AGENDA
Committee on Development and Planning
Monday, March 19, 2018 @ 4:00 p.m.
City Council Conference Room, City Hall 10th Floor
UPDATED 3/15/2018 P.M.

Council Member Adam Hussain, Chair
Council Member Patricia Spitzley, Vice Chair
Council Member Jody Washington, Member

1. **Call to Order**

2. **Public Comment on Agenda Items**

3. **Minutes**
   - March 5, 2018

4. **Discussion/Action:**

   A.) RESOLUTION- Set Public Hearing; IFT-01-18; Industrial Facilities Exemption Certificate for Tecomet, Inc.; 5858 Enterprise Drive

   B.) RESOLUTION – Introduction and Set Public Hearing; Z-8-2017; 3440 N East Street; Rezone from “F” Commercial to “G-2” Wholesale District

   C.) DISCUSSION – Ordinance Amendments for PILOTS

5) **Other**

6) **Adjourn**

PUBLIC COMMENT AND SIGN IN SHEET

COMMITTEE DEVELOPING & PLANNING

DATE March 19, 2018

Please print

NAME	ADDRESS	Purpose for Attending	Email Address	PHONE
John HELMUTH	5212 Aurelius Rd LANSING MI	IFT-01-18	john.helmuth@TECOmet.com	517-712-0439
Daren Dodson	5212 aurelius Rd Lansing, MI 48911	IFT-01-18	Daren.Dodson@tecomet.com	517-224-6450
Sheryl Landgraf	110 N. Market Dewitt, MI 48820	2-8-2017	Slandgraf@FTZlabs.com	517-614-6403
Jeff Landgraf	110 N. Market St Dewitt MI 48820	2-8-2017	jlandgraf@FTZlabs.com	517-282-4644
Elaine Womboldt	4815 TRESSA LANSING	Agenda Items	emwomboldt@comcast.net	
Sue Stachowiak		planning		4085

DRAFT

MINUTES
Committee on Development and Planning
Monday, March 5, 2018 @ 4:00 p.m.
Council Conference Room, City Hall 10th Floor

CALL TO ORDER
Called to order at 4:00 p.m.

PRESENT
Council Member Hussain, Chair
Council Member Spitzley, Vice-Chair- arrived at 4:16 p.m.
Council Member Washington, Member

OTHERS PRESENT
Sherrie Boak, Council Staff
Bill Rieske
Greg Venker, Assistant City Attorney- arrived at 4:13 p.m.
Don Kulhanek, Economic Development & Planning
Brian McGrain, Economic Development & Planning
Bill Rieske, Economic Development & Planning
Brett Kaschinske, Park and Recreation Director
Kathy Miles
Elaine Womboldt
Warren Krueger, Friendship Manor
Kurt Berryman
John Turk
Cathy Heckman
James Gromer
Donna McMillen
Peter Tallerico
Paul Connors
Jeff Parker, Consumers Energy
Marlin Miller, Consumer Energy
Chris Thelen, Consumers Energy
Bryant Bussa

PUBLIC COMMENT
No public comment at this time.

MINUTES
MOTION BY COUNCIL MEMBER WASHINGTON TO APPROVE THE MINUTES FROM FEBRUARY 19, 2018 AS PRESENTED. MOTION CARRIED 2-0.

DISCUSSION/ACTION
RESOLUTION – Appointment; Paul Connors; At Large Member; Historic District Commission; Term to Expire June 20, 2019
Mr. Connors distributed his resume to the Committee which outlined his experience as a legislative liaison with historical policy, a policy advisor, and education experience as a preservationist.

MOTION BY COUCNIL MEMBER WASHIGTON TO APPROVE THE RESOLUTION FOR THE APPOINTMENT OF PAUL CONNORS AS THE AT-LARGE MEMBER TO THE HISTORIC DISTRICT COMMISSION. MOTION APPROVED 2-0.

RESOLUTION – Appointment; Kurt Berryman; At Large Member; Board of Zoning Appeals; Term to Expire June 30, 2020
Council Member Hussain pointed out to the applicant that the application did to list any experience or reason for choosing this board.

Mr. Berryman stated he resigned from the EOCC in December, 2017 which while on that Board he was fascinated with the process of working with the City. Mr. Berryman's work experience was noted to the Committee as an attorney and lobbyist for the auto dealers of Lansing and verified his residency in the City and graduate of Cooley Law School. He noted he chose the Board of Zoning Appeals because of his interest in the zoning issues and experiences with his working thus far with the City through the EOCC.

Council Member Washington asked Mr. Berryman if he would recuse himself or had an issue recusing himself if there was a conflict. Mr. Berryman assured the Committee he would have no problem recusing during a conflict and would step down. Council Member Washington recommended Mr. Berryman look at the master plan to review what guidance it offers and calls for in the City. She also pointed out to him that with the recent Medical Marihuana Ordinance passage the BZA will see appeals on that ordinance. Mr. Berryman again assured the Committee again that he will look into and follow the letter of the law.

MOTION BY COUNCIL MEMBER WASHINGTON TO APPROVE THE RESOLUTION TO APPOINT KURT BERRYMAN AS THE AT LARGE MEMBER TO THE BOARD OF ZONING APPEALS. MOTIO CARRIED 2-0.

Ms. Womboldt spoke in support of the questions asked by the Committee.

MOTION CARRIED 2-0.

RESOLUTION –Set Public Hearing; Amend Res. 0145 of 1981 for SLU-1-2016; 2101 E. Mt. Hope Avenue; Petition for the construction of a mobile cell tower
Council Staff recapped that at the last meeting Council Member Spitzley inquired into if a public hearing should be held since a hearing as required when property is dedicated. Mr. Kaschinske spoke to law during that meeting and a need for a hearing was confirmed. Council Member Hussain added there is nothing in the requirements it is needed, but the Committee wants the hearing. Mr. Venker presented the Committee with the drafted resolution that would set the

hearing to consider the resolution to undedicate a portion of the Crego Park parcel to allow construction and operation of a wireless communication tower.

MOTION BY COUNCIL MEMBER WASHINGTON TO APPROVE THE RESOLUTION TO SET THE PUBLIC HEARING AT FOR MARCH 26 2018 FOR THE RESOLUTION TO UNDEDICATE THE LAND FOR THE WIRELESS TOWER AT CREGO PARK. MOTION CARRIED 3-0.

RESOLUTION – Set a Public Hearing; ACT-4-2017; Easement for Consumers Energy's North Lansing Pipeline Project

Mr. Rieske outlined for the Committee that the easements for the pipeline will cross 5 parcels; for (4) owned by BWL, which is essentially the City and one (1) owned by the City. The pipeline will run of the Grand River across the river to I-496/Main. The BWL Board of Commissioners have approved the easements, and the Lansing Public Service department have also approved the portion of the easement that runs in front of the WWTP screen building.

Council Member Hussain referred the Committee, Mr. Rieske and Law to the document in the packet for Act 4-2017 however on page two he noted the "Now Therefore" clause calls out Act-5-2017. Mr. Rieske apologized for the typo and it was confirmed it would be corrected before it is adopted after the hearing.

Council Member Spitzley stepped away from the meeting at 4:20 p.m.

Mr. Parker provided details on the project which he stated was required to improve the reliability of the service and reduce system risk. This would replace and enhance the current line and tie the current connection to the existing REO Town Plant and close the loop. Consumers did confirm they had looked at several routes and high-pressure gas line, but this route will reduce the years off the current one.

Council Member Hussain asked if the sale would go towards BWL. Mr. Venker confirmed it would because they were acquired with rate payer funds.

Council Member Washington asked how they "retire" the current line. Mr. Parker stated lines are abandoned under the existing easement.

Consumers Energy representatives asked if approval could be given the same night of approval. Council Member Hussain stated they would no consider it the same night.

MOTION BY COUNCIL MEMBER WASHINGTON T APPROVE THE RESOLUTION TO SET THE HEARING FOR ACT-4-2017 FOR MARCH 26, 2018. MOTION CARRIED 2-0.

RESOLUTION – Set a Public Hearing; ACT-5-2017; 1620 Sunset Avenue; Consumers Energy North Lansing Pipeline Project

Mr. Rieske detailed that this easement is for utilities that run from East to West from the building and have been extensively reviewed by the Department on Public Service and Consumers. Consumers did look at alternative routes, but decided the best idea was to dig deeper and go to 30' which would take it below the City utilities.

Council Member Spitzley returned at 4:24 p.m.

MOTION BY COUNCIL MEMBER WASHINGTONM TO APPROVE THE RESOLUTION TO SET THE PUBLIC HEARING FOR MARCH 26TH FOR ACT-5-2017. MOTION CARRIED 3-0.

