AGENDA
Committee on Development and Planning
Monday, May 1, 2017 @ 3:15 p.m. (note time)
10th Floor Conference Room, City Hall

Councilmember Judi Brown Clarke, Chair
Councilmember Jessica Yorko, Vice Chair
Councilmember Tina Houghton, Member
Councilmember Adam Hussain, Member

1. **Call to Order**

2. **Public Comment on Agenda Items**

3. **Minutes**
   - April 3, 2017

4. **Discussion/Action:**
   A.) RESOLUTION – Set the Public Hearing; SLU-1-2017; 700 E. Oakland; Residential Use in “I” Heavy Industrial

   B.) RESOLUTION – Introduction & Set the Public Hearing; Z-2-2017; 5025 S. Pennsylvania; E-2 Local Shopping to F Commercial

   C.) RESOLUTION – Introduction & Set the Public Hearing; Z-3-2017; 3512 S Martin Luther King Jr.; F Commercial and J Parking to H Light Industrial

   D.) RESOLUTION – Set the Public Hearing; Brownfield Redevelopment Plan # 68; 513 & 515 W Ionia Street; Belen Buildings Redevelopment Project

   E.) RESOLUTION- Set the Public Hearing; Brownfield Redevelopment Plan # 69; 221 West Saginaw Avenue Redevelopment Project

   F.) RESOLUTION – Introduction & Set the Public Hearing; Z-8-2016; Rezoning 3001 S Washington Avenue; D-1 Professional Office and J- Parking District to F-Commercial District

5) **Other**

6) **Adjourn**

DRAFT

MINUTES
Committee on Development and Planning
Monday, April 3, 2017 @ 4:00 p.m.
Council Conference Room, City Hall 10th Floor

CALL TO ORDER
Called to order at 4:05 p.m.

PRESENT
Council Member Brown Clarke, Chair
Council Member Yorko, Vice-Chair
Council Member Houghton, Member
Council Member Hussain, Member-excused

OTHERS PRESENT
Sherrie Boak, Council Staff
Brandon Waddell, Assistant City Attorney
Scott Gillespie, The Gillespie Group
Eric Pratt, LEAP
Derek Dalling
Lauren Martin, TGC
Susan Stachowiak, Planning & Neighborhood Development
Bill Rieske, Planning & Neighborhood Development
Scott Gillespie, Gillespie Group
John Grettenberger Jr., LorAnn Oils, Inc.
Margarita Sanchez
Niki Barry
Dave Van Haaren, TriTerra
Ryan Wert, REO Town Commercial Association
Mark Quimby, SME

PUBLIC COMMENT
Nothing on this time.

MINUTES
MOTION BY COUNCIL MEMBER HOUGHTON TO APPROVE THE MINUTES FROM MARCH 20, 2017 AS PRESENTED. MOTION CARRIED 3-0. .

DISCUSSION/ACTION

RESOLUTION – Brownfield Plan #67; 2200 Block Redevelopment Project, 2216-2224 E. Michigan Avenue

Mr. Gillespie stated that nothing in the project or plan had changed since the last meeting or the public hearing. Council Member Yorko asked Mr. Gillespie about the price points on the rents and with her concerns will vote no on the resolution because of her opinion that the rent will be too high. Council Member Houghton asked Mr. Gillespie if he had considered affordable housing, which Mr. Gillespie answered that with issues of affordable housing and PILOTS over the last 12 months, he has chosen not to approach that. He continued, that he is working with AARP, building and finishing the units in compliance to meet AARP certification with their guidelines. This includes doorways width, door handles, the types of light switches, placement of lights, minimizing transitions in flooring, and placement of microwaves.
Mr. Pratt stated to the Committee that his opinion would be that affordable housing would be a wonderful endeavor, but to do it case by case is not the best policy. Mr. Pratt suggested the Committee consider a study for affordable housing. Council Member Yorko stated she would be working on a study with an Ad Hoc on Housing with affordable housing.

MOTION BY COUNCIL MEMBER HOUGHTON TO APPROVE THE RESOLUTION FOR THE BROWNFIELD PLAN #67; 2200 BLOCK REDEVELOPMENT PROJECT; 2216-2224 E MICHIGAN. MOTION CARRIED 2-1.

RESOLUTION – Brownfield Plan #20a; LorAnn Oils, Inc., Amendment 1, 2017 Building Expansion, 4518 Aurelius Road

The applicant provided a brief update on the site and future plans. Council Member Houghton asked if there would be access to the river trail. It was confirmed that the property does not go to the river, that the property that abuts the river was gifted to the City, and the property behind their property is owned by Dean Transportation.

MOTION BY COUNCIL MEMBER YORKO TO APPROVE THE RESOLUTION FOR THE BROWNFIELD PLAN #20a; LORANN OILS, INC., AMENDMENT 1 2017 BUILDING EXPANSION, 4518 AURELIUS ROAD. MOTION CARRIED 3-0.

RESOLUTION – OPRA District; DED Development, LLC, 629 W. Hillsdale

The applicant informed the Committee that he had started demolition already, but cannot begin any renovations until the OPRA is granted. He then invited the Committee to a tour of the building whenever they wanted.

MOTIN BY COUNCIL MEMBER HOUGHTON TO APPROVE THE RESOLUTION FOR THE OPRA DISTRICT; DED DEVELOPMENT, LLC, 629 W HILLSDALE. MOTION CARRIED 3-0.

RESOLUTION – OPRA Certificate; DED Development, LLC, 629 W. Hillsdale

MOTION BY COUNCIL MEMBER YORKO TO APPROVE THE RESOLUTION FOR THE OPRA CERTIFICATE; DED DEVELOPMNET, LLC 629 W HILLSDALE.
MOTION CARRIED 3-0.

RESOLUTION – OPRA District; Best Case ScenaREO, LLC; 1101 & 1103 S Washington Avenue

Mr. Pratt recapped the property to the Commission, by reminding them the application was only for the District. The approval will allow the applicants to divide both physically and legally into two parcels. Once the process is complete, the applicants will come back for the approval of the certificates. Mr. Wert added that they are finalizing a tenant for second floor.

Council Member Brown Clarke asked how the taxes will be calculated once they are divided. Mr. Pratt stated he too has begun conversations with the Assessor, who confirmed that all taxes are determined by what is present in the previous year on December 31st. The assessor will determine the taxes in December 31, 2017 after the split for the 2018 takes. No one will know the effect until 2018.

MOTION BY COUNCIL MEMBER HOUGHTON TO APPROVE THE RESOLUTION FOR THE OPRA DISTRICT, BEST CASE SCENAREO, LLC, 1101 & 1103 S WASHINGTON AVENUE. MOTION CARRIED 3-0.

<u>RESOLUTION – Setting of Public Hearing; Z-9-2016; Rezoning 2122 N MLK & Vacant Properties from Residential, Community Unit, Apartment Shop, Commercial and Parking to “H” Light Industrial, “G-2” Wholesale and “F” Commercial</u>

Ms. Stachowiak outlined the location at MLK & N. Grand intersection. The application addresses 4 parcels, and notices were sent to residents and property owners within 400’ from the site. The applicant worked with the residential properties to the east, even changing his request to rezone it to G-2 Wholesale, which would generate minimal traffic. Lastly Ms. Stachowiak stated the re-zoning would be conditional re-zoning which would require a 30’ wide strip of land along the East side property adjacent to the residential properties maintaining its natural state.

MOTION BY COUNCIL MEMBER YORKO TO APPROVE THE RESOLUTION TO SET THE PUBLIC HEARING FOR Z–9-2016; REZONING OF 2122 N MLK & VACANT PROPERTIES FROM RESIDENTIAL, COMMUNITY UNIT, APARTMENT SHOP, COMMERCIAL AND PARKING TO “H” LIGHT INDUSTRIAL, “G-2” WHOLESALE AND “F” COMMERCIAL. MOTION CARRIED 3-0.

<u>RESOLUTION – ACT-11-2016; 637 E. Michigan Avenue; Vacate North East Street Easements</u>

Mr. Rieske referred to the map in the packet which outlined the former Clara’s, the railroad and the proposed vacated easement. Mr. Rieske noted the property had been vacated with reserved easements for utilities in the past. The developer is now asking for vacate of the utility easements since the underground and overhead are no longer used. He confirmed that Public Service, BWL, AT&T and CSX did not have issues. The developer does own the property, the request is to vacate the utilities which no longer exist physically. Council Member Brown Clarke asked if there was written approval from CSX, and Mr. Rieske referenced an email in the packet from CSX. Council Member Brown Clarke asked if the property from the Shiawassee Street would be effected. Mr. Rieske stated they would not be disconnected they would have access from the north.

MOTION BY COUNCIL MEMBER HOUGHTON TO APPROVE THE RESOLUTION FOR ACT11-2016 FOR 637 E MICHIGAN AVENUE, VACATE NORTH EAST STREET EASEMENTS. MOTION CARRIED 3-0.

<u>RESOLUTION – Introduction & Setting of Public Hearing</u>
<u>Ordinance Amendments to Section 1240.03; Garden Definitions</u>

The Committee reviewed the amendments to the code which would add definitions for gardens. Council Member Brown Clarke asked about enforcement if the property is owned by the Land Bank and the neighbors occupy with a community garden. Ms. Stachowiak confirmed that whoever is the owner on the tax records, is responsible. She was then asked if the Land Bank could sell the property if there is a garden there, and Ms. Stachowiak again stated who ever owns it is responsible and can sell it. The owner will also be responsible for any structures on the property. Council Member Brown Clarke asked if the Land Bank approaches the abutting properties to acquire the property when they demolish a house. Ms. Stachowiak confirmed that is their first goal. Council Member Brown Clarke then asked how the City regulates the sites to make sure they maintain aesthetics. Ms. Stachowiak confirmed that Code would address trash, litter and tall grass like any other property. The Committee briefly discussed an education piece and language that would suggest maintenance and notifications to the neighborhoods before the garden is established.

MOTION BY COUNCIL MEMBER HOUGHTON TO APPROVE THE RESOLUTION TO INTRODUCE AND SET THE PUBLIC HEARING FOR MAY 15, 2017. MOTION CARRIED 3-0.

Adjourn at 5:03 p.m.
Submitted by, Sherrie Boak, Recording Secretary,
Lansing City Council
Approved by the Committee on_________________

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9th Floor, City Hall
124 W. Michigan Avenue
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Virg Bernero, Mayor

TO: City Council President Patricia Spitzley and Councilmembers

FROM: Mayor Virg Bernero

DATE: 4-21-17

RE: SLU-1-2017, 700 E. Oakland, Residential Use in the "I" district

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The attached correspondence is forwarded for your review and appropriate action.

VB/rh
Attachment

Virg Bernero, Mayor

City of Lansing

Inter-Departmental Memorandum

To: Virg Bernero, Mayor

From: Susan Stachowiak, Zoning Administrator

Subject: CITY COUNCIL AGENDA ITEM
SLU-1-2017, 700 E. Oakland, Residential Use in the "I" district

Date: April 19, 2017

Please forward this resolution to City Council for placement on the Agenda.

If you have any questions, or need additional information, please give me a call.

Attachments

BY THE COMMITTEE ON DEVELOPMENT & 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, _________________, 2017, at 7 p.m. in City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of approving and/or opposing the Ordinance for rezoning:

SLU-1-2017: Special Land Use Permit, Residential Use in the "I" Heavy Industrial District, 700 E. Oakland Avenue and 3 Adjoining Parcels to its South.

CITY OF LANSING
NOTICE OF PUBLIC HEARING

SLU-1-2017, 700 E. Oakland Street
Special Land Use Permit - Residential Use in the "I" Heavy Industrial District

The Lansing City Council will hold a public hearing on Monday, , 2017, at 7:00 p.m. in Council Chambers, 10th Floor, Lansing City Hall, 124 W. Michigan Avenue, Lansing, Michigan to consider SLU-1-2017. This is a request by Summit Street Development, LLC to construct up to 522 residential units on the property bounded by Oakland Avenue to the north, May Street to the south, Prudden Street to the east and the former railroad right-of-way to the west. Residential land use is permitted in the "1" Heavy Industrial district, which is the designation of the subject property, if a Special Land Use permit is approved by the Lansing City Council.

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, 2017 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

GENERAL INFORMATION

APPLICANT/OWNER:	Summit Street Development, LLC 700 May Street Lansing, MI 48906
LOCATION:	700 E. Oakland Street & 3 vacant parcels to its south
REQUESTED ACTION:	Special Land Use Permit to residential use in the "I" Heavy Industrial District
EXISTING LAND USE:	Vacant/Parking Lot
EXISTING ZONING:	"I" Heavy Industrial District
PROPOSED ZONING:	No change
PROPERTY SIZE & SHAPE:	6.22 acres
SURROUNDING LAND USE:	N: Industrial Building S: Office Building E: Office Building W: Vacant
SURROUNDING ZONING:	N: "I" Heavy Industrial District S: "I" Heavy Industrial District E: "I" Heavy Industrial District W: "I" Heavy Industrial District
MASTER PLAN DESIGNATION:	The Design Lansing Master Plan designates the subject property as "Downtown Mixed-Use Center: Edge". Prudden Street and May Street are both designated as local roads.

SPECIFIC INFORMATION

This is a request by Summit Street Development, LLC to construct up to 522 residential units on the property bounded by Oakland Avenue to the north, May Street to the south, Prudden Street to the east and the former railroad right-of-way to the west. Residential land use is permitted in the "1" Heavy Industrial district, which is the designation of the subject property, if a Special Land Use permit is approved by the Lansing City Council.

AGENCY RESPONSES:

BWL:

Building Safety: The BSO has no objections.

Development:

Fire Marshal:

Parks & Recreation: No comments.

Public Service: Any redevelopment of the site with significant site changes will require a site plan review.

Transportation:

ANALYSIS

Section 1282.03(f)(1)-(2) 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?**

   The subject property is located between May Street to the south and Oakland Avenue to the north on the west side of Prudden Street. The applicant is seeking a special land use permit to allow the construction of up to 522 residential units on a site that includes 4 existing parcels of land totaling 6.22 acres. The apartments will be a mix of 1, 2 and 3 bedroom units. The site is currently zoned "I" Heavy industrial which district permits residential land uses, with a special land use permit.

   Residential development is the most appropriate use of the subject property, given the land use pattern already established in the area. The property south of May Street is an office building and the parcel to its south is a former industrial building that was converted to apartments in the 1990's. Both of these parcels are zoned "I" Heavy Industrial. To the southwest of the subject property is a more recent residential development that is also zoned "I" Heavy Industrial. Special land use permits were granted by the City to allow both of these residential developments.

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

   As described above, multiple family residential use of the subject property will not change the essential character of the area which is already primarily characterized by multiple family residential developments. In fact, if the site were to be used for one of the heavy industrial permitted by right in the "I" Heavy Industrial district, it would have more of an impact on the essential character of the area than the residential development being proposed.

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

Residential use of the site will not interfere with the enjoyment of adjacent properties. The "I" Heavy Industrial district permits manufacturing, open storage yards, recycling, power stations and other high impact industrial uses as a matter of right. Such uses could generate noise, odors, vibrations, heavy traffic, etc. that would negatively impact and interfere with enjoyment of the existing residential and office uses 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?**

Development of the property for residential use is considered to be an "improvement" to the property and to the surrounding area in general. The site is currently used for a parking lot that detracts rather than contributes to the area in which it is located.

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?**

No nuisances are anticipated to result from residential use of the subject property. In fact, residential use of the property will likely have much less of an impact on the surrounding area as most heavy industrial uses that would be permitted as a matter of right in the "I" Heavy Industrial district.

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?**

No negative comments have been received from any of the reviewing departments or agencies with regard to impacts on public facilities and services. The proposed development will need to be reviewed through the City's administrative site plan review process which includes review and approval of a storm water management plan by the City engineers.

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

The adequacy of utilities and transportation systems to accommodate the proposed development will be determined during the City's administrative site plan review process.

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?

Residential development of the subject property will be consistent with the intent and purpose of both the Zoning Ordinance and the Design Lansing Master Plan. The Zoning Ordinance permits residential land use in the "I" Heavy Industrial district, with a special land use permit when it can be determined through an analysis of the criteria contained in Section 1282.03(f)(1)-(9) of the Zoning Ordinance that such use is appropriate for the proposed location. In this particular case, residential use of the property will comply with the necessary criteria, subject to compliance with the specific requirements for development in the "I" Heavy Industrial district. This is described in detail under item 9 below.

The Design Lansing Comprehensive Plan designates the subject property for "Downtown Mixed-Use Center: Edge". The intent of this designation as stated in the Plan is:

> "To support the downtown area by allowing a mix of uses and to enhance the quality of the pedestrian environment; maintain the presence of older, often historic buildings; and provide for a transition in building height and use intensity to near-downtown neighborhoods."

The Master Plan lists the following as typical uses for this designation:

> "Office, institutions, entertainment, live-work and residential. Retail and personal services as an accessory use should be located in the same building as a primary use. Automobile-oriented uses and light industrial are permitted with special approval. High rise office and residential towers with large surface parking lots and limited street frontage should *not* be permitted."

> "Typical densities/building heights: Base density/height and bonuses for residential, mixed-income housing, ground floor retail, open space and other desired development features will need to be determined. Minimum 2 stories; **up to 10 stories should be considered** with height overlay zones and bonuses for desired development features. Residential densities of 20-100 dwelling units/acre depending on sub-area location and existing development context."

> The applicant's proposal is consistent with the intent and purpose of the Master Plan. As noted above, residential use is listed as one of the uses that should be allowed for this district. The proposed building(s) will be a maximum of 10 stores and area and the proposed density of 83 dwelling units per acre is also within the acceptable density levels for this district.

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

The "I" Heavy Industrial district permits residential development, with approval of a special land use permit, if the proposed development complies with the dimensional requirements of the "DM-4" Residential district. The dimensional requirements applicable to this proposal are as follows:

Density: 700 square feet of lot for each 1-bedroom unit
950 square feet of lot for each 2-bedroom unit
1,400 square feet of lot for each 3+-bedroom unit

The applicant has not provided a breakdown of the proposed number of units by bedroom count. The applicant simply states that the development will consist of up to 522 units that will be a mix of 1, 2 and 3 bedrooms. The site contains 6.22 acres of land (270,943.2 square feet). Thus, even if the applicant were proposing to construct all 1-bedroom units, 365,400 square feet of lo area would be required. Therefore, the applicant's proposal well exceeds the density levels permitted by the Zoning Ordinance.

Building Height: 120 feet

The applicant has not provided any renderings or plans of the proposed building(s), however, the application states that the building(s) will be "up to 10 stories". The 120 foot height limitation should be adequate to accommodate 10 stories.

Parking: 1-bedroom unit – 1.5 spaces
2+ bedroom unit – 2 spaces

The applicant has not provided any details on how parking for the proposed development will be accommodated, particularly since some of the parking in the existing lot north of May Street is necessary to fulfill the requirements for the office/residential uses south of May Street.

The applicant may need to request variances from the Board of Zoning Appeals with respect to density and parking.

RECOMMENDATION

Based on the findings of fact contained in the staff report, it is recommended that SLU-1-2017 be approved to permit the development of the property bounded by Oakland Avenue to the north, May Street to the south, Prudden Street to the east and the former railroad right-of-way to the west, for multiple family residential use to the density permitted under the "DM-4" district, unless a variance to the allowable density is permitted by the Board of Zoning Appeals.

Respectfully Submitted,

Susan Stachowiak
Zoning Administrator

Site Plan
Intended General Areas

Site Photos

Arial Overhead

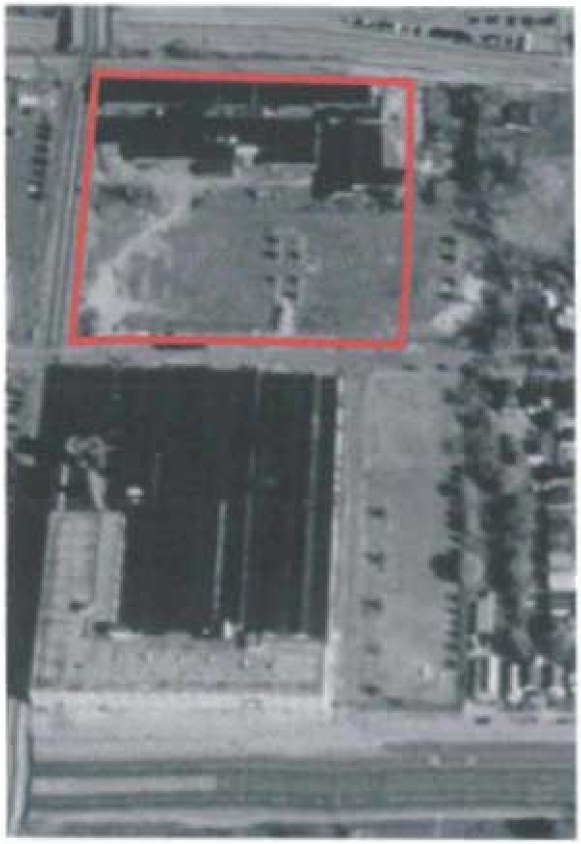
View to southwest from northeast corner. Looking down Oakland Avenue; Demmer on right, Site on left. Prudden Tech Centre and Motor Wheel far left.

Site Photos

View from center of site looking North. Demmer is across Oakland viaduct.

View from above Demmer looking South toward site.

