

AGENDA

Committee on Development and Planning October 22, 2025 at 3:30 PM



Lansing City Hall, City Council Conference Room
124 W. Michigan Avenue, 10th Floor

To provide input or ask questions on any item that is listed on the agenda, members of the public may contact the City Council at city.council@lansingmi.gov or (517) 483-4177 prior to the meeting. To view the meeting live and participate in virtual public comment: <https://www.lansingmi.gov/1212/Council-Committee-Meetings>

Council Member Garza, Chairperson

Council Member Hussain, Vice Chairperson

Council Member Kost, Member

- 1. Call to Order**
- 2. Roll Call**
- 3. Minutes**
 - A. September 24, 2025
- 4. Public Comment on Agenda Items (Up to 3 Minutes)**
- 5. Discussion/Action:**
 - B. RESOLUTION - Appointment; Jeremy Matthews; Business Representative Member- South Martin Luther King Jr. Boulevard Corridor Improvement Authority Board; Term to Expire July 31, 2027
 - C. RESOLUTION - Set a Public Hearing; SLU-1-2025; Special Land Use Permit, 3011 Turner St., Authorizing a state-licensed adult foster care small group home
 - D. RESOLUTION - Appointment; Kris Klein; City Representative Member- Downtown Lansing Inc. Board; Term to Expire June 30, 2027
 - E. RESOLUTION - Set a Public Hearing; Obsolete Property Rehabilitation Act (OPRA) District; 1204 S. Washington Ave., Lil Rock Ventures, LLC
 - F. RESOLUTION - Set a Public Hearing; Obsolete Property Rehabilitation Act (OPRA) District; 414 Baker St., Maximillian Boortz
 - G. RESOLUTION - ACT-3-2025; Utility Easement; 2020 and 2600 E. Mount Hope Avenue for Consumers Energy
- 6. Other**
- 7. Adjourn**

Persons with disabilities who need an accommodation to fully participate in these meetings should contact the City Council Office at 517-483-4177 (TTY 711) 24 hour notice may be needed for certain accommodations. An attempt will be made to grant all reasonable accommodation requests.

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MINUTES
Committee on Development & Planning
Wednesday, September 24, 2025 @ 3:30 p.m.
City Council Conference Room

CALL TO ORDER

Council Member Garza called the meeting to order at 3:30 p.m.

PRESENT

Council Member Jeremy Garza, Chair
Council Member Adam Hussain, Vice Chair
Council Member Ryan Kost, Member

OTHERS PRESENT

Sherrie Boak, Council Office Manager
Greg Venker, OCA
Andy Fedewa, EDP
Rawley Van Fossen, EDP
Andy Kilpatrick, Dir. Of Public Service
Eric Hertzog, Turner North Development
Justin Golden, Evergreen Townhomes
Matt Templeton, Evergreen Townhomes
Loretta Stanaway
Joan Galloway
Robert Benstein, Capital Airport Authority
Larry Galloway

Minutes

MOTION BY COUNCIL MEMBER HUSSAIN TO APPROVE SEPTEMBER 10, 2025, MINUTES AS PRESENTED. MOTION CARRIED 3-0.

Public Comment

Ms. Stanaway spoke on the easement near Evergreen Cemetery, and has been told there is no impact and has no objection. They do have a concern with an easement in general when they are granted and asks for a stipulation "no alterations to landscape above or below ground can be done unless it goes through this process".

Ms. Galloway spoke on the easement for Consumers, and stated she has concerns with the language and should be tightened up, and in regards to Fenner has a concern with removal of the brush clearing looking for a drawing of what trees are being removed. She also noted that it appears Consumers will be removing the entire fence and only replacing the entrance gate, and was concerned with that. Lastly she concurred with 2" trees for replacements, and asked about the funds for the sale of the easement should be considered for Fenner.

Mr. Ansulley spoke on his concerns with the impact of the easement by Consumers with Fenner.

Mr. Venker was asked to respond and asked for more time.

Discussion/Action:

RESOLUTION- Act-3-2025; Utility Easement 2020 and 2600 E Mount Hope Avenue for Consumer Energy

MOTION BY COUNCIL MEMBER HUSSAIN TO REMOVE FROM THE TABLE. MOTION CARRIED 3-0.

Mr. Fedewa stated that it was brought by error with Consumers last time on bats. There was a memo that was submitted and it was stated a study was not deemed necessary and therefore done. Council Member Garza asked about migratory birds, and Mr. Fedewa stated there are no migratory birds now they are leaving and when they come back they will seek others.

Mr. Kaschinske stated Consumers confirmed there will be 24 trees removed, and they are near the entrance and the City voiced concerns on some of the larger trees being removed. There are larger near Evergreen. This is a directional boring project; underground, and after marking trees when back with City Forestry, and the trees they are removing they are okay with them in consideration with the other trees that are there. They clearly went around the larger hard woods that the City did have concerns about. There are some pine, box elder, locust, and in terms of replanting they will plan because nature will take its course and they will have their regrowth. There will be tree replanting in other areas outside of this one. Mr. Kaschinske stated that Consumers has to be 5' away from the active line and that is why they cannot direct bore near the active. There is not enough room in the current easement; this is to provide gas to those residents in the area east of Aurelius to 1-27.

Council Member Garza, if remove 24 trees, will be replanted in other parks, and Mr. Kaschinske confirmed. When they saw the amount for the easement and had questions vs. the last easement under ground at Regent Park. At that time they negotiated for the cost of the removal of the trees, and there was a negotiation with this one.

Council Member Hussain acknowledged he has visited the site and asked why the certain trees were selected. Mr. Kaschinske stated they are going to go towards Aurelius from the staging point, and there are low areas, and further east it is Evergreen. Council Member Hussain asked about the gas line across the street. Mr. Kaschinske stated Consumers did not ask for that area, and he could not speak to why they did not. However, on that side it is lower and a lot more water areas.

Mr. Galloway stated he spoke to Consumers and was told there are several branch lines on the one they are proposing. Everyone south is fed off that line south.

Council Member Hussain asked for confirmation on \$500 per tree in the easement, and it was confirmed with \$17,000. Council Member Garza asked where those funds go, and Mr. Kaschinske stated it goes to the general fund. Mr. Venker stated that it would go to general fund as new money in. Ms. Stanaway asked if all the fence from Fenner and brush is being removed, and Mr. Kaschinske stated that is inaccurate, and it is a direct bore under there. The fence is designed at the entrance gate is to keep cars out; this is not a clear cut to remove the fence. Ms. Stanaway asked about the process of boring. Mr. Kilpatrick stated that depending on the boring, but that information would have to be provided by Consumers. Council Member Garza asked

about fence removal and if removed would it be put back, and Mr. Kaschinske stated he does not plan. Mr. Fedewa confirmed Consumers was told about the meeting and was not sure why they were not present.

Council Member Kost asked OCA, if the City agrees, and months -years from now if they want to remove trees can they, and Mr. Venker stated they have submitted plans. Council Member Kost asked OCA if the language can be tightened up. Mr. Venker stated in the document there is a clause they can lose the easement by failure to exercise they have to remove and restore at their own expense, and there are a lot of environmental requirements. Regarding the plans, there is standard easement language the thing that limits is Exhibit B which describes the underground pipeline. They can use more land as need to get work done, and there is a temporary construction easement during install, limited to while they are installing. This is standard for all utility easements. There can be negotiations done where some "above, over, etc" can be removed. Regarding saving trees, if the Council wants to do that, Consumers can come back to the table. Mr. Kaschinske stated they did speak about staging areas and they will use an area of a parking lot near Evergreen and Fenner on same side as road. Ms. Stanaway asked if DNR and DEQ were involved, and Mr. Venker stated that the City does not do that for Consumers.

Council Member Kost referred to the memo from Mr. Fedewa where it states "they" and asked who that is, and Mr. Fedewa states Parks and Recreation and Consumers. Council Member Kost asked if there is anything the City can do to stop them from doing more beyond the scope. Mr. Venker stated Consumers is up front, but it is possible to have a document that contains restraints, and it is not in the current document. You would add an Exhibit. Mr. Kaschinske added that Consumers has more easements coming, and in the past the concerns mentioned have not been a concern in the past.

Ms. Stanaway asked for a stipulation telling them if they make additional changes they have to apply for the easement and approval from Council. Mr. Venker stated there is nothing to stop that language in. The way it is written there are restrictions on what kind of trees to protect the lines from the roots. Council Member Kost asked the OCA to handle those changes.

MOTION BY COUNCIL MEMBER HUSSAIN TO TABLE THE RESOLUTION FOR ACT-3-2025 FOR THE UTILITY EASEMENT AT 2020 AND 2600 E MOUNT HOPE FOR CONSUMERS ENERGY.

Committee asked OCA to add stipulation in the easement agreement that if they make changes they have to come back to the City for approval.

MOTION CARRIED 3-0.

Committee asked Mr. Fedewa to make sure Consumers is at the next meeting, October 8, 2025.

Ms. Stanaway asked Council to consider adding the same new statements to all easement.

RESOLUTION – Act-4-2025; Drain Easement, 2400-2500 of N. MLK Jr. Blvd. for Capital Region Airport Authority

Mr. Fedewa stated they are proposing the easement along the eastern portion to install an underground sewer drain to connect to the airport. It was referred to a map in the packet, and there is a 740' gap and this easement is a way to put in the force drain. It will be part of the Authority responsibility and they are using a Site Certification process to complete this. They expect to being in March 2026 and might require temporary removal of sidewalks along MLK and

the Authority will be responsible for sidewalk and tree replacement. Mr. Fedewa then added that there was a miscommunication with parties and there was no BWL pending.

Council Member Garza asked if this was all private property and it was confirmed.

Mr. Kilpatrick added that this is similar to a private sewer attaching to the public main, and difference is it is forced sewer because of the elevation, to the main in the road.

Mr. Benstein confirmed they are working with the BWL on this as well. The sanitary is the only part in the easement, and other work is on private property of the airport. Council Member Garza asked if there are issues with fire suppression interfering with the sewer and Mr. Kilpatrick stated no. Mr. Penculiar stated this will serve the de-icing fluid where current it is 8" and no large enough and that is why they are increasing to 15".

MOTION BY COUNCIL MEMBER HUSSAIN TO APPROVE THE RESOLUTION FOR ACT-4-2025 DRAIN EASEMENT FOR CAPITAL REGION AIRPORT AUTHORITY. MOTION CARRIED 3-0.

RESOLUTION- Act-2-2025; Sale of City Property, Lot 57, 1400 Block of Turner St.

Council Member Garza confirmed this has gone to public hearing, and asked for any additional comments. Not comments at this time.

MOTION BY COUNCIL MEMBER HUSSAIN TO APPROVE THE RESOLUTION FOR THE ACT-2-2025 SALE OF LAND AT 1400 BLOCK OF TURNER STREET; LOT 57. MOTION CARRIED 3-0.

RESOLUTION- Brownfield Plan #89; Turner North Development, 1400 Block of Turner Street

Council Member Garza confirmed there were presentations and public hearings, and asked for any additional comments. Council Member Kost and spoke in support of the project and the Committee acknowledged the developer for all the contact with residents, Council and the community.

MOTION BY COUNCIL MEMBER KOST TO APPROVE THE RESOLUTION FOR THE SETTING OF A PUBLIC HEARING FOR 9/22/2025 FOR THE BROWNFIELD PLAN #89 FOR LOT 57 FOR THE 1400 BLOCK OF TURNER STREET. MOTION CARRIED 2-0.

ORDINANCE – Amend Chapter 887- add Section 887.10 PILOT Evergreen Homes; 900 Long Blvd. for Workforce Housing

Council Member Garza confirmed the presentation and public hearing were held and asked for additional comments or questions. Committee acknowledged the applicants for the time and funds of \$8 million into the project already.

MOTION BY COUNCIL MEMBER HUSSAIN TO APPROVE THE ORDINANCE TO ADD SECTION 887.10 FOR A PILOT FOR EVERGREEN HOMES AT 900 LONG BLVD. MOTION CARRIED 3-0.

DISCUSSION– Committee Budget Priorities for Fiscal Year 2026/2027

Mr. Klein acknowledged the Committee last time where there were questions on LEDC impact. Council Member Kost read the first priority and asked if it can be removed. Mr. Klein confirmed they do have people who focus on small businesses and some are targeted toward underserved

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communities. Council Member Hussain stated the City wants to make sure they are doing economic development right and make sure LEDC has the things they need. They understand that some of these items have been absorbed and asked if they need one specific person for this FTE role. Mr. Klein acknowledged that there is not one FTE just focused but things are spread through all employees.

Council Member Hussain asked for amount of contract between the City and LEDC. Mr. Klein stated \$300,000 for economic services. Council Member Kost asked if it is left in, and approved in the budget would this role get hired, or would it get spread out to other positions. Mr. Klein was asked if he has considered asking for money from the City. Mr. Klein assured them that \$300,000 is about 2 FTE and then explained the programs in LEDC.

