AGENDA
Committee on Development and Planning
Monday, February 4, 2019@ 4:00 p.m.
Council Conference Room, 10th Floor

Councilmember Hussain, Chair
Councilmember Garza, Vice Chair
Councilmember Washington, Member

1. **Call to Order**
2. **Public Comment on Agenda Items**
3. **Minutes**
    - December 3, 2018

4. **Discussion/Action:**

A.) RESOLUTION – Appointment; Jason McCammon; Member; Michigan Avenue Corridor Improvement Authority; Term to Expire June 30, 2022

B.) RESOLUTION – Appointment; Brian McGrain; Member; Local Development Finance Authority; Term to Expire June 30, 2019

C.) RESOLUTION – Appointment; Robert Gibb; At-Large Member; Historic District Commission; Term to Expire June 30, 2021

D.) RESOLUTION – Appointment; Robert Fryling; At-Large Member; Board of Zoning Appeals; Term to Expire June 30, 2021

E.) RESOLUTION – ACT-9-2018; Easement to Consumer Energy; East of Canal Road, West side of LBWL property in Delta Township

F.) RESOLUTION – Brownfield Plan #62-Amended; Oliver Towers, 310 N. Seymour

G.) Lansing Economic Development Corp (LEDC) REO Town Project; Pablo's Mexican Restaurant; 1102 S Washington Avenue and W. Elm Street

H.) ORDINANCE - Z-5-2018; 136 E. Malcom X Street w/vacant parcel east; "DM-4" Residential and "J" Parking to "G1" Business

I.) ORDINANCE - Z-6-2018; 522 Lesher Place; "DM-3" Residential to "D-1" Professional

J.) ORDINANCE - Z-7-2018; Two Vacant Parcels at NW Corner of W. Cavanaugh and Lowcroft; "A" Residential to "C" Residential

5. **Adjourn**

PUBLIC COMMENT AND SIGN IN SHEET

COMMITTEE Development and Planning DATE Feb 4, 2019

Please print

NAME	ADDRESS	Purpose for Attending	Email Address	PHONE
KATHY MILES		RSL		
ROBERT GIBB		HDC		517-612-9573
Bobby Fyling		Zoning		616-481-9851
Mark Mathis	BWL	BWL Easement	mark.mathis@lbwl.com	517 702-6153
Joe Abood	DCA			
Greg Venker	DCA			
Kris Klein	LEAP			

MINUTES
Committee on Development and Planning
Monday, December 3, 2018 @ 4:00 p.m.
Council Conference Room, City Hall 10th Floor

CALL TO ORDER
Council Member Hussain called the meeting to order at 4:00 p.m.

PRESENT
Council Member Hussain, Chair
Council Member Spitzley, Vice-Chair
Council Member Washington, Member

OTHERS PRESENT
Sherrie Boak, Council Staff
Lisa Hagen, Assistant City Attorney
Susan Stachowiak, Economic Development & Planning
Andy Kilpatrick, Director of Public Service
Jessica Yorko
Diane Sanborn
Sean Hammond

PUBLIC COMMENT
Public Comment taken at respective agenda items.

MINUTES
MOTION BY COUNCIL MEMBER WASHINGTON TO APPROVE THE MINUTES FROM NOVEMBER 26, 2018 AS PRESENTED. MOTION CARRIED 3-0.

DISCUSSION/ACTION
RESOLUTION – Appointment; Jessica Yorko; Member; Saginaw Street Corridor Improvement Authority; Term to Expire June 30, 2021

Ms. Yorko stated she was contacted by the Mayor for interest. The Authority was created in 2008-2009, along with the Michigan Avenue Corridor Improvement Authority, but when created they were done to eventually be empowered as tax increment finance authorities. In the past, those were not put in place and this defeated the point of the Authority. Mrs. Yorko stated that she believed there should be similar authorities in South Lansing and expressed her belief that this particular Authority would be a good PILOT for the TIF, and allow the Authorities to have resources they were intended to. Mrs. Yorko acknowledged she was not on it in the past, but worked on putting together the TIF plan. She stated that at the time there was no official support

from the City or LEAP. She stated that she had agreed to the appointment under the condition that the TIF would be considered. Council Member Washington spoke in support of the appointment, knowing Mrs. Yorko had the background for the Authority.

MOTION BY COUNCIL MEMBER WASHINGTON TO APPROVE THE RESOLUTION FOR THE APPOINTMENT OF JESSICA YORKO TO THE SAGINAW STREET CORRIDOR IMPROVEMENT AUTHORITY. MOTION CARRIED 3-0.

RESOLUTION – Appointment; Diane Sanborn; Member; Saginaw Street Corridor Improvement Authority; Term to Expire June 30, 2022
Ms. Sanborn informed the Committee she was approached by the Mayor to serve and was the past President of Saginaw Oakland Committee.

Council Member Hussain asked Mrs. Yorko on the membership requirements. Mrs. Yorko stated that per State law there are specific designations for investment option and residency option.

Council Member Washington asked Ms. Sanborn if her Bed and Breakfast business fell within the boundaries and Ms. Sanborn confirmed she is a half block off Saginaw.

Council Member Hussain asked what her vision for the corridor would be, and Ms. Sanborn acknowledged she had not considered it yet at this point.

MOTION BY COUNCIL MEMBER WASHINGTON TO APPROVE THE RESOLUTION FOR THE APPOINTMENT OF DIANE SANBORN TO THE SAGINAW STREET CORRIDOR IMPROVEMENT AUTHORITY. MOTION CARRIED 3-0.

RESOLUTION – Appointment; Jason McCammon; Member; Michigan Avenue Corridor Improvement Authority; Term to Expire June 30, 2022
Mr. McCammon called the Council Offices after the agenda was posted and stated he was not able to attend, so he was placed on a future agenda.

RESOLUTION – Appointment; Sean Hammond; Member; Saginaw Street Corridor Improvement Authority; Term to Expire June 30, 2020
Mr. Hammond informed the Committee that he currently works for the Michigan Environmental Council where he develops policies, and is also active in his neighborhood association. He too was approached by the Mayor's office to serve and believes this would be a good opportunity to grow the corridor.

Council Member Spitzley acknowledged that she just realized that the company she works for owns property in the area of the Saginaw corridor and asked law if she should recuse herself. Ms. Hagen stated if she had no financial interest in the Saginaw corridor there would be no need, but she would suggest recusing herself at this time and she could get better direction from the City Attorney before the final vote on Monday night.

Mr. Hammond continued his overview stating that he is an attorney doing smart growth and design thinking for the State wide level, realizing that not a lot can be done at the State level, but at the local level so he hopes this will be a good fit to bring things forward. Council Member Hussain asked Mr. Hammond his opinion on what issues he thought needed to be corrected in this corridor. Mr. Hammond noted they need to be more livable and the width of the streets makes it difficult to cross.

MOTION BY COUNCIL MEMBER WASHINGTON TO RECUSE COUNCIL MEMBER SPITZLEY FOR A POTENTIAL CONFLICT WITH HER EMPLOYER. MOTION TO RECUSE 2-0.

MOTION BY COUNCIL MEMBER WASHINGTON TO APPROVE THE RESOLUTION FOR THE APPOINTMENT OF SEAN HAMMOND TO THE SAGINAW STREET CORRIDOR IMPRORVEMENT AUTHORITY. MOTION CARRIED 2-0.

RESOLUTION – Introduction and Setting Public Hearing; Z-5-2018; 136 Malcom X Street and Vacant Parcel; DM-4 Residential and J Parking to G-1 Business

Ms. Stachowiak informed the Committee that Brett Forsberg was the applicant and currently has no plan for the parcel, but is describing mixed use of apartments, and retail and the G-1 Business will allow to the highest density.

Council Member Washington asked if Mr. Forsberg owned the property, and Ms. Stachowiak stated that he has a purchase agreement with the Ingham County Landbank. Council Members noted they were uncomfortable with rezoning a property if it is not in full ownership by the applicant. Ms. Stachowiak pointed out that the recent rezoning that was done by Council on Michigan Avenue by Mr. Gillespie was not owned by him, but successful rezoning was a condition in his purchase agreement. She opined that 9 out of 10 rezoning's are not done by the owners, because approval of a rezoning is conditional on whether the prospective owners will buy it or not. Ms. Stachowiak also opined that rezoning cannot be conditional by the City, but the applicant has to add a condition and it has to be a condition strictly towards use. Council Member Hussain acknowledged that they have been directed that they have to take action on setting the required public hearing under the Zoning Enabling Act but was concerned on ownership. Therefore, Council Member Hussain asked Ms. Hagen to confer with the City Attorney on if a rezoning request from someone who does not own the property can be heard if they only have a purchase agreement but not full ownership. And if a condition can be set on the rezoning that it would only approved if the applicant did complete the sale of the property.

MOTION BY COUNCIL MEMBER WASHINGTON TO APPROVE THE RESOLUTION TO SET THE PUBLIC HEARING FOR JANUARY 14, 2019 FOR Z-5-2018; 136 MALCOM X STREET. MOTION CARRIED 3-0.

RESOLUTION – Introduction and Setting Public Hearing; Z-6-2018; 622 Lesher Place; DM-3 Residential to D-1 Professional Office

Ms. Stachowiak confirmed that this property is owned by Neogen Corporation, and they currently own most of the surrounding areas. They use the residence as a registered rental for when they have visiting chemists and corporate members in town. They intend to keep the property as is with regards to guest housing, but they would like to convert overflow space into additional office space to supplement the Neogen offices they already have in the area.

MOTION BY COUNCIL MEMBER WASHINGTON TO APPROVE THE RESOLUTION TO SET THE PUBLIC HEARING FOR JANUARY 14, 2019 FOR Z-6-2018; 622 LESHER PLACE. MOTION CARRIED 3-0.

RESOLUTION – Introduction and Setting Public Hearing; Z-7-2018; 2 Vacant Lots at NW Corner of W. Cavanaugh and Lowcroft; A Residential to C Residential

Ms. Stachowiak referred the Committee to the zoning map noting the parcels are surrounded by residential. Currently they can construction two single family homes, however instead they want

to rezone to C residential, which is consistent to the West and South so they can construct one duplex. Ms. Stachowiak continued, stating they have not received any objections and it is not spot zoning. For verification, she assured the Committee that they mail out to surrounding properties 350' and the same policy is followed for the Planning Board hearing and the future Council hearing.

Council Member Spitzley asked if there are other duplexes in the area, and it was confirmed by the orange on the map in the packet. She then inquired into if the builder had built in the City before, and Ms. Stachowiak was not aware of it but would check into it.
MOTION BY COUNCIL MEMBER SPITZLEY TO APPROVE THE RESOLUTION TO SET THE PUBLIC HEARING FOR JANUARY 14, 2019 FOR Z-7-2018; 2 VACANT LOTS AT CAVANAUGH AND LOWCROFT. MOTION CARRIED 3-0.

RESOLUTION – ACT-9-2015; Aurelius and Cavanaugh Roads; Easements and Property
Mr. Kilpatrick informed the Committee that this request was for a traffic signal that was already put in place with the road construction on Aurelius. In 2015 the Planning Board approved, but it was never referred to City Council. It is now being referred so that the City can close on the property

MOTION BY COUNCIL MEMBER SPITZLEY TO APPROVE THE RESOLUTION TO APPROVE ACT-9-2015 FOR AURELIUS AND CAVANAUGH ROADS EASEMENTS AND PROPERTY. MOTION CARRIED 3-0.

Council Staff confirmed that the ownership of 136 Malcom X, Z-5-2018 is Funk Zone Investors, the same as the applicant; REO Gateway, LLC and Funk Zone Investors LLC.

Adjourn
Adjourned at 4:40 p.m.
Submitted by, Sherrie Boak,
Recording Secretary,
Lansing City Council
Approved by the Committee on_____

Boak, Sherrie

From: qruhsd|C flylfsoxvlfrp
Sent: Iulgd|/#Dryhp ehu#5/#534;#5=33#SP
To: Soxp p hu/#P dub|q
Subject: R qdqh#Irup #Vxep lwwdo#Dssdfdwlrq#ru#Dssrlqwp hqw#wr#Erdug#ru#Frp p lvvlrq

Application for Appointment to Board or Commission

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

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

Appointees to every board, commission or committee must not be in default to the City at the time of taking office (Charter Section 2-103.2) and not have been convicted, within 20 years of taking office, of a violation of the election laws of the City of Lansing, State of Michigan, or the United States; a violation of public trust; or any felony (Charter Section 2-103.1).

(Section Break)

Date	11/2/2018
First Name	Jason
Middle	J
Last Name	McCammon
Other name(s) by which you have been known, including maiden names	*Field not completed.*
Date of Birth	[redacted]
Address	13535 West State Road
City	Grand Ledge
State	MI
Zip Code	48837
Email	jasonandkristin@iqfit.com

Gender	Male
Ward	Regional
Precinct	????
Best phone number to contact you	[redacted]
Last 4 digits of social security number	[redacted]
In what year did you move to Lansing?	0000
Additional information regarding experience and credentials	I started I.Q. Fitness & Wellness Center, Inc., in 2004. We are a private personal fitness, nutrition and holistic wellness center, using world-class methods. I also am married and have 4 children.
Occupational Background	I have been president of IQFIT for nearly 15 years. I manage day to day operations of the program, including marketing, sales, HR, and continuing education. In addition to my duties as the president and general manager, I am also a Holistic Health Practitioner.
Educational Background	I have a BS in civil engineering, Certified Fitness Professional and thousands of hours in course work in many areas in health.
Please attach a resume if available	*Field not completed.*
First choice for board to serve on	Michigan Avenue Corridor Improvement Authority
Second choice of a board to serve on	*Field not completed.*
Third choice of a board to serve on	*Field not completed.*
Fourth choice of a board to serve on	*Field not completed.*
Please comment briefly on why you wish to serve on a particular board or commission. Please be specific as to your goals and ideas about how you wish to contribute to the	As an owner of a business directly on Michigan Ave. in Lansing, I want to see the area to continue to improve and attract both new businesses and more residents, who love to support their local community. I feel the end goal is to make Lansing a top notch, fun and safe city to live and work in. I want to have a hand in the development of the community I serve. I

work of the board or commission	feel I have substantial professional experience to pull from and can be a great team player when it comes to innovative ideas and carrying out objectives of the group.
Qualifications and Eligibility – At this time, if you do not meet one or more of the qualifications or eligibility requirements listed at the top, please state here the requirement to be met and explain how you will be qualified or eligible before you would be sworn in to an appointed office	I am not sure what the exact eligibility requirements are for the board position I am requesting. I believe my previous statement on why I wish to serve on the board should suffice.
Background Check Authorization	I agree
Please type your name in this box to signify that you can serve on a board or commission and the information in this application is accurate to the best of your knowledge	Jason J McCammon
Date & Time	11/2/2018 2:00 PM

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

WHEREAS, the Mayor made the appointment of Jason McCammon, 13535 W. State Road, Grand Ledge, MI , 48837 as a Member of the Michigan Avenue Corridor Improvement Authority for a term to expire June 30, 2022; and

WHEREAS, the nominee has been vetted by the Mayor's Office and meets the qualifications as required by the City Charter; and

WHEREAS, the Development and Planning Committee met on February 4, 2019 and took affirmative action.

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the appointment of Jason McCammon, 13535 W. State Road, Grand Ledge, MI , 48837 as a Member of the Michigan Avenue Corridor Improvement Authority for a term to expire June 30, 2022.

Boak, Sherrie

From: qruhsd|C flylfsoxv1frp
Sent: Iulgd|#Dryhp ehu#63/#534;#5<6<#SP
To: Soxp p hu#P dub|q
Subject: R qdqh#Irup #Vxep lwwdo#Dssdfdwlrq#ru#Dssrlqwp hqw#wr#Erdug#ru#Frp p lvvlrq

Application for Appointment to Board or Commission

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(Section Break)

Date	11/30/2018
First Name	Brian
Middle	*Field not completed.*
Last Name	McGrain
Other name(s) by which you have been known, including maiden names	*Field not completed.*
Date of Birth	1[redacted]
Address	300 N. Fairview
City	Lansing
State	MI
Zip Code	48912
Email	brian@brianmcgrain.com

Gender	Male
Ward	1
Precinct	*Field not completed.*
Best phone number to contact you	[redacted]
Last 4 digits of social security number	[redacted]
In what year did you move to Lansing?	1996
Additional information regarding experience and credentials	*Field not completed.*
Occupational Background	City of Lansing, 2018; CEDAM, 2006-2018; Ingham County, 2009-2018
Educational Background	BS, Urban/Regional Planning, MSU; MPA, Public Administration & Urban Affairs, MSU
Please attach a resume if available	*Field not completed.*
First choice for board to serve on	Local Development Finance Authority
Second choice of a board to serve on	*Field not completed.*
Third choice of a board to serve on	*Field not completed.*
Fourth choice of a board to serve on	*Field not completed.*
Please comment briefly on why you wish to serve on a particular board or commission. Please be specific as to your goals and ideas about how you wish to contribute to the work of the board or commission	*Field not completed.*

Qualifications and Eligibility – At this time, if you do not meet one or more of the qualifications or eligibility requirements listed at the top, please state here the requirement to be met and explain how you will be qualified or eligible before you would be sworn in to an appointed office	*Field not completed.*
Background Check Authorization	I agree
Please type your name in this box to signify that you can serve on a board or commission and the information in this application is accurate to the best of your knowledge	Brian McGrain
Date & Time	11/30/2018 2:45 PM

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

WHEREAS, the Mayor made the appointment of Brian McGrain, 300 Fairview, Lansing, MI 48912 as a City of Lansing Member of the Local Development Finance Authority for a term to expire June 30,2019; and

WHEREAS, the nominee has been vetted by the Mayor's Office and meets the qualifications as required by the City Charter; and

WHEREAS, the Committee on Development and Planning met on February 4, 2019 and took affirmative action;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the appointment of Brian McGrain, 300 Fairview, Lansing, MI 48912 as a City of Lansing Member of the Local Development Finance Authority for a term to expire June 30, 2019.

Boak, Sherrie

From: qruhsq|C flylfsoxv1frp
Sent: P rqgd|/#Q ryhp ehu#59/#534;#5=76#SP
To: Soxp p hu/#P dub|q
Subject: R qdqh#Irup #Vxep lwwdo#Dssdfdwlrq#ru#Dssrlqwp hqw#wr#Erdug#ru#Frp p lvvlrq

Application for Appointment to Board or Commission

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Appointees to every board, commission or committee must not be in default to the City at the time of taking office (Charter Section 2-103.2) and not have been convicted, within 20 years of taking office, of a violation of the election laws of the City of Lansing, State of Michigan, or the United States; a violation of public trust; or any felony (Charter Section 2-103.1).

(Section Break)

Date	11/26/2018
First Name	Robert
Middle	*Field not completed.*
Last Name	Gibb
Other name(s) by which you have been known, including maiden names	*Field not completed.*
Date of Birth	[redacted]
Address	2801 Trudy Lane Unit 9
City	Lansing
State	MI
Zip Code	48910
Email	rob0965@gmail.com

Gender	Male
Ward	2
Precinct	21
Best phone number to contact you	[redacted]
Last 4 digits of social security number	[redacted]
In what year did you move to Lansing?	2017
Additional information regarding experience and credentials	I'm a Licensed Architect, a member the American Institute of Architects, and a NCARB certificate holder. My experience includes a variety of projects including adaptive reuse, residential, commercial, and industrial construction.
Occupational Background	Licensed Architect Project Management Operations Management
Educational Background	Bachelor Degree Architecture Masters Degree Architecture
Please attach a resume if available	*Field not completed.*
First choice for board to serve on	Historic District Commission
Second choice of a board to serve on	*Field not completed.*
Third choice of a board to serve on	*Field not completed.*
Fourth choice of a board to serve on	*Field not completed.*
Please comment briefly on why you wish to serve on a particular board or commission. Please be specific as to your goals and ideas about how you wish to contribute to the work of the board or commission	I wish to contribute to Lansing’s heritage, preserve the character of the city's historic districts, and support innovative solutions to foster it's growth.

Qualifications and Eligibility – At this time, if you do not meet one or more of the qualifications or eligibility requirements listed at the top, please state here the requirement to be met and explain how you will be qualified or eligible before you would be sworn in to an appointed office	*Field not completed.*
Background Check Authorization	I agree
Please type your name in this box to signify that you can serve on a board or commission and the information in this application is accurate to the best of your knowledge	Robert Gibb
Date & Time	11/26/2018 2:45 PM

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

WHEREAS, the Mayor made the appointment of Robert Gibb of 2801 Trudy Lane Unit 9, Lansing, MI 48910 as an At-Large Member of the Historic District Commission for a term to expire June 30, 2021; and

WHEREAS, the nominee has been vetted by the Mayor's Office and meets the qualifications as required by the City Charter; and

WHEREAS, the Committee on Development & Planning met on February 4, 2019 and took affirmative action;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the appointment of Robert Gibb of 2801 Trudy Lane Unit 9, Lansing, MI 48910 as an At-Large Member of the Historic District Commission for a term to expire June 30, 2021.

Boak, Sherrie

From: qruhsq|C flylfsoxv1frp
Sent: Wxhvgd|/#Mdqxdu|#56/#534;#6=89#SP
To: Soxp p hu/#P dub|q
Subject: R qdqh#Irup #Vxep lwwdo#Dssdfdwlrq#ru#Dssrlqwp hqw#wr#Erdug#ru#Frp p lvvlrq

Application for Appointment to Board or Commission

Thank you for your interest in serving on a Lansing Board, Commission or committee. The Lansing City Charter requires that every appointee to a board, commission, or committee established by Charter or ordinance must meet the following qualifications and eligibility requirements:

• Be a registered elector in the City of Lansing (Charter Section 2-102).