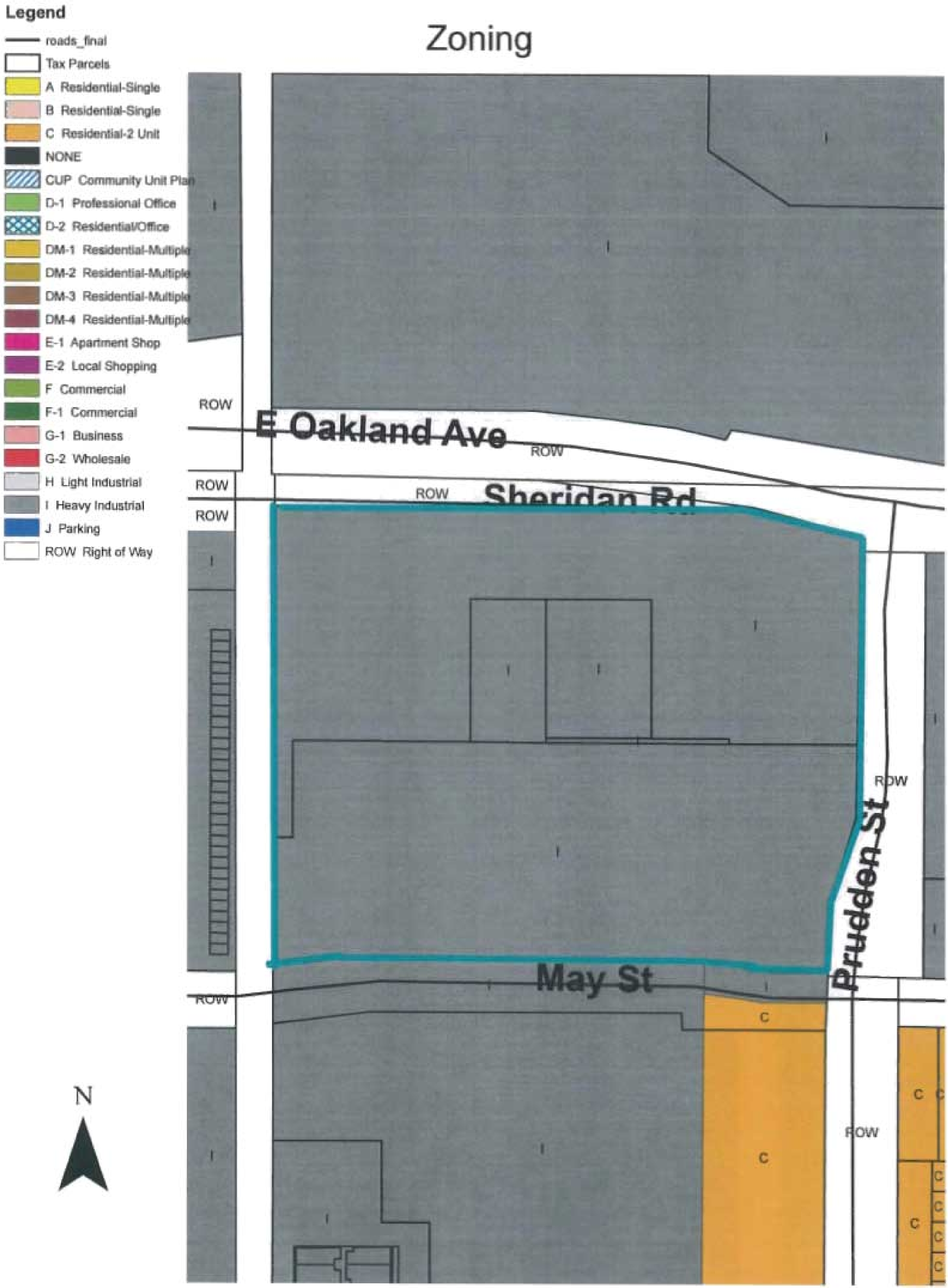
PARCEL HISTORY
Historic Configuration



1998 arial photograph showing pre-existing structures on the subject parcels.

2005 arial photograph showing the remaining foundations, now buried, on the subject site.


E Oakland Ave
Sheridan Rd
May St
Prudden St
N



Legend
roads_final
Tax Parcels
A Residential-Single
B Residential-Single
C Residential-2 Unit
NONE
CUP Community Unit Plan
D-1 Professional Office
D-2 Residential/Office
DM-1 Residential-Multiple
DM-2 Residential-Multiple
DM-3 Residential-Multiple
DM-4 Residential-Multiple
E-1 Apartment Shop
E-2 Local Shopping
F Commercial
F-1 Commercial
G-1 Business
G-2 Wholesale
H Light Industrial
I Heavy Industrial
J Parking
ROW Right of Way
Zoning
E Oakland Ave
Sheridan Rd
May St
Prudden St
ROW
N

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

SLU-1-2017
Residential Use in the “I” Heavy Industrial District
700 E. Oakland & 3 Vacant Parcels to its South

WHEREAS, Summit Street Development, LLC has requested a Special Land Use permit (SLU-1-2017) to permit up to 522 residential units on the property bounded by Oakland Avenue to the north, May Street to the south, Prudden Street to the east and a former railroad right-of-way to the west; and

WHEREAS, the property is zoned “I” Residential District, where residential use is permitted subject to obtaining a Special Land Use permit; and

WHEREAS, a review was completed by staff evaluating the character, location and impact of the proposal on the surrounding area, the environment and public services as well as its consistency with the existing zoning and land use patterns in the area and with the objectives of the Design Lansing Comprehensive Plan; and

WHEREAS, the Planning Board held a public hearing on April 4, 2017, at which the applicant’s representatives spoke in favor of the request and 4 persons asked questions, two of whom expressed concerns about its impact on the residential neighborhood to the east; and

WHEREAS, the Planning Board, at its April 18, 2017 meeting, voted (4-0) to recommend approval of SLU-1-2017 for a Special Land Use to permit up to 522 residential units on the property bounded by Oakland Avenue to the north, May Street to the south, Prudden Street to the east and a former railroad right-of-way to the west; and

WHEREAS, the City Council held a public hearing regarding SLU-1-2017 on 2017; and

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

NOW THEREFORE BE IT RESOLVED that the Lansing City Council hereby approves SLU-1-2017, a Special Land Use permit to permit up to 522 residential units on the property bounded by Oakland Avenue to the north, May Street to the south, Prudden Street to the east and a former railroad right-of-way to the west

BE IT FURTHER RESOLVED that this Special Land Use permit shall remain in effect only so long as the petitioner fully complies with this resolution, and if the petitioner fails to comply, the Special Land Use permit may be terminated by City Council Resolution.

BE IT FINALLY RESOLVED that in granting this request, the City Council determines the following:

1. The proposed residential development is compatible with the essential character of the surrounding area, as designed.

2. The proposed residential development will not change the essential character of the surrounding area.
3. The proposed residential development will not interfere with the general enjoyment of adjacent properties.
4. The proposed residential development will not impact adjacent properties as it will not be detrimental to the use or character of the property under consideration.
5. The proposed residential development will not impact the health, safety and welfare of persons or property in the surrounding area.
6. The proposed residential development can be adequately served by essential public facilities and services.
7. The proposed residential development will not place any demands on public services and facilities in excess of current capacities.
8. The proposed residential development is consistent with the intent and purposes of the Zoning Code and the Design Lansing Master Plan.
9. The proposed residential development will comply with the requirements of the “I” Heavy Industrial District.

OFFICE OF THE MAYOR
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(517) 483-6066 (Fax)

Virg Bernero, Mayor

TO: City Council President Patricia Spitzley and Councilmembers

FROM: Mayor Virg Bernero

DATE: 4-20-17

RE: Z-2-2017, 5025 S. Pennsylvania - Rezoning

The attached correspondence is forwarded for your review and appropriate action.

VB/rh
Attachment

City of Lansing

Inter-Departmental
Memorandum

Virg Bernero, Mayor

WORKING TOWARD A CLEANER GREENER LANSING

To: Virg Bernero, Mayor

From: Susan Stachowiak, Zoning Administrator

Subject: CITY COUNCIL AGENDA ITEM - Z-2-2017, 5025 S. Pennsylvania - Rezoning

Date: April 19, 2017

The Lansing Planning Board, at a special meeting held on April 18, 2016, voted (4-0) to recommend approval of Z-2-2017, a request by the Gamut Group, LLC to rezone the property at 5025 S. Pennsylvania Avenue from “E-2” Local Shopping District to “F” Commercial District. The purpose of the rezoning is to permit a commercial retail establishment on the subject property.

The Planning Board found, based on testimony, evidence and the staff report, that the proposed rezoning will be consistent with the existing land use patterns in the area and with goals of the future land use pattern being advanced in the Design Lansing Comprehensive Plan.

No comments were received at the Planning Board public hearing held on April 4, 2017.

Please forward this resolution to City Council for placement on the Agenda.

If you have any questions, or need additional information, please give me a call.

Attachments

BY THE COMMITTEE ON DEVELOPMENT & 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, ____________________, 2017, at 7 p.m. in City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of approving and/or opposing the Ordinance for rezoning:

Z-2-2017: 5025 S. Pennsylvania Avenue, Rezoning from “E-2” Local Shopping District to “F” Commercial District

CITY OF LANSING
NOTICE OF PUBLIC HEARING

Z-2-2017, 5025 S. Pennsylvania Avenue
Rezoning from "E-2" Local Shopping District to "F" Commercial District

The Lansing City Council will hold a public hearing on Monday, , 2017 at 7:00 p.m. in Council Chambers, 10th Floor, Lansing City Hall, 124 W. Michigan Avenue, Lansing, Michigan to consider Z-2-2017. This is a request by the Gamut Group, LLC to rezone the property at 5025 S. Pennsylvania Avenue from "E-2" Local Shopping District to "F" Commercial District. The purpose of the rezoning is to permit a commercial retail establishment on the subject property.

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, , 2017 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

INTRODUCTION OF ORDINANCES

The following ordinance of the City of Lansing, Michigan, providing that the Code of Ordinances be amended by providing for the rezoning of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the Code for property located at:

Z-2-2017: 5025 S. Pennsylvania Avenue, Rezoning from “E-2” Local Shopping District to “F” Commercial District

was introduced by the Committee on Development & Planning, read a first time by its title and referred to the Committee on Development and Planning.

GENERAL INFORMATION

APPLICANT/OWNER:	Gamut Group, LLC P.O. Box 27222 Lansing, MI 48909
REQUESTED ACTIONS:	Rezone 5025 S. Pennsylvania Avenue from "E-2" Local Shopping & "J" Parking Districts to F" Commercial District
EXISTING LAND USE:	Vacant Gasoline Station Building
EXISTING ZONING:	"E-2" Local Shopping & "J" Parking Districts
PROPOSED ZONING:	"F" Commercial District
PROPERTY SIZE:	132' x 133'= 17,556 square feet - .40 acres
SURROUNDING LAND USE:	N: Office S: Commercial E: Residential W: Commercial
SURROUNDING ZONING:	N: "D-1" Professional Office & "J" Parking Districts S: "F" Commercial & "G-2" Wholesale Districts E: "A" Residential District W: "F" Commercial District
MASTER PLAN:	The Design Lansing Comprehensive Plan designates the subject property for "Urban Mixed-Use Corridor" land use. S. Pennsylvania is designated as a principal arterial and E. Jolly Road is designated as a minor arterial.

DESCRIPTION:

Z-2-2017. This is a request by the Gamut Group, LLC to rezone the property at 5025 S. Pennsylvania Avenue from "E-2" Local Shopping & "J" Parking Districts to "F" Commercial District. The purpose of the rezoning is to permit a commercial retail establishment (medical marijuana dispensary) on the subject property.

AGENCY RESPONSES

Building Safety: The BSO has no objections to the rezoning.

Development Office:

Parks & Recreation: No comments.

Public Service:

- If any changes are proposed to the site, a full site plan must be submitted.
- There are existing sanitary and storm sewers located in both Pennsylvania Ave and Jolly Rd that are currently serving the site. These sewers may continue to serve the proposed development.

Traffic Engineer:

COMPATIBILITY WITH SURROUNDING LAND USE:

The subject property contains a 1,960 square foot commercial building and is located in an area that is characterized by commercial, quasi-industrial, office and residential land uses. Since the property at the other 3 corners of the Pennsylvania/Jolly intersection are already zoned "F" Commercial, it is unclear as to why the subject property is zoned "E-2" Local Shopping district. Given the surrounding zoning patter, the request will not result in a "spot zone", which is typically considered to be an unacceptable planning practice. In fact, the rezoning will actually eliminate a spot zone as the subject property is the only one in the area zoned "E-2" Local Shopping.

The primary difference between the "E-2" Local Shopping district and the "F" Commercial district is that the "F" district permits automobile sales, hotels/motels, private clubs, comparison retail uses and possibly medical marijuana dispensaries. The "E-2" district, by contrast, is intended to allow conveniences type commercial uses that draw its primary customer base from the surrounding area. In other words, it is not intended to permit destination type uses. The applicant is requesting the rezoning for the purpose of permitting a medical marijuana dispensary in the existing building at 5025 S. Pennsylvania Avenue. While it is acknowledged that the City is still in the process of developing an ordinance to regulate such facilities, the subject property is not within 1000 feet of any churches, schools, parks, child care centers or any other uses that may disqualify it from being used as a dispensary based on the ordinance drafts that have been considered thus far.

It is not anticipated that the rezoning will be disruptive to the residential neighborhood to the east. Medical marijuana dispensaries typically do not generate much traffic, noise or other nuisances that would negatively impact the quality of life for nearby residents. In fact, the City's Planning Office has not received complaints of any such issues associated with the existing medical marijuana dispensaries in the City. While the applicant is requesting the rezoning for the purpose of allowing a medical marijuana facility, a rezoning should be considered based on any of the uses that would be permitted under the proposed zoning designation. Given the surrounding zoning pattern, as well as the location of the site at the intersection of a principal and a minor arterial, the uses allowed under the "F" Commercial district are appropriate for the subject property. Basic planning principles dictate that commercial land use should be concentrated along primary roads that are designed to carry a high volume of traffic and which are already characterized mainly by nonresidential land uses. Denying the applicants request for "F" Commercial zoning would deprive the applicant of land use rights that are already afforded to the property owners at all other 3 corners of the S. Pennsylvania/E. Jolly Road intersection.

COMPLIANCE WITH MASTER PLAN:

The Design Lansing Comprehensive Plan designates the subject property for "Urban Mixed-Use Corridor" land use. The Plan specifies the following for this land use classification:

> "To encourage the redevelopment of strip commercial corridors between cores to create a transit-supportive mix of uses, with a clear pedestrian orientation"

The Plan lists the following as typical uses for this classification:

> "Retail and personal services, medium-density residential in an urban format (see Residential Corridor), office, live-work, R&D and selected light industrial with special approval. Smaller-scale automobile-oriented uses may be acceptable when appropriate architecture and screening are used, and driveway curb cuts can be located and designed to maintain a clear pedestrian orientation."

The "F" Commercial district is the most appropriate zoning designation to facilitate the "Urban Mixed-Use Corridor" land use development strategy being advanced in Design Lansing Master Plan. It allows for restaurants, retail stores, gasoline stations, car washes and other general commercial uses as well as automobile-oriented site design regulations. In addition, the current layout of the site is consistent with the placemaking characteristics described above.

IMPACT ON VEHICULAR AND PEDESTRIAN TRAFFIC:

The proposed rezoning will have no impact on vehicular or pedestrian traffic. The subject property is located at the intersection of S. Pennsylvania Avenue which is a principal arterial and E. Jolly Road which is a minor arterial, both of which are designed to carry a high volume of traffic.

IMPACT ON PUBLIC FACILITIES:

The site is already served by all necessary public facilities. No changes are proposed for the site that would have an impact on public facilities.

ENVIRONMENTAL IMPACT:

The proposed rezoning will have no environmental impacts as the site is already developed and no changes are proposed at this time. New construction would require administrative site plan review at which time the site would have to be brought into compliance with all City codes and ordinance including those regulating storm water management.

IMPACT ON FUTURE PATTERNS OF DEVELOPMENT:

Approval of the requested rezoning is not anticipated to have any negative impacts on future patterns of development in the area. As evidenced by the attached zoning map, rezoning the subject property to "F" Commercial would make it consistent with the north line of "F" Commercial zoning that exists on the west side of S. Pennsylvania. Thus, there would be no basis for rezoning the property north of the subject property and the properties to the east are part of an established residential neighborhood.

SUMMARY

This is a request by the Gamut Group, LLC to rezone the property at 5025 S. Pennsylvania Avenue from "E-2" Local Shopping & "J" Parking Districts to "F" Commercial District. The purpose of the rezoning is to permit a commercial retail establishment (medical marijuana dispensary) on the subject property.

The findings of fact as outlined in this staff report support a positive recommendation for the requested rezoning. The proposed rezoning will be consistent with the existing zoning and land use patterns in the area and with the future land use pattern being advanced in the Design Lansing Comprehensive Plan. Additionally, the proposed rezoning will have no negative impacts on traffic patterns, the environment or future patterns of development in the area.

RECOMMENDATIONS

Pursuant to the findings described above, the following recommendation is offered for the Planning Board's consideration:

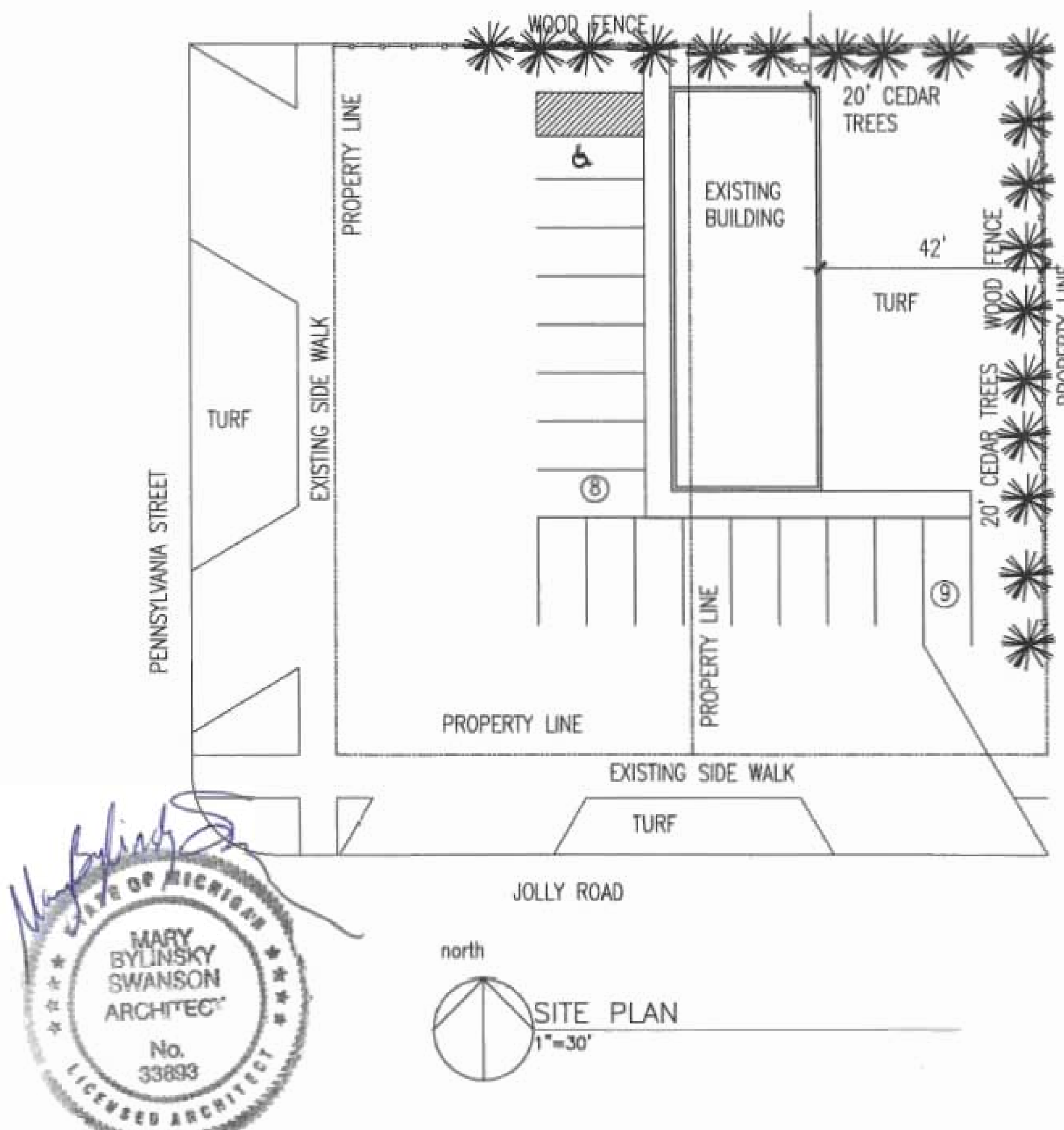
> Z-2-2017 be approved to rezone the property at 5025 S. Pennsylvania Avenue from "E-2" Local Shopping & "J" Parking Districts to "F" Commercial District.

Respectfully Submitted,

Susan Stachowiak
Zoning Administrator

SWANSON DESIGN STUDIOS

ARCHITECTURE DESIGN INTERIOR ARCHITECTURE



SITE PLAN

5025 S. PENNSYLVANIA
LANSING, MICHIGAN

DATE:
2/23/17

JOB NO:
2017.018

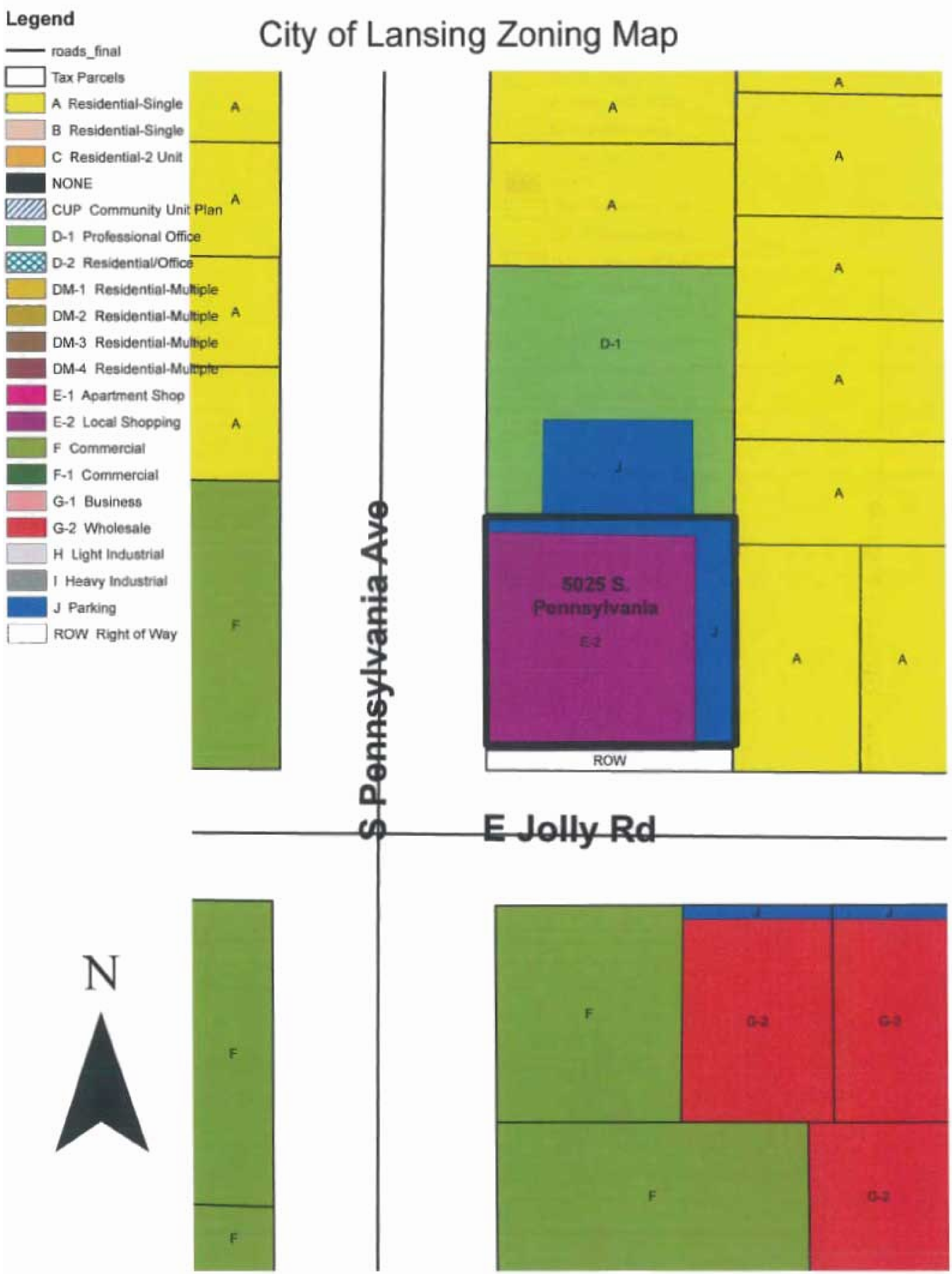
C1

PH(517)482-9039 329 EAST GRAND RIVER AVE. LANSING, MICHIGAN 48906 FAX(517)482-9290
WWW.SWANSONDESIGN.COM

Image/Sketch for Parcel: 33-01-01-34-376-131


5025 S.
Pennsylvania
E Jolly Rd
N

City of Lansing Zoning Map



ORDINANCE # _______

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING FOR THE REZONING OF A PARCEL OF REAL PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE OF ORDINANCES.

