Regular Meeting Of Lansing City Council

Tony Benavides Lansing City Council Chambers
David C. Hollister Lansing City Hall
124 W. Michigan Avenue,10th Floor
Lansing, Michigan

Agenda for April 12, 2021 at 7:00 PM

Due to public safety concerns resulting from the COVID-19 Pandemic, this meeting will be conducted via Zoom Conferencing using **Meeting ID 859 4003 6219** or call (312) 626-6799 and enter Meeting ID 859 4003 6219

ROLL CALL

Roll call

MEDITATION AND PLEDGE OF ALLEGIANCE

APPROVAL OF PRINTED COUNCIL PROCEEDINGS

1. March 8, 2021
2. March 22, 2021

CONSIDERATION OF LATE ITEMS (Suspension of Council Rule #9 is needed to allow consideration of late items. Late items will be considered as part of the regular portion of the meeting to which they relate.)

TABLED ITEMS

SPECIAL CEREMONIES and PRESENTATIONS

COMMENTS BY COUNCIL MEMBERS AND CITY CLERK

COMMUNITY EVENT ANNOUNCEMENTS (Time, place, purpose, or definition of event – 1 minute limit)

SPEAKER REGISTRATION FOR PUBLIC COMMENT ON LEGISLATIVE MATTERS

MAYOR'S COMMENTS

SHOW CAUSE HEARINGS

PUBLIC COMMENT ON LEGISLATIVE MATTERS (Legislative matters consist of the following items on the agenda: public hearings, resolutions, ordinances for introduction, and ordinances for passage. The public may comment for up to three minutes.) Those wishing to make public comments will need to raise their hands by the end of the first speaker's comments or submit written comments to city.clerk@lansingmi.gov by the end of the public comment period:

To use the "Raise Hand" function, you can:

- Dial *9 on a phone
- Click on "Raise Hand" icon in the chat room

- Press the "Alt" and "Y" keys at the same time for a Windows computer
- Press the "Option" and "Y" keys at the same time for Apple Computer

SCHEDULED PUBLIC HEARINGS

3. An Ordinance to repeal Chapter 630, Section 630.14, a criminal misdemeanor prohibiting loitering in places where prostitution or solicitation for lewd conduct occurs (PEND-2288).
4. An Ordinance to repeal Chapter 650, Section 650.04, a criminal misdemeanor prohibiting playing in the streets (PEND-2291)
5. An Ordinance to repeal Chapter 656, Section 656.04, a criminal misdemeanor prohibiting bicycles in Riverfront Park during an organized event (PEND-2297)
6. An Ordinance to repeal Chapter 658, Section 658.03, a criminal misdemeanor prohibiting annoying persons (PEND-2301)
7. An Ordinance to repeal Chapter 658, Section 658.06, a criminal misdemeanor providing that no person shall beg in any public place or go door-to-door requesting donations for personal gain (PEND-2306)
8. An Ordinance to repeal Chapter 680, Section 680.03, a criminal misdemeanor prohibiting using profane language in a building or on any property adjacent to any building in the city occupied as public, private, or parochial school (PEND-2318)
9. An Ordinance to repeal Chapter 680, Section 680.06, a criminal misdemeanor prohibiting borrowing money from a student at any school (PEND-2320)
10. An Ordinance to repeal Chapter 696, Section 696.02, a criminal misdemeanor that no person shall carry any firearm, air rifle, bow and arrow, slingshot, crossbow or other dangerous weapon in any public place, subject to exceptions (PEND-2328)

COUNCIL CONSIDERATION OF LEGISLATIVE MATTERS

REFERRAL OF PUBLIC HEARINGS

ORDINANCES FOR PASSAGE

CONSENT AGENDA

11. External Auditor; Lansing Board of Water and Light selection of Baker Tilly (PEND-2437)
12. Transfer of the Delta Grande Drain to the City of Lansing (PEND-2378)

RESOLUTIONS FOR ACTION

13. Tribute; in recognition of Fair Housing Month (PEND-2515)
14. Appointment of Eric Brewer as the City Council Internal Auditor (PEND-2517)
15. Setting a Show Cause Hearing in consideration of Orders to Make Safe or Demolish; 314 Bingham (PEND-2401)
16. Setting a Public Hearing in consideration of Special Assessment; Glenburn Commons, Trash & Grass Abatement, Roll #GB-2021 (PEND-2380)

17. Setting a Public Hearing in consideration of CDBG FY 2021-2022 Annual Action Plan (PEND-2416)
18. Setting a Public Hearing in consideration of City of Lansing Fiscal Year 2021-2022 Budget (PEND-2442)
19. Ballot Proposal; Essential Services Millage Restoration Proposal (PEND-2404)

REPORTS FROM COUNCIL COMMITTEES

ORDINANCES FOR INTRODUCTION and Setting of Public Hearings

20. An Ordinance to repeal Chapter 622, Section 622.01, a criminal misdemeanor prohibiting drug paraphernalia (PEND-2282)
21. An Ordinance to repeal Chapter 630, Section 630.12, a criminal misdemeanor prohibiting loitering in places where controlled substances or drug paraphernalia is sold, used, etc. (PEND-2284)
22. An Ordinance to repeal Chapter 650, Section 650.05, a criminal misdemeanor regulating parental responsibility (PEND-2294)
23. An Ordinance to repeal Chapter 656, Section 656.05, a criminal misdemeanor prohibiting persons in closed parks (PEND-2300)
24. An Ordinance to repeal Chapter 664, Section 664.01(b), a criminal misdemeanor that no person shall disturb the public peace and quiet by loud or boisterous conduct (PEND-2309)
25. An Ordinance to repeal Chapter 664, Section 664.02, a criminal misdemeanor under the general offenses code of the codified ordinances to eliminate that no person shall disturb, without lawful authority, any public assembly or meeting of persons (PEND-2312)
26. An Ordinance to amend Chapter 688, Section 688.05, a criminal misdemeanor that no person shall climb, peel, cut, deface, remove, injure or destroy any tree, in any street, highway, park or grassplot of the city (PEND-2325)
27. An Ordinance to amend Chapter 688, Section 688.07, a criminal misdemeanor that no person shall bring animals, vehicles or bicycles onto any park or onto any grassplot in any street or deface the grounds of vegetation therein (PEND-2326)
28. An Ordinance to amendment Chapter 280 Section 280.03, to provide that the Elected Officers Compensation Commission shall meet in even-numbered years. (PEND-2394)
29. An Ordinance to amend Chapter 608, Section 608.04, to allow for consumption of alcoholic beverages within certain locations at Frances Park (PEND-2510)

SPEAKER REGISTRATION FOR PUBLIC COMMENT ON CITY GOVERNMENT RELATED MATTERS

REPORTS OF CITY OFFICERS, BOARDS, AND COMMISSIONS; COMMUNICATIONS AND PETITIONS; AND OTHER CITY RELATED MATTERS
(Motion that all items be considered as being read in full and that the proper referrals be made by the President)

Item(s) from the City Clerk re:

30. Board, Authority, and Commission Term Expirations

Item(s) from the Mayor re:

31. Extend the Declaration of State of Emergency regarding COVID-19 (PEND-2495)
32. Setting a Public Hearing in consideration of Noise Special Permit; Hoffman Bros. Inc. request to allow for Combined Sewer Overflow and Trunk Sewer Project along North Grand River Avenue on Saturdays from 8 a.m. to 5 p.m. from May 8 through October 30, 2021 (PEND-2418)
33. Noise Special Permit; Hoffman Bros. Inc. request to allow for Combined Sewer Overflow and Trunk Sewer Project along North Grand River Avenue on Saturdays from 8 a.m. to 5 p.m. from May 8 through October 30, 202 (PEND-2419)
34. Setting a Public Hearing in consideration of Public Act 425 Agreement; DeWitt Township (PEND-2447)
35. Public Act 425 Agreement; DeWitt Township (PEND-2446)
36. Public Act 425 Agreement; First Amendments to agreement with DeWitt Township (PEND-2505)
37. Setting a Public Hearing in consideration of Brownfield Plan #75 Amendment #2; Capital City Market and 637 E Michigan Avenue (PEND-2508)
38. Brownfield Plan #75 Amendment #2; Capital City Market and 637 E Michigan Ave. (PEND-2507)
39. Appointment; Trevor Benoit as a Resident member of the Downtown Lansing Inc. Board for a term to expire June 30, 2022 (PEND-2496)
40. Appointment; Jennifer Estill as a Business Owner member of the Downtown Lansing Inc. Board for a term to expire of June 30, 2025 (PEND-2497)
41. Appointment; Danielle Lenz as an At-Large member of the Lansing Entertainment and Public Facilities Authority Board of Commissioners for a term to expire of June 30, 2023 (PEND-2498)

Communications and Petitions

42. Letter from Jessica Yorko in support of Black Lives Matter - Lansing

Various affidavits of publication and actual notices for April 12 2021 meeting

MOTION OF EXCUSED ABSENCE

REMARKS BY COUNCIL MEMBERS

REMARKS BY THE MAYOR OR EXECUTIVE ASSISTANT

PUBLIC COMMENT ON CITY GOVERNMENT RELATED MATTERS (City government related matters are issues or topics relevant to the operation or governance of the city. The public may comment for up to three minutes.) Those wishing to make public comments will need to raise their hands by the end of the first speaker's comments or submit written comments to city.clerk@lansingmi.gov by the

end of the public comment period:

To use the "Raise Hand" function, you can:

- Dial *9 on a phone
- Click on "Raise Hand" icon in the chat room
- Press the "Alt" and "Y" keys at the same time for a Windows computer
- Press the "Option" and "Y" keys at the same time for Apple Computer

ADJOURNMENT

Chris Swope, City Clerk

Persons with disabilities who need an accommodation to fully participate in this meeting should contact the City Clerk's Office at (517) 483-4131 (TTY 711). 24 hour notice may be needed for certain accommodations. An attempt will be made to grant all reasonable accommodation request.

Virtual Meeting

LANSING CITY COUNCIL MEETING

DATE & TIME: 04/12/21–7:00 PM

Starting Time 7:00pm

REGULAR MEETING: X **SPECIAL MEETING:**

ATTENDANCE

COUNCIL MEMBER	PRESENT	ABSENT	ARRIVED
BETZ	☒	☐	
DUNBAR	☐	☒	7:52pm
GARZA	☒	☐	
HUSSAIN	☒	☐	
JACKSON	☒	☐	
SPADAFORE	☒	☐	
SPITZLEY	☐	☒	
WOOD	☒	☐	

MEDITATION IN MEMORY OF: _____

PLEDGE LED BY: _____

Adjournment Time_____

CHRIS SWOPE
LANSING CITY CLERK

OFFICIAL PROCEEDINGS OF THE CITY COUNCIL CITY OF LANSING MARCH 8, 2021

Via ZOOM Conferencing, Meeting ID 859 4003 6219

The City Council of the City of Lansing met in regular session and was called to order at 7:00 p.m. by President Spadafore

PRESENT: Council Members Betz (remotely from Richmond, VA), Dunbar (remotely from Lansing, MI), Garza (remotely from Lansing, MI), Hussain (remotely from Lansing, MI), Jackson (remotely from Lansing, MI), Spadafore (remotely from Lansing, MI), Wood (remotely from Lansing, MI)

ABSENT: Council Member Spitzley

A quorum was present.

Council Members Jackson and Garza asked people to keep the Lopez family, whose son passed away over the weekend, in their thoughts and prayers during the moment of Meditation. The Council observed a moment of Meditation followed by the Pledge of Allegiance led by President Spadafore.

APPROVAL OF PRINTED COUNCIL PROCEEDINGS

By Vice President Hussain

To approve the printed Council Proceedings of February 22, 2021

Motion Carried by the following roll call vote:

Yeas: Council Members Betz, Dunbar, Garza, Hussain, Jackson, Spadafore, Wood

Nays: None

COMMENTS BY COUNCIL MEMBERS AND THE CITY CLERK

Vice President Hussain expressed concern of a blighted building at 2206 W. Jolly Rd.

Council Member Jackson told anyone to email him if they would like to receive his newsletter.

City Clerk Swope announced that absentee ballot applications were sent out to anyone living within the Waverly or Holt School Districts for the May 4 Special Election. He highlighted that nearly all of Lansing's marijuana licenses have reached their cap; a deadline has been created for conditionally approved businesses to get their medical marijuana licenses; and Lansing has also received its first check from the state for the revenue sharing of the marijuana industry.

COMMUNITY EVENT ANNOUNCEMENTS

Michael Lynn, Jr. announced a City Council and Mayoral Candidate Town Hall sponsored by Black Lives Matter, Lansing.

SPEAKER REGISTRATION FOR PUBLIC COMMENT ON LEGISLATIVE MATTERS

City Clerk Swope announced that the public needed to electronically "raise their hand" in order to speak during public comment period.

MAYOR'S COMMENTS

Mayor Schor spoke about most Lansing residents being eligible for down-payment and closing cost assistance from the Michigan State Housing Development Authority; contact Mayor's office for more information. Serve Lansing will be having a Baker Neighborhood clean-up. The City snowplows are going to get named in the near future. He announced that the Police, Fire, and Roads millage should have language ready to go by the next Council meeting. Mayor Schor will keep everyone updated on how the new stimulus bill will affect the City of Lansing and its budget.

PUBLIC COMMENT ON LEGISLATIVE MATTERS

Legislative Matters included the following public hearings:

In consideration of SLU-5-2020; Special Land Use Permit, 727 Sparrow Avenue, to allow for a community center/outreach facility and a transitional housing shelter in the "A" Residential District (PEND-2246)

In consideration of Z-9-2020; 3534 & 3538 W. Jolly Road, Rezoning from “CUP” Community Unit Plan to “DM-1” Residential District (PEND-2240)

Council Member Hussain gave an overview of the public hearings.

Public Comment on Legislative Matters:

Loretta Stanaway spoke on various Legislative matters.

Ellen Galavan spoke on the sale of Saint Casimir.

Cathleen Edgerly spoke in support of the Social District amendment.

Mike Redding spoke against the Jolly Road rezoning.

Dave Sell spoke in support of the Social District amendment.

Sam Cho spoke on various Legislative matters.

Marilyn Rogers spoke against the Jolly Road rezoning.

Michael Lynn, Jr. spoke on various Legislative matters.

Rosalind Arch spoke on various Legislative matters.

LEGISLATIVE MATTERS

REFERRAL OF PUBLIC HEARINGS

In consideration of SLU-5-2020; Special Land Use Permit, 727 Sparrow Avenue, to allow for a community center/outreach facility and a transitional housing shelter in the “A” Residential District (PEND-2246)
REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

In consideration of Z-9-2020; 3534 & 3538 W. Jolly Road, Rezoning from “CUP” Community Unit Plan to “DM-1” Residential District (PEND-2240)
REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

ORDINANCES FOR PASSAGE

PASSAGE OF ORDINANCE

An ordinance of the City of Lansing, Michigan to amend Chapter 240, Sections 240.01, 240.02, 240.03, and 240.04, of the Lansing codified ordinances to restructure the grant award process for basic human services.

Was read a second time by its title.

By President Spadafore to adopt a substitute.

By Council Member Wood to recuse herself from voting on the substitute

Motion carried by the following roll call vote:

Yeas: Council Members Betz, Dunbar, Garza, Hussain, Jackson, Spadafore

Nays: None

The question being adoption of the substitute

Motion carried by the following roll call vote:

Yeas: Council Members Betz, Dunbar, Garza, Hussain, Jackson, Spadafore

Nays: None

By Council Member Wood to recuse herself from voting on the Ordinance as substituted

Motion carried by the following roll call vote:

Yeas: Council Members Betz, Dunbar, Garza, Hussain, Jackson, Spadafore

Nays: None

The Ordinance was adopted by the following roll call vote:

Yeas: Council Members Betz, Dunbar, Garza, Hussain, Jackson, Spadafore

Nays: None

By Council Member Dunbar to give the ordinance immediate effect.

Motion carried by the following roll call vote:

Yeas: Council Members Betz, Dunbar, Garza, Hussain, Jackson, Spadafore

Nays: None

ORDINANCE #1272

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN TO AMEND CHAPTER 240, SECTIONS 240.01, 240.02, 240.03 AND 240.04, OF THE LANSING CODIFIED ORDINANCES TO RESTRUCTURE THE GRANT AWARD PROCESS FOR BASIC HUMAN SERVICES

THE CITY OF LANSING ORDAINS:

Section 1. That Chapter 240, sections 240.01, 240.02, 240.03, and 240.04, of the Lansing Codified ordinances is hereby amended to read as follows:

240.01. - Statement of purpose.

The City of Lansing, through its City Council, finds that there exists and will continue to exist a need among its citizens to have assistance in meeting everyday challenges. In the interest of the "public health," in its broadest sense, the City is committed to providing a locally funded revenue base which supports the needs of citizens by funding basic human services. In addition, it is recognized that the City's commitment in establishing a revenue base for basic human services provides an avenue through which federal, state, CITY OF LANSING, and/or private resources can be accessed to enhance the funding of service providers TO BENEFIT LANSING RESIDENTS.

240.02. - Definitions.

AS USED IN THIS CHAPTER:

~~(a)~~ "Basic ~~h~~Human ~~s~~Services," ~~as used in this chapter, shall~~ meanS programs by THE CITY OR ~~local~~ agencies that SERVE CITY OF LANSING RESIDENTS; meet basic HUMAN needs OF RESIDENTS IN THE CITY; ADDRESS HOUSING AND TENANT SERVICES; ADDRESS THE ROOT CAUSES OF RACISM IN LANSING AND/OR PROMOTE RACIAL EQUITY; ~~and/or~~ provide life skills development, employability, DEVELOPMENT, PHYSICAL health, or mental health services FOR CITY OF LANSING RESIDENTS.

~~(b)~~ "~~Community~~ CITY — ~~s~~Supported ~~a~~Agencies," ~~as used in this chapter, shall~~ meanS organizations that receive separate City Council funding; SUCH FUNDING ~~that~~ may be allocated ~~through the Human Relations and Community Services Department~~ BY THE CITY APPROPRIATIONS ORDINANCE.

~~(c)~~ "Cultural ~~a~~Arts ~~p~~Programs," ~~as used in this chapter, shall~~ meanS organizations that facilitate community access to theater, music, museum, art and related activities.

"HRCS DIRECTOR," MEANS THE DIRECTOR OF THE DEPARTMENT OF HUMAN RELATIONS AND COMMUNITY SERVICES OR THE DIRECTOR'S DESIGNATED STAFF PERSONNEL.

"HRCS ADVISORY BOARD," MEANS THE HUMAN RELATIONS AND COMMUNITY SERVICES ADVISORY BOARD.

240.03. – Funding ~~formula~~.

(a) The City of Lansing General Fund Budget shall include, at a minimum for each fiscal YEAR period, an appropriation equal to 1.35 percent of general fund revenue as adopted in the annual budget for the purpose of funding ~~b~~Basic ~~h~~Human s~~S~~ervices. ~~Should the City be mandated or elect to account for revenue which is credited to the general fund as of the effective date of Ordinance No. 01027 in a separate enterprise or special revenue fund, the amount of revenue transferred to such fund from the general fund shall continue to be included in the base utilized for calculation of the 1.25 percent to be appropriated for the funding of local basic human services.~~

(B) AT LEAST ONE TENTH (0.10) OF THE GENERAL FUND DOLLARS 1.35 PERCENT THE DIFFERENCE IN FUNDS ALLOCATED AT 1.25 PERCENT OF GENERAL FUND DOLLARS AND FUNDS ALLOCATED AT 1.35 PERCENT OF GENERAL FUND DOLLARS DESCRIBED IN SECTION 240.03 (A) SHALL BE RESERVED FOR LOCAL AGENCIES OR ACTIVITIES THAT ADDRESS THE ROOT CAUSES OF RACISM AND/OR PROMOTE RACIAL EQUITY.

(C) FUNDS DESCRIBED IN SECTION 240.03 (a) SHALL BE APPROPRIATED AS PART OF THE ANNUAL BUDGET PROCESS. THE MAYOR, AS PART OF THE BUDGET RECOMMENDATION, MAY DESIGNATE THE HRCS DIRECTOR TO ALLOCATE DOLLARS TO OTHER CITY DEPARTMENTS FOR BASIC HUMAN SERVICES AS APPROVED BY COUNCIL.

(D) ALL FUNDING PROVIDED TO THE HRCS DEPARTMENT FOR GRANTS SHALL UTILIZE AN OPEN APPLICATION PROCESS IN ACCORDANCE WITH THE LANSING CODE OF ORDINANCES FOR PURCHASING AND COMPETITIVE BID PROCESS (CHAPTER 206), INCLUDING THE SOLE SOURCE REQUIREMENTS, AND OTHER RELEVANT LANSING ORDINANCES . FUNDING SHALL ALSO SATISFY THE FOLLOWING REQUIREMENTS:

(1) BE AWARDED ON A COMPETITIVE BASIS TO SUSTAINABLE AND VIABLE AGENCIES THROUGH GRANT CONTRACTS WITH THE CITY. SHOULD THE CITY BE MANDATED OR ELECT TO ACCOUNT FOR REVENUE WHICH IS CREDITED TO THE GENERAL FUND IN A SEPARATE ENTERPRISE OR SPECIAL REVENUE FUND, THE AMOUNT OF REVENUE TRANSFERRED TO SUCH FUND FROM THE GENERAL FUND SHALL CONTINUE TO BE INCLUDED IN THE BASE UTILIZED FOR CALCULATION OF THE ~~1.5~~ 1.35 PERCENT TO BE APPROPRIATED FOR THE FUNDING OF BASIC HUMAN SERVICES.

(2) THE APPLICATION FOR A GRANT SHALL INCLUDE AT A MINIMUM THE AMOUNT OF FUNDS REQUESTED, THE HISTORY OF GRANTS TO THE APPLICANT, THE METRICS OF PREVIOUS AWARDS, INCLUDING SUCCESSES AND FAILURES OF CONTRACTUAL OBJECTIVES,

A STATEMENT OF COMPLIANCE WITH FEDERAL, SATE, AND LOCAL REGULATIONS, LAWS, AND ORDINANCES, SPECIFICALLY ATTESTING THAT THE APPLICANT IS FAMILIAR WITH, AND WILL ABIDE BY, THE LANSING HUMAN RIGHTS ORDINANCE PURSUANT TO CHAPTER 297, AND THE FILING OF A VERIFICATION OF NON-CONFLICT OF INTEREST FORMPURSUANT TO CHAPTER 240.04 (A) (7).

(3) ALL APPLICATIONS SHALL BE EVALUATED AND RANKED BY THE HRCS ADVISORY BOARD WITH A MINIMUM ACCEPTABLE LEVEL FIRST BEING ESTABLISHED. THE CITY'S INTERNAL AUDITOR SHALL PARTICIPATE AS AN ADVISOR DURING THE EVALUATION AND RANKING PROCESS. ALL INDIVIDUALS PARTICIPATING IN THE EVALUATION AND RANKING PROCESS INCLUDING HRCS BOARD MEMBERS AND THE INTERNAL AUDITOR SHALL FILE THE CITY OF LANSING STATEMENT OF FINANCIAL INTEREST AND PERSONAL INTEREST WITH THE CITY CLERK PRIOR TO CONSIDERATION, RANKING, AND EVALUATION OF APPLICATIONS.

(4) HRCS ADVISORY BOARD RANKING RECOMMENDATIONS AND SUPPLEMENTAL STAFF EVALUATIONS AND RECOMMENDATIONS SHALL BE PROVIDED TO THE MAYOR FOR REVIEW. THE MAYOR WILL MAKE FINAL RECOMMENDATIONS TO CITY COUNCIL FOR APPROVAL.

(5) ONLY AFTER COMPLIANCE WITH THE PROCEDURE CONTAINED IN SECTION 240.04, THE HRCS DEPARTMENT SHALL ENTER INTO CONTRACTUAL AGREEMENTS WITH COMMUNITY-BASED, NON-PROFIT, CHARITABLE ORGANIZATIONS OR OTHER CITY DEPARTMENTS THAT PROVIDE BASIC HUMAN SERVICES.

(~~B~~ 6) These funds will be used to provide a locally funded revenue base that supports ~~b~~Basic ~~h~~Human ~~s~~Services. These funds may be used for the direct provision of ~~b~~Basic ~~h~~Human ~~s~~Services by local community-based, non-profit, charitable organizations OR CITY DEPARTMENTS and/or they may be used as match or leverage by these agencies to secure additional funds from federal, state and/or private sources to support human service delivery initiatives. ALL OF THE FOREGOING SHALL BE ACCOMPLISHED THROUGH A COMPETITIVE BID PROCESS PURSUANT TO THE LANSING CODE OF ORDINANCES.

(~~C~~E) The 1.35 percent of the general fund revenue appropriated for Basic Human Services shall be exclusive of any direct funding of COMMUNITY Supported ~~a~~Agencies by City Council THROUGH A COMPETITIVE BID PROCESS PURSUANT TO THE LANSING CODE OF ORDINANCES. The 1.35 percent of the general fund revenue appropriated for ~~b~~Basic ~~h~~Human ~~s~~Services shall also be exclusive of any funding appropriated for the purpose of supporting ~~c~~Cultural ~~a~~Arts ~~p~~Programs.

240.04. – ~~Administrative unit~~ ADMINISTRATION

~~Pursuant to Section 240.03 of this chapter, funds appropriated by the City of Lansing shall be administered by the Human Relations and Community Services Department. This Department shall enter into contractual agreements with community-based, non-profit, charitable organizations that provide basic human services.~~

(A) Funding through the ~~Human Relations and Community Services~~ HRCS Department, PURSUANT TO SECTION 240.03(C), ~~pursuant to Ordinance No. 01027~~, shall BE ISSUED TO AGENCIES AFTER CONTRACTS ARE CREATED AND APPROVED TO address ~~b~~Basic ~~h~~Human ~~s~~Services needs as identified by the ~~Human Relations and Community Services Department~~ HRCS ADVISORY BOARD AND DEPARTMENT, AND AFTER REVIEW AND APPROVAL OF THE GRANT CONTRACT BY THE MAYOR, ~~CITY COUNCIL,~~ THE FINANCE DIRECTOR, AND THE CITY ATTORNEY, AND AFTER A VERIFICATION OF NON-CONFLICT OF INTEREST FORM REQUIRED BY THIS CHAPTER AND ATTESTATION BY THE AGENCY THAT ITS MEMBERS ARE FAMILIAR WITH THE LANSING HUMAN RIGHTS ORDINANCE (CHAPTER 297) AND EXPRESSLY AGREE TO COMPLY WITH ITS PROVISIONS. HAVE BEEN FILED WITH THE HRCS DEPARTMENT

THE FOLLOWING PROCESS SHALL BE FOLLOWED IN AWARDING GRANTS UNDER THIS CHAPTER:

1. THE AVAILABILITY OF APPLICATIONS AND GRANTS SHALL BE LISTED ON THE CITY OF LANSING WEBSITE AND IN OTHER PRINTED MATERIAL AVAILABLE TO THE GENERAL PUBLIC.
2. A PUBLIC INFORMATIONAL MEETING FOR INTERESTED GRANT APPLICANTS AND THE GENERAL PUBLIC SHALL BE HELD BEFORE THE DEADLINE FOR APPLICATIONS FOR GRANTS.
3. AFTER THE APPLICATION DEADLINE HAS PASSED, ALL APPLICATIONS FOR GRANTS AND APPLICANT SUCCESS METRICS SHALL BE PROVIDED TO THE HRCS ADVISORY BOARD MEMBERS TOGETHER WITH THE VERIFICATION OF NON-CONFLICT OF INTEREST FORM REQUIRED BY CODE 240.04 (A) (7) AND AN ATTESTATION OF FAMILIARITY AND COMPLIANCE WITH LANSING'S HUMAN RIGHTS ORDINANCE CHAPTER 297 PRIOR TO A MEETING OF THE BOARD TO DISCUSS AND SCORE APPLICATIONS.
4. THE HRCS DIRECTOR SHALL PROVIDE A RECOMMENDATION TO THE MAYOR REGARDING THE DISTRIBUTION OF FUNDING BASED UPON HRCS ADVISORY BOARD SCORING, APPLICANT METRICS, HISTORY, AND THE ABILITY OF THE APPLICANT TO PROVIDE SERVICES THAT MEET THE GOALS OF THE CITY.
5. THE MAYOR WILL INCLUDE FINAL RECOMMENDATIONS IN THE BUDGET PRESENTED TO CITY COUNCIL.
6. THE HRCS DIRECTOR SHALL PROVIDE APPROVAL LETTERS TO SUCCESSFUL AGENCY APPLICANTS AFTER THE CITY BUDGET IS APPROVED BY CITY COUNCIL.
7. PRIOR TO FUNDING EACH AGENCY, ITS PRINCIPAL OFFICERS AND DIRECTORS, IF ANY, SHALL FILE A VERIFICATION OF NON-CONFLICT OF INTEREST FORMPREPARED BY THE CITY ATTORNEY REGARDING ANY ACTUAL OR POTENTIAL CONFLICT OF INTEREST PERTAINING TO THE SUBJECT FUNDING APPROVAL AND ANY ENSUING CONTRACT AND AFFIRM AGENCY FAMILIARITY AND COMPLIANCE WITH THE LANSING HUMAN RIGHTS ORDINANCE PURSUANT TO CODE 297

Section 2. All ordinances, resolutions or rules, parts of ordinances inconsistent with these provisions are repealed.

Section 3. Should any section, clause or phrase of this ordinance be declared to be invalid, the same shall not affect the validity of the ordinance as a whole, or any part thereof other than the part so declared to be invalid.

Section 4. This ordinance shall take effect on the 30th day after enactment by City Council and, pursuant to Section 3-307 of the City Charter, this Chapter shall expire December 31, 2031.

PASSAGE OF ORDINANCE

An Ordinance of the City of Lansing, Michigan to repeal and replace the existing Zoning Ordinance and Map, being Part 12, Title 6 of the Lansing Codified Ordinances in its entirety, except for Chapter 1300 – Marihuana Operations, with a Form Based Code and Zoning Map.

Was read a second time by its title and adopted by the following roll call vote:

Yeas: Council Members Betz, Dunbar, Garza, Hussain, Jackson, Spadafore

Nays: Council Member Wood

ORDINANCE #1273

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO REPEAL AND REPLACE THE EXISTING ZONING ORDINANCE AND MAP, BEING PART 12, TITLE 6 OF THE LANSING CODIFIED ORDINANCES IN ITS ENTIRETY, EXCEPT FOR CHAPTER 1300 – MARIHUANA OPERATIONS, WITH A FORM BASED CODE AND ZONING MAP.