• Be a resident of Lansing for one year prior to taking office (Charter Section 2-102).

• Not be in default to the City at the time of taking office (Charter Section 2-103.2).

• Not have been convicted, within 20 years of taking office, of a violation of the election laws of the City of Lansing, State of Michigan, or the United States; a violation of public trust; or any felony (Charter Section 2-103.1).

(Section Break)

Date	1/23/2018
First Name	Robert
Middle	*Field not completed.*
Last Name	Fryling
Other name(s) by which you have been known, including maiden names	Bobby Fryling
Date of Birth	[redacted]
Address	1428 Cambridge Rd
City	Lansing
State	MI

Zip Code	48911
Email	bobnf3@gmail.com
Gender	Gender
Ward	4
Precinct	33
Best phone number to contact you	[redacted]
Last 4 digits of social security number	[redacted]
In what year did you move to Lansing?	2015
Additional information regarding experience and credentials	Grew up working jobs in the family construction business before graduating from college
Occupational Background	Have worked in IT at Sparrow Health System since 2011
Educational Background	Forest Hills Eastern High School Alma College
Please attach a resume if available	*Field not completed.*
First choice for board to serve on	Zoning Appeals
Second choice of a board to serve on	*Field not completed.*
Third choice of a board to serve on	*Field not completed.*
Fourth choice of a board to serve on	*Field not completed.*
Please comment briefly on why you wish to serve on a particular board or commission. Please be specific as to your goals and ideas about how you wish to contribute to the work of the board or commission	I have lived in the Lansing area since 2011 and I am looking to get more involved in my local community.

Qualifications and Eligibility – At this time, if you do not meet one or more of the qualifications or eligibility requirements listed at the top, please state here the requirement to be met and explain how you will be qualified or eligible before you would be sworn in to an appointed office	*Field not completed.*
Background Check Authorization	I agree
Please type your name in this box to signify that you can serve on a board or commission and the information in this application is accurate to the best of your knowledge	Robert Fryling
Date & Time	1/23/2018 4:00 PM

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For more information please visit http://www.symanteccloud.com

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

WHEREAS, the Mayor made the appointment of Robert Fryling, 1428 Cambridge Road Lansing, MI 48911 as an At-Large Member of the Board of Zoning Appeals for a term to expire June 30, 2021; and

WHEREAS, the nominee has been vetted by the Mayor's Office and meets the qualifications as required by the City Charter; and

WHEREAS, the Committee on Development and Planning met on February 4, 2019 and took affirmative action.

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the appointment of Robert Fryling, 1428 Cambridge Road, Lansing, MI 48911 as an At-Large Member of the Board of Zoning Appeals for a term to expire June 30, 2021

RESOLUTION #_____

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Act-9-2018, Canal Road, LBWL Easement to Consumers Energy

WHEREAS, the Lansing Board of Water and Light Board of Commissioners, by its Resolution #2018-11-13, recommends that Lansing City Council grant an easement to Consumers Energy Company which will be located on property occupied and maintained by the Board of Water and Light; and

WHEREAS, the easement would be located east of Canal Road, along the west side of the LBWL property in Delta Township; and

WHEREAS, the Board of Water and Light's ("BWL") new power plant in Delta Township will be fueled by natural gas which requires a new gas pipeline to supply sufficient fuel to the new plant; and

WHEREAS, on December 4, 2018, the Planning Board reviewed the proposal in accordance with its Act 33 Review procedures, and found that the easement is necessary and appropriate for the new gas-fired power plant; and

WHEREAS, the Planning Board voted unanimously (6-0) to recommend approval of the easement as proposed by the LBWL Board of Commissioners; and

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

NOW THEREFORE BE IT RESOLVED, the Lansing City Council hereby approves Act-9-2018, and approves the granting of the proposed easement to Consumers Energy, said easement being legally described as:

Legal Description: Proposed Gas Facilities Easement:

An area of land in the West 1/2 of Section 34, Town 4 North, Range 3 West, Delta Township, Eaton County, Michigan described as follows: To fix the point of beginning commence at the Northwest corner of said Section; thence S.00°05'02"W., on the West line of said Section, 350.75 feet; thence S.89°54'58"E., perpendicular to said West Section line, 43.00 feet to the East Right of Way line of Canal Road and the point of beginning; thence continuing S.89°54'58"E., perpendicular to said West Section line, 42.00 feet; thence S.00°05'02"W., parallel with said West Section line, 1393.06 feet; thence S.89°54'58"E., perpendicular to said West Section line, 30.00 feet; thence S.00°05'02"W., parallel with said West Section line, 910.27 feet to the East & West 1/4 line of said Section; thence S.00°11'59"E., parallel with said West Section line, 1866.26 feet; thence N.48°00'29"W., 40.49 feet; thence N.00°11'59"W., parallel with said West Section line, 1839.23 feet to said East & West 1/4 line; thence N.00°05'02"E., parallel with said West Section line, 877.13 feet; thence N.89°54'58"W., perpendicular to said West Section line, 35.00 feet; thence N.00°05'02"E., parallel with said West Section line, 1396.19 feet; thence N.89°54'58"W., perpendicular to said West Section line, 7.00 feet to said East Right of Way line of Canal Road; thence N.00°05'02"E., on said East Right of Way line, 30.00 feet to the point of beginning.

Described Gas Facilities Easement contains 3.05 acres.

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

RESOLUTION 2018-11-13

Easement Grant to Consumers Energy Company

RESOLVED, that the Board of Commissioners hereby recommends that Lansing City Council grant an easement to Consumers Energy Company which will be located on property occupied and maintained by the Board of Water and Light; and

FURTHER RESOLVED, the General Manager of the Board of Water and Light is authorized to execute all documents to effectuate this easement grant once approved by the Lansing City Council.

Staff Comments: The Board of Water and Light's ("BWL") new power plant in Delta Township will be fueled by natural gas which requires a new gas pipeline to supply sufficient fuel to the new plant. The BWL intends to contract with the Consumers Energy Company ("Consumers") to construct the new gas pipeline, and Consumers has requested an easement for said pipeline across the property where the new plant will be sited. The BWL has performed an operational feasibility assessment and negotiated the terms of said easement, which includes only nominal monetary consideration, that are mutually agreeable.

Motion by Commissioner Zerkle, Seconded by Commissioner Thomas to approve the Resolution for the Grant Easement to Consumers Energy.

Action: Motion Carried

STAFF REPORT

PROPOSAL: The Board of Water and Light wishes to grant an easement along the east side of Canal Road to Consumers Energy for gas service to its proposed natural gas power plant. The gas line is located along the west side of the LBWL property at that location.

Because LBWL is part of the City of Lansing, this property transaction is subject to an Act 33 Review under Chapter 208 of the Code of Ordinances.

LOCATION: NE side of I-96 N of Lansing Road

PROPERTY SHAPE and SIZE: The subject easement is linear along the western edge of the property, approx. 3.05 acres in size.

EXISTING LAND USE: Vacant Land, LBWL Erickson Power Plant

EXISTING ZONING: Industrial Zoning District

SURROUNDING LAND USE AND ZONING: Industrial Zoning District

MASTER PLAN DESIGNATION: The Delta Township Comprehensive Plan designates this property for Utility use.

AGENCY REFERRALS

None received as yet.

SUMMARY

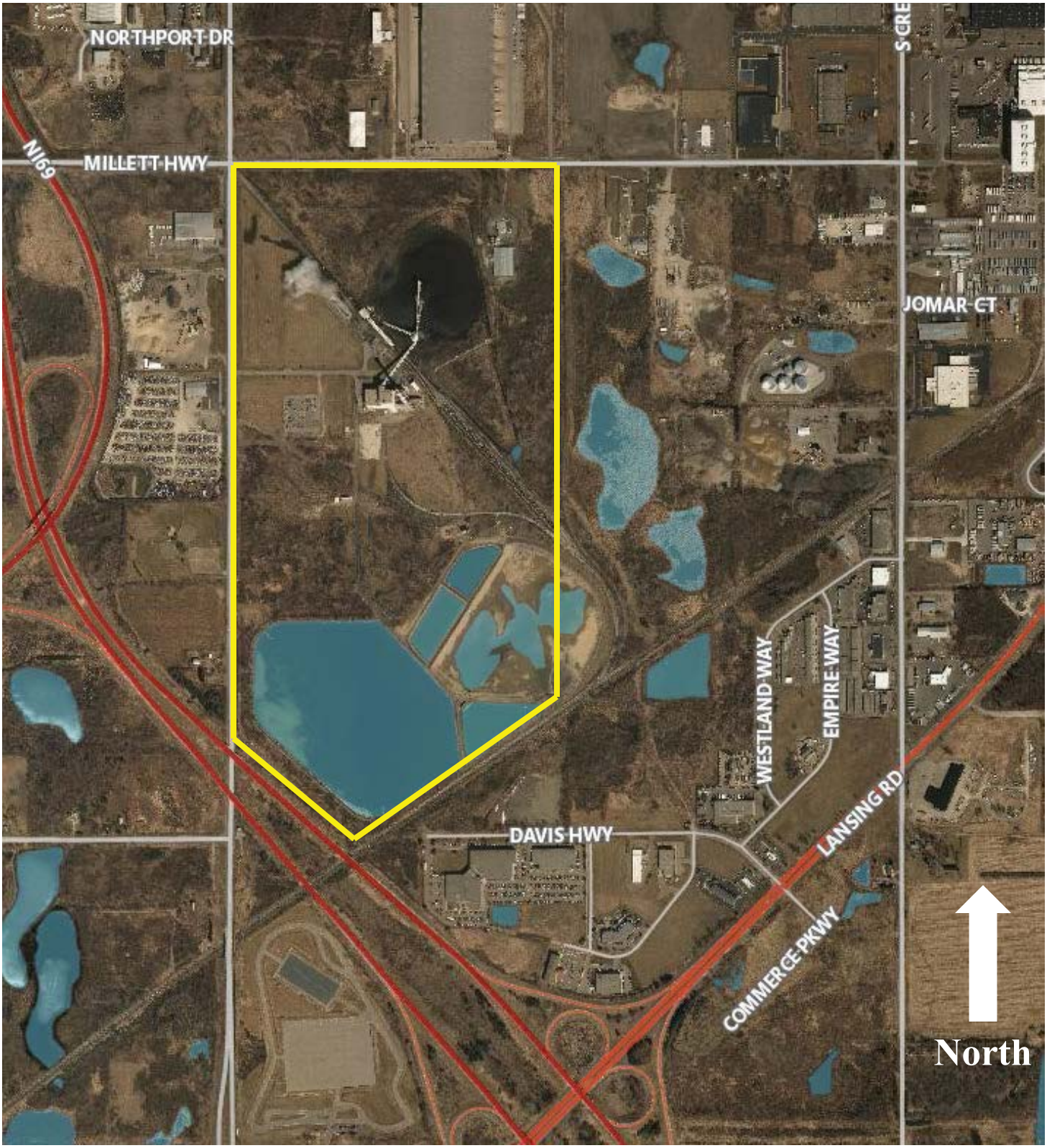
The Board of Water and Light plans to phase out its Erickson Power Plant in 2025, and eventually replace it with a natural gas-fired power plant at the site of the Erickson Plant in Delta Township.

The easement with Consumers is necessary for the transition from the coal-fired Erickson plant to the new plant.

ANALYSIS:

- Location: The easement is located along the west edge of the property.
- Character: The easement will not change the industrial character of the area.
- Extent: The easement will run east of Canal Road, nearly the entire length of the LBWL property.

STAFF RECOMMENDATION: Staff recommends approval of the easement as proposed.


NORTHPORT DR
MILLETT HWY
I69
JOMAR CT
WESTLAND WAY
EMPIRE WAY
LANSING RD
DAVIS HWY
COMMERCE PKWY
North

EASEMENT FOR PIPELINES

LBWL Pipeline

SAP# 32493270
Tract# ROW000916052938
Agreement# MI00000038506

CITY OF LANSING BY ITS BOARD OF WATER AND LIGHT, a Michigan Municipal Utility, PO Box13007, Lansing, MI 48901-3007 (hereinafter "Owner")

for $1.00 and other good and valuable consideration [*exempt from real estate transfer tax pursuant to MCLA 207.505(f) and from State real estate transfer tax pursuant to MCLA 207.526(f)*] grants and warrants to

CONSUMERS ENERGY COMPANY, a Michigan corporation, One Energy Plaza, Jackson, Michigan 49201 (hereinafter "Consumers")

a permanent easement to enter Owner's land (hereinafter "Owner's Land") located in the Township of Delta, County of Eaton, and State of Michigan as more particularly described in the attached Exhibit A to construct, operate, maintain (including cathodic protection systems), inspect (including aerial patrol), survey, replace, reconstruct, improve remove, relocate, change the size of, enlarge, and protect in place a pipeline or pipelines in, on, under, over, across, and through a portion of Owner's Land (hereinafter "Easement Area") as more fully described and depicted in the attached Exhibit B, together with any associated valves, fittings, location markers and signs, communication systems, utility lines, protective apparatus and all other equipment, appurtenances, and facilities, whether above or below grade, necessary to or for the operation or protection thereof, and to conduct such other activities as may be reasonably convenient in connection therewith as determined by Consumers for the purpose of transmitting and distributing natural gas necessary.

Additional Work Space: In addition to the Easement rights granted herein, Owner further grants to Consumers, during initial construction and installation only, the right to temporarily use such additional work space reasonably required to construct said pipelines as depicted on Exhibit B. Said temporary work space shall abut the Easement Area, on either side, as required by construction within the area depicted on Exhibit B.

Performance of Work: Construction, operation, maintenance, alterations, improvements, additions, repair, inspection, and removal of the Facilities shall comply with all of the following conditions, limitations, and requirements:

(a) At Owner's expense, Owner may have an inspector present at all times during the initial construction of said Facilities. It is expressly agreed that the making of such inspections or the failure to inspect shall not impose any liability on Owner for the adequacy of safety of the work of Consumers and shall not relieve Consumers from any responsibility, obligation, or liability assumed by Consumers under this agreement or otherwise. Consumers shall give Owner seven (7) days' notice prior to construction of said Facilities.

(b) The Facilities shall not be located within ten (10) feet from electric distribution or transmission lines, poles, or structures located in, on, under, over, or across the Easement Area, unless otherwise approved by Owner in writing. Any trench work in the vicinity of a tower or pole, will be done such that the slope of the angle formed by the floor of the trench to the base of the structure at grade shall have a slope of less than 1 foot of rise per 1 foot of distance (a slope of less than 45 degrees). Said 1 foot of rise per 1 foot of distance requirement will apply for the distance between the trench and the pole; the bottom of the trench must be an equal distance from any pole and no deeper than the butt of the pole and in the event a deeper trench is required, the pole must be supported.

(c) Consumers, by exercising the rights herein granted, agrees that during all excavation the topsoil shall be placed on one side of the trench and the subsoil on the other side. Any of Owner's pipelines or water facilities that are exposed during excavation or construction shall have 100% sand backfill to at least within one (1) foot of grade, rather than subsoil. After the

trench is dug and the Facilities are placed, the site shall be restored by putting the subsoil back first and then the topsoil, except in the event sand backfill is required as provided herein. Restoration shall be completed so that the ground elevation and grade, preconstruction and post-construction, remain the same, and Consumers shall grade and reseed all disturbed areas with warm summer grasses upon the completion of construction or near thereafter as practical.

(d) Prior to commencing any excavation or digging on the Easement Area, Consumers shall contact the Utility Communications System (Miss Dig), prior to performing any excavation or similar activity in accordance with Michigan Compiled Law 460.721 et seq., as amended by Public Act 174 of 2013 and any future amendments.

Use: Consumers' use of the Easement Area shall be solely for the distribution of gas to Owner, its heirs, successors, lessees, licensees and assigns, and to no other customer nor for any other purpose. Owner shall accept no responsibility or liability in connection with the safety of the work performed by Consumers under this Easement.

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

Trees and Other Vegetation: Owner shall not plant any trees within the Easement Area. Consumers shall have the right from time to time hereafter to enter Owner's Land to trim, cut down, and otherwise remove and control any trees, brush, roots, and other vegetation within the Easement Area. For trimming planned in advance, Consumers shall provide Owner prior notice, except in the event of an emergency when notice shall not be necessary if impractical under the circumstances.

Buildings/Structures: Owner agrees not to build, create, construct, or permit to be built, created, or constructed, any permanent, man-made obstruction, building, septic system, drain field, fuel tank, pond, swimming pool, lake, pit, well, foundation, engineering works, installation or any other type of structure over, under, or on said Easement Area, whether temporary or permanent without the express written authorization of Consumers, which shall not be unreasonably withheld in Consumers' sole discretion, recorded in the register of deeds for the county in which Owner's Land is situated expressly allowing the aforementioned.

Ground Elevation: Owner shall not alter the ground elevation more than six (6) inches within the Easement Area without Consumers' written authorization which shall not be unreasonably withheld. Consumers shall not alter the ground elevation of the Easement Area or Owner's Land without Owner's written authorization, which shall not be unreasonably withheld.

Alterations: Consumers shall not make any significant alterations, improvements, or additions in, on, under, over, or across the Easement Area or its Facilities located on the Easement Area except as provided herein or without first supplying Owner with such plans and details for any proposed alteration, improvement, or addition. Nor shall Consumers make any surface alterations, improvements, or additions, in, on, over, or across the Easement Area or its Facilities after the initial construction that may significantly interfere with Owner's right to and use of the Easement Area without Owner's advance written consent, which shall not be unreasonably withheld.

Removal of Facilities and Alterations: Upon the expiration or any termination of this easement by Consumers, Owner shall direct Consumers to either abandon or remove the Facilities. In the event Owner directs Consumers to remove the Facilities, Consumers shall, at Owner's sole cost and expense, promptly remove all aboveground Facilities and all alterations, improvements, or additions in, on, under, over, across the Easement Area, made by Consumers or on Consumers' behalf, that were for the service to Owner only, including but not limited to those contemplated herein, unless performed without Owner's consent in which case Consumers' shall remove same at its own expense. Any Facilities, alterations, improvements, or additions in the Easement Area that were installed not for Owner's service only shall be removed at Consumers' sole cost and expense. Further, Consumers shall yield and deliver the Easement Area unless otherwise approved by Owner, in a like condition as when taken subject to normal wear and tear, provided however, Owner may designate by written notice to Consumers those alterations, improvements, or additions which Consumers shall not remove but shall remain and be stabilized in a condition that conforms with industry standards; said designated alterations, additions, or improvements that are not to be removed shall then attach to the real estate and become property of Owner and shall be transferred from Consumers to Owner by a warranty bill of sale.

Property Restoration: Upon completion of any work performed or caused to be performed by Consumers permitted herein, Consumers shall be responsible to clean up and return Owner's Land, including the Easement Area, to a similar condition that existed prior to said work including to and not limited to ground elevation and grade.

Spoil: Notwithstanding any requirement to backfill herein, spoil generated in connection with the exercise of Consumers' use of the Easement Area or the exercise of the rights granted in this agreement shall remain on Owner's Land and shall not be transported off Owner's Land without Owner's prior written consent. No spoils shall be stockpiled directly under any electric transmission or distribution lines under, over, or across the Easement Area that will prevent Owner from being able to access same and shall be removed as soon as reasonably practicable by Consumers unless otherwise approved by Owner. Consumers shall, as soon as reasonably practical, notify Owner of the presence of contaminated spoil upon becoming aware of it at the Easement Area or Owner's Land and transport any such spoil from the Easement Area and/or Owner's Land, in accordance with all applicable laws, rules, and regulations.

Protection of Owner's Facilities: Consumers must maintain the Facilities, Easement Area, and appurtenances in safe and good repair at all times and take reasonable precautions to prevent damage to Owner's Land.

Relocation of Facilities: If Owner finds it necessary to change or relocate its facilities located in, on, under, over, or across the Easement Area, Owner's Land, or adjoining property in order to accommodate Consumers' use of the Easement Area as herein provided, Owner shall be responsible for the actual costs and expenses for such relocation.

Drawings As-Built Survey and Markers: Upon completion of the construction of said Facilities, Consumers shall provide Owner with as-built drawings of the Facilities, indicating the surveyed location and depth of the Facilities within the Easement Area. Consumers shall mark the location of all underground Facilities with permanent markers. Said markers shall be maintained by Consumers, at Consumers' sole expense, at all times.

Compliance with Laws: Consumers, its agents, invitees, visitors, employees, contractors, and subcontractors shall comply with all laws, ordinances, and regulations of all federal, state, or local governmental authorities that are now or hereafter in any manner affecting the Easement Area and the use and occupancy thereof; provided however, that nothing herein shall be construed as a waiver by Consumers of any of its existing or future rights under state or Federal law. Consumers shall be responsible for obtaining and following any and all environmental or other permits that may be necessary to support the Facilities' construction, operation, or maintenance activities upon the Easement Area and upon Owner's request, shall provide copies of all such permits associated with initial construction.