Council Member Hussain suggested adding a priority:

- \$300,000 - Increase the current contract of \$300,000 to \$600,000 with LEDC to reflect inflationary costs with consideration of yearly increase of inflation.

Remove current 1. for \$80,000 FTE

Amend 2. To \$500,000

There was a brief discussion on getting funds to the businesses up front on the façade work instead of waiting until it is complete, and Mr. Klein stated they are working on that.

No changes to the current 3., 4., and 5.

Mr. Klein asked for details on the compliance employee, noting they are doing it, so Committee removed that item from priorities.

OTHER

No other topics.

ADJOURN

Adjourned at 4:31p.m.

Submitted by, Sherrie Boak, Recording Secretary,
Lansing City Council

Approved by the Committee on

Application for Appointment to Board or Commission

Thank you for your interest in serving on a Lansing Board, Commission, or Committee.

Certain boards, commissions, or committees require appointees to be a registered elector in the City of Lansing (Charter Section 2-102) and be a resident of Lansing for one year prior to taking office (Charter Section 2-102).

Appointees to every board, commission, or committee must not be in default to the City at the time of taking office (Charter Section 2-103.2).

Lansing City Charter, Section 5-104, Ineligibility For Boards, restricts certain City employee activities on some boards: "No person holding another City office or activity employed by the City shall be eligible to be a voting member on any board."

Date	08/25/2025
First Name	Jeremy
Last Name	Matthews
Date of Birth	[REDACTED]
Home Address	2990 Whistlewood Way
Zip Code	48911
Email	jeremy@flatzliving.com
Gender	[REDACTED]

If you don't know which ward you live in, visit the [Lansing Neighborhoods Ward Map](#) and type in your address to find out!

Ward	Regional
Best Phone Number to Contact You	[REDACTED]
In what year did you move to Lansing?	2024

Occupational Background I have been in the property management industry since 2009, starting from an entry-level position and progressing to my current role as Director with Simtob Management in Lansing, MI. My career began in Cincinnati, Ohio, where I held a hybrid position managing both property operations and maintenance with Dinerstein Companies. Over the years, I've taken on various leadership roles across multiple states, gaining extensive experience in overseeing large-scale portfolios valued at \$300 million. This progression has given me a well-rounded perspective on all aspects of property management.

Are you a current City of Lansing or Lansing Board of Water and	No
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Light employee?

Previous Appointments NA

Current Appointments NA

First Choice for Board to Serve on South Martin Luther King Jr. Boulevard Corridor Improvement Authority

Second Choice of a Board to Serve on Michigan Avenue Corridor Improvement Authority

Third Choice of a Board to Serve on North Grand River Avenue Corridor Improvement Authority

Fourth Choice of a Board to Serve on Lansing Entertainment and Public Facilities (LEPFA)

Please comment briefly on why you wish to serve on a particular board or commission. Please be specific as to your goals and ideas about how you wish to contribute to the work of the board or commission.

I'm a passionate leader looking for better ways to serve the great people of Lansing. In my time here, I have witnessed many areas that could be improved to help revive our city and create a safer, more affordable Lansing, MI. I am eager to serve on a board to begin laying the foundation for positive change and to help better our community. Across the country, many Martin Luther King boulevards are historically underdeveloped and in need of revitalization. Lansing has a unique opportunity to break that mold. Driving down MLK should symbolize historical progress and serve as a destination where visitors can come to learn more about the rich history and vibrant culture of our city.

Qualifications and Eligibility – At this time, if you do not meet one or more of the qualifications or eligibility requirements listed at the top, please state here the requirement to be met and explain how you will be qualified or eligible before you would be sworn in to an appointed office.

N/A

This certification is not required but may impact potential consideration of the appointment being sought. I authorize the use of the information provided above to conduct a background search, including but not limited to criminal history, residency, and indebtedness to the City of Lansing. If selected to serve, I further authorize additional background checks during the term of my service to ensure the required criteria continue to be met. I also acknowledge that I have the affirmative duty to inform the City if I become aware of any change or condition in my status that fails to meet the required criteria.

Agreement to Background Check Authorization

- I agree

Please type your name in this box to signify that you can serve on a board or commission and the information in this application is accurate to the best of your knowledge.

Jeremy Matthews

Date & Time 08/25/2025 4:44 PM (EDT)

Receive an email copy of this form. Yes



September 22, 2025

To Whom It May Concern:

Jeremy Matthews has been employed as the Director of Property Management at Simtob Management & Investment since June 2023. Simtob Management owns and operates a number of multifamily properties along the South Martin Luther King, Jr. Blvd corridor.

Jeremy Matthews is authorized to act on behalf of Simtob Management, Flatz Living, and its affiliated entities for the purposes of serving on the South Martin Luther King, Jr. Blvd Corridor Improvement Authority. We believe Mr. Matthews experience in property management, his passion for leadership, and interests in community improvement through resident engagement will represent our interests well and be a value to the City of Lansing.

Should you have any questions regarding this please do not hesitate to reach out to me at the contact information below.

Sincerely,
Bradley Simtob | Managing Partner
248.910.5411 | brad@simtob.com

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor has made a recommendation for the appointment of Jeremy Matthews as a Business Owner member of the South Martin Luther King Jr. Boulevard Corridor Improvement Authority Board of Directors for a term to expire July 31, 2027; and

WHEREAS, the Mayor's office has confirmed with this resolution, that they have vetted the applicant based on the original application and believes that the applicant meets the qualifications as required by the City Charter; and

WHEREAS, the Committee on Development and Planning met on October 22, 2025 and took affirmative action.

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the appointment of Jeremy Matthews as a Business Owner member of the South Martin Luther King Jr. Boulevard Corridor Improvement Authority Board of Directors for a term to expire July 31, 2027.



SLU-1-2025, 3011 Turner Street

Special Land Use Permit – Adult Foster Care Small Group Home

SLU-1-2025 is a request by Esther Mwankenja for a Special Land Use permit to authorize a state-licensed adult foster care small group home at 3011 Turner Street.

The proposal is to provide assisted living and care for a maximum of 12 residents that may be developmentally disabled, need assistance with daily living activities or are dealing with mental health issues. The home will be licensed and operated in accordance with all State of Michigan requirements for adult foster care group home facilities.

The Planning Commission held a public hearing at its September 2, 2025, meeting, at which the applicant spoke in favor of the request and no other comments were received. Following the hearing, the Commission voted unanimously to recommend that the City Council approve SLU-1-2025 based upon its compliance with the criteria set forth in the Zoning Ordinance for evaluating requests for special land use permits.

GENERAL INFORMATION

APPLICANT: Esther Mwankenja
520 S. Holmes Street
Lansing, MI 48912

OWNER: Jerry & Joshua Dahlberg
Trust Rental, LLC
3927 W. Willow Highway
Lansing, MI 48912

REQUESTED ACTION: Special Land Use Permit for a state-licensed adult foster care, small group home for up to 12 residents in care at 3011 Turner Street

EXISTING LAND USE: Single Family Residential

EXISTING ZONING: "R-1" Residential District

PROPERTY SIZE: 91.5' x 250' = 22,869 square feet

SURROUNDING LAND USE: N: Single Family Residential
S: Vacant
E: Vacant Commercial Buildings
W: Single Family Residential

SURROUNDING ZONING: N: "R-1" Residential District
S: "R-1" Residential District
E: "MX-1" Mixed Use Neighborhood Center District
W: "R-1" Residential District

MASTER PLAN DESIGNATION: The Design Lansing Master Plan designates the subject property for low density residential use. Turner Street is designated as a "neighborhood connector"..

APPLICANT'S REQUESTS

This is a request for a special land use permit to permit a state-licensed adult foster care small group home for 7 to 12 residents at 3011 Turner Street. The proposal is to provide assisted living and care for a maximum of 12 residents that may be developmentally disabled, need assistance with daily living activities or are dealing with mental health issues. The home will be licensed and operated in accordance with all State of Michigan requirements for adult foster care group home facilities and subject to inspections and oversight thereby.

SPECIAL LAND USE PERMIT

Section 1262.02(f) of the Zoning ordinance sets forth the criteria which must be used to evaluate a Special Land Use permit request. The criteria and evaluation are as follows.

- 1. Is the proposed special land use designed, constructed, operated, and maintained in a manner harmonious with the character of adjacent property and the surrounding area?**

Approval of the special land use permit will allow the existing single family residential building at 3011 Turner Street to be used for low impact residential use that will not change the general character of the neighborhood. Traffic is expected to be light, and activity associated with the use should be minimal as it will not generate noise, fumes, light glare or other nuisances that would be disruptive to the neighborhood. If the special land use permit is not approved, the building could continue to remain vacant and will deteriorate over time which will have a negative impact on the neighborhood.

The facility will have to be licensed and maintain licensing by the State of Michigan, Department of Licensing and Regulatory Affairs and will be subject to its oversight, regulations, and requirements. The facility will also be subject to inspections by both the State and the Ingham County Health Department and must have 2 caregivers on the site at all times. The proposed use is not a treatment facility but rather provides housing and care for individuals who are unable to live on their own due to developmental/mental health issues.

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

The proposal merely involves reuse of an existing building from one residential use to another. The facility will be the home for its residents so it will not involve short-term or transient occupancy. Furthermore, no new building construction is proposed for the site and the level of activity generated by the proposed use will not change the essential character of the area. The proposed group home will not generate a high level of traffic and the activity in general associated with the proposed use is expected to be very low, and comparable to that which would be generated by a large family occupying the house.

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

The proposed 12-bed adult foster care home will not interfere with the enjoyment of adjacent properties. There will be 2 employees/caregivers in the facility at all times, and it will be subject to oversight and inspections by the State of Michigan Licensing division. In addition, the use will have a low impact on the surrounding residential neighborhood as it will generate a low volume of traffic and will not involve noise, fumes, light glare, or any other type of nuisances that could interfere with the enjoyment of other properties in the area.

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

The proposed group home will allow for reasonable use of a vacant house, which will be an improvement to the area. In addition, since the site is restricted to 60% lot coverage (all impervious surfaces), the paving needed to fulfill the parking requirement will not negatively impact the natural environment.

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

The proposed group home will produce very little traffic and no smoke, odors, fumes, glare or anything else at a level that would be detrimental or disruptive to the surrounding neighborhood. Furthermore, it is not anticipated that the facility will generate outdoor activities that result in noise from large numbers of people congregating on the site.

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

The site is already served by all necessary public facilities. Any upgrades to accommodate the increased utility usage will be the sole responsibility of the applicant or owner. With respect to transportation, the proposed adult care home will generate a low volume of both vehicle and pedestrian traffic. Since most, if not all of the residents of the facility will not drive, the traffic on a daily basis will be limited to visitors and staff, which will likely only be about 4-5 people during the day and even fewer in the evenings and overnight. This level of traffic will be comparable, if not even lower, than that which would be generated if a large family was occupying the house as a single-family residence.

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

A 12-bed adult care home will not place much, if any demand on public services beyond that of a single-family home occupied by a large family.

8. **Is the proposed special land use consistent with the intent and purpose of this Zoning Code and the objectives of any currently adopted Comprehensive Plan?**

It is not anticipated that the proposed group home will negatively impact the surrounding residential area. It will generate a low volume of traffic, will not result in overuse of on-street parking, and will not produce noise, fumes, light glare or an overall level of activity that would be disruptive to the area. The proposed use will, therefore, be consistent with the intent and purpose of the Comprehensive Plan, the Zoning Ordinance and proper planning principles in general.

Approval of the special land use permit will also not negatively impact future patterns of development or set a negative precedent for additional requests to permit group homes in the area. Both the City and the State require adult foster care facilities to be separated by at least

1500 feet. In addition, the subject property is unique in that it contains a large home, is directly across the street from commercial properties and is located along and has its only access from a connector road.

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

Since this request does not involve any new building construction, the only dimensional requirement that applies is the required parking for the proposed use. Section 1254.01.03 of the Zoning Ordinance requires .5 parking spaces for every 2 beds in the facility, plus .25 spaces per unit for visitor/employee parking. The proposed facility will have 12 beds, which requires 6 parking spaces. There is currently a single lane, gravel driveway that leads to a garage and gravel parking behind the house. The driveway will need to be paved and there will need to be a paved area in the backyard that accommodates 6 parking spaces. Since the property is zoned single family residential, the maximum allowable lot coverage (buildings and pavement) is limited to 60%. The site appears to be large enough to accommodate this restriction.

SUMMARY

The available information supports a finding the request satisfies all of the criteria set forth in the Zoning Ordinance for evaluating special land use permit applications, as detailed in this staff report.

RECOMMENDATION

Staff recommends approval of SLU-1-2025, for a special land use permit to allow a state-licensed adult foster care, small group home providing care for a maximum of 12 residents, at 3011 Turner Street.