THE CITY OF LANSING ORDAINS:

Section 1. That Part 12, Title 6 of the Lansing Codified Ordinances, except for Chapter 1300 – Marihuana Operations, is hereby repealed and replaced as follows:

Chapter 1240 Purpose and Definitions

1240.01 Short Title
This Title Six of Part Twelve of these Codified Ordinances shall be known and may be cited as the "Zoning Ordinance of the City of Lansing" or just the "Zoning Code."
1240.02 Enabling Authority
This Ordinance establishes comprehensive zoning regulations for the City of Lansing, and provides for the administration, enforcement, and amendment of those regulations, in accordance with the provisions of the Michigan Zoning Enabling Act (Public Act 110 of 2006), as amended, being M.C.L. 125.581, et seq., and the Michigan Planning Enabling Act (Public Act 33 of 2008), as amended, being M.C.L. 125.3801, et seq.
1240.02.01 Applicability
This Zoning Code applies only to real property within the corporate limits of the City of Lansing. It does not apply to any real property treated as part of the City of Lansing by virtue of an intergovernmental agreement pursuant to the Michigan Intergovernmental Conditional Transfer of Property by Contract Act (Public Act 425 of 1984) (a "425 Agreement"). Zoning for any real property subject to a 425 Agreement shall be governed by the terms of that 425 Agreement. Any Zoning classification in a 425 Agreement that pre-existed this Ordinance shall persist, notwithstanding such classification is no longer in this Ordinance.
1240.03 Purpose
The purpose and intent of this Zoning Ordinance is to:

a) Protect the public health, safety, general welfare and investment-backed expectations of property owners by ensuring some level of certainty in the land use pattern, arrangement and compatibility of uses.
b) Be consistent with the Michigan Zoning Enabling Act.
c) Implement the vision for development as specified in the Design Lansing Comprehensive Plan ("the Plan").
d) Maintain consistency with the development patterns of architecture, setbacks and intensity of development that are already in conformance with the Plan.
e) Create incentives to encourage additional preservation and development quality than is required in this ordinance.

1240.04 Definitions
1240.04.01 CONSTRUCTION OF LANGUAGE
The following rules of construction apply to the text of this Ordinance:

a) The particular shall control the general.
b) In case of any difference of meaning or implication between the text of this Ordinance and any caption or illustration, the text shall control.
c) The word "shall" is always mandatory and not discretionary. The word "may" is permissive, with the decision made by the Zoning Administrator or any other city staff noted, Planning Board, City Council or Board of Zoning Appeals; as indicated.
d) Words used in the present tense shall include the future and words used in the singular number shall include the plural, and the plural the singular, unless the context clearly indicates the contrary.
e) The word "building" includes the word "structure." The word "build" includes the words "erect" and "construct." A "building" or "structure" includes any part thereof.
f) The phrase "used for" includes "arranged for," "designed for," "intended for," "maintained for," or "occupied for."
g) The term "including" means "including, but not limited to" and the term "such as" means "such as, but not limited to" unless otherwise noted.
h) The word "person" has the same definition as in Chapter 202 of the Codified Ordinances of Lansing.
i) Unless the context clearly indicates the contrary, where a regulation involves two or more items, conditions, provisions or events connected by the conjunction "and," "or," "either...or," the conjunction shall be interpreted as follows.
    a. "And" indicates that all the connected items, conditions, provisions or events shall apply.
    b. "Or" indicates that the connected items, conditions, provisions, or events may apply singly or in any combination (i.e. "or" also means "and/or").
    c. "Either...or" indicates that the connected items, conditions, provisions or events shall apply singly but not in combination.
j) (j) The terms "abutting" or "adjacent to" include contiguous property along the lot lines of the subject site including those in another community. The first lot may be directly across a public right-of-way from the second lot.
k) (k) The word "days" shall mean calendar days and include all week-end days and holidays.
l) (l) Terms not herein defined shall have the meaning customarily assigned to them.

In an instance where graphics are used in the ordinance, text prevails over graphics, which are shown to assist the reader.
For ease of use, some terms are defined in the sections containing the regulations to which they apply.

1240.04.02 DEFINITIONS
As used in this Zoning Ordinance, unless otherwise provided:
ACCESSORY BUILDING OR STRUCTURE. A detached structure on the same lot with, and of a nature customarily incidental and subordinate to, a principal structure, and occupied or devoted exclusively to an accessory use.
ACCESSORY USE. A use which meets all of the following criteria:

A. It is clearly incidental to the principal use.
B. It is customarily found in connection with the principal use.

C. It is subordinate to the principal use.
D. It is located on the same lot as the principal use, except as otherwise permitted in this Zoning Code.

ADJACENT RESIDENTIAL DISTRICT. The residential district to which the majority of the subject site is contiguous, abutting or located directly across a public right-of-way.

ADULT CARE FACILITIES:

a) Adult Care Facilities, State-Licensed: A facility for the care of adults, over eighteen (18) years of age, as licensed and regulated by the State under Michigan Public Act 218 of 1979, and rules promulgated by the State Department of Human Services, providing foster care to adults. It includes facilities and foster care homes for adults who are aged, mentally ill, developmentally disabled, or physically handicapped who require supervision on an ongoing basis, but do not require continuous nursing care. An adult foster care facility does not include nursing homes, homes for the aged, hospitals, alcohol or substance abuse rehabilitation center, or a residential center for persons released from or assigned to a correctional facility.
b) Adult Day-Care Facility: A facility other than a private residence, which provides care for more than six (6) adults for less than twenty-four (24) hour period.
c) Adult Foster Care Family Home: means a private home with the approved capacity to receive six (6) or fewer adults to be provided with foster care for twenty-four (24) hours a day for five (5) or more days a week and for two (2) or more consecutive weeks. This may include adult day care for six (6) or fewer adults. The adult foster care family home licensee must be a member of the household and an occupant of the residence.
d) Adult Foster Care Large Group Home: A private home with approved capacity to receive at least thirteen (13) but not more than twenty (20) adults to be provided supervision, personal care, and protection, in addition to room and board, for compensation, for twenty-four (24) hours a day, five (5) or more days a week, and for two (2) or more consecutive weeks. This may include adult day care for twenty (20) or fewer adults.
e) Adult Foster Care Small Group Home: A private home with the approved capacity to receive more than six (6) but not more than twelve (12) or fewer adults who are provided supervision, personal care, and protection in addition to room and board, for twenty-four (24) hours a day, five (5) or more days a week, and for two (2) or more consecutive weeks for compensation. This may include adult day care for twelve (12) or fewer adults.
f) Adult Congregate Care Facility: A private home with the approved capacity to receive more than twenty (20) adults for twenty-four (24) hours a day, five (5) or more days a week, and for two (2) or more consecutive weeks.
g) Convalescent or Nursing Home: A structure with sleeping rooms, where persons are housed or lodged and are furnished with meals, nursing and limited medical care.

ADULT USES. See definitions related to Adult Uses in Chapter 1250.

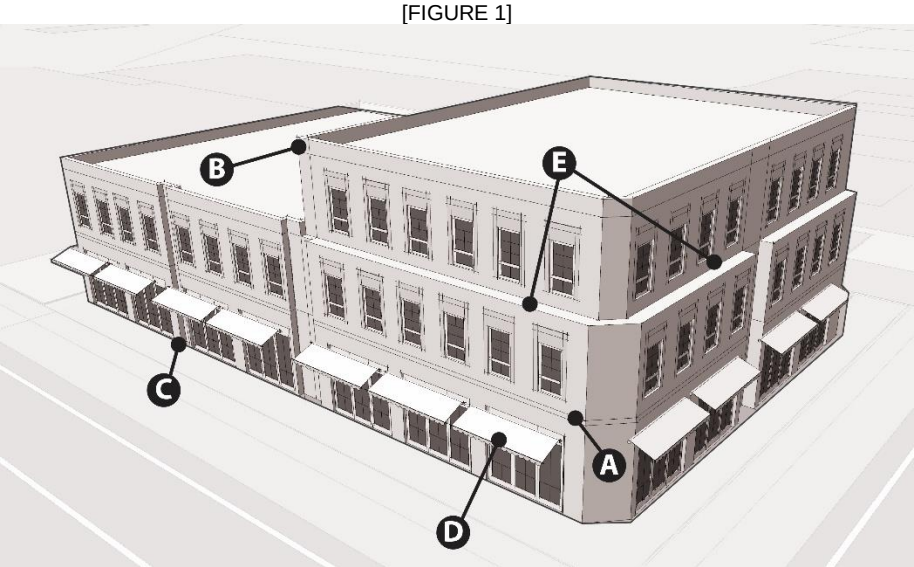
ALLEY. Any dedicated public right-of-way affording a secondary means of access to abutting property.

ANIMAL HOSPITAL. A structure or lot where animals are given medical or surgical care or treatment.

APPLICANT. A person having a legal, equitable or leasehold interest in a lot, or a representative of such person, who is making a request pursuant to this Zoning Code.

ARCHITECTURAL ELEMENTS: Physical features that relate to building architecture and character such as, but not limited to: (a) belt courses, (b) cornices/moldings, (c) columns or recesses, (d) awnings/canopies, and (e) step-backs; as depicted below.

[FIGURE 1]



ARTICULATION. Architectural variations in a building wall that accentuates details of the building design and can define a building base, middle and top, and variety along the facade. Horizontal and vertical articulation is achieved by using changes in architectural elements to promote varied front building lines and interesting, non-uniform and non-repetitive facade designs.

BAR. See “RESTAURANT: BAR/LOUNGE/TAVERN”

BASEMENT OR CELLAR. That portion of a structure between floor and ceiling which is partly below and partly above grade. A basement is so located that the vertical distance from grade to the floor below is less than the vertical distance from grade to ceiling. A cellar is that portion of a structure between floor and ceiling which is wholly or partly below grade and so located that the vertical distance from grade to the floor below is equal to or greater than the vertical distance from grade to ceiling.

BED AND BREAKFAST INN: Any dwelling in which overnight accommodations are provided or offered for transient guest for compensation, including provision for a morning meal only for the overnight guest only. A bed and breakfast is distinguished from a motel in that a bed and breakfast establishment shall have only one set of kitchen facilities, employ only those living in the house or up to one additional employee, and have facade style that is compatible with surrounding homes.

BEDROOM. A room within a dwelling unit that meets the following criteria:

A. It is intended to be used, or is used, for sleeping purposes.
B. It contains a floor area of not less than seventy (70) square feet.
C. It is not the only room in the dwelling unit (e.g.: an efficiency dwelling unit).

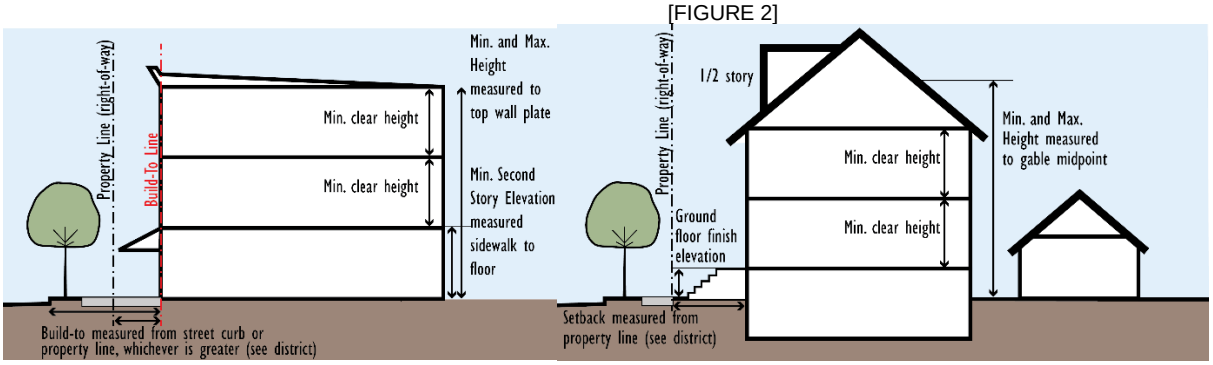
BERM. An earthen mound designed to separate one area from another.
BLOCK FACE. The cumulative property on one side of a street exhibiting one of the following characteristics:

A. The property lying between two intersecting streets or public rights-of-way;
B. The property lying between an intersecting street and railroad right-of-way, river or stream; or
C. The property lying between a public right-of-way, railroad right-of-way, river or stream and the corporate boundaries of the City.

BOUNDARY LINE. The dividing line between zoning districts and / or subdivisions.

BUFFER. A land area that separates one land use from another. Such area may be landscaped and may also contain a berm, fence or other screening material.
BUILDING. An independent structure having a roof supported by columns or walls, intended and/or used for shelter or enclosure of persons or chattels. When any portion of a structure is completely separated from every other part by division walls from the ground up, and without openings, each portion of such structure shall be deemed a separate structure. This refers to both temporary and permanent structures, and includes tents, sheds, garages, stables, greenhouses or other accessory structures. A building does not include such structures with interior areas not normally accessible for human use, such as gas holders, tanks, smoke stacks, grain elevators, coal bunkers, oil cracking towers or similar structures.
BUILDING CODE. The Stille-Derossett-Hale- Single State Construction Code Act, Act 230 Of 1972, known as the Michigan Building Code, with amendments, adopted by reference as part of these Codified Ordinances.
BUILDING FRONTAGE. The percentage of the building façade that adjoins the front setback or build-to line.
BUILDING HEIGHT. The vertical distance from the grade at the front of a structure to the highest point of the coping of a flat roof; the average height between the eaves and a ridge or to the deckline of a mansard roof; or the average height between the plate and ridge of a gable, hip or gambrel roof; in all cases, excluding minor projections such as finials, chimneys, vent pipes, aerials, or other appurtenance of similar scale.
BUILD-TO LINE. The building line to which a building must be constructed. Similar to setback, a build-to line runs parallel to the right-of-way and is established to create a generally consistent building line along a street. The build-to line designates the specific location or range within which the front building line must be located.

[FIGURE 2]



BUSINESS. An office, commercial or industrial use entered into for the purpose of financial gain, earning a livelihood or improving a person's economic conditions and desires.
CANOPY. An ornamental or roof-like structure which is fastened to a structure and used for protection.
CARPORT. An accessory structure used primarily to shelter private motor vehicles. A carport is attached to the principal structure and is completely open on not less than two sides.
CHILD CARE/RESIDENTIAL CARE FACILITIES:

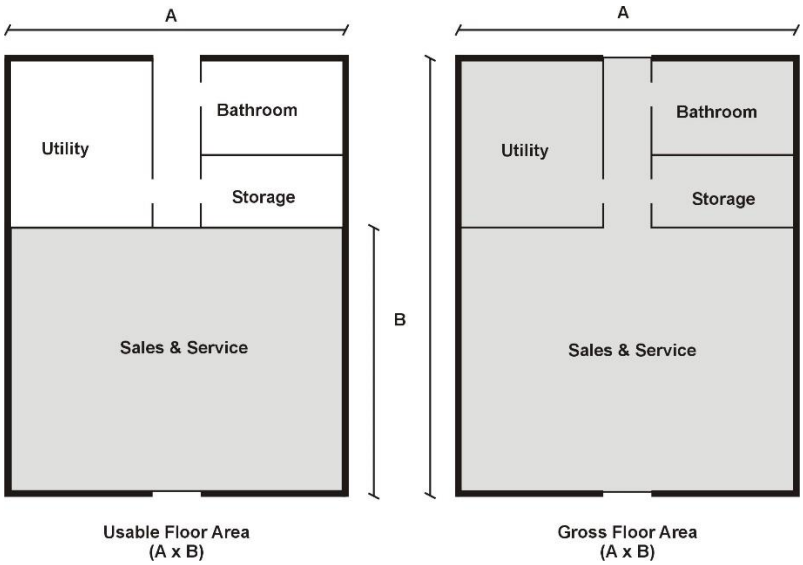
a) Child Care Facility: A facility for the care of children under eighteen (18) years of age, as licensed and regulated by the State under Michigan Public Act 116 of 1973 and the associated rules promulgated by the State Department of Human Services.
b) Child Care Centers, Nursery Schools, and Day Nurseries: A facility, other than a private residence, receiving pre-school or school age children for group care for periods of less than twenty-four (24) hours a day, and where the parents or guardians are not immediately available to the child. It includes a facility which provides care for not less than two (2) consecutive weeks, regardless of the number of hours of care per day. The facility is generally described as a child care center, day care center, day nursery, nursery school, parent cooperative preschool, play group, or drop-in center. "Child care center" or "day care center" does not include a Sunday school conducted by a religious organization where children are cared for during short periods of time while persons responsible for such children are attending religious services.
c) Family day care home (six or fewer children less than 24 hours per day): A private home in which not more than six minor children are received for care and supervision for periods of less than 24 hours a day, unattended by a parent or legal guardian, except children related to an adult member of the family by blood, marriage or adoption. It includes a home that gives care to an unrelated child for more than four weeks during a calendar year.
d) Group day care home (seven to 12 children less than 24 hours per day): A private home in which more than six but not more than l2 children are given care and supervision for periods of less than 24 hours a day unattended by a parent or legal guardian, except children related to an adult member of the family by blood, marriage or adoption. It includes a home that gives care to an unrelated child for more than four weeks during a calendar year.
e) Foster Family Group Home: A private home in which more than four but less than seven children, who are not related to an adult member of the household by blood, marriage, or adoption, are provided care for 24 hours a day, for four or more days a week, for two or more consecutive weeks, unattended by a parent or legal guardian.
f) Foster Family Home: A private home in which one but not more than six minor children, who are not related to an adult member of the household by blood, marriage, or adoption, are given care and supervision for 24 hours a day, for four or more days a week, for two or more consecutive weeks, unattended by a parent or legal guardian.

CHURCH. See “PLACES OF ASSEMBLY.”
CLEAR HEIGHT. Within a structure, the distance between the floor and ceiling. For entrances and other external building features, the unobstructed distance from the ground to the bottom of the lowest element above.
CLINIC. An establishment where human patients who are not lodged overnight are admitted for examination and treatment by a group of physicians, dentists, or similar professionals. A medical clinic may incorporate customary laboratories and pharmacies incidental to or necessary for its operation or to the service of its patients, but may not include facilities for overnight patient care or major surgery.
COMPREHENSIVE PLAN. A master plan described by Public Act 33 of 2008, as amended.
CONSTRUCTION. The putting together of materials to build a new structure or to restore, reconstruct, extend, enlarge or repair an existing structure. This definition does not apply to section 1250.06.
CONSTRUCTION, START OF. The first placement of permanent construction of a structure, other than a mobile home, on a site, such as the pouring of slabs or footings or any work beyond the stage of excavation. “Permanent construction” does not include land preparation, such as clearing, grading and filling; the installation of streets and/or walkways; excavation for a basement, cellar, footings, piers or foundations or for the erection of temporary forms; or the installation on the property of accessory structures, such as garages or sheds, not occupied as dwelling units or part of the main structure. For a structure, other than a mobile home, without a basement, cellar or poured footings, “start of construction” includes the first permanent framing or assembly of the structure or any part thereof on its piling or foundation. For premanufactured homes, “start of construction” means the affixing of the premanufactured home to its permanent site. For mobile homes within mobile home parks or mobile home subdivisions, “start of construction” is the date on which the construction of facilities for servicing the site on which the mobile home is to be affixed, including, at a minimum, the construction of streets, either final site grading or the pouring of concrete pads and the installation of utilities is completed.
CONTIGUOUS. Abutting.
CUMULATIVE. Increasing or enlarging by successive addition through all points in time.
DAMAGED. An item that still functions as it was intended, but is missing parts or has parts that have suffered some degree of destruction.
DEPARTMENT. The Department of Economic Development and Planning, or its successor.
DETERIORATED. An item which still functions as it was intended, but is missing parts or requires substantial maintenance.
DEVELOPMENT AGREEMENT. A contract between a local jurisdiction and a property owner within the jurisdiction detailing a development plan for the property.
DRIVE-THROUGH BUSINESS: A business establishment so developed that its retail or service character is wholly or partly dependent on providing a driveway approach and service windows or facilities for vehicles in order to serve patrons food and beverages in a ready-to-consume state from a drive-through window to patrons in motor vehicles. A drive-through restaurant may or may not also have indoor seating.
DUPLEX. See “DWELLING, TWO-FAMILY”.
DWELLING, MULTIPLE. A structure or portion of a structure which contains three or more dwelling units, including fraternities and sororities.
DWELLING, ONE-FAMILY. A structure designed and/or used exclusively for residential purposes for one family only and containing one dwelling unit.
DWELLING, TWO-FAMILY. An attached or semidetached structure used for residential occupancy by two families living independently of each other. Such dwelling is also known as a “duplex dwelling.”
DWELLING UNIT. A structure or a portion of a structure on a permanent foundation with one or more rooms, including a bathroom and complete kitchen facilities, which rooms are arranged, designed or used as living quarters for one family.
DWELLING UNIT, EFFICIENCY. A dwelling unit of not more than one room in addition to a kitchen and bathroom.
ELEVATION, SECONDARY. The building elevation built along the build-to line on the Secondary Frontage.
EMERGENCY SERVICES FACILITY. Includes, but is not limited to, public or private civil defense, ambulance or fire service.
EXCAVATION. Any breaking of ground, except for agricultural purposes, ground care and landscaping.
EXTENSION. An addition to the floor area of an existing structure, an increase in the intensity of a use, an enlargement of land area utilized by a specific use or an increase in the activity of a use.
FACADE, PRIMARY. The building elevation built along the build-to line on the Primary Frontage.
FAIR MARKET VALUE. An estimate of the actual worth of a lot, structure or combination thereof, which estimate is made by a licensed real estate broker or assessor experienced and qualified in the appraisal of real estate using appropriate appraisal techniques, as determined by the City Assessor.
FAMILY. "Family" means any one of the following (see also "family, functional" hereof):

a) An individual;
b) An individual or two or more persons related by blood, marriage or adoption, together with not more than two other persons as roomers; or
c) Two or more persons related by blood, marriage, or adoption, with not more than two of the unrelated persons as roomers.

FAMILY, FUNCTIONAL. "Functional family" means a group of persons, which group does not meet the definition of "family" in above paragraph hereof, living in a dwelling unit as a single housekeeping unit and intending to live together as a group for the indefinite future. "Functional family" does not include a fraternity, sorority, club, hotel or other group of persons whose association is temporary or commercial in nature.”
FENCE. Any wall (except a retaining wall), screen, partition or similar structure existing on a yard or parcel of land, which structure encloses land, divides land into distinct portions, separates contiguous properties, obstructs the passage of light or air into adjacent land or obstructs the vision of motorists on or near public roads. Barbed wire shall not be considered part of a fence for purposes of determining the height thereof.
FENESTRATION. Openings in the building wall, including windows, doors and open areas. When measuring fenestration, framing elements (such as muntins) with a dimension less than one (1) inch are considered part of the opening.
FILLING. The permanent depositing or dumping of any matter onto or into the ground, except for agricultural purposes, ground care or landscaping.
FLOOR AREA. The sum of the horizontal areas of each story of a structure measured from the exterior faces of the exterior walls.
FLOOR AREA, USABLE. For the purpose of computing parking, that area used for or intended to be used for the sale of merchandise or services, or for use to serve patrons, clients or customers. Such floor area which is used or intended to be used for hallways, stairways, elevator shafts, utility or sanitary facilities or the storage or processing of merchandise shall be excluded from this computation of “usable floor area.” Measurement of usable floor area shall be the sum of the horizontal areas of each story of a structure measured from the interior faces of the exterior walls.

[FIGURE 3]

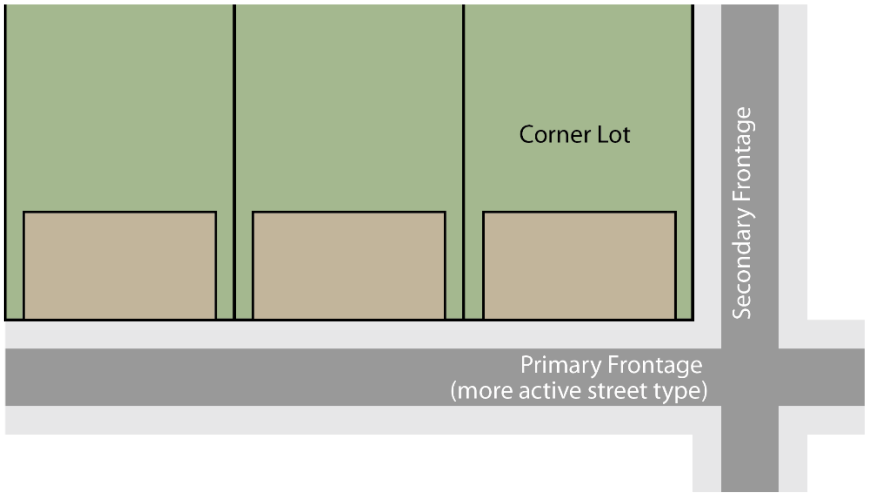


FOOTCANDLE. A unit of luminance amounting to one lumen per square foot.
FRONTAGE. The front part of a property that faces the street, as measured in linear feet.
FRONTAGE, MINIMUM. The minimum percentage of the frontage that the facade must occupy.
FRONTAGE, PRIMARY. The primary frontage applies to parcels that front on more than one street. The primary frontage shall be considered the property line that abuts the street that either:

a) Is envisioned to be the most pedestrian-oriented, according to the Street Typologies described in the Comprehensive Plan and defined in this ordinance (see "STREET TYPES"). In these cases the primary frontage should be considered the more active street type per the list in 1242.03.
b) Or, in the case where the above is not clear or where both streets are the same type, the street to which the majority of principal structures face within 500 feet of the subject site, subject to zoning administrator's approval.

FRONTAGE, SECONDARY. Applies to parcels that front on more than one street. The secondary property lines are those which are not the Primary Frontage (see "FRONTAGE, PRIMARY").

[FIGURE 4]



FRONTAGE TYPES. The design for the front facade of a building type, as described below:

a) Porch: A porch is a frontage type applicable to lower density residential buildings and designed to provide covered, outdoor seating space for residents. Porches can project beyond the setback line towards the right-of-way and/or can wrap around the side of the building. An "enclosed porch" is surrounded on all sides by glass, screen, wood, brick, plastic, or other materials permitted by the Building Code. An "open porch" is one that is not enclosed.
b) Stoop: A stoop is a small elevated landing space above the sidewalk level which provides entry into the building. Stoops may be covered or uncovered and may project beyond the building setback line towards the right-of-way.
c) Storefront: A frontage type appropriate for the ground floor of commercial / retail buildings. Storefronts provide large windows with transparent views into the building interior. Awnings may be incorporated into the frontage design, projecting beyond the building setback line.

FUNERAL HOME. A structure used and occupied by a professional licensed mortician for burial preparation and funeral services.
GARAGE. An accessory structure for the storage of motor vehicles.
GARAGE, PRIVATE. An accessory structure which is used primarily for the parking of private motor vehicles operated as accessory uses. A private garage has access through an overhead door and has a hard-surfaced driveway leading to the structure from a property line.
GARAGE, PUBLIC. Any garage other than a private garage.

GARDEN. The growing of plants for human consumption, including berries, herbs, vegetables, seeds, or other similar products incorporated into, and used as food and flowers, but not including plants grown for commercial sale or purposes. Gardens that are accessory to a primary permitted use are allowed by right in all residential districts. Gardens that are the primary use of a lot are permitted in all residential districts, subject to compliance with all applicable standards of the Lansing zoning ordinances and sign ordinance, including, but not limited to setback, building height, placement and lot coverage, landscape, screening and buffering and sign restrictions; and also subject to all other applicable state laws and city ordinances, including, but not limited to noise and other nuisances as defined by city ordinance, except that vegetation as described in a defined garden may exceed eight inches (8") in height.
GARDEN STRUCTURE. A structure used for the purpose of enclosing a garden, including the incidental use and storage of gardening implements, machinery, equipment and appurtenances used in the onsite gardening activities. Garden structures are permitted in all residential districts, subject to compliance with setback, lot coverage, building height and all other applicable requirements of the zoning ordinance and building codes.
GARDENING. The growing of a garden or the act of working in a garden.
GOLF COURSE. A comparatively large, unobstructed acreage involving enough room over which to walk or ride, point to point, over a generally prescribed course, and to strive to send a ball long distances with variable accuracy, all without unreasonably endangering other players or intruding upon them.
GOVERNMENTAL ENTITY. The Federal Government, this State or any of its instrumentalities; a county, city, township, village, school district, community college district or community hospital district; any agency authorized to exercise a governmental function in a limited geographical area or other political subdivision; any instrumentality of one or more of such units; or any of such units and one or more other States or political subdivision of such States.
GRADE. The lowest point of elevation within the area between the exterior surface of the structure and the property line. If the property line is more than five feet from the exterior surface of the structure, "grade" means the lowest point of elevation between the exterior surface of the structure and a line five feet from the exterior surface of the structure.
GREEN BUILDING. A structure that uses practices and materials that are environmentally responsible and resource-efficient throughout a building's life-cycle, from siting to design, construction, operation, maintenance, renovation, and demolition. Although new technologies are constantly being developed to complement current practices in creating greener structures, the common objective is that green buildings are designed to reduce the overall impact of the built environment on human health and the natural environment by:

a) Efficiently using energy, water, and other resources
b) Protecting occupant health and improving employee productivity
c) Reducing waste, pollution and environmental degradation Greenhouse, commercial. "Commercial greenhouse" means a glass or less than opaque enclosure which exceeds 150 square feet in floor area and is designed or used for the cultivation or protection of plants; or a glassed enclosure, regardless of size, designed or used for the cultivation or protection of plants for commercial purposes.

HEDGE. A dense row of low branching trees, shrubs, vines or other plants which encloses land, divides land into distinct portions, separates contiguous properties, obstructs the passage of light and air into adjacent land or obstructs the vision of motorists on or near public roads.
HOME OCCUPATION. A business conducted in a dwelling unit by a person with legal or equitable interest in the dwelling unit.
HOSPITAL. A health facility offering in-patient, overnight care and services for observation, diagnosis and active treatment of human patients with a medical, surgical, obstetric, chronic or rehabilitative condition requiring the daily direction or supervision of a physician.
HORIZONTAL MIXED-USE. See "MIXED-USE, HORIZONTAL".
HOTEL: A building or part of a building, with a common entrance or entrances, in which the dwelling units or rooming units are used primarily for transient occupancy, and/or in which one or more of the following services are offered: maid service, furnishing of linen, telephone, secretarial or desk service, and bellboy service. A hotel may contain within it a restaurant or cocktail lounge, public banquet halls, or meeting rooms.
INCENTIVE. Regulatory flexibility, reductions, or rewards that may be granted to a development or project that provides certain Recognized Benefits or elements that go beyond the minimum requirements. The level of Incentive granted is relative to the extent of the Recognized Benefit provided.
INTEGRATED PARKING. A feature of a building that utilizes a portion of the ground level for vehicle storage and parking.
INTENSITY OF USE. The amount of activity associated with a specific use. Intensity of use shall be determined by the Economic Development and Planning Department based on the following criteria:

A. Amount of vehicular traffic generated;
B. Amount of pedestrian traffic generated;
C. Noise, odor and air pollution generated;
D. Potential for litter or debris;
E. Type and storage of materials connected with the use;
F. Total residential units and density if residential; and
G. Total structure coverage and structure height on the parcel.