RESOLUTION – Set a Public Hearing; PILOT for Camelot Hills
Council Member Hussain outlined for the Committee that the property has 102 low income unties, is seeking a 4% PILOT and currently has a 35 PILOT that goes to 2024. Mr. McGrain added that the request currently is to set the hearing for a renewal to refinance the existing project. Council Member Hussain asked for the timeline on the current PILOT.

Mr. Gromer informed the Committee that the current one will end in 2024. Mr. Gromer then provided details on their property and organization which he noted was a 501c3, and their goal is affordable housing and over the last 27 years have maintained the property. The life cycle for repairs is 15 years and Mr. Gromer acknowledged that time is coming up. They have the opportunity to now put $3.6 million in the property, and $1.2 million in resources and $1 million of their own funds. The project does involve 102 Section 8 units, and there will be no deferred maintenance and all the money will go back in. Some of the projects Mr. Gromer stated would be addressed are kitchens, roofs, and parking lots. He added the request includes the competitive credit $3.6 million, $1.2 million in gap financing which will be competitive and contingent on getting the PILOT of 4%. Council Member Spitzley asked Mr. Gromer to elaborate on what is contingent. He answered that they need to be competitive with MSDHA to get another HAP contract. Council Member Hussain pointed out to the applicants that they can be competitive with 10% they just need Council approval for the 4%. Mr. Gromer stated the that without the 4% PILOT it won't work for them. The organization does not make money, Mr. Gromer stated, the cash flow annually is put reserves as a non-profit. They chose the 4% to make the project feasible because they are required to put money in their reserves and have to show the project is economically feasible. Council Member Spitzley inquired as to why 4% was needed to be competitive for MSHDA, at which Mr. Gromer answered the financing is through MSHDA. Ms. McMillan filled in by noting that MSHDA has gap home dollars available, and to be competitive they have to have a competitive situation with finances. They give a 30% gap to hard depth, and they need to figure out a way to get financing to be competitive with other developers. Ms. McMillan informed the Committee that the only way MSHDA can finance the loan at that amount they need the request. Council Member Spitzley asked what the $1 million of their own was for. Ms. McMillan stated they are taking the developer fee and putting it back as a note to have under the 30% competitive. This is the amount of cash to service the debt with the MSHDA and will be a GP note.

Council Member Washington spoke in opposition to 4% PILOTS, and the option for the applicants to go to MSHDA for 10%. Mr. Gromer did respect her opinion but emphasized the project will always be affordable and all they can do.

Council Member Spitzley stated she supported PILOTS but was concerned with issuing PILOTS when they are not good stewards. She asked for language in resolutions going forward to keep owners accountable to make sure the housing needs are kept up.

Council Member Hussain stated his opinion to the applicant that he too struggles with 4%, and the impact on the City budget, because currently ever after these are built the City does not have the funds to support the services those residents need.

Council Member Washington reiterated information from the FHT that they do not support PILOTS of 4%. Mr. Gromer offered to send the Committee a cash flow report that would show what they are not making and that they are doing this to provide affordable housing.

Mr. McGrain briefly informed the Committee that his department is touring the sites, speaking to residents and vetting them. The staff is talking about creating new processes on PILOTS and extensions.

Council Member Hussain asked if the applicant takes 10% can they still move forward, understanding that this case is unique because it is non-profit.

Ms. Womboldt spoke in support of affordable housing but also a concern with the City financial crisis.

MOTION BY COUNCIL MEMBER SPITZLEY TO SET THE PUBLIC HEARING FOR THE PILOT REQUEST FOR CAMELOT HILLS.

Council Member Hussain spoke on his hesitation on the request but wants the conversation for the public and the full body before he can make his final decision on the PILOT itself.

Council Member Spitzley asked the City Attorney's office to provide options and language that would provide options for Council to use to hold the applicants accountable. Mr. Venker clarified that there is nothing specific that authorizes a "side agreement" in an ordinance but they could have options if they had a contract with them. He stated that the langue in the statue permits language in the ordinance. Mr. Venker then asked the Committee for options to choose from, which they confirmed could be a "claw back provision. Council Member Spitzley asked that at a future meeting the Committee could talk about needs to protect the City better than in past.

Council Member Washington voiced her opposition to the hearing and stated she would never support a 4% PILOT.

MOTION CARRIED 2-1.

<u>RESOLUTION – Set a Public Hearing; PILOT Extension for Friendship Manor Apartments</u>
Representatives from 1st Housing and Loomis Law Firm were present. Mr. Kulhanek stated that the project was located near Frandor and houses 170 units of senior housing which had already gotten preliminary approval from MSHDA. They current have a 10% PILOT and are requesting for and extension at 4% with the total cost of $4.1 million for a 50-year request.
The representative added they have had 40 years of affordable housing and 170 units of senior property. They service elderly and disabled and get assistance with MSHDA for the whole community. This PILOT will be for $4.4 million in rehabilitation. Council Member Hussain asked them if they were safe at 10%, why now 4%. The representative from Loomis Law confirmed the current PILOT will stay in place with MSHDA during the review. As continued feasibility of the project, there is the matter of getting their financing from MSHDA and their rates. He added that if they do not get the 4% it would not be economically sound to rehabilitate the site and the current PILOT will run out. Council Member Spitzley asked when that PILOT will run out, and the applicants were not able to answer the question. Mr. McGrain stated his department is working on pulling all that information on all PILOTS and reporting to the Council. Council Member Hussain asked who was 1st Housing Corporation, at which the representatives stated it is a management company, and the group named CRI Limited Partnership is an equity company that invests in low income housing. They are going out of business so they are liquidating, so the project has a general partner. Council Member Spitzley asked the applicant again who the owner was. The attorney with Loomis Law stated it is an individual with membership of the company that is the general partner of the ownership, with the ownership

being Friendship Manor Limited Dividend Housing. Council Member Hussain pointed out to the applicant and Committee that his information was that Joel Ferguson is Friendship Manor, and he too wanted to know when the current PILOT ends.

Council Member Spitzley again asked for information on why they are requesting 4% when they have 10% now, who the owner is, and what the end date is on the current PILOT.

Council Member Washington spoke in opposition to setting the hearing.

The applicant attempts to clarify that the property is 99% Limited partnership and 1% general, with CRI as the main owner. He then offered a suggestion of signing a service agreement option. Ms. Womboldt spoke in appreciation of the Committees work.

Mr. McGrain offered the option to table the request until the information they want is available. Council Member Spitzley pointed out the applicants did not even know when the current one expires. The consensus of the Committee was that the applicants could not provide details on the ownership, the current PILOT deadline or timeline.

MOTION BY COUNCIL MEMBER WASHINGTON TO DENY THE RESOLUTION TO SET THE HEAIRNG FOR THE PILOT EXTENSION FOR FRIENDSHIP MANOR. MOTION CARRIED 3-0.

<u>Other</u>
No other topics.

<u>Adjourn</u>
Adjourned at 5:16 p.m.
Submitted by, Sherrie Boak,
Recording Secretary,
Lansing City Council
Approved by the Committee on_________________

Application for Industrial Facilities Tax Exemption Certificate

Issued under authority of Public Act 198 of 1974, as amended. Filing is mandatory.

INSTRUCTIONS: File the original and two copies of this form and the required attachments (three complete sets) with the clerk of the local government unit. The State Tax Commission (STC) requires two complete sets (one original and one copy). One copy is retained by the clerk. If you have any questions regarding the completion of this form, call (517) 373-3302.

To be completed by Clerk of Local Government Unit	
Signature of Clerk	Date Received by Local Unit
STC Use Only	
Application Number	Date Received by STC

APPLICANT INFORMATION

All boxes must be completed.

1a. Company Name (Applicant must be the occupant/operator of the facility): Tecomet, Inc.

1b. Standard Industrial Classification (SIC) Code - Sec. 2(10) (4 or 6 Digit Code): 339113

1c. Facility Address (City, State, ZIP Code) (real and/or personal property location): 5840 Enterprise Drive

1d. City/Township/Village (indicate which): Lansing

1e. County: Ingham

2. Type of Approval Requested
- [X] New (Sec. 2(5))
- [ ] Transfer
- [ ] Speculative Building (Sec. 3(8))
- [ ] Rehabilitation (Sec. 3(6))
- [ ] Research and Development (Sec. 2(10))
- [ ] Increase/Amendment

3a. School District where facility is located: Lansing School District

3b. School Code: 33020

4. Amount of years requested for exemption (1-12 Years): 5 years after construction

5. Per section 5, the application shall contain or be accompanied by a general description of the facility and a general description of the proposed use of the facility, the general nature and extent of the restoration, replacement, or construction to be undertaken, a descriptive list of the equipment that will be part of the facility. Attach additional page(s) if more room is needed.