Respectfully Submitted,

**Susan Stachowiak
Zoning Administrator**



Andy Schor, Mayor

PETITION FOR SPECIAL LAND USE

CITY OF LANSING
PLANNING OFFICE

Reset Form

Print Form

FILE NUMBER: _____

DATE SUBMITTED: _____

To the Honorable Mayor and City Council:

The undersigned do hereby petition for approval of a Special Land Use on the following described property:

3011 Turner Rd. Lansing, Michigan 48906
full street address, including zip code, or location of property

Legal description:

Lot 41 & S 30.5ft lot 42 Mayfield farms sub

Applicant:

ESTHER MwanKenja - Mwakenja OLOI@yahoo.com

Address (including zip code):

520 S. Holmes St Lansing MI, 48912

Phone number(s):

517-885-0716

Name of owner(s):

Jerry & Joshua Dahlberg / Trust Rental LLC

Owner address (including zip code):

3927 W. Willow Hwy, Lansing MI 48917

Owner phone number(s):

Interest in property (please check one):

- Option to buy
- Owner
- Lessee
- Represent owner

Other (please specify): _____

IF MORE SPACE IS NEEDED FOR THE ITEMS LISTED BELOW, PLEASE ATTACH EXTRA SHEETS

Proposed Special Land Use:

- Child Care (13 or more)
- Residential Care Facility (7 or more)

Zoning of the property:

Residential, single family

Size of Parcel:

Width: 91.5 ft. Length: 250 ft. Area: 22,869 Sq. ft.

Irregular: (specify and attach scale drawing with dimension)

**Please describe
your proposal:**

include specific background information and copies of permits, approvals, and program information

Submit the following:

- Lot Plan (showing location of existing structure and include adjacent properties and setback dimensions).
- Site Plan (showing parking areas, driveways, accessory buildings, trash receptacles).
- Landscape, screening, and buffering plan in accordance with Chapter 1290.
- Photographs of the site.
- Flood plain elevations, if applicable.
- Copies of permits from other agencies, if applicable.

FEES:

Consolidated Rate: \$1,100.00

Please review the application and file it with the Planning Office. The Planning Office will transmit it to the City Clerk for official submission.

Signature of applicant: _____

Esther Mwanjewe

Name: _____

Esther Mwanjewe

For assistance, please contact:

PLANNING OFFICE
316 N. CAPITOL AVE., SUITE D-1
LANSING, MI 48933-1236
(517) 483-4066









Zoning Map



Lansing Form Based Code

- MX-C - Mixed Use Urban Corridor
- MX-1 - Mixed Use Neighborhood Center
- MX-2 - Mixed Use Community Center
- DT-1 - Downtown Edge
- DT-2 - Urban Flex
- DT-3 - Downtown Core
- R-1 - Residential
- R-2 - Residential
- R-3 - Residential
- MFR - Multi-Family Residential
- R-MX - Mixed Residential
- R-AR - Residential Adaptive Reuse
- IND-1 - Industrial
- INST-1 - Institutional
- ROW

CITY OF LANSING
NOTICE OF PUBLIC HEARING

SLU-1-2025, 3011 Turner Street
Special Land Use Permit – Adult Foster Care Small Group Home

The Lansing City Council will hold a public hearing on Monday, November 17, 2025 at 7:00 p.m. in the Tony Benavides Lansing City Council Chambers, 10th Floor, Lansing City Hall, 124 W. Michigan Avenue, Lansing, Michigan to consider a request for a special land use permit to permit a state-licensed adult foster care small group home for 7 to 12 residents at 3011 Turner Street.

For more information, please call Lansing City Council at 517-483-4177. If you are interested in this matter, please attend the public hearing or send a representative. Written comments will be accepted between 8 a.m. and 5 p.m. on City business days if received before 5 p.m., Monday, November 17, 2025 at the City Clerk's Office, Ninth Floor, City Hall, 124 West Michigan Ave., Lansing, MI 48933 or email city.clerk@lansingmi.gov.

Chris Swope, City Clerk

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

RESOLVED by the City Council of the City of Lansing that a public hearing be set for Monday, November 17, 2025, at 7 p.m. in the Tony Benavides Lansing City Council Chambers, Tenth Floor, Lansing City Hall, 124 W Michigan Avenue, Lansing, Michigan, for the purpose of approving and/or opposing the request for a special land use permit:

SLU-1-2025- 3011 Turner Street. Special Land Use Permit for an adult foster care small group home for a maximum of 12 residents

Application for Appointment to Board or Commission

Thank you for your interest in serving on a Lansing Board, Commission, or Committee.

Certain boards, commissions, or committees require appointees to be a registered elector in the City of Lansing (Charter Section 2-102) and be a resident of Lansing for one year prior to taking office (Charter Section 2-102).

Appointees to every board, commission, or committee must not be in default to the City at the time of taking office (Charter Section 2-103.2).

Lansing City Charter, Section 5-104, Ineligibility For Boards, restricts certain City employee activities on some boards: "No person holding another City office or activity employed by the City shall be eligible to be a voting member on any board."

Date 05/24/2025

First Name Kristopher

Middle David

Last Name Klein

Other name(s) by which you have been known, including maiden names Kris Klein

Date of Birth [REDACTED]

Home Address 1404 Woodbine Avenue

City Lansing

State MI

Zip Code 48910

Email kdklein11@gmail.com

Gender [REDACTED]

If you don't know which ward you live in, visit the [Lansing Neighborhoods Ward Map](#) and type in your address to find out!

Ward Ward 4

Precinct 32

Best Phone Number to Contact You [REDACTED]

In what year did you move to 2011

Additional Information Regarding Experience and Credentials	<p>14 years of community and economic development experience, project management, grant and loan program administration, use of financing and incentive tools for business and real estate development, community outreach and engagement.</p> <ul style="list-style-type: none"> • Certified Economic Development and Finance Professional (EDFP) • Local Development Finance Authority/Lansing Regional SmartZone: Board Member • Michigan Economic Developers Association (MEDA): Member • International Economic Development Council (IEDC): Member • Certified Tourism Ambassador (CTA): 5+ years
Occupational Background	<p>2022-present: Lansing Economic Development Corporation (Lansing EDC), Vice President Provide economic development services to the City of Lansing including the creation, direction, and implementation of business and development services (advocacy and support, tax incentives, multiple loan funds, technical assistance programming, and grant awards). Create economic development initiatives and strategic focuses, and coordinate with local and state stakeholders on organizational efforts. Management of the organization and multiple public boards, including budget preparation, financial reporting, contract negotiation, public communications, and impact reporting.</p> <p>2016-2022: Lansing Economic Area Partnership (LEAP), Director of Economic Development/Economic Development Specialist Provided economic development services to the City of Lansing including project management, project-based incentives (e.g. Brownfield TIF, tax abatement programs, façade improvement, etc.), placemaking initiatives, small business assistance, real estate development, and loan program management.</p> <p>2011-2016: South Lansing Community Development Association, Outreach and Operations Coordinator Focused on community-driven initiatives including food security and health, community outreach and facilitation, event management, internship programming, placemaking projects, and providing assistance to other community organizations.</p>
Educational Background	B.A. Political Science-Public Administration, Saginaw Valley State University, Saginaw, MI
Are you a current City of Lansing or Lansing Board of Water and Light employee?	No
Previous Appointments	Local Development Finance Authority
Current Appointments	Local Development Finance Authority
First Choice for Board to Serve on	Downtown Lansing, Inc.
Second Choice of a Board to Serve on	Next Michigan Development Corporation
Please comment briefly on why you wish to serve on a particular board or commission. Please be specific as to your goals and ideas about how you wish to contribute to the work of the board or commission.	I hope to contribute my experience, ideas, and energy to support strategic initiatives that foster inclusive and sustainable growth in the City of Lansing. I am committed to being a strong advocate for the City of Lansing and to work collaboratively with stakeholders to make Michigan's Downtown a vibrant and attractive place for residents, businesses, and visitors. I wish to apply my background in real estate, business, and place development to support DLi's goals and promote density and activation throughout downtown.

Qualifications and Eligibility – At this time, if you do not meet one or more of the qualifications or eligibility requirements listed at the top, please state here the requirement to be met and explain how you will be qualified or eligible before you would be sworn in to an appointed office.

To the best of my knowledge, I meet all qualifications and eligibility requirements for service.

This certification is not required but may impact potential consideration of the appointment being sought. I authorize the use of the information provided above to conduct a background search, including but not limited to criminal history, residency, and indebtedness to the City of Lansing. If selected to serve, I further authorize additional background checks during the term of my service to ensure the required criteria continue to be met. I also acknowledge that I have the affirmative duty to inform the City if I become aware of any change or condition in my status that fails to meet the required criteria.

Agreement to Background Check Authorization • I agree

Please type your name in this box to signify that you can serve on a board or commission and the information in this application is accurate to the best of your knowledge. Kris Klein

Date & Time 05/24/2025 11:15 PM (EDT)

Receive an email copy of this form. Yes

Resolution #2025-###

By the Committee on Development and Planning
Resolved by the City Council of the City of Lansing

WHEREAS, the Mayor has made a recommendation for the appointment of Kristopher Klein as the City Representative member of the Downtown Lansing Inc. Board for a term to expire June 30, 2027; and

WHEREAS, the Mayor's Office has confirmed with this resolution, that they have vetted the applicant based on the original application and believes that the applicant meets the qualifications as required by the City Charter; and

WHEREAS, the Committee on Development and Planning met on October 22, 2025 and took affirmative action.

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the appointment of Kristopher Klein as the City Representative member of the Downtown Lansing Inc. Board for a term to expire June 30, 2027.

October 3, 2025

Lansing City Clerk

City Hall

124 West Michigan Ave.

Lansing, MI 48933

Re: Obsolete Property Rehabilitation Act **District for 1204 S. Washington Avenue**

Dear Clerk Swope,

Per the Obsolete Property Rehabilitation Act (OPRA), Act 146 of 2000, the undersigned applicant, Lil Rock Ventures LLC, having control of the property located at 1204 S. Washington Avenue, Lansing, MI 48910 (the "Property"), legal description attached, hereby requests the granting of an OPRA District by the City of Lansing on the Property. The Property has been inspected by the City Assessor and determined to suffer from functional obsolescence (determination of obsolescence attached).

The property is a two-story mixed-use commercial building of approximately 3,400, constructed in the early 20th century and historically used for various commercial purposes. It has remained largely vacant and exhibits functional obsolescence, including outdated systems, accessibility limitations, and façade deterioration. The applicant intends to rehabilitate the facility by combining ground-floor gallery space with upper-floor residential, reinforcing the traditional main-street pattern that defines walkable urban neighborhoods. The first-floor gallery and studio space will attract artists and customers and host cultural programming, while the second-floor apartment adds new housing directly above, creating 24-hour activity in the building.

Located within the South Washington Avenue corridor, the site is surrounded by small businesses, restaurants, and community amenities accessible by foot or bicycle. Renovations will include an accessible entrance, improved sidewalk frontage, and enhanced lighting, all of which encourage pedestrian use and support Lansing's vision for a connected urban environment.

Redevelopment of the property will revitalize an underutilized structure, strengthen the tax base, support creative and cultural entrepreneurship, and add new housing opportunities. The OPRA District designation is a vital first step to making this reinvestment feasible. Rehabilitation work is expected to include full interior renovation, structural repairs, new HVAC, electrical and plumbing systems, façade restoration, accessibility improvements, and interior buildout for gallery and residential use, with estimated construction costs of approximately \$350,000.

Thank you in advance for your assistance and consideration in this matter.

Sincerely,

Cris Rockwell

City of Lansing
1204 S. Washington Avenue Redevelopment Project
OPRA District Approval Schedule

DATE	BOARD/ COMMITTEE	ACTION	ATTENDANCE BY APPLICANT
October 13, 2025 7:00PM	Lansing City Council	Receives OPRA District request and refers it to the Committee on Development and Planning.	NO
October 22, 2025 3:30PM	Committee on Development and Planning	Applicant Presents Project to the D&P Committee to review and Approve Resolution to set Public Hearing.	YES
October 27, 2025 7:00PM	Lansing City Council	Council passes resolution setting the Public Hearing for 7:00PM on November 10, 2025 <i>Public Hearing Notice - 10 Days (Mail/Paper)</i>	YES
November 10, 2025 7:00PM	Lansing City Council	Public hearing held at Council for OPRA District. Referred back to the D&P Committee for approval.	YES
November 12, 2025 3:30PM	Committee on Development and Planning	D&P Committee passes resolution to approve the OPRA District.	YES
November 17, 2025 7:00PM	Lansing City Council	City Council Approves OPRA District.	YES

**CITY OF LANSING
NOTICE OF PUBLIC HEARING**

The Lansing City Council will hold a public hearing on Monday, November 10, 2025 at 7:00 p.m. in the Tony Benavides Lansing City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Ave., Lansing, MI 48933, for the purpose stated below:

To afford an opportunity for all residents, taxpayers of the City of Lansing, City Assessor, other interested persons and ad valorem taxing units to appear and be heard on the approval of an Obsolete Property Rehabilitation District (the "District"), pursuant to and in accordance with the provisions of the Obsolete Property Rehabilitation Act, Public Act 146 of 2000, for property located at 1204 S. Washington Ave. Lansing, Michigan, legally described as:

S 21.5 FT OF N 65 FT OF E 100 FT LOT 1 BLOCK 194 ORIG PLAT

PARCEL NUMBER: #33-01-01-21-181-070

Approval of this District will allow the owners of real property within the District to apply for an abatement of certain property taxes for the improvements to their property located within the District. Further information regarding this issue may be obtained from Kris Klein, President & CEO, Lansing Economic Development Corporation (LEDC), 401 S. Washington Sq. Suite 101, Lansing, MI 48933, (517) 599-1136.