JUNK. Any of the following products which are stored in the open and which are damaged or deteriorated or are in such a condition that the product cannot be used for the purpose for which it was manufactured:

A. Motor vehicles;
B. Machinery;
C. Appliances;
D. Merchandise with missing parts;
E. Scrap metal; and
F. Scrap materials, including, but not limited to, rags, paper or building materials.

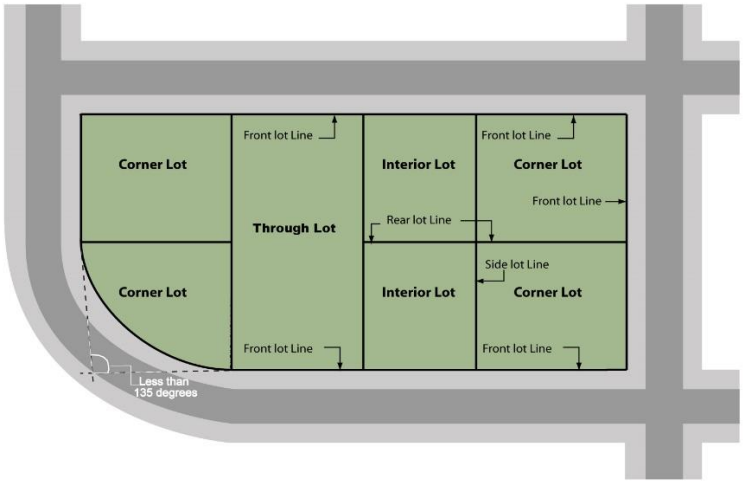
JUNKYARD. A lot used to store or process junk.
KENNEL. The keeping on a lot for commercial purposes of four or more dogs, cats or other household pets which are more than six months old. Keeping includes, but is not limited to, boarding, breeding or training.
LOADING SPACE OR AREA. An off-street space on the same lot with a structure or group of structures for the temporary parking of a commercial vehicle while loading and unloading merchandise or materials, and having direct and unobstructed access to a public street or alley. "Unobstructed" does not preclude the use of security devices.
LOT. A parcel of land consisting of one or more lots of record occupied or intended to be occupied by a principal structure or use and any accessory structure or by any other use or activity permitted on the parcel of land. Lot includes the open spaces and yards required under this Zoning Code and has its frontage on a public street or road either dedicated to the public or designated on a recorded subdivision plat. Corner, interior and through lots are described as follows:

\\

A. CORNER LOT. A lot where the interior angle of two adjacent sides at the intersection of two streets is less than 135 degrees. A lot abutting upon a curved street is a corner lot if the radius of the arc is less than 150 feet and the tangents to the curve at the two points where the lot lines meet the curve or the straight street line extended form an interior angle of less than 135 degrees.
B. INTERIOR LOT. A lot other than a corner lot.

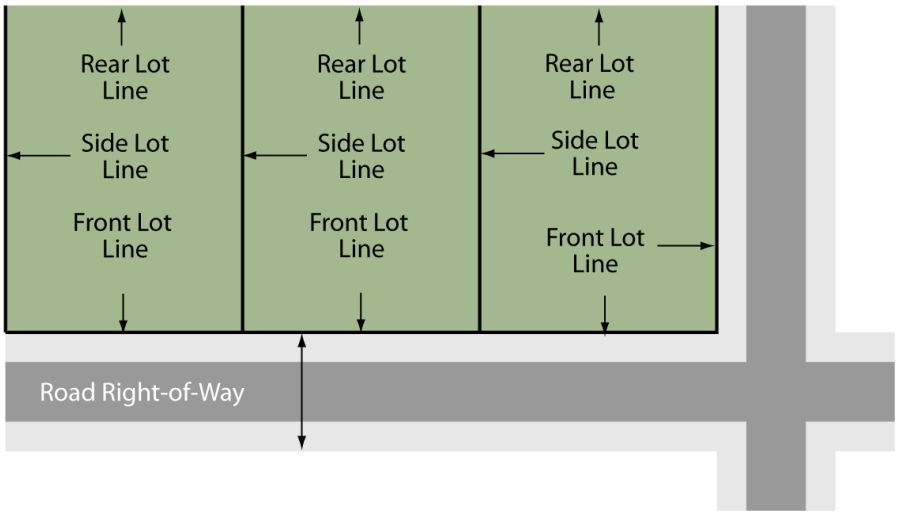
C. THROUGH LOT. An interior lot having frontage on two more or less parallel streets.

[FIGURE 5]



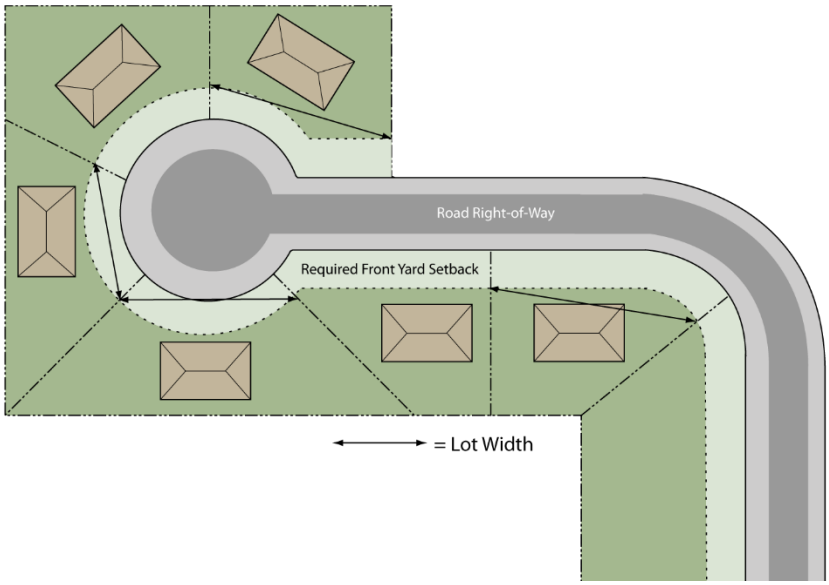
LOT AREA. Means the total horizontal area within the lot lines of the lot.
LOT COVERAGE. The part or percentage of lot area, not including right-of-way, occupied by buildings, structures and hard-surfaced parking areas.
LOT DEPTH. The horizontal distance between front and rear lot lines, measured along the median between the side lot lines.
LOT LINE. Any of the lines bounding a lot.

[FIGURE 6]



LOT LINE, FRONT. The line separating a lot from the right-of-way line of a street.
LOT LINE, REAR. A lot line which is opposite the front lot line. In the case of a corner lot, the rear lot line may be opposite either front lot line, but there shall be only one rear lot line. In the case of a lot converging toward the rear, the rear lot line shall be an imaginary line parallel to the front lot line, not less than ten feet long and wholly within the lot.
LOT LINE, SIDE. Any lot line not a front lot line or a rear lot line.
LOT OF RECORD. A parcel of land which is part of a subdivision, the dimension and configuration of which has been recorded on a map in the office of the Register of Deeds for the appropriate county, or a parcel described by metes and bounds in any instrument of conveyance recorded at the appropriate Register of Deeds.
LOT WIDTH. The horizontal distance from one side lot line to the opposite side lot line, beginning and ending where the side lot lines meet the required setback from the Front Lot Line.

[FIGURE 7]



LOW IMPACT DEVELOPMENT. Land development that uses nature, through preserving or recreating natural landscape features and minimizing effective imperviousness, to manage stormwater.
MAINTENANCE OF STRUCTURE. To keep up, to keep from change, to preserve, to hold or keep in any particular state or condition or to support what has already been brought into existence.
MID-RISE AND HIGH-RISE. A mid-rise or high-rise building is a medium-to large-size structure that can incorporate a mixture of uses and may often have integrated parking. Mid-rise buildings are typically 4-8 floors in height, and high-rise buildings are nine (9) or more floors in height.
MIXED-USE. A development that blends a combination of residential and nonresidential where those functions are physically and functionally integrated. Mixed-use development typically uses a combination of vertical and horizontal mixed-use development practices.

a) MIXED-USE, HORIZONTAL. Horizontal mixed-use refers to development patterns where uses within a development site or along a block are mixed along the extent of the building and/or development. Horizontal mixed-use can be combined with vertical mixed-use.
b) MIXED-USE, VERTICAL. Vertical mixed-use refers to development patterns where uses within a building are mixed, often with retail or active commercial uses on the ground and lower floors, and office or residential uses on the upper floors.

MOBILE HOME. A structure, transportable in one or more sections, which is built on a chassis and designed to be used as a dwelling, with or without a permanent foundation, when connected to the required utilities, and includes the plumbing, heating, air conditioning and electrical systems contained in the structure.
MOBILE HOME PARK. A parcel or tract of land under the control of a person upon which three (3) or more mobile homes are located on a continual, non-recreational basis and which is offered to the public for that purpose regardless of whether a charge is made therefor, together with any building, structure, enclosure, street, equipment, or facility used or intended for use incident to the occupancy of a mobile home.
MOTEL. A series of attached, semidetached or detached rental units containing a bedroom and a bathroom. A motel provides for overnight lodging which is offered to the public for compensation and caters primarily to the public traveling by motor vehicle.
MOTOR VEHICLE REPAIR STATION. A use where minor repairs (as defined in “Motor Vehicle Service Station”) are performed and any of the following major repairs are performed: bumping, vehicle painting, replacement of body parts and collision service, engine repair, engine rebuilding or replacement, replacement of transmission or internal transmission parts, and rebuilding or reconditioning of motor vehicles.
MOTOR VEHICLE SERVICE STATION. A use for supplying gasoline, oil and minor accessories at retail directly to the customer and which performs minor repairs. “Minor repairs” means: engine tune up, alternator or generator replacement, battery replacement, fan belt replacement, radiator hose replacement, radiator repair or replacement, tire and strut repair or replacement, wheel balancing, oil change, windshield repair or replacement, brake repair or replacement, muffler and exhaust system replacement, front end alignment, and auto detailing.
NONCONFORMITY. A use, structure or lot which does not conform with a use or dimensional provision or any combination of a use or dimensional provision of this Zoning Code, but which use, structure or land was lawfully established prior to the effectiveness date of such use or dimensional provision.
NONRESIDENTIAL USE. Any use not a residential use.
NURSERY. Any land used to raise trees, shrubs, flowers and other plants for sale or for transplanting.
NURSING HOME. See “ADULT CARE FACILITIES.”
OCCUPANT. A person who takes or enters upon possession of all or part of a building, parcel, or lot.
OFF-STREET PARKING FACILITY. An off-street parking surface lot or an off-street parking structure.
OFF-STREET PARKING STRUCTURE. A structure which provides for vehicular parking spaces, along with drives and aisles for maneuvering, so as to provide access for entrance and exit for the parking of two or more vehicles.
OFF-STREET PARKING SURFACE LOT. The use of an area for vehicular parking spaces, along with drives and aisles for maneuvering, so as to provide access for entrance and exit for the parking of more than two vehicles on the surface of a lot.
OFFICE. A structure in which a person transacts his or her business or carries on his or her stated occupation.
OPEN SPACE. The ground area, and the space above such ground area, which is unimpeded from the ground to the sky by any structure, except that the area may be used for landscaping, gardening or recreational purposes such as swimming, shuffleboard, tennis or similar uses. Parking lots and storage areas for vehicles and material shall not be considered as open space.
OPEN STORAGE. Any of the following items which are stored in the open and which are inoperable, damaged and/or deteriorated in such a condition that any such item cannot be used for the purpose for which it was manufactured, or is not reasonably associated with the principal use of the lot itself, including, but not limited to motor vehicles, machinery, appliances, motor vehicle parts; and other materials, including, but not limited to, metal, pipes, rags, papers or building materials.

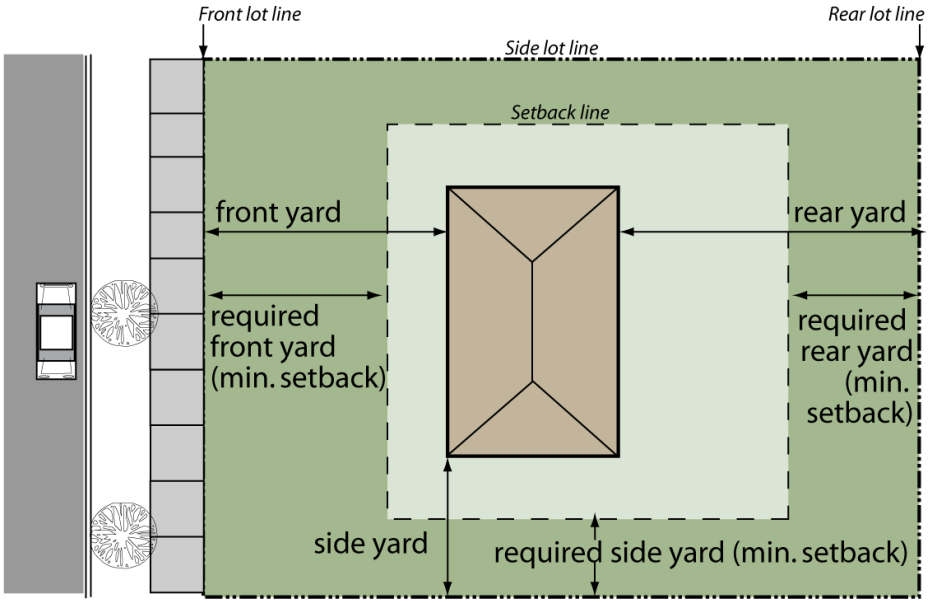
OUTDOOR PLAY SPACE. The outside area on a lot reserved at a day care or group day care home for outside exercise, large motor skill development and play space of children.
OUTDOOR STORAGE: The keeping, in an unroofed area, of any goods, junks, material, merchandise or vehicles in the same place for more than twenty-four (24) hours.
PANELIZED STRUCTURE. A structure consisting of preconstructed units for walls, roofs, and floors, which may include structural framing, windows, doors, exterior finishes, interior wall finishes, installed wiring, plumbing and insulation, which is brought on-site and erected thereon on a permanent foundation.
PARCEL. A tract of land officially described and registered under one ownership.
PARKING SPACE. An area of defined length and width for the parking of motor vehicles. Such area shall be exclusive of drives, aisles or entrances giving access thereto.
PEAK HOUR PARKING DEMAND. The number of parking spaces required during the highest intensity of use.
PERIMETER LINE OR BOUNDARY LINE. The exterior limits of a lot.
PERSONAL SERVICE ESTABLISHMENT. Any premises or business in which services for persons are performed, including but not limited to shoe repair, tailoring, beauty parlors, nail salons, tanning salons, or barbershops.
PLACES OF ASSEMBLY. Any structure wherein persons regularly gather for religious activity, entertainment, or political purposes including, but not limited to, churches, theaters, fraternal organizations, and trade union halls. A “Church” is a structure used to conduct a religious service, including, but not limited to, the usual accessory structures and uses, such as convents, rectories, parsonages, monasteries, gymnasiums and church halls.
PLANNED UNIT DEVELOPMENT. An office, residential, commercial, industrial or mixed complex developed as a single entity by one person, which complex contains more than one structure on a lot, not including accessory structures, and which is planned and developed as an integral unit in a single development operation according to the requirements of Chapter 1264.
PLOT PLAN. A diagram depicting the existing and proposed structures, lot lines, setbacks, parking areas and the location of any known wells.
PORCH. See “FRONTAGE TYPE”.
PREMANUFACTURED UNIT. An assembly of materials or products intended to comprise all or part of a building or structure, and that is assembled at other than the final location of the unit of the building or structure by a repetitive process under circumstances intended to ensure uniformity of quality and material content.
PRIMARY FACADE. See “FACADE, PRIMARY”.
PRIMARY FRONTAGE. See “FRONTAGE, PRIMARY”.
PRINCIPAL USE. The primary, major, main, leading, outstanding or chief use which a lot serves or is intended to serve.
PROBATE. “Probate” means the period of probate, as defined in Public Act 386 of 1998, as amended, being M.C.L. 700.1101, et seq.
PRODUCTION FACILITIES. Facilities for the production of consumer goods such as food, beverages, art, clothing, textiles, etc. and have a minimum of 20% floor area dedicated to retail sales.
PUBLIC UTILITY. Electric light and power companies, whether private, public, corporate or cooperative; gas companies; water, telephone, telegraph, oil, gas and pipeline companies; motor carriers; and all public transportation and communication agencies other than railroads and railroad companies.
REAL PROPERTY is a lot, plot or parcel of land recorded and located in the City of Lansing.
RECOGNIZED BENEFIT. The provision of certain elements or improvements that are desired by the City, as either expressed in the Comprehensive Plan or as stated in the zoning ordinance, or that go beyond the minimum requirements.
RECONSTRUCTION. The act of rebuilding a structure to meet the standards of the Building Code or Housing Code.
RECREATIONAL EQUIPMENT. A watercraft, vehicle, or other conveyance designed to be used primarily off of public streets and roads, and not regulated by the Michigan Vehicle Code, including by way of example, but not limited to: snowmobiles; boats and boat trailers; jet skis, floats and rafts, including transportation equipment.
RECREATIONAL FACILITY. A structure or open space which provides activities, including, but not limited to, swimming, racquet sports, exercise and fitness rooms or areas and gymnasiums.
RECREATIONAL VEHICLE. A vehicle primarily designed and used as temporary living quarters for recreational, camping, or travel purposes, including a vehicle having its own motor power or a vehicle mounted on or drawn by another vehicle. This includes by way of example, but is not limited to: travel trailers; camp trailers; tent trailers; campers, pop-up campers, and pickup campers; folding tent trailers; and utility trailers.
REPAIR. To restore to a sound or good state after decay, injury, dilapidation or partial destruction.
RESIDENTIAL USE. A use all or part of a lot, parcel, or building as a single-family, two-family or multifamily residence, boarding or lodging house or residential care facility, and accessory uses thereto.
RESTAURANTS: An establishment serving foods and/or beverages to a customer in a ready-to-consume state. The method of operation may be characteristic of a carry-out, drive-in, drive-through, fast food, standard restaurant, or lounge/tavern, or combination thereof, as defined below:

a) Restaurants with Outdoor Seating. A use that involves the sale or delivery of any prepared food or beverage for consumption in a defined area on premises but outside of the building in which it is prepared. Examples of defined areas include an external deck, patio, mall, garden, balcony or sidewalk.
b) Carry-Out Restaurant. A use that involves the sale of food, beverages, and/or desserts in disposable or edible containers or wrappers in a ready-to-consume state for consumption mainly off the premises. A carry out restaurant differs from a drive through restaurant in that a customer must park and walk up to the restaurant or an employee must exit the restaurant and deliver the food to a customer in a parked car.
c) Drive-In Restaurant. A use that involves delivery of prepared food so as to allow its consumption within a motor vehicle while parked on the premise.
d) Drive-Through Restaurant. A use that involves the delivery of prepared food to the customer within a vehicle, typically passing through a pass-through window, for consumption off of the premises.
e) Standard Restaurant. A standard restaurant is a use that involves either of the following:
    (1) The delivery of prepared food by waiters and waitresses to customers seated at tables within a completely enclosed building.
    (2) The prepared food is acquired by customers at a cafeteria line and is subsequently consumed by the customers within a completely enclosed building.
f) Bar/Lounge/Tavern. A bar, lounge or tavern is a type of restaurant that is operated primarily for the dispensing of alcoholic beverages. The preparation and sale of food or snacks to customers may be permitted.

RESTORATION. To put back into original or historic condition.
RESUMPTION. To begin the use of a nonconformity after it has been previously discontinued from use.

RETAIL STORE. An establishment which primarily serves the surrounding neighborhood and includes, but is not limited to, the following: limited service food store, drug store, hardware store, laundry or cleaners pickup, jewelry store, florist, gift shop, book store, clothing store, photographer, and bakery whose products are sold only on the premises.
SALVAGE YARD. A lot where any product, including, but not limited to, any of the following, is taken apart in such a way that the usable parts are separated from the nonusable: motor vehicles, machinery, appliances, fixtures, goods, and merchandise.
SETBACK: The minimum horizontal distance measured from the lot line, as required under this ordinance, for the front, side, or rear property line as appropriate.

[FIGURE 8]

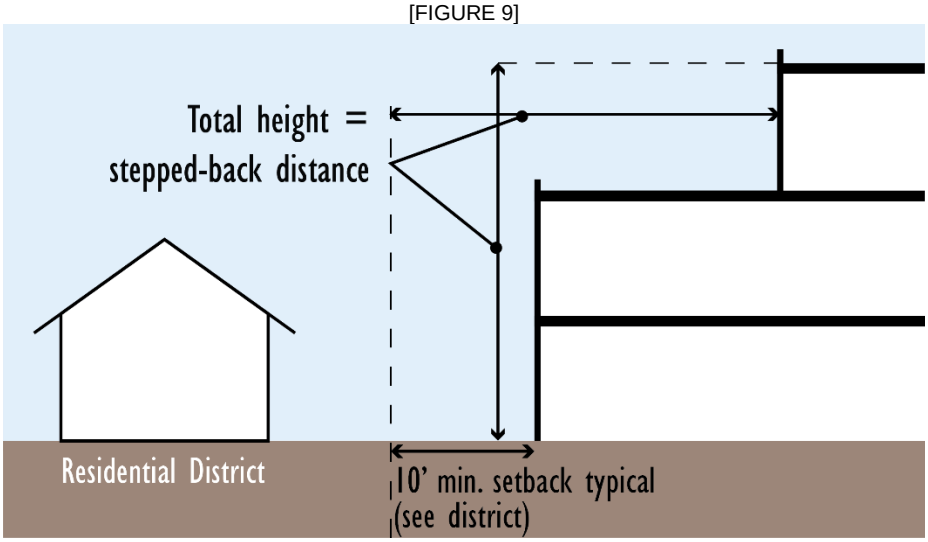


SHARED PARKING. A parking facility that serves two or more parcels of land or multiple uses under different ownership. A recorded shared parking agreement is generally used.
SHOPPING CENTER. A grouping of two (2) or more business establishments developed in accordance to an overall plan and designed and built as an interrelated project. Buildings constructed on outlots shall not be considered part of the shopping center unless access and parking easements are provided.
SITE PLAN. A plan that conforms to the requirements contained in Chapter 1260.
STABLE. A structure used to keep horses for commercial purposes.
STOOP. See “FRONTAGE TYPES”.
STORAGE. The holding or safekeeping of goods to await the happening of some future event or contingency which will call for the removal of the goods.
STOREFRONT. See “FRONTAGE TYPES”.
STREET. A public thoroughfare, avenue, road, highway, boulevard, parkway, way, drive, lane or court which affords the principal means of access to abutting property.
STREET, PRIVATE. A street which is not public.
STREET TYPE. A classification or typologies for streets that considers the characteristics of vehicle travel (speed and volume), the street’s function in the transportation network (types of travel accommodated: through traffic, cross-town, connections to highways or local), the extent of pedestrian and bicycle accommodation, typical types of land uses served, the design context (block length, building setbacks), and access system design. In many cases, a streets classification may change as it traverses different zoning districts. The following street types are illustrated on the official Street Typology Map:

a) Expressway: Restricted access divided Interstate and U.S. highways for motor vehicle use only that are typically under the jurisdiction of the State of Michigan or the Federal Highway Administration.
b) Non-Local Streets:
    1. Activity Corridor: An arterial or major street that traverses an area that typically is designed to promote a multi-modal balance between vehicle, pedestrian and bicycle travel. Such streets may have more frequent traffic signals, a higher level of service of public transit, on-street parking, and more abundant locations for pedestrian crossings to encourage activity along the sidewalks.
    2. Prime Connector: Major collector streets that link higher class streets with local streets. Prime Connector typically traverse residential districts and are designed for moderate traffic speeds and volumes, often with special design features to bicyclists.
    3. Suburban Corridor: A class of arterial or Major Streets that are similar in traffic function as Arterial Corridors, but typically are lined with more suburban style auto-oriented development with lower density and deeper setbacks.
    4. Arterial Corridor: Major Streets that, compared to most other types of streets, are designed accommodate higher volumes of vehicle traffic and often are “cross town” routes that are, or may connect with, state trunklines or roads in adjacent communities. May also be referred to as Principal or Major Arterials.
    5. Neighborhood Connector: Minor residential collector streets that link local streets with higher classes of streets. Neighborhood Connectors are designed for lower traffic volumes and speeds to complement the character of the neighborhoods served. Dedicated bike facilities may be provided.
c) Local Street: Lowest traffic streets providing access to residents. Lanes are typically unmarked with on-street parking and stop-controlled intersections.

STRUCTURAL ALTERATION. Any change in the supporting members of a building, such as bearing walls, columns, beams or girders, or any substantial changes in the roof and exterior walls.
STRUCTURE. That which is built or constructed, an edifice or building of any kind or any piece of work artificially built up or composed of parts joined together in some definite manner.
STRUCTURE, MINOR. A structure having a replacement cost of not more than $5,000.00.
STRUCTURE, TEMPORARY. A structure which is located on a lot for less than one year, or, if the structure is connected with a construction activity on a lot, until the construction activity is completed.
SUBSTITUTION. To put in place of another.
TAVERN. See “RESTAURANT: BAR/TAVERN”
TEMPORARY USE. Any use that is not permitted as a principal use, accessory use or a conditional use in a zoning district, and which is limited in its duration.
TOWNHOUSE. A group of dwellings having party walls with each other and located side by side.
TRAILER. A vehicle with or without motive power, other than a pole-trailer, designed for carrying property or persons and for being drawn by a motor vehicle and so constructed that no part of its weight rests upon the towing vehicle. As defined in this code, trailer is not exclusive of recreational vehicle.
UPPER FLOOR STEPBACKS. For the elevation adjacent to a residential district, (R-1 through R-6) the floors above the second story shall be tiered-back so that the highest point of the building is setback from the adjacent residential district a distance at least equal to the height of the building.

[FIGURE 9]

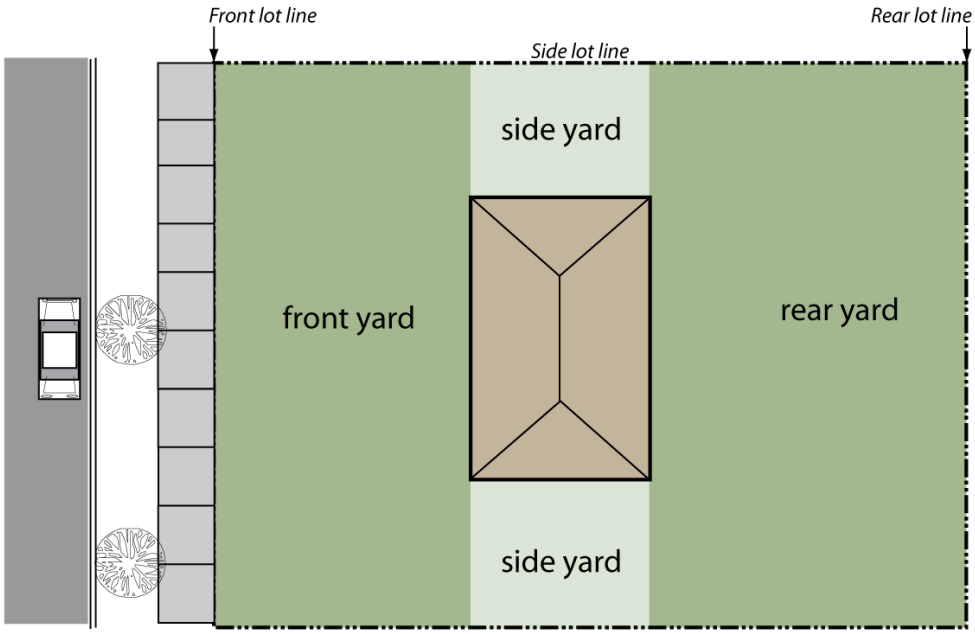


USE.

a) Any purpose for which a structure or lot may be designed, arranged, intended, maintained or occupied; or
b) Any activity, occupation, business or operation carried on in a structure or on a lot.

VERTICAL MIXED-USE. See “MIXED-USE, VERTICAL”.
YARD. A space on a lot with a structure, which space is unobstructed and unoccupied from the ground upward, except as occupied or obstructed as permitted in this Zoning Code.
(a) “Front yard” means a yard extending across the full width of a lot between the front lot line of the structure containing the principal use and the front lot line.
(b) “Rear yard” means a yard extending the full width of a lot between the rearmost structure containing the principal use and the rear lot line, the depth of which is the least distance between the rear lot line and the rear of the structure containing the principal use.
(c) “Side yard” means a space within a lot between a side lot line and a structure containing the principal use or an attached accessory structure, whichever is closer to the side lot line. A side yard extends on each side of a lot from the front lot line to the rear lot line of the lot.

[FIGURE 10]



ZONING VARIANCE. A modification of the strict letter of this Zoning Code granted by the Board of Zoning Appeals when, by reason of exceptional conditions, the strict application of this Zoning Code results in peculiar, exceptional or practical difficulties or unnecessary hardship to the owner of the lot.

Chapter 1242
Districts Generally and Zoning Map
1242.01 Establishment of districts
The City is hereby divided into the following zoned districts:
(a) Commercial/Mixed-Use Zones

S-C	Suburban Commercial
MX-C	Mixed Use Urban Corridor
MX-1	Mixed Use Neighborhood Center
MX-2	Mixed Use Community Center
MX-3	Mixed Use District Center
DT-1	Urban Edge
DT-2	Urban Flex
DT-3	Downtown Core

(b) Residential Zones

R-1	Suburban Residential
R-2	Suburban Residential
R-3	Suburban Residential
R-4	Urban Edge Residential
R-5	Urban Edge Residential
R-6A	Urban Residential
R-6B	Urban Residential
MFR	Multi-family Campus Residential
R-MX	Mixed Residential
R-AR	Adaptive Reuse Residential

(c) Special District Zones

IND-1	Suburban Industrial
IND-2	General Industrial
IND-3	Urban Industrial
INST-1	Suburban Institutional
INST-2	Urban Institutional

1242.02 Official zoning map
(a) The boundaries of the districts described in Section 1242.01 are established as shown upon the official Zoning Map of the City, which Map is incorporated by reference and made a part of this Zoning Code as if fully set out herein.
(b) The official Zoning Map shall be kept on file in the office of the Planning Office.
(c) Whenever a district boundary is amended pursuant to Chapter 1276, the Planning Office shall, within thirty 30) days, make the correlative change in the official Zoning Map so as to reflect the change of the district boundary.
(d) If a territory is annexed to the City, or comes under City jurisdiction for zoning purposes under 1984 PA 425, a map of the annexed or 1984 PA 425 territory shall be prepared by the Planning Office and shall be included as part of the official Zoning Map

(e) If a street, alley or public way is vacated, it shall take the zoning of the land to which it is attached, pursuant to Section 227a of Public Act 288 of 1967, as amended, being M.C.L.A. 560.227a.
(f) A conformed copy of the official Zoning Map shall be made available by the Planning Office to a person requesting a copy, if the person pays a fee set by Council, which fee covers costs involved in preparing the copy.