The City of Lansing ordains:

Section 1. That the district maps adopted by and incorporated as Section 1246.02 of the Code of Ordinances of the City of Lansing, Michigan be amended to provide as follows:

To change the zoning classification of the property described as follows:

Case Number:	Z-2-2017
Parcel Number's:	33-01-01-34-376-131
Legal Descriptions:	Lots 35 & 36 Except the South 7 Feet thereof, Pleasant Ridge Plat, City of Lansing, Ingham County, MI, from "E-2" Local Shopping and "J" Parking districts to "F" Commercial district

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance was duly adopted by the Lansing City Council on _________, 2017, and a copy is available in the office of the Lansing City Clerk, 9th Floor, City Hall, 124 W. Michigan Avenue, Lansing, MI 48933.

Section 4. This ordinance shall take effect upon the expiration of seven (7) days from the date this notice of adoption is published in a newspaper of general circulation.

OFFICE OF THE MAYOR
9th Floor, City Hall
124 W. Michigan Avenue
Lansing, Michigan 48933-1694
(517) 483-4141 (voice)
(517) 483-4479 (TDD)
(517) 483-6066 (Fax)

Virg Bernero, Mayor

TO: City Council President Patricia Spitzley and Councilmembers

FROM: Mayor Virg Bernero

DATE: 4-20-17

RE: Z-3-2017, 3512 S. MLK, Rezoning

The attached correspondence is forwarded for your review and appropriate action.

VB/rh
Attachment

Virg Bernero, Mayor

City of Lansing

Inter-Departmental Memorandum

To: Virg Bernero, Mayor

From: Susan Stachowiak, Zoning Administrator

Subject: CITY COUNCIL AGENDA ITEM - Z-3-2017, 3512 S. MLK, Rezoning

Date: April 19, 2017

The Lansing Planning Board, at a special meeting held on April 18, 2016, voted (4-0) to recommend approval of Z-3-2017, a request by MLK Storage Center, LLC to rezone the area of the property at 3512 S. ML King that is currently zoned "J" Parking district and a 70 foot x 370 foot section of the property that is currently zoned "F" Commercial to "H" Light Industrial. The purpose of the rezoning is to permit storage facilities on the subject property.

The Planning Board found, based on testimony, evidence and the staff report, that the proposed rezoning will be consistent with the existing land use patterns in the area and with goals of the future land use pattern being advanced in the Design Lansing Comprehensive Plan.

No comments were received at the Planning Board public hearing held on April 4, 2017.

Please forward this resolution to City Council for placement on the Agenda.

If you have any questions, or need additional information, please give me a call.

Attachments

BY THE COMMITTEE ON DEVELOPMENT & 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, ________________________, 2017, at 7 p.m. in City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of approving and/or opposing the Ordinance for rezoning:

Z-3-2017: 3512 S. M. L. King Jr. Blvd., Rezoning from “F” Commercial & “J” Parking Districts to “H” Light Industrial District

CITY OF LANSING
NOTICE OF PUBLIC HEARING

Z-3-2017, 3512 S. ML King Jr. Blvd.
Rezoning from “F” Commercial & “J” Parking Districts to “H” Light Industrial District

The Lansing City Council will hold a public hearing on Monday, , 2017 at 7:00 p.m. in Council Chambers, 10th Floor, Lansing City Hall, 124 W. Michigan Avenue, Lansing, Michigan to consider Z-3-2017. This is a request by MLK Storage Center, LLC to rezone the area of the property at 3512 S. ML King that is currently zoned “J” Parking district and a 70 foot x 370 foot section of the property that is currently zoned “F” Commercial to “H” Light Industrial. The purpose of the rezoning is to permit storage facilities on the subject property.

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, , 2017 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

ORDINANCE # _______

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING FOR THE REZONING OF A PARCEL OF REAL PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE OF ORDINANCES.

The City of Lansing ordains:

Section 1. That the district maps adopted by and incorporated as Section 1246.02 of the Code of Ordinances of the City of Lansing, Michigan be amended to provide as follows:

To change the zoning classification of the property described as follows:

Case Number: Z-3-2017

Parcel Number's: 33-01-01-32-201-223

Legal Descriptions: COMMENCING AT THE NORTH 1/4 CORNER OF SAID SECTION 32; THENCE S89DEG 48MIN 18SEC E 881.10 FEET ALONG THE NORTH LINE OF SAID SECTION 32 FOR A PLACE OF BEGINNING; THENCE CONTINUING ALONG SAID NORTH LINE S89DEG 48MIN 18SEC E 200.00 FEET; THENCE S00DEG 20MIN 42SEC W 33.00 FEET; THENCE N89DEG 48MIN 18SEC W 74.76 FEET ALONG THE SOUTH RIGHT-OF-WAY LINE OF HOLMES ROAD (33 FEET 1/2 WIDTH); THENCE SO0DEG 11MIN 42SEC W 365.67 FEET; THENCE S89DEG 48MIN 18SEC E 284.73 FEET; THENCE NO3DEG 16MIN 38SEC E 236.01 FEET ALONG THE WEST RIGHT-OF-WAY LINE OF MARTIN LUTHER KING JR. BOULEVARD (100 FEET WIDE); THENCE S89DEG 48MIN 18SEC E 22.70 FEET; THENCE SO0DEG 20MIN 42SEC W 496.76 FEET; THENCE N89DEG 56MIN 45SEC W 695.71 FEET ALONG THE NORTH LINE OF THE PLAT OF MONTCLAIR NO. 1, AS RECORDED IN LIBER 16 OF PLATS, PAGE 46 OF THE INGHAM COUNTY RECORDS; THENCE N00DEG 20MIN 42SEC E 418.47 FEET; THENCE S89DEG 48MIN 18SEC E 250.00 FEET; THENCE N00DEG 20MIN 42SEC E 243.00 FEET TO THE PLACE OF BEGINNING, CONTAINING 6.44- ACRES OF LAND, MORE OR LESS, BEING SUBJECT TO THE RIGHTS OF THE PUBLIC OVER THE NORTH 33.00 FEET, AS OCCUPIED BY HOLMES ROAD AND ON THE EAST BY MARTIN LUTHER KING JUNIOR BOULEVARD THEREOF, SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD, IF ANY, EXCEPT THE NORTH 243 FEET THEREOF, CITY OF LANSING, INGHAM COUNTY, MI,

FROM “J” PARKING & “F” COMMERCIAL DISTRICTS TO “H” LIGHT INDUSTRIAL DISTRICT.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance was duly adopted by the Lansing City Council on _________, 2017, and a copy is available in the office of the Lansing City Clerk, 9th Floor, City Hall, 124 W. Michigan Avenue, Lansing, MI 48933.

Section 4. This ordinance shall take effect upon the expiration of seven (7) days from the date this notice of adoption is published in a newspaper of general circulation.

GENERAL INFORMATION

APPLICANT/OWNER:	MLK Storage Center, LLC 979 S. Old US 23 Brighton, MI 48114
EXISTING LAND USE:	Vacant building being renovated for self-storage
EXISTING ZONING:	"F" Commercial, "J" Parking & "H" Light Industrial Districts
PROPOSED ZONING:	"H" Light Industrial District
PROPERTY SIZE:	256,712.1 square feet – 5.893 acres
SURROUNDING LAND USE:	N: Commercial S: Single Family Residential & Commercial E: Commercial W: Multi-Family Residential & Commercial
SURROUNDING ZONING:	N: "F" Commercial S: "A" Residential, "J" Parking & "F" Commercial E: "F" Commercial W: "DM-3" Residential & "F" Commercial District
MASTER PLAN:	The Design Lansing Master Plan designates the subject property for "community mixed-use center". S. ML King is designated as a principal arterial and W. Holmes Road is designated as a minor arterial.

DESCRIPTION:

Z-3-2017. This is a request by MLK Storage Center, LLC to rezone the area of the property at 3512 S. ML King that is currently zoned "J" Parking district and a 70 foot x 370 foot section of the property that is currently zoned "F" Commercial to "H" Light Industrial. The purpose of the rezoning is to permit storage facilities on the subject property.

AGENCY RESPONSES

BWL:

Building Safety: The building safety office has no objections to the rezoning.

Development Office:

Fire Marshal:

Parks & Recreation: No comments.

Public Service: We have no objection to the rezoning. Any changes in imperviousness or drainage patterns of the site would require a site plan be submitted for review. Any changes to the site would require storm water control measures to not adversely affect the City storm system or adjacent properties

Traffic Engineer:

REZONING ANALYSIS

COMPATIBILITY WITH SURROUNDING LAND USE:

This rezoning request involves the areas of the site currently zoned "J" Parking and an area of the site currently zoned "F" Commercial at the northwest corner of the property that measures approximately 70 feet wide from north to south and 370 feet wide from east to west. The area of the site that connects to W. Holmes Road will remain zoned "F" Commercial in order to preserve the frontage for commercial rather than industrial land use. The building on the subject property is within area of the site that is already zoned "H" Light Industrial and is in the process of being renovated for self-storage. The purpose of the rezoning is to permit drive-up storage on the area of the site west of the existing building. This includes 67 covered car/RV/boat storage spaces, 32 parking spaces along the north property line and 5 enclosed storage buildings. Attached is a site plan that illustrates the proposed development.

The site adjoins a single family residential neighborhood to the south and a multiple family residential complex to the west. The new development will be required to install a landscape buffers strip, at least 8 feet in width, along all property lines that adjoin residential uses. This will mitigate any potential negative impacts from the development in terms of light glare, noise and unsightly conditions. In terms of general compatibility with the surrounding residential neighborhoods, the proposed self-storage development is one of the most desirable uses for the subject property since such uses typically produce very little activity/traffic.

The subject property was originally developed as a vehicle dealership (Metro Ford). As was the custom at that time, the building was zoned for the use and the remainder of the site was zoned strictly for parking. Although not an appropriate planning practice, this allowed the City to have complete control over its development. The site has not been used as a dealership for some time and the current zoning makes reuse of the site difficult as a large portion of it can only be used for parking. The proposed rezoning allows for use of the entire site subject to the standard Zoning Ordinance controls such as setback, parking, landscape, screening and buffering requirements.

COMPLIANCE WITH MASTER PLAN:

The Design Lansing Master Plan designates the subject property for "community mixed-use center". The Plan specifies the following for this land use classification:

> "To encourage the transformation of large commercial concentrations into mixed-use districts"

The Plan lists the following as typical uses for this classification:

> "Offices, institutions, live-work, retail, personal services, entertainment, hotel and residential. Ground floor retail uses are encouraged in the mixed-use center core. Larger footprint retail and office uses are allowed, but should be part of an overall plan that includes other scale uses and the integration of placemaking principles noted below. R&D and selected light industrial is permitted with special approval."

Since "light industrial uses with special approval" is one of the typical uses listed above for the "Community Mixed-Use Center" designation, the proposed rezoning is consistent with the land use pattern being advanced in the Master Plan. The proposed self-storage development will have less of an impact on the adjoining residential properties as most commercial uses as such facilities typically do not generate a high level of activity.

IMPACT ON VEHICULAR AND PEDESTRIAN TRAFFIC:

The proposed development will not have any negative impacts on vehicular or pedestrian traffic in the area. Self-storage facilities generate a low volume of traffic in comparison to most commercial uses. Furthermore, the property is accessed via S. MLK which is a principle arterial and W. Holmes Road which is a minor arterial, both of which are designed to accommodate a high volume of traffic.

IMPACT ON PUBLIC FACILITIES:

The addition of more than 1,000 square feet of new impervious surface to the site will require administrative site plan review, at which time the adequacy of the utility systems to accommodate the proposed improvements will be evaluated.

ENVIRONMENTAL IMPACT:

Since the proposed development will require administrative site plan review, the entire site will have to brought into compliance will all applicable City codes and ordinance. This will include storm water management and landscape, screening and buffering along the east, west and parts of the south and north property lines.

IMPACT ON FUTURE PATTERNS OF DEVELOPMENT:

The proposed rezoning will not negatively impact future patterns of development and nor will it set a precedent for future rezoning requests in the area. The subject property is unique in that approximately half of the site is already zoned "H" Light Industrial and the owner cannot make reasonable use of the remainder of the site given the current zoning. Rezoning the property to a less intensive zoning designation such as "F" Commercial would not allow for reasonable use of the subject property as the "F" district permits the type of uses that typically depend on street visibility to draw customers. The area of the subject property that is the subject of this rezoning has no visibility from either W. Holmes or S. ML King and thus, it is only viable for destination type uses such as that being proposed by the applicant.

SUMMARY

Z-3-2017. This is a request by MLK Storage Center, LLC to rezone the area of the property at 3512 S. ML King that is currently zoned "J" Parking district and a 70 foot x 370 foot section of the property that is currently zoned "F" Commercial to "H" Light Industrial. The purpose of the rezoning is to permit storage facilities on the subject property.

The findings of fact as outlined in this staff report support a positive recommendation for the rezoning. The proposed rezoning is consistent with the existing land use and zoning patterns in the area and will have no negative impacts on transportation, utilities or future patterns of development in the area.

RECOMMENDATION

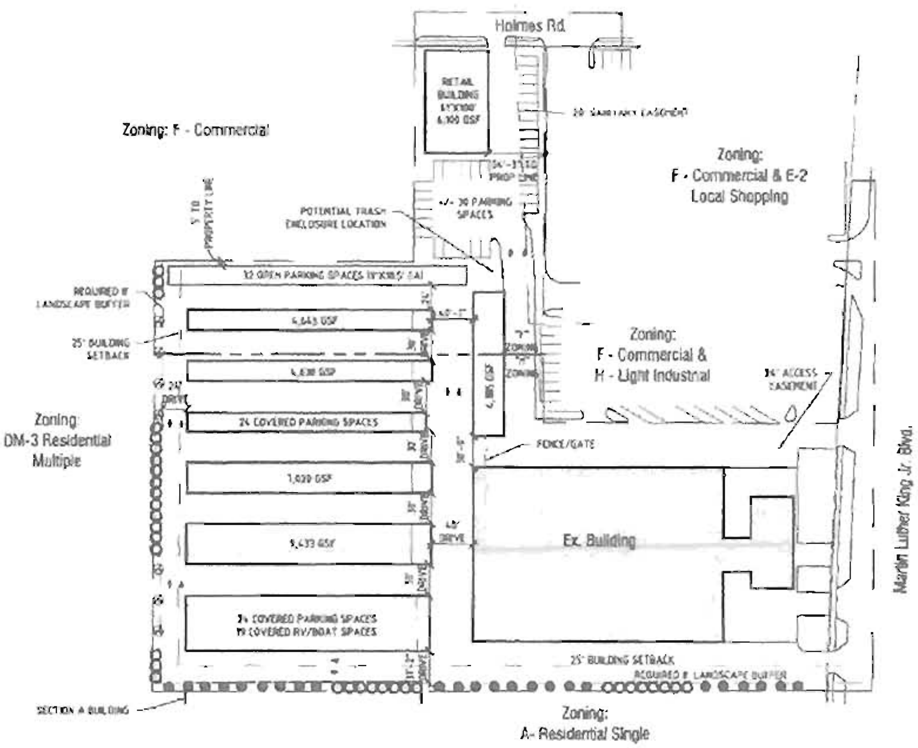
Pursuant to the findings described above, the following recommendations are offered for the Planning Board's consideration:

> Staff recommends that Z-3-2017 be approved to rezone the area of the property at 3512 S. ML King that is currently zoned "J" Parking district and a 70 foot x 370 foot section of the property that is currently zoned "F" Commercial to "H" Light Industrial, based on the findings of fact as outlined in this staff report.

Respectfully Submitted,

Susan Stachowiak
Zoning Administrator

My Space Self Storage



MySpace Self Storage
Lansing

Parcel ID: 33-01-01-32-201-223
3512 South M.L.K Jr. Blvd.
Lansing MI

Zoned: F- Commercial
J - Parking District
H - Light Industrial

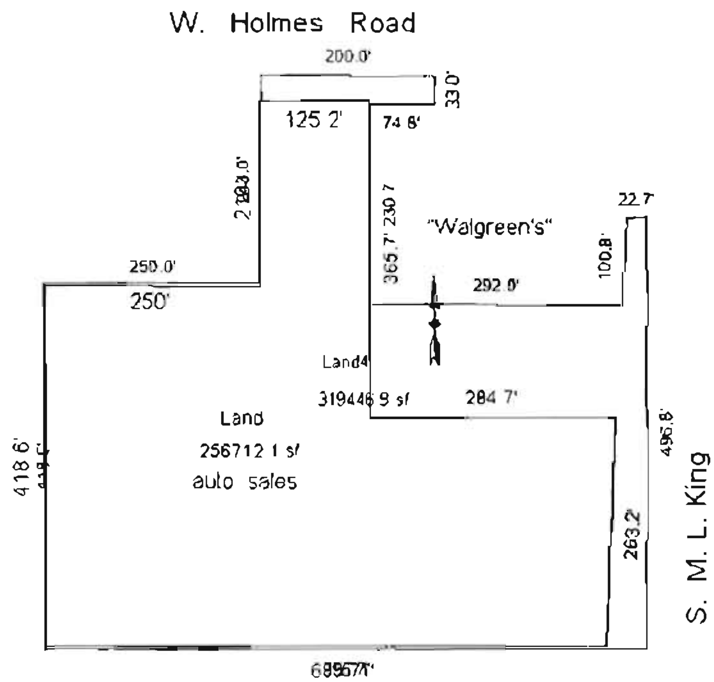
8' Landscape Buffer against residential zoning
25' Building Setback against residential zoning

Covered Car/RV/Boat Parking Spaces: 67
Open Parking Spaces: 32

Total Storage Building Square Footage: 29,919 GSF

Total Retail Square Footage: 6,100 GSF
Net Retail Square Footage: 4,880 SF
Retail Parking: (1/150 Usable SF) 33 Spaces Required

Image/Sketch for Parcel: 33-01-01-32-201-223



Sketch by Apex IV™

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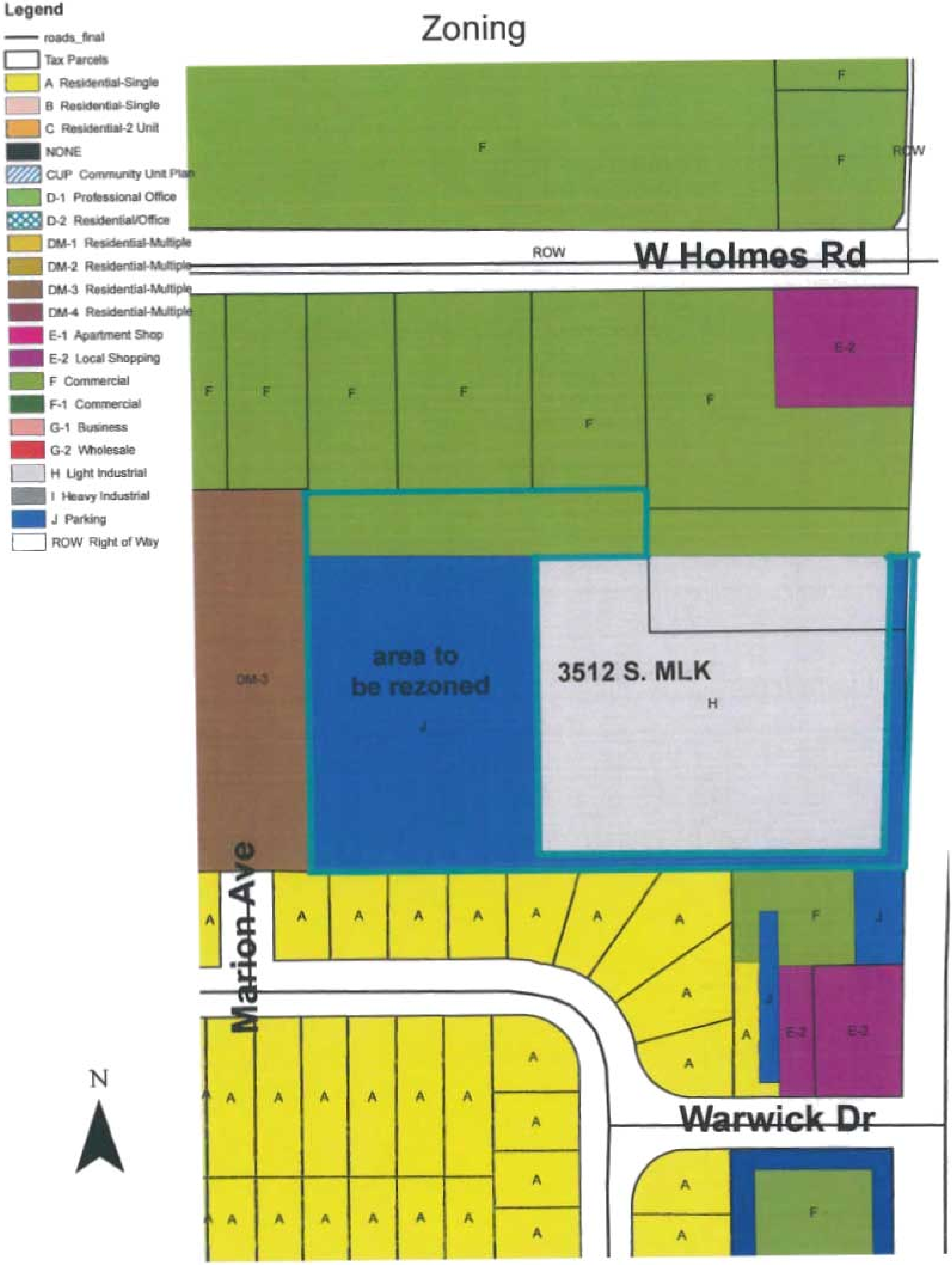
My Space Self Storage

February 7th,2017

301 Walnut Blvd | Rochester, Michigan | 48307 | p 248 601 4422 | www.designhaus.com


W Holmes Rd
area to be rezoned
3512 S. MLK
S Martin Luther King Jr Blvd
Marion Ave
Warwick Dr
N


Zoning
Legend
roads_final
Tax Parcels
A Residential-Single
B Residential-Single
C Residential-2 Unit
NONE
CUP Community Unit Plan
D-1 Professional Office
D-2 Residential/Office
DM-1 Residential-Multiple
DM-2 Residential-Multiple
DM-3 Residential-Multiple
DM-4 Residential-Multiple
E-1 Apartment Shop
E-2 Local Shopping
F Commercial
F-1 Commercial
G-1 Business
G-2 Wholesale
H Light Industrial
I Heavy Industrial
J Parking
ROW Right of Way
W Holmes Rd
ROW
area to be rezoned
3512 S. MLK
DM-3
Marion Ave
Warwick Dr
N

INTRODUCTION OF ORDINANCES

The following ordinance of the City of Lansing, Michigan, providing that the Code of Ordinances be amended by providing for the rezoning of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the Code for property located at:

Z-3-2017: 3512 S. M. L. King Jr. Blvd., Rezoning from “F” Commercial & “J” Parking Districts to “H” Light Industrial District

was introduced by the Committee on Development & Planning, read a first and second time by its title and referred to the Committee on Development and Planning.