This project is a manufacturing expansion including the lease of a building that allows for increased manufacturing capacity near existing Lansing operations. The project includes investment in high-tech precision machining equipment and building upgrades to an existing 30,000 square foot building.

6a. Cost of land and building improvements (excluding cost of land) .... $1,915,000 (Real Property Costs)
  * Attach list of improvements and associated costs.
  * Also attach a copy of building permit if project has already begun.

6b. Cost of machinery, equipment, furniture and fixtures .... $12,600,000 (Personal Property Costs)
  * Attach itemized listing with month, day and year of beginning of installation, plus total

6c. Total Project Costs .... $14,515,000 (Total of Real & Personal Costs)
* Round Costs to Nearest Dollar

7. Indicate the time schedule for start and finish of construction and equipment installation. Projects must be completed within a two year period of the effective date of the certificate unless otherwise approved by the STC.

	Begin Date (M/D/Y)	End Date (M/D/Y)	Owned	Leased
Real Property Improvements	10/01/2017	12/31/2019	[ ]	[X]
Personal Property Improvements	10/01/2017	12/31/2019	[X]	[ ]

8. Are State Education Taxes reduced or abated by the Michigan Economic Development Corporation (MEDC)? If yes, applicant must attach a signed MEDC Letter of Commitment to receive this exemption. [ ] Yes [X] No

9. No. of existing jobs at this facility that will be retained as a result of this project.

10. No. of new jobs at this facility expected to create within 2 years of completion. 160

11. Rehabilitation applications only: Complete a, b and c of this section. You must attach the assessor's statement of SEV for the entire plant rehabilitation district and obsolescence statement for property. The Taxable Value (TV) data below must be as of December 31 of the year prior to the rehabilitation.

a. TV of Real Property (excluding land) .... ______

b. TV of Personal Property (excluding inventory) .... ______

c. Total TV .... ______

12a. Check the type of District the facility is located in:
- [X] Industrial Development District
- [ ] Plant Rehabilitation District

12b. Date district was established by local government unit (contact local unit): 10/09/2000

12c. Is this application for a speculative building (Sec. 3(8))? [ ] Yes [X] No

APPLICANT CERTIFICATION - complete all boxes.

The undersigned, authorized officer of the company making this application certifies that, to the best of his/her knowledge, no information contained herein or in the attachments hereto is false in any way and that all are truly descriptive of the industrial property for which this application is being submitted.

It is further certified that the undersigned is familiar with the provisions of P.A. 198 of 1974, as amended, being Sections 207.551 to 207.572, inclusive, of the Michigan Compiled Laws; and to the best of his/her knowledge and belief, (s)he has complied or will be able to comply with all of the requirements thereof which are prerequisite to the approval of the application by the local unit of government and the issuance of an Industrial Facilities Exemption Certificate by the State Tax Commission.

13a. Preparer Name	13b. Telephone Number	13c. Fax Number	13d. E-mail Address
Daren	Dodson		daren.dodson@tecomet.c
14a. Name of Contact Person	**14b. Telephone Number**	**14c. Fax Number**	**14d. E-mail Address**
Daren	Dodson		daren.dodson@tecomet.c
15a. Name of Company Officer (No Authorized Agents)			
John Robert Connolly - CFO			
15b. Signature of Company Officer (No Authorized Agents)		**15c. Fax Number**	**15d. Date**
John R Connolly			1-11-2018
15e. Mailing Address (Street, City, State, ZIP Code)		**15f. Telephone Number**	**15g. E-mail Address**
5212 Aurelius Road, Lansing, MI 48911		517-882-4311	

LOCAL GOVERNMENT ACTION & CERTIFICATION - complete all boxes.

This section must be completed by the clerk of the local governing unit before submitting application to the State Tax Commission. Check items on file at the Local Unit and those included with the submittal.

16. Action taken by local government unit

- ☐ Abatement Approved for ______ Yrs Real (1-12), _____ Yrs Pers (1-12)
  After Completion ☐ Yes ☐ No
- ☐ Denied (Include Resolution Denying)

16a. Documents Required to be on file with the Local Unit

Check or Indicate N/A if Not Applicable

- ☐ 1. Notice to the public prior to hearing establishing a district.
- ☐ 2. Notice to taxing authorities of opportunity for a hearing.
- ☐ 3. List of taxing authorities notified for district and application action.
- ☐ 4. Lease Agreement showing applicants tax liability.

16b. The State Tax Commission Requires the following documents be filed for an administratively complete application:

Check or Indicate N/A if Not Applicable

- ☐ 1. Original Application plus attachments, and one complete copy
- ☐ 2. Resolution establishing district
- ☐ 3. Resolution approving/denying application.
- ☐ 4. Letter of Agreement (Signed by local unit and applicant)
- ☐ 5. Affidavit of Fees (Signed by local unit and applicant)
- ☐ 6. Building Permit for real improvements if project has already begun
- ☐ 7. Equipment List with dates of beginning of installation
- ☐ 8. Form 3222 (if applicable)
- ☐ 9. Speculative building resolution and affidavits (if applicable)

16c. LUCI Code	16d. School Code
17. Name of Local Government Body	**18. Date of Resolution Approving/Denying this Application**
City of Lansing	

Attached hereto is an original application and all documents listed in 16b. I also certify that all documents listed in 16a are on file at the local unit for inspection at any time, and that any leases show sufficient tax liability.

19a. Signature of Clerk	19b. Name of Clerk	19c. E-mail Address
19d. Clerk's Mailing Address (Street, City, State, ZIP Code)		
19e. Telephone Number	**19f. Fax Number**	

State Tax Commission Rule Number 57: Complete applications approved by the local unit and received by the State Tax Commission by October 31 each year will be acted upon by December 31. Applications received after October 31 may be acted upon in the following year.

Local Unit: Mail one original and one copy of the completed application and all required attachments to:

Michigan Department of Treasury
State Tax Commission
PO Box 30471
Lansing, MI 48909

(For guaranteed receipt by the STC, it is recommended that applications are sent by certified mail.)

STC USE ONLY				
LUCI Code	Begin Date Real	Begin Date Personal	End Date Real	End Date Personal

OFFICE OF MAYOR ANDY SCHOR
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 11th day of January, 2018, by and between the City of Lansing, Michigan, a Michigan municipal corporation ("City"), and Tecomet, Inc., a Michigan Corporation ("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: Tecomet Expansion

Location of Project (provide attached map): 5858 Enterprise Drive, Lansing, MI 48911

Business Name of Applicant *(if applicable)*: *Tecomet, Inc.*

Name of Parent Company *(if applicable)*: *Charlesbank Capital Partners*

List Managing Partner and all other Partners, including percentage ownership interest of each partner: **(Please fill this in if applicable)**

Please See Attachment ____________ %

____________________ ____________ %

____________________ ____________ %

____________________ ____________ %

Project description:

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

(Insert any past projects here, if applicable)

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

Act 198 50% Tax Abatement	5	Years
		Years
		Years
		Years

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

Michigan Business Development Program - MEDC: $640,000

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)*: ***(Insert the name of your lender or lender(s) here if applicable)***

N/A

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

160 FTE

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

$13,600,000

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

$40,000/Year

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) ***(These all must be initialed)***

DDD 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.

DDD 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.

DDD 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.

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

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

DDD 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: Kris Klein

Revenue currently paid to the City by the site or project (5 Years):	$ 153,314.00
Estimated total new revenue to the City upon Project Completion (5 Years):	$ 241,972.00
Estimated total value of City Incentive(s) (5 Years):	$ 19,833.00
Estimated total new net revenue to the City (5 Years):	$ 222,139.00

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

This project is a manufacturing expansion including the lease of a building that allows for increased manufacturing capacity near existing Lansing operations. The project includes investment in high-tech precision machining equipment and building upgrades to an existing 30,000 square foot building.

Project Timeline: Subject to the approval of the Industrial Facilities Exemption Certificate by City Council, substantial completion is anticipated by December 31, 2019.

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 purposes of expanding its current manufacturing footprint in Lansing. The Project will allow for the expansion of medical device and other high-tech precision manufacturing and the facility will be a center of excellence for precision machining. The Project is expected to hire at least 160 or retain at least N/A new full-time equivalent employees (FTE) and requiring a total investment in real property of at least $1,000,000 and personal property of at least $12,600,000 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 5858 Enterprise Drive, Lansing, MI ("Project Area") and legally described as follows:

LOT 16 EXC COM SW COR LOT 16, TH S 89DEG 35MIN 10SCD E 118.66 FT ON S LINE LOT 16, N 24DEG 03MIN 40SCD W 376.87 FT, S 65DEG 56MIN 20SCD W 108 FT, S 24DEG 03MIN 40SCD E 327.71 FT TO BEG; MIDWAY INDUSTRIAL CENTER.