1242.03 Street Typologies
The Design Lansing Comprehensive Plan identified a hierarchy of street typologies that are codified in this ordinance and shown on the official Street Typology Map (in order from most active street type to least active):

a. Non-Local Streets:
   i. Activity Corridor
   ii. Prime Connector
   iii. Suburban Corridor
   iv. Arterial Corridor
   v. Neighborhood Connector
b. Local Street

The Design Lansing Street Typologies map shall be used in conjunction with the zoning map to regulate street design and frontage character.

1242.04 Interpretation of District Boundaries
Where uncertainty exists with respect to the boundaries of any of the districts established in this Ordinance as shown on the zoning map, the following rules shall be applied:

a. Centerline or Right-of-way of Streets. Where district boundaries are indicated as approximately following the center lines of street or highway rights-of-way, street lines, or highway right-of-way lines, such center lines, street lines, or highway right-of-way lines shall be construed to be such boundaries.
b. Parallel to Streets. Where district boundaries are so indicated that they are approximately parallel to the center lines of streets or rail rights-of-way, such district boundaries shall be construed as being parallel thereto and at such distances there from as indicated on the zoning map. If no such distance is given, such dimension shall be determined by the use of the scale shown on the zoning map. The Official Zoning Map maintained by the City shall be used to determine such dimensions in the case of any multiple interpretations.
c. Lot Lines. Where district boundaries are so indicated that they approximately follow the lot lines, such lot lines shall be construed to be such boundaries.
d. Waterways. Where the boundary of a district follows, or terminates at, a stream, lake, or other body of water, the boundary line shall be deemed to be at the center line of such feature, or terminated at the limit of the adjacent jurisdiction unless otherwise indicated.
e. Subdivisions. Where the boundary of a district follows a subdivision boundary line, such boundary line shall be construed to be the district boundary line.
f. Determination. The Board of Zoning Appeals shall make a determination, upon written application or upon its own motion, in those situations where un-zoned property may exist, or where, due to the scale, lack of detail, or illegibility of the zoning map there is any uncertainty, contradiction or conflict as to the intended location of any district boundaries shown thereon or interpretation concerning the exact location of district boundary lines.

Chapter 1243
Commercial Mixed-Use Districts
1243.01 Applicability

a. The standards of this chapter shall apply to all proposed development within the zoning districts contained herein, and shall be considered in combination with the standards in CHAPTER 1246 – BUILDING TYPES and other applicable chapters of this zoning ordinance. If there is a conflict between any standards, the stricter standards shall apply.
b. Exempt Expansions. Changes of use to another permitted use or to increase parking to meet the minimum number of spaces required, building maintenance or façade changes that do not alter the building footprint or require site improvements, shall be permitted according to CHAPTER 1260 – SITE PLAN REVIEW, provided that standards of other applicable city codes and ordinances are met.

1243.02 Administration

a. Site Plan Review. Applications shall be reviewed according to CHAPTER 1260 – SITE PLAN REVIEW.
b. Incentives.
   i. Types of Incentives. To promote redevelopment and stimulate reinvestment in the City, the Planning Office may grant additional flexibility or development options where one or more of the Recognized Benefits, listed below, are provided. The following incentives may be granted:
      1. Dimensional Flexibility. Flexibility may be granted of the minimum lot coverage, building frontage, or setbacks provided the resulting layout will not negatively impact nearby residences.
      2. Additional Building Height. The maximum building height may be increased by one additional story.
      3. Reduced Minimum Parking. Reduced parking may be allowed consistent with Section 1254.01.04.

[FIGURE 11]

(1) Incentives → See above for details	A	B	C
(2) Recognized Benefit See below for details ↓	DIMENSIONAL FLEXIBILITY	BUILDING HEIGHT	REDUCED PARKING
A Open Space	X		
B Low-Impact Development	X		
C Mixed-Use			X
D Green Building	X	X	
E Additional Landscape Elements	X		
F Pedestrian Amenities	X		X
G Shared Access			X
H Shared Parking			X

ii. Recognized Benefits. Additional building height or flexibility may be granted during the project review when one or more of the following recognized benefits are provided:

1. Open Space. Inclusion of 5% open space above what may be required for the building type. Open space must meet the following standards to be counted toward the minimum requirement:
    a. Open space may be public or private but must be accessible to the public along with employees or residents or visitors.
    b. Dimensions, grading and design of the open space shall provide useable area for seating, gathering, recreation or other activities.
    c. Required open space shall not include wetlands, required setbacks, required landscape areas, water bodies, easements for private roads or overhead utilities, stormwater control facilities as required by Chapter 1219, floodplain area or public right-of-way, provided that where additional public right-of-way is desired by the city, it may be included.
    d. Required open space shall be functional provided to supplement public space along a sidewalk, provide pedestrian or greenway connections, pocket parks to serve nearby uses, located and designed to terminate views along streets, or otherwise provide an amenity that would not be provided in a project that just met minimum code requirements
2. Low Impact Development (LID, e.g. green roof, on-site stormwater retention). Use of alternative stormwater management design that may include green roofs, natural retention systems, porous pavement alternatives, or other energy or water conserving applications above and beyond the requirements of Chapter 1219 - Post-Construction Stormwater Management.
3. Provision for Mixed-Use. Proposals that include a mix of different but compatible use types within the same building, such as first-floor retail with offices or residential units on upper floors.
4. Green Buildings. Significant use of sustainable building and site design features such as: water use reduction, water efficient landscaping, innovative wastewater technologies, low impact stormwater management, optimize energy performance, on-site renewable energy, solar heating, reuse/recycled/renewable materials, indoor air quality or other sustainable elements.
5. Additional Landscape Elements. Exceeding minimum quantities or sizes required in CHAPTER 1252 – LANDSCAPING. Or additional plantings or decorative fence or wall where needed to help reduce impacts on neighboring properties. Native species, larger caliper plantings,
6. Pedestrian Amenities. Provision of public plazas, walkways or pedestrian-oriented features, such as street trees or benches beyond those required or enhancements to a transit stop, such as a shelter, large pad size or similar improvements endorsed by public transit authority.
7. Shared Access. Removal of a driveway or use of (not isolated remnant parcels) and shared driveway for access from public streets. This may require an access easement approved by the city attorney.
8. Shared Public Parking. See Section 1254.01.04 Factors to Permit a Reduction from the Amount of Parking Required

c. Allowed Flexibility. It is recognized that certain existing site conditions may prohibit full compliance with this Section. The Director of Economic Development and Planning is authorized to approve modifications to the standards of this Section, after considering the criteria and standards below. Any request for relief from a required standard other than those listed below shall be made through the variance procedures set forth in Chapter 1274 – Board of Zoning Appeals.

i. Criteria for Modification

1. Demonstration by the applicant that there is a unique situation with the property that makes it impractical to fully comply with the standards herein.
2. The proposed development is consistent with the Design Lansing Comprehensive Plan, as amended.

3. The proposed development is consistent with the Intent of this District.
4. The proposed modification will not prevent or complicate logical extensions of streets, infrastructure, parking, open space, or development of adjacent properties.
5. The modification is the minimum necessary to allow reasonable development that is consistent with the intent of the Zoning Ordinance and the Design Lansing Comprehensive Plan.
6. The proposed development will not impair public safety.
7. The modification is not simply for convenience of the development.
8. The design will not be detrimental to adjacent residential uses.

ii. Modification Standards

1. Height
   a. Minimum and maximum height - up to ten percent for any cumulative increase or decrease in building height.
   b. Clear height – up to ten percent.
2. Building Placement
   a. Build-to line – up to one foot.
   b. Frontage – reduction of up to ten percent of required length.
   c. Street wall requirements – up to ten percent of the height/ fenestration/access gate requirements.
      i. Upper floor step-backs – up to ten percent.
      ii. Street wall/fence/screening requirements – up to ten percent.
3. Architectural Regulations (per Chapter 1246)
   a. Windows (minimum and maximum fenestration percentage) – up to ten percent.
   b. Projections (stoops, porches, awnings, balconies) – up to ten percent.
   c. Required open space – up to ten percent.
   d. Entrances (maximum average spacing) – up to ten percent increase in spacing.

d. Conditions and Phasing. Where deemed necessary, the Zoning Administrator, or Planning Board and Council for special uses, as applicable, may:

i. Require a phasing plan that explains how new development and infrastructure, meeting the requirements of this section, will be constructed, and elements of the site not in compliance will be phased out over time. This may require temporary or permanent easements or commitments through a written agreement and performance guarantee.

e. Agreement. The City may require a written agreement if flexibility is granted through incentive or to ensure compliance with conditions of approval. An agreement with the City shall be prepared in a form acceptable to the City Attorney that specifies the required improvements, commitments and obligations of the development. The agreement shall specify any recognized benefits provided by the developer, flexibility granted by the City, and maintenance provisions for all site improvement.

1243.03 Commercial Mixed-Use Permitted Uses

In the Commercial Mixed-Use Districts, the following principal uses are permitted. Permitted uses shall be subject to site plan review. Conditional uses shall adhere to the Conditions noted in the Section referenced. Special Land Uses may be permitted by Council in accordance with the procedures and conditions described in CHAPTER 1262 – SPECIAL LAND USE PERMITS if the conditions described in this section for each use are met, and if all Federal, State and local laws are met. Permitted and approved uses may be mixed both horizontally and vertically, subject to conditions and regulations in the district sections that follow.

[FIGURE 12]

City of Lansing Form-Based Code Master Use Table Revised 1/28/20

P = PRINCIPAL PERMITTED C = CONDITIONAL USE S = SPECIAL LAND USE	SC	MX-C	MX-1	MX-2	MX-3	DT-1	DT-2	DT-3	Conditions
Commercial/Office									
Retail sales and Personal Services	C	C	C	C	C		C	C	Permitted on non-local streets. Permitted on local street only within 50' of a non-local street.
Professional/business offices	P	P	P	P	P	P	P	P	
Animal Hospital	C	C	C	C	C	C	C	C	No kennels
Bank	P	P	P	P	P	P	P	P	
Brewpub	C	C	C	C	C		C	C	Permitted on non-local streets. Permitted on local street only within 50' of a non-local street.
Clinic	C	C	C	C	C	C	C	C	At least one property line abutting and all points of ingress/egress directly to an arterial, suburban or activity corridor.
Funeral Home	C	C	C	C	C	C	C		1. Assembly area for funeral procession shall be provided in addition to off-street parking requirements. 2. At least one property line abutting and all points of ingress/egress directly to an arterial, suburban or activity corridor.
Hotel	P	P		P	P		P	P	
Kennel	C	C	C	C	C		C		1. Structures must be setback at least 50 feet from each adjacent residential lot line. 2. Lot size of at least 3 acres for a kennel having an outside exercise run or treatment area. 3. Outside exercise run or treatment area must be located at least 100 feet from all lots lines and at least 400 feet from an adjacent residential lot line.
Laundromat, dry cleaner	P	P	P	P	P		P		
Mini-golf	P								
Mobile Food Vending (Food trucks and carts)	C	C	C	C	C		C		(TO BE DRAFTED)
Motor vehicle service station	C	C	C	C	C		C		1 The building shall meet the district placement standards. 2. For a building located on a corner lot, the secondary front facade may occupy no less than 50% of the frontage. The remainder of the frontage not occupied by the building shall be screened per the parking standards of the district. 3. The fueling pumps shall be located a minimum of 20 feet behind the build-to line. 4. The canopy over the fueling pumps shall have a roof with the same slope as the principal building. Canopy clearance should not exceed 14' from the ground to the bottom of the canopy. Maximum canopy height is limited to 20'. 5. One access per street frontage however a second access may be approved by city staff upon a finding that the additional access is essential for convenient access, and that the access is spaced adequately and designed to minimize conflicts per Section 1254.01.12. A secondary access drive is permitted for shared access with adjacent parcels.
Nursery, commercial greenhouse	C	C					P		1. The lot on which the nursery or commercial greenhouse is located contains not less than three (3) acres. 2. The lot on which the nursery or commercial greenhouse is located has not less than one property line which abuts and has primary access to a major or minor arterial. 3. The outdoor storage of landscape materials, other than plants, shall be screened from view of all public right-of-ways and residential parcels of land by a six (6) foot high opaque wood or vinyl fence, decorative screen wall or landscaped berm.

City of Lansing Form-Based Code Master Use Table Revised 1/28/20

P = PRINCIPAL PERMITTED C = CONDITIONAL USE S = SPECIAL LAND USE	SC	MX-C	MX-1	MX-2	MX-3	DT-1	DT-2	DT-3	Conditions
Parking structure	C	C		C	C		C	C	1. Parking structures are encouraged to be lined on exterior elevations by non-parking uses. 2. On Activity Corridors, the first floor shall have a minimum depth of 20 feet to be occupied by commercial uses permitted in the district. 3. Access drives shall be permitted on the ground level, provided they are collectively no more than 25% of the frontage. 4. The facade of the parking structure shall be integrally designed with the architecture of the overall building, utilize the same building materials, provide an architectural treatment at the top of the structure, such as a cornice, and have wall openings with proportions that comply with the fenestration requirements in Section 1246.04 5. New parking structures shall be designed with a upper story minimum clear height of 9'.
Restaurant, bar, tavern	C	C	C	C	C		C	C	Permitted on non-local streets. Permitted on local street only within 50' of a non-local street
Studio (dance, health, music, etc)	P	P	P	P	P	P	P	P	
Vehicle sales, vehicle leasing, and other outdoor sales facility	C	C	C	C	S		S		1. The area of the lot on which the items described in this subsection are located shall be covered with Portland cement or asphaltic concrete. 2. Each point of vehicular ingress and egress to the lot shall be not less than sixty feet from the intersection of any two streets. 3. Any repair or refinishing which is done on the lot shall be done within the confines of an enclosed structure. 4. Lighting shall be confined within and directed onto the parking area only. 5. The portion of the lot on which the items described in this subsection are located shall have a buffer zone of at least eight (8) feet from all lot lines adjacent to the public right-of-way, excluding approved driveways, and any residentially zoned property. The buffer zone shall be landscaped, screened and buffered in accordance with the requirements of Section 1252.09 6. In MX-3, the storage of vehicles in the front is limited to one (1) single loaded bay.
Drive-thru, as accessory use	C	C	C	C	C	S	S		1. The drive-thru window shall be on the side or rear of the building. The side of the building with the drive-thru lane shall be setback a minimum of twenty five (25) feet from any lot line. 2. The site will be adjacent to a Suburban Corridor, Arterial Corridor, Prime Connector, or Activity Corridor and all points of ingress and egress shall be directly onto one of the aforementioned street types. 3. Adequate waiting or standing areas for vehicles shall be provided on-site so that no vehicle is required to wait, stand, or be stored within a right-of-way, in accordance with the parking requirements of Chapter 1254. 4. Methods to minimize the impact of noise from outdoor speakers on adjacent residential are required.
Residential Uses									
Single-Family detached						P			
Two-Family dwelling						P			
Multi-Family dwelling	P	P	P	P	C	P	P	P	For MX-3, ground floor multiple family dwelling not permitted on Activity Corridor and Arterial Corridor street types.
Mobile Home									
Bed and Breakfast						P	P		Must be the principal residence of the owner and the owner shall live on the premises when in operation. Must provide one surfaced off-street parking spot per guest room in addition to standard parking for residence.

City of Lansing Form-Based Code Master Use Table Revised 1/28/20

P = PRINCIPAL PERMITTED C = CONDITIONAL USE S = SPECIAL LAND USE	SC	MX-C	MX-1	MX-2	MX-3	DT-1	DT-2	DT-3	Conditions
Human Care Facilities									
Adult Day Care Facility						P	P		
AFC small group home (≤ 12)						P	P		
AFC large group home (13-20)						S	S		
Child Care centers, preschools, and commercial day care	C	C	C	C	C	C	C		At least one property line abutting an arterial, suburban or activity corridor
Group Day Care Home (7-12 children, <24 hours/day)	C	C	C	C	C	C	C		1. The facility provides and maintains on the lot not less than 900 square feet of outdoor play space. 2. The use of the structure as a group day care home shall be clearly incidental to the principal residential use. 3. One person, other than a member of the family residing in the dwelling, may be employed, so long as that person is not the primary caregiver. 4. No change occurs in the outside appearance of the dwelling. 5. No signs are permitted. 6. The outdoor play space shall be fenced. This requirement can be waived by approval of the Planning Office if the specified outdoor area is common open space shared with other dwelling units.
Institutional									
Places of Assembly	S	S	S	S	S	S	S	S	
Hospital	C	C	C	C	C	C	C	C	At least one property line abutting an arterial, suburban or activity corridor
Museum						P	P	P	
Library	P	P	P	P	P	P	P	P	
Schools			C		C	C	C		All education facilities, except elementary or middle schools, must have at least one property line abutting and all points of ingress/egress directly to an arterial, suburban or activity corridor
Trade school	C	C	C	C	C	C	C	C	
Park, open space, plaza	P	P	P	P	P	P	P	P	
Industrial									
Cleaning, processing, servicing, or repair of any product							P		
Lumber yards							P		
Manufacture of already processed components (bakeries, cosmetics, candies, etc)							P		
Manufacture of toys, furniture, appliances, etc							P		
Metal forming							C		
Motor vehicle repair station	P						S		
Production of consumer goods, with 20% GFA retail sales	P			P			P		
Research laboratory	S	S	S	S	S	S	P		
Wholesale and warehouse uses							S		
Adult Business Uses	S	S		S					See 1250.02.11

Accessory uses customarily incidental to any of the above principal uses are allowed provided the Zoning Administrator may require additional parking or compliance with other standards upon a determination that such use may impact site operations beyond that of the Principal Use.

1243.04 S-C Suburban Commercial

[FIGURE 13]

1243.04.01 S-C INTENT

The purpose and intent of the S-C Suburban Commercial district is to provide a location for suburban style commercial developments that rely largely on customers arriving by vehicle. Development is characterized by larger single-tenant or strip style commercial development with ample parking and setbacks from adjacent roads. Development in this district is less integrated with others, so screening, setbacks and transitions from residential districts are needed to ensure uses blend into the surroundings. However, a mixture of uses both vertically and horizontally is still encouraged, including multi-family residential, commercial, and 36 service-oriented land uses.

1243.04.02 S-C BUILDING TYPES

The following building types are required to meet the intent of this district. The table at right shows which building types are required along the various street types in this district. Architectural regulations and Building Types are further described 44 in CHAPTER 1246 – BUILDING TYPES.

[FIGURE 14]

SUGGESTED BUILDING TYPE	S-C STREET TYPE				
	ARTERIAL CORRIDOR	SUBURBAN CORRIDOR	PRIME CONNECTOR	NEIGHBORHOOD CONNECTOR	LOCAL
Attached Residential	X	X	X	X	X
Urban Mixed-Use	X	X	X	X	-
Parking Structure	X	X	X	X	-
Suburban Commercial	X	X	X	-	-
Suburban Office Research	-	X	X	X	-
Gas & Service Stations	X	X	X	X	-

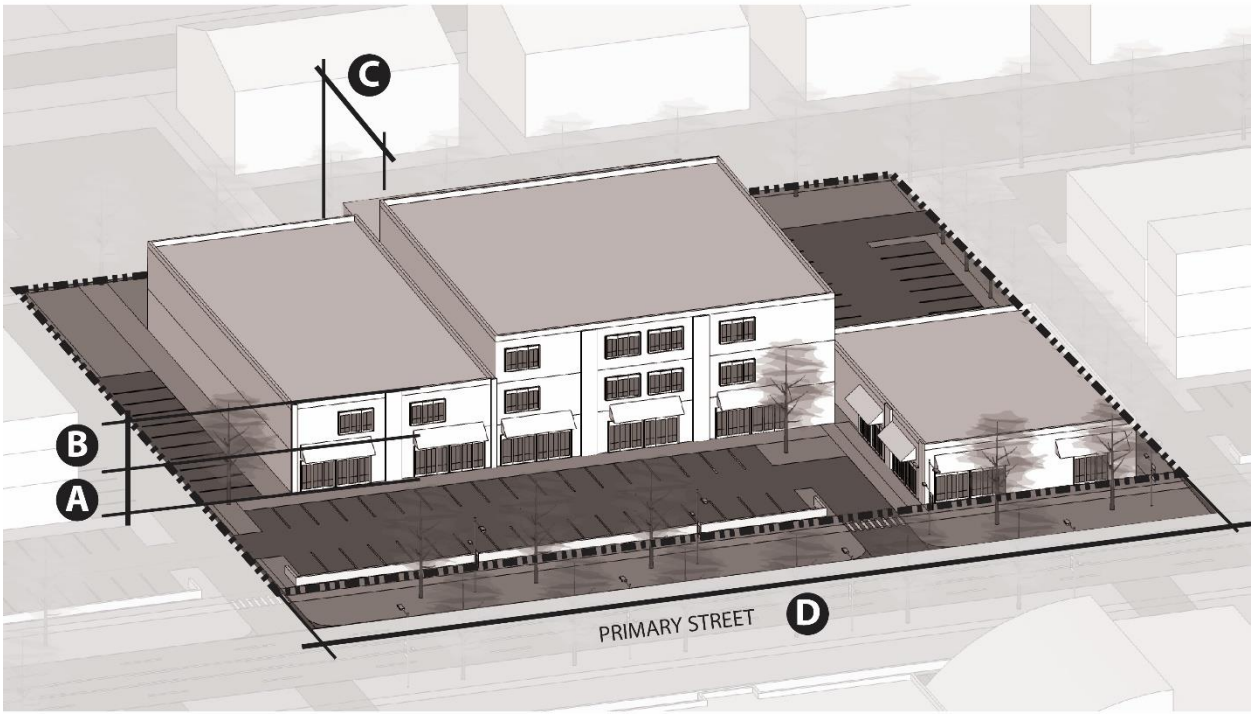
1243.04.03 S-C SITE LAYOUT REQUIREMENTS
(a) BUILDING MASSING

A. Minimum Height 16' 1 story
B. Maximum Height 40' 3 stories

See Section 1250.03.02 for height exceptions

C. Required Upper floor Step-Backs - when adjacent to R-1 through R-6 districts - For the elevation adjacent to a residential district, the floors above the second story shall be tiered- back so that the highest point of the building is setback from the adjacent residential district a distance at least equal to the height of the building.
D. Minimum Frontage, Primary Street - 0%
E. Minimum Frontage, Secondary Street - 0%

[FIGURE 15]



(b) BUILDING PLACEMENT

F. Build-to line (from street to curb)

a. Suburban Corridor. An additional 70' of setback for a double-loaded aisle of parking or 50' setback for a single-loaded aisle of parking is permitted.

b. Activity Corridor or Prime Connector. 30' build-to line from curb. An additional 10-20' may be allowed (with approval) for outdoor public space.

G. Minimum Side Setback - 0' when adjacent to another S-C zone; otherwise 10'

H. Minimum Rear Setback - 10' building

I. Minimum Setback from Adjacent Residential Districts –

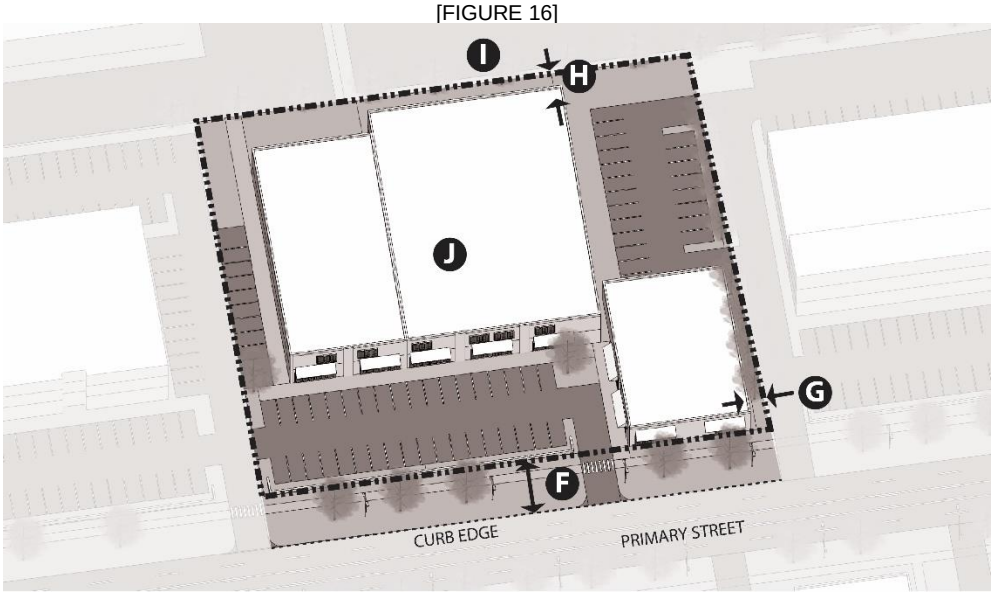
a. Width equal to rear setback of adjacent residential district

b. 6' opaque screenwall / fencing required along edge of residentially zoned or used property.

J. Maximum Lot Coverage 75%

See Section 1250.04.01 for placement of accessory buildings.

[FIGURE 16]



(c) PARKING

Allowed Surface Parking Locations - Front, side or rear yards; max. Front yard parking limited to one double- loaded bay of parking.

K. Side and Rear Parking Lot Setback / Screening - 8' landscape buffer.

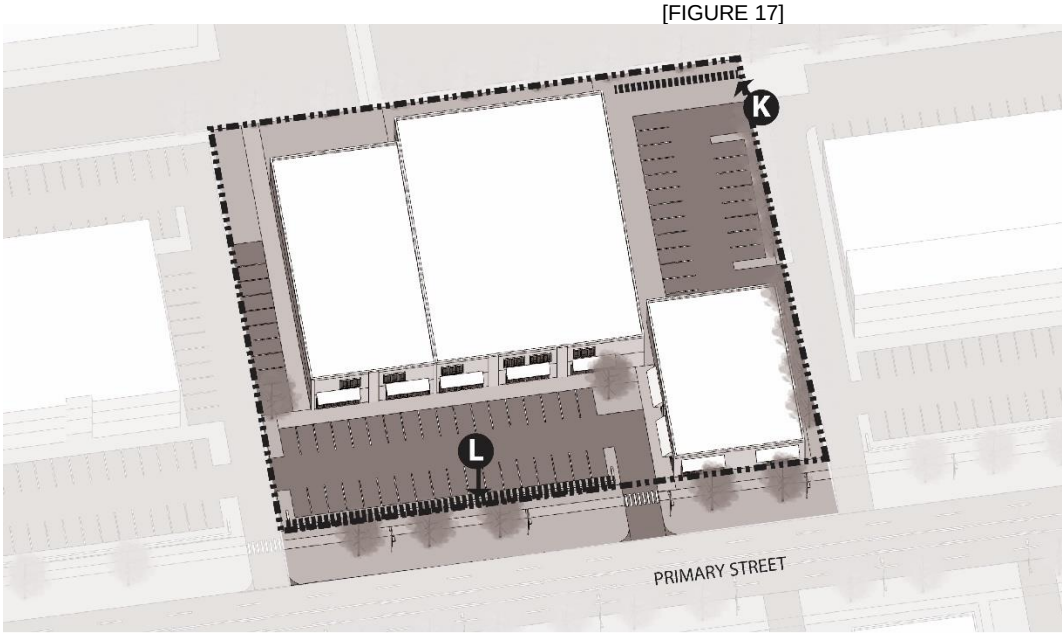
L. Front Parking Lot Setback / Screening - 8' landscape buffer which may be reduced to 5' with a 3' masonry knee wall at Build-to line

Required Parking Spaces - Parking per Chapter 1254; Section 1254.01.04 for parking reductions

Loading Bays - Not permitted in front yard; See Section 1254.01.17

Truck turning templates and access to loading must be delineated on site plan

[FIGURE 17]



See also CHAPTER 1250 GENERAL PROVISIONS.

1243.05 MX-C Mixed Use Urban Corridor

[FIGURE 18]

1243.05.01 MX-C INTENT

The purpose and intent of the MX-C Mixed Use Urban Corridor district is to provide for a vertical and horizontal mix of uses, typically with retail or commercial space on the ground floor and office or residential uses on upper floors. Development is characterized by buildings located closer to the street to promote walking and biking, and to create a character that is more "place" based than auto-oriented. However, in recognition of the Arterial and Suburban corridors that dominate the district frontages, this district is likely to contain some single-use buildings, so some variation in development is expected.

1243.05.02 MX-C BUILDING TYPES

The following building types are suggested to meet the intent of this district. The table at right shows which building types are suggested along the various street types in this district. Architectural regulations and Building Types are further described in CHAPTER 1246 – BUILDING TYPES.