OFFICE OF THE MAYOR
9th Floor, City Hall
124 W. Michigan Avenue
Lansing, Michigan 48933-1694
(517) 483-4141 (voice)
(517) 483-4479 (TDD)
(517) 483-6066 (Fax)

Virg Bernero, Mayor

TO: City Council President Patricia Spitzley and Councilmembers

FROM: Mayor Virg Bernero

DATE: 4-21-17

RE: Brownfield Plan #68, 513 and 515 W. Ionia St, Belen Buildings

---

The attached correspondence is forwarded for your review and appropriate action.

VB/rh
Attachment

Virg Bernero, Mayor

City of Lansing

Inter-Departmental Memorandum

To: Virg Bernero, Mayor

From: Karl Dorshimer, LEAP

Subject: CITY COUNCIL AGENDA ITEM - Brownfield Plan #68, 513 and 515 W. Ionia St, Belen Buildings

Date: 4-20-17

Please forward this resolution to City Council for placement on the Agenda.

If you have any questions, or need additional information, please give me a call.

Attachments

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING
RESOLUTION TO SET A PUBLIC HEARING FOR
BROWNFIELD PLAN #68
BELEN BUILDINGS REDEVELOPMENT PROJECT

WHEREAS, the Lansing Brownfield Redevelopment Authority has prepared and forwarded an approved Brownfield Plan pursuant to and in accordance with the provisions of the Brownfield Redevelopment Financing Act, Public Act 381 of 1996, as amended, for property commonly referred to as 513 & 515 Ionia Street located in the City of Lansing; and

WHEREAS, prior to Council's action on this request, it is necessary to hold a public hearing on the Plan, to allow for any resident, taxpayer or ad valorem taxing unit the right to appear and be heard;

WHEREAS, maps, plats, and a description of the brownfield plan are available for public inspection at the Lansing Economic Area Partnership, 1000 South Washington, Suite 201, Lansing, MI 48912, and that all aspects of the brownfield plan are open for discussion at the public hearing.

NOW, THEREFORE, BE IT RESOLVED that a public hearing be held in the City Council Chambers of the City of Lansing, 10th Floor, Lansing City Hall, Lansing, Michigan, on **(INSERT DATE)** at 7:00 p.m. on Brownfield Plan #68 – Belen Buildings Redevelopment Project under the Brownfield Redevelopment Financing Act, for property more particularly described as:

513 Ionia street Lansing, MI 48933. Parcel number 33-01-01-16-157-081; W 2 R LOTS 1 & 2 ALSO E 55 FT LOTS 11 & 12 BLOCK 92 ORIG PLAT

And that the City Clerk cause notice of such hearing to be published twice in a publication of general circulation, no less than 10 days or more than 40 days prior to the date of the public hearing, and that the City Clerk also cause the legislative body of each taxing unit levying ad valorem taxes on this property, to be notified of Brownfield Plan #69 221 West Saginaw Avenue Block Redevelopment Project and the scheduled public hearing.

Virg Bernero, Mayor

CITY ASSESSORS OFFICE
Sharon L Frischman, Assessor
3rd Floor City Hall
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Lansing, Michigan 48933
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WORKING TOWARD A CLEANER GREENER LANSING

Address: 513 and 515 W Ionia St.

Parcel No.: 33-01-01-16-157-081

RE: Statement of Obsolescence

This property has been reviewed and inspected by the City of Lansing Assessing Department. The buildings at this location are two story buildings completely separate of each other but assessed on one tax parcel.

The heating and electrical systems are out of date and need modernization.
The second level floors are not well supported and are uneven.
The ceilings are caving in. The second level has not been occupied in a very long time and is not habitable now.

I have determined that this (these) buildings suffer from more than 50% functional obsolescence both together and separately.

Sharon L Frischman, MMAO (4), MCPPE, MCGA

Date: 1/30/17

Lansing Brownfield
Redevelopment Authority

Lansing Brownfield Redevelopment Authority
Belen Buildings Redevelopment Project

Brownfield Plan #68

513 W. Ionia Street
Lansing, Michigan 48933

PREPARED BY:

Triterra
1375 S. Washington Avenue, Suite 300
Lansing, Michigan 48910
Contact Person: J.P. Buckingham
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REVIEWED BY:

Lansing Brownfield Redevelopment Authority
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Lansing, Michigan 48910
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Phone: 517-999-9039

March 3, 2017

Approved by the LBRA on _____________

Adopted by the Lansing City Council on _____________

Table of Contents

1. Project Summary Sheet

The purpose of this Brownfield Plan (the "Plan") is to identify eligible activities and cost estimates for redevelopment of the property located at 513 W. Ionia Street in Lansing, Michigan. Brownfield tax increment financing is necessary to support redevelopment of the property.

Project Name:	Belen Buildings Redevelopment Project (the "Project")
Developer:	515 Ionia, LLC
Property Location:	513 W. Ionia Street, Lansing, Michigan 48933 (the "Property")
Parcel Information:	Parcel ID 33-01-01-16-157-081
Type of Eligible Property:	"Functionally Obsolete"
Project Description:	A complete rehabilitation development of two existing, functionally obsolete buildings located in the immediate vicinity of the State Capital in downtown Lansing. The Project includes the renovation of two 2-story buildings totaling 9,132 square feet. The mixed-use redevelopment will result in a total of 4,500 square feet of office/retail use on the first floor and 6 market rate residential units. Brownfield Eligible activities include asbestos surveys, asbestos abatement, demolition, site preparation, public infrastructure improvements and preparation of the Brownfield Plan and Act 381 Work Plan.
Total Capital Investment:	Property and Building Improvements: Estimated at $1,300,000 of which $220,420 is estimated as eligible for Brownfield Reimbursement.

Estimated Job Creation/Retention: The redevelopment is anticipated to generate 4 to 6 new full-time equivalent (FTE) jobs in the office/retail components of the Project. In addition, this redevelopment will result in the creation/retention of 15 to 20 temporary construction related jobs.

Duration of Plan: 19 years (starting in 2018)

Uses of New Taxes and Tax Increment Revenue (TIR):

Revenue	**Uses**	
TIR	To Reimburse Developer for Eligible Activity Costs	$ 193,300.00
	To Reimburse LBRA/Lansing Regional Brownfield Coalition (LRBC) for Eligible Activity Costs under EPA Brownfield Assessment Grant	$ 0.00
	To Reimburse LBRA for Eligible Activity Costs under Local Site Remediation Revolving Fund (LSRRF)	$ 0.00
	To Reimburse Developer for Contingency (15%) on Eligible Activity Costs*	$ 27,120.00
	To Reimburse Developer for Interest on Eligible Activity Costs	$ 0.00
	Total Reimbursement to Developer	**$ 220,420.00**
TIR	To LBRA Plan Administration	$ 7,966.50
TIR	To LBRA Local Site Remediation Revolving Fund (LSRRF)	$ 7,966.50
TIR	To State Revolving Fund (SRF)	$ 12,272.00
	Total TIR Captured	**$ 248,625.00**
New Taxes	(10%) Distribution to Taxing Units	$ 26,261.00
New Taxes	New Taxes to Lansing City Debt and School Debt	$ 20,086.00
	TOTAL	**$ 294,972.00**

* Brownfield Plan and Act 381 Work Plan preparation activities are excluded from contingency calculation

2. Purpose of Brownfield Plan and Past Use of the Property

The City of Lansing Brownfield Redevelopment Authority (Authority or "LBRA"), duly established by resolution of the City Council of the City of Lansing, pursuant to the Brownfield Redevelopment Financing Act, Michigan Public Act 381 of 1996, MCLA 125.2651 et. seq., as amended (Act 381), is authorized to exercise its powers within the City of Lansing, Michigan. The purpose of this Plan, to be implemented by the LBRA, is to satisfy the requirements for a Brownfield Plan as specified in Act 381

The Plan will allow the LBRA to use tax increment financing to reimburse 515 Ionia, LLC (the "Developer") for the costs of eligible activities required to redevelop the eligible property located at 513 W. Ionia Street in the City of Lansing, Michigan, (the "Property"). Any proposed redevelopment of the Property will only be economically viable with the support and approval of the brownfield redevelopment incentives described herein. The location of the Property is depicted on Figure 1.

The Property is fully defined in the following table and in Attachment A.

Eligible Property			
Address	**Associated Addresses**	**Tax ID**	**Basis of Eligibility**
513 W. Ionia Street	513/515 and 517/519 W. Ionia Street	33-01-01-16-157-081	Functionally Obsolete

The Property is located within the boundaries of the City of Lansing and is surrounded by commercial and residential property. Property layout and boundaries are depicted on Figure 2. The legal description of the Property is included in Attachment A.

The Property consists of a 0.267-acre parcel of land with two, two-story buildings totaling 9,132 square feet. The structures were constructed in 1927 and were used for commercial and residential purposes for much of the memorable past. The Property has been vacant since 2015.

The Property is considered an "eligible property" as defined by Act 381, Section 2 because: (a) the Property was previously utilized as a commercial property; (b) it is located within the City of Lansing, a qualified local governmental unit under MCL 125.2782(k); and (c) the Property has been determined to be "functionally obsolete" as defined in Section 2(s) of Act 381. Refer to Attachment B, Letter of Functional Obsolescence.

3. Brownfield Project Description

The Project includes a complete rehabilitation of two (2) existing functionally obsolete buildings. The mixed-use redevelopment will result in a total of 4,500 square feet of office/retail use on the first floor and 6 market rate residential units.

Total capital investment is estimated at $1,300,000. Redevelopment activities include asbestos abatement, demolition of the building interiors, site demolition, site preparation activities and infrastructure improvements.

The Project will result in the revitalization and reuse of two (2) vacant, historically underutilized, functionally obsolete properties in the city of Lansing in the immediate neighborhood northwest of the State Capitol. This Project will result in the creation of 4 to 6 new, full time equivalent jobs. The Project is also projected to create/leverage 15 to 20 temporary construction related jobs.

4. Developer Eligible Activities

The Developer will be reimbursed with the new taxes levied by the Project for the costs of eligible activities necessary to support redevelopment of the Property. The activities that are intended to be carried out at the Property are considered “eligible activities” as defined by Sec 2 of Act 381 and include asbestos surveys, asbestos abatement, demolition, site preparation, public infrastructure improvements and preparation of the Brownfield Plan and Act 381 Work Plan.

The costs of eligible activities included in, and authorized by, this Plan will be reimbursed with incremental local tax revenues generated by the Property redevelopment and captured by the LBRA, subject to any limitations and conditions described in this Plan and the terms of a Reimbursement Agreement between the Developer and the Authority (the “Reimbursement Agreement”). The total cost of activities eligible for reimbursement from tax increment revenues is projected to be $220, 420.

ELIGIBLE ACTIVITIES

NON-ENVIRONMENTAL

Asbestos Activities $41,000.00

Demolition $65,000.00

Site Preparation Activities $32,000.00

Public Infrastructure Improvements	$42,800.00
Total Non-Environmental Costs	**$180,800.00**
Contingency (15%)*	$27,120.00
Brownfield Plan & Act 381 Work Plan Preparation	$12,500.00
Total Anticipate TIR Available for Reimbursement	**$220,420.00**
LBRA Plan Administration	$7,966.50
LBRA Local Site Remediation Revolving Fund	$7,966.50
State Revolving Fund	$12,272.00
Total Local/State TIR Capture	**$248,625.00**

* Brownfield Plan and Act 381 Work Plan preparation activities are excluded from contingency calculation

The costs listed above are estimated and may increase or decrease depending on the nature and extent of unknown conditions encountered on the Property. The actual cost of those eligible activities encompassed by this Plan that will qualify for reimbursement from tax increment revenues captured by the LBRA shall be governed by the terms of a Reimbursement Agreement. No costs of eligible activities will be qualified for reimbursement except to the extent permitted in accordance with the terms and conditions of the Reimbursement Agreement and Section 2 of Act 381 of 1996, as amended (MCL 125.2652). The Reimbursement Agreement and this Plan will dictate the total cost of eligible activities subject to payment. As long as the total cost limit described in this Plan is not exceeded, line item costs of eligible activities may be adjusted after the date this Plan is approved by the City of Lansing City Council.

5. Captured Taxable Value and Tax Increment Revenues

The costs of eligible activities included in, and authorized by, this Plan will be reimbursed with incremental local and state tax revenues generated by the Property redevelopment and captured by the LBRA. The LBRA will not be obligated to reimburse the Developer for Eligible Activities completed after December 31, 2018. Reimbursement of Eligible Activities completed after December 31, 2018 will be evaluated by the LBRA on a case-by-case basis.
The taxable value of the Property at the completion of this Brownfield Plan was $101,000, which is the initial taxable value for this Plan. The new projected taxable value for 2018 was estimated at $300,000 upon completion of the Project. Estimated taxable values were based on estimates determined by the Project's development team. The actual taxable value will be determined by the City's Assessor after the Project is completed.

It is estimated that the LBRA will capture tax increment revenues from 2018 through 2036 to reimburse the Developer for the cost of eligible activities, pay for the LBRA's administration of the Plan and make deposits into the LBRA's Local Site Remediation Revolving Fund. Ten percent of the local and state taxes generated by the increase in taxable value will be returned to the taxing units.

The captured incremental taxable value and associated tax increment revenue will be determined by the City Assessor. The actual increased taxable value of the land and all future taxable improvements on the Property may vary. Furthermore, the amount of tax increment revenue available under this Plan will be based on the actual millage levied annually by each local taxing jurisdiction on the increase in tax value resulting from the redevelopment project that is eligible and approved for capture.

6. Method of Brownfield Plan Financing

The Developer is ultimately responsible for providing financing for the costs of eligible activities included in this Plan. At this time, neither the LBRA nor the County of Ingham will advance any funds to finance the eligible activities described in this Plan. However, the Developer is currently pursuing additional financial support through the Michigan Strategic Fund (MSF), Community Revitalization Program (CRP) administered by the Michigan Economic Development Corporation (MEDC). Eligible activities financed by the MEDC are not eligible for reimbursement by the LBRA.

The inclusion of eligible activities and estimates of cost to be reimbursed in this Plan are intended to authorize the Developer to fund such reimbursements. Reimbursements under the Reimbursement Agreement shall not exceed the cost of eligible activities and reimbursement limits described in this Plan.

The LBRA will be reimbursed for its costs to administer the Plan by utilizing 5% of the new local taxes captured per year for the duration of the Plan. The LBRA will also deposit 5% of the new local taxes captured per year for the duration of the Plan for deposit into its Local Site Remediation Revolving Fund (LSRRF). Total deposits into the LSRRF will not exceed the sum total of 5 years of local tax increment revenue.

7. Amount of Note or Bonded Indebtedness Incurred

None.

8. Duration of the Brownfield Plan

Unless amended by the Lansing City Council, the Plan is anticipated to remain in effect until all approved activities in this plan are covered or until the end of the year 2036, whichever occurs first.

9. Estimated Impact on Taxing Jurisdictions

The following table presents a summary of the new tax revenues generated by the taxing jurisdictions whose millage is subject to capture by the LBRA under this Plan. These are estimations based on the residential and commercial components of the proposed redevelopment.

Projected Impact to Taxing Jurisdictions			
Taxing Unit	**10% of New Taxes to Taxing Units**	**90% of New Taxes for BRA Administration, LSRRF Deposits and Developer Reimbursement**	**100% Total New Taxes**
Lansing Operating	$ 7,952	$ 71,572	$ 79,524
Ingham County	1,339	12,051	13,389
Ingham County Sum	2,612	23,505	26,116
Airport Authority	286	2,573	2,859
CATA	1,230	11,071	12,301
Capital Area District Library	638	5,743	6,382
Potter Park Zoo	168	1,509	1,677
Lansing Community College	1,557	14,017	15,574
Ingham Inter. School District	1,921	17,288	19,209
Lansing School District Operating	7,331	65,979	73,310
State Education Tax (3 mills)	1,227	11,045	12,272
Subtotals	***$ 26,261***	***$ 236,352***	***$ 262,614***
State Education Tax (3 mills State BRF)*			12,272
City Debt*			1,064
School Debt*			19,022
Subtotal			***$ 32,358***
Total			**$ 294,972**

* Increased by investment, but not captured for TIF reimbursement

Additional information related to the impact of tax increment financing on the various taxing jurisdictions is presented in Table 2.

10. Legal Description & Site Map

The Property location and boundaries are shown on Figures 1 and 2. The legal description of the Property is provided in Attachment A.

11. Personal Property

This Brownfield Plan will capture incremental tax revenues resulting from personal property to the extent they are available.

12. Displacement of Persons

No persons will be displaced as a result of this project.

13. LBRA Local Site Remediation Revolving Fund

No Local Site Remediation Revolving Funds will be used on this Brownfield Project. The LBRA will deposit 5% the new local taxes captured per year for the duration of the Plan into the LBRA’s Local Site Remediation Revolving Fund as permitted by Act 381 of 1996, as amended (“the Act”).

14. Other Information

The LBRA and the Lansing City Council, in accordance with the Act, may amend this Plan in the future in order to fund additional eligible activities associated with the Project described herein.

FIGURES

Figure 1: Property Location Map

Figure 2: Property Boundary Map

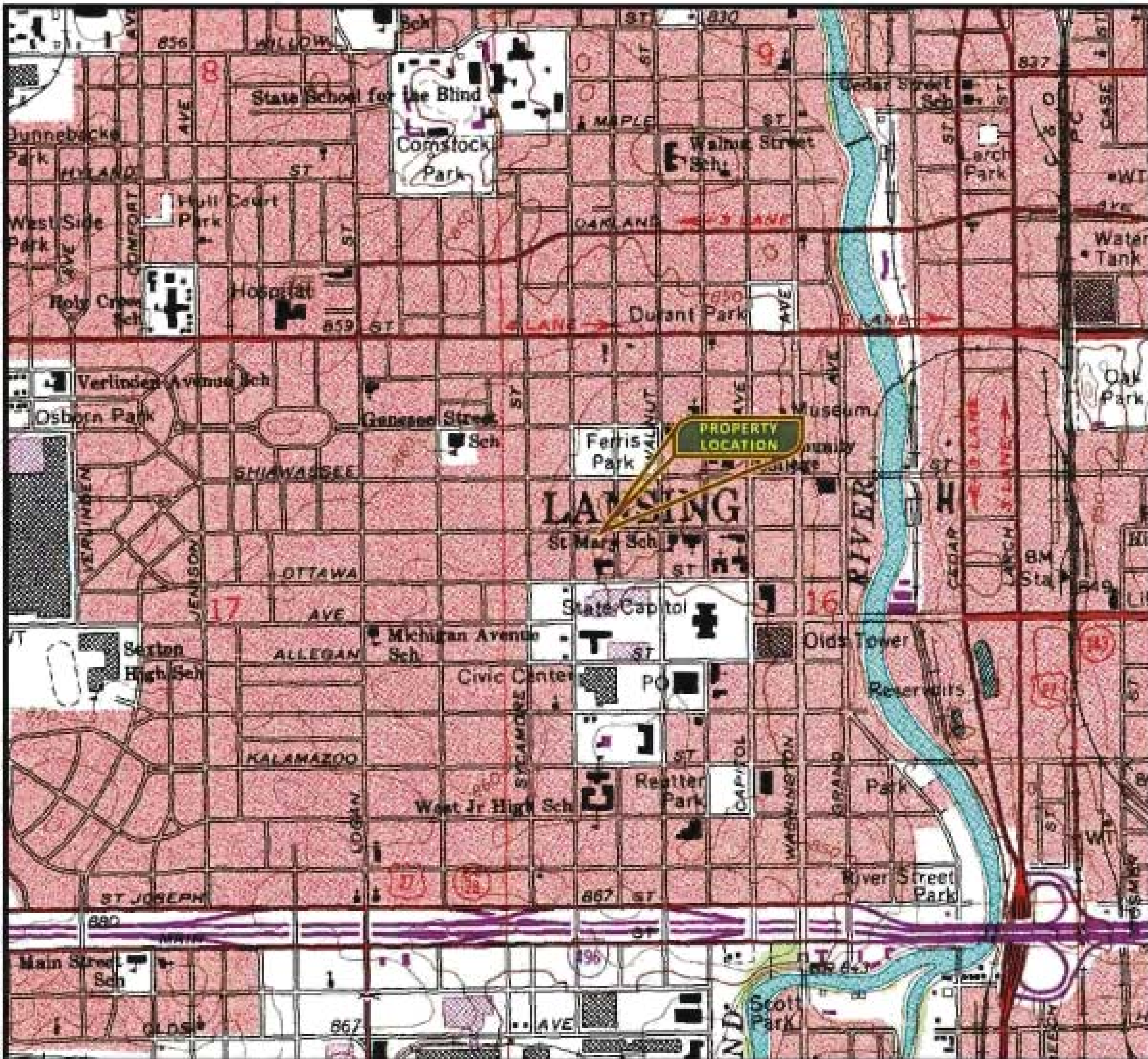


FIGURE 1
PROPERTY LOCATION

TRI TERRA

513-519 WEST IONIA STREET
LANSING, MICHIGAN 48823

INGHAM COUNTY
T. 04 N., R 02 W., Section 16

1000 0 1000 2000 ft

PROJECT NUMBER: 15-1432

ADAPTED FROM MI GEOGRAPHIC DATA LIBRARY DRG

1:16,000

TRI TERRA

FIGURE 1	513 WEST IONIA STREET LANSING, MICHIGAN 48933
PROPERTY ORIENTATION DIAGRAM	
PROJECT NUMBER: 15-1432	DIAGRAM CREATED BY: RD DATE: 4/17/2015

TABLES

Table 1: Brownfield Eligible Activities

Table 2: Schedule Tax Increment Revenue

Table 1
Brownfield Eligible Activities
513 Ionia Street
Lansing, MI
February 20*, 2017*

STATE AND LOCAL ELIGIBLE ACTIVITIES	COST		INCREMENTAL TAX CAPTURE STATE/SCHOOL			INCREMENTAL TAX CAPTURE LOCAL		
NON-ENVIRONMENTAL								
Asbestos Survey and Abatement	$	41,000	35.80%	$	14,678	64.20%	$	26,322
Demolition - Interior of Building	$	65,000	35.80%	$	23,270	64.20%	$	41,730
Site Preparation	$	32,000	35.80%	$	11,456	64.20%	$	20,544
Infrastructure Improvements	$	42,800	35.80%	$	15,322	64.20%	$	27,478
Non-Environmental Subtotal:	**$**	**180,800**		**$**	**64,726**		**$**	**116,074**
Contingency (15%)	$	27,120	35.80%	$	9,709	64.20%	$	17,411
Brownfield Plan Preparation/Act 381 Work Plan	$	12,500	35.80%	$	4,475	64.20%	$	8,025
GRAND TOTAL - ELIGIBLE ACTIVITIES:	**$**	**220,420**		**$**	**78,910**		**$**	**141,510**

NOTES:

These costs and revenue projections should be considered approximate estimates based on expected conditions and available information.
We cannot guarantee that the costs and revenue projections will not vary from these estimates

Contigency calculation excluded from Brownfield Plan and Act 381 Work Plan activities.