Environmental: Consumers shall comply in all material respects with all applicable constitutional provisions, laws, ordinances, orders, requirements, rules, and regulations made by any governmental entity, body, or authority relating to its property and operations under this Easement. If Consumers' use of the Easement Area results in the presence on, in, or under the Easement Area (which includes but is not limited to the groundwater underlying the Easement Area) of contaminants, hazardous waste, hazardous substances or constituents, or toxic substances, as currently or hereafter defined in the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), 42 USCA 9601 et seq; the Resource Conservation and Recovery Act (RCRA), 42 USCA 6901 et seq; the Toxic Substances Control Act (TSCA), 15 USCA 2601 et seq; the Michigan Natural Resources and Environmental Protection Act, MCL 324.101 et seq; or any other similar existing or future statutes, Consumers will to the extent caused by Consumers, its employees, agents, contractors, and subcontractors or anyone authorized by or on behalf of Consumers at no cost to Owner, immediately notify Owner and promptly take: 1) all actions that are required by any federal, state, or local governmental agency or political subdivision, and 2) all actions that are necessary to restore the Easement Area to the condition existing prior to the release or introduction of such contaminants, hazardous waste, hazardous substances or constituents, or toxic substances, notwithstanding any lesser standard of remediation allowable under applicable law or governmental policies. The actions required by Consumers pursuant to this paragraph include, but are not limited to: a) the investigation of the environmental condition of the Easement Area; b) the preparation of any feasibility studies, reports, or remedial plans required by law or governmental policy, and c) the performance of cleanup, remediation, containment, operation, maintenance, monitoring, or restoration work, whether on or off the Easement Area. Consumers will proceed continuously and diligently with such investigatory and remedial actions. The parties will provide to each other free of cost to the other copies of all test results and reports generated in connection with the above activities and copies of all reports submitted to any governmental entity. No cleanup, remediation, restoration, or other work required to be performed pursuant to this paragraph will require or result in the imposition of any limitation or restriction on the use of the Easement Area without prior notification and approval, which shall not be unreasonably withheld, to the other. The provisions of this paragraph will survive the term or any termination of this agreement.

Exercise of Easement: If Consumers shall discontinue use of the Easement Area for any period of two (2) or more years, this agreement shall be terminated. If this agreement is terminated, Owner shall have the option to elect to have Consumers, at Owner's sole cost and expense, perform work necessary to stabilize the abandoned Facilities, including, but not limited to purging the pipes with nitrogen or as is standard in the industry. However, in the event the Easement Area is ever used to serve any customer(s) other than Owner, its heirs, successors, lessees, licensees and assigns, Consumers shall preform same at its own cost and expense. Once terminated, Consumers shall be responsible for restoring the surface of such Easement Area, subject to normal wear and tear. Except as otherwise provided in this section, Consumers' nonuse or limited use of this Easement Area shall not preclude Consumers' later use of this agreement to its full extent.

Consumers' Covenants: Consumers covenants that it will enter onto and use the Owner's Land only for the purpose set forth herein (or for other purposes for which Consumers has existing or future rights, if any) and for no other purpose without the express prior consent of Owner.

Indemnification: Consumers shall at all times assume all liability for and protect, indemnify and save Owner, its successors and assigns, harmless from and against all actions, judgments, losses, orders, decrees, costs, and expenses brought or recovered against or incurred by Owner by reason of any death, bodily injury, personal injury, and loss or damage to Owner's Land but only to the extent caused by and proportionate to Consumers negligent actions or omissions on Owner's Land. To the fullest extent

allowable by law, Owner shall at all times assume all liability for and protect, indemnify and save Consumers, its successors and assigns, harmless from and against all actions, judgments, losses, orders, decrees, costs, and expenses brought or recovered against or incurred by Consumers by reason of any death, bodily injury, personal injury, and loss or damage to Owner's Land but only to the extent caused solely by and proportionate to Owner's negligent actions or omissions in the Easement Area, to the fullest extent provided by law. With respect to 3rd party claims, and only with respect to 3rd party claims, nothing herein shall be construed as a waiver by Owner of available defenses as a matter of law due to its governmental status, such as governmental tort liability. Consumers shall not permit any liens on the Owner's Land for any labor or material furnished to Consumers in connection with its use of the Easement Area.

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

Ownership: Owner covenants that they have the right and authority to make this grant, and that it will forever warrant and defend the title thereto against all claims whatsoever.

Successors: This easement shall bind and benefit Owner's and Consumers' respective heirs, successors, lessees, licensees, and assigns. Consumers' interest under this agreement shall be further subject to any and all existing leases, licenses, easements, and other interests in the Easement Area as are a matter of public record as the date of this agreement.

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

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

To Owner:
Lansing Board or Water and Light
1201 S. Washington Avenue
Lansing, Michigan 48901

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

Authority: Owners and Consumers each acknowledge and represent that it is duly organized, validly existing and in good standing and has the right, power, and authority to enter into this agreement and bind itself through the party set forth as signatory for the party below.

Entire Agreement: This agreement constitutes the entire agreement and understanding between the parties and supersedes any prior discussions, negotiations, agreements and understandings. This agreement may only be amended or modified except in writing signed by both parties.

Date: _____

Owner: City of Lansing by and through its Board of Water and Light

By:_____
Name:
Its:_____

By:_____
Name:
Its:_____

Acknowledgment

The foregoing instrument was acknowledged before me in _____ County, Michigan, on _____ by_____ its _____ and _____ its _____ on behalf of the City of Lansing by its Board of Water and Light.

_____
Notary Public
_____County, Michigan
Acting in _____ County
My Commission expires: _____

Date: _____

Consumers: Consumers Energy Company, a Michigan corporation

_____
By: Its:

_____
By: Its:

Acknowledgment

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

on _____ by _____ Its _____ and by_____

_____Its _____ on behalf of Consumers Energy Company, a Michigan corporation.

_____
Notary Public
_____County, Michigan
Acting in _____ County
My Commission expires: _____

Prepared By: Brandy R. Gale; 09/10/2018
Consumers Energy Company
One Energy Plaza
Jackson, MI 49201

After recording, return to:
Carrie Main, EP7-471
Consumers Energy Company
One Energy Plaza
Jackson, MI 49201

EXHIBIT A

Owner's Land

Parcel ID: 040-034-300-013-00

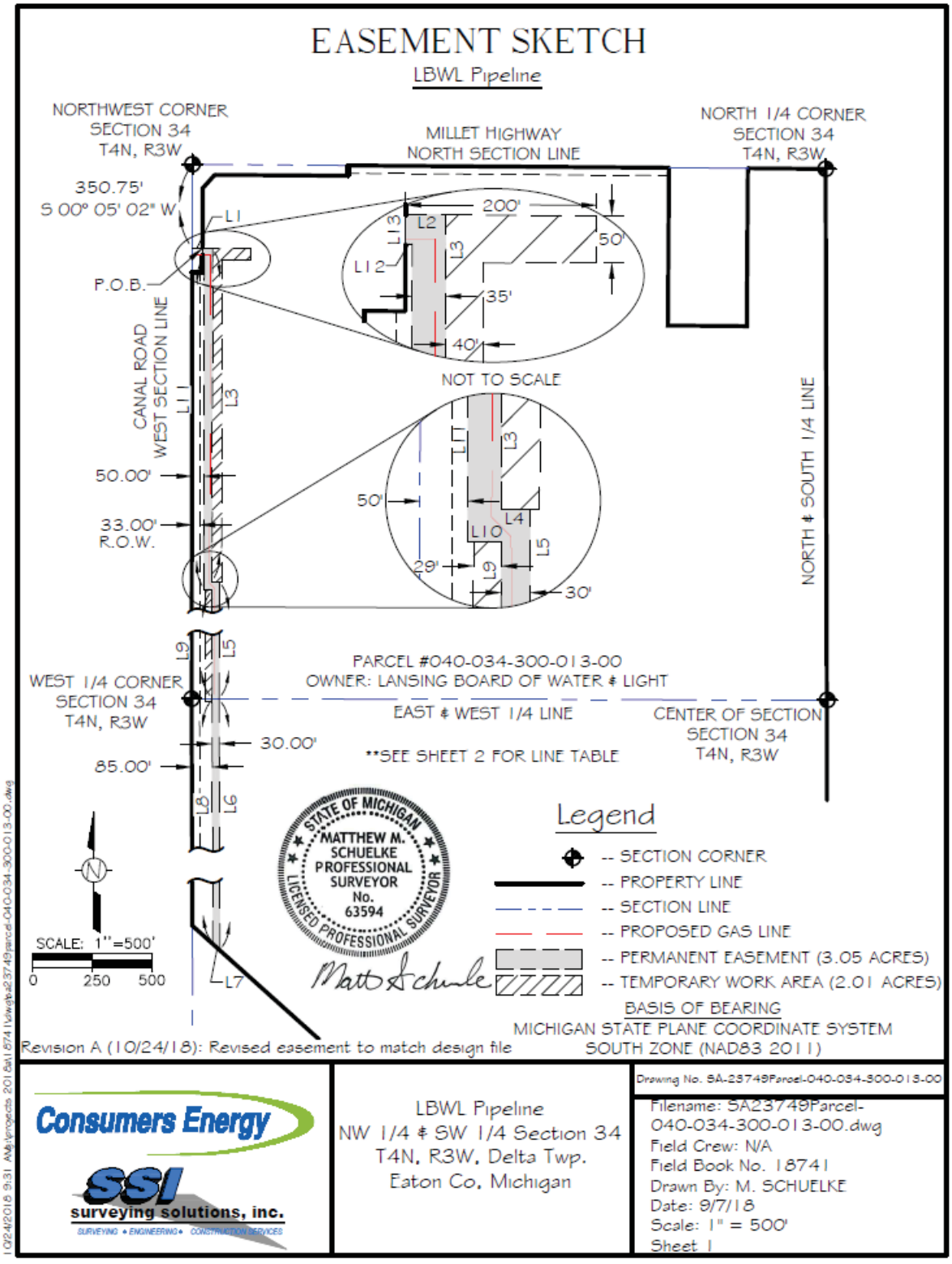
Land situated in the Township of Delta, County of Eaton, State of Michigan:

The West 1/2 of Section 34, Township 4 North, Range 3 West, Except that part taken for Highway and Except the railroad right-of-way, also Except Commencing 325 feet West of the Northeast corner of the Northwest 1/4; thence West 330 feet; thence South 660 feet; thence East 330 feet; thence North 660 feet to the point of beginning; Also Except that part lying Southeasterly of the Grand Trunk Western Railroad right-of-way; Also Except beginning at a point that is 33 feet South and 33 feet East of the Northwest corner of Section 34, Township 4 North, Range 3 West; thence easterly parallel to the North section line 618 feet; thence South 10 feet; thence westerly parallel to the North section line 558 feet; thence Southwesterly 75 feet, more or less, to a point that is 99 feet South and 43 feet East of the Northwest corner of Section 34; thence southerly parallel to the West section line 352 feet; thence West 10 feet to a point 33 feet easterly of the West section line; thence Northerly parallel to the West section line 418 feet to the point of beginning.

Commonly known as: 3725 S. Canal Road, Lansing, MI 48917

EXHIBIT B

Easement Area and Additional Work Space



EASEMENT SKETCH

LBWL Pipeline

Legal Description: Proposed Gas Facilities Easement:

An area of land in the West 1/2 of Section 34, Town 4 North, Range 3 West, Delta Township, Eaton County, Michigan described as follows: To fix the point of beginning commence at the Northwest corner of said Section; thence S.00°05'02"W., on the West line of said Section, 350.75 feet; thence S.89°54'58"E., perpendicular to said West Section line, 43.00 feet to the East Right of Way line of Canal Road and the point of beginning; thence continuing S.89°54'58"E., perpendicular to said West Section line, 42.00 feet; thence S.00°05'02"W., parallel with said West Section line, 1393.06 feet; thence S.89°54'58"E., perpendicular to said West Section line, 30.00 feet; thence S.00°05'02"W., parallel with said West Section line, 910.27 feet to the East & West 1/4 line of said Section; thence S.00°11'59"E., parallel with said West Section line, 1866.26 feet; thence N.48°00'29"W., 40.49 feet; thence N.00°11'59"W., parallel with said West Section line, 1839.23 feet to said East & West 1/4 line; thence N.00°05'02"E., parallel with said West Section line, 877.13 feet; thence N.89°54'58"W., perpendicular to said West Section line, 35.00 feet; thence N.00°05'02"E., parallel with said West Section line, 1396.19 feet; thence N.89°54'58"W., perpendicular to said West Section line, 7.00 feet to said East Right of Way line of Canal Road; thence N.00°05'02"E., on said East Right of Way line, 30.00 feet to the point of beginning

Described Gas Facilities Easement contains 3.05 acres.

Line Table		
Line #	Length	Direction
L1	43.00	S89° 54' 58"E
L2	42.00	S89° 54' 58"E
L3	1393.06	S00° 05' 02"W
L4	30.00	S89° 54' 58"E
L5	910.27	S00° 05' 02"W
L6	1866.26	S00° 11' 59"E
L7	40.49	N48° 00' 29"W
L8	1839.23	N00° 11' 59"W
L9	877.13	N00° 05' 02"E
L10	35.00	N89° 54' 58"W
L11	1396.19	N00° 05' 02"E
L12	7.00	N89° 54' 58"W
L13	30.00	N00° 05' 02"E

STATE OF MICHIGAN
MATTHEW M. SCHUELKE
PROFESSIONAL SURVEYOR
No. 63594
LICENSED PROFESSIONAL SURVEYOR

Matt Schuelke

Revision A (10/24/18): Revised easement to match design file

Consumers Energy

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

LBWL Pipeline
NW 1/4 & SW 1/4 Section 34
T4N, R3W, Delta Twp.
Eaton Co, Michigan

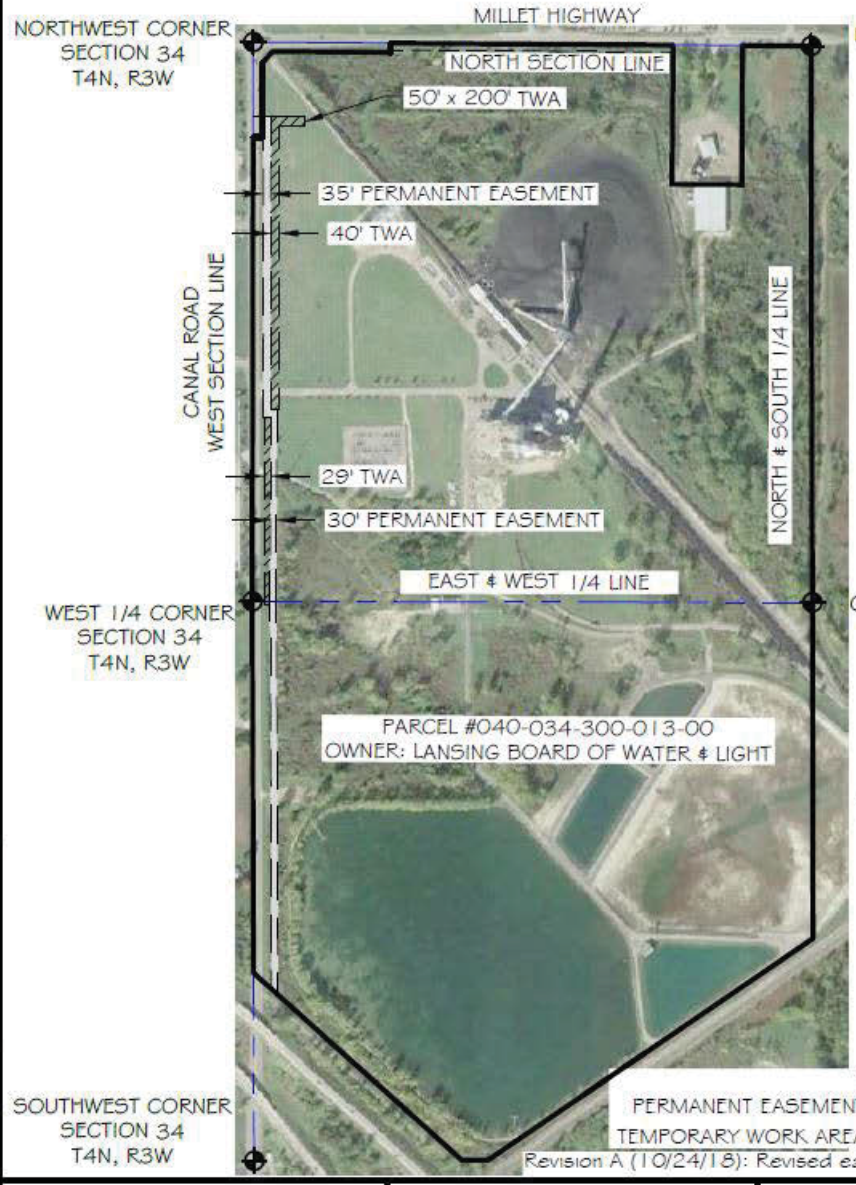
Drawing No. SA-23749Parcel-040-034-300-013-00

Filename: SA23749Parcel-040-034-300-013-00.dwg
Field Crew: N/A
Field Book No. 18741
Drawn By: M. SCHUELKE
Date: 9/7/18
Scale: N/A
Sheet 2

10/24/2018 9:28 AM\projects 2018\18741\dwg\sa23749parcel-040-034-300-013-00.dwg

EASEMENT SKETCH

LBWL Pipeline



STATE OF MICHIGAN
MATTHEW M. SCHUELKE
PROFESSIONAL SURVEYOR
No. 63594
LICENSED PROFESSIONAL SURVEYOR

Matt Schuelke

PROPERTY LINE --

PERMANENT EASEMENT (3.05 ACRES) --

TEMPORARY WORK AREA (2.01 ACRES) --

Revision A (10/24/18): Revised easement to match design file

Consumers Energy

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

LBWL Pipeline
NW 1/4 & SW 1/4 Section 34
T4N, R3W, Delta Twp.
Eaton Co, Michigan

Drawing No. SA-23749Parcel-040-034-300-013-00

Filename: SA23749Parcel-040-034-300-013-00.dwg
Field Crew: N/A
Field Book No. 18741
Drawn By: M. SCHUELKE
Date: 9/7/18
Scale: 1" = 700'
Sheet 3

I:\2018\Projects\23749\Parcel-040-034-300-013-00.dwg 10/24/2018 9:35 AM

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING
RESOLUTION TO SET A PUBLIC HEARING FOR
AMENDED BROWNFIELD PLAN #62
OLIVER TOWERS BROWNFIELD 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 310 North Seymour 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; and

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 February 11, 2019 at 7:00 p.m. on Amended Brownfield Plan #62 – Oliver Towers Brownfield Redevelopment Project under the Brownfield Redevelopment Financing Act, for property more particularly described as:

The South 210 feet of Block 84 of Original Plat, City of Lansing, Ingham County, Michigan, as recorded in Liber 2 of plats, page 36. Commonly known as 310 N. Seymour Avenue, Lansing, MI 48933, Tax Parcel No. 33-01-01-16-177-022.

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 #62 – Oliver Towers Brownfield Redevelopment Project and the scheduled public hearing.

City of Lansing
Notice of Public Hearing

The Lansing City Council will hold a public hearing on February 11, 2019 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 Amended Brownfield Plan #62 – Oliver Towers Brownfield 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 310 North Seymour Avenue located in the City of Lansing, but more particularly described as:

The South 210 feet of Block 84 of Original Plat, City of Lansing, Ingham County, Michigan, as recorded in Liber 2 of plats, page 36. Commonly known as 310 N. Seymour Avenue, Lansing, MI 48933, Tax Parcel No. 33-01-01-16-177-022.

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 Business Development, Lansing Economic Area Partnership, 1000 South Washington, Suite 201, Lansing, MI 48912, (517) 702-3387.

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

Chris Swope, Lansing City Clerk, MMC/CMMC
Chris Swope
City Clerk

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING
RESOLUTION APPROVING AMENDED BROWNFIELD PLAN #62
OLIVER TOWERS BROWNFIELD 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 Amended Brownfield Plan #62 – Oliver Towers Brownfield Redevelopment Project (the 'Plan'); and

WHEREAS, a public hearing was held by the Lansing City Council on November 19, 2018 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 February 11, 2019 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 $14,700,000,

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 December 7, 2018, 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 ‘Amended Brownfield Plan #62 – Oliver Towers Brownfield Redevelopment Project’.

Lansing Brownfield Redevelopment Authority

Lansing Brownfield Redevelopment Authority
Oliver Towers Redevelopment Project

Brownfield Plan #62
Amendment #1

310 North Seymour Avenue
Lansing, Michigan

PREPARED BY:

Triterra
1375 S. Washington Avenue, Suite 300
Lansing, Michigan 48910
Contact Person: Dave Van Haaren
dave.vanhaaren@triterra.us
Phone: 517-702-0470

REVIEWED BY:

Lansing Brownfield Redevelopment Authority
1000 S. Washington Avenue, Suite 201
Lansing, Michigan 48910
Contact Person: Karl Dorshimer
karl@purelansing.com
Phone: 517-999-9039

November 30, 3018

Approved by the LBRA on December 7, 2018

Adopted by the Lansing City Council on _____

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Attachment B: Summary of Known Environmental
Attachment C: Letter of Functional Obsolescence

1. Project Summary Sheet

The purpose of this Brownfield Plan is to identify eligible activities and cost estimates for redevelopment of the property located at 310 N. Seymour Avenue in Lansing, Michigan. Brownfield tax increment financing is necessary to support redevelopment of the property. Brownfield Plan #62 was approved by the City of Lansing Brownfield Redevelopment Authority (the "LBRA" or the "Authority") on September 11, 2015. The Lansing City Council approved the Brownfield Plan on November 9, 2015.