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 October 1, 2017 and ends December 31, 2019.

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 160 new, permanent full-time equivalent employees (FTE) and/or retain at least N/A full-time equivalent employees (FTE).

2. Purchase and/or locate within the Project Area, personal property with a fair market value of at least $12,600,000. This personal property may not be moved to the Project Area from another location within the City of Lansing.

3. Make at least $1,000,000 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, 2019.

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). Noncompliance 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:

____

____

____

____

____

____

TECOMET, INC.

By: John R. Connelly
[Enter Name of Company Officer] John Robert Connolly

Its: [Enter Title] CFO

CITY OF LANSING:

By: ______________________
Andy Schor

Its: Mayor

LANSING ECONOMIC DEVELOPMENT CORPORATION:

By: ______________________
Karl R. Dorshimer

Its: Authorized Representative

Approved as to form:

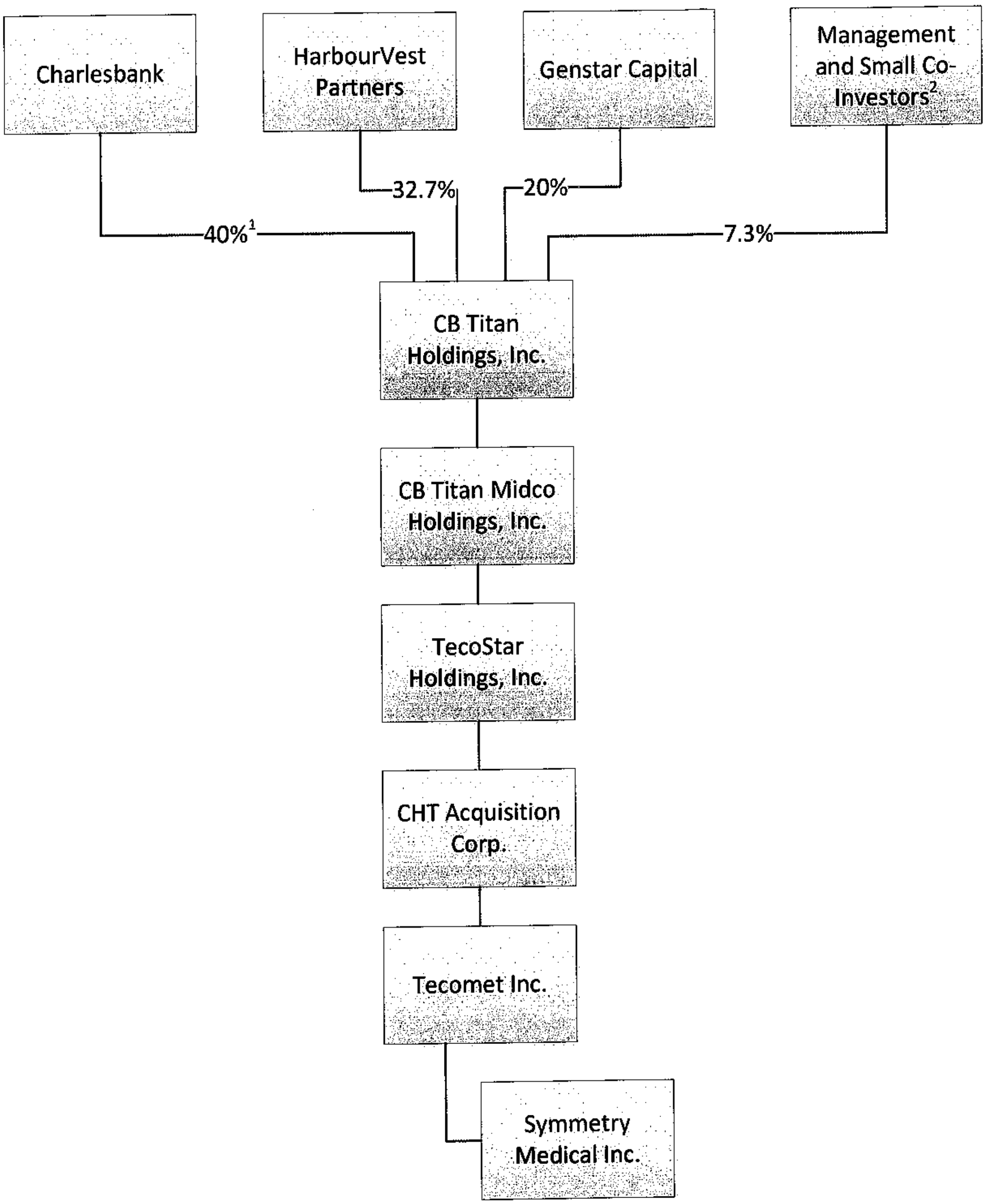
____

James D. Smiertka
City Attorney

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

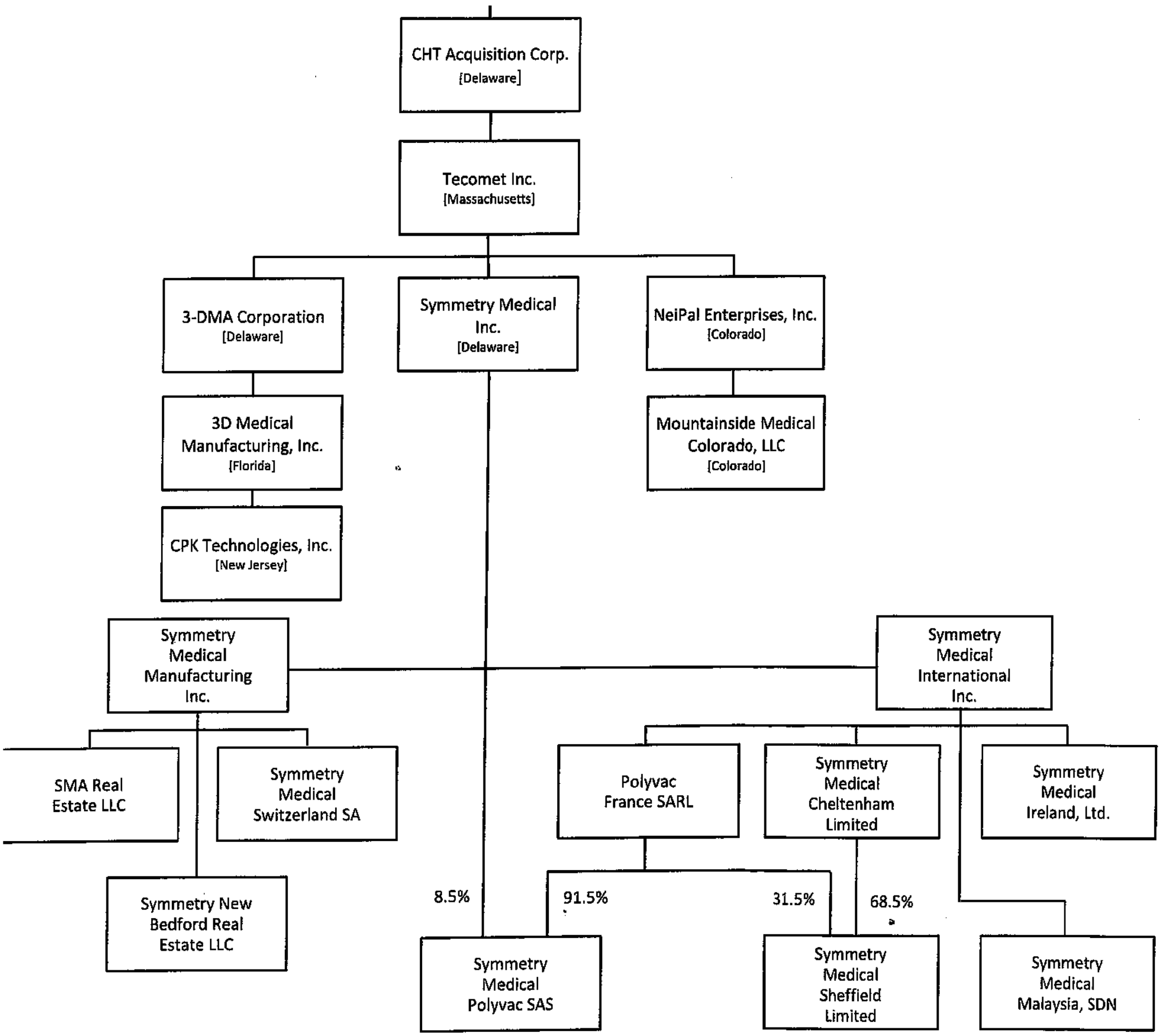
____
City Controller

Post-Transaction Organization Chart



1. Percentages rounded to the nearest tenth of one percent.

2. This group reflects 27 individual stockholders, none of which own more than 2% in CB Titan Holdings, Inc.


CHT Acquisition Corp.
[Delaware]
Tecomet Inc.
[Massachusetts]
3-DMA Corporation
[Delaware]
Symmetry Medical Inc.
[Delaware]
NeiPal Enterprises, Inc.
[Colorado]
3D Medical Manufacturing, Inc.
[Florida]
Mountainside Medical Colorado, LLC
[Colorado]
CPK Technologies, Inc.
[New Jersey]
Symmetry Medical Manufacturing Inc.
Symmetry Medical International Inc.
SMA Real Estate LLC
Symmetry Medical Switzerland SA
Polyvac France SARL
Symmetry Medical Cheltenham Limited
Symmetry Medical Ireland, Ltd.
Symmetry New Bedford Real Estate LLC
8.5%
91.5%
31.5%
68.5%
Symmetry Medical Polyvac SAS
Symmetry Medical Sheffield Limited
Symmetry Medical Malaysia, SDN

Affidavit of Fees
Industrial Facilities Exemption Application

In accordance with State Tax Commission Bulletin No. 3 dated January 1998, the City of Lansing and Tecomet, Inc. (Applicant for Industrial Facilities Exemption Certificate) do hereby swear and affirm that no payment of any kind in excess of the fee allowed by Act 198, as amended, has been made or promised in exchange for favorable consideration of an exemption certificate application. As such, we swear and affirm that no excessive fee, payment in lieu of taxes, donation or other like term as described above, has been made by the applicant to the City.

City of Lansing

______________________ ______________________
Mayor Andy Schor Date

Tecomet, Inc.

J. R. Connolly

John Robert Connolly
Its: CFO

2-6-2018
Date

PROJECT LOCATION:
5858 Enterprise Drive
Lansing, MI 48911

CITY OF LANSING
TREASURER'S OFFICE/INCOME TAX DIVISION
Room G-29, First Floor, City Hall
124 W Michigan Ave
Lansing, Michigan 48933
(517) 483-4114
FAX (517) 483-6084

City Clerk License Checklist

February 7, 2018

Name (RA): Business Name: Symmetry Medical Manufacturing, Inc

Social Security: FEIN #: 980164855

Delinquent Income Taxes: ☐ Yes ☒ No If due, amount:

Comments:

Real Property Address: 5212 Aurelius Parcel #: 33010503220072

Delinquent Real Property: ☐ Yes ☒ No If due, amount:

Comments:

Personal Property Address: 5212 Aurelius rd Personal Property Tax #: 90330133325000

Delinquent Real Property: ☐ Yes ☒ No If due, amount:

Comments:

ApOWallis
Reviewed by

2/7/18
Date

Tammy Gard

Approval: ☒ Yes ☐ No

CITY OF LANSING
TREASURER'S OFFICE/INCOME TAX DIVISION
Room G-29, First Floor, City Hall
124 W Michigan Ave
Lansing, Michigan 48933
(517) 483-4114
FAX (517) 483-6084

LANSING TREASURY INFORMATION REQUEST

COMPLETE A SEPARATE FORM FOR EACH INDIVIDUAL SUBJECT TO VERYIFICATION

Date: ____________

APPLICANT/EMPLOYEE INFORMATION

Name (RA): ____________

Home Address: ____________

____

Daytime Phone Number: ____________

Social Security (last 4 digits ONLY): ____________

Drivers License # ____________

Date of Birth: ____________

EMPLOYER/BUSINESS INFORMATION

Corporate Name: Symmetry Medical Manufacturing, Inc.

Doing Business As (DBA): Tecomet Lansing

Address: 5212 Aurelius Rd
Lansing, MI 48911

Business Phone Number: (517) 882-4311

FEIN #: 98-0164855

Do you, or any of these businesses, owe the City of Lansing money for any reason? ☐ Yes ☒ No