Table 2
Schedule of Tax Increment Revenue
513 Ionia Street
Lansing, MI
February 20, 2017

	Calendar Year	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030
	Plan Year		1	2	3	4	5	6	7	8	9	10	11	12	13
Initial Taxable Value (TV)		$ 101,000	$ 101,000	$ 101,000	$ 101,000	$ 101,000	$ 101,000	$ 101,000	$ 101,000	$ 101,000	$ 101,000	$ 101,000	$ 101,000	$ 101,000	$ 101,000
Projected Annual Increase in TV				1%	1%	1%	1%	1%	1%	1%	1%	1%	1%	1%	1%
Projected TV		$ 101,000	$ 300,000	$ 303,000	$ 306,030	$ 309,090	$ 312,181	$ 315,303	$ 318,456	$ 321,641	$ 324,857	$ 328,106	$ 331,387	$ 334,701	$ 338,048
Total Captured TV		$ -	$ 199,000	$ 202,000	$ 205,030	$ 208,090	$ 211,181	$ 214,303	$ 217,456	$ 220,641	$ 223,857	$ 227,106	$ 230,387	$ 233,701	$ 237,048
Annual TIF Revenue by Taxing Jurisdiction	**Millage Rate**														
Local Capture															
Lansing Operating	19.4400	$ -	$ 3,869	$ 3,927	$ 3,986	$ 4,045	$ 4,105	$ 4,166	$ 4,227	$ 4,289	$ 4,352	$ 4,415	$ 4,479	$ 4,543	$ 4,608
Ingham County	3.2731	$ -	$ 651	$ 661	$ 671	$ 681	$ 691	$ 701	$ 712	$ 722	$ 733	$ 743	$ 754	$ 765	$ 776
Ingham County Sum	6.3842	$ -	$ 1,270	$ 1,290	$ 1,309	$ 1,328	$ 1,348	$ 1,368	$ 1,388	$ 1,409	$ 1,429	$ 1,450	$ 1,471	$ 1,492	$ 1,513
Airport Authority	0.6990	$ -	$ 139	$ 141	$ 143	$ 145	$ 148	$ 150	$ 152	$ 154	$ 156	$ 159	$ 161	$ 163	$ 166
CATA	3.0070	$ -	$ 598	$ 607	$ 617	$ 626	$ 635	$ 644	$ 654	$ 663	$ 673	$ 683	$ 693	$ 703	$ 713
Capital Area District Library	1.5600	$ -	$ 310	$ 315	$ 320	$ 325	$ 329	$ 334	$ 339	$ 344	$ 349	$ 354	$ 359	$ 365	$ 370
Potter Park Zoo	0.4100	$ -	$ 82	$ 83	$ 84	$ 85	$ 87	$ 88	$ 89	$ 90	$ 92	$ 93	$ 94	$ 96	$ 97
Lansing Community College	3.8072	$ -	$ 758	$ 769	$ 781	$ 792	$ 804	$ 816	$ 828	$ 840	$ 852	$ 865	$ 877	$ 890	$ 902
Ingham Intermediate School District	4.6956	$ -	$ 934	$ 949	$ 963	$ 977	$ 992	$ 1,006	$ 1,021	$ 1,036	$ 1,051	$ 1,066	$ 1,082	$ 1,097	$ 1,113
School Capture															
School Operating	17.9208	$ -	$ 3,566	$ 3,620	$ 3,674	$ 3,729	$ 3,785	$ 3,840	$ 3,897	$ 3,954	$ 4,012	$ 4,070	$ 4,129	$ 4,188	$ 4,248
State Education Tax (SET)	6.0000	$ -	$ 1,194	$ 1,212	$ 1,230	$ 1,249	$ 1,267	$ 1,286	$ 1,305	$ 1,324	$ 1,343	$ 1,363	$ 1,382	$ 1,402	$ 1,422
Total Millage	67.1969														
Total Capture Available															
Local Tax Capture Available		$ -	$ 8,612	$ 8,742	$ 8,873	$ 9,005	$ 9,139	$ 9,274	$ 9,411	$ 9,548	$ 9,688	$ 9,828	$ 9,970	$ 10,114	$ 10,258
Sub-total State Tax Capture Available		$ -	$ 4,760	$ 4,832	$ 4,904	$ 4,978	$ 5,052	$ 5,126	$ 5,202	$ 5,278	$ 5,355	$ 5,433	$ 5,511	$ 5,590	$ 5,670
Capture for State Brownfield Redevelopment Fund (3 mills of SET) (25-Yrs)		$ -	$ 597	$ 606	$ 615	$ 624	$ 634	$ 643	$ 652	$ 662	$ 672	$ 681	$ 691	$ 701	$ 711
State Tax Capture Available		$ -	$ 4,163	$ 4,226	$ 4,289	$ 4,353	$ 4,418	$ 4,483	$ 4,549	$ 4,616	$ 4,683	$ 4,751	$ 4,820	$ 4,889	$ 4,959
Local Tax Increment to Taxing Units (10%)		$ -	$ 861	$ 874	$ 887	$ 901	$ 914	$ 927	$ 941	$ 955	$ 969	$ 983	$ 997	$ 1,011	$ 1,026
School Tax Increment to Taxing Units (10%)		$ -	$ 416	$ 423	$ 429	$ 435	$ 442	$ 448	$ 455	$ 462	$ 468	$ 475	$ 482	$ 489	$ 496
Local Tax Increment (90%)		$ -	$ 7,751	$ 7,868	$ 7,986	$ 8,105	$ 8,225	$ 8,347	$ 8,470	$ 8,594	$ 8,719	$ 8,845	$ 8,973	$ 9,102	$ 9,233
School Tax Increment (90%)		$ -	$ 3,747	$ 3,803	$ 3,860	$ 3,918	$ 3,976	$ 4,035	$ 4,094	$ 4,154	$ 4,215	$ 4,276	$ 4,338	$ 4,400	$ 4,463
Cumulative Captured Taxes (90%)		$ -	$ 11,498	$ 23,169	$ 35,015	$ 47,038	$ 59,239	$ 71,621	$ 84,185	$ 96,933	$ 109,867	$ 122,988	$ 136,299	$ 149,802	$ 163,498
Reimbursement of BRA Administration Costs															
Capture for BRA Administrative Costs		$ -	$ 388	$ 393	$ 399	$ 405	$ 411	$ 417	$ 423	$ 430	$ 436	$ 442	$ 449	$ 455	$ 462
Capture for BRA Local Site Revolving Loan Fund (LSRRF)		$ -	$ 388	$ 393	$ 399	$ 405	$ 411	$ 417	$ 423	$ 430	$ 436	$ 442	$ 449	$ 455	$ 462
Cumulative BRA Capture		$ -	$ 775	$ 1,562	$ 2,360	$ 3,171	$ 3,993	$ 4,828	$ 5,675	$ 6,534	$ 7,406	$ 8,291	$ 9,188	$ 10,098	$ 11,022
Reimbursement of Remaining Eligible Activities to Developer ($220,420)															
Local/State Annual Total Tax Capture		$ -	$ 10,723	$ 10,884	$ 11,048	$ 11,212	$ 11,379	$ 11,547	$ 11,717	$ 11,889	$ 12,062	$ 12,237	$ 12,414	$ 12,592	$ 12,773
Local/State Remaining Tax Increment Reimbursement		$ 220,420	$ 209,697	$ 198,813	$ 187,766	$ 176,553	$ 165,174	$ 153,627	$ 141,910	$ 130,021	$ 117,960	$ 105,723	$ 93,309	$ 80,716	$ 67,944

Taxes - Proportionality		
Local Taxes	43.2761	64.40%
State Taxes	23.9208	35.60%
Total	67.1969	100.00%

Debt Millage - Not Captured - New Tax Revenue															
Lansing Debt	0.2600	$ -	$ 52	$ 53	$ 53	$ 54	$ 55	$ 56	$ 57	$ 57	$ 58	$ 59	$ 60	$ 61	$ 62
Lansing School Debt	4.6500	$ -	$ 925	$ 939	$ 953	$ 968	$ 982	$ 997	$ 1,011	$ 1,026	$ 1,041	$ 1,056	$ 1,071	$ 1,087	$ 1,102
Cumulative Debt Millage Capture	4.9100	$ -	$ 977	$ 1,969	$ 2,976	$ 3,997	$ 5,034	$ 6,086	$ 7,154	$ 8,238	$ 9,337	$ 10,452	$ 11,583	$ 12,730	$ 13,894

Table 2
Schedule of Tax Increment Revenue
513 Ionia Street
Lansing, MI
February 20, 2017

	Calendar Year	2031	2032	2033	2034	2035	2036	
	Plan Year	14	15	16	17	18	19	
Initial Taxable Value (TV)		$ 101,000	$ 101,000	$ 101,000	$ 101,000	$ 101,000	$ 101,000	
Projected Annual Increase in TV		1%	1%	1%	1%	1%	1%	
Projected TV		$ 341,428	$ 344,842	$ 348,291	$ 351,774	$ 355,291	$ 358,844	
Total Captured TV		$ 240,428	$ 243,842	$ 247,291	$ 250,774	$ 254,291	$ 24,333	
Annual TIF Revenue by Taxing Jurisdiction	**Millage Rate**							Total
Local Capture								
Lansing Operating	19.4400	$ 4,674	$ 4,740	$ 4,807	$ 4,875	$ 4,943	$ 473	$ 79,524
Ingham County	3.2731	$ 787	$ 798	$ 809	$ 821	$ 832	$ 80	$ 13,389
Ingham County Sum	6.3842	$ 1,535	$ 1,557	$ 1,579	$ 1,601	$ 1,623	$ 155	$ 26,116
Airport Authority	0.6990	$ 168	$ 170	$ 173	$ 175	$ 178	$ 17	$ 2,859
CATA	3.0070	$ 723	$ 733	$ 744	$ 754	$ 765	$ 73	$ 12,301
Capital Area District Library	1.5600	$ 375	$ 380	$ 386	$ 391	$ 397	$ 38	$ 6,382
Potter Park Zoo	0.4100	$ 99	$ 100	$ 101	$ 103	$ 104	$ 10	$ 1,677
Lansing Community College	3.8072	$ 915	$ 928	$ 941	$ 955	$ 968	$ 93	$ 15,574
Ingham Intermediate School District	4.6956	$ 1,129	$ 1,145	$ 1,161	$ 1,178	$ 1,194	$ 114	$ 19,209
School Capture								
School Operating	17.9208	$ 4,309	$ 4,370	$ 4,432	$ 4,494	$ 4,557	$ 436	$ 73,310
State Education Tax (SET)	6.0000	$ 1,443	$ 1,463	$ 1,484	$ 1,505	$ 1,526	$ 146	$ 24,545
Total Millage	67.1969							**$ 274,886**
Total Capture Available								
Local Tax Capture Available		$ 10,405	$ 10,553	$ 10,702	$ 10,853	$ 11,005	$ 1,053	
Sub-total State Tax Capture Available		$ 5,751	$ 5,833	$ 5,915	$ 5,999	$ 6,083	$ 582	
Capture for State Brownfield Redevelopment Fund (3 mills of SET) (25-Yrs)		$ 721	$ 732	$ 742	$ 752	$ 763	$ 73	$ 12,272
State Tax Capture Available		$ 5,030	$ 5,101	$ 5,174	$ 5,246	$ 5,320	$ 509	
Local Tax Increment to Taxing Units (10%)		$ 1,040	$ 1,055	$ 1,070	$ 1,085	$ 1,100	$ 105	$ 17,703
School Tax Increment to Taxing Units (10%)		$ 503	$ 510	$ 517	$ 525	$ 532	$ 51	$ 8,558
Local Tax Increment (90%)		$ 9,364	$ 9,497	$ 9,632	$ 9,767	$ 9,904	$ 948	
School Tax Increment (90%)		$ 4,527	$ 4,591	$ 4,656	$ 4,722	$ 4,788	$ 458	
Cumulative Captured Taxes (90%)		$ 177,389	$ 191,478	$ 205,765	$ 220,254	$ 234,947	$ 236,353	
Reimbursement of BRA Administration Costs								
Capture for BRA Administrative Costs		$ 468	$ 475	$ 482	$ 488	$ 495	$ 47	
Capture for BRA Local Site Revolving Loan Fund (LSRRF)		$ 468	$ 475	$ 482	$ 488	$ 495	$ 47	
Cumulative BRA Capture		$ 11,958	$ 12,908	$ 13,871	$ 14,848	$ 15,838	$ 15,933	$ 15,933
Reimbursement of Remaining Eligible Activities to Developer ($220,420)								
Local/State Annual Total Tax Capture		$ 12,955	$ 13,139	$ 13,325	$ 13,512	$ 13,702	$ 1,311	$ 220,420
Local/State Remaining Tax Increment Reimbursement		$ 54,989	$ 41,850	$ 28,526	$ 15,013	$ 1,311	$ 0	**$ 274,886**

Debt Millage - Not Captured - New Tax Revenue								
Lansing Debt	0.2600	$ 63	$ 63	$ 64	$ 65	$ 66	$ 6	$ 1,064
Lansing School Debt	4.6500	$ 1,118	$ 1,134	$ 1,150	$ 1,166	$ 1,182	$ 113	$ 19,022
Cumulative Debt Millage Capture	4.9100	$ 15,075	$ 16,272	$ 17,486	$ 18,718	$ 19,966	$ 20,086	**$ 20,086**
								$ 294,972

Attachment A

Legal Description of the Property

ATTACHMENT A

Legal Description of the Property
513 W. Ionia Street
Lansing, MI

Tax ID	Property Address	Legal Description
33-01-01-16-157-081	513 W. Ionia Street	W 2 R LOTS 1 & 2 ALSO E 55 FT LOTS 11 & 12 BLOCK 92 ORIG PLAT

513 W IONIA ST LANSING, MI 48933 (Property Address)

Parcel Number: 33-01-01-16-157-081

Item **1** of **5** 3 Images / 2 Sketches

Property Owner: TESSERIS SPIRO N & SOPHIA

Summary Information

- Commercial/Industrial Building Summary
  - Yr Built: 1927
  - # of Buildings: 2
  - Total Sq.Ft.: 9,132
- Property Tax Information found
- Assessed Value: $101,000 | Taxable Value: $101,000
- 1 Building Department records found across 1 property

Owner and Taxpayer Information

Owner	TESSERIS SPIRO N & SOPHIA 1832 ASBURY AVE EVANSTON, IL 60201	**Taxpayer**	515 IONIA L L C 1219 1/2 TURNER ST LANSING, MI 48906

General Information for Tax Year 2016

Property Class	COMMERCIAL	**Unit**	33 CITY OF LANSING - INGHAM
School District	LANSING	**Assessed Value**	$101,000
MAP #	B -0092 -0038	**Taxable Value**	$101,000
TOP TEN	*Not Available*	**State Equalized Value**	$101,000
NEW PERMITS	*Not Available*	**Date of Last Name Change**	08/14/2015
USER ALPHA 3	*Not Available*	**Notes**	*Not Available*
Historical District	*Not Available*	**Census Block Group**	*Not Available*
TYPE CODE	*Not Available*		

Principal Residence Exemption Information

Homestead Date	12/30/1997

Principal Residence Exemption	June 1st	Final
2016	0.0000 %	0.0000 %

Previous Year Information

Year	MBOR Assessed	Final SEV	Final Taxable
2015	$96,500	$96,500	$96,500
2014	$153,400	$153,400	$119,102
2013	$143,800	$143,800	$117,227

Land Information

Zoning Code	*Not Available*	**Total Acres**	0.267
Land Value	$52,200	**Land Improvements**	$3,154
Renaissance Zone	No	**Renaissance Zone Expiration Date**	*Not Available*
ECF Neighborhood	R225-DOWNTOWN-RETAIL	**Mortgage Code**	*Not Available*
Lot Dimensions/Comments	*Not Available*	**Neighborhood Enterprise Zone**	No

Lot(s)	Frontage	Depth
No lots found.		
	Total Frontage: 0.00 ft	**Average Depth: 0.00 ft**

Legal Description

W 2 R LOTS 1 & 2 ALSO E 55 FT LOTS 11 & 12 BLOCK 92 ORIG PLAT

Sale History

Sale Date	Sale Price	Instrument	Grantor	Grantee	Terms of Sale	Liber/Page
07/20/2015	$145,000.00	LC	TESSERIS SPIRO N & SOPHIA	515 IONIA L L C	L C	2015 028599
09/12/1984	$0.00	LC	NATIONAL CITY BANK OF MI/IL	TESSERIS SPIRO N & SOPHIA	1ST SALE AFTER BANK	3028-839

Building Information - 5244.00 sq ft Store, Retail (Commercial)

Floor Area	5,244 sq ft	**Estimated TCV**	*Not Available*
Occupancy	Store, Retail	**Class**	C
Stories Above Ground	2	**Average Story Height**	10 ft
Basement Wall Height	*Not Available*	**Identical Units**	*Not Available*
Year Built	1927	**Year Remodeled**	*Not Available*
Percent Complete	0%	**Heat**	Forced Air Furnace
Physical Percent Good	37%	**Functional Percent Good**	75%
Economic Percent Good	80%	**Effective Age**	62 yrs

Building Information - 3888.00 sq ft Store, Retail (Commercial)

Floor Area	3,888 sq ft	**Estimated TCV**	*Not Available*
Occupancy	Store, Retail	**Class**	C
Stories Above Ground	2	**Average Story Height**	12 ft
Basement Wall Height	*Not Available*	**Identical Units**	*Not Available*
Year Built	1927	**Year Remodeled**	*Not Available*
Percent Complete	0%	**Heat**	Package Heating & Cooling
Physical Percent Good	37%	**Functional Percent Good**	75%
Economic Percent Good	80%	**Effective Age**	62 yrs

Attachment B

Letter of Functional Obsolescence

OVERALL PERSPECTIVE VIEW

IONIA STREET - DEVELOPMENT

OVERALL PERSPECTIVE VIEW

IONIA STREET - DEVELOPMENT

Vesta
BUILDING EFFICIENCY

OVERALL PERSPECTIVE VIEW

IONIA STREET - DEVELOPMENT

OVERALL PERSPECTIVE VIEW

IONIA STREET - DEVELOPMENT

Vesta
BUILDING EFFICIENCY

OVERALL PERSPECTIVE VIEW

IONIA STREET - DEVELOPMENT

Vesta
BUILDING EFFICIENCY

architecture | design

THE LANSING BROWNFIELD REDEVELOPMENT AUTHORITY

Resolution Recommending Approval of Plan #68
Belen Buildings Redevelopment Project

At a meeting of the Board of Directors of the Lansing Brownfield Redevelopment Authority (LBRA) Lansing, Michigan, held on the 7th day of April, 2017, at 8:30 a.m., pursuant to notice duly given:

MEMBERS PRESENT: Chair Andrea Ragan, Pierre LaVoie, Kimberly Coleman, Calvin Jones, Baldomero Garcia, Shelley Davis

MEMBERS ABSENT: Mayor Virg Bernero, James Butler III, Blake Johnson

The following preamble and resolution was offered by;

Member: Jones, and supported by;

Member: Garcia:

WHEREAS, The LBRA staff has worked closely with 515 IONIA, LLC (Developer) to draft Brownfield Plan #68 (Plan); and

WHEREAS, The LBRA staff has duly reviewed such Plan and has found it to be in compliance with the provisions of the Act and meets the following determinations and findings:

1. The Plan constitutes a public purpose under the Act;
2. The Plan meets all of the requirements for a brownfield plan set forth in Section 13 of the Act;
3. The proposed method of financing the cost of the eligible activities, as described in the Plan, is feasible and the Authority has the ability to arrange the financing;
4. The costs of the eligible activities proposed in the Plan are reasonable and necessary to carry out the purposes of the Act; and
5. The amount of the captured taxable value estimated to result from the adoption of the Plan is reasonable; and

WHEREAS, The LBRA staff recommends approval of the Plan:

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE LANSING BROWNFIELD REDEVELOPMENT AUTHORITY, AS FOLLOWS:

1. The Brownfield Plan described as Brownfield Plan #68 – Belen Buildings Redevelopment Project in the form filed herewith is hereby approved by the Lansing Brownfield Redevelopment Authority and recommended for consideration by the City Council of the City of Lansing pursuant to Act 381 of Michigan Public Acts of 1996, as amended.