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

Chris Swope, Lansing City Clerk, MMC/CMMC
www.lansingmi.gov/Clerk
www.facebook.com/LansingClerkSwope

Resolution #2025-###

By the Committee on Development and Planning
Resolved by the City Council of the City of Lansing

Resolution to Set a Public Hearing Regarding the Establishment of an Obsolete Property Rehabilitation Act District at 1204 S. Washington Ave. Lansing, Michigan

WHEREAS, Lil Rock Ventures, LLC has requested, in writing to the City Clerk, that the City of Lansing establish an Obsolete Property Rehabilitation Act District (the "OPRA District") for the property commonly known as 1204 S. Washington Avenue, Lansing, Michigan (the "Property"), pursuant to the Michigan Obsolete Property Rehabilitation Act, being Public Act 146 of 2000 (the "Act"); and

WHEREAS, the Property in question of the OPRA District located at 1204 S. Washington Avenue, Lansing, Michigan, is legally described as:

S 21.5 FT OF N 65 FT OF E 100 FT LOT 1 BLOCK 194 ORIG PLAT & #33-01-01-21-181-070; and

WHEREAS, the Act requires that before granting a District the Lansing City Council hold a public hearing in order to provide an opportunity for the applicant, owners of real property within the proposed OPRA District, the City Assessor, a representative of the affected taxing units, the residents, and other taxpayers of the City of Lansing general public appear and be heard regarding the approval of the OPRA District.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Lansing that a public hearing be held in the City Council Chambers of the City of Lansing, 10th Floor, Lansing City Hall, Lansing, Michigan, on Monday, **[INSERT DATE]** at 7:00 p.m. for the purpose of receiving public comment on the approval of an OPRA District under the provisions of Public Act 146 of 2000 and that the Clerk shall publish once in a publication of general circulation within the community a notice of the scheduled public hearing and that the notice appear not less than 10 or more than 30 days prior to the date of the hearing.

October 3, 2025

Lansing City Clerk
City Hall
124 West Michigan Ave.
Lansing, MI 48933

Re: Obsolete Property Rehabilitation Act District for 414 Baker Street, Lansing MI.

Dear Clerk Swope,

Per the Obsolete Property Rehabilitation Act (OPRA), Act 146 of 2000, the undersigned applicant Max Boortz, having control of the property located at **414 Baker Street, Lansing MI** (the "Property"), legal description attached, hereby requests the granting of an OPRA Certificate by the City of Lansing on the Property. The Property has been inspected by the City of Lansing Assessor and determined to suffer from functional obsolescence (determination of obsolescence attached).

General Description of Obsolete Facility

This building was built in 1915. It is 4346 square ft. The property has been vacant for decades. It has been formerly used as ground floor commercial retail space and did have two residences on the second floor. The roof has failed on the structure and caused major deterioration of the rest of the building.

Proposed Use of the Rehabilitated Facility

The applicant intends to rehabilitate the facility as follows:

It is my intention to rejuvenate this property as a mixed-use duplex. Each unit will have ground floor front of building entry parking/ flex-space of 1000 sq. ft., each unit will have residential space on the second floor with 2br, 1000 sq. ft. of living space.

I have done similar total rehabilitation projects turning blighted property into attractive mixed-use spaces at 117 E. Kalamazoo Street, 913 W. Saginaw Street in Lansing.

Expected Economic Advantages

This project will revive a focal point of our community that has been blighted for many years. The historical brick structure of this building will be saved to retain the architectural character that is a classic part of our downtown city environment. Renovation of this property will provide much needed secure housing coupled with accessibility and flex-space in an area that needs occupation. We have a chance to take a current eyesore and bring it back as a beacon of hope for this area.

414 Baker Street is on a highly visible city corridor and is in full view of all traffic going north and south on Cedar Street. This makes it a prime opportunity to create an empowering project that will boost the morale of the area and spur further improvement. This extensive and costly renovation would be greatly aided by the OPRA certification. An effort to aid in this project would deliver countless aspects of return in the form of infectious positivity in our city.

Detailed Description of Rehabilitation and Fixed Building Equipment

The OPRA tax abatement is a significant component of this project. The applicant has estimated the renovation costs of the project at \$437,000. Please see the attached project budget.

Time Schedule for Rehabilitation

Commencement of construction is scheduled for Fall 2025 with completion of the project expected by Summer 2026.

Property Taxable Value and Legal Description

The specifics on the property are as follows:

Property Address: 414 Baker Street
Owner's Name: Max Boortz
Sq Feet of Building: 4346
Tax ID Number: #33-01-01-21-429-065
Tax Value Land: \$10,600
Tax Value Building: 0
SEV Value Total: \$7800

Legal Description: W 41 FT OF N 53.06 FT LOTS 1 & 2 BLOCK 1 AMENDED PLAT OF HALLS
SOUTH SIDE ADD

Parcel Number: Parcel #33-01-01-21-429-065

Thank you in advance for your assistance and consideration in this matter.

Sincerely,

Max Boortz

**City of Lansing
414 Baker Street Redevelopment Project
OPRA District Approval Schedule**

DATE	BOARD/ COMMITTEE	ACTION	ATTENDANCE BY APPLICANT
October 13, 2025 7:00PM	Lansing City Council	Receives OPRA District request and refers it to the Committee on Development and Planning.	NO
October 22, 2025 3:30PM	Committee on Development and Planning	Applicant Presents Project to the D&P Committee to review and Approve Resolution to set Public Hearing.	YES
October 27, 2025 7:00PM	Lansing City Council	Council passes resolution setting the Public Hearing for 7:00PM on November 10, 2025 <i>Public Hearing Notice - 10 Days (Mail/Paper)</i>	YES
November 10, 2025 7:00PM	Lansing City Council	Public hearing held at Council for OPRA District. Referred back to the D&P Committee for approval.	YES
November 12, 2025 3:30PM	Committee on Development and Planning	D&P Committee passes resolution to approve the OPRA District.	YES
November 17, 2025 7:00PM	Lansing City Council	City Council Approves OPRA District.	YES

**CITY OF LANSING
NOTICE OF PUBLIC HEARING**

The Lansing City Council will hold a public hearing on Monday, November 10, 2025 at 7:00 p.m. in the Tony Benavides Lansing City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Ave., Lansing, MI 48933, for the purpose stated below:

To afford an opportunity for all residents, taxpayers of the City of Lansing, City Assessor, other interested persons and ad valorem taxing units to appear and be heard on the approval of an Obsolete Property Rehabilitation District (the "District"), pursuant to and in accordance with the provisions of the Obsolete Property Rehabilitation Act, Public Act 146 of 2000, for property located at 414 Baker St. Lansing, Michigan, legally described as:

W 41 FT OF N 53.06 FT LOTS 1 & 2 BLOCK 1 AMENDED PLAT OF HALLS SOUTH SIDE ADD

PARCEL NUMBER: #33-01-01-21-429-065

Approval of this District will allow the owners of real property within the District to apply for an abatement of certain property taxes for the improvements to their property located within the District. Further information regarding this issue may be obtained from Kris Klein, President & CEO, Lansing Economic Development Corporation (LEDC), 401 S. Washington Sq. Suite 101, Lansing, MI 48933, (517) 599-1136.

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

Chris Swope, Lansing City Clerk, MMC/CMMC
www.lansingmi.gov/Clerk
www.facebook.com/LansingClerkSwope

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Resolution to Set a Public Hearing Regarding the Establishment of an Obsolete
Property Rehabilitation Act District at 414 Baker St. Lansing, Michigan

WHEREAS, Maximillian Boortz has requested, in writing to the City Clerk, that the City of Lansing establish an Obsolete Property Rehabilitation Act District (the "OPRA District") for the property commonly known as 414 Baker St., Lansing, Michigan (the "Property"), pursuant to the Michigan Obsolete Property Rehabilitation Act, being Public Act 146 of 2000 (the "Act"); and

WHEREAS, the Property in question of the OPRA District located at 414 Baker St., Lansing, Michigan, is legally described as:

W 41 FT OF N 53.06 FT LOTS 1 & 2 BLOCK 1 AMENDED PLAT OF HALLS SOUTH SIDE ADD & #33-01-01-21-429-065; and

WHEREAS, the Act requires that before granting a District the Lansing City Council hold a public hearing in order to provide an opportunity for the applicant, owners of real property within the proposed OPRA District, the City Assessor, a representative of the affected taxing units, the residents, and other taxpayers of the City of Lansing general public appear and be heard regarding the approval of the OPRA District.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Lansing that a public hearing be held in the Tony Benavides Lansing City Council Chambers of the City of Lansing, 10th Floor, Lansing City Hall, Lansing, Michigan, on Monday, November 10, 2025 at 7:00 p.m. for the purpose of receiving public comment on the approval of an OPRA District under the provisions of Public Act 146 of 2000 and that the Clerk shall publish once in a publication of general circulation within the community a notice of the scheduled public hearing and that the notice appear not less than 10 or more than 30 days prior to the date of the hearing.

Act-3-2025, 2020 and 2600 E Mt. Hope Ave., Utility Easement - STAFF REPORT

An Act 33 Review is a planning level review of the **location, character, and extent** of public improvements and City property transactions. Act 33 Reviews are conducted by the City of Lansing pursuant to the provisions of the Michigan Planning Enabling Act (P.A. 33 of 2008) and Section 208 of the Lansing Code of Ordinances.

APPLICANT: Consumers Energy

PROPOSAL: Permanent easement for natural gas distribution line infrastructure

PARCEL(S): 2020 E Mt. Hope Ave. PID # 33-01-01-26-101-003
2600 E Mt. Hope Ave. PID # 33-01-01-26-276-111

CURRENT OWNER(S): City of Lansing

EXISTING LAND USE: Use: Fenner Nature Center (2020), Evergreen Cemetery (2600)

& ZONING: Zoning: R-1 Residential

PROPERTY SIZE AND SHAPE: Easement 15’ running length of north property line(s).

SURROUNDING ZONING & LAND USE: North: MX-1, R-1; neighborhood commercial, residential
South: R-1, MFR; single- and multi-family residential
West: R-1; cemetery
East: R-1; golf course

ANALYSIS

BACKGROUND:

Consumers Energy proposes to create a 15-foot wide utility easement along the north property lines of Fenner Nature Center and Evergreen Cemetery, 33 feet from the right-of-way, for the purpose of installing underground natural gas distribution lines that will serve customers within the City.

Existing infrastructure within the area will be replaced and is scheduled for June 1, 2026 to October 1, 2026. All work will be done by directional boring to minimize site disturbances. Neither property will be closed during any construction. Consumers estimates a 100-year lifespan on the new line. Requirements for site maintenance and restoration are covered in the draft easement agreement. Construction is not expected to impact any residential neighbors and no streets are expected to be closed. Any closures or disruptions to the sidewalk or street network would be properly approved and coordinated by the Public Service Department.

LOCATION:

Fenner Nature Center and Evergreen Cemetery are in the south-central area of the City, along the eastern city limits. The easement area covers a 15-foot wide path, 33 feet from the E Mt. Hope

Ave. right of way and extending along the entirety of both north property lines. The proposed easement area does not have any structures or infrastructure and is existing greenspace.

CHARACTER:

All infrastructure will be underground under unimproved greenspace. The area will continue to be greenspace in perpetuity. Part of the easement agreement is that no development takes place, but according to the Parks and Recreation Department, no development has been planned for the subject area.

EXTENT:

The extent of the infrastructure will be underground, within the 15 feet space along the north border of the property, approximately 38,100 square feet (Fenner) and 19,760 square feet (Evergreen). The terms of the easement prohibit any future improvements within the area of the easement

Any trees that are removed during construction should have replacement trees planted on-site, or as street trees within nearby neighborhoods, as approved by Parks and Recreation, Public Service, and the applicant.

AGENCY REFERRALS

Lansing Board of Water and Light (BWL)

- No comment received.

Public Service Department: (Nicole McPherson, City Engineer)

- Transportation: no comment received.
- No objection from Public Service.

Lansing Fire Department:

- No comment received.