If Yes, for what reason? ____________

Name of any other Lansing area business in which your ownership participation exceeds 25%

Not Applicable

Dean R Dodson
Signature

1/11/2018
Date

Revised 1/11/2018

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

WHEREAS, the City of Lansing received and filed an application from Tecomet, Inc. requesting an Industrial Facilities Exemption Certificate (IFT-01-18) pursuant to Public Act 198 of 1974, as amended; and

WHEREAS, prior to acting upon this request, it is necessary to hold a public hearing on the Tecomet, Inc. application for an Industrial Facilities Exemption Certificate (IFT-01-18), to allow for any resident or taxpayer or ad valorem taxing unit the right to appear and be heard;

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 the (**INSERT DATE**) at 7:00 p.m., on the Tecomet, Inc. application for an Industrial Facilities Exemption Certificate (IFT-01-18) located at 5858 Enterprise Drive, Lansing, MI within the boundary more particularly described as:

LOT 16 EXC COM SW COR LOT 16, TH S 89DEG 35MIN 10SCD E 118.66 FT ON S LINE LOT 16, N 24DEG 03MIN 40SCD W 376.87 FT, S 65DEG 56MIN 20SCD W 108 FT, S 24DEG 03MIN 40SCD E 327.71 FT TO BEG; MIDWAY INDUSTRIAL CENTER,

and that the City Clerk cause the legislative body of each taxing unit levying ad valorem taxes on this property, as well as the owners of real property located within the stated boundary, be notified of this application and the scheduled public hearing.

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 and other interested persons to appear and be heard on the application of Tecomet, Inc. for an Industrial Facilities Exemption Certificate (IFT-01-18) pursuant to Public Act 198 of 1974, as amended, as requested by the applicant for the location indicated below:

Applicant: Tecomet, Inc.
By: Daren Dodson
IFT Location: 5858 Enterprise Drive, Lansing, MI

Legally described as:

LOT 16 EXC COM SW COR LOT 16, TH S 89DEG 35MIN 10SCD E 118.66 FT ON S LINE LOT 16, N 24DEG 03MIN 40SCD W 376.87 FT, S 65DEG 56MIN 20SCD W 108 FT, S 24DEG 03MIN 40SCD E 327.71 FT TO BEG; MIDWAY INDUSTRIAL CENTER.

Approval of IFT-01-18 as requested by Tecomet, Inc. will make certain new property investment (real property) eligible for tax abatements and/or exemptions. Further information regarding this application may be obtained from Mr. Karl Dorshimer, Lansing Economic Area Partnership, 1000 South Washington Ave., Ste. 201, Lansing, Michigan, 48910, (517) 702-3387.

Chris Swope

City Clerk

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

WHEREAS, the Lansing City Council has previously established an Industrial Development District (IDD-03-00) on October 9, 2000, that included the property commonly known as 5858 Enterprise Drive, Lansing MI; and

WHEREAS, the City of Lansing received and filed an application from Tecomet, Inc. requesting an Industrial Facilities Exemption Certificate (IFT-01-18) for personal and real property investments pursuant to Public Act 198 of 1974, as amended; and

WHEREAS, a public hearing was held (INSERT DATE), on the Industrial Facilities Exemption Certificate (IFT-01-18) filed by Tecomet, Inc., at which all owners of real and personal property within IDD-03-00 and, other City residents and taxpayers, the assessor and the representatives of the legislative body of each taxing unit that levies ad valorem taxes for the IDD-03-00 had the opportunity to appear and be heard; and

WHEREAS, Tecomet, Inc. has substantially met all of the requirements for said Exemption Certificate as required by Public Act 198 and by the policies of this Council;

WHEREAS, the aggregate SEV of real and personal property exempt from ad valorem taxes within the City of Lansing, after granting this certificate, will not exceed 5% of an amount equal to the sum of the SEV of the unit, plus the SEV of personal and real property thus exempted, and

WHEREAS, the Industrial Facilities Exemption Certificate, when issued, shall be and remain in force for a period of five (5) years after completion of the facility.

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council finds and determines that the granting of this Industrial Facilities Exemption Certificate considered together with the aggregate amount of certificates previously granted and currently in force under Act No. 198 of the Public Acts of 1974, shall not have the effect of substantially impeding the operation of the City of Lansing, nor impairing the financial soundness of any taxing unit which levies ad valorem taxes in the City of Lansing.