2. The LBRA Board hereby requests that the Lansing City Council, after required notification as specified by the Act, hold a public hearing in consideration of this matter, and subsequently approve the Plan.

YEAS:	Six (6)
NAYS:	Zero (0)
ABSTENTIONS:	Zero (0)
ABSENT:	Three (3)

RESOLUTION DECLARED ADOPTED.

STATE OF MICHIGAN)
)SS.
COUNTY OF INGHAM)

I hereby certify that the foregoing is a true and complete copy of a resolution adopted at a meeting of the Brownfield Redevelopment Authority held on the 7th day of April, 2017, and said resolution is on file in the office of the Lansing Brownfield Redevelopment Authority and is available to the public. Public notice of the said meeting was given pursuant to and in compliance with Act No. 267, Public Acts of Michigan 1976, including in the case of a special or re-scheduled meeting, notice by publication or posting of at least eighteen (18) hours prior to the time set for the meeting. In addition, said meeting was held in full compliance with the Board's By-Laws.

IN WITNESS WHEREOF, I have hereunto affixed my official signature.

Pierre M. LaVoie

Pierre LaVoie, Secretary

OFFICE OF MAYOR VIRG BERNERO
124 W. MICHIGAN AVENUE – NINTH FLOOR
LANSING, MI 48933

AGREEMENT IN CONSIDERATION OF DEVELOPMENT INCENTIVES

THIS AGREEMENT in Consideration of Development Incentives ("Agreement") is made and entered this ______day of ________________, ______, by and between the City of Lansing, Michigan, a Michigan municipal corporation ("City"), and **515 IONIA, LLC**, a Michigan Limited Liability Company ("Applicant"), (collectively the "Parties");

I. STATEMENT OF PURPOSE:

The City of Lansing welcomes new investment and the creation of new jobs. To achieve these goals, the City offers a variety of economic incentives that are designed to facilitate the expansion of existing businesses and the location of new businesses within the City, as well as the rehabilitation of obsolete structures and the reuse of environmentally contaminated sites.

Economic incentives typically do not provide City funds to developers or businesses, but rather encourage new investment and job creation in the City that would not have occurred without the incentive. The purpose of this Agreement is to establish performance expectations, reporting requirements and preferences for Lansing-based firms, resident employees and union employees in hiring, contracting, subcontracting and procurement related to the acceptance of economic incentives by the Applicant.

Economic incentives are beneficial to both the City and the Applicant. The approval of incentives must be a transparent and public process that produces a clear agreement between the Parties regarding the responsibilities of both the City and the Applicant. This public process does not end with the approval of the incentive, but continues until the commitments made by the Applicant under this Agreement are met.

II. DEFINITIONS

As used in this Agreement, the definitions herein shall be the mutually understood meaning of the following terms:

"Incentive" means a reduction in City taxes levied on real or personal property, or other financial benefit to Applicant, for a limited number of years as specified in this Agreement, and which may include, but is not limited to, those tax reductions or other financial benefits authorized by the Obsolete Property Rehabilitation Act (Public Act 146 of 2000, as amended), Neighborhood Enterprise Zone Act (Public Act 147 of 1992, as amended), Brownfield Redevelopment Financing Act (Public Act 381 of 1996, as amended), Plant Rehabilitation and Industrial Development Districts (Public Act 198 of 1974, as amended) and the New Personal Property Tax Exemption authorized by Public Act 328 of 1998.

"Lansing-based firm" means an incorporated business entity that owns or leases an office, warehouse, distribution center, or wholesale or retail store located within the corporate limits of the City of Lansing.

"Full-time Equivalent Employees (FTE)" means a combination of full-time and part-time employees that represents all employees as a comparable number of full-time employees.

III. RECITALS:

A. APPLICANT/PROJECT INFORMATION

Name of Project: Belen Buildings Redevelopment Project

Location of Project (provide attached map): 513 Ionia St. Lansing, MI

Business Name of Applicant *(if applicable)*: *515 IONIA, LLC*

Name of Parent Company *(if applicable)*: ______

List Managing Partner and all other Partners, including percentage ownership interest of each partner:

Scott Schmidt	51%
Randy Schmidt	29%
Brad Mann	20%

Project description:

The Belen Buildings are a pair of red brick commercial buildings located at 513-515 and 517-519 West Ionia Street in Lansing, Michigan. Built in the mid-1920s, each of the buildings is a flat roofed, two-story duplex, with a pair of commercial storefronts at the first floor, and apartments above. Located just one block northwest of the Michigan State Capitol building, a National Historic Landmark, and five blocks west of the National Register listed Lansing Downtown Historic District, the buildings are representative of the American commercial style which prevailed during the building boom that followed World War I.

The Project includes the complete rehabilitation of two (2) existing functionally obsolete buildings. The mixed-use redevelopment will result in a total of 4,500 square feet of office/retail use on the first floor and 6 market rate residential units. Total capital investment is estimated at $1,300,000.

List all past projects started in the city of Lansing by any of the partners listed above:

1219 Turner St.
305 Beaver St.
1135 N. Washington Ave

List City incentive(s) and number of years requested for each:

Act 381 Brownfield Tax Increment Financing ______ 19 Years

______ ______Years

______ ______Years

______ ______Years

List all Federal, State or other incentives and their estimated value that may be part of this project:

MEDC CRP 20% of project expenditures

Application submitted for Historical tax credit, 10% of qualifying measures for reimbursement.

______

Name of Financial Institution(s) funding the Project *(if unavailable upon execution of this Agreement, Applicant agrees to furnish commitment letter(s) from lending institution(s) to the LEDC when available):*

______

Estimated number of new, permanent full-time equivalent employees (FTE) upon Project Completion *(if applicable)*:

5 to 7 FTE

Estimated total investment in real and personal property, including acquisition and construction costs, upon Project Completion:

$ 1,445,000

Estimated average hourly wage or annual salary of new, permanent employees *(if applicable)*:

$ 45,000

B. APPLICANT ACCEPTANCE OF NOTICE AND REPORTING REQUIREMENTS AND LOCAL PREFERENCES IN HIRING, PROCUREMENT OF GOODS AND SERVICES, CONTRACTING AND SUBCONTRACTING

(initial spaces below to indicate acceptance)

SS Applicant agrees to notify the LEDC and City Assessor of any and all partnership changes during the term of any incentives approved for the Project.

SS Applicant agrees, and may be required to provide written documentation at the request of the LEDC, to consider and hire as many Lansing residents and Lansing-based firms, including but not limited to consultants, suppliers, contractors and sub-contractors, as reasonably possible.

SS Applicant agrees, and may be required to provide written documentation at the request of the LEDC, to make good faith efforts to hire contractors and sub-contractors that employ union labor when economically feasible.

SS Applicant agrees that all employees, contractors and sub-contractors related to this Project will pay all City individual income tax.

SS Applicant agrees to report annually to the City Treasurer all gross individual income taxes paid and current residential addresses of all employees.

SS Applicant agrees that all contractors and sub-contractors will report annually to the City Treasurer all gross individual income taxes paid and current residential addresses of all employees.

C. LEDC STAFF/ADMINISTRATION RECOMMENDATION

Name of Lead Staff Person: Eric Pratt

Revenue currently paid to the City by the site or project:	$	7,548.85
Estimated total revenue to the City upon Project Completion:	$	7,952.00
Estimated total value of City Incentive(s):	$	262,614.00
Estimated total new net revenue to the City:	$	405.15

Staff Comments *(indicate reasons for providing Incentive and describe any additional value to the City as a result of approval)*:

The Developer is taking two completely vacant historic buildings and is proposing to invest $1,300,000 to renovated the local landmarks and encourage the full utilization of the buildings.

Project Timeline: The project will commence with the approval of the Lansing City Council in Summer 2017 and will be completed by December 31, 2018.

Have all appropriate City Incentive fees been received? **YES** NO

Staff Recommendation: **APPROVE** DENY MODIFY

(if DENY or MODIFY please explain in space provided below)

Administration Recommendation: **APPROVE** DENY MODIFY

(if DENY or MODIFY please explain in space provided below)

D. ADDITIONS:

1. Applicant, in seeking local legislative approval, has made certain representations to the City as more fully set forth herein.

2. The Applicant has applied for Incentive for the purpose of [insert project description] ("Project"). The Project is expected to hire at least <u>5 to 7</u> or retain at least 0 full-time equivalent employees (FTE) and requiring a total investment in real property of at least <u>$1,009,080</u> and personal property of at least <u>$50,000</u> when completed.

3. The Applicant has supplied to the LEDC all application and supporting documentation, including a list of all partners of the Applicant with an ownership interest in the Project, which in turn has been forwarded to the City prior to the approval of the Incentive.

4. The Applicant has provided to the LEDC detailed information including wage and benefit information for the Project and new, permanent full-time equivalent employees (FTE) expected to be hired or retained as a result of the Project, which in turn has been forwarded to the City prior to approval of the Incentive.

5. The Applicant and the City desire to enter into an agreement whereby the Applicant and City specify and agree on the Project performance measures under which the Incentive is granted, and some of the conditions under which such Incentive can be modified or revoked by the City and/or State of Michigan. Nothing in this Agreement supersedes or diminishes any rights of the City or the State established by Federal, State, or Local law or regulations.

6. The Lansing City Treasurer has verified in writing the Applicant is not delinquent and/or late on any property taxes owed to the City for all properties in which the applicant owns a twenty-five percent (25%) or more interest.

7. The Lansing City Treasurer has verified in writing the Applicant, if an employer in the City, is in compliance with all required City wage withholding and income reporting requirements for all of their employees.

8. The Lansing City Treasurer has verified in writing the Applicant is not delinquent and/or late on any corporate or other business income taxes owed the City, if any.

9. The LEDC has verified that all application fees due have been paid in full by the Applicant.

IV. AGREEMENT:

NOW, THEREFORE, in consideration of the recitals and mutual covenants and agreements herein contained and pursuant to MCL Public Act 146 of 2000 (the "Act"), as amended, the Parties agree as follows:

A. Reliance on Recitals

The Parties acknowledge Applicant has made representations contained within its application, and the recitals and additions above, with the purpose and intent of City's reliance thereon, as well as for compliance with the Act, as amended, and the City relies upon these representations in its determination that the Incentive should be approved.

B. Project Area

The location of the Project is commonly known as 513 & 515 Ionia ("Project Area") and legally described as follows:

W 2 R LOTS 1 & 2 ALSO E 55 FT LOTS 11 & 12 BLOCK 92 ORIG PLAT

C. Project Timeframe.

The Applicant and City agree the City's approval of the Incentive is based upon completion of the Project within a specific time period ("Project Timeframe"). The Project Timeframe starts July 1, 2017 and ends December 31, 2018.

D. Project Completion

The Applicant and the City agree that for the Project to be considered complete, the Applicant must perform all of the following in the Project Area within the Project Timeframe ("Project Completion"):

1. Hire at least 5 to 7 new, permanent full-time equivalent employees (FTE) and/or retain at least 0 full-time equivalent employees (FTE).

2. Purchase and/or locate within the Project Area, personal property with a fair market value of at least $50,000. This personal property may not be moved to the Project Area from another location within the City of Lansing.

3. Make at least $1,009,080 of improvements to the real property. Improvements include only hard costs, and exclude architectural and engineering costs.

4. Obtain all necessary building permits and site plan approvals, including payment of all required fees, plus final inspections including a Certificate of Occupancy from the City of Lansing and all other appropriate authorities and agencies.

5. Upon Project Completion, the applicant will provide to the LEDC, upon request, any and all appropriate financial records that are referenced as part of this Agreement.

6. Project Completion must be performed by December 31, 2018.

E. Project Completion Progress Reports

The Applicant shall file an annual report with the LEDC on the Applicant's progress toward achieving Project Completion. Reports shall be submitted in compliance with all LEDC reporting requirements (on-line, not of a proprietary nature but based on information contained in this agreement). Applicant understands and agrees that the information submitted to the LEDC will be available for public viewing, unless prior approval is requested and granted for specific confidential business information that is not subject to disclosure under the Freedom of Information Act (Public Act 442 of 1976, being MCL 15.231 et. seq., as amended). Non-compliance with reporting requirements may result in the modification or revocation of the Incentive.

Lack of performance and compliance with this agreement, may be considered as relevant information in consideration of the approval of all future incentive applications to the LEDC or City by the Applicant or any person or entity with (25%) or more ownership in the Project.

F. Verification of Project Completion

No later than thirty (30) days after the end of the Project Timeframe, the Applicant shall provide in writing to the LEDC a Final Project Completion Report ("Final Report on-line") with proof of Project Completion. Acceptable forms of proof may include, as directed by LEDC, proof of employment, proof of paid invoices, executed and filed tax documentation, final financing documents and similar material which confirm original financial data, engineering and architectural "as-built" drawings, photographs, and other like evidence of completion of the Project in the Project Area. If at any time during the Project Timeframe the Applicant completes the Project as agreed upon in Section (4), the Applicant may submit the Final Project Completion Report to the LEDC on line.

G. Consideration of Applicant's Compliance with the Agreement.

Within 60 days of receiving the Final Report, or 90 days after the end of the Project Timeframe, the LEDC shall make a preliminary determination if the Applicant has achieved Project Completion. In the event the preliminary determination concludes the Project was completed per this Agreement, written notification of such finding shall be sent from the LEDC to the Applicant and the City of Lansing Finance Director. In the event the LEDC makes the determination the Applicant did not complete the project per this Agreement, the LEDC will forward in writing its findings and a recommended course of action to the Applicant and the City of Lansing Finance Director. Prior to any action that might lead to the modification or revocation of all or part of the Incentive, the City shall offer the Applicant the reasonable opportunity to appear before the Council and be heard. In the event of the revocation of all or part of the Applicant's Incentive, the City may consider the breach of contract when contemplating the approval of all future Incentive applications to the City by the Applicant or any partners listed as required in the Recitals.

H. Failure of Applicant to Pay Tax Applicable to Personal Property

If any property tax applicable to the personal property that makes up the project is not paid within the time permitted by law for payment without penalty during the life of the Incentive being granted by this Agreement, the City may seize and sell the personal property to pay the tax, expenses of sale, and interest on the tax, or may commence civil litigation to recover the amount of tax an interest thereon, in accordance with Michigan law.

I. Failure of Applicant to Pay Tax Applicable to Real Property

If any property tax applicable to the real property that makes up the project is not paid within the time permitted by law for payment without penalty during the life of the Incentive being granted by this Agreement, the City may place a lien on the real property. The City may enforce the lien in the same manner as provided by law for the foreclosure in the circuit courts of mortgage liens upon real property, in accordance with Michigan law.

J. City's Rights under Act

Nothing in this Agreement shall supersede the City's ability to request the State Tax Commission to revoke the Incentive as otherwise provided, or as may hereafter be provided, under the Act, as amended. Nothing in this Agreement supersedes or diminishes any rights of the City or the State established by Federal, State, or Local law or regulations.

K. Ambiguity

If this Agreement or any of its terms and conditions is determined to be ambiguous, this Agreement and all its terms and conditions shall be considered as if drafted by both parties.

L. Rights and Remedies Cumulative

The Parties shall have all the rights and remedies available at law, in equity or in this Agreement to enforce the rights and obligations under this Agreement. All remedies shall be cumulative and none will be exclusive of any other. The exercise by either party of any one or more of such remedies shall not preclude the exercise by it, at the same or different times, of any other such remedies for the same default or breach or of any of its remedies for any other default or breach by the other party. No waiver made by either such party with respect to the performance, or manner or time thereof, or any obligation under the Agreement shall be considered a waiver of any rights of the party making the waiver with respect to the particular obligation of the other party or condition to its own obligation beyond those expressly waived in writing and to the extent thereof, or a waiver in any respect in regard to any other rights of the party making the waiver or any other obligations of the other party.

M. Right In Third Parties

This Agreement is not intended nor shall it create any rights, expectations or benefit to any third parties, including any creditor of the parties.

N. Severability

The invalidity of any portion of this Agreement shall not affect the validity of the remainder thereof.

O. Subsequent Waivers

One or more waivers of any provision, covenant, or condition of this Agreement shall not be construed as a waiver of a subsequent breach of the same provision, covenant, or condition, or as a waiver of a subsequent breach of other provisions, covenants, or conditions. The consent or approval to or for any act shall not be deemed to render unnecessary the consent or approval to or for any subsequent similar act.

P. Termination

This Agreement terminates upon the end of the life of the incentive.

Q. Authority.

The Applicant's execution, delivery and performance of this Agreement have been duly authorized. The Applicant's representative executing this Agreement does so with requisite authority to fully and completely bind the Applicant.

IN WITNESS WHEREOF, the undersigned Parties hereto execute this Agreement as of the day and year first above written.

WITNESSES:

____

____

515 IONIA, LLC

By:______________________________
Scott Schmidt

Its: Manager

CITY OF LANSING:

____

____

By:______________________________
Virg Bernero

Its: Mayor

LANSING ECONOMIC DEVELOPMENT CORPORATION:

____

____

By:______________________________
Karl R. Dorshimer

Its: Authorized Representative

Approved as to form:

____
James Smiertka

City Attorney

I hereby certify that funds are available in Account No.:__________________

____
City Controller

ECONOMIC DEVELOPMENT CORPORATION
LANSING CITY TREASURER APPROVAL FORM
BUSINESS

Business Name: 515 Ionia, LLC
Business Contact Person: Mr. Scott Schmidt
Phone Number: 517-749-7344

Project Location: 1219 Turner Street

Type of EDC Service: Brownfield Redevelopment Authority Application

EDC Contact Person Name: Eric Pratt

Email: eric@purelansing.com Phone Number: 517-643-1564

Due Date: As soon as possible

Approval:

Sammy Gard

City Treasurer

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING
RESOLUTION TO SET A PUBLIC HEARING FOR
BROWNFIELD PLAN #68
BELEN BUILDINGS REDEVELOPMENT PROJECT

WHEREAS, the Lansing Brownfield Redevelopment Authority has prepared and forwarded an approved Brownfield Plan pursuant to and in accordance with the provisions of the Brownfield Redevelopment Financing Act, Public Act 381 of 1996, as amended, for property commonly referred to as 513 & 515 Ionia Street located in the City of Lansing; and

WHEREAS, prior to Council′s action on this request, it is necessary to hold a public hearing on the Plan, to allow for any resident, taxpayer or ad valorem taxing unit the right to appear and be heard;

WHEREAS, maps, plats, and a description of the brownfield plan are available for public inspection at the Lansing Economic Area Partnership, 1000 South Washington, Suite 201, Lansing, MI 48912, and that all aspects of the brownfield plan are open for discussion at the public hearing.

NOW, THEREFORE, BE IT RESOLVED that a public hearing be held in the City Council Chambers of the City of Lansing, 10th Floor, Lansing City Hall, Lansing, Michigan, on **(INSERT DATE)** at 7:00 p.m. on Brownfield Plan #68 – Belen Buildings Redevelopment Project under the Brownfield Redevelopment Financing Act, for property more particularly described as:

513 Ionia street Lansing, MI 48933. Parcel number 33-01-01-16-157-081; W 2 R LOTS 1 & 2 ALSO E 55 FT LOTS 11 & 12 BLOCK 92 ORIG PLAT

And that the City Clerk cause notice of such hearing to be published twice in a publication of general circulation, no less than 10 days or more than 40 days prior to the date of the public hearing, and that the City Clerk also cause the legislative body of each taxing unit levying ad valorem taxes on this property, to be notified of Brownfield Plan #69 221 West Saginaw Avenue Block Redevelopment Project and the scheduled public hearing.

OFFICE OF THE MAYOR
9th Floor, City Hall
124 W. Michigan Avenue
Lansing, Michigan 48933-1694
(517) 483-4141 (voice)
(517) 483-4479 (TDD)
(517) 483-6066 (Fax)

Virg Bernero, Mayor

TO: City Council President Patricia Spitzley and Councilmembers

FROM: Mayor Virg Bernero

DATE: 4-20-17

RE: Brownfield Plan #69 221 West Saginaw Avenue Redevelopment Project

---

The attached correspondence is forwarded for your review and appropriate action.

VB/rh
Attachment

Virg Bernero, Mayor

City of Lansing

Inter-Departmental Memorandum

To: Virg Bernero, Mayor

From: Karl Dorshimer, LEAP

Subject: CITY COUNCIL AGENDA ITEM - Brownfield Plan #69 221 West Saginaw Avenue Redevelopment Project

Date: 4-20-17

Please forward this resolution to City Council for placement on the Agenda.

If you have any questions, or need additional information, please give me a call.

Attachments

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING
RESOLUTION TO SET A PUBLIC HEARING FOR
BROWNFIELD PLAN #69
221 WEST SAGINAW AVENUE REDEVELOPMENT PROJECT

WHEREAS, the Lansing Brownfield Redevelopment Authority has prepared and forwarded an approved Brownfield Plan pursuant to and in accordance with the provisions of the Brownfield Redevelopment Financing Act, Public Act 381 of 1996, as amended, for property commonly referred to as 221 West Saginaw Avenue located in the City of Lansing; and

WHEREAS, prior to Council's action on this request, it is necessary to hold a public hearing on the Plan, to allow for any resident, taxpayer or ad valorem taxing unit the right to appear and be heard;

WHEREAS, maps, plats, and a description of the brownfield plan are available for public inspection at the Lansing Economic Area Partnership, 1000 South Washington, Suite 201, Lansing, MI 48912, and that all aspects of the brownfield plan are open for discussion at the public hearing.