Lansing Parks and Recreation Department:

(Brett Kaschinske, Director)

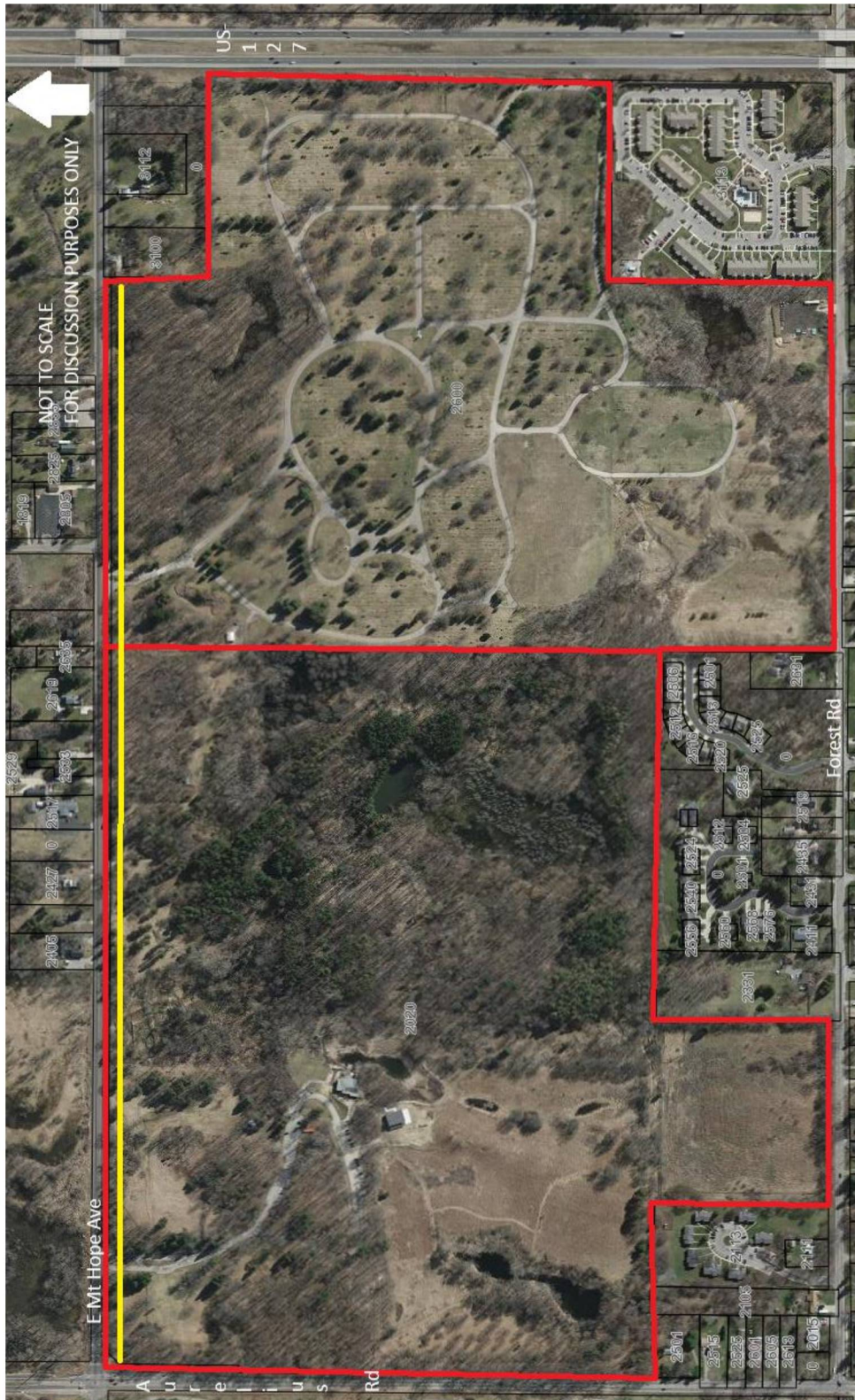
- Consumers has worked with us on this and we have no issues. We have met in regards to the trees and see very little impact.

STAFF RECOMMENDATION

Staff recommends approval of Act-3-2025 as proposed.

**Respectfully submitted,
Andy Fedewa, Planner**

AERIAL



EASEMENT FOR GAS FACILITIES

Line 1026 Mt. Hope DAPP 22996

SAP# 44335303

Agreement# MI00000086661

CITY OF LANSING PARKS & RECREATION DEPARTMENT, a Michigan municipal department, whose address is 124 West Michigan Avenue, 8th Floor, Lansing, Michigan 48933 (hereinafter "Owner") for \$1.00 and other good and valuable consideration [exempt from real estate transfer tax pursuant to MCL 207.505(f) and from State real estate transfer tax pursuant to MCL 207.526(f)] grants and warrants to CONSUMERS ENERGY COMPANY, a Michigan corporation, One Energy Plaza, Jackson, Michigan 49201 (hereinafter "Consumers") a permanent easement to enter Owner's land (hereinafter "Owner's Land") located in the City of Lansing, County of Ingham, and State of Michigan as more particularly described in the attached Exhibit A to construct, operate, maintain (including cathodic protection systems), inspect (including aerial patrol), survey, replace, reconstruct, improve, remove, relocate, change the size of, enlarge, protect, and abandon in place a pipeline or pipelines in, on, under, over, across, and through a portion of Owner's Land (hereinafter "Easement Area") as more fully described in the attached Exhibit B, together with any associated valves, fittings, location markers and signs, communication systems, utility lines, protective apparatus and all other equipment, appurtenances, and facilities, whether above or below grade, necessary, useful or incidental to or for the operation or protection thereof, and to conduct such other activities as may be necessary or convenient in connection therewith as determined by Consumers for the purpose of transmitting and distributing natural gas.

Acceptance of the Property: Consumers has examined the Easement Area prior to the execution of this agreement and accepts same in the condition as it exists at the execution of this agreement and waives any and all claims Consumers may at any time have against Owner related to the condition of the Easement Area, except where provided in the Section titled Environment below or required by law. Owners shall have no obligation to make any repairs to the Easement Area.

Additional Work Space: Owner further grants to Consumers, during initial construction and installation only a temporary easement to use additional work space (hereinafter "Temporary Work Area" or "TWA"), and during any such use, Consumers' rights with respect to the TWA shall be exclusive even as to the Owner, and Owner shall not use or allow others to use the TWA during said initial construction and installation.

Access: Consumers shall have the right to unimpaired access to said pipeline, and the right of ingress and egress on, over, and through Owner's Land for any and all purposes necessary, convenient, or incidental to the exercise by Consumers of the rights granted hereunder.

Blocking Access: Except in case of emergency, Consumers shall use its best efforts not to block ingress and egress to Owner's Land during construction and other activities on Owner's Land.

Trees and Other Vegetation: Owner shall not plant any trees within the Easement Area. Consumers shall have the right from time to time hereafter to enter Owner's Land to trim, cut down, and otherwise remove and control any trees, brush, roots, and other vegetation within the Easement Area.

Buildings/Structures: Owner agrees not to build, create, construct, or permit to be built, created, or constructed, any obstruction, building, septic system, drain field, fuel tank, pond, swimming pool, lake, pit, well, foundation, engineering works, installation or any other type of structure over, under, or on said Easement Area, whether temporary or permanent, natural or man-made, without a prior written agreement executed by Consumers' Real Estate Department expressly allowing the aforementioned.

Ground Elevation: Owner shall not materially alter the ground elevation within the Easement Area without a prior written agreement executed by Consumers Real Estate Department allowing said alteration.

Restoration: Consumers shall restore as reasonably as practicable all that portion of Owner's Land damaged by Consumers during the original installation, maintenance, repair, replacement, or removal of Consumers' facilities on Owner's Land pursuant to this easement to a condition existing immediately prior to the damage to Owner's Land; provided however, the provisions of this paragraph shall not apply to anything located within the Easement Area in violation of any other provisions contained in this easement.

Exercise of Easement: The nonuse of the Easement Area for any period of two (2) or more years shall be deemed a termination of this agreement and Consumers, at its sole cost and expense, shall perform work necessary to stabilize the abandoned facilities, including, but not limited to purging the pipes with nitrogen or as is standard in the industry and subsequently restore the surface of such Easement Area, subject to normal wear and tear.

Environmental: Without limiting any other provision of this agreement, Consumers shall comply in all material respects with all applicable constitutional provisions, laws, ordinances, orders, requirements, rules, and regulations made by any governmental entity, body, or authority relating to its property and operations under this agreement. If Consumers' use of the Easement Area results in the presence on, in, or under the Easement Area (which includes but is not limited to the groundwater underlying the Easement Area) of contaminants, hazardous waste, hazardous substances, pollutants, or toxic substances, as currently or hereafter defined in the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), 42 USCA 9601 *et seq*; the Resource Conservation and Recovery Act (RCRA), 42 USCA 6901 *et seq*; the Toxic Substances Control Act (TSCA), 15 USCA 2601 *et seq*; the Michigan Natural Resources and Environmental Protection Act, MCL 324.101 *et seq*; or any other similar existing or future statutes, Consumers will to the extent caused by Consumers, its employees, agents, contractors, and/or subcontractors or anyone authorized by or on behalf of Consumers at no cost to Owner, immediately notify Owner and promptly take:

- 1) all actions that are required by any federal, state, or local governmental agency or political subdivision, and
- 2) all actions that are necessary to restore the Easement Area to the condition existing prior to the release or introduction of such contaminants, hazardous waste, hazardous substances, pollutants, or toxic substances, notwithstanding any lesser standard of remediation allowable under applicable law or governmental policies. The actions required by Consumers pursuant to this paragraph include, but are not limited to:
 - a) the investigation of the environmental condition of the Easement Area;
 - b) the preparation of any feasibility studies, reports, or remedial plans required by law or governmental policy, and
 - c) the performance of cleanup, remediation, containment, operation, maintenance, monitoring, or restoration work, whether on or off the Easement Area. Consumers will proceed continuously and diligently with such investigatory and remedial actions.

The parties will provide to each other copies of all test results and reports generated in connection with the above activities and copies of all reports submitted to any governmental entity free of cost. No cleanup, remediation, restoration, or other work required to be performed pursuant to this paragraph will require or result in the imposition of any limitation or restriction on the use of the Easement Area without prior notification and approval, which shall not be unreasonably withheld, to the other. The provisions of this paragraph will survive the term or any termination of this agreement.

Ownership: Owner covenants with Consumers that they are the lawful fee simple owner of the aforesaid lands, and that they have the right and authority to make this grant, and that they will forever warrant and defend the title thereto against all claims whatsoever.

Successors: This easement shall bind and benefit Owner's and Consumers' respective heirs, successors, lessees, licensees, and assigns.

Counterparts: This easement may be executed simultaneously in two or more counterparts, each of which shall be deemed an original and all of which together shall constitute one and the same instrument. It is not necessary that all parties execute any single counterpart if each party executes at least one counterpart.

Indemnification: Consumers shall at all times assume all liability for and protect, indemnify and save Owner, its successors and assigns, harmless from and against all actions, judgments, losses, orders, decrees, costs, and expenses brought or recovered against or incurred by Owner by reason of any death, bodily injury, personal injury, and loss or damage to Owner's Land as a result of Consumers' exercise of the rights granted hereunder or Consumers' presence on Owner's Land pursuant to this agreement. To the fullest extent allowable by law, Consumers shall at all times assume all liability for and protect, indemnify and save Owner, its successors and assigns, harmless from and against all actions, judgments, losses, orders, decrees, costs, and expenses brought or recovered against or incurred by Owner by reason of any death, bodily injury, personal injury, and loss or damage to Owner's Land in the Easement Area, to the fullest extent provided by law, as a result of Consumers' exercise of the rights granted hereunder or Consumers' presence on Owner's Land pursuant to this agreement. With respect to 3rd party claims, nothing herein shall be construed as a status, such as governmental tort liability. Consumers shall not permit any liens on the Owner's Land for any labor or material furnished to Consumers in connection with its use of the Easement Area.

Choice of Law: This License shall be governed by the laws of the State of Michigan, including as to interpretation, enforceability, validity, and construction. Venue shall be deemed proper in Ingham County, Michigan.

Disclaimer of Warranties: Owner has not and does not make any express, implied, or statutory representations or warranties of any kind to Consumers concerning the Owner's Land or Easement Area; the status of Owner's title with respect to the Owner's Land, the condition or usability of the Easement Area; or the parties' use of the Easement Area being in compliance with any statute, ordinance, or regulation, including, but not limited to those relating to the environment. The provisions of this section shall survive any termination of this agreement.

Damage: Owner shall have no liability for any loss or damage caused to Consumers' Facilities that may be occasioned by or through the acts or omissions of others.

Notice: Any notices required or permitted to be given under the terms of this agreement shall be in writing and mailed by registered or certified U.S. mail, return receipt requested, postage prepaid, and in any case duly and properly addressed to the party indicated below or such other address or recipient as the party to whom such notice is to be given may specify from time to time by notice to the other party in accordance with this paragraph:

To Consumers: Consumers Energy Company
Business Services - Real Estate One Energy
Plaza
Jackson, Michigan 49201

To Owner: City of Lansing
124 W. Michigan Ave. Lansing, Michigan
48933

With copy to:
Office of the City Attorney
124 W. Michigan Avenue, 5th Floor Lansing, MI 48933

Each such notice shall be deemed to have been given and effective when mailed, as evidenced by the receipt of said mailing.