BE IT FURTHER RESOLVED that the Lansing City Council hereby approves the application of Tecomet, Inc. for an Industrial Facilities Exemption Certificate (IFT-01-18), for real and personal property investments in the areas of IDD-03-00 legally described as:

LOT 16 EXC COM SW COR LOT 16, TH S 89DEG 35MIN 10SCD E 118.66 FT ON S LINE LOT 16, N 24DEG 03MIN 40SCD W 376.87 FT, S 65DEG 56MIN 20SCD W 108 FT, S 24DEG 03MIN 40SCD E 327.71 FT TO BEG; MIDWAY INDUSTRIAL CENTER,

for a period of 5 years, after project completion, provided that this resolution shall be effective upon the execution of a written Industrial Facilities Exemption Certificate

Agreement between Tecomet, Inc. and the City of Lansing, in the form as filed with the City Clerk.

BE IT FINALLY RESOLVED that the Mayor, on behalf of the City, is authorized to execute the afore stated agreement, subject to prior approval thereof as to form by the City Attorney.

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-8-2017: 3440 N. East Street, Rezoning from “F” Commercial District to “G-2” Wholesale 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.

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, , 2018, 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-8-2017: 3440 N. East Street, Rezoning from "F" Commercial District to "G-2" Wholesale District

CITY OF LANSING
NOTICE OF PUBLIC HEARING

Z-8-2017, 3440 N. East Street
Rezoning from "F" Commercial District to "G-2" Wholesale District

The Lansing City Council will hold a public hearing on Monday, , 2018 at 7:00 p.m. in Council Chambers, 10th Floor, Lansing City Hall, 124 W. Michigan Avenue, Lansing, Michigan to consider Z-8-2017. This is a request by Jeffrey & Sheryl Landgraf to rezone the property at 3440 N. East Street from "F" Commercial District to "G-2" Wholesale District. The purpose of the rezoning is to permit a medical marijuana safety compliance facility 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, , 2018 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:	Jeffrey & Sheryl Landgraf FTZ Laboratories, LLC 110 N. Market Street Dewitt, MI 48820
REQUESTED ACTIONS:	Rezone 3440 N. East Street from "F" Commercial District to "G-2" Wholesale District
EXISTING LAND USE:	858 Square Foot Office Building
EXISTING ZONING:	"F" Commercial District
PROPOSED ZONING:	"G-2" Wholesale District
PROPERTY SIZE:	94' x 115'= 10,810 square feet - .248 acres
SURROUNDING LAND USE:	N: Commercial S: Vacant E: Single Family Residential W: U-Haul
SURROUNDING ZONING:	N: "F" Commercial & "J" Parking Districts S: "F" Commercial District E: "A" Residential District W: "G-2" Wholesale District
MASTER PLAN:	The Design Lansing Comprehensive Plan designates the subject property for "Suburban commercial" land use. N. East Street is designated as a principal arterial.

DESCRIPTION:

This is a request by Jeffrey & Sheryl Landgraf, FTZ Laboratories, LLC to rezone the property at 3440 N. East Street from "F" Commercial District to "G-2" Wholesale District. The purpose of the rezoning is to permit a medical marijuana safety compliance (testing) facility on the subject property.

AGENCY RESPONSES

BWL:

Building Safety:

Development Office:

Fire Marshal: No comments

Parks & Recreation: No comments.

Public Service:

Traffic Engineer:

COMPATIBILITY WITH SURROUNDING LAND USE:

The applicant is requesting a rezoning of the subject property to the "G-2" Wholesale District to allow for a medical marijuana testing facility. Under the City's new medical marijuana ordinance, testing faculties are permitted only in the "G-2" Wholesale, "H" Light and "I" Heavy Industrial zoning districts. As evidenced by the attached map, the subject property is located in an area that has no consistent zoning or land use patterns. The site is surrounded by "A" residential zoning to the east, "F" Commercial zoning to the north and south and "G-2" Wholesale zoning to the west. Since the property to the west is already zoned 'G-2", rezoning the subject property to the "G-2"district would not be considered a "spot zone", even though the sites are located on opposite sides of the street. In fact, the majority of the properties in the 3400 and 3500 blocks of the west side of N. East Street are currently zoned "G-2" Wholesale and thus, the proposed rezoning will be consistent with the general zoning pattern in the area.

The land uses in the area include offices, single family residential homes, various retail uses, vehicles sales/rentals, repair shops and storage facilities. Given the eclectic mix of existing land uses, it is not anticipated that the proposed medical marijuana testing facility will be incompatible or disruptive to the surrounding area. Medical marijuana safety compliance (testing) facilities typically do not generate much traffic, noise, odors or other nuisances and do not involve hazardous materials that would be detrimental to the health, safety and welfare of the community. Such uses are generally in operation during normal business hours only, traffic is limited to employees or small delivery trucks and all activities are confined to the building with controls in place to prevent odors/fumes from emanating outside.

COMPLIANCE WITH MASTER PLAN:

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

"To allow for general retail and commercial use, including large footprint and automobile-oriented uses, in a suburban development format that also encourages a mix of uses and accommodates pedestrians, cyclists and transit users."

The Plan lists the following as "typical uses" for the "Suburban Commercial" land use category:

> "General and convenience retail uses; medium-density residential in a suburban format (see Medium-Density Residential, above); office; **and light industrial with special approval.**

The proposed testing facility would qualify as a "light industrial" use and is therefore, consistent with the future land use being advanced in the master plan for the subject property. It is also consistent with some of the existing light industrial uses in the area such as storage facilities and repair shops.

IMPACT ON VEHICULAR AND PEDESTRIAN TRAFFIC:

The proposed rezoning will have no negative impacts on vehicular or pedestrian traffic. Testing facilities typically generate a very low volume of traffic, particularly in comparison to most highway commercial uses such as gasoline stations, convenience stores, restaurants and other uses that would be permitted by right under the current "F" Commercial zoning. Traffic for testing facilities is generally limited to employees and small delivery trucks. Furthermore, since it is not a customer oriented business, it is not anticipated to generate any pedestrian traffic.

Primary access to the site will continue to be via N. East Street which is a principal arterial designed to carry a high volume of traffic. There is a secondary access to the site on Sanford Street but given the projected low volume of traffic for the testing facility, additional traffic on the side street should be negligible.

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 impacts on the physical environment 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.

If the rezoning is approved, the applicant will be required to obtain a building permit to change the use of the building at 3440 N. East Street from an office to a medical marijuana safety compliance (testing) facility. As part of the building permit process, the applicant will be required to disclose the type of hazardous chemicals that will be used, the quantity of said chemicals that will be stored in the building, how the materials will be stored and by what method they will be disposed of. The building will then be inspected to ensure compliance with all codes relating to the use and storage of hazardous chemicals.

IMPACT ON FUTURE PATTERNS OF DEVELOPMENT:

The applicant's request will not be disruptive to the development pattern in the area which is already characterized by a variety of land uses and zoning designations. The site is currently zoned "F" Commercial and the applicant is requesting that the site be rezoned to "G-2" Wholesale. The only significant differences between the 2 zoning districts is that the "G-2" Wholesale district permits, warehouses, storage and medical marijuana safety compliance facilities. The applicant's proposal to establish a medical marijuana safety compliance facility on the site is anticipated to be compatible with the adjoining residential land uses, particularly in comparison to many other uses that would be permitted by right under the current "F" Commercial zoning such as a fast food restaurant, gas station, car wash, or auto repair facility. Such uses would generate a high volume of traffic, activity beyond normal daytime business hours, light glare, noise, etc. that could be disruptive to the peaceful enjoyment of the adjoining houses to the east. The safety compliance facility, by contrast, will be quiet, generate very little traffic and all activity will be confined to the building. It is also not anticipated that the facility will generate fumes that can be detected outside of the building. If that were to occur, the City has an ordinance in place to take corrective action against the facility.

SUMMARY

This is a request by Jeffrey & Sheryl Landgraf, FTZ Laboratories, LLC to rezone the property at 3440 N. East Street from "F" Commercial District to "G-2" Wholesale District. The purpose of the rezoning is to permit a medical marijuana safety compliance (testing) facility 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-8-2017 be approved to rezone the property at 3440 N. East Street from "F" Commercial District to "G-2" Wholesale District.

Respectfully Submitted,

Susan Stachowiak
Zoning Administrator

Planning Board

Re: Z-8-2017; 3440 N. East Street

Good evening:

We would like to take this opportunity to tell you a bit about FTZ Laboratories and its owners, Jeff and Sheryl Landgraf.