Project Name:	Oliver Towers Redevelopment Project
Developer:	George F. Eyde Family, LLC
Property Location:	310 N. Seymour Avenue, Lansing, Michigan
Parcel Information:	Parcel ID 33-01-01-16-177-022
Type of Eligible Property:	"Facility" and "Functionally Obsolete"
Project Description:	A complete rehabilitation of the vacant, 8-story "Oliver Towers" site located in heart of Downtown Lansing just north of the State Capitol. The Mixed-use Development includes rehabilitation of the building including office/retail on the first floor and 96 residential units on floors two through eight. Brownfield Eligible activities include asbestos surveys and abatement, extensive interior demolition, Baseline Environmental Assessment activities, due care and additional response activities and public infrastructure improvements.
Total Capital Investment:	Property and Building Improvements: Estimated at $14,700,000 of which $1,373,761 is estimated as eligible for Brownfield Reimbursement.
Estimated Job Creation/Retention:	This redevelopment will result in the creation/retention of 20 to 40 temporary construction related jobs. In addition to the construction related jobs, the redevelopment is anticipated to generate 10 new full-time equivalent jobs in the commercial/office and retail components of the project.

Duration of Plan: 12 years (starting in 2020)

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

Sources	Uses	
TIR	To Reimburse Developer for Eligible Activity Costs (including contingency and interest)	$ 1,373,761
TIR	To LBRA Plan Administration	$ 48,674
TIR	To LBRA Local Site Remediation Revolving Fund (LSRRF)	$ 48,674
	Total TIR Captured	**$ 1,471,110**
New Taxes	To State Brownfield Revolving Fund (BRF)	$ 79,355
New Taxes	(10%) Distribution to Taxing Units	$ 163,457
New Taxes	New Taxes to Lansing School Sink Fund, City Debt, School Debt	$ 172,928
	Total New Taxes	**$ 415,740**
	Total TIR and New Taxes	**$ 1,886,849**

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

This Brownfield Plan is presented to support George F. Eyde Family, LLC in the redevelopment of the "Oliver Towers" property located 310 North Seymour Avenue in the City of Lansing, Ingham County, Michigan (the "Property"). The location of the Property is depicted on Figure 1.

A summary of the parcel is presented in the table below:

Eligible Property		
Address	**Tax ID**	**Basis of Eligibility**
310 N. Seymour Avenue	33-01-01-16-177-022	Facility and Functionally Obsolete

The Property consists of approximately 1.6 acres of land developed with an 8-story, approximately 100 unit apartment complex. A one-story office building is attached to the south side of the apartment complex. A courtyard was located on the southeastern portion of the Property. The remainder of the Property was developed with paved parking areas, grass, and landscaped areas. The area surrounding the Property was generally used for commercial purposes. Property layout and boundaries are depicted on Figure 2. The legal description of the Property is included in Attachment A.

The Property has remained vacant for the past 18 years. The Property is considered an "eligible property" as defined by Act 381, Section 2 because: (a) the Property was previously utilized as a commercial and residential property; (b) it is located within the City of Lansing, a qualified local governmental unit under MCL 125.2782(k); (c) the property is a "facility" as defined by Part 201 of Michigan's Natural Resources and Environmental Protection Act (P.A. 451, as amended); and (d) the Property has been determined to be "functionally obsolete" as defined in Section 2(u) of Act 381.

On April 22, 2016, the City of Lansing, Assessors Office formally determined the Property is "functionally obsolete" as the term is defined in Section 2(u), of Act 381. The Assessing Office conducted a site inspection and determined the building suffers in excess of 50% functional obsolescence. Refer to Attachment C, Letter of Functional Obsolescence.

The presence of contaminants at levels greater than generic residential use criteria is demonstrated by the results of a site assessment presented in the following document: Baseline Environmental Assessment (BEA) dated June 26, 2015, completed for George F. Eyde Family, LLC, prepared by Triterra. A summary of known environmental conditions is included in Attachment B. A map depicting environmental impact at the Property is provided as Figure 3.

3. Brownfield Project Description

George F. Eyde Family, LLC (the "Developer") proposes to rehabilitate and redevelop the building and associated property with an investment estimated at $14,700,000. The Mixed-use Development includes rehabilitation of the building including office/retail on the first floor and approximately 96 residential units on floors two through eight.

The redevelopment will result in the creation/retention of 20 to 40 temporary construction related jobs. In addition to the construction related jobs, the redevelopment is anticipated to generate 10 new full-time equivalent jobs in the retail and commercial components.

4. Developer Eligible Activities

The Developer will be reimbursed for the costs of eligible activities necessary to prepare the Property for redevelopment. 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, subject to any limitations and conditions described in this Plan. The total cost of activities eligible for reimbursement from tax increment revenues is projected to be $1,373,761 (including contingencies and interest).

STATE AND LOCAL ELIGIBLE ACTIVITIES

DEQ Eligible Activities

Department Specific Activities

Phase I Environmental Site Assessment	$1,000
Baseline Environmental Assessment Activities	$2,100
Due Care Investigation	$7,500
Due Care Planning to Meet Compliance with Section 2017a	$3,500
Contingency*	$0
Interest (5%)	$3,754
Total DEQ Eligible Activities	**$17,854**

MSF Eligible Activities

Asbestos and Lead Activities

Asbestos Survey	$6,200
Subtotal Asbestos and Lead Activities	***$6,200***

Demolition

Demolition and Asbestos/Mold Abatement	$588,000
Building Demolition – Exterior Panels & Windows	$30,000
Building Demolition – Interior	$297,500
Site Demolition	$17,000
Subtotal Demolition Activities	***$932,500***

Infrastructure Improvements

Sidewalks, Curbs, Gutters, Pavement/Approaches in R.O.W.	$39,000
Landscaping and Irrigation in R.O.W.	$15,000
Subtotal Infrastructure Improvements	***$54,000***
Contingency*	$36,281
Brownfield Plan and Act 381 Work Plan	$17,700
Interest (5%)	$309,225
Total MSF Eligible Activities	**$1,355,907**

TOTAL ELIGIBLE COST FOR REIMBURSEMENT.....$1,373,761

* Contingency calculation excludes costs for Phase I ESA, Phase II ESA, BEA, Asbestos Survey, Due Care Investigation/Planning, Brownfield Plan and Act 381 Work Plan activities.
** Interest is calculated annually at 5% simple interest on Developer unreimbursed eligible activities

These estimates were developed with uncertainties and assumptions about the final development of the Property and the estimates are subject to change. These estimates should not be assumed to be precise or final.

5. Captured Taxable Value and Tax Increment Revenues

The 2015 taxable value of the Property was $0, which is the initial taxable value for this Plan. The anticipated taxable value in 2024, after the expiration of the tax abatement under the Obsolete Property Rehabilitation Act ("OPRA"), will be $2,938,095. This is based on estimates developed by the Project's development team. The actual taxable value will be determined by the City's Assessor after the Project is completed.

The LBRA is authorized to capture the tax increment revenues from 2020 through 2031 which will be generated by the increase in taxable value. Ten percent of the local and state taxes generated by the increase in taxable value will be returned to the taxing units. The impact of the LBRA incremental tax capture on local and state taxing authorities is presented in the following table and in Table 2 (attached). Capture will cease after the end of 2031 regardless of whether the Developer has been reimbursed in full.

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 and the Authority will be reimbursed for eligible costs as listed in Section 4. The current estimated impact to taxing jurisdictions as a result of eligible activities (including a contingency and interest of 5%) is $1,373,761. The LBRA is not obligated to reimburse more than $1,373,761 in total Eligible Activities during the life of this Plan. No Eligible Activities conducted by the Developer after December 31, 2019 will be reimbursed by the Authority.

The LBRA will provide financing for its costs to implement and 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 Revolving Fund.

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 2031, 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. The estimations take into account the impact of an OPRA Certificate.

Projected Impact to Taxing Jurisdictions			
Taxing Unit	**10% of New Taxes to Taxing Units**	**90% of New Taxes for Reimbursement**	**100% Total New Taxes**
City of Lansing	$48,107	$432,965	$481,072
Ingham County	$24,944	$224,500	$249,445
Airport Authority	$1,730	$15,568	$17,298
CATA	$7,441	$66,971	$74,413
Capital Area District Library	$3,860	$34,744	$38,605
Potter Park Zoo	$1,015	$9,131	$10,146
Lansing Community College	$9,421	$84,793	$94,215
Ingham Inter. School District	$11,646	$104,816	$116,462
Lansing School District Operating	$47,356	$426,202	$473,557
State Education Tax (3 mills)	$7,935	$71,419	$79,355
Subtotals	**$163,457**	**$1,471,110**	**$1,634,567**
State Education Tax (3 mills State BRF) *			$79,355

Projected Impact to Taxing Jurisdictions			
Taxing Unit	**10% of New Taxes to Taxing Units**	**90% of New Taxes for Reimbursement**	**100% Total New Taxes**
City Debt*			$9,251
School Debt*			$163,677
Subtotal			**$252,283**
Total			**$1,886,849**

* 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, boundaries, and areas of environmental impact are shown on Figures 1 through 3. The legal description of the Property is provided in Attachment A.

11. Personal Property

Incremental tax revenues resulting from new personal property will be captured if available. Any such funds will be used to reimburse the LBRA and Developer for eligible activities.

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 Revolving Fund as permitted by Act 381 of 1996, as amended ("the Act"). Any excess local tax capture not used to reimburse the Developer will be deposited in the Revolving Fund as permitted by 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 Diagram

Figure 3: Soil Sample Analytical Results in Exceedance of MDEQ GRCC

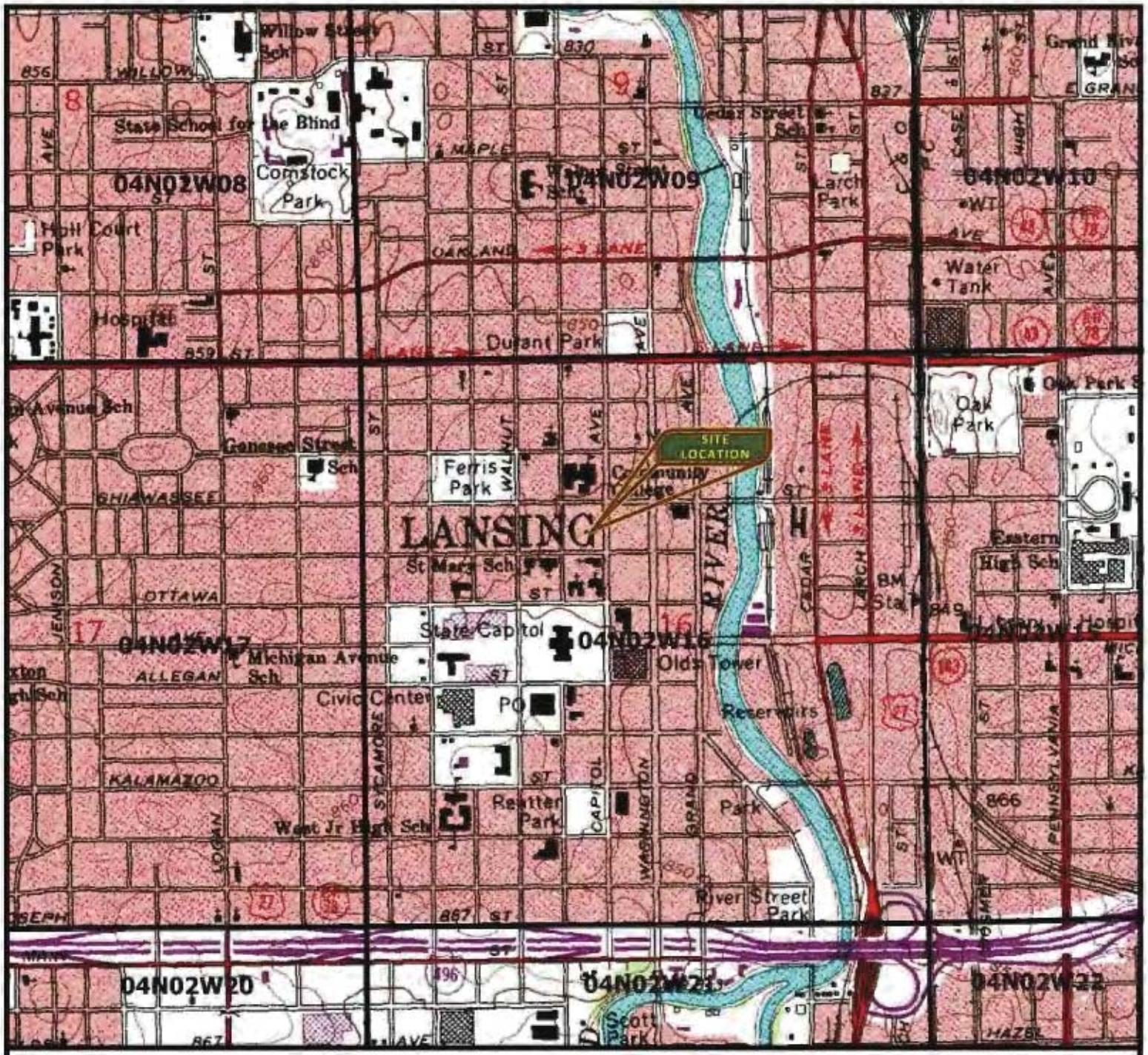


FIGURE 1
SITE LOCATION

TRI TERRA

310 NORTH SEYMOUR AVENUE
LANSING, MICHIGAN 48933

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

PROJECT NUMBER: 15-1450

1000 0 1000 2000 ft

ADAPTED FROM MI GEOGRAPHIC DATA LIBRARY DRG

1:16,000

TRI TERRA

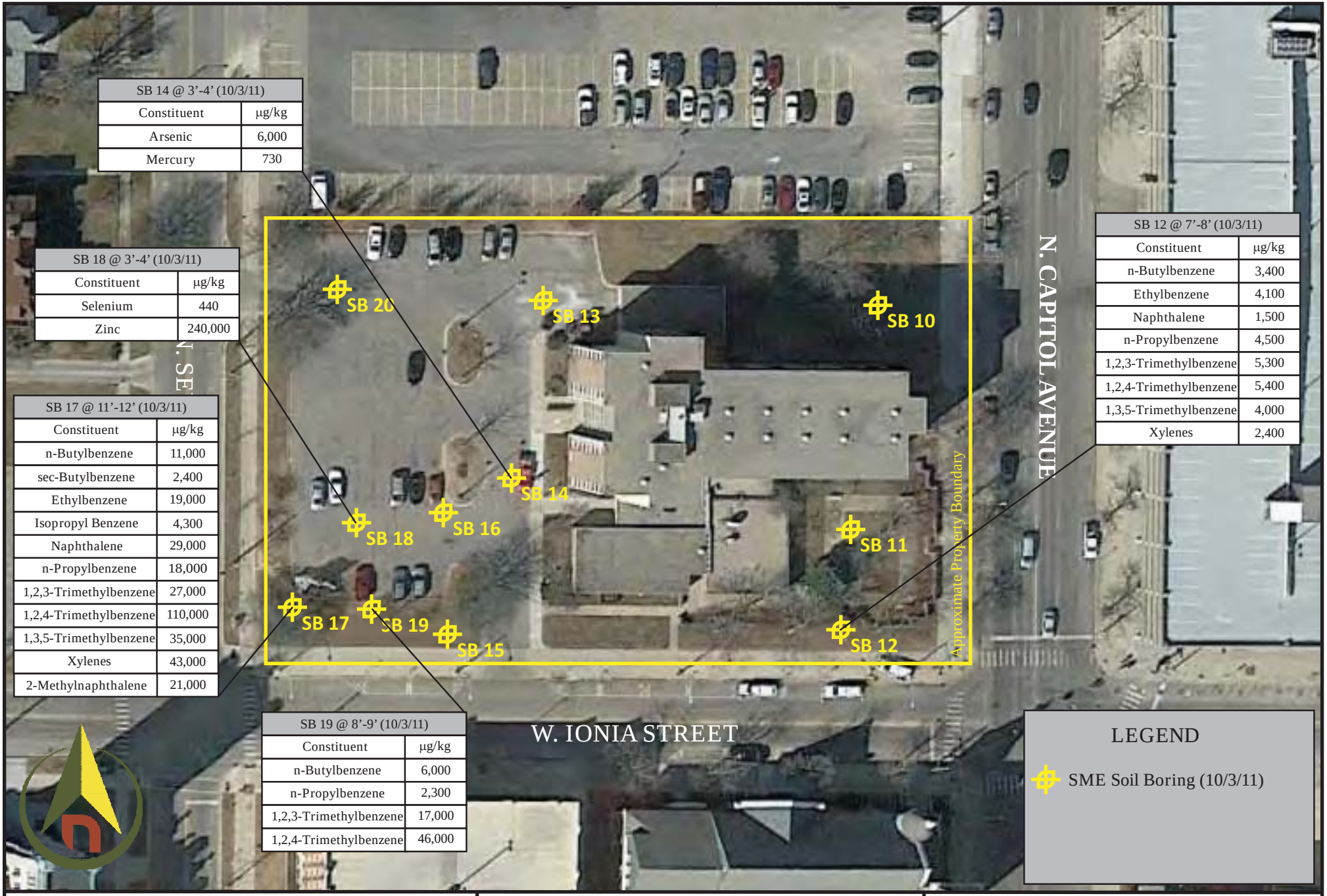
FIGURE 2

PROPERTY ORIENTATION DIAGRAM

PROJECT NUMBER: 15-1450

310 N. SEYMOUR AVENUE
LANSING, MICHIGAN 48933

DIAGRAM CREATED BY: IOS DATE: 07/06/15



TRI TERRA

FIGURE 3

SOIL SAMPLE LOCATIONS & ANALYTICAL RESULTS IN EXCEEDANCE OF MDEQ GRCC

PROJECT NUMBER: 15-1450

310 N. SEYMOUR AVENUE
LANSING, MICHIGAN 48933

DIAGRAM CREATED BY: IOS DATE: 07/06/15

TABLES

Table 1: Brownfield Eligible Activities

Table 2: Tax Increment Revenue Capture Estimates

Table 3: Tax Increment Revenue Reimbursement Allocation Table

Table 1
Brownfield Eligible Activities
310 N. Seymour Avenue
Lansing, MI
November 30, 2018

ELIGIBLE ACTIVITIES	NO. OF UNITS	UNIT TYPE	UNIT RATE	ESTIMATED TOTAL COST	REIMBURSEMENT ALLOCATION		
					DEQ ACTIVITIES	MSF ACTIVITIES	LOCAL-ONLY ACTIVITIES
DEQ ELIGIBLE ACTIVITIES							
Department Specific Activities							
Phase I Environmental Site Assessments	1	LS	$ 1,000	$ 1,000	$ 1,000		
Baseline Environmental Assessments	1	LS	$ 2,100	$ 2,100	$ 2,100		
Due Care Investigation	1	LS	$ 7,500	$ 7,500	$ 7,500		
Due Care Planning to meet Compliance with Section 2017a	1	LS	$ 3,500	$ 3,500	$ 3,500		
DEQ ELIGIBLE ACTIVITIES SUB-TOTAL				**$ 14,100**	**$ 14,100**	**$ -**	**$ -**
MSF ELIGIBLE ACTIVITIES							
Asbestos and Lead Activities							
Asbestos - Surveys	1	LS	$ 6,200	$ 6,200		$ 6,200	
Subtotal Asbestos and Lead Activities				***$ 6,200***		***$ 6,200***	
Demolition							
Demolition and Asbestos/Mold Abatement	1	LS	$ 588,000	$ 588,000		$ 588,000	
Building Demolition - Exterior Panels & Windows	1	LS	$ 30,000	$ 30,000		$ 30,000	
Building Demolition - Interior	1	LS	$ 297,500	$ 297,500		$ 72,625	$ 224,875
Site Demolition	1	LS	$ 17,000	$ 17,000			$ 17,000
Subtotal Demolition Activities				***$ 932,500***		***$ 690,625***	***$ 241,875***
Infrastructure Improvements							
Sidewalks, Curbs, Gutters, Pavement/Approaches in R.O.W.	3,900	SF	$ 10	$ 39,000		$ 39,000	
Landscaping and Irrigation in R.O.W	1	LS	$ 15,000	$ 15,000		$ 15,000	
Subtotal Infrastructure Improvement Activities				***$ 54,000***		***$ 54,000***	
MSF ELIGIBLE ACTIVITIES SUB-TOTAL				**$ 992,700**	**$ -**	**$ 750,825**	**$ 241,875**
MSF AND DEQ ELIGIBLE ACTIVITIES SUB-TOTAL				**$ 1,006,800**	**$ 14,100**	**$ 750,825**	**$ 241,875**
Contingency				$ 36,281	$ -	$ -	$ 36,281
Brownfield Plan & Act 381 Work Plan Preparation				$ 17,700		$ 13,500	$ 4,200
Interest (5%, simple)				$ 312,979	$ 3,754	$ 203,471	$ 105,754
TOTAL ELIGIBLE COST FOR REIMBURSEMENT:				**$ 1,373,761**	**$ 17,854**	**$ 967,796**	**$ 388,110**
State Brownfield Revolving Fund				$ 79,355			
BRA Administrative Fees				$ 48,674			
Local Brownfield Revolving Fund (LBRF)				$ 48,674			
GRAND TOTAL				**$ 1,550,464**			
					1.30%	*70.45%*	*28.25%*

NOTES:
These costs and revenue projections should be considered approximate estimates based on expected conditions and available information. It cannot be guaranteed that the costs and revenue projections will not vary from these estimates.
Costs for preparation of Phase I ESA, Phase II ESA, Baseline Environmental Assessment, Brownfield Plan and Act 381 Work Plan are excluded from contigency calculation.