Date: _____

Owner: CITY OF LANSING PARKS & RECREATION DEPARTMENT, a Michigan municipal department

Signature

By: Andy Schor _____

Its: Mayor _____

Acknowledgment

The foregoing instrument was acknowledged before me in _____ County, _____,

on _____ by Andy Schor, Mayor of the City of Lansing Parks & Recreation Department, a

Michigan municipal department, on behalf of the department.

Notary Public

Print Name

County, _____

Acting in _____ County

My Commission expires: _____

Prepared By: Tabitha Metcalf, 7/17/2025
Consumers Energy Company
One Energy Plaza
Jackson, MI 49201
Project Manager: Stacy L. Gilbertson

After recording, return to:
Carrie Main, EP7-464
Consumers Energy Company
One Energy Plaza
Jackson, MI 49201

EXHIBIT A

Owner's Land

Land situated in the City of Lansing, County of Ingham, State of Michigan:

The Northwest 1/4 of Section 26, Town 4 North, Range 2 West, except the Southwest 1/4 of the Southwest 1/4, also except the South 1/2 of the Southeast 1/4, also except lands in the Northwest 1/4 of the Northwest 1/4 used for Aurelius Road widening.

Also known as: 2020 East Mt. Hope Avenue, Lansing, Michigan 48910

Parcel ID: 33-01-01-26-101-003

AND

The Northeast 1/4 of Section 26, Town 4 North, Range 2 West, described as: Commencing at the North 1/4 corner; thence South 2640.00 feet to the centerline of Forest Road; thence East 1320.00 feet; thence North 825.00 feet; thence East 720.32 feet to the West right of way line 1446.00 feet; thence West 723.50 feet; thence North 369.50 feet; thence West 1320.00 feet to the Beginning.

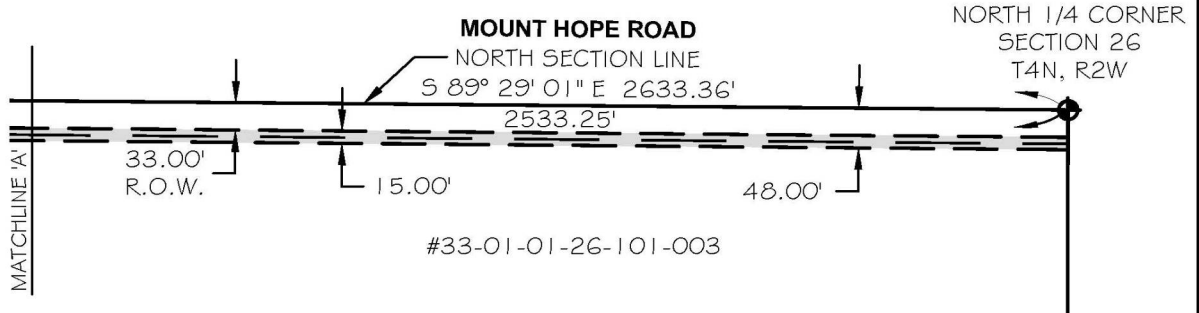
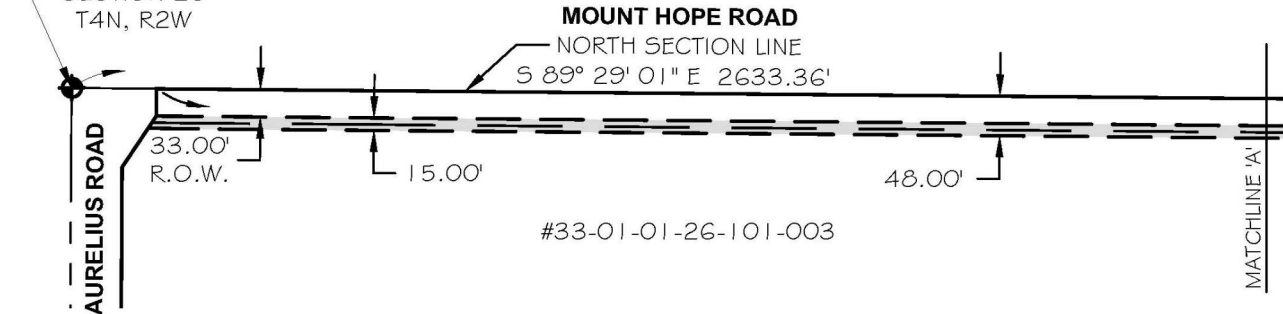
Also known as: 2600 East Mt. Hope Avenue, Lansing, Michigan 48910

Parcel ID: 33-01-01-26-276-111

EXHIBIT B

Gas Pipeline No. 1026F Mt Hope - DAPP 22996

NORTHWEST CORNER
SECTION 26
T4N, R2W



#33-01-01-26-101-003

#33-01-01-26-101-003



SCALE: 1" = 200
0 100 200

Basis of Bearing

Michigan State Plane Coordinate System
South Zone (NAD83 2011)



Matthew Schuelke

Legend

- Approximate Property Line
- UG Gas Pipeline - Proposed
- Proposed Gas Facilities Easement (0.87 acre)

Consumers Energy

SSI
surveying solutions, inc.
SURVEYING • ENGINEERING • CONSTRUCTION SERVICES

Gas Pipeline No. 1026F
Mt Hope - DAPP 22996
NW 1/4 Section 26
T4N, R2W, City of Lansing
Ingham Co., Michigan

Drawing No. SA-26394PARCEL33-01-01-26-101-003

Filename: SA26394PARCEL33-01-01-26-101-003.dwg
Field Crew: n/a
Field Book No. 24299
Drawn By: M. Schuelke
Date: 8/13/2025
Scale: 1" = 200'
Sheet 1

8/13/2025 3:15 PM g:\projects\2023a\24299\dwg\sa26394\parcel33-01-01-26-101-003.dwg

EXHIBIT B

Gas Pipeline No. 1026F Mt Hope - DAPP 22996

Legal Description: Proposed Gas Facilities Easement

The South 15.00 feet of the North 48.00 feet of the following described parcel:

The Northwest 1/4 of Section 26, Township 4 North, Range 2 West, City of Lansing, Ingham County, Michigan.
Except the Southwest 1/4 of the Southwest 1/4 of the Northwest 1/4, Also except lands in the Northwest 1/4 of the Northwest 1/4 used for Aurelius Road widening.

Description for Parcel 33-01-01-26-101-003 is based upon Ingham County Tax Records and GIS.



Matthew Schuelke

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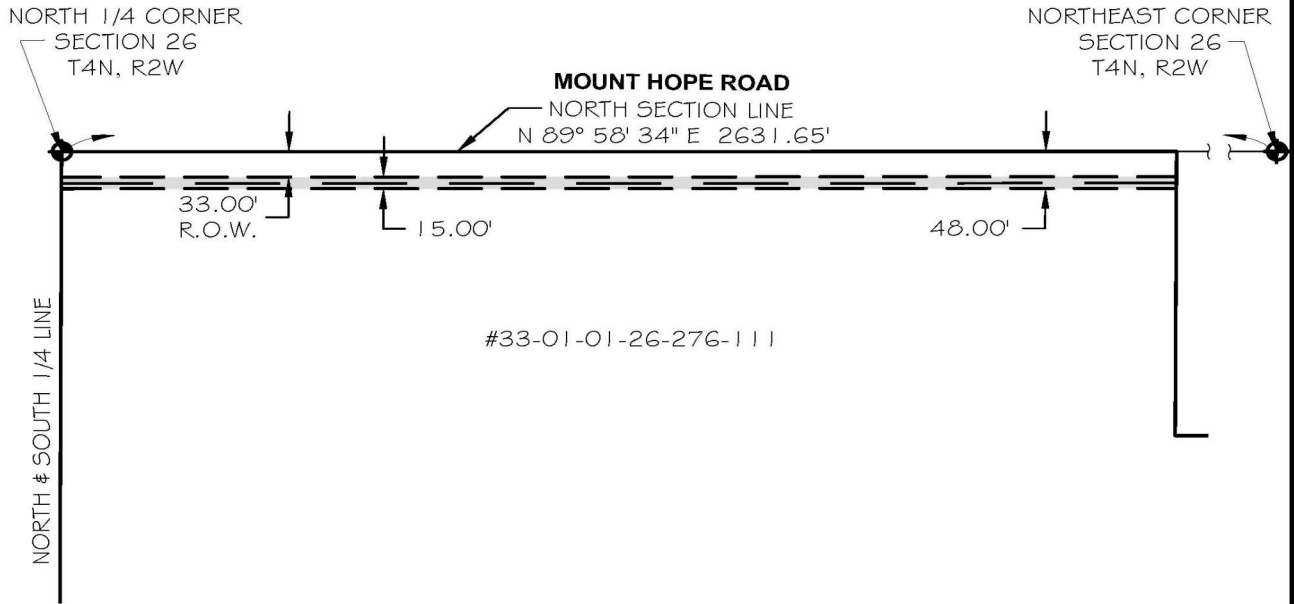
Gas Pipeline No. 1026F
Mt Hope - DAPP 22996
NW 1/4 Section 26
T4N, R2W, City of Lansing
Ingham Co., Michigan

Drawing No. 5A-26394PARCEL33-01-01-26-101-003

Filename: 5A26394PARCEL33-01-01-26-101-003.dwg
Field Crew: n/a
Field Book No. 24299
Drawn By: M. Schuelke
Date: 8/13/2025
Scale: n/a
Sheet 2

EXHIBIT B

Gas Pipeline No. 1026F Mt Hope - DAPP 22996

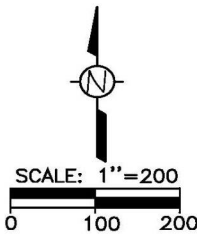


#33-01-01-26-276-111

NORTH & SOUTH 1/4 LINE

Legend

- Approximate Property Line
- UG Gas Pipeline - Proposed
- Proposed Gas Facilities Easement (0.45 acre)



Basis of Bearing

Michigan State Plane Coordinate System
South Zone (NAD83 2011)



Matthew Schuelke

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Gas Pipeline No. 1026F
Mt Hope - DAPP 22996
NE 1/4 Section 26
T4N, R2W, City of Lansing
Ingham Co., Michigan

Drawing No. SA-26394PARCEL33-01-01-26-276-111

Filename: SA26394PARCEL33-01-01-26-276-111.dwg
Field Crew: n/a
Field Book No. 24299
Drawn By: M. Schuelke
Date: 8/13/2025
Scale: 1" = 200'
Sheet 1

EXHIBIT B

Gas Pipeline No. 1026F Mt Hope - DAPP 22996

Legal Description: Proposed Gas Facilities Easement

The South 15.00 feet of the North 48.00 feet of the following described parcel:

A parcel of land in the Northeast 1/4 of Section 26, Township 4 North, Range 2 West, City of Lansing, Ingham County, Michigan described as: Beginning at the North 1/4 corner of said Section 26; thence South 2640 feet to the centerline of Forest Road; East 1320 feet; North 825 feet; East 720.32 feet to the West Right of Way line of I-496; North on West Right of Way line of I-496, 1446 feet; West 723.5 feet; North 369.5 feet; West 1320 feet to the Point of Beginning.

Description for Parcel 33-01-01-26-276-111 is based upon Ingham County Tax Records and GIS.



Matthew Schuelke

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Gas Pipeline No. 1026F
Mt Hope - DAPP 22996
NE 1/4 Section 26
T4N, R2W, City of Lansing
Ingham Co., Michigan

Drawing No. SA-26394PARCEL33-01-01-26-276-111

Filename: SA26394PARCEL33-01-01-26-276-111.dwg
Field Crew: n/a
Field Book No. 24299
Drawn By: M. Schuelke
Date: 8/13/2025
Scale: n/a
Sheet 2



ACT 33 REVIEW APPLICATION

CITY OF LANSING
PLANNING OFFICE

Reset Form

Print

FILE NUMBER: ACT- 3-2025

DATE SUBMITTED: _____

Applicant: Consumers Energy

Address (including zip code): One Energy Plaza, Jackson MI 49201

Phone number: 517-788-8912

Fax number: _____ Email: Joseph.LawsonIII@cmsenergy.com

Interest in Property:

- Owner Represent owner Option to buy

Other: Public Utility Easement Request

If applicant of not the owner, or if there is more than one owner, provide the following information (attach additional sheets if necessary):

Name of owner(s): Same as above

Address (including zip code): _____

Phone number(s): _____

Fax number: _____ Email: _____

SUBJECT PROPERTY GENERAL INFORMATION:

Address (if any): 2020, 2600 East Mt. Hope Avenue

Location description: East Mt. Hope Avenue east of Aurelius Rd (Fenner Nature Ctr)

Permanent parcel #: 33-01-01-26-101-003, 33-01-01-26-276-111

Legal description (see note below): attached

Applicant's proposal: Acquire the necessary easement to permit the installation of a replacement underground natural gas distribution line in order to update and improve the existing facilities and to further continue to provide natural gas service to those customer within the City of Lansing.