[FIGURE 19]

SUGGESTED BUILDING TYPE	STREET TYPE					
	ARTERIAL CORRIDOR	SUBURBAN CORRIDOR	ACTIVITY CORRIDOR	PRIME CONNECTOR	NEIGHBORHOOD CONNECTOR	LOCAL
Attached Residential	X	X	X	X	X	X
Urban Mixed-use	X	X	X	X	X	-
Suburban Commercial	X	X	-	X	-	-
Gas & Service Stations	X	X	-	X	X	-
Parking Structure	X	X	X	-	-	-

1243.05.03 MX-C SITE LAYOUT REQUIREMENTS

(a) BUILDING MASSING

A. Minimum Height 25' 1 story

B. Maximum Height 60' 5 stories

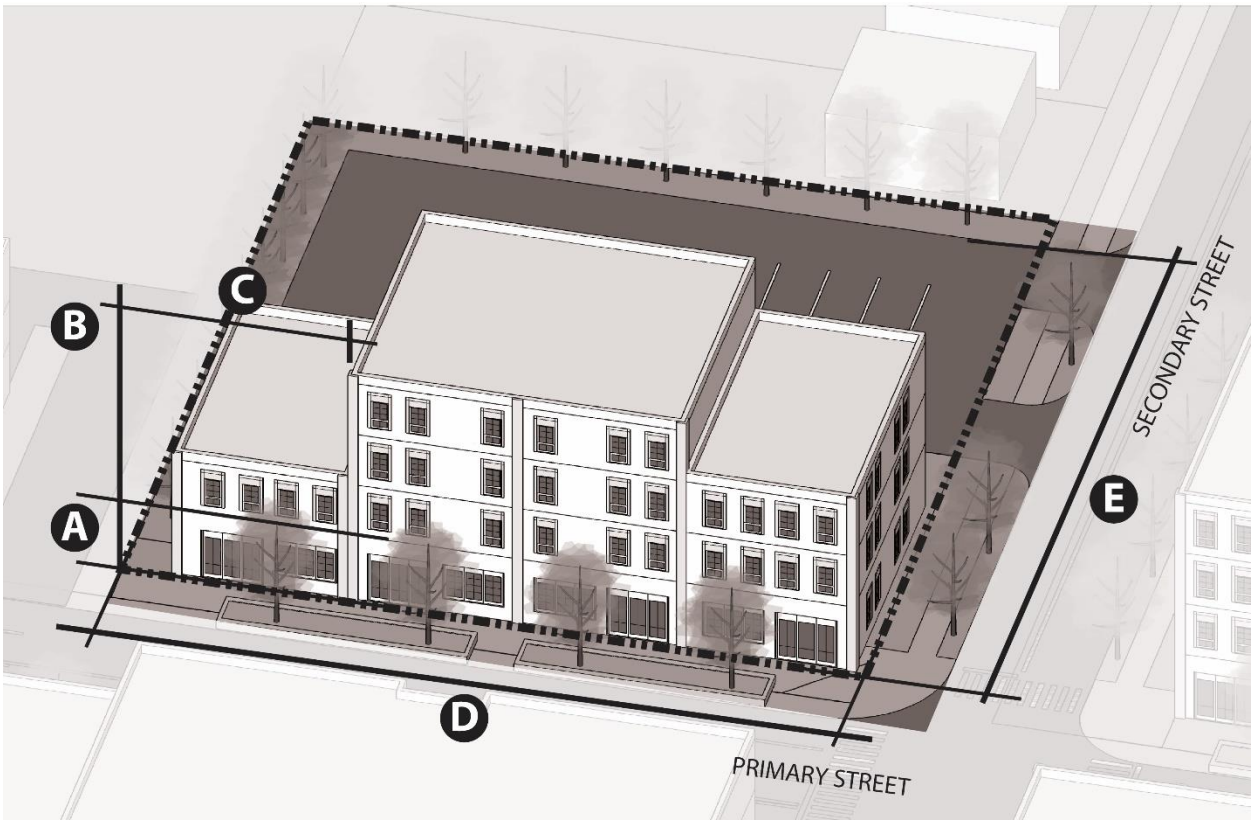
See Section 1250.03.02 for height exceptions

C. Required Upper floor Step-Backs - when adjacent to R-1 through R-6 districts: For the elevation adjacent to a residential district, the floors above the second story shall be tiered-back so that the highest point of the building is setback from the adjacent residential district a distance at least equal to the height of the building.

D. Minimum Frontage, Primary Street 75%

E. Minimum Frontage, Secondary Street 25%

[FIGURE 20]



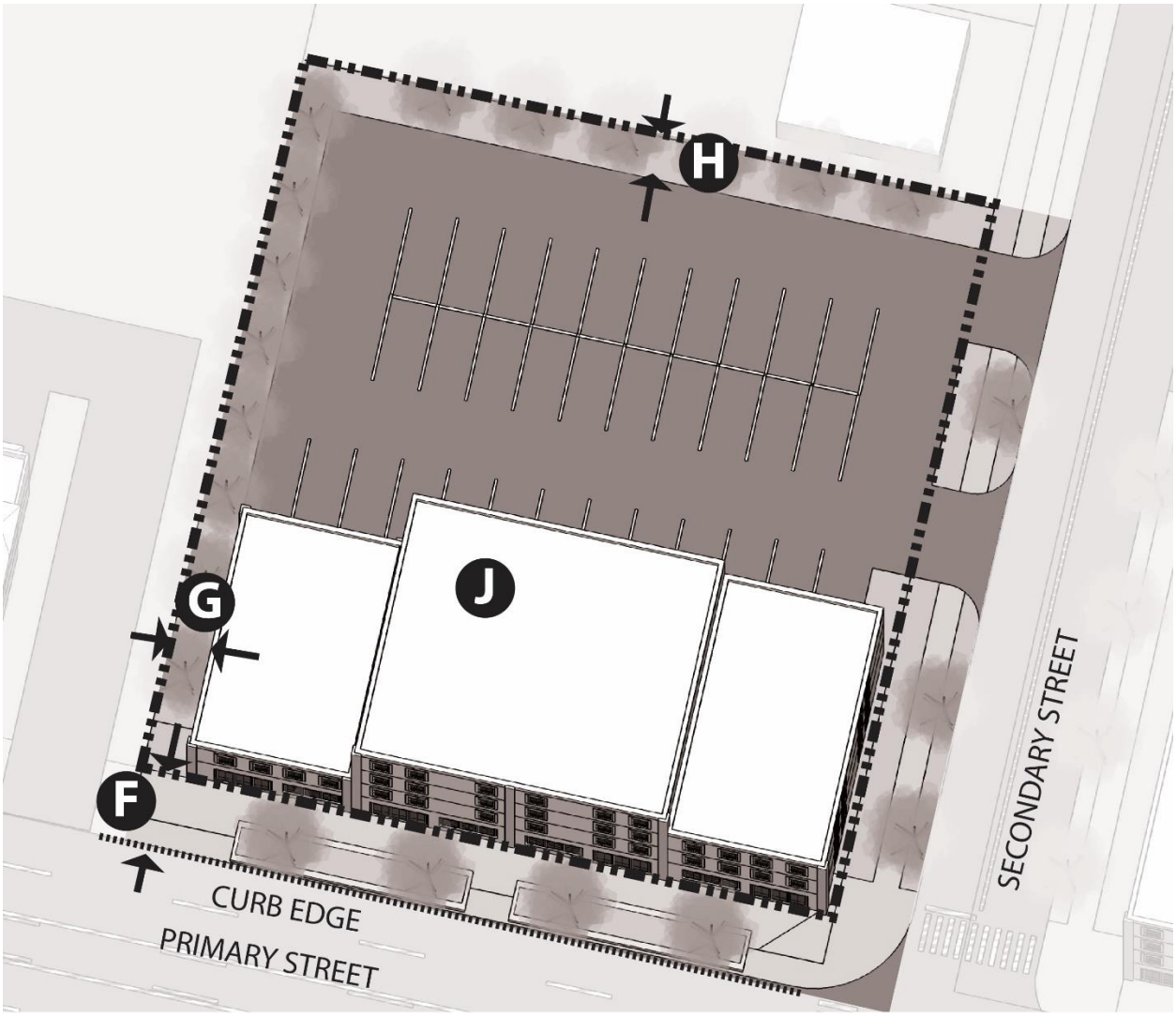
(b) BUILDING PLACEMENT

F. Build-to-Line shall be five (5) feet, as measured from the inside edge of the public sidewalk. The Zoning Administrator may approve:

1. A setback of ten (10) feet from the inside edge of the sidewalk, provided that the additional space is dedicated to outdoor seating and/or public art.
2. A setback of zero (0) feet from the inside edge of the sidewalk, provided that the existing or proposed sidewalk is at least ten (10) feet in width.
3. A setback equal to the average setback of 50% of the buildings to be retained within the blockface. The applicant shall provide a map with those measurements.

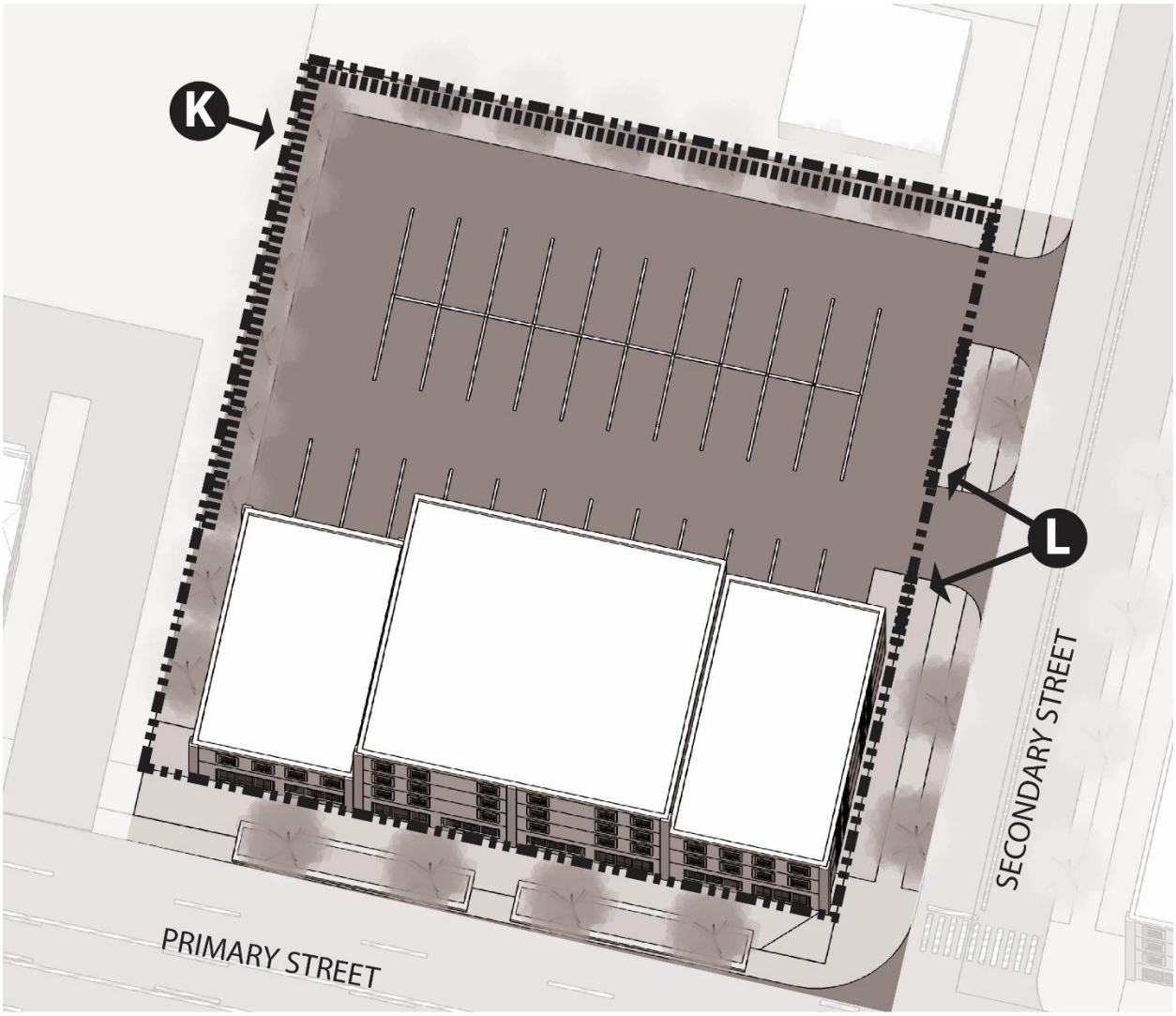
G. Minimum Side Setback 0'
H. Minimum Rear Setback 10' building
I. Minimum Setback from Adjacent R-1 through R-6 districts - 25'
J. Maximum Lot Coverage 80%
See Section 1250.04.01 for placement of accessory buildings.

[FIGURE 21]



(c) PARKING
Allowed Surface Parking Locations: Municipal Parking, On-Street Parking, On-site: Side or rear yard, One bay of front yard only on Suburban and Arterial Corridors
K. Side and Rear Parking Lot Setback / Screening - 8' landscape buffer. Rear OR Side setback may be reduced to 5' with 6' opaque fence or screen wall when adjacent to R-1 through R-6 districts
L. Front Parking Lot Setback / Screening - 8' landscape buffer which may be reduced to 5' with a 3' masonry knee wall at Build-to Line.
Required Parking Spaces: No parking required if adequate on-street and municipal parking is available, Section 1254.01.04 for parking reductions
Parking Incentives / Bonuses - Shared parking, cross-access, driveway removal

[FIGURE 22]



See also CHAPTER 1250 GENERAL PROVISIONS.

1243.06 MX-1 Mixed-Use Neighborhood Center

Illustrative example of the intent of this district:

[FIGURE 23]

1243.06.01 MX-1 INTENT

The purpose and intent of the MX-1 Mixed-Use Neighborhood Center district is to provide for a vertical and horizontal mix of uses, typically with retail or commercial space on the ground floor and office or residential uses on upper floors. Development is characterized buildings located closer to the street to promote walking and biking, and to create a character that is more “place” based than auto-oriented. Development in this district needs to be appropriately scaled to adjacent residential areas.

1243.06.02 MX-1 BUILDING TYPES

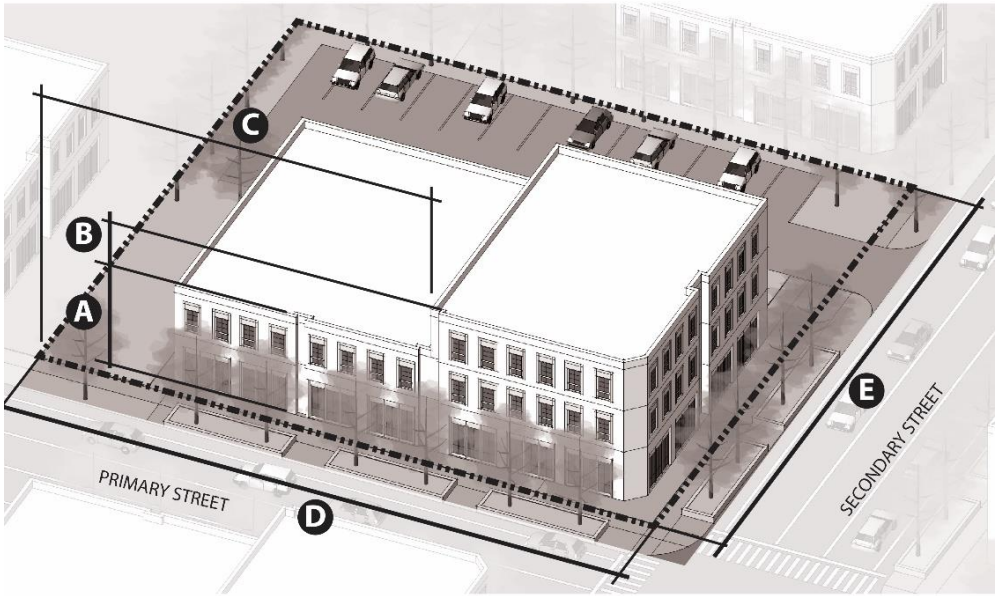
The following building types are suggested to meet the intent of this district. The table below shows which building types are suggested along the various street types in this district. Architectural regulations and Building Types are further described in CHAPTER 1246 – BUILDING TYPES.

[FIGURE 24]

ALLOWED BUILDING TYPE	STREET TYPE					
	ARTERIAL CORRIDOR	SUBURBAN CORRIDOR	ACTIVITY CORRIDOR	PRIME CONNECTOR	NEIGHBORHOOD CONNECTOR	LOCAL
Multiplex	X	X	-	X	X	X
Townhouse	-	-	-	X	X	X
Flats / Lofts	-	-	-	X	X	X
Storefront Mixed-Use	X	X	X	X	X	-
Urban Office	-	-	-	X	X	X
Gas & Service Stations	X	X	-	X	X	-

1243.06.03 MX-1 SITE LAYOUT REQUIREMENTS

[FIGURE 25]



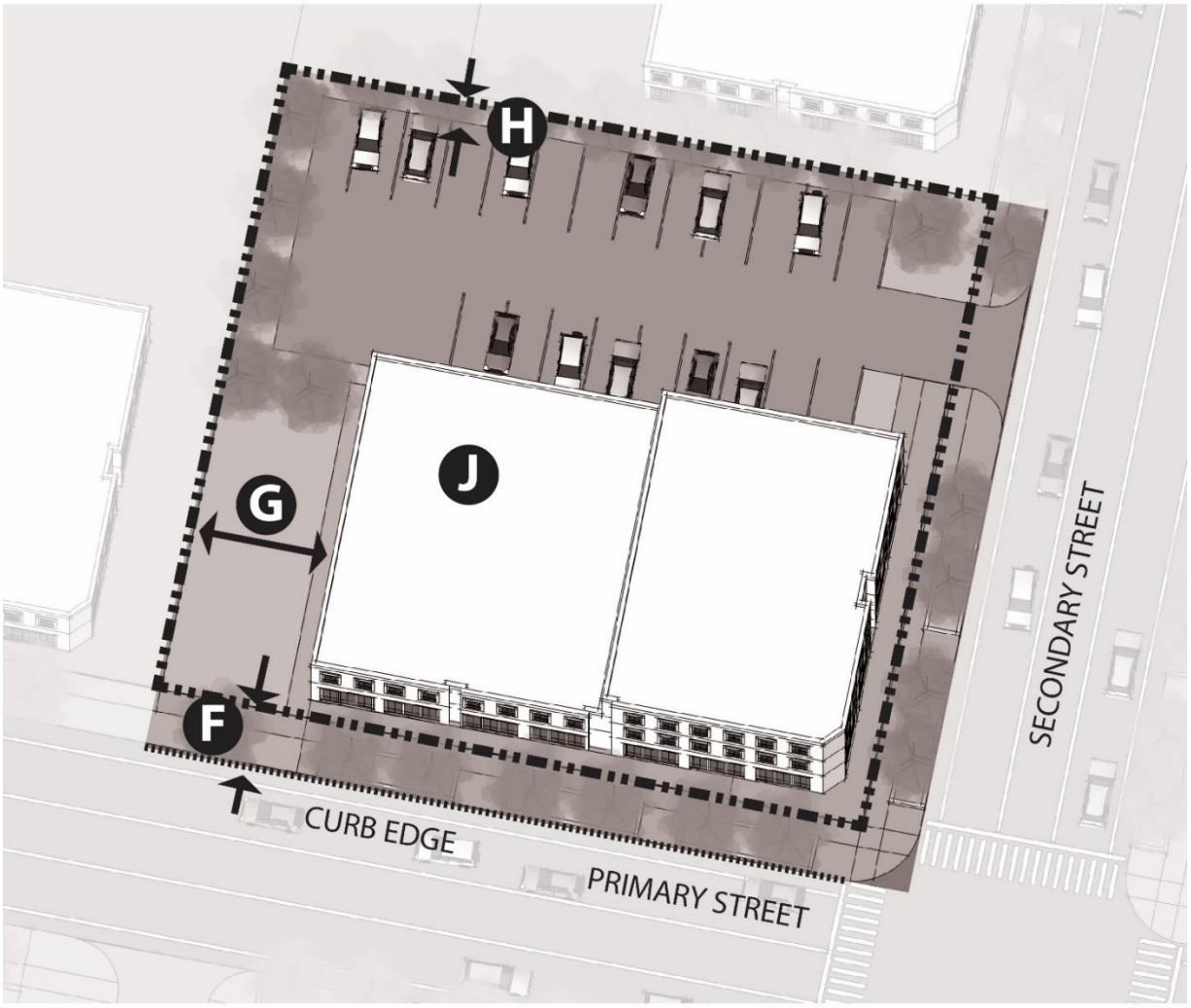
(a) BUILDING MASSING

(a) BUILDING MASSING		
A. Minimum Height	25’	1 story
B. Maximum Height	40’	3 stories
See Section 1250.03.02 for height exceptions		

C. Required Upper floor Step-Backs - when adjacent to R-1 through R-6 districts		For the elevation adjacent to a residential district, the floors above the second story shall be tiered-back so that the highest point of the building is setback from the adjacent residential district a distance at least equal to the height of the building.
D. Minimum Frontage, Primary Street		75%
Entrances	Arterial Corridor	Primary entrance must face frontage, unless site also fronts Prime Connector or Neighborhood Connector
	Suburban Corridor	
	Prime Connector	At least one entrance must face primary frontage.
	Neighborhood Connector	
E. Minimum Frontage, Secondary Street		25%
Required Corner Massing		When site is a corner lot, the primary and secondary frontages at the corner must be occupied by building elevations for the first 20 feet of each frontage from the corner.

See CHAPTER 1246 – BUILDING TYPES for dimensional standards

[FIGURE 26]

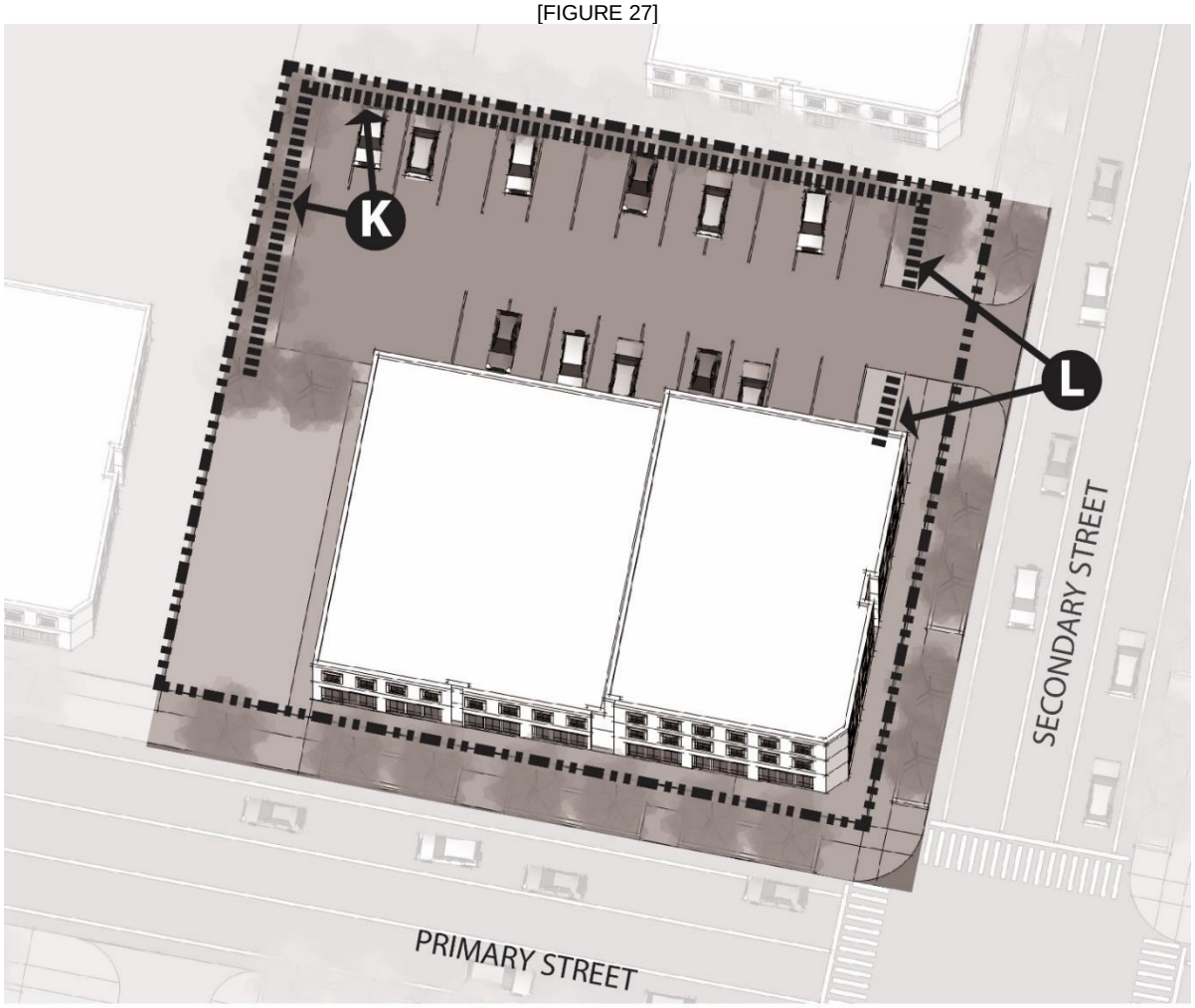


(b) BUILDING PLACEMENT

(b) BUILDING PLACEMENT	
F. Build-to line	Five (5) feet, as measured from the inside edge of the public sidewalk. The Zoning Administrator may approve: 1. A setback of ten (10) feet from the inside edge of the sidewalk, provided that the additional space is dedicated to outdoor seating and/or public art. 2. A setback of zero (0) feet from the inside edge of the sidewalk, provided that the existing or proposed sidewalk is at least ten (10) feet in width. 3. A setback equal to the average setback of 50% of the buildings to be retained within the blockface. The applicant shall provide a map with those measurements.

G. Minimum Side Setback	O’
H. Minimum Rear Setback	10’ building
I. Minimum Setback from Adjacent R-1 through R-6 districts	25’
J. Maximum Lot Coverage	85%

[FIGURE 27]



(c) PARKING

(c) PARKING

K. Allowed Surface Parking Locations	Arterial	Side or rear yards with one row in front yard
	Suburban	Front, side and rear yards
	Prime Connector	On-street and rear yard
	Neighborhood Connector	Side or rear yards
L. Side and Rear Parking Lot Setback / Screening when adjacent to R-1 through R-6 districts		6' landscape buffer. Rear OR Side setback may be reduced to 5' with 3' opaque masonry wall
Front Parking Lot Setback / Screening		8' landscape buffer which may be reduced to 5' with a 3' masonry knee wall at Build-to Line.
Required Parking Spaces		85% of parking required per Chapter 1254
		Section 1254.01.04 for parking reductions
Parking Incentives / Bonuses		Shared parking, cross-access, driveway removal

1243.07 MX-2 Mixed-Use Community Center
Illustrative example of the intent of this district

[FIGURE 28]

1243.07.01 MX-2 INTENT

The purpose and intent of the MX-2 Mixed-Use Community Center district is to provide for both a horizontal and vertical mix of uses, typically with retail or commercial space on the ground floor and office or residential uses on upper floors. Development is characterized by buildings located closer to the street to promote walking and biking, and to create a character that is more “place” based than auto-oriented. Taller buildings and less required parking are allowed in this district to create the density needed to help support the urban places within the district. Development in this district needs to maintain a consistency in character and form with adjacent sites to create the type of neighborhood centers desired.

1243.07.02 MX-2 BUILDING TYPES

The following building types are suggested to meet the intent of this district. The table below shows which building types are suggested along the various street types in this district. Architectural regulations and Building Types are further described in CHAPTER 1246 – BUILDING TYPES.

[FIGURE 29]

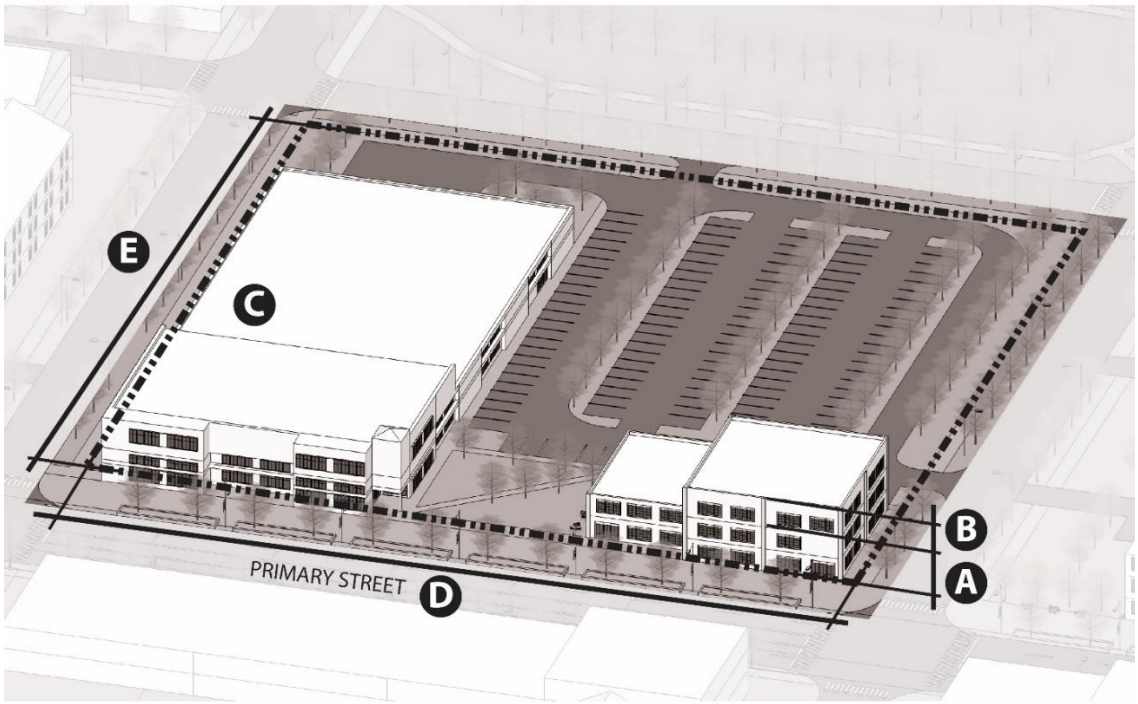
SUGGESTED BUILDING TYPE	STREET TYPE					
	ARTERIAL CORRIDOR	SUBURBAN CORRIDOR	ACTIVITY CORRIDOR	PRIME CONNECTOR	NEIGHBORHOOD CONNECTOR	LOCAL
Attached Residential	-	-	-	X	X	X
Urban Mixed-use	X	X	X	X	X	X
Parking Structure	X	X	**	X	X	X
Gas & Service Stations	X	X	-	X	X	-

***First floor must be lined with non-parking uses. See Section 1243.03*

**First floor must be lined with non-parking uses. See Section 1243.03

1243.07.03 MX-2 SITE LAYOUT REQUIREMENTS

[FIGURE 30]

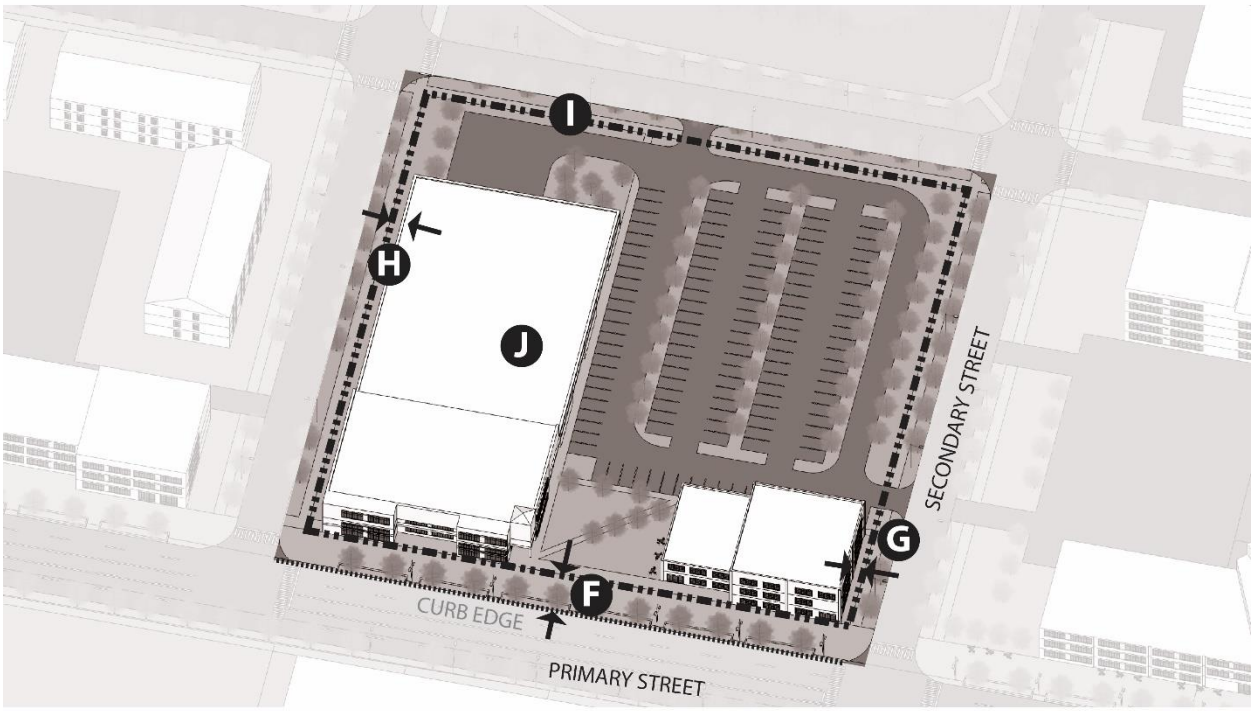


(a) Building Massing

(a) BUILDING MASSING

A. Minimum Height		25’	2 stories
B. Maximum Height	Arterial Corridor	60’	5 stories
	Activity Corridor	60’	5 stories
	Prime Connector	40’	3 stories
	Neighborhood Connector	40’	3 stories
	Local Street	40’	3 stories
C. Required Upper floor Step-Backs - when adjacent to R-1 through R-6 districts		For the elevation adjacent to a residential district, the floors above the second story shall be tiered-back so that the highest point of the building is setback from the adjacent residential district a distance at least equal to the height of the building.	
D. Minimum Frontage, Primary Street		75%	
E. Minimum Frontage, Secondary Street		25%	
Required Corner Massing		When site is a corner lot, the primary and secondary frontages at the corner must be occupied by building elevations for the first 20 feet of each frontage from the corner.	