Table 2
Tax Increment Revenue Capture Estimates
310 N. Seumour Avenue
Lansing, MI
November 30, 2018

Estimated Taxable Value (TV) Increase Rate: 1% per year

Plan Year			2019	2020 1	2021 2	2022 3	2023 4	2024 5	2025 6	2026 7	2027 8	2028 9	2029 10	2030 11	2031 12	
Base TV of Land			$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	
Base TV of Building			$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	
Estimated New TV of Land			$ 153,353	$ 154,887	$ 156,435	$ 158,000	$ 159,580	$ 161,176	$ 162,787	$ 164,415	$ 166,059	$ 167,720	$ 169,397	$ 171,091	$ 172,802	
Estimated New TV of Building			$ 376,300	$ 2,668,565	$ 2,695,251	$ 2,722,203	$ 2,749,425	$ 2,776,919	$ 2,804,689	$ 2,832,736	$ 2,861,063	$ 2,889,674	$ 2,918,570	$ 2,947,756	$ 2,977,234	
Incremental Difference for Land (New TV - Base TV)			$ 153,353	$ 154,887	$ 156,435	$ 158,000	$ 159,580	$ 161,176	$ 162,787	$ 164,415	$ 166,059	$ 167,720	$ 169,397	$ 171,091	$ 172,802	
Incremental Difference for Building (New TV - Base TV)			$ 376,300	$ 2,668,565	$ 2,695,251	$ 2,722,203	$ 2,749,425	$ 2,776,919	$ 2,804,689	$ 2,832,736	$ 2,861,063	$ 2,889,674	$ 2,918,570	$ 2,947,756	$ 2,977,234	
Total Incremental Difference			$ 529,653	$ 2,823,452	$ 2,851,686	$ 2,880,203	$ 2,909,005	$ 2,938,095	$ 2,967,476	$ 2,997,151	$ 3,027,122	$ 3,057,393	$ 3,087,967	$ 3,118,847	$ 2,923,540	
School Capture	**Millage Rate**															
School Operating	17.9028		$ -	$ 50,548	$ 51,053	$ 51,564	$ 52,079	$ 52,600	$ 53,126	$ 53,657	$ 54,194	$ 54,736	$ -	$ -	$ -	$ 473,557
State Education Tax (SET)	6.0000		$ -	$ 16,941	$ 17,110	$ 17,281	$ 17,454	$ 17,629	$ 17,805	$ 17,983	$ 18,163	$ 18,344	$ -	$ -	$ -	$ 158,709
School Total:	23.9028	*35.35%*	**$ -**	**$ 67,488**	**$ 68,163**	**$ 68,845**	**$ 69,533**	**$ 70,229**	**$ 70,931**	**$ 71,640**	**$ 72,357**	**$ 73,080**	**$ -**	**$ -**	**$ -**	**$ 632,267**
Local Capture	**Millage Rate**															
Lansing Operating	19.4400		$ -	$ 3,011	$ 3,041	$ 3,072	$ 3,102	$ 57,117	$ 57,688	$ 58,265	$ 58,847	$ 59,436	$ 60,030	$ 60,630	$ 56,834	$ 481,072
Ingham County	3.2800		$ -	$ 508	$ 513	$ 518	$ 523	$ 9,637	$ 9,733	$ 9,831	$ 9,929	$ 10,028	$ 10,129	$ 10,230	$ 9,589	$ 81,168
Ingham County Sum	6.8000		$ -	$ 1,053	$ 1,064	$ 1,074	$ 1,085	$ 19,979	$ 20,179	$ 20,381	$ 20,584	$ 20,790	$ 20,998	$ 21,208	$ 19,880	$ 168,276
Airport Authority	0.6990		$ -	$ 108	$ 109	$ 110	$ 112	$ 2,054	$ 2,074	$ 2,095	$ 2,116	$ 2,137	$ 2,158	$ 2,180	$ 2,044	$ 17,298
CATA	3.0070		$ -	$ 466	$ 470	$ 475	$ 480	$ 8,835	$ 8,923	$ 9,012	$ 9,103	$ 9,194	$ 9,286	$ 9,378	$ 8,791	$ 74,413
Capital Area District Library	1.5600		$ -	$ 242	$ 244	$ 246	$ 249	$ 4,583	$ 4,629	$ 4,676	$ 4,722	$ 4,770	$ 4,817	$ 4,865	$ 4,561	$ 38,605
Potter Park Zoo	0.4100		$ -	$ 64	$ 64	$ 65	$ 65	$ 1,205	$ 1,217	$ 1,229	$ 1,241	$ 1,254	$ 1,266	$ 1,279	$ 1,199	$ 10,146
Lansing Community College	3.8072		$ -	$ 590	$ 596	$ 602	$ 608	$ 11,186	$ 11,298	$ 11,411	$ 11,525	$ 11,640	$ 11,757	$ 11,874	$ 11,131	$ 94,215
Ingham Intermediate School District	4.7062		$ -	$ 729	$ 736	$ 744	$ 751	$ 13,827	$ 13,966	$ 14,105	$ 14,246	$ 14,389	$ 14,533	$ 14,678	$ 13,759	$ 116,462
Local Total:	43.7094	*64.65%*	**$ -**	**$ 6,770**	**$ 6,838**	**$ 6,906**	**$ 6,975**	**$ 128,422**	**$ 129,707**	**$ 131,004**	**$ 132,314**	**$ 133,637**	**$ 134,973**	**$ 136,323**	**$ 127,786**	**$ 1,081,654**
Total Capturable Taxes:	67.6122	*100.00%*	**$ -**	**$ 74,258**	**$ 75,001**	**$ 75,751**	**$ 76,508**	**$ 198,651**	**$ 200,638**	**$ 202,644**	**$ 204,670**	**$ 206,717**	**$ 134,973**	**$ 136,323**	**$ 127,786**	
Non-Capturable Millages - New Tax Revenue	**Millage Rate**															
Lansing Debt	0.2600		$ -	$ 734	$ 741	$ 749	$ 756	$ 764	$ 772	$ 779	$ 787	$ 795	$ 803	$ 811	$ 760	$ 9,251
Lansing School Debt	4.6000		$ -	$ 12,988	$ 13,118	$ 13,249	$ 13,381	$ 13,515	$ 13,650	$ 13,787	$ 13,925	$ 14,064	$ 14,205	$ 14,347	$ 13,448	$ 163,677
Lansing School Sinking	0.0000		$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Total Non-Capturable Taxes:	4.8600															$ 172,928

Notes:

Period of 7-year OPRA (2017-2023); Local Capture during OPRA is based on Estimated Captured TV of the Land only

Table 3
Tax Increment Revenue Reimbursement Allocation Table
310 N. Seymour Avenue
Lansing, MI
November 30, 2018

Developer/City Projected Reimbursement	Proportionality	School & Local Taxes	Local-Only Taxes	Total
State	36.2%	$ 497,621		**$ 497,621**
Local	63.8%	$ 488,030	$ 388,110	**$ 876,140**
TOTAL		**$ 985,650**	**$ 388,110**	**$ 1,373,761**
DEQ	1.8%	$ 17,854		
MSF	98.2%	$ 967,796		

Estimated Total Years of Plan:	12

Administrative Fees & Loan Funds*	
State Brownfield Revolving Fund	$ 79,355
BRA Administrative Fees	$ 48,674
Local Brownfield Revolving Fund	$ 48,674

* During the life of the Plan

	2019	2020 1	2021 2	2022 3	2023 4	2024 5	2025 6	2026 7	2027 8	2028 9	2029 10	2030 11	2031 12	TOTALS
Available Tax Increment Revenue (TIR)														
Total State Tax Capture Available	$ -	$ 67,488	$ 68,163	$ 68,845	$ 69,533	$ 70,229	$ 70,931	$ 71,640	$ 72,357	$ 73,080	$ -	$ -	$ -	
Capture for State Brownfield Revolving Fund (3 mills of SET) (25-Yrs)	$ -	$ 8,470	$ 8,555	$ 8,641	$ 8,727	$ 8,814	$ 8,902	$ 8,991	$ 9,081	$ 9,172	$ -	$ -	$ -	**$ 79,355**
State Tax Increment to Taxing Unit (10%) ("Pass-Through")	$ -	$ 5,902	$ 5,961	$ 6,020	$ 6,081	$ 6,141	$ 6,203	$ 6,265	$ 6,328	$ 6,391	$ -	$ -	$ -	**$ 55,291**
State TIR Available for Reimbursement to Developer	$ -	$ 53,116	$ 53,647	$ 54,184	$ 54,726	$ 55,273	$ 55,826	$ 56,384	$ 56,948	$ 57,517	$ -	$ -	$ -	
Total Local Tax Capture Available	$ -	$ 6,770	$ 6,838	$ 6,906	$ 6,975	$ 128,422	$ 129,707	$ 131,004	$ 132,314	$ 133,637	$ 134,973	$ 136,323	$ 127,786	
Local Tax Increment to Taxing Unit (10%) ("Pass-Through")	$ -	$ 677	$ 684	$ 691	$ 698	$ 12,842	$ 12,971	$ 13,100	$ 13,231	$ 13,364	$ 13,497	$ 13,632	$ 12,779	**$ 108,165**
Capture for BRA Administrative Fees (5% of available Local TIR)	$ -	$ 305	$ 308	$ 311	$ 314	$ 5,779	$ 5,837	$ 5,895	$ 5,954	$ 6,014	$ 6,074	$ 6,135	$ 5,750	**$ 48,674**
Capture for Local Brownfield Revolving Fund (LBRF) (5% of available Local TIR)	$ -	$ 305	$ 308	$ 311	$ 314	$ 5,779	$ 5,837	$ 5,895	$ 5,954	$ 6,014	$ 6,074	$ 6,135	$ 5,750	**$ 48,674**
Local TIR Available for Reimbursement to Developer	$ -	$ 5,484	$ 5,539	$ 5,594	$ 5,650	$ 104,022	$ 105,062	$ 106,113	$ 107,174	$ 108,246	$ 109,328	$ 110,422	$ 103,507	
Total State & Local TIR Available for Reimbursement to Developer	$ -	$ 58,600	$ 59,186	$ 59,778	$ 60,376	$ 159,295	$ 160,888	$ 162,497	$ 164,122	$ 165,763	$ 109,328	$ 110,422	$ 103,507	

DEVELOPER and LBRA	Beginning Balance													
	$ 1,373,761	**$ 1,373,761**	**$ 1,315,161**	**$ 1,255,975**	**$ 1,196,197**	**$ 1,135,821**	**$ 976,526**	**$ 815,638**	**$ 653,141**	**$ 489,019**	**$ 323,256**	**$ 213,928**	**$ 103,506**	**$ (0)**	
MSF Eligible Activities	$ 967,796	$ 967,796	$ 910,258	$ 852,144	$ 793,449	$ 734,167	$ 577,757	$ 419,783	$ 260,230	$ 99,081	$ (0)	$ -	$ -	$ -	
State Tax Reimbursement	$ 488,607	$ -	$ 52,154	$ 52,676	$ 53,202	$ 53,734	$ 54,272	$ 54,814	$ 55,363	$ 55,916	$ 56,475	$ -	$ -	$ -	$ 488,607
Local Tax Reimbursement	$ 479,189	$ -	$ 5,384	$ 5,438	$ 5,493	$ 5,548	$ 102,138	$ 103,159	$ 104,191	$ 105,233	$ 42,606	$ -	$ -	$ -	$ 479,189
DEQ Eligible Activities	$ 17,854	$ 17,854	$ 16,793	$ 15,720	$ 14,638	$ 13,544	$ 10,659	$ 7,744	$ 4,801	$ 1,828	$ (0)	$ (0)	$ (0)	$ (0)	
State Tax Reimbursement	$ 9,014	$ -	$ 962	$ 972	$ 981	$ 991	$ 1,001	$ 1,011	$ 1,021	$ 1,032	$ 1,042	$ -	$ -	$ -	$ 9,014
Local Tax Reimbursement	$ 8,840	$ -	$ 99	$ 100	$ 101	$ 102	$ 1,884	$ 1,903	$ 1,922	$ 1,941	$ 786	$ -	$ -	$ -	$ 8,840
LOCAL-ONLY Activities	$ 388,110	$ 388,110	$ 388,110	$ 388,110	$ 388,110	$ 388,110	$ 388,110	$ 388,110	$ 388,110	$ 388,110	$ 323,256	$ 213,928	$ 103,507	$ (0)	
Local-Only Tax Reimbursement	$ 388,110	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 64,854	$ 109,328	$ 110,422	$ 103,507	$ 388,110
TOTAL ANNUAL DEVELOPER/LBRA REIMBURSEMENT		**$ -**	**$ 58,600**	**$ 59,186**	**$ 59,778**	**$ 60,376**	**$ 159,295**	**$ 160,888**	**$ 162,497**	**$ 164,122**	**$ 165,763**	**$ 109,328**	**$ 110,422**	**$ 103,507**	

Attachment A

Legal Description of the Property

Legal Description

George F. Eyde Family, LLC

Oliver Towers Redevelopment Project

The South 210 feet of Block 84 of Original Plat, City of Lansing, Ingham County, Michigan, as recorded in Liber 2 of plats, page 36.

Commonly known as 310 N. Seymour Avenue, Lansing, MI 48933

Tax Parcel No. 33-01-01-16-177-022

Attachment B

Summary of Known Environmental Conditions

Summary of Known Environmental Conditions
Oliver Towers Redevelopment Project
310 North Seymour Avenue
Lansing, Michigan

Based on review of historical records, portions of the Property were used for residential purposes from at least 1898 until the 1950's. From approximately 1931 to 1966 various businesses operated on the Property including the following: Ritchie's All-Car Service, Ehinger Garage, Brisbin Auto Storage, Capitol Printing Company, Schubel Trim and Auto Body, Randall's Downtown Shell Service, Capitol Shell Service Gas Station, Lansing Olds Used Car Repair Department, State Highway Garage, Bergau's Gas Station, Central Car and Truck Rental Co. and Hertz Rent-A-Car. Sanborn Fire Insurance maps show up to six gasoline underground storage tanks (USTs) on the Property or within the right-of-way along West Ionia Avenue. In 1971, the existing apartment complex (Oliver Towers) was constructed on the Property. In 1992, a one-story office addition was added to the south side of the apartment complex. From 1971 to 2000, the building was used as an apartment complex and office space for the Lansing Housing Commission (LHC). In 2000, Oliver Towers apartment building was closed due to a fire. From 2000 to approximately 2012, the southern building addition has remained in use by the LHC. From approximately 2012 to present, the building has been vacant.

Historical automobile fueling stations with associated USTs and automobile servicing and repair operations at the Property represents an environmental concern in connection with the Property. As a result, environmental assessments were conducted to evaluate current conditions of the Property. The results were presented in the following reports:

- Phase I ESA dated September 30, 2011, prepared by Soil and Materials Engineers, Inc. (SME);
- Phase II Environmental Site Assessment Report dated January 9, 2012, completed by SME;
- Phase I Environmental Site Assessment (ESA) dated June 23, 2015, completed by Triterra; and
- Baseline Environmental Assessment (BEA) dated June 26, 2015, prepared by Triterra.

Ten (10) soil borings were drilled to depths of approximately 8 to 16 feet below grade on the property. A total of 9 soil samples were collected and submitted for laboratory analysis. A summary of contaminants detected in soil at concentrations exceeding current Michigan Department of Environmental Quality (MDEQ) Generic Residential Cleanup Criteria is presented below:

- Arsenic, n-butylbenzene, sec-butylbenzene, ethylbenzene, n-propylbenzene, 1,2,4-trimethylbenzene, 1,3,5-trimethylbenzene and xylenes were detected in soil at concentrations exceeding respective Part 201 Drinking Water Protection (DWP) criteria.
- Ethylbenzene, isopropyl benzene, 2-methylnaphthalene, naphthalene, 1,2,4-trimethylbenzene, 1,3,5-trimethylbenzene, xylenes, arsenic, mercury, selenium and zinc were detected in soil at concentrations exceeding respective 201 Groundwater Surface Water Interface Protection (GSIP) criteria.

As a result, the Property is a "facility" as defined by Part 201 of Michigan's Natural Resources and Environmental Protection Act (P.A. 451, as amended).

Attachment C

Letter of Functional Obsolescence

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

Virg Bernero, Mayor

Sharon L Frischman, Assessor

April 22, 2016

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

Subject: Oliver Towers
310 N. Seymour Ave., Lansing, MI
Parcel # 33-01-01-16-177-022

The subject is an eight story apartment building built in 1970. The building was originally constructed to be a low income housing apartment building. The building consists of 56-efficiency, 44-one bedroom and 1 1-two bedroom apartments. The building has been vacant since a 2000 fire. The building appears to have black mold thru-out the entire building. It is our belief that the mold has been present since 2000. The presence of the mold prohibits any use of the building in its current condition. The windows and doors are old and inefficient to today's standards. The windows are single pane, metal frame casement; these types of windows are no longer used and are obsolete. The electrical, mechanical and plumbing are also inefficient for today's standards. It is our opinion that this building suffers in excess of 50% functional obsolescence.

Respectfully,

Sharon L Frischman, MMAO
City Assessor
517-483-4136
Sharon.Frischman@lansingmi.gov

TRIOTERRA

MEMORANDUM

TO: KARL DORSHIMER – LANSING ECONOMIC AREA PARTNERSHIP AND LANSING BROWNFIELD REDEVELOPMENT AUTHORITY

FROM: DAVE VAN HAAREN - TRITERRA

CC: MARK CLOUSE – GEORGE F. EYDE FAMILY, LLC

DATE: NOVEMBER 30, 2018

SUBJECT: OLIVER TOWER
BROWNFIELD PLAN #62, AMENDMENT #1

This memorandum serves to provide a summary of the important changes in the proposed amendment for Brownfield Plan #62. The Brownfield Plan was approved by the City of Lansing on November 9, 2015 for the Oliver Tower Redevelopment Project. The impetus for the proposed amendment is to extend the date to complete eligible activities from December 31, 2018 to December 31, 2019. However, several components of the Brownfield Plan have been updated as part of the amendment. For example, the tax increment revenue schedule in the amendment is based on current millage rates and the current development schedule for the project. Other substantive edits to the amendment are summarized in the following table.

Category	Brownfield Plan #62 Approved 11/9/2015	Amendment #1	Impact of Amendment	Section, Page #
Project Description:	Complete rehabilitation of the 8-story Oliver Tower Building. The project included the construction of approximately 1,300 square feet of new office/retail space extending from existing building footprint.	Construction of new office/retail space extending from existing building footprint has been determined to be economically infeasible.	Project remains the complete renovation of the entire building into 96 apartment units with office and retail on the first floor.	Sec. 1, Pg. 1 Sec. 3, Pg. 3
Capital Investment:	$8,000,000	$14,700,00	$6,700,000 More Private Investment	Sec. 1, Pg. 1 Sec. 3, Pg. 3
Eligible Activities:	$2,156,627	$1,373,761	$782,866 Less Tax Capture to Developer	Sec. 1, Pg. 1 Sec. 4, Pg. 3
Duration of Plan:	19 years (2017-2035)	12 years (2020-2031)	Plan Reduced by 7 Years	Sec. 1, Pg. 2 Sec. 8, Pg. 6
Total TIR Captured:	$2,435,690	$1,471,110	Total Tax Capture Reduced by $884,334	Sec. 1, Pg. 2

Category	Brownfield Plan #62 Approved 11/9/2015	Amendment #1	Impact of Amendment	Section, Page #
Eligible Activity Completion Date:	December 31, 2018	December 31, 2019	Deadline Extended by 1 Year	Sec. 6, Pg. 5
Tables:	Table 1: Legal Description Table 2: Summary of TIF and Reimbursement of Eligible Activities	Table 1: Brownfield Eligible Activities Table 2: TIR Capture Estimates Table 3: TIR Reimbursement Allocation Table	Updates and Organizes the Brownfield Numbers	Tables
Attachments:	Attachment A: Summary of Known Environmental Conditions	Attachment A: Legal Description Attachment B: Summary of Known Environmental Conditions	Better Presentation of Parcel Information and Environmental Conditions of Site.	Attachments

LANSING ECONOMIC DEVELOPMENT CORPORATION
1000 S. Washington Square
Suite 201
Lansing, Michigan 48910
(517) 702-3387

Project Plan:

PABLO'S MEXICAN RESTAURANT – REO TOWN
1102 S WASHINGTON AVE, LANSING, MI 48910

January 4, 2018

The following information is submitted in response to the requirements of Section 8(4) of the Economic Development Corporations Act, No 338 of 1974, as amended, and this information accurately presents the intent of this enterprise to pursue and complete this project in the project area approved on _____ by the Economic Development Corporation of the City of Lansing.