REQUESTED ACTION: (please check one)

City Acquisition of Property

Street or Alley Closure

City Sale of Property

Vacation of R.O.W

Significant Change of Use of City Property

Other: **Public Utility (Consumers Energy) Easement Acquisition**

What positive impacts (if any) will occur as a result of approving this proposal?

The requested easement will provide the necessary area to allow for the upgrade and replacement of our natural gas infrastructure servicing the immediate area. By locating the gas distribution line as requested will minimize or negate any future impacts to the public road right of way should there be a need for maintenance or future taps of the line. This location will also help minimize any potential conflicts with future utility installations or road projects within the public right of way.

What negative impacts (if any) will occur if this proposal is not approved?

Should Consumers be required to locate the replacement line within the public road right of way, installation of said line could potentially have a negative impact on the public road infrastructure and those who use it.

What negative impacts (if any) will occur as a result of approving and implementing your proposal?

No anticipated negative impacts have been noted with the proposed location of the line or the requested approval of the easement.

Please fill out this application **COMPLETELY** and make sure that the following items are included:

Maps describing proposal. Maps should be readable and drawn to a specific scale.

Any other materials, brochures, pictures, etc. which will further explain the proposal.

NOTE:

If the action applied for will result in transfer of legal title from the City to the applicant or another or if the City otherwise requires, the applicant agrees to provide at the applicant's expense:

- A certified legal description
- Title insurance
- An appraisal
- An environmental report for the property

or to pay for same at closing, whichever the City determines.

FEES:

Consolidated Rate: \$650.00

Signature of applicant:

Joseph
Lawson Digitally signed by Joseph
Lawson
Date: 2025.08.25
13:49:23 -04'00' / 8.25.2025
Date

Signature of owner(s):

Joseph
Lawson Digitally signed by Joseph
Lawson
Date: 2025.08.25
13:49:44 -04'00' / 8.25.2025
Date

_____ / 8.25.2025
Date

_____ / 8.25.2025
Date

SUBMIT THE FULLY COMPLETED APPLICATION TO THE ADDRESS BELOW.

For assistance, please contact:

PLANNING OFFICE
316 N. CAPITOL AVE., SUITE D-1
LANSING, MI 48933
(517) 483-4066
FAX: (517) 483-6036

EASEMENT FOR GAS FACILITIES

Line 1026 Mt. Hope DAPP 22996

SAP# 44335303

Agreement# MI00000086661

CITY OF LANSING PARKS & RECREATION DEPARTMENT, a Michigan municipal department, whose address is 124 West Michigan Avenue, 8th Floor, Lansing, Michigan 48933 (hereinafter "Owner") for \$1.00 and other good and valuable consideration [exempt from real estate transfer tax pursuant to MCL 207.505(f) and from State real estate transfer tax pursuant to MCL 207.526(f)] grants and warrants to CONSUMERS ENERGY COMPANY, a Michigan corporation, One Energy Plaza, Jackson, Michigan 49201 (hereinafter "Consumers") a permanent easement to enter Owner's land (hereinafter "Owner's Land") located in the City of Lansing, County of Ingham, and State of Michigan as more particularly described in the attached Exhibit A to construct, operate, maintain (including cathodic protection systems), inspect (including aerial patrol), survey, replace, reconstruct, improve, remove, relocate, change the size of, enlarge, protect, and abandon in place a pipeline or pipelines in, on, under, over, across, and through a portion of Owner's Land (hereinafter "Easement Area") as more fully described in the attached Exhibit B, together with any associated valves, fittings, location markers and signs, communication systems, utility lines, protective apparatus and all other equipment, appurtenances, and facilities, whether above or below grade, necessary, useful or incidental to or for the operation or protection thereof, and to conduct such other activities as may be necessary or convenient in connection therewith as determined by Consumers for the purpose of transmitting and distributing natural gas.

Acceptance of the Property: Consumers has examined the Easement Area prior to the execution of this agreement and accepts same in the condition as it exists at the execution of this agreement and waives any and all claims Consumers may at any time have against Owner related to the condition of the Easement Area, except where provided in the Section titled Environment below or required by law. Owners shall have no obligation to make any repairs to the Easement Area.

Additional Work Space: Owner further grants to Consumers, during initial construction and installation only a temporary easement to use additional work space (hereinafter "Temporary Work Area" or "TWA"), and during any such use, Consumers' rights with respect to the TWA shall be exclusive even as to the Owner, and Owner shall not use or allow others to use the TWA during said initial construction and installation.

Access: Consumers shall have the right to unimpaired access to said pipeline, and the right of ingress and egress on, over, and through Owner's Land for any and all purposes necessary, convenient, or incidental to the exercise by Consumers of the rights granted hereunder.

Blocking Access: Except in case of emergency, Consumers shall use its best efforts not to block ingress and egress to Owner's Land during construction and other activities on Owner's Land.

Trees and Other Vegetation: Owner shall not plant any trees within the Easement Area. Consumers shall have the right from time to time hereafter to enter Owner's Land to trim, cut down, and otherwise remove and control any trees, brush, roots, and other vegetation within the Easement Area.

Buildings/Structures: Owner agrees not to build, create, construct, or permit to be built, created, or constructed, any obstruction, building, septic system, drain field, fuel tank, pond, swimming pool, lake, pit, well, foundation, engineering works, installation or any other type of structure over, under, or on said Easement Area, whether temporary or permanent, natural or man-made, without a prior written agreement executed by Consumers' Real Estate Department expressly allowing the aforementioned.

Ground Elevation: Owner shall not materially alter the ground elevation within the Easement Area without a prior written agreement executed by Consumers Real Estate Department allowing said alteration.

Restoration: Consumers shall restore as reasonably as practicable all that portion of Owner's Land damaged by Consumers during the original installation, maintenance, repair, replacement, or removal of Consumers' facilities on Owner's Land pursuant to this easement to a condition existing immediately prior to the damage to Owner's Land; provided however, the provisions of this paragraph shall not apply to anything located within the Easement Area in violation of any other provisions contained in this easement. If after the initial construction and/or installation of the pipeline within the Easement Area and any and all restoration, Consumers determines that it needs to further disturb or modify the surface of Owner's Land in furtherance of the purpose of this Easement, Consumers must first provide notice of the intended disturbance or modification, and may not proceed until it has received permission from Owner, which permission will not be unreasonably withheld, conditioned, or delayed. Notwithstanding the foregoing, in the event of an emergency or threat to the public health and safety, Consumers may proceed with any work required to address said event/circumstance and shall provide Owner notice as soon as reasonably practicable.

Exercise of Easement: The nonuse of the Easement Area for any period of two (2) or more years shall be deemed a termination of this agreement and Consumers, at its sole cost and expense, shall perform work necessary to stabilize the abandoned facilities, including, but not limited to purging the pipes with nitrogen or as is standard in the industry and subsequently restore the surface of such Easement Area, subject to normal wear and tear.

Environmental: Without limiting any other provision of this agreement, Consumers shall comply in all material respects with all applicable constitutional provisions, laws, ordinances, orders, requirements, rules, and regulations made by any governmental entity, body, or authority relating to its property and operations under this agreement. If Consumers' use of the Easement Area results in the presence on, in, or under the Easement Area (which includes but is not limited to the groundwater underlying the Easement Area) of contaminants, hazardous waste, hazardous substances, pollutants, or toxic substances, as currently or hereafter defined in the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), 42 USCA 9601 *et seq*; the Resource Conservation and Recovery Act (RCRA), 42 USCA 6901 *et seq*; the Toxic Substances Control Act (TSCA), 15 USCA 2601 *et seq*; the Michigan Natural Resources and Environmental Protection Act, MCL 324.101 *et seq*; or any other similar existing or future statutes, Consumers will to the extent caused by Consumers, its employees, agents, contractors, and/or subcontractors or anyone authorized by or on behalf of Consumers at no cost to Owner, immediately notify Owner and promptly take:

- 1) all actions that are required by any federal, state, or local governmental agency or political subdivision, and
- 2) all actions that are necessary to restore the Easement Area to the condition existing prior to the release or introduction of such contaminants, hazardous waste, hazardous substances, pollutants, or toxic substances, notwithstanding any lesser standard of remediation allowable under applicable law or governmental policies. The actions required by Consumers pursuant to this paragraph include, but are not limited to:

- a) the investigation of the environmental condition of the Easement Area;
- b) the preparation of any feasibility studies, reports, or remedial plans required by law or governmental policy, and
- c) the performance of cleanup, remediation, containment, operation, maintenance, monitoring, or restoration work, whether on or off the Easement Area. Consumers will proceed continuously and diligently with such investigatory and remedial actions.

The parties will provide to each other copies of all test results and reports generated in connection with the above activities and copies of all reports submitted to any governmental entity free of cost. No cleanup, remediation, restoration, or other work required to be performed pursuant to this paragraph will require or result in the imposition of any limitation or restriction on the use of the Easement Area without prior notification and approval, which shall not be unreasonably withheld, to the other. The provisions of this paragraph will survive the term or any termination of this agreement.

Ownership: Owner covenants with Consumers that they are the lawful fee simple owner of the aforesaid lands, and that they have the right and authority to make this grant, and that they will forever warrant and defend the title thereto against all claims whatsoever.

Successors: This easement shall bind and benefit Owner's and Consumers' respective heirs, successors, lessees, licensees, and assigns.

Counterparts: This easement may be executed simultaneously in two or more counterparts, each of which shall be deemed an original and all of which together shall constitute one and the same instrument. It is not necessary that all parties execute any single counterpart if each party executes at least one counterpart.

Indemnification: Consumers shall at all times assume all liability for and protect, indemnify and save Owner, its successors and assigns, harmless from and against all actions, judgments, losses, orders, decrees, costs, and expenses brought or recovered against or incurred by Owner by reason of any death, bodily injury, personal injury, and loss or damage to Owner's Land as a result of Consumers' exercise of the rights granted hereunder or Consumers' presence on Owner's Land pursuant to this agreement. To the fullest extent allowable by law, Consumers shall at all times assume all liability for and protect, indemnify and save Owner, its successors and assigns, harmless from and against all actions, judgments, losses, orders, decrees, costs, and expenses brought or recovered against or incurred by Owner by reason of any death, bodily injury, personal injury, and loss or damage to Owner's Land in the Easement Area, to the fullest extent provided by law, as a result of Consumers' exercise of the rights granted hereunder or Consumers' presence on Owner's Land pursuant to this agreement. With respect to 3rd party claims, nothing herein shall be construed as a status, such as governmental tort liability. Consumers shall not permit any liens on the Owner's Land for any labor or material furnished to Consumers in connection with its use of the Easement Area.

Choice of Law: This License shall be governed by the laws of the State of Michigan, including as to interpretation, enforceability, validity, and construction. Venue shall be deemed proper in Ingham County, Michigan.

Disclaimer of Warranties: Owner has not and does not make any express, implied, or statutory representations or warranties of any kind to Consumers concerning the Owner's Land or Easement Area; the status of Owner's title with respect to the Owner's Land, the condition or usability of the Easement Area; or the parties' use of the Easement Area being in compliance with any statute, ordinance, or regulation, including, but not limited to those relating to the environment. The provisions of this section shall survive any termination of this agreement.

Damage: Owner shall have no liability for any loss or damage caused to Consumers' Facilities that may be occasioned by or through the acts or omissions of others.

Notice: Any notices required or permitted to be given under the terms of this agreement shall be in writing and mailed by registered or certified U.S. mail, return receipt requested, postage prepaid, and in any case duly and properly addressed to the party indicated below or such other address or recipient as the party to whom such notice is to be given may specify from time to time by notice to the other party in accordance with this paragraph:

To Consumers: Consumers Energy Company
 Business Services - Real Estate One Energy
 Plaza
 Jackson, Michigan 49201

To Owner:
 City of Lansing

124 W. Michigan Ave. Lansing, Michigan
48933

With copy to:
Office of the City Attorney
124 W. Michigan Avenue, 5th Floor Lansing, MI 48933

Each such notice shall be deemed to have been given and effective when mailed, as evidenced by the receipt of said mailing.

Date: _____

Owner: CITY OF LANSING PARKS & RECREATION DEPARTMENT, a Michigan municipal department

Signature

By: Andy Schor

Its: Mayor

Acknowledgment

The foregoing instrument was acknowledged before me in _____ County, _____,
on _____ by Andy Schor, Mayor of the City of Lansing Parks & Recreation Department, a Michigan municipal department, on behalf of the department.