A strange series of events led us to start a medical marijuana Safety Compliance Facility. We have long been advocates of medicinal marijuana, but it was witnessing a family member's positive experience during his battle with pancreatic cancer in February 2017 which affected us deeply. We subsequently learned medical marijuana was not mandated to be tested for dangerous chemicals and microorganisms but that new state legislation which went into effect December 2017 would address this. We decided shortly thereafter this was something we could contribute to. Jeff is a Ph.D. scientist who has worked at Michigan State University for the last 18 years in the Research Technology Support Facility with experience in Molecular Biology and Analytical Chemistry. Sheryl has worked in Information Technology, 8 years with the Michigan Supreme Court-Judicial Information Services and most recently with IBM. We feel our combined strengths in scientific analysis and data management are perfectly suited to provide these new, and long overdue, services to medical marijuana patients in the State of Michigan.

During the course of 2017, we paid close attention to how the State of Michigan and municipalities within the state were preparing for the implementation of Public Act 281. The City of Lansing has taken great strides, in our opinion, to be a progressive community. We applaud the City for the actions it has taken on behalf of the patients who rely on this medicine.

Deciding to do business in a progressive city, we pursued property and happened upon what we believe is a perfect place to do business: 3440 N. East Street, currently zoned F1-Commercial which, at the time, allowed laboratories with Special Land Use Permit. We saw an opportunity, purchased the property and began some of the necessary rehab with an eye on the developing Lansing ordinance. Ultimately the ordinance requires facilities such as ours to be situated in G2, H or I zoned properties. We reviewed the zoning of the surrounding businesses and learned a majority of properties on the west side of the street are zoned G2-Wholesale. We are therefore appealing to the City for rezoning to allow our business to move forward.

To give you some sense of what impact our business would have locally we have assembled a few items that may be of concern to the surrounding residents:

*The facility is closed to the public. There will be no foot traffic. There is nothing being bought or sold. We will simply be testing small amounts of material to ensure its safety.

*The only vehicular traffic will be deliveries of equipment, supplies and mail.

*Initially, there will be up to 2 vehicles on site during business hours. Based on our 5-year projections, there will be at most 4 vehicles during business hours.

*We intend to maintain the residential appearance of the house with upkeep and landscaping contributing to the attractiveness of the area.

It is our hope the Planning Board will find no objection to this property being rezoned to G2. We will be attending the meeting on Tuesday to address any additional questions or concerns you may have.

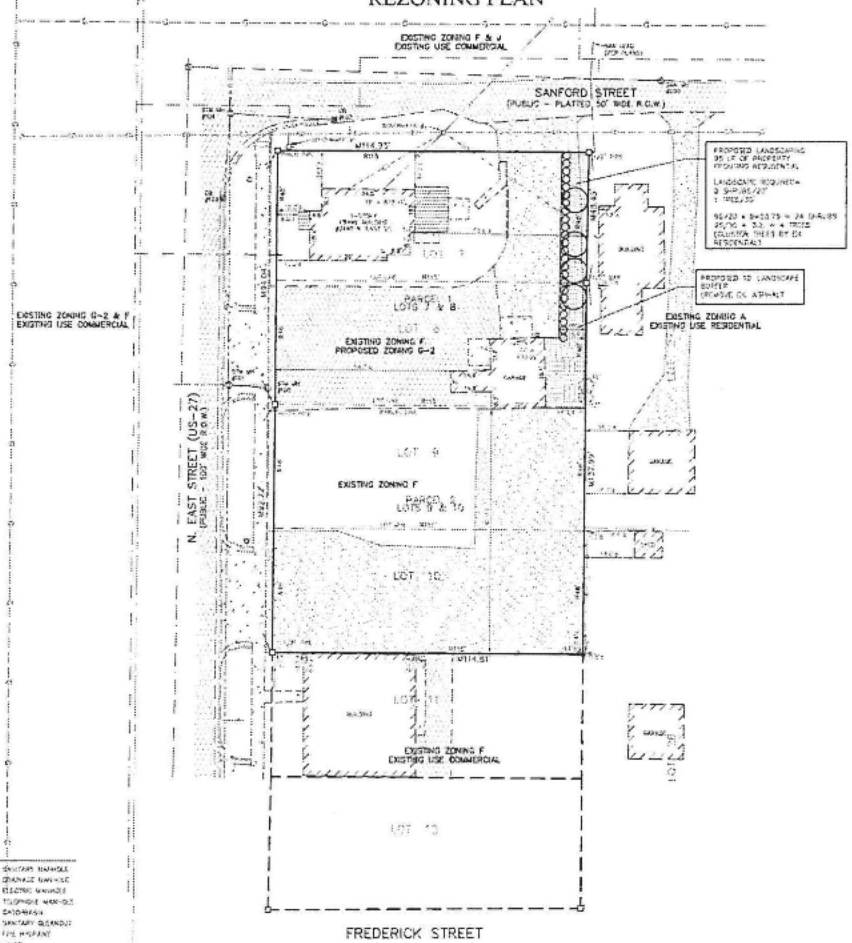
Thank you,

Jeff and Sheryl Landgraf

3440 N. East Street

CITY OF LANSING, INGHAM COUNTY, MICHIGAN

REZONING PLAN



SCALE 1" = 20'

0' 20' 40' 60'

LEGAL DESCRIPTION:
(As provided in Warranty Deed, File No. 222558LANS, Dated September 22, 2017)

Parcel 1: Lots 7 and 8, Woodlawn Subdivision of a part of the Northwest 1/4 of the Northwest 1/4 of Section 3, Town 4 North, Range 2 West, City of Lansing, Ingham County, Michigan, according to the recorded plat thereof.

Parcel 2: Lots 9 and 10, Woodlawn Subdivision of a part of the Northwest 1/4 of the Northwest 1/4 of Section 3, Town 4 North, Range 2 West, City of Lansing, Ingham County, Michigan, according to the recorded plat thereof.

SURVEYOR'S NOTES:

1. This plan was made at the direction of the parties named hereon and is intended solely for their immediate use. Survey prepared from fieldwork performed in October 2017.
2. All bearings and distances on the survey are record and measured unless otherwise noted.
3. All dimensions are in feet and decimals thereof.
4. All elevations are North American Vertical Datum of 1988 (NAVD88).
5. No building tie dimensions are to be used for establishing the property lines.
6. There are no observable potential encroachments onto the subject property from adjoining lands, or from the subject property onto adjoining lands, except as shown hereon.
7. Utility information as shown was obtained from available public records and from supporting field observations, where possible, and is subject to verification in the field by the appropriate authorities prior to use for construction.
8. Easements and wetlands, if any, not shown hereon.

CURRENT ZONING = F - PARCEL 1 & 2
PROPOSED ZONING = G-2 - PARCEL 1 ONLY
PROPOSED USE = MEDICAL
MARIHUANA SAFETY
COMPLIANCE FACILITY
TOTAL AREA PARCEL 1 = 0.25 AC M/L

REQUIRED BUILDING SETBACKS:
FRONT YARD - 20'
(EX. 12' FROM US-27)
(EX. 14.1' FROM SANFORD ST.)

SIDE YARDS 0-25'
(EX. 14.5' TO GARAGE FROM EAST)
(EX. 0' TO GARAGE FROM SOUTH)

REAR YARD 15'
(EX. 14.5' TO GARAGE FROM EAST)
(EX. 0' TO GARAGE FROM SOUTH)