[FIGURE 31]

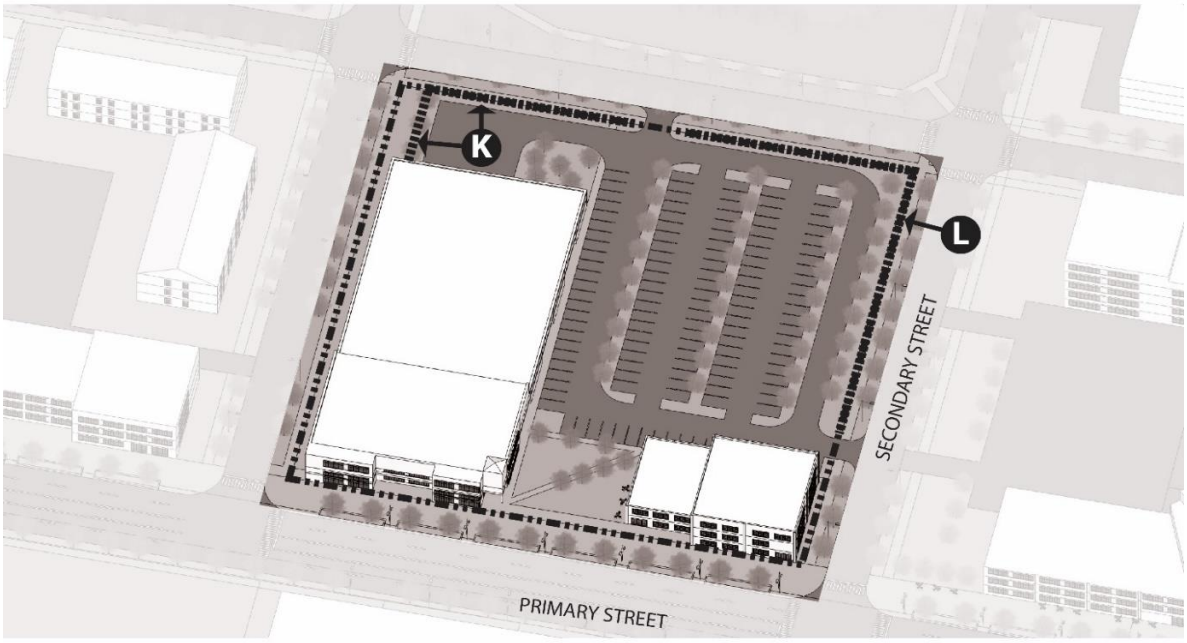


(b) Building Placement

(b) BUILDING PLACEMENT

F. Build-to line	Five (5) feet, as measured from the inside edge of the public sidewalk. The Zoning Administrator may approve: 1. A setback of ten (10) feet from the inside edge of the sidewalk, provided that the additional space is dedicated to outdoor seating and/or public art. 2. A setback of zero (0) feet from the inside edge of the sidewalk, provided that the existing or proposed sidewalk is at least ten (10) feet in width. 3. A setback equal to the average setback of 50% of the buildings to be retained within the blockface. The applicant shall provide a map with those measurements.
G. Minimum Side Setback	O’
H. Minimum Rear Setback	10’ building
I. Minimum Setback from Adjacent Residential Districts	25’
J. Maximum Lot Coverage	80%

[FIGURE 32]



(c) Parking

(c) PARKING	
Allowed Surface Parking Locations	Municipal Parking On-Street Parking On-site: Side or rear yard

Side and Rear Parking Lot Setback / Screening when adjacent to R-1 through R-6 districts	6' landscape buffer. Rear OR Side setback may be reduced to 5' with 3' opaque masonry wall
K. Front Parking Lot Setback / Screening	8' landscape buffer which may be reduced to 5' with a 3' masonry knee wall at Build-to Line.
Required Parking Spaces	No parking required if adequate on-street and municipal parking is available
	Section 1254.01.04 for parking reductions
Parking Incentives / Bonuses	Shared parking, cross-access, driveway removal

1243.08 MX-3 Mixed-Use District Center

[FIGURE 33]

Illustrative example of the intent of this district

1243.08.01 MX-3 INTENT

The intent and purpose of the MX-3 Mixed-Use District Center district is to provide primarily a vertical mix of uses with higher density residential. Ground floor uses should be active and pedestrian focused. Development in this district is characterized by tall buildings lining urban streets near the City core. This district is intended to be one of the City's most walkable and higher density areas because of its proximity to downtown.

1243.08.02 MX-3 BUILDING TYPES

The following building types are suggested to meet the intent of this district. The table at right shows which building types are suggested along the various street types in this district. Architectural regulations and Building Types are further described in CHAPTER 1246 – BUILDING TYPES.

[FIGURE 34]

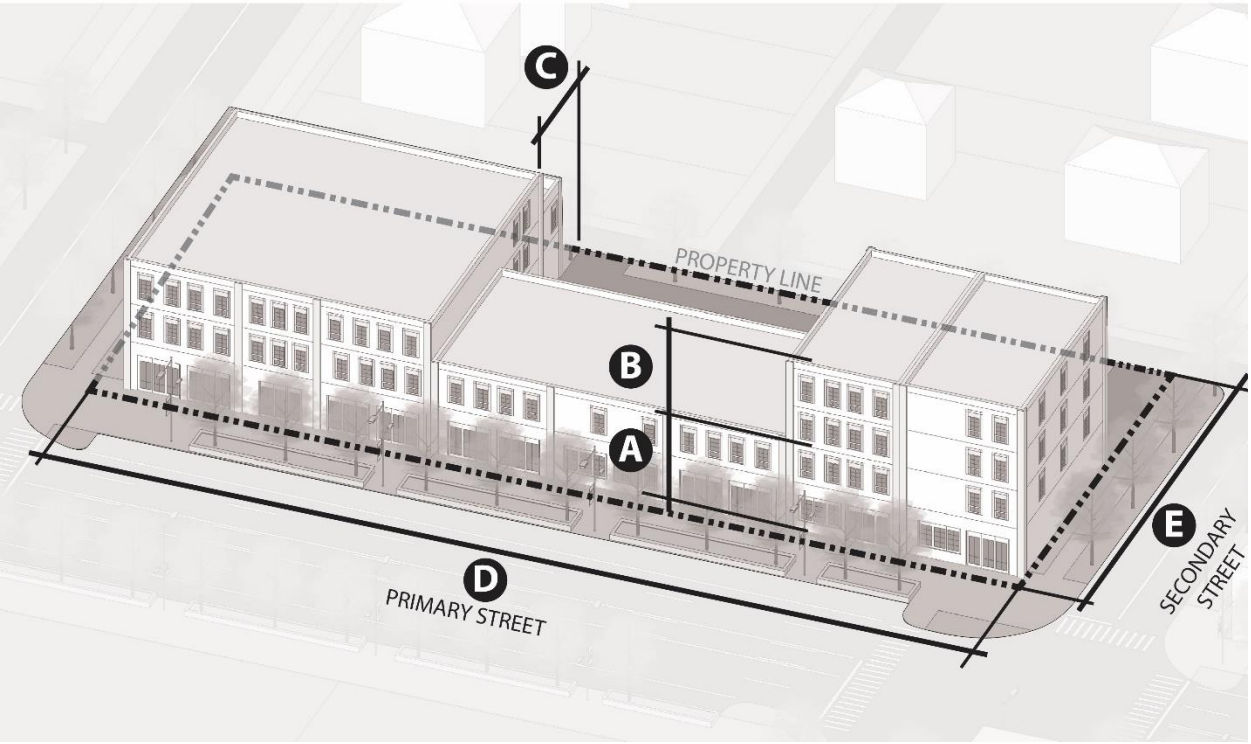
SUGGESTED BUILDING TYPE	STREET TYPE					
	ARTERIAL CORRIDOR	SUBURBAN CORRIDOR	ACTIVITY CORRIDOR	PRIME CONNECTOR	NEIGHBORHOOD CONNECTOR	LOCAL
Attached Residential	-	-	-	-	X	X
Urban Mixed-use	X	X	X	X	X	X
Parking Structure	X	X	**	X	X	X
Gas & Service Stations	X	-	-	-	-	-

***First floor must be lined with non-parking uses. See Section 1243.03*

**First floor must be lined with non-parking uses. See Section 1243.03

1243.08.03 MX-3 SITE LAYOUT REQUIREMENTS

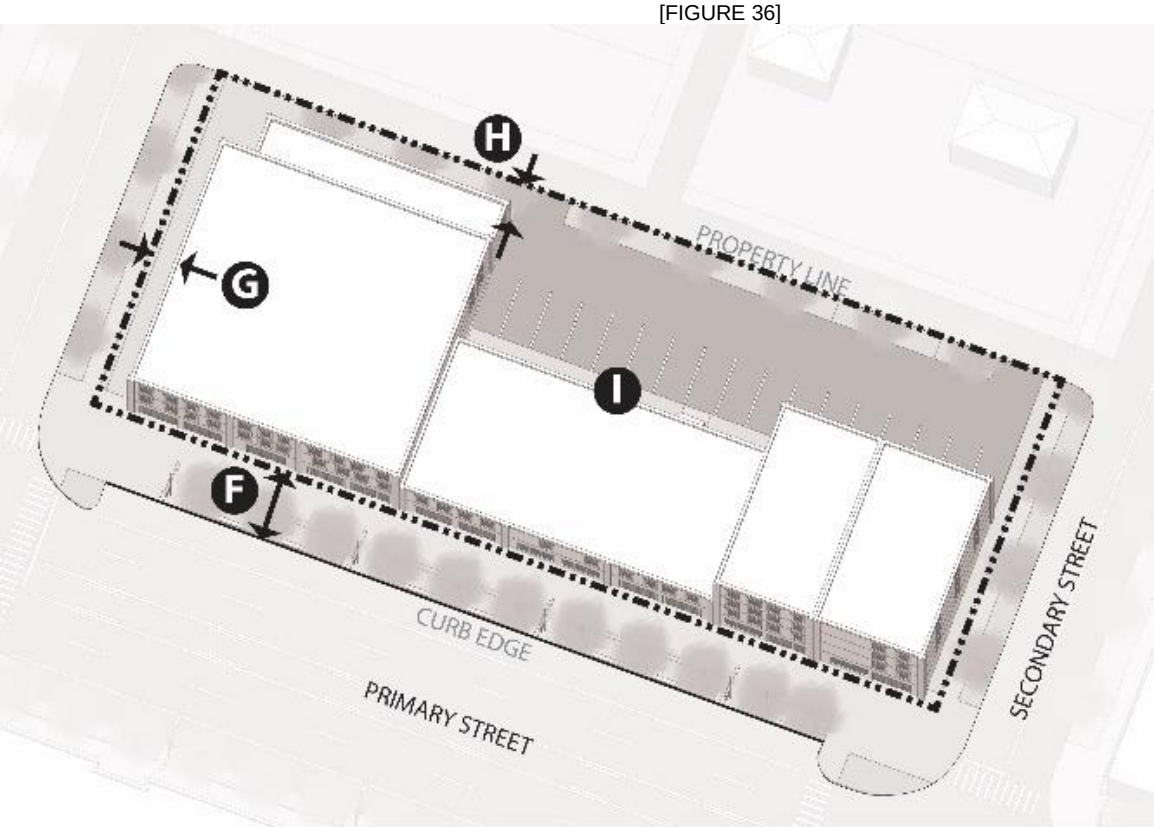
[FIGURE 35]



(a) Building Massing

(a) BUILDING MASSING		
A. Minimum Height	25’	2 stories
B. Maximum Height	80’	6 stories
C. Required Upper floor Step-Backs - when adjacent to R-1 through R-6 districts	For the elevation adjacent to a residential district, the floors above the second story shall be tiered-back so that the highest point of the building is setback from the adjacent residential district a distance at least equal to the height of the building.	
D. Minimum Frontage, Primary Street	85%	
E. Minimum Frontage, Secondary Street	75%	
Required Corner Massing	When site is a corner lot, the primary and secondary frontages at the corner must be occupied by building elevations for the first 20 feet of each frontage from the corner.	

[FIGURE 36]

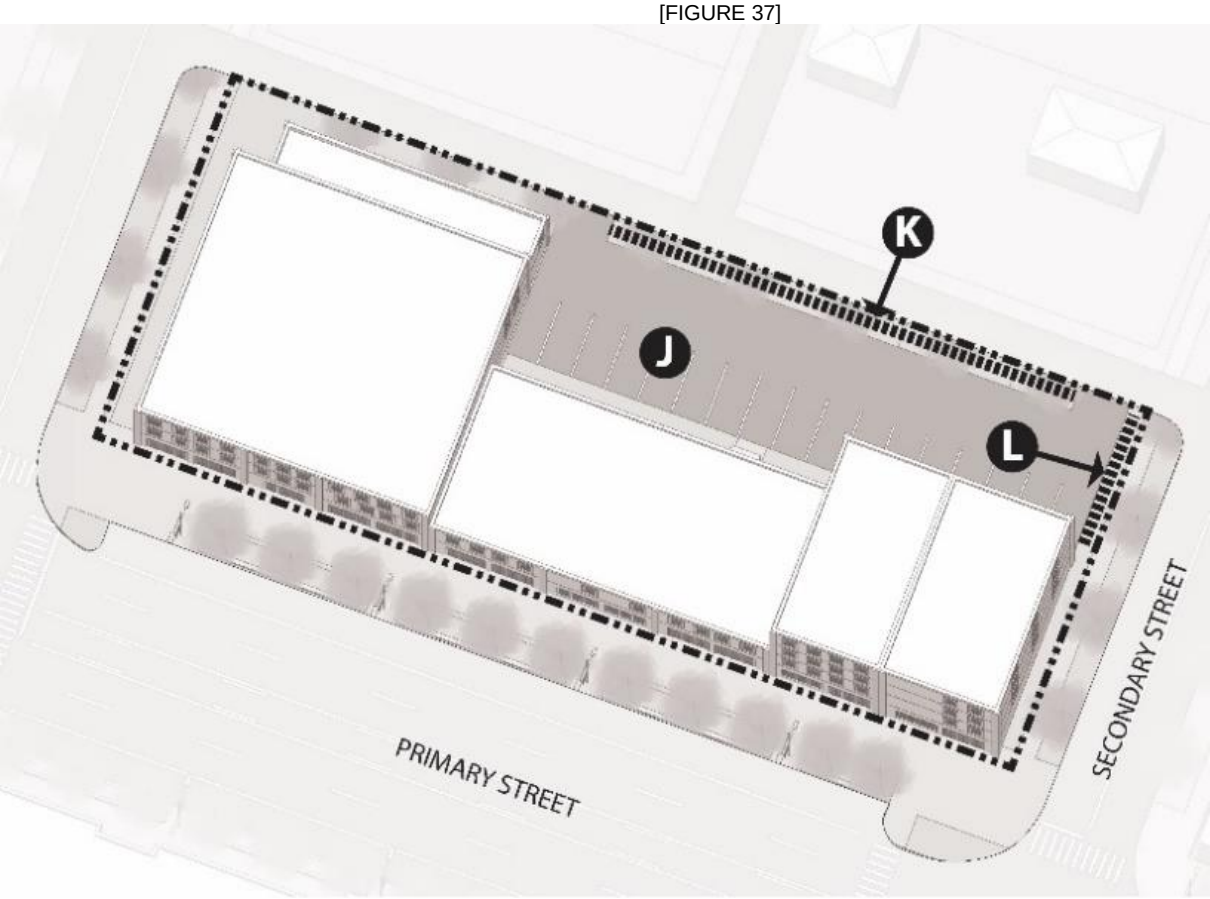


(b) Building Placement

(b) BUILDING PLACEMENT

F. Build-to line	Five (5) feet, as measured from the inside edge of the public sidewalk. The Zoning Administrator may approve: 1. A setback of ten (10) feet from the inside edge of the sidewalk, provided that the additional space is dedicated to outdoor seating and/or public art. 2. A setback of zero (0) feet from the inside edge of the sidewalk, provided that the existing or proposed sidewalk is at least ten (10) feet in width. 3. A setback equal to the average setback of 50% of the buildings to be retained within the blockface. The applicant shall provide a map with those measurements.
G. Minimum Side Setback	O’
H. Minimum Rear Setback	0’
I. Maximum Lot Coverage	100%
Minimum Setback from Adjacent Residential Districts	25’
	6’ opaque screenwall / fencing required along edge of residentially zoned or used property.

[FIGURE 37]



(c) Parking

(c) PARKING	
J. Allowed Surface Parking Locations	Municipal Parking On-Street Parking On-site: Side or rear yard, front yard only when corner lot on secondary streets
K. and L. Side and Rear Parking Lot Setback / Screening when adjacent to R-1 through R-6 districts	6' landscape buffer. Rear OR Side setback may be reduced to 5' with 3' opaque masonry wall
Front Parking Lot Setback / Screening on Secondary Street Corners	5' with a 3' masonry knee wall at Build-to Line.
Required Parking Spaces	Section 1254.01.04 for parking reductions
Parking Incentives / Bonuses	Shared parking, cross-access, driveway removal

1243.09 DT-1 Urban Edge

[FIGURE 38]

1243.09.01 DT-1 URBAN EDGE DISTRICT INTENT

The DT-1 Urban Edge district permits a mixture of office and residential uses complementary to the Downtown Core but lower in intensity. Urban Edge areas are intended to retain elements of the historic residential character such as short block lengths and existing front-yard setbacks. One purpose of this district is to permit homes to be converted to offices provided the historic residential character is maintained.

1243.09.02 DT-1 BUILDING TYPES

The following building types are suggested to meet the intent of this district. The table at right shows which building types are suggested along the various street types in this district.

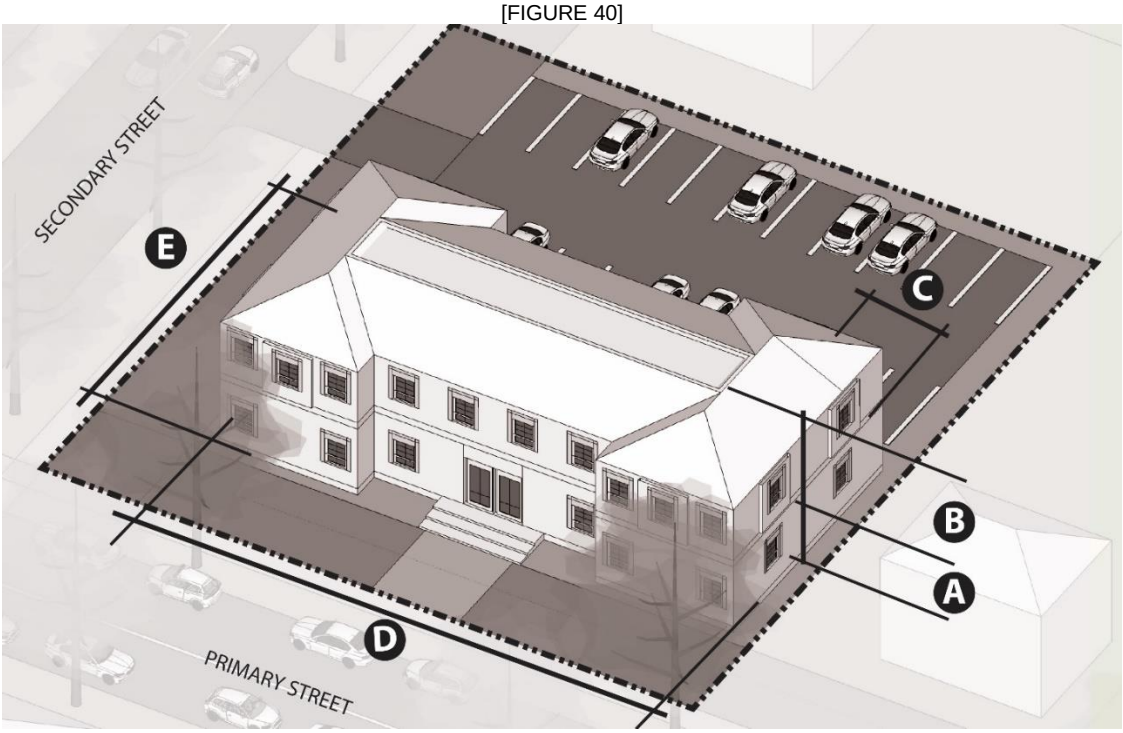
Architectural regulations and Building Types are further described in CHAPTER 1246 – BUILDING TYPES.

[FIGURE 39]

SUGGESTED BUILDING TYPE	STREET TYPE: ARTERIAL CORRIDOR	SUBURBAN CORRIDOR	ACTIVITY CORRIDOR	PRIME CONNECTOR	NEIGHBORHOOD CONNECTOR	LOCAL
Detached Residential	X	X	X	X	X	X
Attached Residential	X	X	X	X	X	X
Urban Mixed-use	X	X	X	X	X	X

1243.09.03 DT-1 SITE LAYOUT REQUIREMENTS

[FIGURE 40]

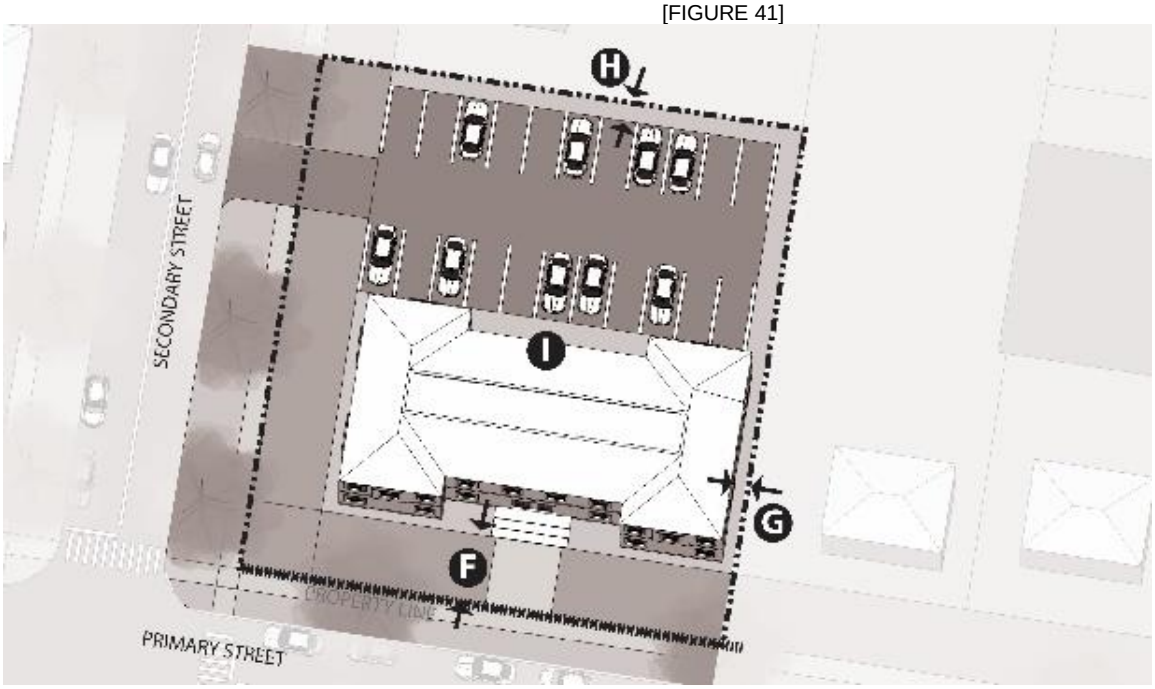


(a) Building Massing

(a) BUILDING MASSING		
A. Minimum Height	25’	2 stories
B. Maximum Height	40’	4 stories
See Section 1250.03.02 for height exceptions		

C. Required Upper floor Step-Backs - when adjacent to R-1 through R-6 districts	For the elevation adjacent to a residential district, the floors above the second story shall be tiered-back so that the highest point of the building is setback from the adjacent residential district a distance at least equal to the height of the building.
D. Minimum Frontage, Primary Street	50%
E. Minimum Frontage, Secondary Street	25%
Required Corner Massing	When site is a corner lot, the primary and secondary frontages at the corner must be occupied by building elevations for the first 20 feet of each frontage from the corner.

[FIGURE 41]

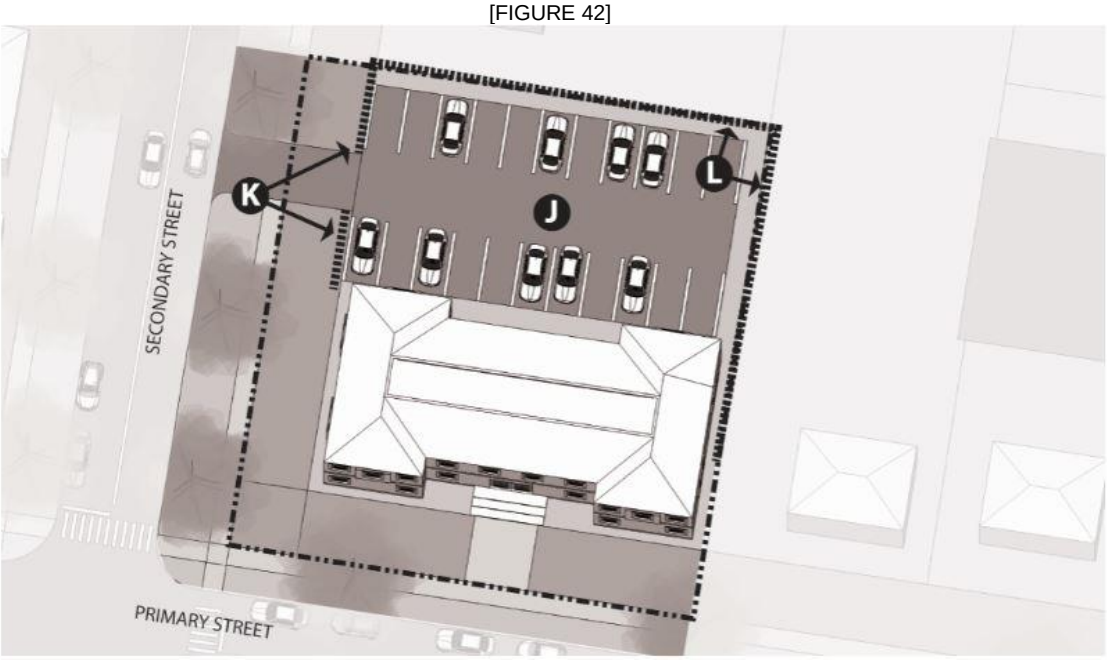


(b) Building Placement

(b) BUILDING PLACEMENT	
F. Build-to line	Five (5) feet, as measured from the inside edge of the public sidewalk. The Zoning Administrator may approve: 1. A setback of ten (10) feet from the inside edge of the sidewalk, provided that the additional space is dedicated to outdoor seating and/or public art. 2. A setback equal to the average setback of 50% of the buildings to be retained within the blockface. The applicant shall provide a map with those measurements.
G. Minimum Side Setback	1O'. The Planning Office may allow a reduction to 5' if minimum 10' from adjacent building or appurtenance and side facade has windows and quality materials.

H. Minimum Rear Setback	10' building
I. Maximum Lot Coverage	50%

[FIGURE 42]



(c) Parking

(c) PARKING	
J. Allowed Surface Parking Locations	Municipal Parking On-Street Parking On-Site side or rear yard.
K. Front Parking Lot Setback / Screening on Secondary Street Corners	8' landscape buffer which may be reduced to 5' with a 3' masonry knee wall at Build-to Line.
L. Side and Rear Parking Lot Setback / Screening when adjacent to R-1 through R-6 districts	6' landscape buffer. Rear OR Side setback may be reduced to 5' with 3' opaque masonry wall
Required Parking Spaces	Parking per Chapter 1254
	Section 1254.01.04 for parking reductions
Parking Incentives / Bonuses	Shared parking, cross-access, driveway removal

1243.10 DT-2 Urban Flex

[FIGURE 43]

Illustrative example of the intent of this district

1243.10.01 DT-2 INTENT

The intent and purpose of the DT-2 Urban Flex district is to foster a mixture of residential, commercial, and industrial uses that complement the nearby Downtown Core and Mixed-Use Corridors. The Urban Flex districts generally are areas transitioning from older industrial and auto-oriented uses with pockets of residential to higher density modern infill and adaptive reuse. These areas are characterized by an eclectic mixture of entertainment, retail, residential, and lower intensity industrial uses in a warehouse setting. Along Activity Corridors, ground floor uses should be those that generate pedestrian activity along the street front through the location of doors, windows, and displays.

1243.10.02 DT-2 BUILDING TYPES

The following building types are suggested to meet the intent of this district. The table at right shows which building types are suggested along the various street types in this district. Architectural regulations and Building Types are further described in CHAPTER 1246 – BUILDING TYPES.