Notary Public

Print Name

County, _____

Acting in _____ County

My Commission expires: _____

Prepared By: Tabitha Metcalf, 7/17/2025
Consumers Energy Company
One Energy Plaza
Jackson, MI 49201
Project Manager: Stacy L. Gilbertson

After recording, return to:
Carrie Main, EP7-464
Consumers Energy Company
One Energy Plaza
Jackson, MI 49201

EXHIBIT A

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Land situated in the City of Lansing, County of Ingham, State of Michigan:

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Also known as: 2020 East Mt. Hope Avenue, Lansing, Michigan 48910

Parcel ID: 33-01-01-26-101-003

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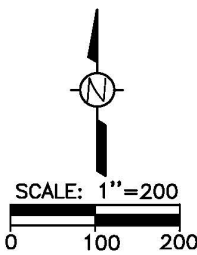
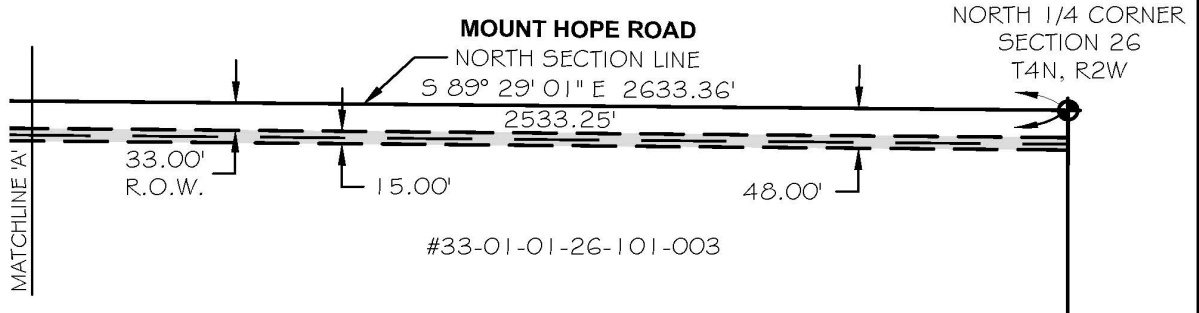
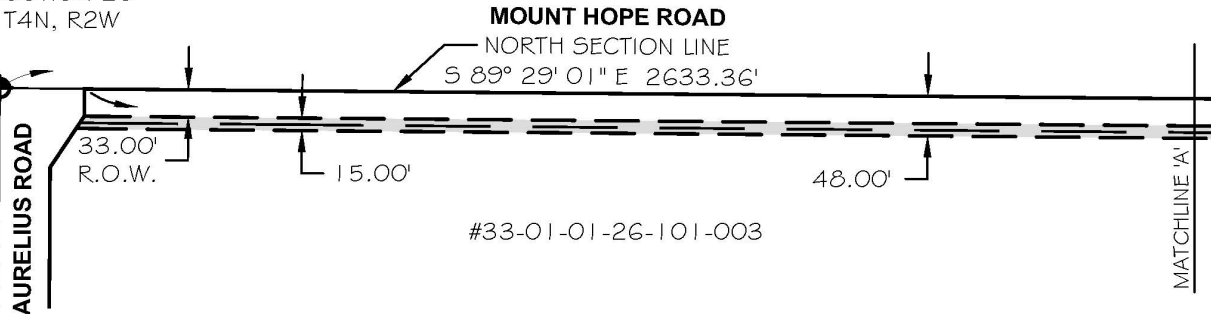
Also known as: 2600 East Mt. Hope Avenue, Lansing, Michigan 48910

Parcel ID: 33-01-01-26-276-111

EXHIBIT B

Gas Pipeline No. 1026F Mt Hope - DAPP 22996

NORTHWEST CORNER
SECTION 26
T4N, R2W



Matthew Schuelke

Legend

- Approximate Property Line
- UG Gas Pipeline - Proposed
- Proposed Gas Facilities Easement (0.87 acre)

Basis of Bearing

Michigan State Plane Coordinate System
South Zone (NAD83 2011)

Consumers Energy

SSI
surveying solutions, inc.
SURVEYING • ENGINEERING • CONSTRUCTION SERVICES

Gas Pipeline No. 1026F
Mt Hope - DAPP 22996
NW 1/4 Section 26
T4N, R2W, City of Lansing
Ingham Co., Michigan

Drawing No. SA-26394PARCEL33-01-01-26-101-003

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Gas Pipeline No. 1026F Mt Hope - DAPP 22996

Legal Description: Proposed Gas Facilities Easement

The South 15.00 feet of the North 48.00 feet of the following described parcel:

The Northwest 1/4 of Section 26, Township 4 North, Range 2 West, City of Lansing, Ingham County, Michigan.
Except the Southwest 1/4 of the Southwest 1/4 of the Northwest 1/4, Also except lands in the Northwest 1/4 of the Northwest 1/4 used for Aurelius Road widening.

Description for Parcel 33-01-01-26-101-003 is based upon Ingham County Tax Records and GIS.



Matthew Schuelke

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Consumers Energy

SSI
surveying solutions, inc.
SURVEYING • ENGINEERING • CONSTRUCTION SERVICES

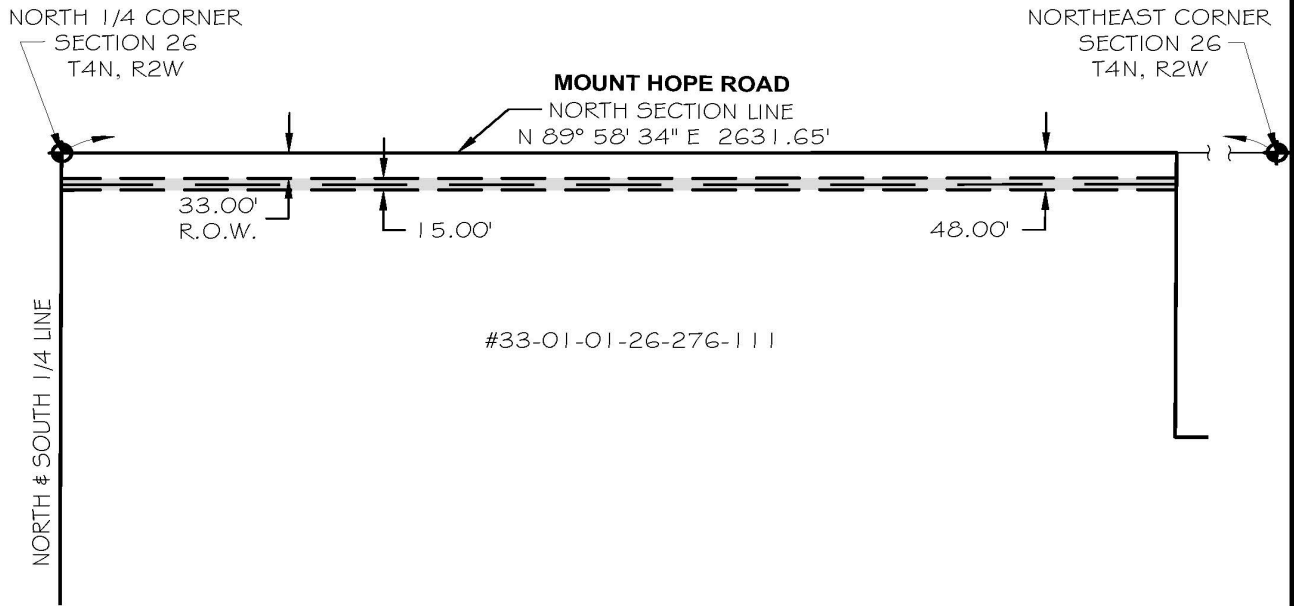
Gas Pipeline No. 1026F
Mt Hope - DAPP 22996
NW 1/4 Section 26
T4N, R2W, City of Lansing
Ingham Co., Michigan

Drawing No. 5A-26394PARCEL33-01-01-26-101-003

Filename: SA26394PARCEL33-01-01-26-101-003.dwg
Field Crew: n/a
Field Book No. 24299
Drawn By: M. Schuelke
Date: 8/13/2025
Scale: n/a
Sheet 2

EXHIBIT B

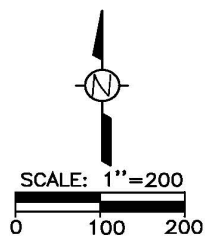
Gas Pipeline No. 1026F Mt Hope - DAPP 22996



#33-01-01-26-276-111

NORTH & SOUTH 1/4 LINE

- Legend**
- Approximate Property Line
 - UG Gas Pipeline - Proposed
 - Proposed Gas Facilities Easement (0.45 acre)



Basis of Bearing
Michigan State Plane Coordinate System
South Zone (NAD83 2011)



Matthew Schuelke

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 <p>SURVEYING • ENGINEERING • CONSTRUCTION SERVICES</p>	<p>Gas Pipeline No. 1026F Mt Hope - DAPP 22996 NE 1/4 Section 26 T4N, R2W, City of Lansing Ingham Co., Michigan</p>	<p>Drawing No. 5A-26394PARCEL33-01-01-26-276-111 Filename: 5A26394PARCEL33-01-01-26-276-111.dwg Field Crew: n/a Field Book No. 24299 Drawn By: M. Schuelke Date: 8/13/2025 Scale: 1" = 200' Sheet 1</p>
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EXHIBIT B

Gas Pipeline No. 1026F Mt Hope - DAPP 22996

Legal Description: Proposed Gas Facilities Easement

The South 15.00 feet of the North 48.00 feet of the following described parcel:



A parcel of land in the Northeast 1/4 of Section 26, Township 4 North, Range 2 West, City of Lansing, Ingham County, Michigan described as: Beginning at the North 1/4 corner of said Section 26; thence South 2640 feet to the centerline of Forest Road; East 1320 feet; North 825 feet; East 720.32 feet to the West Right of Way line of I-496; North on West Right of Way line of I-496, 1446 feet; West 723.5 feet; North 369.5 feet; West 1320 feet to the Point of Beginning.

Description for Parcel 33-01-01-26-276-111 is based upon Ingham County Tax Records and GIS.



Matthew Schuelke

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  <p>SURVEYING • ENGINEERING • CONSTRUCTION SERVICES</p>	<p>Gas Pipeline No. 1026F Mt Hope - DAPP 22996 NE 1/4 Section 26 T4N, R2W, City of Lansing Ingham Co., Michigan</p>	<p>Drawing No. SA-26394PARCEL33-01-01-26-276-111 Filename: SA26394PARCEL33-01-01-26-276-111.dwg Field Crew: n/a Field Book No. 24299 Drawn By: M. Schuelke Date: 8/13/2025 Scale: n/a Sheet 2</p>
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BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Act-3-2025, 2020 and 2600 East Mount Hope Avenue, Utility Easement

WHEREAS, Consumers Energy has requested a fifteen (15) feet-wide utility easement, beginning 33 feet from the north property line of 2020 East Mount Hope Avenue, Parcel Identification Number 33-01-01-26-101-003, for the installment of natural gas distribution lines; and

WHEREAS, Consumers Energy has requested a fifteen (15) feet-wide utility easement beginning 33 feet from the north property lines of 2600 East Mount Hope Avenue, Parcel Identification Number 33-01-01-26-276-111, for the installment of natural gas distribution lines; and

WHEREAS, Consumers Energy will replace and install a natural gas main within the easement area; and

WHEREAS, the City of Lansing shall not plant any trees or install any improvements within the easement area; and

WHEREAS, Consumers Energy shall restore any area of the easement damaged during their original installation, maintenance, repair, replacement, or removal of Consumers' facilities, to its previous condition as reasonably practical; and

WHEREAS, on September 2, 2025, the Planning Commission reviewed the location, character, and extent of the proposal for the subject easement in accordance with its Act 33 review procedures and voted unanimously (6-0) to recommend approval of Act-3-2025, 2020 and 2600 East Mount Hope Avenue, Utility Easement, as proposed; and

WHEREAS, the Committee on Development and Planning has reviewed the report and recommendation of the Planning Commission and concurs therewith;

NOW THEREFORE BE IT RESOLVED, the Lansing City Council hereby approves the request to create a utility easement extending fifteen (15) feet-wide along the north property lines of 2020 East Mount Hope Avenue, legally described as:

The South 15.00 feet of the North 48.00 feet of the following described parcel:

NW 1/4 SEC 26 EXC SW 1/4 OF SW 1/4, ALSO EXC S 1/2 OF SE 1/4, ALSO EXC LANDS IN NW 1/4 OF NW 1/4 USED FOR AURELIUS RD WIDENING; SEC 26 T4N R2W

And

The South 15.00 feet of the North 48.00 feet of the following described parcel:

COM N 1/4 COR SEC 26, TH S 2640 FT TO CL FOREST RD, E 1320 FT, N 825 FT, E 720.32 FT TO W R/W LINE I-496, N ON R/W LINE 1446 FT, W 723.5 FT, N 369.5 FT, W 1320 FT TO BEG; SEC 26 T4N R2W EVERGREEN CEMETERY

for the amount of One Dollar (\$1.00) and other valuable consideration.

BE IT FINALLY RESOLVED, that the Mayor, on behalf of the City, is hereby authorized to sign and execute all documents to complete this transaction, subject to prior approval as to content and form by the City Attorney.