CLIENT:
FTZ LABORATORIES, LLC
3440 N. EAST STREET
LANSING, MI 48906
PH:(517) 292-4644

ENGINEER/SURVEYOR:
KEBS, INC.
2116 HASLETT RD
HASLETT, MI 48840
PH:(517) 339-1014
FAX:(517) 339-8047

SITE ADDRESS: 3440 N. EAST STREET, LANSING, MI 48906
TAX ID# 33-01-01-03-102-002

STATE OF MICHIGAN
JEFFREY W. KYES
ENGINEER NO. 46796
LICENSED PROFESSIONAL ENGINEER

12-18-17

REVISIONS
12-18-17 SUBMITTAL

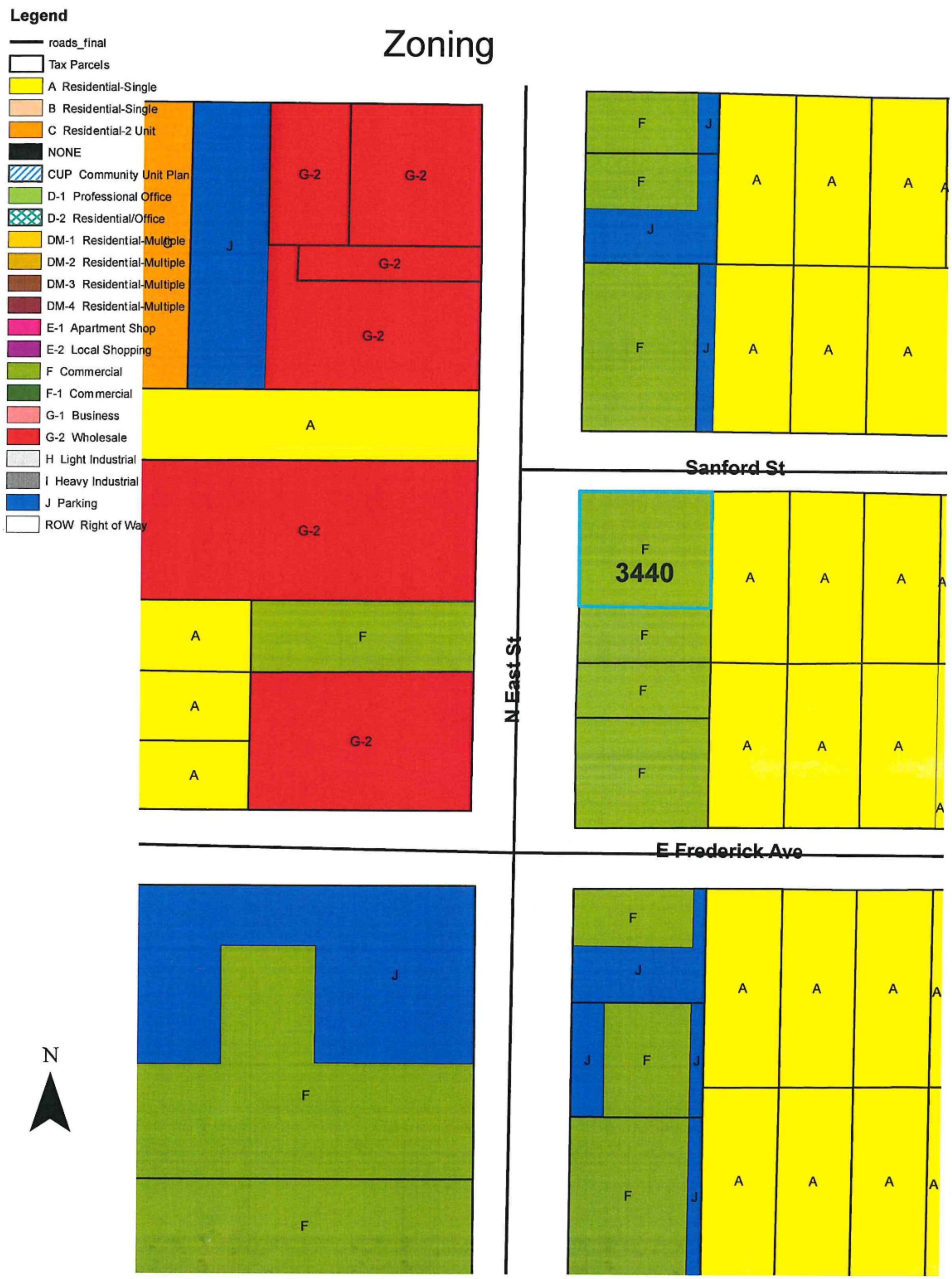
KEBS, INC. KYES ENGINEERING BRYAN LAND SURVEYS
2116 HASLETT ROAD, HASLETT, MI 48840
PH. 517-339-1014 FAX. 517-339-8047
Marshall Office
Ph. 269-781-9800

3440 N. East Street
REZONING PLAN

SCALE: 1"=20'	DESIGNER: JWF	APPROVED BY: JWK
DATE: 12-11-17	PROJECT MGR: JWF	SHEET 1 OF 1
AUTHORIZED BY: FTZ LABORATORIES, LLC		JOB # 92758


DEAD
END


Sanford St
3440
N East St
E Frederick Ave
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
Sanford St
N East St
E Frederick Ave
3440
N

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-8-2017
Parcel Number's:	33-01-01-03-102-002
Address:	3440 N. East Street
Legal Descriptions:	Lots 7 & 8, Woodlawn Subdivision, City of Lansing, Ingham County, MI, from "F" Commercial District to "G-2" Wholesale 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 _________, 2018, 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.

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Proposed Lansing City Council Approval Schedule: *as of March 9, 2018*
P.A. 198 Certificate Application
Tecomet, Inc., 5858 Enterprise Drive

DATE	BOARD/ COMMITTEE	ACTION	ATTENDANCE BY APPLICANT
By February 21, 2018		IFT Application and Agreement is submitted to the Mayor's Office for Review and Approval to be submitted to the Lansing City Council.	
March 12, 2018 7:00PM	Lansing City Council	Council Receives IFT Application and refers it to the Committee on Development and Planning.	
March 19, 2018 4:00PM	Committee on Development and Planning	Applicant Presents Project to the D&P Committee to review and Approve Resolution to set Public Hearing.	YES
March 26, 2018 7:00PM	Lansing City Council	Council passes resolution setting the Public Hearing for 7:00PM on April 23, 2018. *Public Hearing Notice (Mail/Paper)*	
April 23, 2018 7:00PM	Lansing City Council	Public hearing held at Council for IFT. Application Packet referred back to the D&P Committee.	YES
May 7, 2018 4:00PM	Committee on Development and Planning	D&P Committee approves resolutions to approve the IFT	(if necessary)
May 7, 2018 7:00PM	City Council Meeting	City Council Approves IFT	YES

Tecomet Lansing – Business Expansion

Company Overview

Tecomet, Inc. provides net shape forging, photochemical etching, precision machining, and metal joining of components and assemblies for the medical implant, aerospace and defense, and specialty commercial and industrial markets. It offers hip stems and acetabular shells; femoral, tibial, and patellar knee components; shoulder stems and balls; orthopedic reconstruction implants; trauma long bones, femur, tibia, fibula, and clavicle (fixation plates); trauma and extremity implants; and hand, wrist, thumb, foot, ankle, and toe plates and stems. The company also provides cranial, mandible and orbital, and patient specific custom cranials; cranial maxillofacial implants; dental implant posts and instruments; spine fusion, artificial discs, and motion preservation implants; left ventricular assist devices, heart pumps, and cardiovascular implants; and X-ray mammography scatter reduction grids, and collimators and scatter reduction grids. In addition, it offers vision systems that include infrared detectors, cold fingers, coldwells, and cryocoolers; radar systems, such as traveling wave tube grids; propulsion systems, including gas and pressure bottles; and thrusters and fuel injectors for the aerospace/defense market. Further, the company provides collimators for beam focusing, gas analyzers and detectors, energy delivery nozzles and wands, and screens and porous substrates for commercial/industrial markets. Its products are used in various applications, including orthopedic reconstruction implants, trauma and extremity reconstruction implants, cranial maxillofacial implants, spinal implants, cardiovascular implants, collimators and scatter reduction grids, vision system components, radar systems and traveling wave tubes, and commercial and industrial precision components, as well as thrusters, fuel injectors, and pressure/gas bottles. The company was founded in 1963 and is based in Wilmington, Massachusetts. Tecomet, Inc. is a former subsidiary of Cardinal Health, Inc.

- **Locations:**
  - **5212 Aurelius Rd, Lansing, MI 48911 (65,000 Square Feet)**
  - **5190 Jet Dr, Lansing, MI, 48911 (15,000 Square Feet)**
  - **5858 Enterprise Drive, Lansing, MI 48911 (33,000 Square Feet)**
- **Project Summary**
  - **Create a center for machining excellence in Lansing, MI**
    - **Secured lease at 5858 Enterprise Dr. (10/1/17 – 9/30/22)**
  - **Headcount Projections:**
    - **Baseline – 380 of June 2017**
    - **Year 1 additions – 70 full time employees**
    - **Year 1 & 2 additions – 95 full time employees**
    - **Years 1-3 additions – 150 full time employees**
  - **Initial Investment - $1.5M in Leasehold Improvements**
    - **Upgraded power and HVAC**
    - **New lunch room, break room, and office area**
    - **IT infrastructure updates**
    - **Expanded restrooms and exterior signage**
  - **Additional Investment – Approximately $13M (Years 1-3)**
    - **Machinery & Equipment - $12M**
    - **Furniture & Fixtures - $.075M**
    - **Computer & Other IT - .025M**
    - **Special Tooling - $.5M**
  - **Project Alternatives**
    - **Produce products at another operating location in Indiana, Massachusetts, or the United Kingdom**

TECOMET

submitted @ mtg