THE ACT REQUIRES THAT A PROJECT PLAN CONTAIN THE FOLLOWING INFORMATION:

A. THE LOCATION AND EXTENT OF EXISTING STREETS AND OTHER PUBLIC FACILITIES WITHIN THE PROJECT DISTRICT AREA, AND SHALL DESIGNATE THE LOCATION, CHARACTER, AND EXTENT OF THE CATEGORIES OF PUBLIC AND PRIVATE LAND USES THEN EXISTING AND PROPOSED FOR THE PROJECT AREA, INCLUDING RESIDENTIAL, RECREATIONAL, COMMERCIAL, INDUSTRIAL, EDUCATIONAL AND OTHER USES, AND SHALL INCLUDE A LEGAL DESCRIPTION OF THE PROJECT AREA. [Section 8 (4) (a)].

1. Location and extent of existing streets and other public facilities within the project area:

The Project is located at 1102 S Washington Ave, Lansing, MI 48910. There are no existing public streets in the project area.

2. Designation of the location, character and extent of the public and private land uses for the project area:

The project is an 1,800 sq. ft. former Standard Oil service station with a brick exterior and tiled roof. The proposed use is a Mexican-style restaurant.

Current Property Class: Commercial

Current Zoning: "F" Commercial - The intent of the "F" and "F-1" Commercial Districts is to allow general retail commercial uses. Permitted Uses: General retail uses (i.e., comparison retail, theater, hotel) as well as convenience retail and office uses.

3. Legal description of the project area:

Parcel #1:
1102 S WASHINGTON AVE, LANSING, MI 48910

Parcel Number: 33-01-01-21-178-040
N 1/2 LOT 1 & E 46 FT OF N 1/2 LOT 2 BLOCK 195 ORIG PLAT

Parcel #2:
W ELM ST, LANSING, MI 48910
Parcel Number: 33-01-01-21-178-030
E 4 FT OF W 20 FT OF N 82.5 FT LOT 2 BLOCK 195 ORIG PLAT

Parcel #3:
W ELM ST, LANSING, MI 48910
Parcel Number: 33-01-01-21-178-021
COM S LINE ELM ST 49 FT E OF NE COR LOT 4, TH E 33 FT, S 82.5 FT, W 33 FT, N 82.5 FT TO BEG; BLOCK 195 ORIG PLAT

Parcel #4:
W ELM ST, LANSING, MI 48910
Parcel Number: 33-01-01-21-178-011
E 43 FT OF W 49 FT OF N 1/2 LOT 3 BLOCK 195 ORIG PLAT

B. A DESCRIPTION OF EXISTING IMPROVEMENTS IN THE PROJECT AREA TO BE DEMOLISHED, REPAIRED, OR ALTERED. A DESCRIPTION OF REPAIRS AND ALTERNATIONS, AND AN ESTIMATE OF THE TIME REQUIRED FOR COMPLETION. [Section 8 (4) (b)].

1. Existing improvements to be demolished, repaired or altered:

Alterations to existing improvements on Parcel #1include interior remodel, exterior façade remodel, and the addition of an outdoor patio.

2. Estimate of time for completion of repairs, alterations and improvements:

All repairs, alterations, and improvements are estimated to take 4-6 months for completion.

C. THE LOCATION, EXTENT, CHARACTER, AND ESTIMATED COST OF THE IMPROVEMENTS, INCLUDING REHABILITATION CONTEMPLATED FOR THE PROJECT AREA AND AN ESTIMATE OF THE TIME REQUIRED FOR COMPLETION. [Section 8 (4) (c)].

1. Location of improvements:

The improvements will be to both the interior and exterior of the existing building.

2. Description of extent and character of improvements:

Redevelopment of former Standard Oil service station into a Mexican Restaurant. Improvements include build-out of dining area, kitchen and exterior patio seating area. Additional improvements to the façade and parking lot.

3. Estimate of time required for completion:

4-6 months from the start of the project.

4. Estimated cost of improvements:

Total Estimated Project Cost (including acquisition): $461,667

Estimated Cost of Building Renovation and Equipment: $210,947

D. A STATEMENT OF THE CONSTRUCTION OR STAGES OF CONSTRUCTION PLANNED, AND THE ESTIMATED TIME OF COMPLETION OF EACH STAGE. [Section 8 (4) (d)].

The remainder of the Project will be completed in a single stage.

E. A DESCRIPTION OF THE PARTS OF THE PROJECT AREA TO BE LEFT AS OPEN SPACE AND THE USE CONTEMPLATED FOR THE SPACE. [Section 8 (4)(e)].

Parcels #2, #3, and #4 are currently open space. No use beyond additional parking is contemplated for this space.

F. A DESCRIPTION OF PORTIONS OF THE PROJECT AREA WHICH THE CORPORATION DESIRES TO SELL, DONATE, EXCHANGE, OR LEASE TO OR FROM THE MUNICIPALITY AND THE PROPOSED TERMS. [Section 8 (4) (f)].

The corporation does not desire to sell, donate, exchange, or lease to or from the municipality any portion of the project area.

G. A DESCRIPTION OF DESIRED ZONING CHANGES AND CHANGES IN STREETS, STREET LEVELS, INTERSECTIONS, AND UTILITIES. [Section 8 (4) (g)].

1. A description of desired zoning changes:

No zoning changes are anticipated for this project.

2. A description of desired changes in streets, street levels, intersections, and utilities:

No changes in streets, street levels, intersections, and utilities are anticipated for this project.

H. THE STATEMENT OF THE PROPOSED METHOD OF FINANCING THE PROJECT INCLUDING A STATEMENT BY A PERSON DESCRIBED IN SUBPARAGRAPH (J) INDICATING THE PAYMENT TO ALL PERSONS PERFORMING WORK ON THE CONSTRUCTION PROJECT OF THE PREVAILING WAGE AND FRINGE BENEFIT RATES (IF REQUIRED BY LAW) FOR THE SAME OR SIMILAR WORK IN THE LOCALITY IN WHICH THE WORK IS TO BE PERFORMED AND A STATEMENT OF THE ABILITY OF THE CORPORATION TO ARRANGE THE FINANCING. THE PREVAILING WAGE AND FRINGE BENEFIT RATES SHALL BE DETERMINED PURSUANT TO ACT NO. 166 OF THE PUBLIC ACTS OF 1965, AS AMENDED, BEING SECTIONS 408.551 TO 408.558 OF THE MICHIGAN COMPILED LAWS. [Section 8 (4) (h)].

1. **The statement of the proposed method of financing the project, and the ability of the Corporation to arrange the financing:**

The project will be a combination of financing including Lansing Economic Development Corporation loan funds, owner equity, and bank loans. Estimates of sources are provided below.

- Owner Equity: $122,516
- Bank Loan(s): $196,051
- LEDC Loan: $143,100

2. **A statement by person described in (J), below, indicating the payment to all persons performing work on the construction project of the prevailing wage and fringe benefit rates for the same or similar work in the locality in which the work is to be performed (if required by law):**

This is not applicable to the project.

I. A LIST OF PERSONS WHO WILL MANAGE OR BE ASSOCIATED WITH THE MANAGEMENT OF THE PROJECT FOR A PERIOD OF NOT LESS THAN ONE YEAR FROM THE DATE OF APPROVAL OF THE PROJECT PLAN. [Section 8 (4) (i)].

Pablo Maldonado, owner of Pablo's Mexican Restaurant.

J. DESIGNATION OF THE PERSON OR PERSONS, NATURAL OR CORPORATE, TO WHOM THE PROJECT IS TO BE LEASED, SOLD, OR CONVEYED IN ANY MANNER AND FOR WHOSE BENEFIT THE PROJECT IS BEING UNDERTAKEN IF THAT INFORMATION IS AVAILABLE TO THE CORPORATION. [Section 8 (4) (j)].

Pablo's Mexican Restaurant LLC

K. IF THERE IS NOT AN EXPRESS OR IMPLIED AGREEMENT BETWEEN THE CORPORATION AND PERSONS, NATURAL OR CORPORATE, THAT THE PROJECT WILL BE LEASED, SOLD, OR CONVEYED TO THOSE PERSONS, THE PROCEDURES FOR BIDDING FOR THE LEASING, PURCHASING, OR CONVEYING IN ANY MANNER OF THE PROJECT UPON ITS COMPLETION. [Section 8 (4) (k)].

None, Property owned by the corporation

L. ESTIMATES OF THE NUMBER OF PERSONS RESIDING IN THE PROJECT AREA AND THE NUMBER OF FAMILIES AND INDIVIDUALS TO BE DISPLACED. IF OCCUPIED RESIDENCES ARE DESIGNATED FOR ACQUISITION AND CLEARANCE BY THE CORPORATION, A PROJECT PLAN SHALL INCLUDE A SURVEY OF THE FAMILIES AND INDIVIDUALS TO BE DISPLACED INCLUDING THEIR INCOME AND RACIAL COMPOSITION, A STATISTICAL DESCRIPTION OF THE HOUSING SUPPLY IN THE COMMUNITY, INCLUDING THE NUMBER OF PRIVATE AND PUBLIC UNITS IN EXISTENCE OR UNDER CONSTRUCTION, THE CONDITION OF THOSE IN EXISTENCE, THE NUMBER OF OWNER-OCCUPIED UNITS AND RENTER-OCCUPIED UNITS, THE ANNUAL RATE OF TURNOVER OF THE VARIOUS TYPES OF HOUSING AND THE RANGE OF RENTS AND SALE PRICES, AN ESTIMATE OF THE TOTAL DEMAND FOR HOUSING IN THE COMMUNITY, AND THE ESTIMATED CAPACITY OF PRIVATE AND PUBLIC HOUSING AVAILABLE TO DISPLACED FAMILIES AND INDIVIDUALS. [Section 8 (4) (l)].

Does not apply, no persons are residing in the project area nor are any families or individuals be displaced as part of this project.

M. A PLAN FOR ESTABLISHING PRIORITY FOR THE RELOCATION OF PERSONS DISPLACED BY THE PROJECT IN NEW HOUSING IN THE PROJECT AREA. [Section 8 (4) (m)].

None is required, no persons will be displaced as part of this project.

N. PROVISIONS FOR THE COSTS OF RELOCATING PERSONS DISPLACED BY THE PROJECT AND FINANCIAL ASSISTANCE AND REIMBURSEMENT OF EXPENSES, INCLUDING LITIGATION EXPENSES AND EXPENSES INCIDENT TO THE TRANSFER OF TITLE, IN ACCORDANCE WITH THE STANDARDS AND PROVISIONS OF THE FEDERAL UNIFORM RELOCATION ASSISTANCE AND REAL PROPERTY ACQUISITION POLICIES ACT OF 1970, 42 U.S.C. 4601 to 4655. [Section 8 (4) (n)].

None is required, no persons will be displaced as part of this project.

O. A PLAN FOR COMPLIANCE WITH ACT NO. 227, OF THE PUBLIC ACTS OF 1972 (AN ACT TO PROVIDE FINANCIAL ASSISTANCE, ADVISORY SERVICES AND REIMBURSEMENT OF CERTAIN EXPENSES TO PERSONS DISPLACED FROM REAL PROPERTY OR DEPRIVED OF CERTAIN RIGHTS IN REAL PROPERTY), BEING SECTIONS 213.321 TO 213.332 OF THE MICHIGAN COMPILED LAWS. [Section 8 (4) (o)].

None is required, no persons will be displaced as part of this project.

P. OTHER MATERIAL AS THE CORPORATION, LOCAL PUBLIC AGENCY, OR GOVERNING BODY CONSIDERS PERTINENT. [Section 8 (4) (p)].

1. See Exhibit 2, Transfer of Employment Certificate.

None is required.

EXHIBIT 1
Legal Description of Project Area

Land in the City of Lansing, County of Ingham, Michigan, more particularly described as:

Parcel #1:
1102 S WASHINGTON AVE, LANSING, MI 48910
Parcel Number: 33-01-01-21-178-040
N 1/2 LOT 1 & E 46 FT OF N 1/2 LOT 2 BLOCK 195 ORIG PLAT

Parcel #2:
W ELM ST, LANSING, MI 48910
Parcel Number: 33-01-01-21-178-030
E 4 FT OF W 20 FT OF N 82.5 FT LOT 2 BLOCK 195 ORIG PLAT

Parcel #3:
W ELM ST, LANSING, MI 48910
Parcel Number: 33-01-01-21-178-021
COM S LINE ELM ST 49 FT E OF NE COR LOT 4, TH E 33 FT, S 82.5 FT, W 33 FT, N 82.5 FT TO BEG; BLOCK 195 ORIG PLAT

Parcel #4:
W ELM ST, LANSING, MI 48910
Parcel Number: 33-01-01-21-178-011
E 43 FT OF W 49 FT OF N 1/2 LOT 3 BLOCK 195 ORIG PLAT

EXHIBIT 2
Transfer of Employment Certificate

The undersigned, Pablo Maldonado of Pablo's Mexican Restaurant LLC, a Michigan Corporation (Name of "Company"), hereby certifies on behalf of said Company to the City of Lansing as follows:

The Pablo's Mexican Restaurant – REO Town project (Name of "Project"), of the Economic Development Corporation of the City of Lansing shall not result in the transfer of the employment of more than 20 full-time persons from any municipality of the State of Michigan to the City of Lansing by reason of the use of the Project by the Company, or any other person, firm or entity presently anticipated by any officer, employee or other representative of the Company to be a potential user of any portion of the Project.

Pablo's Mexican Restaurant LLC

a Michigan Corporation

By: Pablo Maldonado

Dated: 01-11-19

Its:

Pablo's Mexican Restaurant - REO Town

Before

After

BY THE DEVELOPMENT AND PLANNING COMMITTEE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING
RESOLUTION APPROVING PROJECT PLAN
(Pablo's Mexican Restaurant, LLC - REO Town Project)

WHEREAS, the Lansing Economic Development Corporation (LEDC) Board of Directors has identified REO Town Lansing as a major economic development project investment area; and

WHEREAS, in an effort to foster business development, expansion and renovation of properties within and surrounding the project investment areas, the LEDC has initiated a Business Financing Assistance Program and believes this project has a significant impact on the REO Town District; and

WHEREAS, this Business Financing Assistance Program will utilize a portion of the LEDC's capital to make funds available for financing this project; and

WHEREAS, Pablo's Mexican Restaurant - REO Town Project has made application with the LEDC for a business loan for building renovations, operational licenses, and inventory necessary to open a restaurant at the property located at 1102 S. Washington Avenue and W. Elm Street, Lansing and legally described as:

Parcel #1: 1102 S WASHINGTON AVE, LANSING, MI 48910
Parcel Number: 33-01-01-21-178-040
N 1/2 LOT 1 & E 46 FT OF N 1/2 LOT 2 BLOCK 195 ORIG PLAT, CITY OF LANSING, INGHAM COUNTY, MICHIGAN

Parcel #2: W ELM ST, LANSING, MI 48910
Parcel Number: 33-01-01-21-178-030
E 4 FT OF W 20 FT OF N 82.5 FT LOT 2 BLOCK 195 ORIG PLAT, CITY OF LANSING, INGHAM COUNTY, MICHIGAN

Parcel #3: W ELM ST, LANSING, MI 48910
Parcel Number: 33-01-01-21-178-021
COM S LINE ELM ST 49 FT E OF NE COR LOT 4, TH E 33 FT, S 82.5 FT, W 33 FT, N 82.5 FT TO BEG; BLOCK 195 ORIG PLAT, CITY OF LANSING, INGHAM COUNTY, MICHIGAN

Parcel #4: W ELM ST, LANSING, MI 48910
Parcel Number: 33-01-01-21-178-011
E 43 FT OF W 49 FT OF N 1/2 LOT 3 BLOCK 195 ORIG PLAT, CITY OF LANSING, INGHAM COUNTY, MICHIGAN

WHEREAS, the Project will result in new private investment of approximately $461,667; and

WHEREAS, Section 8 of Act No. 338 of the Michigan Public Acts of 1974, as amended (the Act), requires that before the LEDC acquires an interest in property or incurs obligations for a specific project, the corporation shall prepare a project plan, conduct a

public hearing on the matter and secure the recommendations of the local governing body; and

WHEREAS, the LEDC has prepared a Project Plan for the Pablo's Mexican Restaurant - REO Town Project (Project Plan), submitted it to Council and placed it on file in the office of the City Clerk in accordance with the Act; and

WHEREAS, at such hearing held on the 11th day of February, 2019, the fullest opportunity was given for expression of opinion, for arguments on the merits, and for introduction of documentary evidence pertinent to the Project Plan, and further, this City Council has given due consideration to all communications received in writing with reference thereto; and

WHEREAS, the City Council desires to express its approval of said Project Plan;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, approves the Pablo's Mexican Restaurant - REO Town Project Plan submitted by the LEDC after determining the following:

a. The Project Plan meets the requirements set forth in Section 8 of the Act.

b. The persons who will be active in the management of the Project for not less than one year after the approval of the Project Plan have sufficient ability and experience to manage the plan properly.

c. The proposed method of financing the Project is feasible and the LEDC has the ability to arrange the financing of a not to exceed loan in the amount of $143,100.00 to complete building renovation, obtain operational licenses, and purchase inventory necessary to open a restaurant at the property.

d. The Project is reasonable and necessary to carry out the purpose of the Act.

BE IT FURTHER RESOLVED that the LEDC is hereby authorized to proceed with the Project and the financing thereof.

BE IT FINALLY RESOLVED that the City Clerk is hereby requested to provide three certified copies of this resolution to the LEDC.

BY THE DEVELOPMENT AND PLANNING COMMITTEE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING
RESOLUTION TO SET A PUBLIC HEARING
(Pablo's Mexican Restaurant, LLC - REO Town Project)

WHEREAS, Pablo's Mexican Restaurant, LLC has made application with the Lansing Economic Development Corporation (LEDC) for a business financing assistance loan to complete building renovation, obtain operational licenses, and purchase inventory necessary to open a restaurant on the property commonly known as 1102 S. Washington Avenue and W. Elm Street (the Project); and

WHEREAS, with a continued effort to foster business development, expansion and renovation of properties within the City of Lansing, the LEDC has initiated a Business Financing Assistance Program and finds the Project to be within the targeted area for revitalization; and

WHEREAS, the Business Financing Assistance Program will utilize a portion of the LEDC's capital to make funds available for financing the Project; and

WHEREAS, the LEDC Board of Directors, in conformity with Public Act 338 of 1974, as amended (the "Act"), has approved the Project Plan, including a Project Area and Project District Area for the Project; and

WHEREAS, Section 8 of the Act requires that before the LEDC acquires an interest in property or incurs obligations for a specific project, the corporation shall prepare a project plan, conduct a public hearing on the matter and secure the approval of the City Council; and

WHEREAS, at such hearing, the City Council shall provide an opportunity for interested persons to be heard and shall receive and consider communications in writing with reference to the hearing; and

WHEREAS, Section 4 of the Act requires the appointment of 2 additional Directors of the LEDC who shall serve only in respect to this project and shall be representative of neighborhood residents and business interests likely to be affected by the project proposed by the corporation and who shall cease to serve when the project is either abandoned or, if undertaken, is completed in accordance with the project plan;

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 February 11, 2019 at 7:00 p.m. on the Pablo's Mexican Restaurant - REO Town Project for the Project Plan and Project Area, as designated by the LEDC, under Public Act 338 of 1974 more particularly described as:

Parcel #1: 1102 S WASHINGTON AVE, LANSING, MI 48910
Parcel Number: 33-01-01-21-178-040
Legal Description: N 1/2 LOT 1 & E 46 FT OF N 1/2 LOT 2 BLOCK 195 ORIG PLAT, CITY OF LANSING, INGHAM COUNTY, MICHIGAN

Parcel #2: W ELM ST, LANSING, MI 48910
Parcel Number: 33-01-01-21-178-030
Legal Description: E 4 FT OF W 20 FT OF N 82.5 FT LOT 2 BLOCK 195 ORIG PLAT, CITY OF LANSING, INGHAM COUNTY, MICHIGAN

Parcel #3: W ELM ST, LANSING, MI 48910
Parcel Number: 33-01-01-21-178-021
Legal Description: COM S LINE ELM ST 49 FT E OF NE COR LOT 4, TH E 33 FT, S 82.5 FT, W 33 FT, N 82.5 FT TO BEG; BLOCK 195 ORIG PLAT, CITY OF LANSING, INGHAM COUNTY, MICHIGAN

Parcel #4: W ELM ST, LANSING, MI 48910
Parcel Number: 33-01-01-21-178-011
Legal Description: E 43 FT OF W 49 FT OF N 1/2 LOT 3 BLOCK 195 ORIG PLAT, CITY OF LANSING, INGHAM COUNTY, MICHIGAN

BE IT FURTHER RESOLVED that the territory surrounding said designated Project Area will not be significantly affected by the Project and, therefore, a Project District Area is hereby recognized as having the same description as the Project Area.

BE IT FURTHER RESOLVED that the City Clerk shall provide notice of the time and place of the hearing given by publication once in a newspaper of general circulation designated by the municipality, not less than 10 days before the date set for the hearing.

BE IT FINALLY RESOLVED that the Lansing City Council hereby advises and confirms to the appointment by the Mayor of Julian Darden and Julie Haak as additional directors to the Board of Directors of the LEDC solely for this project, pursuant to Section 4(2) of the Act, said persons being representative of neighborhood residents and business interests likely to be affected by the Project.