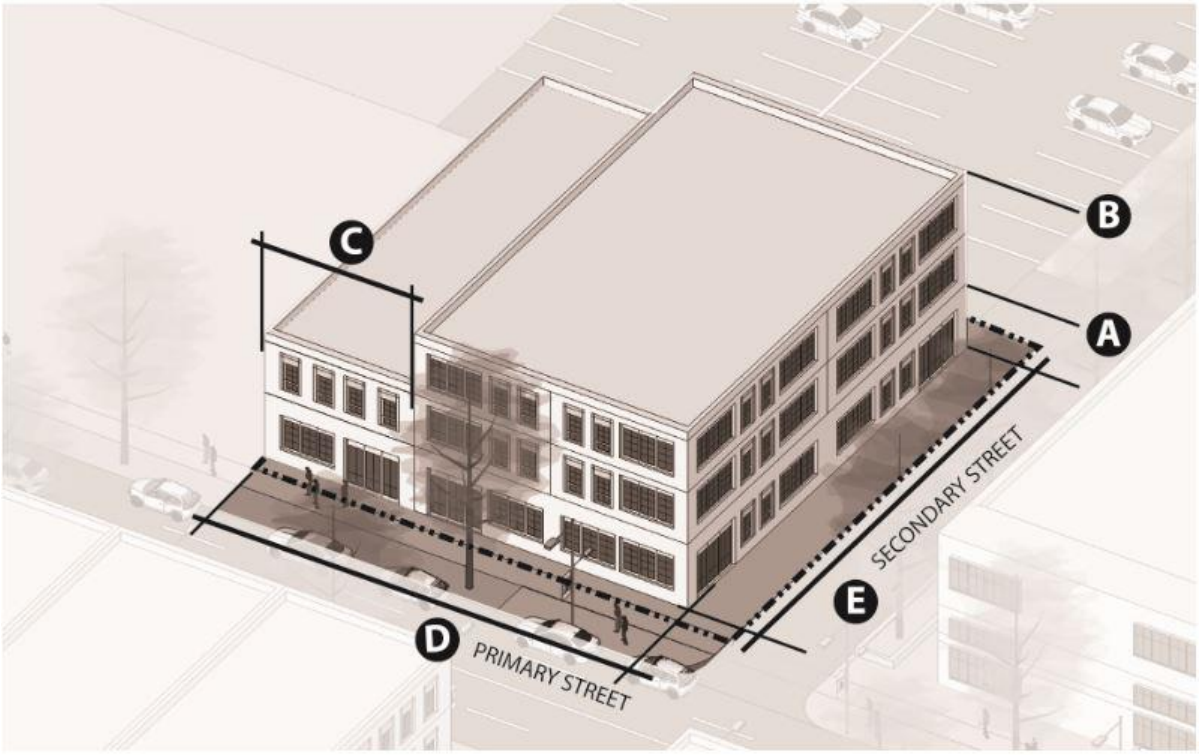
[FIGURE 44]

SUGGESTED BUILDING TYPE	STREET TYPE					
	ARTERIAL CORRIDOR	SUBURBAN CORRIDOR	ACTIVITY CORRIDOR	PRIME CONNECTOR	NEIGHBORHOOD CONNECTOR	LOCAL
Attached residential	X	X	X	X	X	X
Urban Mixed-use	X	X	X	X	X	X
Commercial Flex	X	X	X	X	X	X
Parking Structure	X	X	**	X	X	X
Gas & Service Stations	X	-	-	X	X	-

***First floor must be lined with non-parking uses. See Section 1243.03*

**First floor must be lined with non-parking uses. See Section 1243.03

1243.10.04 DT-2 SITE LAYOUT REQUIREMENTS

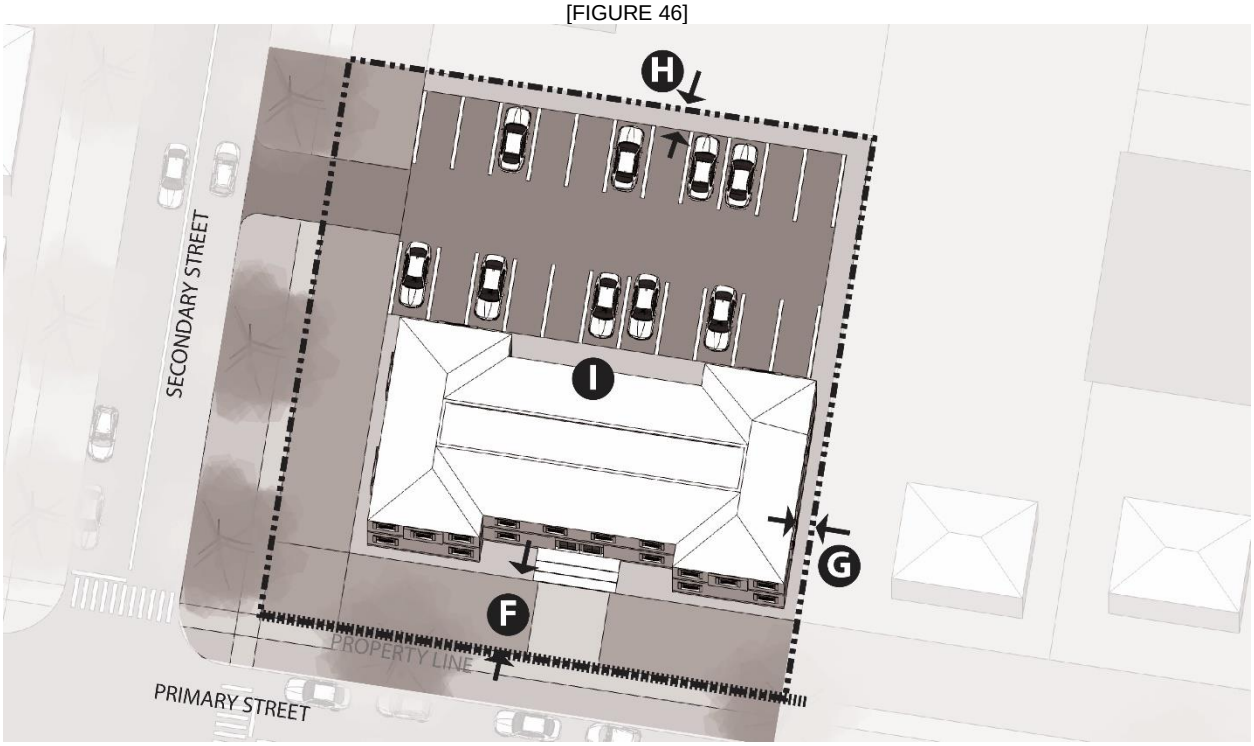


[FIGURE 45]

(a) Building Massing

(a) BUILDING MASSING			
A. Minimum Height		25’	1 story
B. Maximum Height	Arterial Corridor	60’	6 stories
	Activity Corridor	60’	6 stories
	Prime Connector	55’	4 stories
	Local Street	40’	4 stories
See Section 1250.03.02 for height exceptions			
C. Required Upper floor Step-Backs - when adjacent to R-1 through R-6 districts		For the elevation adjacent to a residential district, the floors above the second story shall be tiered-back so that the highest point of the building is setback from the adjacent residential district a distance at least equal to the height of the building.	
D. Minimum Frontage, Primary Street		75%	
E. Minimum Frontage, Secondary Street		25%	
Required Massing		When site is a corner lot, the primary and secondary frontages at the corner must be occupied by building elevations for the first 20 feet of each frontage.	

[FIGURE 46]

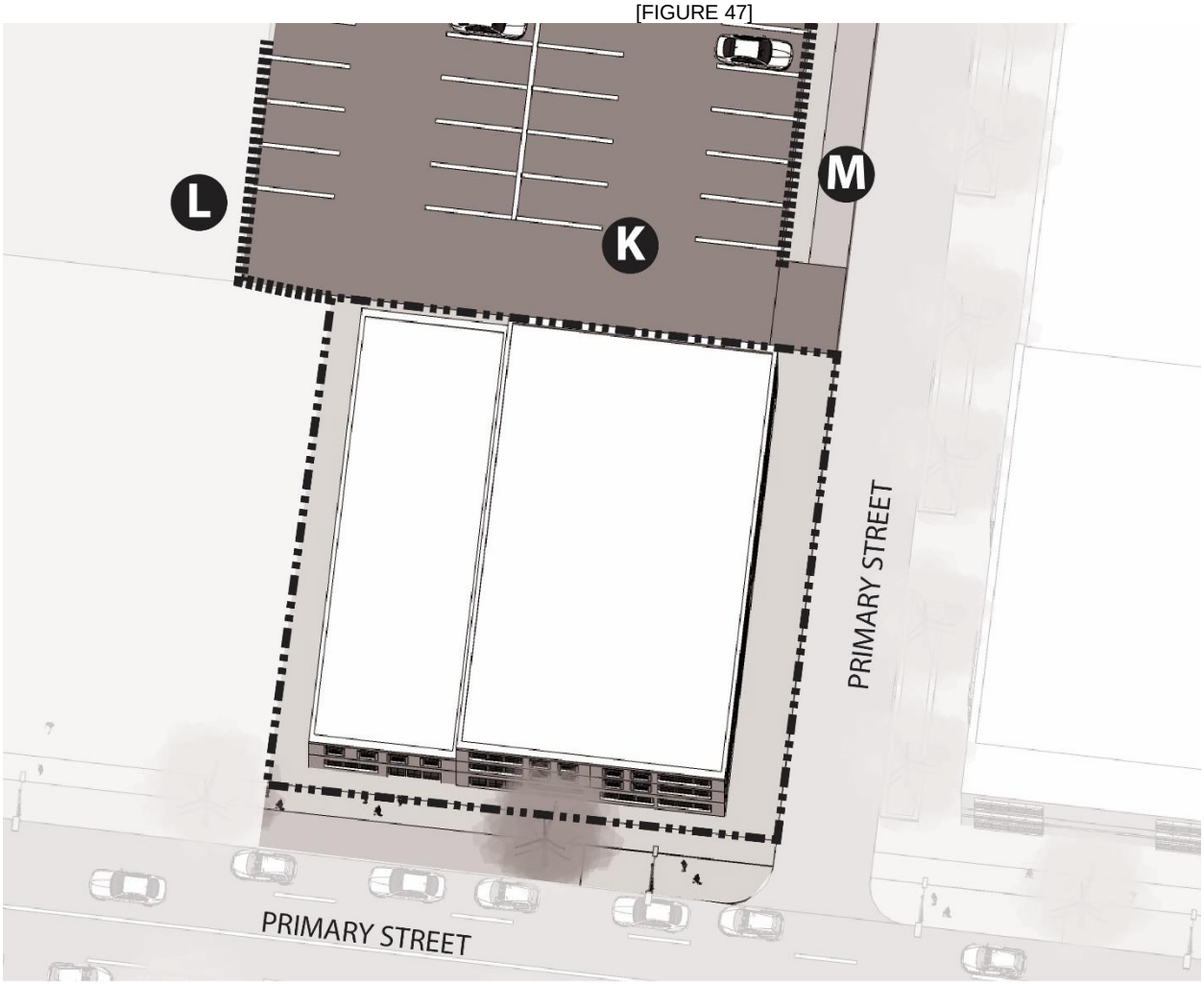


(b) Building Placement

(b) BUILDING PLACEMENT	
F. Build-to line	Five (5) feet, as measured from the inside edge of the public sidewalk. The Zoning Administrator may approve:

	1. A setback of ten (10) feet from the inside edge of the sidewalk, provided that the additional space is dedicated to outdoor seating and/or public art. 2. A setback of zero (0) feet from the inside edge of the sidewalk, provided that the existing or proposed sidewalk is at least ten (10) feet in width. 3. A setback equal to the average setback of 50% of the buildings to be retained within the blockface. The applicant shall provide a map with those measurements.
G. Minimum Side Setback	1O’
H. Minimum Rear Setback	10’ building
I. Maximum Lot Coverage	75%
J. Minimum Setback from Adjacent Residential Districts	10’

[FIGURE 47]



(c) Parking

(c) PARKING

K. Allowed Surface Parking Locations	On-Street Parking
	On-Site side or rear yard. Front yard parking limited to one single-loaded bay of parking.
L. Side and Rear Parking Lot Setback / Screening when adjacent to R-1 through R-6 districts	6' landscape buffer. Rear OR Side setback may be reduced to 5' with 3' opaque masonry wall
M. Front Parking Lot Setback/ Screening	8' landscape buffer which may be reduced to 5' with a 3' masonry knee wall at Build-to Line.
Required Parking Spaces	Parking per Chapter 1254
	Section 1254.01.04 for parking reductions
Parking Incentives / Bonuses	Shared parking, cross-access, driveway removal

(d) Accessory Outdoor Storage
See Section 1250.04.01 for placement of accessory buildings.
See also CHAPTER 1250 GENERAL PROVISIONS.

1243.11 DT-3 Downtown Core

[FIGURE 48]

1243.11.01 DT-3 INTENT
The intent and purpose of the DT-3 Downtown Core district is to provide primarily a vertical mix of uses with higher density residential housing and office buildings. Ground floor uses should be those that generate pedestrian activity along the street front through the location of doors, windows, and displays. Development in this district is characterized by tall buildings lining urban streets with most or all parking provided on street or in municipal lots or structures. This district accommodates the City's highest intensity and density development.
1243.11.02 DT-3 BUILDING TYPES
The following building types are suggested to meet the intent of this district. The table at right shows which building types are suggested along the various street types in this district.
Architectural regulations and Building Types are further described in CHAPTER 1246 – BUILDING TYPES.

[FIGURE 49]

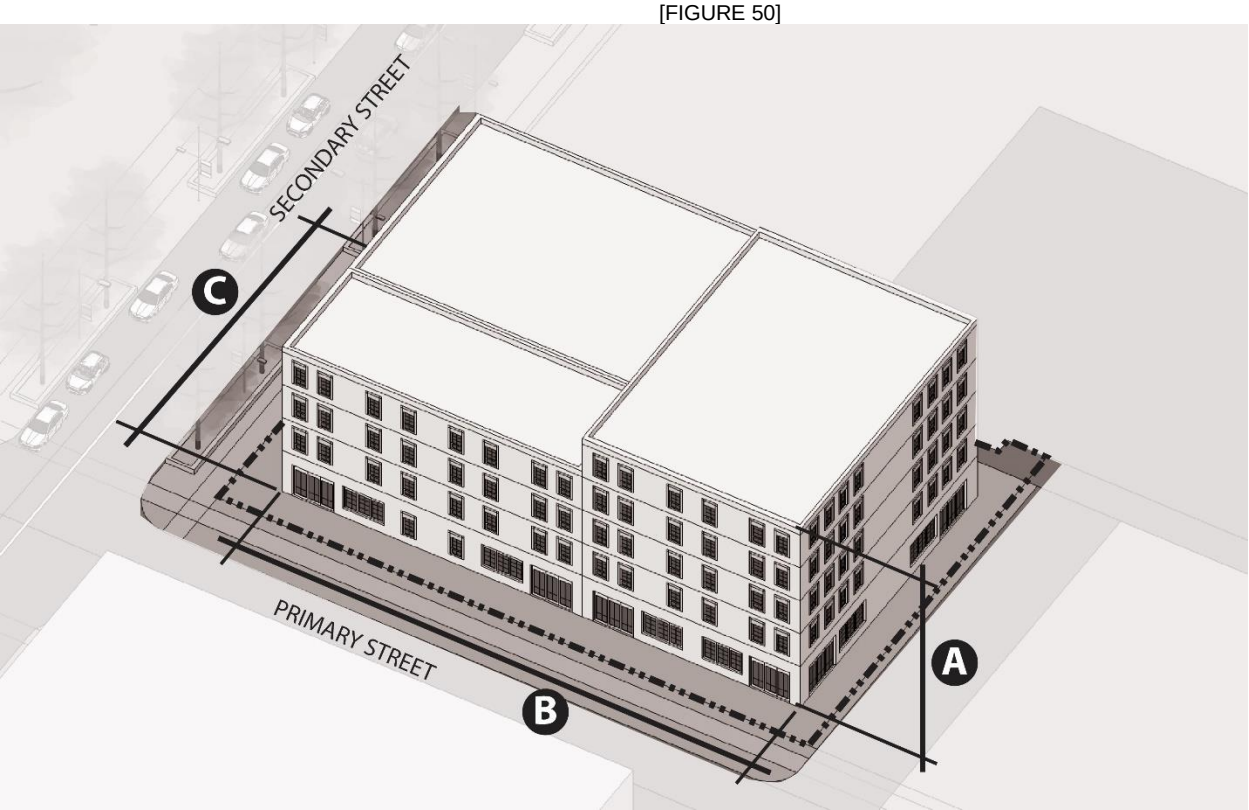
SUGGESTED BUILDING TYPE	STREET TYPE					
	ARTERIAL CORRIDOR	SUBURBAN CORRIDOR	ACTIVITY CORRIDOR	PRIME CONNECTOR	NEIGHBORHOOD CONNECTOR	LOCAL
Urban Mixed-use	X	X	X	X	X	X
Tower & Podium	X	X	X	X	X	X
Parking Structure	X	X	**	X	X	X

***First floor must be lined with non-parking uses. See Section 1243.03*

**First floor must be lined with non-parking uses. See Section 1243.03

1243.11.04 DT-3 SITE LAYOUT REQUIREMENTS

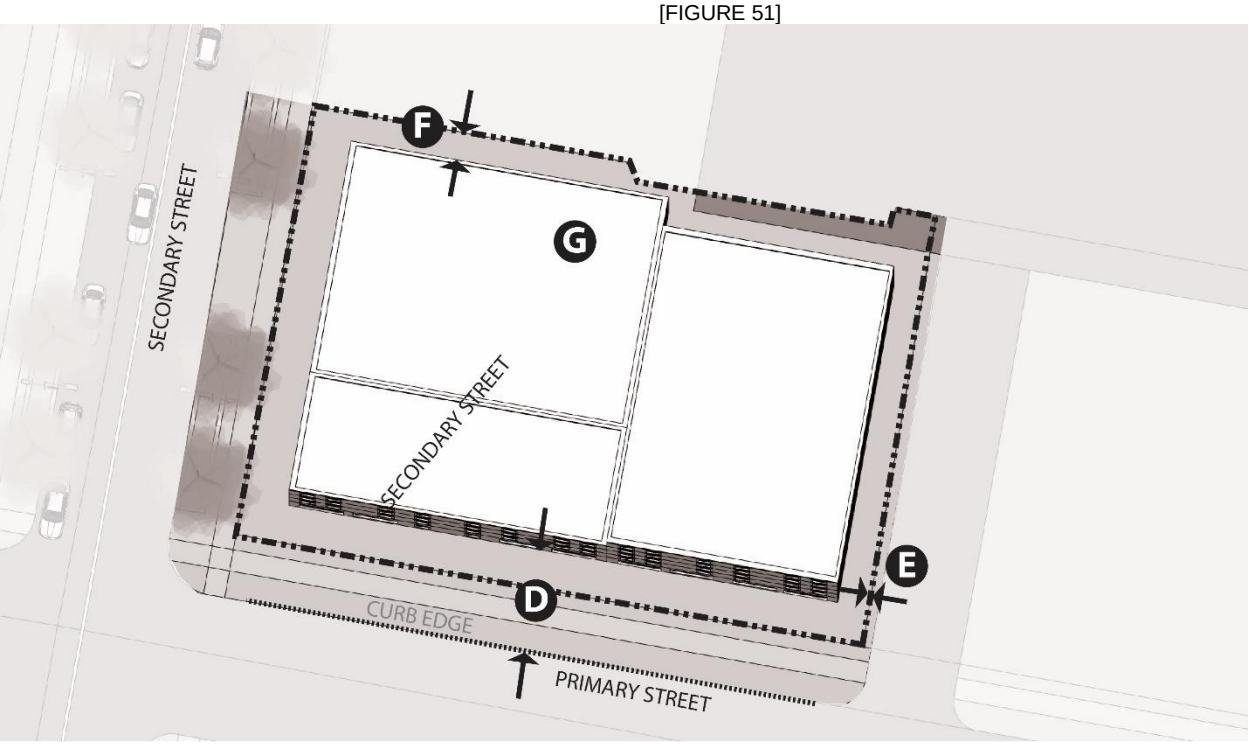
[FIGURE 50]



(a) Building Massing

(a) BUILDING MASSING		
A. Minimum Height	25’	2 stories
B. Minimum Frontage, Primary Street	85%	
C. Minimum Frontage, Secondary Street	75%	
Required Corner Massing	When site is a corner lot, the primary and secondary frontages at the corner must be occupied by building elevations for the first 20 feet of each frontage from the corner.	

[FIGURE 51]



(b) Building Placement

(b) BUILDING PLACEMENT	
D. Build-to line	Five (5) feet, as measured from the inside edge of the public sidewalk. The Zoning Administrator may approve: 1. A setback of ten (10) feet from the inside edge of the sidewalk, provided that the additional space is dedicated to outdoor seating and/or public art. 2. A setback of zero (0) feet from the inside edge of the sidewalk, provided that the existing or proposed sidewalk is at least ten (10) feet in width. 3. A setback equal to the average setback of 50% of the buildings to be retained within the blockface. The applicant shall provide a map with those measurements.
E. Minimum Side Setback	0’
F. Minimum Rear Setback	0’

G. Maximum Lot Coverage	100%

(c) Parking

(c) PARKING	
Required Parking Spaces	No parking required

See Section 1250.04.01 for placement of accessory buildings.

Chapter 1244
Residential Districts
Applicability
The standards of this chapter shall apply to all proposed development within the zoning districts contained herein, and shall be considered in combination with the standards in CHAPTER 1246 – BUILDING TYPES and other applicable chapters of this zoning ordinance. If there is a conflict between any standards, the stricter standards shall apply conventionally on-site constructed homes. For purposes of compatibility, all structures shall:
1. Have not less than two exterior doors with one door being in front of the structure and the other being in either the rear or on the side of the structure;
2. Have permanently attached steps connected to exterior door areas or porches connected to exterior door areas where required by the difference in between the ground and floor levels.

1244.02 General Development
Requirements for Dwelling Units
Any dwelling unit, including a structure or portion of a structure constructed on-site, a mobile home not located in a mobile home park, a premanufactured unit, a precut structure or a panelized structure, whether erected above and/or below ground, shall comply with the following standards:
A. It shall conform with the minimum residential lot dimensional requirements and building types for the district in which it is located.
B. On lots 40 feet or greater in width, it shall contain a core area of living space of at least 24 feet by 24 feet in size and shall have a minimum internal height of seven and one-half feet. For single-family dwellings on lots less than 40 feet in width in R-5 and R-6 Residential Districts, it shall contain a core area of living space of at least 20 feet by 20 feet in size and shall have a minimum internal height of seven and one-half feet.
C. It is firmly attached to a permanent foundation constructed on the site in accordance with the Building Code of the City and has a wall of the same perimeter dimensions as the structure which is constructed of such materials and type as required in the Building Code. If the structure is a mobile home not located in a mobile home park, it shall be installed pursuant to the manufacturer's set-up instructions, shall be secured to the premises by an anchoring system or device complying with all State and Federal rules and regulations governing the same and shall have a perimeter wall as required in this paragraph which is aesthetically compatible in design and appearance with conventionally on-site constructed homes.
D. If it is not a structure constructed on site, it shall be aesthetically compatible in design and appearance with conventionally on-site constructed homes. For purposes of compatibility, all structures shall:
1. Have not less than two exterior doors with one door being in front of the structure and the other being in either the rear or on the side of the structure;
2. Have permanently attached steps connected to exterior door areas or porches connected to exterior door areas where required by a difference in elevation;
3. Have siding firmly affixed to the exterior walls of the structure constructed of conventional materials such as wood, vinyl, aluminum or brick;
4. Have a shingled roof constructed of conventional material, which roof is permanently attached to the structure and has a minimum 3:12 pitch and an overhang of at least one foot; and
5. Not have wheels, towing mechanisms, undercarriages or chassis that are visible from the outside of the structure.
This paragraph shall not be construed to prohibit innovative design concepts involving such matters as solar energy, view, unique land contour or architectural design.

1244.03 Administration
(a) Residential construction for single-family detached homes and duplexes are not required to follow the site plan review process in Chapter 1260 but must adhere to the regulations of this zoning ordinance and other applicable city codes and ordinances.
(b) Any other residential use not listed in subsection (a) above shall be reviewed according to CHAPTER 1260 – SITE PLAN REVIEW.

1244.04 Residential Permitted Uses
In the Residential Districts, the following principal uses are permitted. Permitted uses shall be subject to site plan review. Conditional uses shall adhere to the Conditions noted in the Section referenced. Special Land Uses may be permitted by Council in accordance with the procedures and conditions described in CHAPTER 1262 – SPECIAL LAND USE PERMITS if the conditions described in this section for each use are met, and if all Federal, State and local laws are met. Permitted and approved uses may be mixed both horizontally and vertically.

[FIGURE 52]

City of Lansing Form-Based Code Master Use Table Revised 1/28/20

P = PRINCIPAL PERMITTED C = CONDITIONAL USE S = SPECIAL LAND USE	R-1	R-2	R-3	R-4	R-5	R-6a	R-6b	R-MX	MFR	R-AR	Conditions
Residential Uses											
Single-Family detached	P	P	P	P	P	P	P	P		P	
Two-Family dwelling							C	P	P	P	For R-6B: 1. Must maintain the appearance of a medium sized home and is appropriately scaled to fit within primarily single-family neighborhoods.
Multi-Family dwelling							C	P	P	P	
Mobile Home									S		
Short-Term Rental	C	C	C	C	C	C	C	C	C	C	Lansing Airbnb/Short-term rental housing policy
Boarding House								P	P	P	
Human Care Facilities											
Adult Day Care Facility								S	S		
Adult Foster Care (≤ 6)	P	P	P	P	P	P	P	P	P	P	
AFC small group home (≤ 12)	S	S	S	S	S	S	S	P	P		
AFC large group home (13-20)								S	S	S	
AFC Congregate Care								S	S	S	
Child Care centers, preschools, and commercial day care	S	S	S	S	S	S	S			S	
Family Day Care (≤ 6, less than 24 hours/day)	P	P	P	P	P	P	P	P	P		
Group Day Care Home (7-12 children, <24 hours/day)	C	C	C	C	C	C	C	C	C	C	1. The facility provides and maintains on the lot not less than 900 square feet of outdoor play space. 2. The use of the structure as a group day care home shall be clearly incidental to the principal residential use. 3. One person, other than a member of the family residing in the dwelling, may be employed, so long as that person is not the primary caregiver. 4. No change occurs in the outside appearance of the dwelling. 5. No signs are permitted. 6. The outdoor play space shall be fenced. This requirement can be waived by approval of the Planning Division if the specified outdoor area is common open space shared with other dwelling units.
Foster Family Home (6 or fewer children, 24 hours/day)	P	P	P	P	P	P	P	P	P		
Convalescent or Nursing Home								S	S	S	
Institutional											
Places of Assembly	S	S	S	S	S	S	S	S	S	C	At least one property line abutting an arterial, suburban or activity corridor or it must be determined by the City Engineer or his/her designee that the existing transportation system is sufficient to accommodate the proposed use. A traffic impact study may be required to assist in making this determination.
Hospital										C	At least one property line abutting an arterial, suburban or activity corridor

City of Lansing Form-Based Code Master Use Table Revised 1/28/20

P = PRINCIPAL PERMITTED C = CONDITIONAL USE S = SPECIAL LAND USE	R-1	R-2	R-3	R-4	R-5	R-6a	R-6b	R-MX	MFR	R-AR	Conditions
Museum	C	C	C	C	C	C	C	C	C		1. Front, rear and side yards are not less than 25 feet, except as provided below. 2. If a front, rear or side yard abuts a Commercial Mixed-Use District, then the yard which abuts such District shall meet the dimensional requirements of the District which abuts such front, rear or side yard. 3. No parking exists in the front yard. 4. No accessory structure is located in the front yard.
Library	C	C	C	C	C	C	C	C	C	C	
Schools	C	C	C	C	C	C	C	C	C	C	All education facilities, except elementary or middle schools, must have at least one property line abutting and all points of ingress/egress directly to an arterial, suburban or activity corridor or it must be determined by the City Engineer or his/her designee that the existing transportation system is sufficient to accommodate the proposed use. A traffic impact study may be required to assist in making this determination
Trade school										C	
Park, open space, plaza	P	P	P	P	P	P	P	P	P	P	
Commercial/Office											
Retail sales and Personal Services										P	
Professional/business offices										P	
Cemetery	S	S								S	
Clinic										C	At least one property line abutting and all points of ingress/egress directly to an arterial, suburban or activity corridor
Golf courses	S	S								S	
Nursery, commercial greenhouse										C	1. The lot on which the nursery or commercial greenhouse is located contains not less than three (3) acres. 2. The lot on which the nursery or commercial greenhouse is located has not less than one property line which abuts and has primary access to a major or minor arterial. 3. The outdoor storage of landscape materials, other than plants, shall be screened from view of all public right-of-ways and residential parcels of land by a six (6) foot high opaque wood or vinyl fence, decorative screen wall or landscaped berm.
Industrial											
Research laboratory										S	

Accessory uses customarily incidental to any of the above principal uses are allowed provided the Zoning Administrator may require additional parking or compliance with other standards upon a determination that such use may impact site operations beyond that of the Principal Use.

1244.05 R-1 Suburban Residential

[FIGURE 53]

1244.05.01 R-1 INTENT

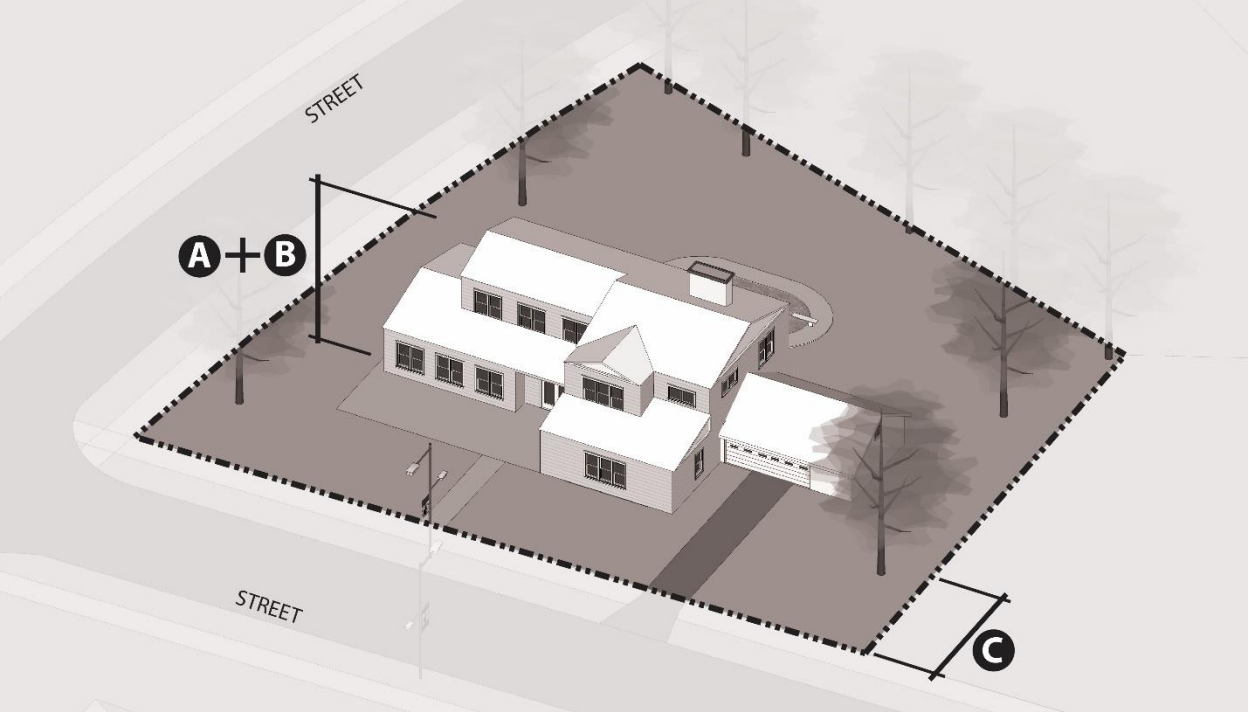
The R-1 Suburban Residential district is intended for the largest, lowest-density single-family development in the city. These neighborhoods feature large lots, large homes with attached garages, significant landscaping and curvilinear streets and cul-de-sacs. These houses are intended to each be unique with significant architectural detail and quality. Typical character types include Contemporary and Neo-Eclectic.

