspective drawings indicating visual relationships to adjoining structures and spaces, and such other exhibits and reports as are necessary.

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