NOTICE OF PUBLIC HEARING
BEFORE THE CITY COUNCIL OF THE CITY OF LANSING
RELATING TO A PROJECT PLAN
FOR THE LANSING ECONOMIC DEVELOPMENT CORPORATION

Pablo's Mexican Restaurant, LLC

NOTICE IS HEREBY GIVEN that the City Council of the City of Lansing will hold a public hearing at 7:00 p.m., in the City Council Chambers, 10th Floor, Lansing City Hall, Lansing, Michigan, on February 11, 2019, on a Project Plan prepared by the Lansing Economic Development Corporation for a business finance assistance loan to Pablo's Mexican Restaurant, LLC (the "Project") for building renovations, operational licenses, and inventory necessary to open a second Pablo's Mexican Restaurant located on the property at 1102 S. Washington Avenue and W. Elm Street in REO Town Lansing.

A description of the proposed Project Plan is available for public inspection at the office of the Lansing Economic Development Corporation, 1000 S. Washington Ave., Suite 201, Lansing, Michigan. All aspects of the proposed Project Plan will be open for discussion at the public hearing, including the proposed loan of a maximum principal amount of $143,100 by the Lansing Economic Development Corporation's Business Finance Assistance Program to assist in the financing of the Project. The Project Plan contains further information about the loan.

The City Council will consider the approval of the Project Plan only after the public hearing has been completed.

The City Council shall provide an opportunity for all interested persons to be heard and shall receive and consider communications in writing with reference to the hearing. The public hearing shall provide the fullest opportunity for expression of opinion, for argument on the merits, and for introduction of documentary evidence pertinent to the proposed Project Plan.

Chris Swope, City Clerk

GENERAL INFORMATION

APPLICANT:	REO Gateway LLC & Funk Zone Investors, LLC 2422 Jolly Road, Suite 200 Okemos, MI 48864
OWNERS:	Ingham County Land Bank 3024 Turner Street Lansing, MI 48906
REQUESTED ACTIONS:	Rezone from "DM-4" Residential & "J" Parking districts to "G-1" Business District
EXISTING LAND USE:	136 E. Malcolm X – vacant land East of 136 E. Malcolm X – vacant commercial building
EXISTING ZONING:	"DM-4" Residential & "J" Parking Districts
PROPOSED ZONING:	"G-1" Business District
PROPERTY SIZE:	2.531 acres – total area to be rezoned
SURROUNDING LAND USE:	N: I-496 S: River/Apartment Building E: Apartment Building W: BWL Substation
SURROUNDING ZONING:	N: "G-1" Business District S: "DM-4" Residential District E: "DM-4" Residential District W: "DM-4" Residential District
MASTER PLAN:	The Design Lansing Master Plan designates the subject property for District Mixed-Use Center. S. Washington and E. Malcolm X are designated as minor arterials.

DESCRIPTION:

This is a request by Reo Gateway, LLC & Funk Zone Investors, LLC to rezone the property at 136 E. Malcolm X Street and the vacant 2.086 parcel to its east from "DM-4" Residential & "J" Parking Districts to "G-1" Business District. The purpose of the rezoning is to permit a mixed-use (hotel, retail/commercial and multiple family residential) development on the subject properties.

AGENCY RESPONSES

Assessing:	No concerns
BWL:	See attached.
Building Safety:	The BSO has no objections. Project will be subject to site and building plan reviews.
Development Office:	
Fire Marshal:	
Parks & Recreation:	No comment.
Public Service:	* Sanitary sewer is located on the north side of Malcolm X Street. It is recommended that the developer reuse existing sanitary sewer leads if possible to avoid lane/street closures of Malcolm X. * There is storm sewer in Washington Avenue. * The property has a private storm sewer that discharges directly to the Grand River. * Prior to being allowed to connect to the public sewers, the developer will have to provide sanitary and storm sewer flow rates from the development.
Traffic Engineer:	No objections to, or conditions on, the rezoning. Any site issues can be addressed during the site plan development process.

REZONING ANALYSIS

COMPATIBILITY WITH SURROUNDING LAND USE:

The proposal is to rezone the property at 136 E. Malcolm X and the property to its west from "DM-4" Residential and "J" Parking districts to the "G-1" Business district. The purpose of the rezoning is to permit a mixed-use development on the subject properties, although a specific development plan has not been provided. A very basic concept plan was provided by the applicant and is attached to this report. The concept plan shows 1, 5-story building and 1, 2-story building. The application states that the plan is to develop the properties with a hotel, retail/commercial and multiple family residential uses. A breakdown of the number of proposed apartment units by bedroom count has not been provided to determine if the proposed density is within what is allowed under the "G-1" Business district. The "G-1" district permits multiple family residential use to the density of the "DM-4" Residential district which is the predominant current zoning of the subject property.

A mixed-use development on the subject property would be compatible with the surrounding area and with the land use pattern being advanced in the master plan as described below. The majority of the subject property was previously used for a motel and the dominant land use in the area is multiple family residential. The subject property is primarily zoned "DM-4" Residential and is surrounded by "DM-4" zoning, which district permits multiple family residential up to 87 dwelling units per acre. The rezoning is necessary in order to accommodate the other proposed uses on the site (hotel, commercial, office). The "G-1" district allows for a mix of office, commercial and residential uses to the highest density permitted under the Zoning Ordinance. It also has no setback, height or parking requirements which is why the overwhelming majority of the land in and around the core downtown area is currently zoned "G-1" Business.

The proposed mixed use development will provide a renewed sense of vitality to an area that is somewhat devoid of activity (north of the river and south of the freeway). In fact, the site is a strategic location for the realization of the overall mixed-use pattern being advanced in the Master Plan for the area. The residential component of the project will provide housing for people who work, attend school or simply choose to live in an area that is within walking distance of the goods, services and entertainment already available in Lansing's core.

COMPLIANCE WITH MASTER PLAN:

The Design Lansing Comprehensive Plan designates the subject property for District Mixed-Use Center, the purpose of which is:

> "To support the mixed-use character and pedestrian scale of the existing Old Town, East Michigan Avenue and REO Town districts, and to encourage the consolidation of retail and commercial uses in walkable, mixed-use centers located at key intersections along high ridership transit routes and within walking distance of neighborhoods."

With respect to placemaking characteristics, the Plan states that:

> "Buildings should be located to frame the street with parking located to the rear. Shared parking should be encouraged. Reductions in required parking should be offered as an incentive. Primary building entrances should be oriented to the street. Retail should be clustered to create a shopping core with ground floor retail storefronts. Residentially-scaled and detailed structures should be encouraged on neighborhood edges."

The G-1 Business district is the zoning designation that would most effectively allow for the mixed use development strategy being advanced in the Design Lansing Comprehensive Plan. The "District Mixed-Use Center" land use designation is specifically designed for areas such as Old Town and Reo Town that have characteristics similar to the downtown but on a smaller scale. These areas are characterized by mixed use buildings (commercial, office, residential), small lots that cannot accommodate much if any on-site parking and buildings that have an urban design and are located at the front property lines. The "G-1" Business district is the only designation in the current Zoning Ordinance that would accommodate this type of development in that it allows for buildings to be located at the front property line; parking can be accommodated via shared public facilities; and mixed uses of retail, office, and high density residential are permitted as a matter of right.

IMPACT ON VEHICULAR AND PEDESTRIAN TRAFFIC:

The proposed development is anticipated to generate additional pedestrian traffic which is very positive for the area. Furthermore, by providing residential units within walking distance of the downtown and on two bus routes, the occupants of the units can be less dependent on automobiles. The current pedestrian walkway system and traffic controls in the area are designed to accommodate pedestrian traffic in a safe manner. With respect to vehicular traffic, access to the site will be from E. Malcolm X and S. Washington Avenue, both of which are designated as minor arterials that are designed to carry a high volume of traffic.

Although no on-site parking is required under the "G-1" Business zoning, the applicant is proposing to construct 128 surface parking spaces and underground parking for one of the buildings. The proposed number of parking spaces should be adequate to accommodate the needs of the proposed development since the parking demands for the commercial/office uses will primarily occur during normal business hours while the peak parking demands for the residential and hotel component of the project will typically occur after normal business hours.

IMPACT ON PUBLIC FACILITIES:

The adequacy of the utility systems to accommodate the proposed development will be evaluated during the administrative site plan review process.

ENVIRONMENTAL IMPACT:

The proposed development will be required to go through an administrative site plan approval process, during which the drainage system as well as all other physical aspects of the development will be reviewed for compliance with all applicable city codes. Furthermore, S. Washington Avenue and E. Malcolm X are primary bus routes which allows residents of the development to be less dependent on private transportation. Reducing motorized traffic has a positive impact on the environment since less traffic results in less pollution created by the greenhouse gas emissions that motorized vehicles produce and less wear and tear on the roads.

IMPACT ON FUTURE PATTERNS OF DEVELOPMENT:

The proposal is anticipated to have a positive impact on future development patterns in the area. The "G-1" zoning classification will facilitate the mixed use development pattern of commercial and residential uses being advanced in the Design Lansing Comprehensive Plans. Furthermore, the proposed project may encourage more redevelopment projects in the area that will further the goals of the Comprehensive Plan to create a more vibrant Reo Town. A mixed use development on the subject property would strengthen the linkage between the core downtown to the north and the area south of I-496. The proposed development will provide convenient housing for people who work and attend the various educational institutions in Lansing's downtown. The development will also provide for a hotel in close proximity to the downtown which will bring more people to the area. This creates an additional customer base for the existing businesses in the area and may result in new businesses coming to the area as well.

SUMMARY

This is a request by Reo Gateway, LLC & Funk Zone Investors, LLC to rezone the property at 136 E. Malcolm X Street and the vacant 2.086 parcel to its east from "DM-4" Residential & "J" Parking Districts to "G-1" Business District. The purpose of the rezoning is to permit a mixed-use (hotel, retail/commercial and multiple family residential) development on the subject properties.

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 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-5-2018 be approved to rezone the property at 136 E. Malcolm X Street and the vacant property to its east from "DM-4" Residential District to "G-1" Business District.

Respectfully Submitted,

Susan Stachowiak
Zoning Administrator

Hometown People. Hometown Power.

BOARD OF WATER AND LIGHT MEMO

September 27, 2018

TO: City of Lansing – Planning Department, Susan Stachowiak

FROM: Andy Baumgartner, Real Property Analyst, Legal Services, 517-702-6795

RE: COL Rezoning Z-5-2018_136 E. Malcolm X Comments

BWL Electric: Rezoning Request- Approved

- Contact person: Jerry Wheeler, Electric Utility Designer, LBWL, phone: 517-702-6644.

BWL Street Lighting: Rezoning Request- Approved

- Contact person: Karen Carter Street Light Utility Designer: 517-702-7080.

BWL Water & Steam Distribution: Approved

- Contact person: Steve Conn, Utility Designer: 517-702-6726

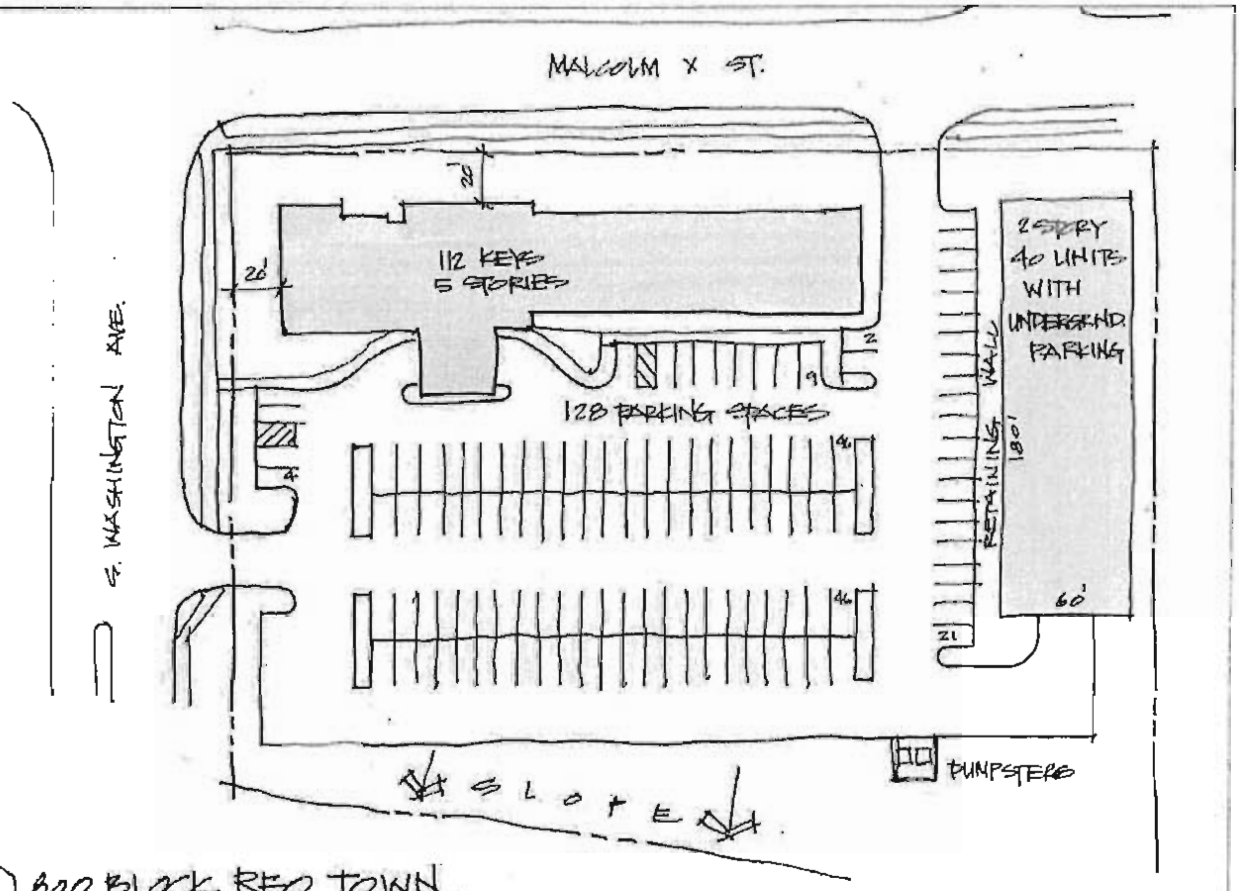
BWL Water Operations: Randall Roost- Approved

- I have no comments or concerns with the proposed rezoning.

BWL Environmental Wellhead Protection: Angie Goodman, Water Quality- Approved

- This project lies within the Board of Water & Light Wellhead Protection Area. Care must be exercised during construction to minimize the exposure of contaminated soils to weather and subsequent loss to the groundwater. Construction machinery should be parked on paved areas when not in use, and leakage of petroleum products and other potential contaminants must be immediately cleaned up and properly disposed of. Newly exposed soil could offer a route for contaminants into local groundwater.

Note: Any site plan approval does not constitute an agreement for service. All customers must meet BWL requirements and enter a service agreement prior to receiving service.



(C) 800 BLOCK REO TOWN
LANSING, MI

FAE 6/26/18

0 40 80

Buildings at 136 E. Malcolm X

Vacant site (former motel) at the southeast corner of S. Washington & E. Malcolm X

0
0
0
0
136
206
300
0
0
0
925
927
920
0
0
0
0
0
0
0
927
207
209
215
219
0
225

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
G-1
F-1
E-1
E-1
E-1
D-1
E Saint Joseph St
S Grand Ave
W I 496
E I 496
ROW
ROW
ROW
E Main St
DM-4
ROW
Area to be rezoned
DM-4
J
DM-4
DM-4
DM-4
S Washington Ave
DM-4
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DM-4
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J
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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-5-2018
Parcel Number's:	33-01-01-21-203-003 & 33-01-01-21-203-020
Address:	136 E. Malcolm X Street & Vacant Parcel to its East
Legal Descriptions:	Lots 6 through 11, Inclusive, Block 177 Original Plat, from "DM-4" Residential & "J" Parking Districts to "G-1" Business 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 _____, 2019, 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:	Neogen Corporation 620 Lesher Place Lansing, MI 48912
REQUESTED ACTION:	Rezone 522 Lesher Place from "DM-3" Residential to "D-1" Professional Office
EXISTING LAND USE:	Vacant Single Family Dwelling
EXISTING ZONING:	"DM-3" Residential District
PROPOSED ZONING:	"D-1" Professional Office District
PROPERTY SIZE & SHAPE:	42.5' x 59.5' = 2,529 square feet
SURROUNDING LAND USE:	N: Neogen Offices S: Single Family Residential E: 3-unit Residential Building W: Oak Park
SURROUNDING ZONING:	N: "D-1" Professional Office District S: "DM-3" Residential District E: "DM-3" Residential District W: "A" Residential District
MASTER PLAN DESIGNATION:	The Design Lansing Comprehensive Plan designates the subject property for medium density residential use. Lesher Place and Linden Grove area designated as local roads.

SPECIFIC INFORMATION

This is a request by Neogen Corporation to rezone the property at 522 Lesher Place, legally described as:

"Lot 5, Block 2, Assessors Plat No. 7"

from "DM-3" Residential District to "D-1" Professional Office District. The purpose of the rezoning is to permit the building at this location to be used for additional office space to support the Neogen Corporation offices already existing in the area.

AGENCY RESPONSES:

Assessor:	
BWL:	Approved for BWL concerns.
Building Safety:	The Building Safety Office has no objections to the rezoning. This project is subject to building plan review.
Fire Marshal:	
Parks & Rec.:	Neogen has been a great partner with Oak Park adjacent to the proposed site and have been an excellent anchor tenant/business in this area. They have done a great job of keeping the history and architecture of the neighborhood with the changes going on in the main building and adjacent properties they own.
Public Service:	No comments.
Transportation:	No comments or requirements. Any changes planned to the sites would still have to go through the appropriate approval processes.

ANALYSIS

COMPATIBILITY WITH SURROUNDING LAND USE

The surrounding area is characterized by a mix of medium density residential, professional office and institutional uses. The surrounding zoning pattern is also a mix of various residential and professional office zoning designations. In fact, the property located directly to the west of the subject property and the property at the northeast corner of Lesher Place and Linden Grove are currently zoned "D-1" Professional Office and are being used for the Neogen Corporation operations. Therefore, the proposed rezoning will be compatible with the zoning and land use patterns already established in the area. Furthermore, the applicant will be preserving the residential architecture of the building which will ensure its continued compatibility with the neighborhood.

COMPLIANCE WITH MASTER PLAN

The Design Lansing Comprehensive Plan designates the subject property for medium density residential use. While the request is not in compliance with the land use designation being advanced in the Comprehensive Plan, the proposal will not be contrary to proper planning principles. The "character" or appearance of the building will continue to be residential in nature and the activity generated by the small amount of office space that the building can accommodate will be minimal and not disruptive to the adjoining

residential uses. Neogen's operations have had a positive impact on the area and making allowances for growth will help to ensure that the company is able to continue operating in the area.

IMPACT ON VEHICULAR AND PEDESTRIAN TRAFFIC

No adverse impacts on vehicular or pedestrian traffic are anticipated to result from the proposed rezoning. The additional traffic generated by converting the building at 522 Lesher Place to offices is anticipated to be negligible. There is already a strong mix of residential and non-residential traffic in the neighborhood. In addition, the subject property is located a mere block from Pennsylvania Avenue which is a minor arterial that is designed to carry a high volume of traffic.

The applicant intends to utilize the existing building at 522 Lesher Place for "overflow" office space to support the Neogen operations that are headquartered in the former Oak Park Elementary School building located approximately 300 feet north of the subject property. The Zoning Ordinance requires 1 parking space for each 200 square feet of usable floor area in the building. The existing building has a gross floor area of 1,144 square feet. Therefore, if 75% of the building is usable floor area, 4 parking spaces will be required. Required parking spaces must be located either on-site or within 300 feet of the site. While the subject property is too small to accommodate 4 parking spaces that would meet the dimensional requirements of the Zoning Ordinance, Neogen owns the office building directly north of the subject property and the former school building one parcel north of that. Both properties have more than enough parking to accommodate the required parking spaces for the uses located thereon as well as the 4 parking spaces required for this proposal.

ENVIRONMENTAL IMPACT

There are no physical changes proposed for the site and therefore, the rezoning will have no impact on the natural environment. Employees and visitors to the site will utilize the existing parking on the Neogen properties to the north which is more than adequate to accommodate the proposed additional office space.

IMPACT ON FUTURE PATTERNS OF DEVELOPMENT

The request to rezone the subject property to "D-1" Professional Office will not adversely affect the land use patterns in the area. There is already a very strong presence of office zoning and land uses in this area. In fact, the property located directly north of the subject property is currently zoned "D-1" Professional Office district and is owned and utilized by the applicant for this proposal (Neogen Corporation).

The Neogen Corporation has been an excellent neighbor of the east side of Lansing for many years. The company is actively involved in several neighborhood organizations and the business has had a positive impact on the neighborhoods in which it is located. The

Neogen operations have also proven to be very compatible with adjoining residential uses, as they are low impact uses that do not generate much traffic, noise and other potential nuisances. There are several properties owned and operated by Neogen on the east side of Lansing and most, if not all, are located in predominantly residential neighborhoods. There have been no complaints of noise, fumes, odors, excessive traffic or any other type of problems.

Conversion of the building at 522 Lesher Place to offices should not interfere with the enjoyment of the adjacent residential properties. Office uses in general are considered compatible with residential neighborhoods since they typically generate a low volume of traffic and do not create much noise or other nuisances

SUMMARY

This is a request by Neogen Corporation to rezone the property at 522 Lesher Place, legally described as:

"Lot 5, Block 2, Assessors Plat No. 7"

from "DM-3" Residential District to "D-1" Professional Office District. The purpose of the rezoning is to permit the building at this location to be used for additional office space to support the Neogen Corporation offices already existing in the area.