NOW, THEREFORE, BE IT RESOLVED that a public hearing be held in the City Council Chambers of the City of Lansing, 10th Floor, Lansing City Hall, Lansing, Michigan, on **(INSERT DATE)** at 7:00 p.m. on Brownfield Plan #69 – 221 West Saginaw Avenue Redevelopment Project under the Brownfield Redevelopment Financing Act, for property more particularly described as:

221 West Saginaw Avenue Lansing, MI 48933. Parcel number 33-01-01-16-127-001;
LOT 8 & N 1 R LOT 7 BLOCK 63 ORIG PLAT

And that the City Clerk cause notice of such hearing to be published twice in a publication of general circulation, no less than 10 days or more than 40 days prior to the date of the public hearing, and that the City Clerk also cause the legislative body of each taxing unit levying ad valorem taxes on this property, to be notified of Brownfield Plan #69 221 West Saginaw Avenue Block Redevelopment Project and the scheduled public hearing.
City Clerk

City of Lansing
Notice of Public Hearing

The Lansing City Council will hold a public hearing on **(INSERT DATE)** at 7:00 p.m. in the City Council Chambers, 10th Floor, Lansing City Hall, Lansing, MI, for the purpose stated below:

To afford an opportunity for all residents, taxpayers of the City of Lansing, other interested persons and ad valorem taxing units to appear and be heard on the approval of Brownfield Plan #69 – 221 West Saginaw Avenue Redevelopment Project pursuant to and in accordance with the provisions of the Brownfield Redevelopment Financing Act, Public Act 381 of 1996, as amended, for property commonly referred to as 221 West Saginaw Avenue located in the City of Lansing, but more particularly described as:

221 West Saginaw Avenue Lansing, MI 48933. Parcel number 33-01-01-16-127-001;
LOT 8 & N 1 R LOT 7 BLOCK 63 ORIG PLAT

Approval of this Brownfield Plan will enable the Lansing Brownfield Redevelopment Authority to capture incremental tax increases which result from the redevelopment of the property to pay for costs associated therewith. Further information regarding this issue, including maps, plats, and a description of the brownfield plan will be available for public inspection and may be obtained from Karl Dorshimer – Director of Economic Development, Lansing Economic Area Partnership, 1000 South Washington, Suite 201, Lansing, MI 48912, (517) 702-3387.

Chris Swope

City Clerk

LANSING BROWNFIELD REDEVELOPMENT AUTHORITY
LOCAL SITE REMEDIATION REVOLVING FUND
PROMISSORY NOTE

Not to Exceed $40,000

Lansing, Michigan

FOR VALUE RECEIVED the undersigned, **MOTION PROPERTIES, INC.**, a Michigan company (the "Borrower"), hereby promises to pay to the order of, LANSING BROWNFIELD REDEVELOPMENT AUTHORITY, (the "Lender") the principal sum loaned by Lender to Borrower in an amount not to exceed FORTY THOUSAND AND 00/100 DOLLARS ($40,000) (hereinafter referred to as the "Loan Obligation"), plus interest which shall accrue on the Loan Obligation at the rate of Three Percent (3%) per annum. The Loan Obligation, plus accrued interest shall be payable at the offices of the Lender located at 1000 S. Washington Ave., Ste. 201, Lansing, Michigan 48910 or at such other place as may be designated by the Lender from time to time, in accordance with the following conditions.

This Note evidences a loan to the Borrower from the Lender under the Brownfield Authority's Local Site Remediation Revolving Fund ("LSRRF") Program for the exclusive purpose to use the LSRRF funds to pay for specific Eligible Activities as allowed by the Brownfield Redevelopment Financing Act, 1996 P.A. 381, as amended (the "Act"), for the property located in Lansing, Michigan and is legally described in "Exhibit A" (the "Project").

This Note is subject to the terms and conditions of the Brownfield Local Site Remediation Revolving Fund Agreement (the "Loan Agreement"). Borrower is entitled to the benefits and is subject to the terms and conditions of the Loan Agreement and this Promissory Note. All the terms, conditions and provisions of the Loan Agreement are incorporated herein, and shall control in the interpretation and enforcement of this Promissory Note.

The Borrower and the Lender acknowledge that the Loan shall be paid to the Lender in the following manner:

1. The Developer agrees to make annual interest and principal payments to the Lender, for a period of ten years (10), to pay off the balance of the loan.

The Borrower may at any time prepay any portion of unpaid balance, in whole or in part, without a prepayment premium. All prepayments will be applied to principal. Prepayments will not affect the schedule of payments, except to the extent that payments will no longer be required when the loan is paid in full.

In addition to the foregoing, the Borrower hereby promises to pay to the full extent required by the Agreement all costs and expenses of collection, including reasonable attorneys fees, incurred in connection with any default by the Borrower hereunder; and Borrower further promises to pay all other payments required to be made by the Borrower pursuant to the

Agreement.

In the event the Borrower should fail to make any of the payments required in this Promissory Note, such payments so in default shall continue as an obligation of the Borrower until the amount of default shall have been fully paid.

In case of default under this Promissory Note, or an "Event of Default" as defined in the Loan Agreement, the entire principal amount of the Loan Obligation together with any accrued and unpaid interest as provided for herein, at the option of the holder hereof, may be declared immediately due and payable.

The maker of this Note hereby waives presentation for payment, demand, notice of dishonor, notice of nonpayment and protest; and the maker consents that the time of payment may be extended without notice thereof and without waiver.

WITNESSES:

Jane Marie Hadzikaj

3.23.2017

FOR: BORROWER

MOTION PROPERTIES INC., a Michigan company

By: ____________________
Tiffany Dowling
Its: President

Dated: 3/23/17

STATE OF MICHIGAN)
) SS.
COUNTY OF INGHAM)

This document was acknowledged before me on March 23, 2017, by Tiffany Dowling, the President of MOTION PROPERTIES, INC., a Michigan company, on behalf of MOTION PROPERTIES, INC.

Jaime Marie Hardesty
, Notary Public
Ingham County, Michigan
Acting in Ingham County, Michigan
My Commission Expires: 12.15.2020

JAIME MARIE HARDESTY
NOTARY PUBLIC - STATE OF MICHIGAN
COUNTY OF INGHAM
My Commission Expires Dec. 15, 2020
Acting in the County of ____________

EXHIBIT A

LOT 8 & N 1 R LOT 7 BLOCK 63 ORIG PLAT

Brownfield Plan #69 – 221 West Saginaw Avenue Redevelopment Project Summary Sheet

Purpose	-	The purpose of this Brownfield Plan (the "Plan") is to identify eligible activities and cost estimates for redevelopment of the property located at 221 West Saginaw in Lansing, Michigan. Brownfield tax increment financing is necessary to support redevelopment of the property.
Project	-	Brownfield Plan #69 - 221 West Saginaw Building Redevelopment
Developer	-	Motion Properties, LLC
Project Cost	-	$816,000.00
Eligible Activities	-	Asbestos Abatement, Lead Base Paint Abatement, Site Prep.
Loan Amount	-	$40,000.00
Summary	-	On November 28, 2016, the Lansing City Council approved a 12-year Obsolete Property Rehabilitation Act Certificate (OPRA) to assist the Developer with the redevelopment of the building at 221 West Saginaw (the "Property"). Upon commencement of the project, the Developer encountered unexpected environmental conditions, including the present of asbestos and lead base paint. To remedy the environmental conditions, the Developer has requested a $40,000.00 Local Site Remediation Revolving Loan (LSRRL) from the Lansing Brownfield Redevelopment Authority (LBRA). Brownfield eligible activities would include asbestos abatement, lead base paint abatement and site preparation ("Eligible Activities"). This loan is to be paid back to the LBRA by the Developer. Pursuant to the State of Michigan Public Act 381 of 1996, MCLA 125.2651 et. Seq., as amended (Act 381), otherwise known as the "Brownfield Redevelopment Financing Act", the LBRA can only use the LSRRL to fund the cost of eligible activities required to redevelop an "eligible property." Approval of this plan would designate the building as an eligible property and satisfy the requirements of P.A. 381 of 1996, as amended. Redevelopment of the Property will only be economically viable with the support and approval of the brownfield plan.

THE LANSING BROWNFIELD REDEVELOPMENT AUTHORITY

Resolution Recommending Approval of Plan #69
221 W. Saginaw Avenue Redevelopment Plan

At a meeting of the Board of Directors of the Lansing Brownfield Redevelopment Authority (LBRA) Lansing, Michigan, held on the 7th day of April 2017, at 8:30 a.m., pursuant to notice duly given:

MEMBERS PRESENT: Chair Andrea Ragan, Pierre LaVoie, Kimberly Coleman, Calvin Jones, Baldomero Garcia, Shelley Davis

MEMBERS ABSENT: Mayor Virg Bernero, James Butler III, Blake Johnson

The following preamble and resolution was offered by;

Member: Jones, and supported by;

Member: Coleman:

WHEREAS, The LBRA staff has worked closely with M3 GROUP (Developer) to draft Brownfield Plan #69 (Plan); and

WHEREAS, The LBRA staff has duly reviewed such Plan and has found it to be in compliance with the provisions of the Act and meets the following determinations and findings:

1. The Plan constitutes a public purpose under the Act;
2. The Plan meets all of the requirements for a brownfield plan set forth in Section 13 of the Act;
3. The proposed method of financing the cost of the eligible activities, as described in the Plan, is feasible and the Authority has the ability to arrange the financing;
4. The costs of the eligible activities proposed in the Plan are reasonable and necessary to carry out the purposes of the Act; and
5. The amount of the captured taxable value estimated to result from the adoption of the Plan is reasonable; and

WHEREAS, The LBRA staff recommends approval of the Plan:

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE LANSING BROWNFIELD REDEVELOPMENT AUTHORITY, AS FOLLOWS:

1. The Brownfield Plan described as Brownfield Plan #69 – 221 W. Saginaw Avenue Redevelopment Plan in the form filed herewith is hereby approved by the Lansing Brownfield Redevelopment Authority and recommended for consideration by the City Council of the City of Lansing pursuant to Act 381 of Michigan Public Acts of 1996, as amended.

2. The LBRA Board hereby requests that the Lansing City Council, after required notification as specified by the Act, hold a public hearing in consideration of this matter, and subsequently approve the Plan.

YEAS:	Six (6)
NAYS:	Zero (0)
ABSTENTIONS:	Zero (0)
ABSENT:	Three (3)

RESOLUTION DECLARED ADOPTED.

STATE OF MICHIGAN)
)SS.
COUNTY OF INGHAM)

I hereby certify that the foregoing is a true and complete copy of a resolution adopted at a meeting of the Brownfield Redevelopment Authority held on the 7th day of April, 2017, and said resolution is on file in the office of the Economic Development Corporation and is available to the public. Public notice of the said meeting was given pursuant to and in compliance with Act No. 267, Public Acts of Michigan 1976, including in the case of a special or re-scheduled meeting, notice by publication or posting of at least eighteen (18) hours prior to the time set for the meeting. In addition, said meeting was held in full compliance with the Board's By-Laws.

IN WITNESS WHEREOF, I have hereunto affixed my official signature.

Pierre M. LaVoie

Pierre LaVoie, Secretary

Lansing Brownfield Redevelopment Authority

Brownfield Plan #69

221 West Saginaw Avenue Redevelopment

Motion Properties, LLC
610 & 614 Seymour Avenue
Lansing, Michigan 48933

Prepared By:

Lansing Brownfield Redevelopment Authority
1000 S. Washington Ave., Suite 201 – Krentel Building
Lansing, Michigan 48910
Contact Person: Eric Pratt
eric@purelansing.com
Phone: 517-643-1564

April 3, 2017

Approved by the LBRA on _____________

Approved by the Lansing City Council on____________

TABLE OF CONTENTS

Section

1. INTRODUCTION AND PURPOSE

The City of Lansing Brownfield Redevelopment Authority (the "Authority"), duly established by resolution of the Lansing City Council, pursuant to the State of Michigan Public Act 381 of 1996, MCLA 125.2651 et. Seq., as amended (Act 381), otherwise known as the "Brownfield Redevelopment Financing Act", is authorized to exercise its powers within the City of Lansing, Michigan. The purpose of this Plan, to be implemented by the Authority, is to satisfy the requirements for a Brownfield Plan as specified in Act 381.

The sole purpose of the Plan is to allow the Authority to make a loan to the Motion Properties, LLC (the "Developer") from the Authority's Local Site Remediation Revolving Loan (LSRRL) fund, to pay for brownfield related costs (Eligible Activities) required to redevelop the eligible property located at 221 West Saginaw Avenue in the City of Lansing, Michigan, (the "Property"). This loan will not be paid back by the use of tax capture but rather directly by the Developer. Any proposed redevelopment of the Property will only be economically viable with the support and approval of the brownfield redevelopment incentives described herein. The location of the Property is depicted on Figure 1.

The Developer has already been granted an Obsolete Property Rehabilitation Act (OPRA) Certificate by the Lansing City Council for the project. The loan from the Authority will allow the Developer to fund the remediation of unexpected environmental conditions encountered on the redevelopment project.

II. ELIGIBLE PROPERTY INFORMATION

The Property is fully defined in the following table and in Attachment A.

Table 1 - Eligible Property			
Address	**Associated Address**	**PPN**	**Basis of Eligibility**
221 W. Saginaw Ave	221 W. Saginaw Ave	33-01-01-16-127-001	Functionally Obsolete

The Property is located within the boundaries of the City of Lansing and is surrounded by residential properties. Property layout and boundaries are depicted on Figure 1. The legal description of the Property is included in Attachment A.

The Property consist of a .365-acre parcel of land with a one-story former church and a two-story residential dwelling converted to offices; totaling 5,611 square feet. The structures were constructed around the 1900's and were used for both worship and residential purposes. The property has been vacant since 2015.

The Property is considered an "eligible property," as defined by Act 381, Section 2 because: (a) the property was previously utilized as a commercial property; (b) it is located within the City of Lansing, a qualified local government unit under MCL 125.2782(k); and (c) the property has been determined to be "functionally obsolete," as defined in Section 2(s) of Act 381. Refer to Attachment B, Letter of Functional Obsolescence.

III. PROPOSED REDEVELOPMENT

The project at 221 West Saginaw in Lansing will be the new headquarters of M3 Group. Currently, M3 Group, a branding and publications agency established in 2002, is located at 610 and 614 Seymour Ave. M3 Group has used the two buildings to grow over the last 14 years. At 25 full-time employees, the two buildings are inefficient and becoming too small.

The new renovation project proposed at 221 West Saginaw would put all M3 Group employees under one roof with room to grow. Specifics for the project include: creating additional windows in the lower level; updating the HVAC, electric and plumbing; creating a mezzanine level to add additional square footage and making use of the vaulted ceilings; newly insulated walls, ceiling and floors; and develop an open environment that is suitable for a creative team to thrive.

The Lansing City Council has already approved a 12-year Obsolete Property Rehabilitation Act (OPRA) Certificate for the building. An OPRA Certificate is a property tax exemption to assist in the rehabilitation of a commercial building. Under the OPRA program, the taxable value of the building is frozen over the life of the certificate. It is estimated that the total cost of this exemption is $100,083.00.

IV. BROWNFIELD CONDITIONS

The Developer intends to finance activities at the Property that are considered "eligible activities," as defined by Section 2 of Act 381 and include asbestos abatement, lead based paint abatement and site preparation.

The costs of eligible activities included in, and authorized by, this Plan will be financed by the LBRA, through its Local Site Remediation Revolving Loan fund and the Developer will repay this loan, subject to the terms and conditions described in this Plan and the terms of the Loan Agreement between the Developer and the Authority (the "Loan Agreement"). The total cost of activities eligible is $40,000.00.

V. BROWNFIELD PLAN ELEMENTS

A. Description of Costs to Be Paid for With Tax Increment Revenues

This Plan does not allow for any Eligible Activities to be reimbursed with tax increment revenues from the redevelopment project.

B. Summary of Eligible Activities

Eligible Activities

Non-Environmental

Asbestos Abatement…………………………..……………$25,000.00

Lead Base Paint Abatement……………………...........$10,000.00

Site Preparation Activities…………………………………$ 5,000.00

Total Non-Environmental…………………….…………$40,000.00

Total Amount of Eligible Activities………………….………..$40,000.00

The costs listed above are estimated and may increase or decrease depending on the nature and extent of unknown conditions encountered on the Property. The actual cost of those eligible activities encompassed by this Plan that will qualify for use of Local Site Remediation Revolving Loan funds by the Authority shall be governed by the terms of a Loan Agreement. No costs will be qualified as an eligible activity excerpt to the extent permitted in accordance with the terms and conditions of the Loan Agreement and Section 2 of Act 381 of 1996, as amended (MCL 125.2652). As long as the total cost limited described in this Plan is not exceeded, line item costs of eligible activities may be adjusted by the Authority after the date this Plan is approved by the City of Lansing City Council.

C. Estimate of Captured Taxable Value and Tax Increment Revenues

This Plan does not anticipate the capture of any taxable value, or tax increment revenues.

D. Method of Financing and Description of Advances Made by the Authority

The Developer is ultimately responsible for providing financing for the costs of eligible activities included in this Plan. However, to assist with the abatement of the eligible activities, the Authority intends to advance the total cost of the eligible activities, through the Local Site Remediation

Revolving Fund (LSRRF). These funds will be paid back to the Authority by the Developer in accordance with the terms and conditions of the Loan Agreement. The Authority will then deposit these payments back into its LSRRF.

E. Maximum Amount of Note or Bonded Indebtedness

None.

F. Duration of the Brownfield Plan

Unless amended by the Lansing City Council, the Plan is anticipated to remain in effect until all approved activities in the Plan are covered, or until the end of the year 2027, whichever occurs first.

G. Estimated Impact on Taxing Jurisdictions

None.

H. Legal Description, Property Map, Statement of Qualifying Characteristics and Personal Property

The Property location and boundaries are shown on Figure 1. The legal description of the Property is provided in Attachment A. Further, this Plan does not anticipate the capture of any tax increment revenues resulting from personal property.

I. Plan for Relocation of Displaced Persons

No person will be displaced as a result of this project, or Plan.

J. Provisions for Relocation Costs

None.

K. Strategy for Compliance with Michigan's Relocation Assistance Law

None.

L. Description of Proposed Use of LBRA Local Site Remediation Revolving Fund

The Authority intends to use its Local Site Remediation Revolving Fund (LSRRF) to finance the cost of the eligible activities described in this Brownfield Plan. The Developer will then repay the Authority these funds in accordance with the terms and conditions of the Loan Agreement. The Authority will then deposit those loan payments back into the LSRRF.

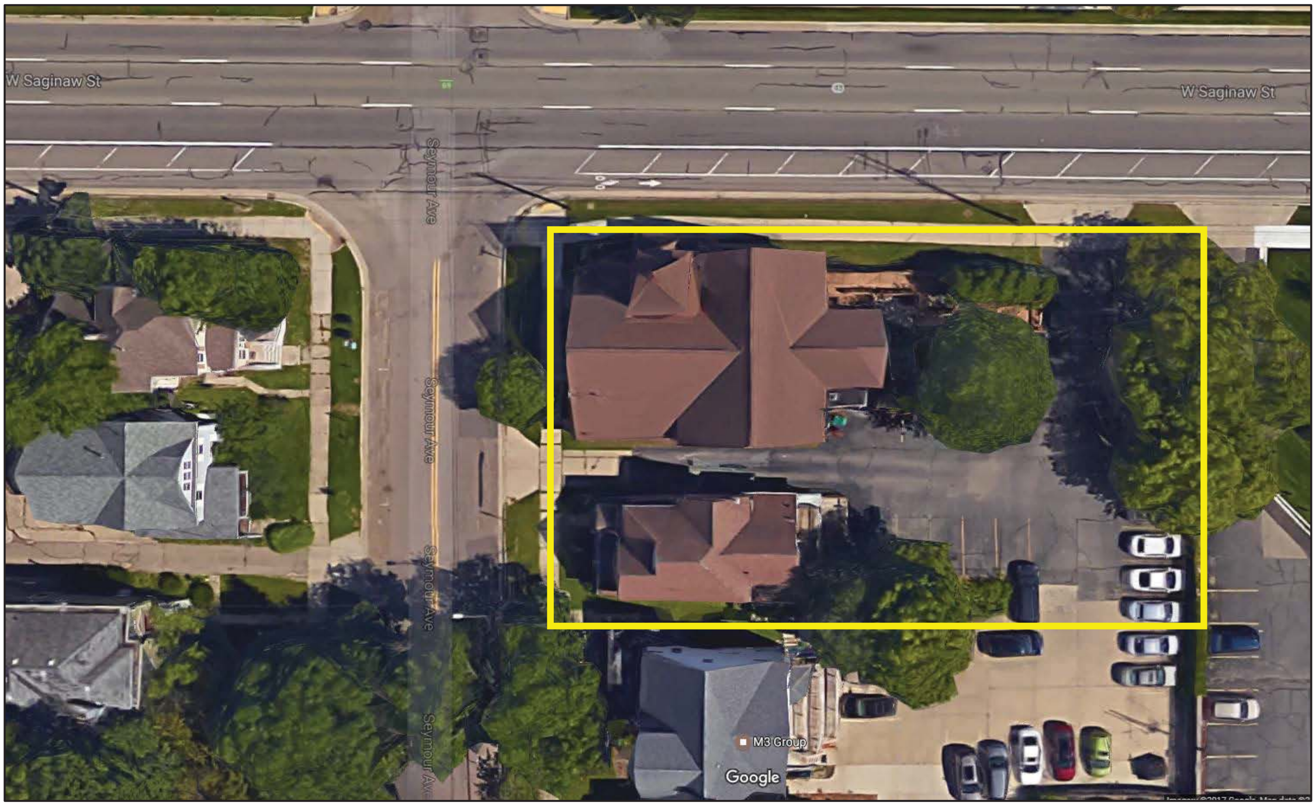
M. Other Material that the Authority of Governing Body Considers Pertinent

The Lansing Brownfield Authority and the Lansing City Council, in accordance with the Act, may amend this Plan in the future in order to fund additional eligible activities associated with the Project described herein.