The proposed rezoning is consistent with the land use pattern being advanced in the master plan and with the zoning and land use patterns already established in the area. In addition, no adverse impacts on vehicular and pedestrian traffic, the environment or future patterns of development are anticipated to result from approval of this rezoning.

RECOMMENDATION

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

> Recommend that Z-6-18 be approved to rezone the property at 522 Lesher Place from "DM-3" Residential District to "D-1" Professional Office District, based on the findings of fact as outlined in this staff report.

Respectfully Submitted,

Susan Stachowiak
Zoning Administrator

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921
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522
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510
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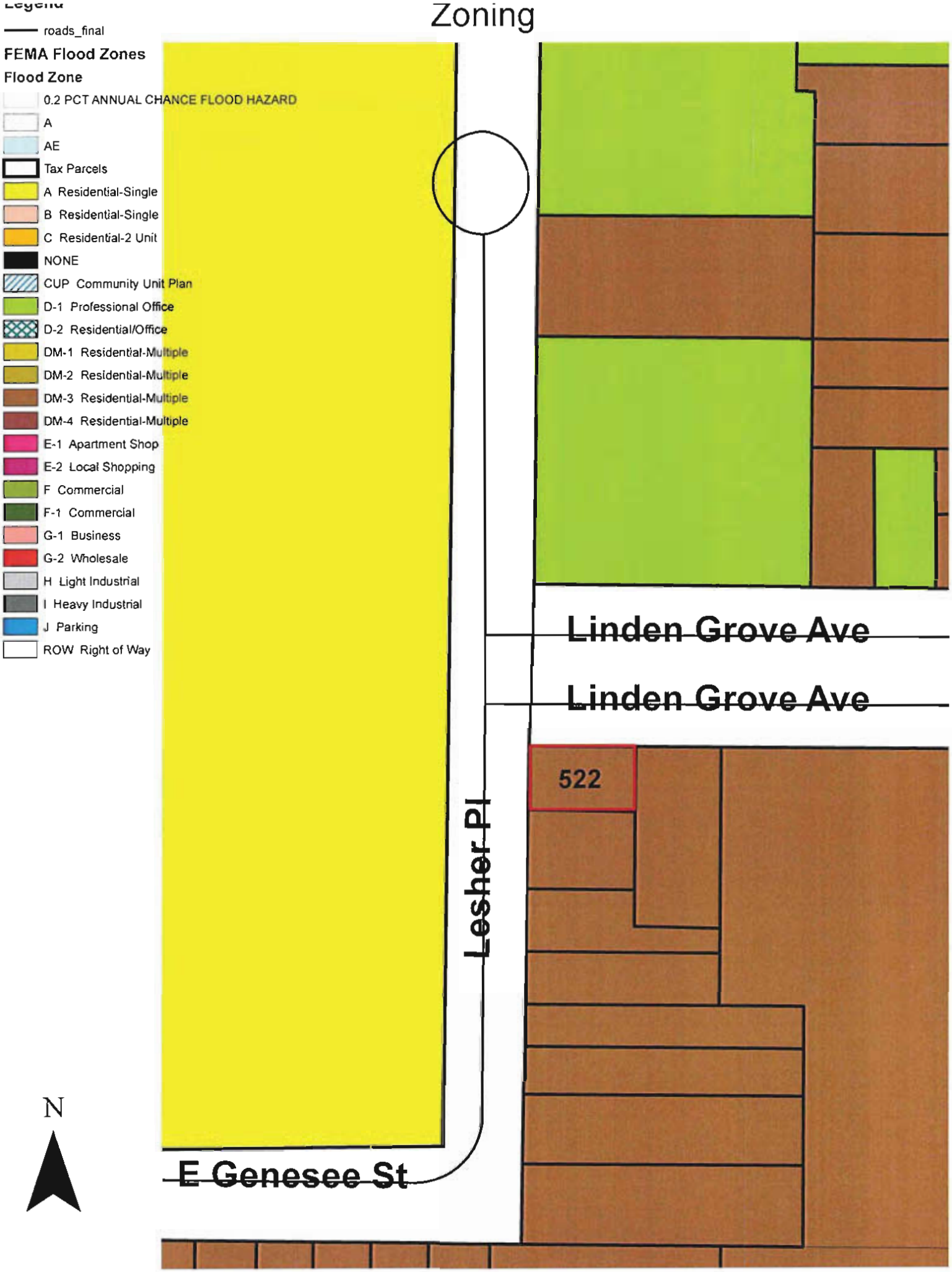
525
506

Zoning


Legend
roads_final
FEMA Flood Zones
Flood Zone
0.2 PCT ANNUAL CHANCE FLOOD HAZARD
A
AE
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
Linden Grove Ave
Linden Grove Ave
522
Lesher Pl
E Genesee St
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-6-2018
Parcel Number:	33-01-01-15-104-351
Address:	522 Lesher Place
Legal Descriptions:	Lot 5, Block 2, Assessors Plat No. 7, from "DM-3" Residential District to "D-1" Professional Office 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 _____, 2019, 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:	Andrew Pauly 1535 Ridgewood Drive East Lansing, MI 48823
REQUESTED ACTIONS:	Rezone the 2 vacant parcels of land at the northwest corner of W. Cavanaugh Road and Lowcroft Avenue from "A" Residential District to "C" Residential District
EXISTING LAND USE:	Vacant
EXISTING ZONING:	"A" Residential
PROPOSED ZONING:	"C" Residential
PROPERTY SIZE:	125' x 92.2'= 11,525 square feet .26 acres (both parcels combined)
SURROUNDING LAND USE:	N: Single Family Residential S: Duplex E: Single Family Residential W: Duplex
SURROUNDING ZONING:	N: "A" Residential S: "C" Residential E: "A" Residential W: "C" Residential
MASTER PLAN:	The Design Lansing Comprehensive Plan designates the subject property for low density residential land use. W. Cavanaugh Road is designated as a collector road and Lowcroft Avenue is designated as a local road.

SPECIFIC INFORMATION

This is a request by Andrew Pauly to rezone the two vacant parcels of land at the northwest corner of W. Cavanaugh Road and Lowcroft Avenue, legally described as:

"Lots 54 & 55 Foster S. Holmes Road Subdivision"

from "A" Residential District to "C" Residential District. The purpose of the rezoning is to permit the construction of a duplex on the subject property.

AGENCY RESPONSES

Assessor:	
BWL:	See attached.
Building Safety:	The Building Safety Office has no objections to the rezoning. This project is subject to building plan review.
Fire Marshal:	
Parks & Rec.:	No comments.
Public Service:	No comments.
Transportation:	No comments or requirements. Any changes planned to the site would still have to go through the appropriate approval processes.

COMPATIBILITY WITH SURROUNDING LAND USE:

The subject property consists of two parcels of land located at the northwest corner of W. Cavanaugh Road and Lowcroft Avenue. The property is currently vacant and is adjacent to existing duplexes to the west and south that are zoned "C" Residential. The parcels to the north and east are zoned "A" Residential and contain single family residences. Since the property is currently surrounded on two sides by "C" Residential zoning, the proposed rezoning will not result in a "spot zone" which is typically considered to be an unacceptable planning practice as it affords land use rights to one property owner that are not afforded to the adjoining property owners. In this case, the properties to the west and south of the subject property are already zoned for duplexes which is a land use right that is not permitted for the applicant's property, even though it is an equally appropriate location for a duplex.

Under the existing "A" Residential zoning, a single family residence could be constructed on each of the two parcels. If the rezoning is approved, the two parcels will have to be combined in order to comply with the lot size requirement to permit the construction of a duplex. Two residential units, therefore, are the maximum number of units that could be constructed on the subject property under both the existing and the proposed zoning designations. A duplex, as opposed to two single family dwellings, would make for a more viable use of the site given its location on a collector road (Cavanaugh) which carries a higher volume of traffic than a typical residential street. Multi-family residential uses generally serve as buffers between higher volume streets and low-density single family residential uses. The applicant's proposal is representative of this type of transitional or step-down land use pattern which is a widely accepted planning and zoning practice.

COMPLIANCE WITH MASTER PLAN:

While the Design Lansing Comprehensive Plan designates the subject property for low-density residential use (single family residential), it also designates the properties in the area that are

currently zoned "C" Residential as low-density. It appears that the Plan did not take into account that there are a significant number of existing duplexes in the area. The duplexes in the area were not single family homes that were converted to duplexes. They were, in fact, constructed as duplexes and thus, it is highly unlikely that any of them will ever be converted to single family homes. Given the established zoning and land use patterns in the area, the rezoning in this case is appropriate in spite of the Comprehensive Plan designation.

IMPACT ON VEHICULAR AND PEDESTRIAN TRAFFIC:

The proposed rezoning will have no impact on vehicular or pedestrian traffic. The traffic generated by a duplex will be no greater than that generated by the 2 single family dwellings that would be permitted under the current zoning of the property.

IMPACT ON PUBLIC FACILITIES:

The site is already served by all necessary public facilities.

ENVIRONMENTAL IMPACT:

Development of the property for a duplex will have no negative impacts on the environment. The site will still contain a significant amount of green space as the maximum allowable lot coverage in the "C" Residential district is 60%. A maximum of 40% of the lot can be covered by buildings.

IMPACT ON FUTURE PATTERNS OF DEVELOPMENT:

The proposed rezoning will not negatively impact future patterns of development in the area. The rezoning may result in more requests to rezone properties in the immediate vicinity of the subject property from "A" Residential to "C" Residential in order to construct duplexes. Based on the existing zoning and land use patterns in the area, there are several parcels for which this would be appropriate.

SUMMARY

This is a request by Andrew Pauly to rezone the two vacant parcels of land at the northwest corner of W. Cavanaugh Road and Lowcroft Avenue from "A" Residential District to "C" Residential District. The purpose of the rezoning is to permit the construction of a duplex 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. Additionally, the proposed rezoning will have no negative impacts on traffic patterns, the environment or future patterns of development in the area.

RECOMMENDATION

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

> Z-7-2018 be approved to rezone the two vacant parcels of land located at the northwest corner of W. Cavanaugh Road and Lowcroft Avenue from "A" Residential District to "C" Residential District.

Respectfully Submitted,

Susan Stachowiak
Zoning Administrator

Hometown People. Hometown Power.

BOARD OF WATER AND LIGHT MEMO

October 23, 2018

TO: City of Lansing – Planning Department, Susan Stachowiak

FROM: Andy Baumgartner, Real Property Analyst, Legal Services, 517-702-6795

RE: COL Rezoning- 2-7-2018_W. Cavanaugh Comments

BWL Electric: Approved with the following comments:

- The BWL can provide an (underground and/or overhead) electric service to serve the new development based on the Board's Rules and Regulations for Electric Service.
- A copy of the final site, grading, and electrical plans for the proposed development must be supplied to the Customer Projects Department before a final cost for electric service and service agreement can be provided to the owner/ developer.
- Owner/ developer must contact BWL Customer Projects Department, **Christopher Cavin @ 517-702-7192**, to initiate service agreement process.
- There are no apparent conflicts with the proposed development and the existing BWL electric distribution facilities.

BWL Street Lighting: Approved

- Contact person: Karen Carter, Street Light Utility Designer- 517-702-708D.

BWL Water & Steam Distribution:
Approved
Please note that this approval does not constitute an agreement for service, and is subject to the following conditions:

- Site Specific Comments:
  - The proposed rezoning does not appear to impact existing BWL water facilities.
  - Should the customer require changes to the water service in order to meet new zoning requirements, then the customer will be required to submit an application to the BWL Utility Service Department at 517-702-6700. The customer will be required to enter a service agreement, meet BWL requirements, and pay applicable fees prior to receiving service. Additional information can be found online at http://www.lbwl.com/Commercial/Water-Services/Water-Service-Installation/
- General Comments:
  - The customer is responsible for verifying the precise location and depths of the existing water mains or services prior to construction. The BWL will not be responsible for unanticipated conflicts caused by inaccuracies in the customer's design documents or MISS-DIG staking in the field.

Any questions about specific water service requirements may be directed to the BWL Water Distribution Department; Jerrod Wade via e-mail at: Jerrod.Wade@lbwl.com.

BWL Water Operations: Approved
I have no comments or concerns. R. Roost

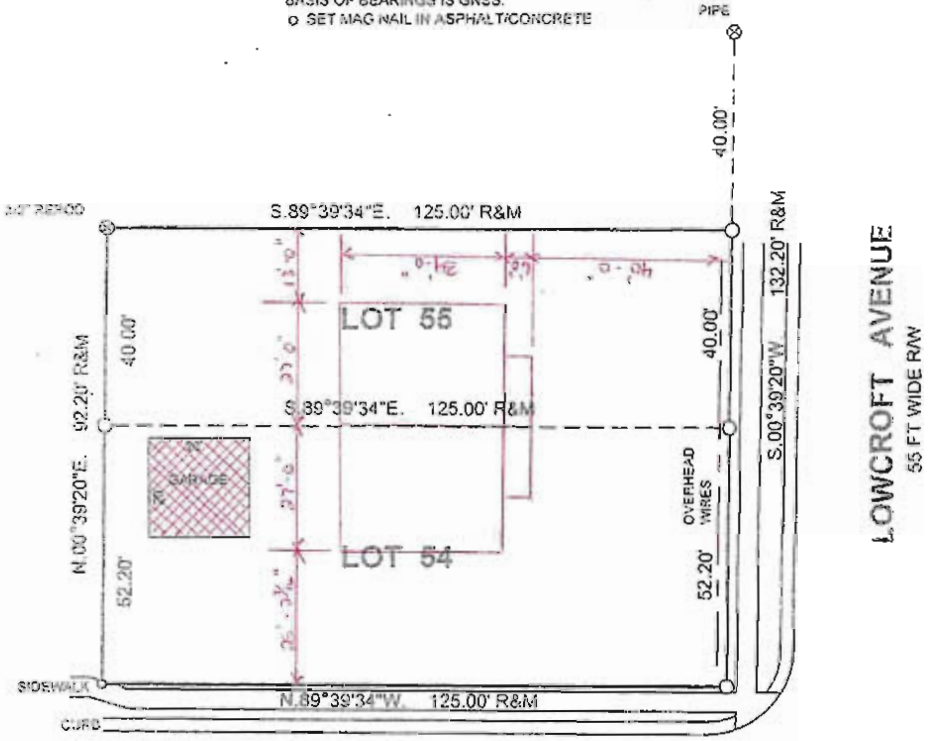
BWL Environmental Wellhead Protection: Angie Goodman, Water Quality
We have no wellhead protection concerns in this area.

Note: Any site plan approval does not constitute an agreement for service. All customers must meet BWL requirements and enter a service agreement prior to receiving service.

CERTIFIED SURVEY MAP

⊗ FOUND CONC. MON.
⊗ FOUND IRON
○ SET CAPPED 1/2"REROD
R=RECORDED AS
M=MEASURED AS
—/\— NOT-TO-SCALE
BASIS OF BEARINGS IS GNSS.
o SET MAG NAIL IN ASPHALT/CONCRETE

0 30
SCALE 1"=30'



LEGAL DESCRIPTION (AS PROVIDED): Lots 54 and 55 of Foster's Holmes Road Subdivision, City of Lansing, Ingham County, Michigan, according to the recorded plat thereof.

Certified Survey For: Andrew R. and Brian E. Pauly
Property Address: Lowcroft Ave., Lansing, MI 48910

Scale: 1" = 30' Date: 03.27.18 By: KJS Job No: 18-11

I hereby certify the following: this survey was performed and map prepared by me, or under my direct supervision; the ratio of closure of latitudes and departures resulting from field work is one foot in 5000 feet or better; the requirements of Act No. 132, Public Acts of 1970 and Act No. 24, Public Acts of 1988 have been complied with.

Keyno J. Shellenbarger, Ph.D., P.E., P.S.
P.S. No. 30101

STATE OF MICHIGAN
KEYNO J.
SHELLENBARGER
PROFESSIONAL
SURVEYOR
NO.
30101
LICENSED PROFESSIONAL SURVEYOR

03.27.18

SES
517-337-8270
SHELLENBARGER ENGINEERING AND SURVEYING, P.C.
5910 N. Hagadorn Road
East Lansing, Michigan 48823

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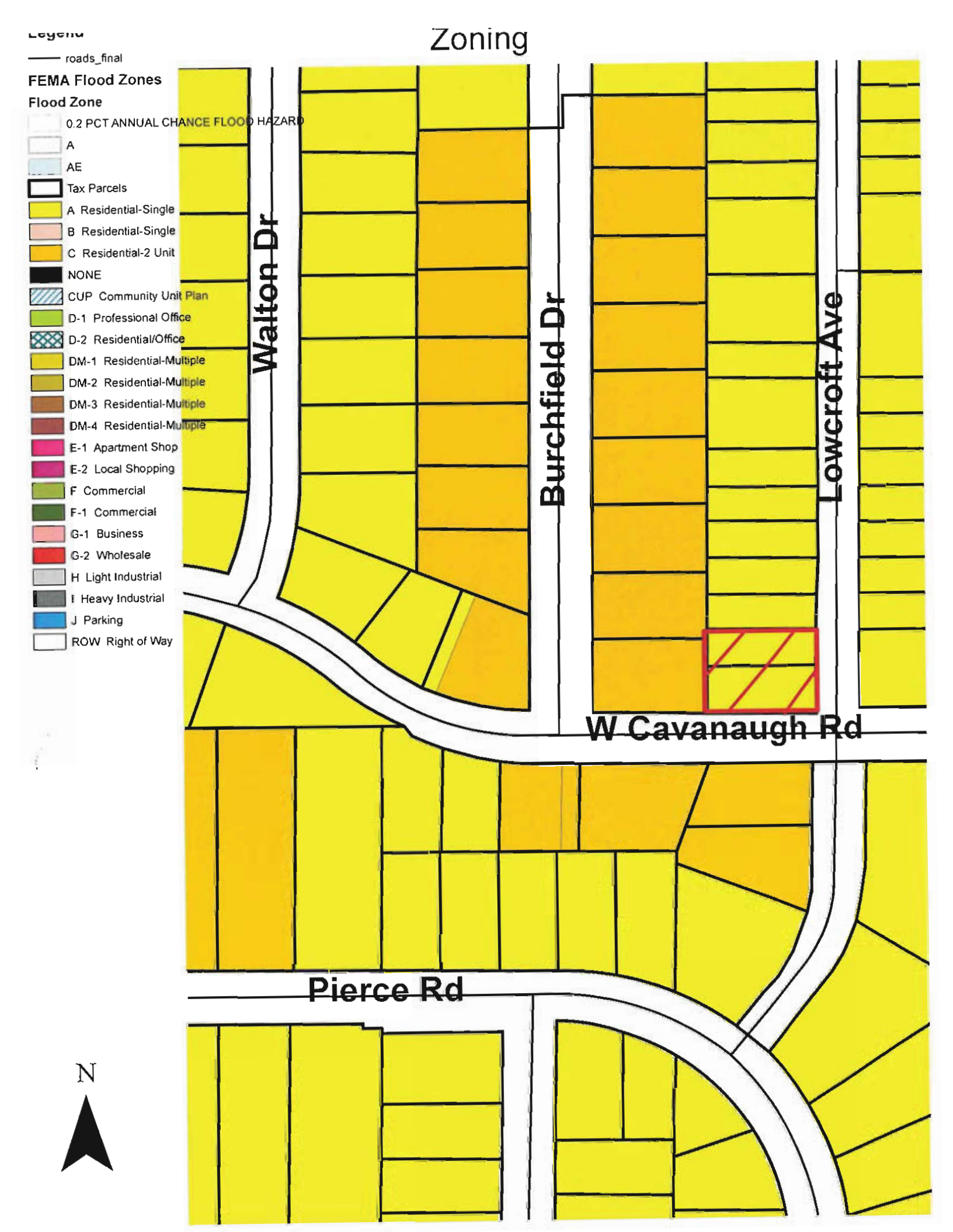
Zoning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Flood Zone
0.2 PCT ANNUAL CHANCE FLOOD HAZARD
A
AE
Tax Parcels
A Residential-Single
B Residential-Single
C Residential-2 Unit
NONE
CUP Community Unit Plan
D-1 Professional Office
D-2 Residential/Office
DM-1 Residential-Multiple
DM-2 Residential-Multiple
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
Walton Dr
Burchfield Dr
Lowcroft Ave
W Cavanaugh Rd
Pierce Rd
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-7-2018
Parcel Number's:	33-01-01-32-278-121 & 33-01-01-32-278-131
Address:	Two Vacant Lots, Northwest corner of W. Cavanaugh Road & Lowcroft Avenue
Legal Descriptions:	Lots 54 & 55, Foster S. Holmes Road Subdivision, from "A" Residential District to "C" Residential 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 _____, 2019, 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.

---------- Forwarded message ---------
From: **Get Fit at IQFit** <getfit@iqfit.com>
Date: Fri, Jan 11, 2019 at 1:31 PM
Subject: Mich Ave. Board
To: Anum Mughal <anummughal5@gmail.com>

Anum,

After much thought, I have to decline this board position. I super appreciate the offer, but I'm having to start working 6 days a week just to keep up with work at the gym. I'm even sacrificing some activities with my kids to make things work.

I wish you the best of luck and tell the mayor I'm grateful for his consideration and maybe it can be something I can join in the next couple years.

Jason

Submitted @ mtg