FIGURE

Figure 1: Property Boundary Map

FIGURE 1
Property Boundary Map



TABLE

Table 1: Brownfield Eligible Activities

Table 1
Brownfield Eligible Activities
221 West Saginaw Avenue
Lansing, Michigan
March 31, 2017

STATE AND LOCAL ELIGIBLE ACTIVITIES	
NON-ENVIRONMENTAL	
Asbestos Abatement	$ 25,000.00
Lead Base Paint Abatement	$ 10,000.00
Site Preparation Activities	$ 5,000.00
Total Amount of Eligible Activities	**$ 40,000.00**

ATTACHMENT A

Legal Description of the Property

ATTACHMENT A

LEGAL DESCRIPTION OF PROPERTY

221 West Saginaw Avenue
Lansing, Michigan

PPN	Property Address	Legal Description
33-01-01-16-127-001	221 West Saginaw Avenue	LOT 8 & N 1 R LOT 7 BLOCK 63 ORIG PLAT

ATTACHMENT B

Statement of Functional Obsolescence

LANSING MICHIGAN

Virg Bernero, Mayor

CITY OF LANSING
ASSESSING DEPARTMENT
Sharon L Frischman, Assessor
3rd Floor, City Hall
124 W. Michigan Ave.
Lansing, MI 48933
517-483-4020

June 9, 2016

Statement of Functional Obsolescence
In Compliance with the Obsolete Property Rehabilitation Act (OPRA)
P.A. 146 of 2000

Address:	221 W. Saginaw
Parcel #:	33-01-01-16-127-001
Owner:	Connemara Properties LLC

RE: Statement of Obsolescence

The subject has two structures currently on this parcel. The main building is a one story former church and secondary building is a two story residential dwelling converted to offices. Assessing office personnel only performed an interior/exterior inspection of the church building. According to the potential buyer, the former residential structure suffers from extensive deferred maintenance; the future plans are to demolish this structure and use for parking. The church building was built around 1900. The windows and doors are old and inefficient to today's standards. The single pane windows do not open and the doors do not close tightly. The electrical, mechanical and plumbing are also inefficient for today's standards. Part of the electrical system may be knob and tube. Because the building was originally built as a church it is functionally obsolete to be used as an office due in part to the higher than normal ceiling heights and other characteristics that are not typically found in a modern office building. It is the opinion of this assessor that this building suffers more than 50% functional obsolescence.

Sharon Frischman, MMAO
City of Lansing Assessor

Date: June 9, 2016

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING
RESOLUTION APPROVING BROWNFIELD PLAN #69
221 WEST SAGINAW AVENUE REDEVELOPMENT PROJECT

WHEREAS, the Brownfield Redevelopment Authority (the 'Authority') of the City of Lansing, pursuant to and in accordance with the provisions of the Brownfield Redevelopment Financing Act, Public Act, Public Act 381 of 1996, as amended, (the 'Act') has prepared a Brownfield Plan, submitted to Council and placed on file in the office of City Clerk, LBRA Brownfield Plan #69 – 221 West Saginaw Redevelopment Project (the 'Plan'); and

WHEREAS, a public hearing was held by the Lansing City Council on **(INSERT DATE)** and at least 10 days before the public hearing the taxing jurisdictions were provided notice to be fully informed about the fiscal and economic implications of the proposed Plan and given a reasonable opportunity to express their views and recommendations regarding the Plan in accordance with Section 13 (10) and 14(1) of the Act; and

WHEREAS, the Lansing City Council, before and during its public hearing on **(INSERT DATE)** reviewed testimony and evidence regarding the Plan, and found that:

1. the Plan provides for the reimbursement of costs attributable to eligible activities to the developer and the Authority,

2. the Project includes, in addition to the eligible activities identified in the Plan, the redevelopment of the property,

3. the Project may result in new private investment of approximately $816,500,

4. the Plan provides for the capture of property tax increment revenues due to the private investment on the site, and devotes them to repaying the Authority for its costs associated with eligible activities it performs, and to repaying the developer for their costs associated with eligible actives they perform, in accordance with the Plan,

WHEREAS, the Authority Board of Directors, at its meeting on April 7, 2017, unanimously recommended approval of the Plan, for this Project;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, after having duly considered the Plan, finds it is in compliance with the provisions of the Act and further finds:

- The Plan constitutes a public purpose under the Act;

- The Plan meets all of the requirements for a Brownfield Plan set forth in

Section 13 of the Act;

- The proposed method of financing the costs of the eligible activities, as described in the Plan, is feasible and the Authority has the ability to arrange the financing;

- The costs of the eligible activities proposed in the Plan are reasonable and necessary to carry out the purposes of the Act; and

- The amount of the captured taxable value estimated to result from the adoption of the Plan is reasonable.

IT IS FINALLY RESOLVED that the Lansing City Council hereby approves the LBRA 'Brownfield Plan #69 – 221 West Saginaw Avenue Redevelopment Project'.

LANSING MICHIGAN

OFFICE OF THE MAYOR

9th Floor, City Hall
124 W. Michigan Avenue
Lansing, Michigan 48933-1694
(517) 483-4141 (voice)
(517) 483-4479 (TDD)
(517) 483-6066 (Fax)

Virg Bernero, Mayor

TO: City Council President Judi Brown Clarke and Councilmembers

FROM: Mayor Virg Bernero

DATE: 11/10/16

RE: Z-8-2016, 3001 S. Washington Avenue, Rezoning

The attached correspondence is forwarded for your review and appropriate action.

VB/rh
Attachment

Virg Bernero, Mayor

City of Lansing

Inter-Departmental Memorandum

WORKING TOWARD A CLEANER GREENER LANSING

To:	Virg Bernero, Mayor
From:	Susan Stachowiak, Zoning Administrator
Subject:	CITY COUNCIL AGENDA ITEM - Z-8-2016, 3001 S. Washington Avenue, Rezoning
Date:	November 2, 2016

The Lansing Planning Board, at its regular meeting held on November 1, 2016, voted (6-0) to recommend approval of a request by Green Key Properties, LLC to rezone the property at 3001 S. Washington Avenue from “D-1” Professional Office & “J” Parking Districts to “F” Commercial District. The purpose of the rezoning is to permit a retail establishment (medical marijuana dispensary) on the subject property.

The Planning Board found, based on testimony, evidence and the staff report, that the proposed rezoning will be consistent with the existing zoning and land use patterns in the area. The Board also found that the proposed rezoning will have no negative impacts on traffic patterns, the environment or future patterns of development in the area.

At the Planning Board public hearing held on November 1, 2016, the applicants and one other person spoke in favor of and two persons spoke in opposition to the rezoning.

Please forward this resolution to City Council for placement on the Agenda.

If you have any questions, or need additional information, please give me a call.

Attachments

BY THE COMMITTEE ON DEVELOPMENT & 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, , 2016, at 7 p.m. in City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of approving and/or opposing the Ordinance for rezoning:

Z-8-2016: 3001 S. Washington Avenue, Rezoning from "D-1" Professional Office and "J" Parking Districts to "F" Commercial District

ORDINANCE # _______

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING FOR THE REZONING OF A PARCEL OF REAL PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE OF ORDINANCES.

The City of Lansing ordains:

Section 1. That the district maps adopted by and incorporated as Section 1246.02 of the Code of Ordinances of the City of Lansing, Michigan be amended to provide as follows:

To change the zoning classification of the property described as follows:

Case Number:	Z-8-2016
Parcel Number's:	33-01-01-28-304-002
Legal Descriptions:	Lots 4 & 5 & the East 90 feet of Lot 6, Holmesdale Subdivision, City of Lansing, Ingham County, MI, from "D-1" Professional Office & "J" Parking Districts to "F" Commercial District.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance was duly adopted by the Lansing City Council on _________, 2016, and a copy is available in the office of the Lansing City Clerk, 9th Floor, City Hall, 124 W. Michigan Avenue, Lansing, MI 48933.

Section 4. This ordinance shall take effect upon the expiration of seven (7) days from the date this notice of adoption is published in a newspaper of general circulation.

INTRODUCTION OF ORDINANCES

The following ordinance of the City of Lansing, Michigan, providing that the Code of Ordinances be amended by providing for the rezoning of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the Code for property located at:

Z-8-2016: 3001 S. Washington Avenue, Rezoning from “D-1” Professional Office and “J” Parking Districts to “F” Commercial District

was introduced by the Committee on Development & Planning, read a first and second time by its title and referred to the Committee on Development and Planning.

CITY OF LANSING
NOTICE OF PUBLIC HEARING

Z-8-2016, 3001 S. Washington Avenue
Rezoning from “D-1” Professional Office & “J” Parking Districts to “F” Commercial District

The Lansing City Council will hold a public hearing on Monday, , 2016, at 7:00 p.m. in Council Chambers, 10th Floor, Lansing City Hall, 124 W. Michigan Avenue, Lansing, Michigan to consider **Z-8-2016.** This is a request by Green Key Properties, LLC to rezone the property at 3001 S. Washington Avenue from “D-1” Professional Office & “J” Parking Districts to “F” Commercial District. The purpose of the rezoning is to permit a commercial retail establishment on the subject property.

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, , 2016 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

GENERAL INFORMATION

APPLICANT/OWNER:	Gordon Green, Member-Manager Green Key Properties, LLC 6824 Brightwood Avenue Waterford, MI 48329
REQUESTED ACTIONS:	Rezone 3001 S. Washington Avenue from "D-1" Professional Office & "J" Parking Districts to F" Commercial District
EXISTING LAND USE:	Unauthorized Medical Marijuana Dispensary
EXISTING ZONING:	"D-1" Professional Office & "J" Parking Districts
PROPOSED ZONING:	"F" Commercial District
PROPERTY SIZE:	Irregular Shape - .39 acres
SURROUNDING LAND USE:	N: Kent Cleaners S: Church E: Residential W: Residential
SURROUNDING ZONING:	N: "F" Commercial & "J" Parking Districts S: "A" Residential & "D-1" Professional Office Districts E: "A" Residential District W: "A" Residential & "D-1" Professional Office Districts
MASTER PLAN:	The Design Lansing Comprehensive Plan designates the subject property for "Residential Corridor" land use. S. Washington Avenue is designated as a minor arterial.

DESCRIPTION:

This is a request by Green Key Properties, LLC to rezone the property at 3001 S. Washington Avenue from "D-1" Professional Office & "J" Parking Districts to "F" Commercial District. The purpose of the rezoning is to permit a retail establishment (medical marijuana dispensary) on the subject property.

It was recently brought to the attention of the Planning Office that a medical marijuana dispensary was being operated out of the building at 3001 S. Washington Avenue. Since this property is zoned "D-1" Professional Office, which district does not permit medical marijuana dispensaries, the owner of the property was issued a violation notice requiring the discontinuation of this use. In response, the owner has applied to have the property rezoned to the "F" Commercial district which, if approved, would allow a medical marijuana dispensary, once an ordinance is enacted and the current moratorium on these types of facilities has been lifted.

AGENCY RESPONSES

BWL:	
Building Safety:	The BSO has no objection to the rezoning. However, FYI, the current retail occupant (without a C of O) is a Medical Marihuana facility.
Fire Marshal:	
Parks & Recreation:	No comments.
Public Service:	
Traffic Engineer:	The Transportation and Non-motorized has no objection to the rezoning request, however, this does not constitute a review or approval of any site plan or other process that may be required for a project to move forward on this property

COMPATIBILITY WITH SURROUNDING LAND USE

The subject property is currently zoned "D-1" Professional Office district, with the exception of the parking lot east of the building that is zoned "J" Parking district. The area of the site that is zoned "D-1" was rezoned from "F" Commercial in 2002 at the request of the owner at that time. The purpose of that rezoning was to allow an expansion of the child care center capacity because the requirements for such use are less stringent under the "D-1" district.

The property directly to the north of the subject property is zoned "F" Commercial and therefore, the proposed rezoning will not result in a "spot zone" which is typically considered to be an unacceptable planning practice.

It is not anticipated that the rezoning will be disruptive to the residential neighborhood to the east. Medical marijuana dispensaries typically do not generate much traffic, noise or other nuisances that would negatively impact the quality of life for nearby residents. In fact, the City has not received any complaints about the existing medical marijuana facility that has been operating illegally at this location for several weeks. The facility is illegal because it was established after the moratorium on such facilities went into effect in March of this year. This violation was brought to the attention of the Planning Office after the City electrical inspector noticed that the facility was operating without having obtained the necessary permits to ensure that the electrical system in the building was adequate to accommodating the use. Medical marijuana grow operations typically require an inordinate amount of heat and lighting which can place a serious burden on the building's electrical system.

COMPLIANCE WITH MASTER PLAN

The Design Lansing Comprehensive Plan designates the subject property for "Residential Corridor" land use. The Plan specifies the following for this land use classification:

"To allow medium-density residential development in a variety of urban formats, rather than a conversion of residential to commercial use, along certain high-traffic streets that also serve as transit routes or are within easy walking distance (¼ mile)."

The proposed rezoning is clearly not in compliance with the Master Plan. It is, however, consistent with a general goal of Master Planning which is to concentrate commercial land uses along major or minor arterials that already have a strong presence of nonresidential land uses and a transportation system designed to accommodate the traffic.

IMPACT ON VEHICULAR AND PEDESTRIAN TRAFFIC

The proposed rezoning will have no impact on traffic in the area. The site is located on S. Washington Avenue which is a minor arterial designed to carry a high volume of traffic.

IMPACT ON PUBLIC FACILITIES

The site is already served by all necessary public facilities. No changes are proposed for the site that would have an impact on public facilities.

ENVIRONMENTAL IMPACT

The proposed rezoning will have no environmental impacts as the site is already developed and no changes are proposed at this time. New construction would require administrative site plan review at which time the site would have to be brought into compliance with all City codes and ordinance including those regulating storm water management.

IMPACT ON FUTURE PATTERNS OF DEVELOPMENT

Approval of the requested rezoning is not anticipated to have any negative impacts on future patterns of development in the area. The proposed zoning will not result in a "spot zone" as the property directly to the north is already zoned "F" Commercial. Furthermore, in 2002, the subject property was rezoned from "F" Commercial to "D-1" Professional Office so that the child care center that occupied the site at that time could expand its capacity without having to provide as much outdoor play area. The current owner of the property is requesting that the 2002 rezoning be reversed so that the site can be used for retail sales that would include medical marijuana. If the rezoning were to be denied, it would deprive the property owner of land use rights that are already afforded to the property owner directly to the north and to the previous owners of the property, prior to them having the property rezoned. If the site had not previously been zoned "F" Commercial, staff would not be making a positive recommendation on this request. Since there are no other sites in the area that have been downzoned from "F" Commercial, approval of this rezoning will not set a negative precedent for future requests to rezone property in the area to the "F" Commercial district.

SUMMARY

This is a request by Green Key Properties, LLC to rezone the property at 3001 S. Washington Avenue from "D-1" Professional Office & "J" Parking Districts to "F" Commercial District. The purpose of the rezoning is to permit a retail establishment (medical marijuana dispensary) on the subject property. The findings of fact as outlined in this staff report support a positive recommendation for the requested rezoning.

RECOMMENDATIONS

Pursuant to the findings described above, the following recommendation is offered for the Planning Board's consideration:

> Z-8-2016 be approved to rezone the property at 3001 S. Washington Avenue from "D-1" Professional Office and "J" Parking Districts to "F" Commercial District.

Respectfully Submitted,

Susan Stachowiak
Zoning Administrator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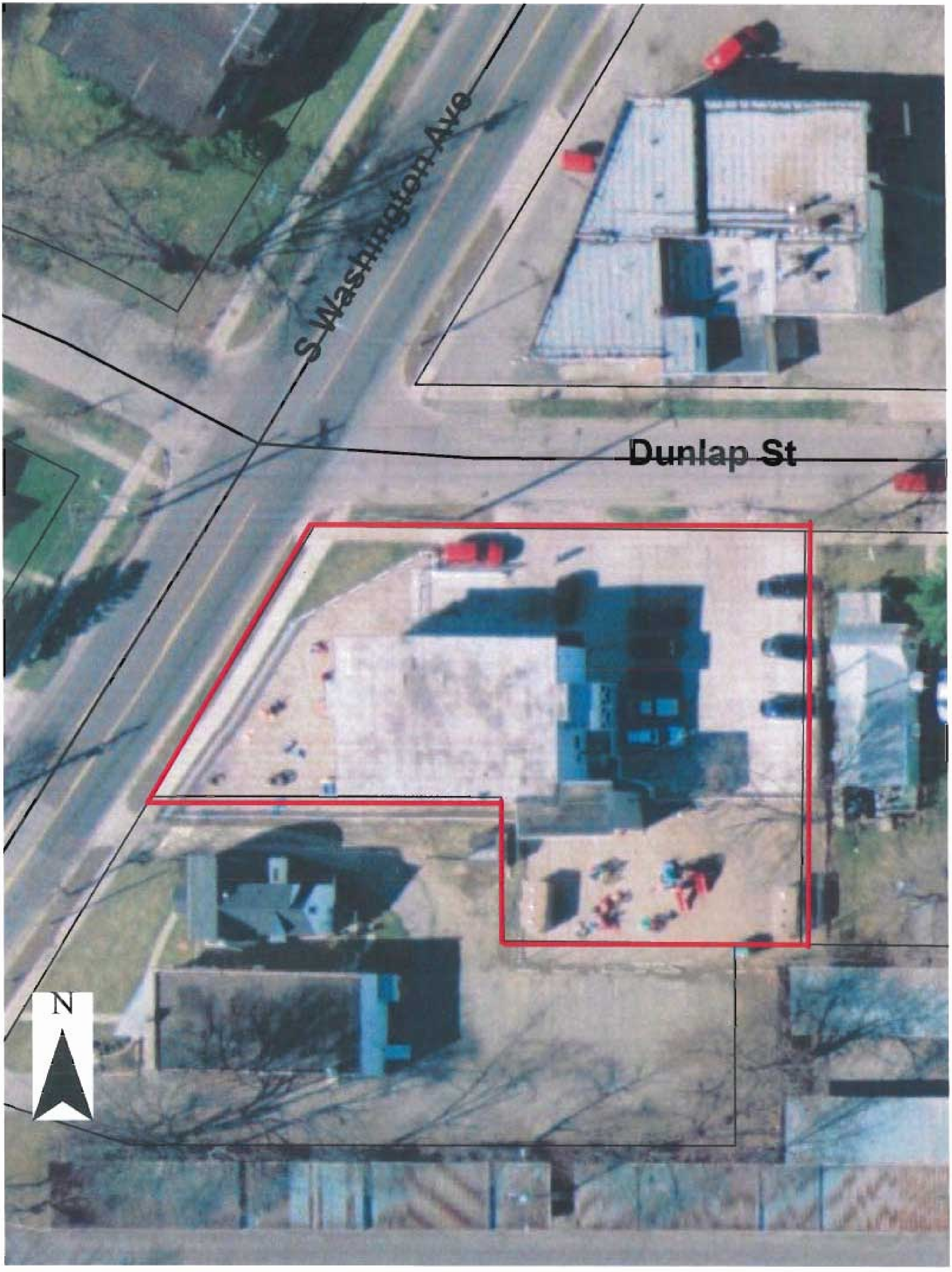
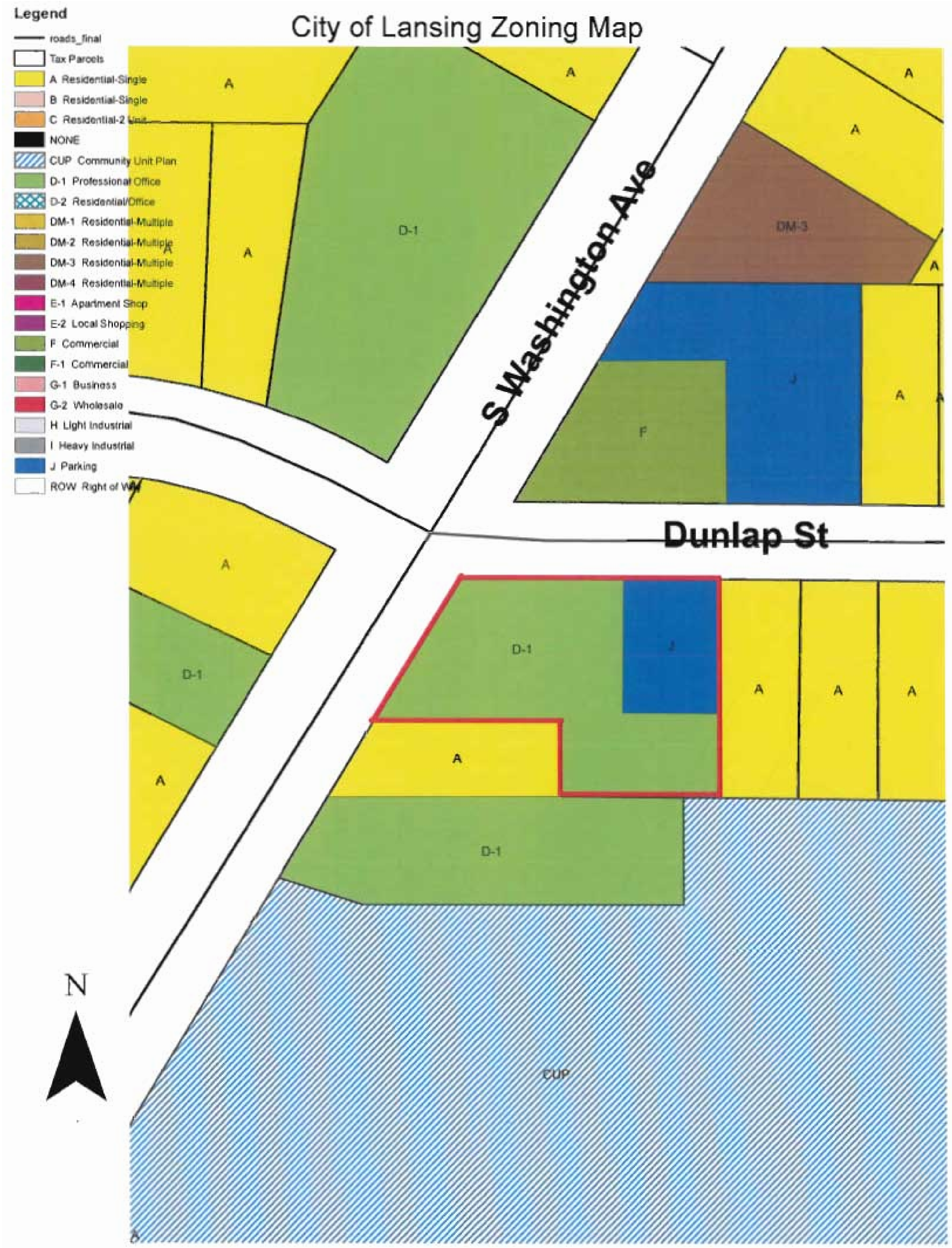

S Washington Ave
Dunlap St
N



Legend
roads_final
Tax Parcels
A Residential-Single
B Residential-Single
C Residential-2 Unit
NONE
CUP Community Unit Plan
D-1 Professional Office
D-2 Residential/Office
DM-1 Residential-Multiple
DM-2 Residential-Multiple
DM-3 Residential-Multiple
DM-4 Residential-Multiple
E-1 Apartment Shop
E-2 Local Shopping
F Commercial
F-1 Commercial
G-1 Business
G-2 Wholesale
H Light Industrial
I Heavy Industrial
J Parking
ROW Right of Way
City of Lansing Zoning Map
S Washington Ave
Dunlap St
A
D-1
DM-3
J
F
CUP
N