1244.05.02 R-1 BUILDING TYPES

Detached Houses are the only building type intended to meet the intent of this district. Architectural regulations and Building Types are further described in CHAPTER 1246 – BUILDING TYPES.

1244.05.03 SITE LAYOUT REQUIREMENTS

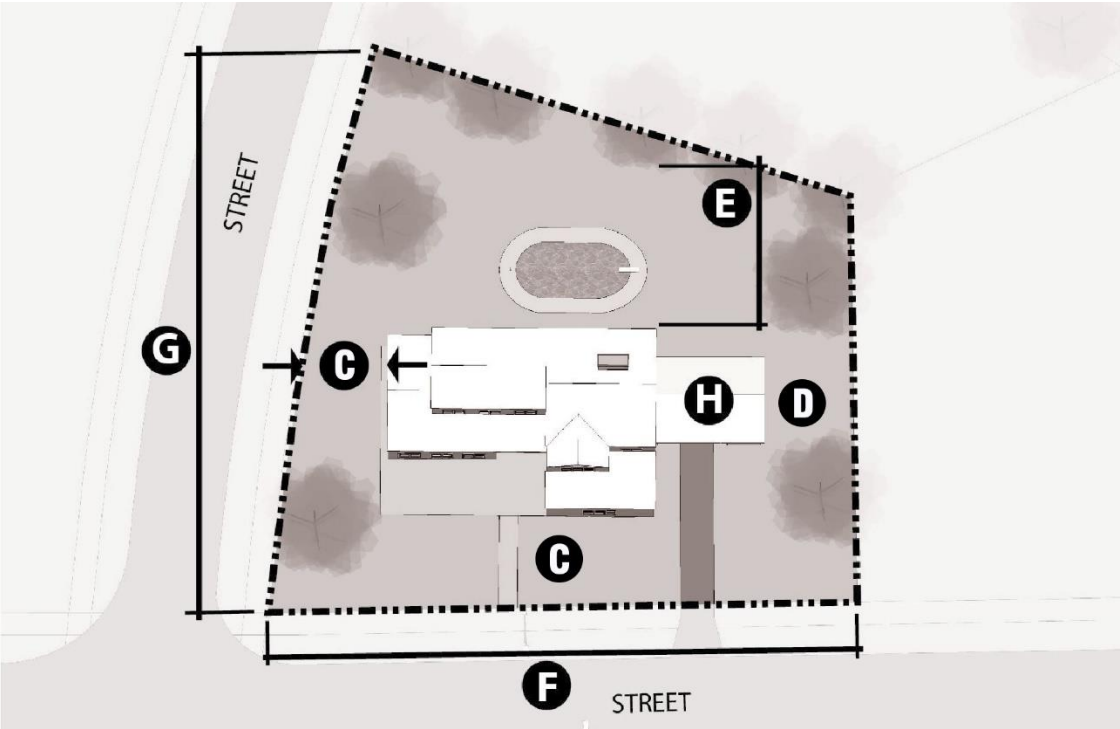
[FIGURE 54]



(a) Building Massing

(a) BUILDING MASSING		
A. Minimum Height	20’	2 stories
B. Maximum Height	35’	2.5 stories
Maximum Dwelling Units per lot		1

[FIGURE 55]



(b) Building Placement

(B) BUILDING PLACEMENT			
C. Minimum Front Setback		The average setback on block face.	
D. Minimum Side Setback		5'.; total of two side yards 15'	
E. Minimum Rear Setback		30'	
F. Minimum Lot Size		6000 sq. ft.	
G. Lot Width	Min	60'	
	Max	200'	
Lot Depth	Min	100'	
	Max	200'	
Maximum Lot Coverage		Impervious Surfaces	55%
		Building	40%

(c) Building Access and Services

(c) BUILDING ACCESS AND SERVICES	
Parking	See Chapter 1254 for parking standards. Parking permitted in rear yard or side yard.
Garages	Garages may be attached but may not project in front of the front building facade. Side entry garage preferred.

1244.06 R-2 Suburban Residential

[FIGURE 56]

Illustrative example of the intent of this district

1244.06.01 R-2 INTENT

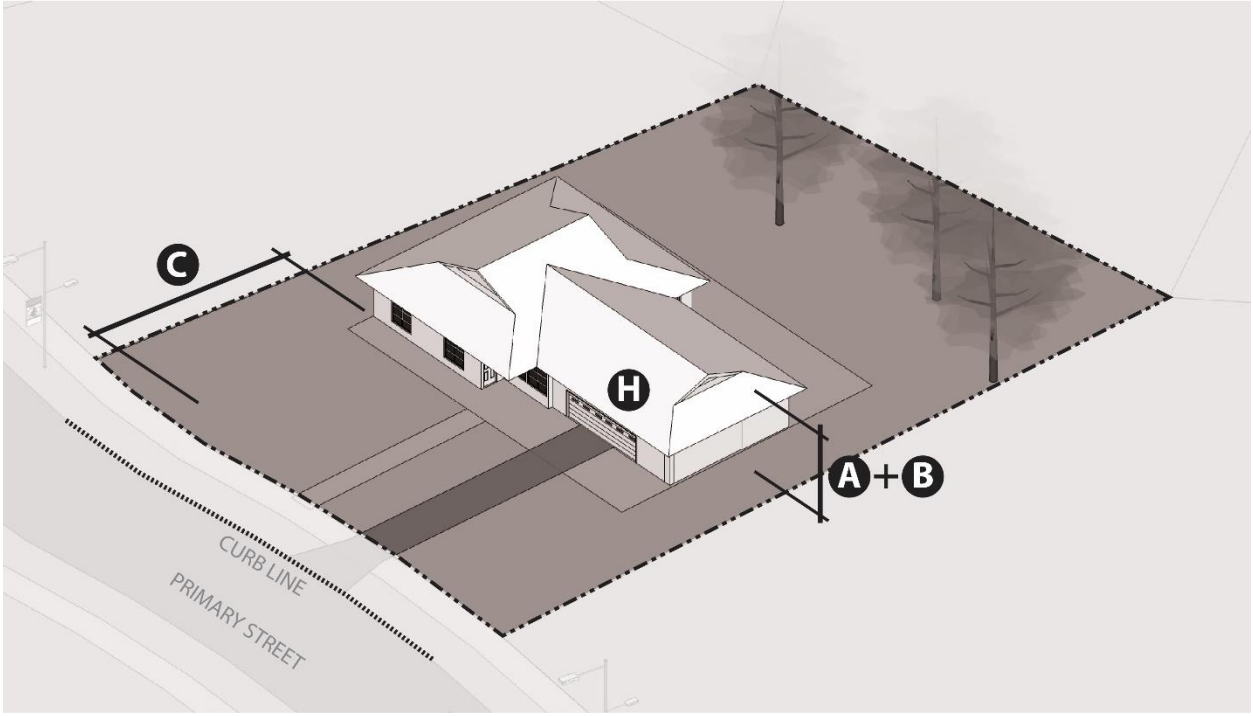
The R-2 Suburban Residential district is intended for mid-century to modern subdivisions. These neighborhoods feature medium-sized lots, often attached garages, curvilinear streets and cul-de-sacs., and a variety of housing types and sizes. Typical character styles include ranch, split level, minimal traditional, and contemporary, often with side-facing gables or hip roofs.

1244.06.02 R-2 BUILDING TYPES

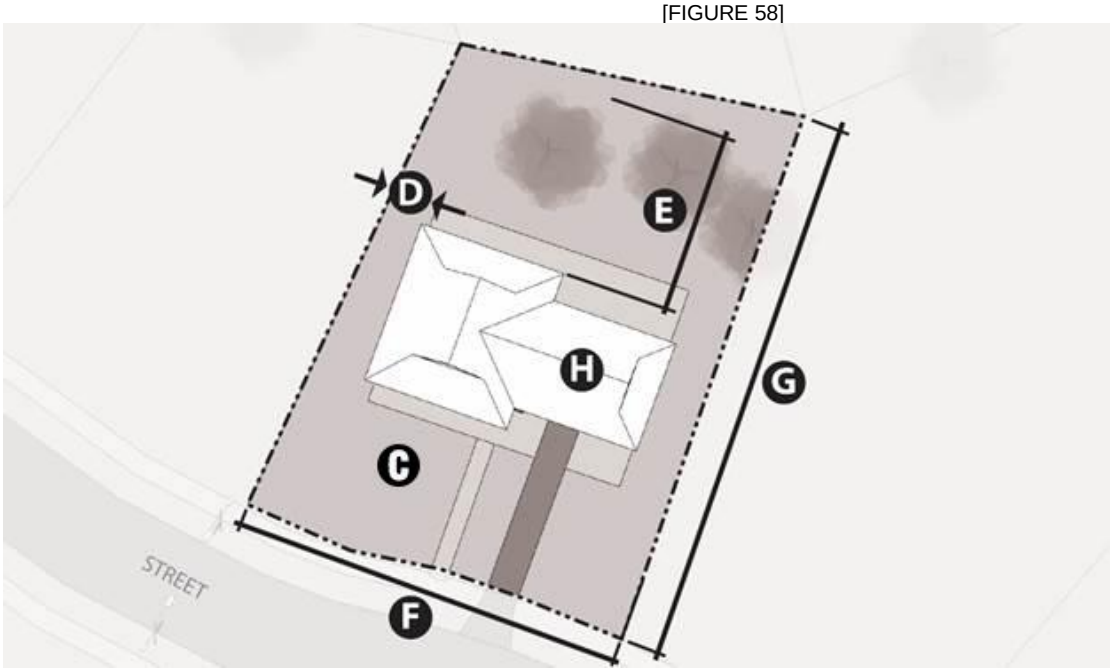
Detached Houses are the only building type intended to meet the intent of this district. Architectural regulations and Building Types are further described in CHAPTER 1246 – BUILDING TYPES.

1244.06.03 SITE LAYOUT REQUIREMENTS

[FIGURE 57]



[FIGURE 58]



(a) Building Massing

(A) BUILDING MASSING		
A. Minimum Height	15’	1 story
B. Maximum Height	35’	2.5 stories
Maximum Dwelling Units per lot		1

(b) Building Placement

(B) BUILDING PLACEMENT			
C. Minimum Front Setback		25’ or the average setback on block face.	
D. Minimum Side Setback		5’.; total of two side yards 15’	
E. Minimum Rear Setback		30’	
Minimum Lot Size		5000 sq. ft.	
F. Lot Width	Min	50’	
	Max	100’	
G. Lot Depth	Min	100’	
	Max	175’	
Maximum Lot Coverage		Impervious Surfaces	55%
		Building	40%

(c) Building Access and Services

(c) BUILDING ACCESS AND SERVICES	
Parking	See Chapter 1254 for parking standards. Parking permitted in rear yard or side yard.
H. Garages	Garages may be attached but may not project in front of the front building facade.

1244.07 R-3 Suburban Residential

[FIGURE 59]

Illustrative example of the intent of this district

1244.07.01 R-3 INTENT

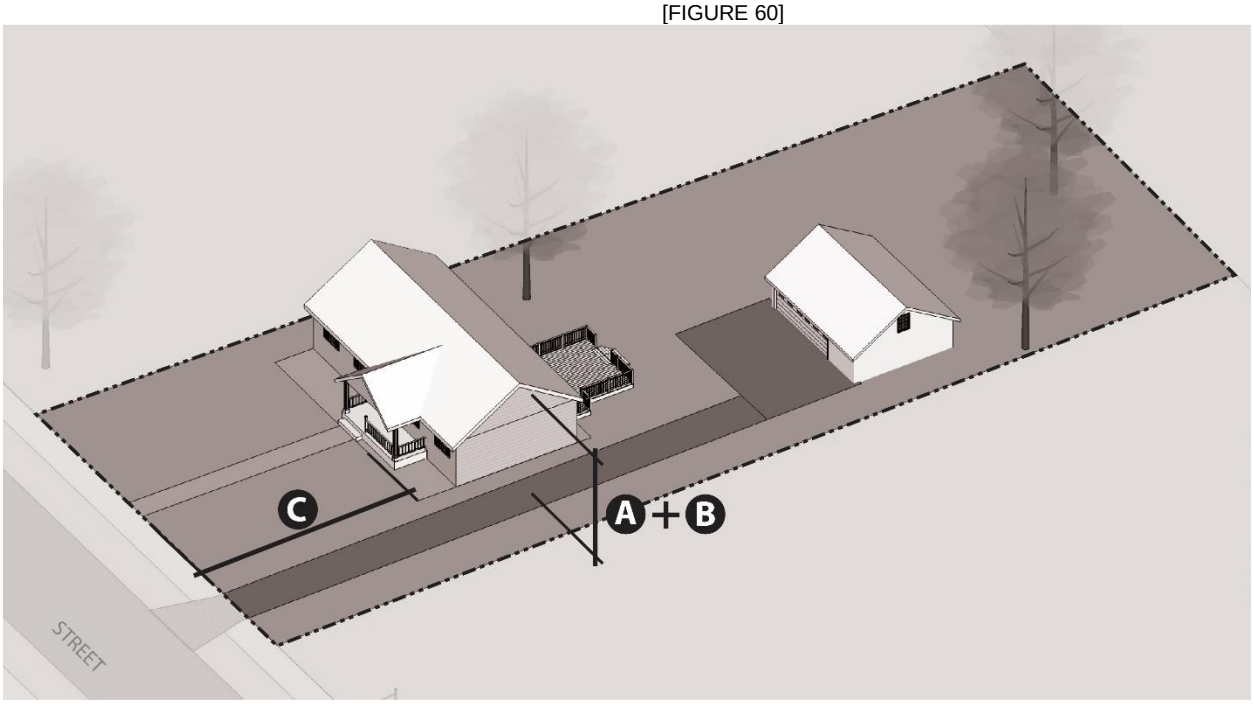
The R-3 Suburban Residential district is intended to accommodate a more flexible rural character in the city. Deep lots are typical with variable setbacks. Typical character types include Ranch and Minimal Traditional, often with side-facing gable roofs.

1244.07.02 R-3 BUILDING TYPES

Detached Houses are the only building type intended to meet the intent of this district. Architectural regulations and Building Types are further described in CHAPTER 1246 – BUILDING TYPES.

1244.07.03 SITE LAYOUT REQUIREMENTS

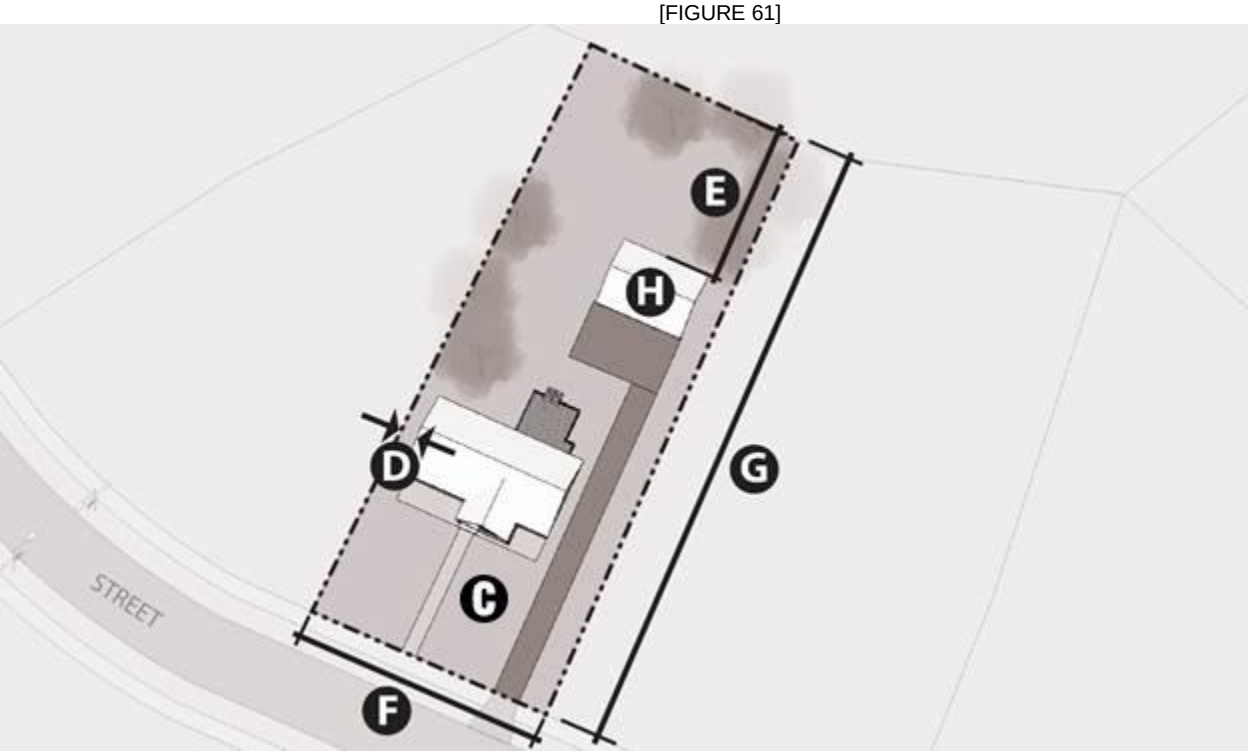
[FIGURE 60]



(a) Building Massing

(A) BUILDING MASSING		
A. Minimum Height	15’	1 story
B. Maximum Height	25’	2 stories
Maximum Dwelling Units per lot		1

[FIGURE 61]



(b) Building Placement

(B) BUILDING PLACEMENT		
C. Front Setback	Min	25’ or the average setback on block face
	Max	50’
D. Minimum Side Setback		5’; total of two side yards 15’
E. Minimum Rear Setback		30’
Minimum Lot Size		4000 sq. ft.
F. Lot Width	Min	40’
	Max	150’
G. Lot Depth	Min	100’

	Max	none	
Maximum Lot Coverage		Impervious Surfaces	60%
		Building	45%

(c) Building Access and Services

(c) BUILDING ACCESS AND SERVICES	
Parking	See Chapter 1254 for parking standards. Parking permitted in rear yard or side yard.
H. Garages	Rear

See section 1250.04.01 for placement of accessory buildings.

1244.08 R-4 Urban Edge Residential

[FIGURE 62]

Illustrative example of the intent of this district

1244.08.01 R-4 INTENT

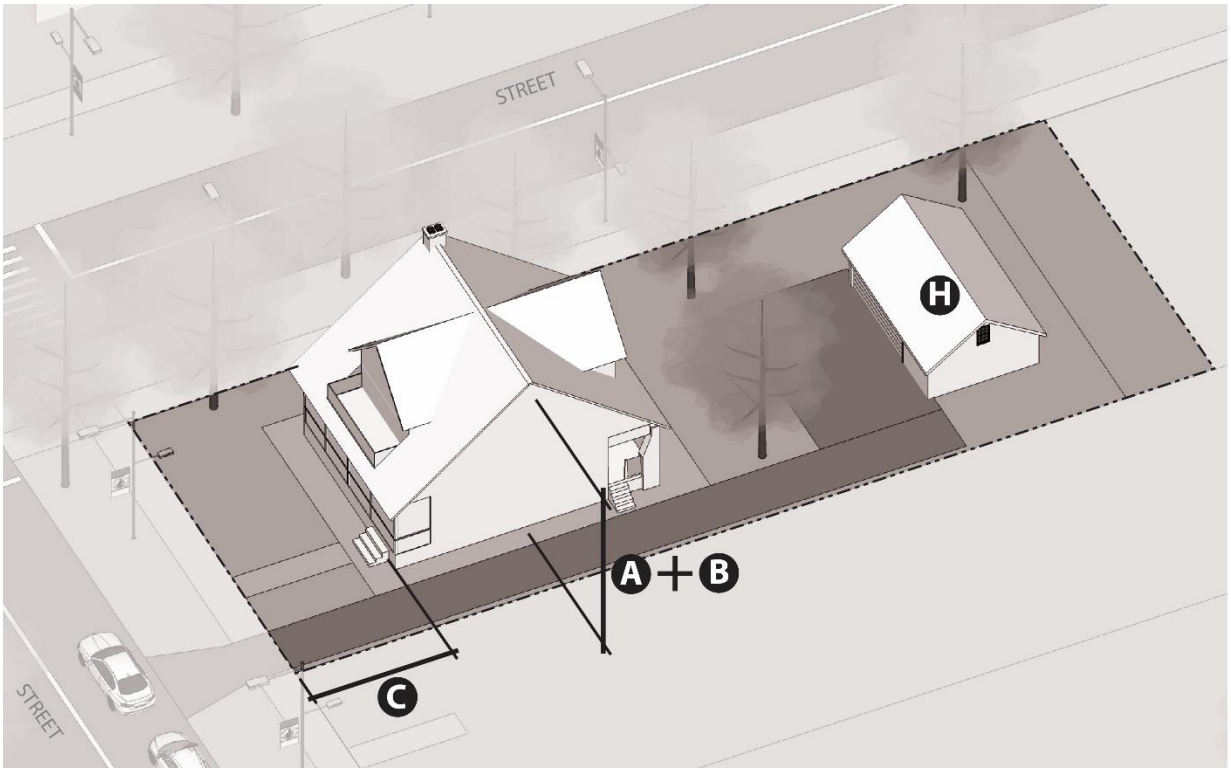
The intent of the R-4 Urban Edge Residential district is to preserve the character of Lansing's most historic neighborhoods. These neighborhoods were originally designed in the style of the City Beautiful/Garden City movement, with a variety of high-style historic single-family homes. Any modifications or new construction in this district should respect the high-style character types of the early 20th century. Typical Character types include Tudor, Colonial Revival, and Craftsman.

1244.08.02 R-4 ALLOWED BUILDING TYPES

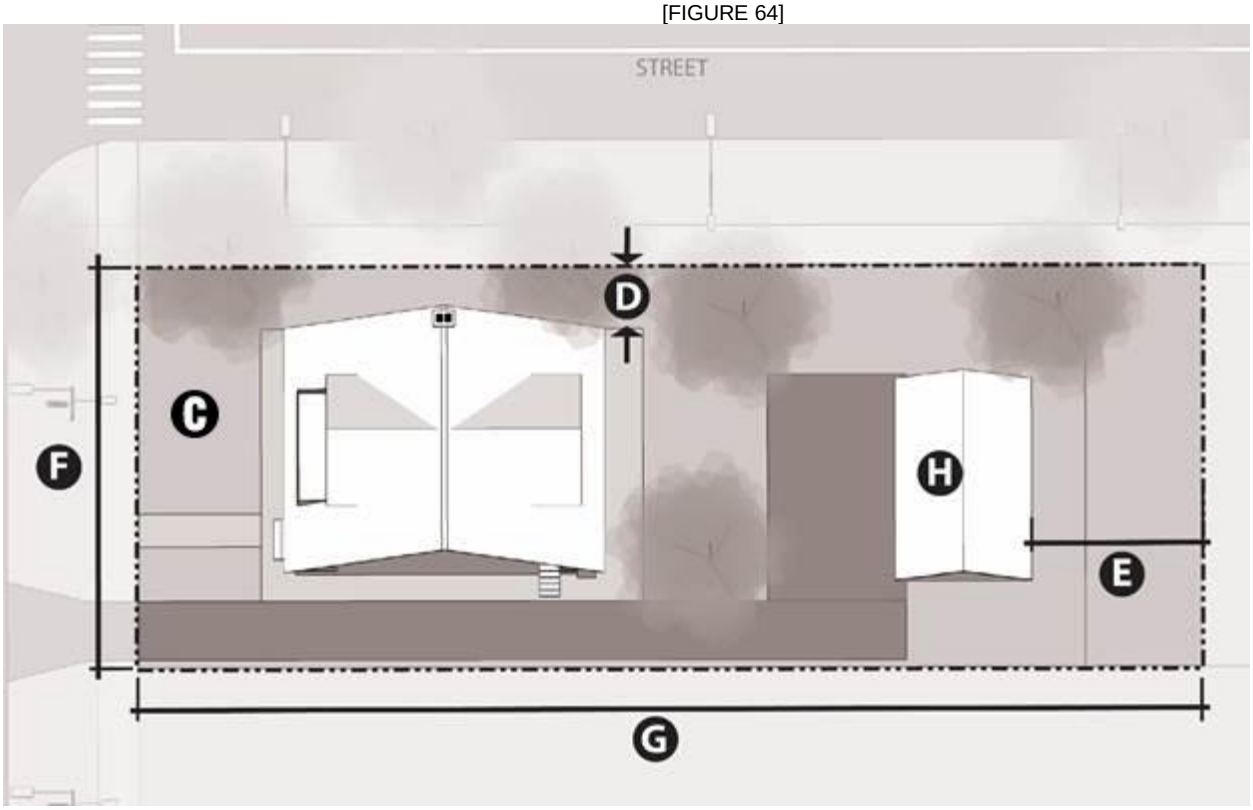
Detached Houses are the only building type intended to meet the intent of this district. Architectural regulations and Building Types are further described in CHAPTER 1246 – BUILDING TYPES.

1244.08.03 SITE LAYOUT REQUIREMENTS

[FIGURE 63]



[FIGURE 64]



(a) Building Massing

(a) BUILDING MASSING

A. Minimum Height	20’	2 stories
B. Maximum Height	35’	2.5 stories
Maximum Dwelling Units per lot		1

(b) Building Placement

(B) BUILDING PLACEMENT			
C. Minimum Front Setback		Lesser of 20’ or the average setback on the block face.	
D. Minimum Side Setback		5’, total of two side yards 15’	
E. Minimum Rear Setback		30’	
Minimum Lot Size		4000 sq. ft.	
F. Lot Width	Min	40’	
	Max	80’	
G. Lot Depth	Min	100’	
	Max	150’	
Maximum Lot Coverage		Impervious Surfaces	60%
		Building	45%

(c) Building Access and Services

(c) BUILDING ACCESS AND SERVICES	
Parking	See Chapter 1254 for parking standards. Parking permitted in rear yard or side yard.
H. Garages	Garages shall be located in rear yard or along alley.

See section 1250.04.01 for placement of accessory buildings.

1244.09 R-5 Urban Residential

[FIGURE 65]

Illustrative example of the intent of this district

1244.09.01 R-5 INTENT

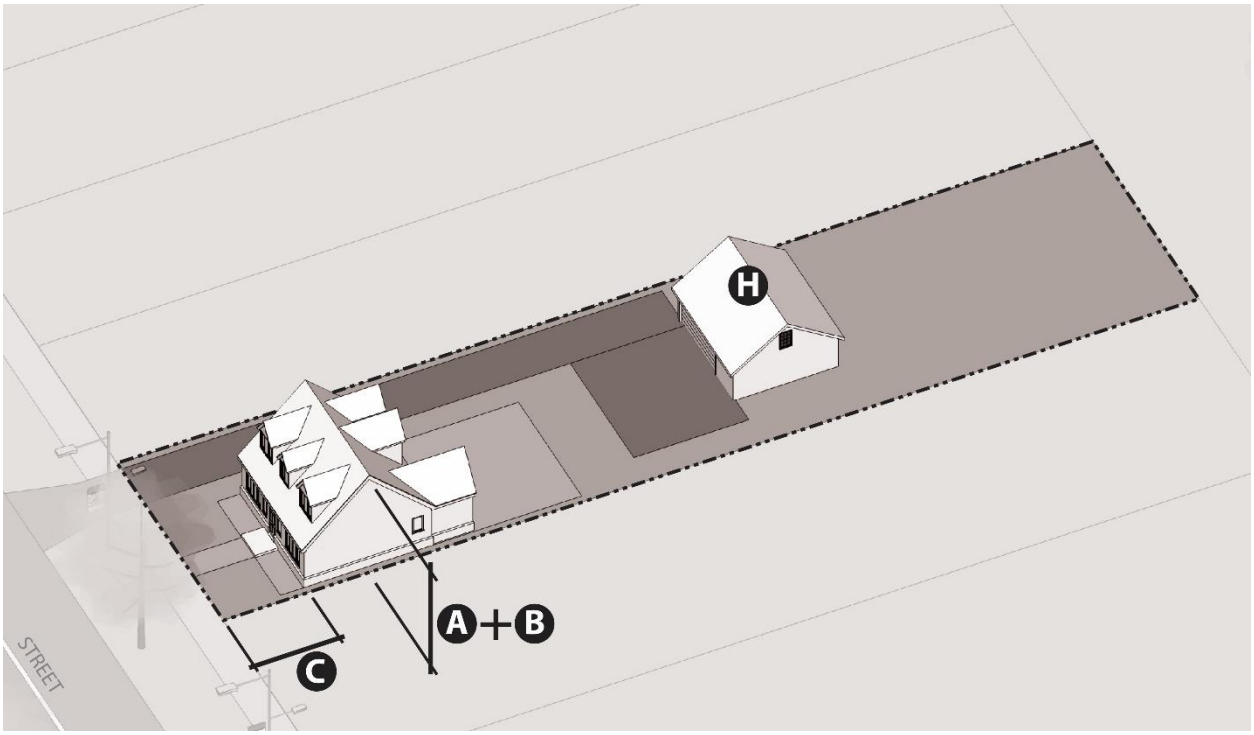
The R-5 Urban Residential district is intended to preserve a lower density urban district than R-6. Homes in this district are primarily mid-century 1 1/2 story bungalows and any new constructions should match that smaller scale rather than the larger, more historic two-story homes in R-4 and R-6. Typical character types include Minimal Traditional, Cape Cod, and Neocolonial. Front- or side-facing gables with dormers are typical roof styles.

1244.09.02 R-5 ALLOWED BUILDING TYPES

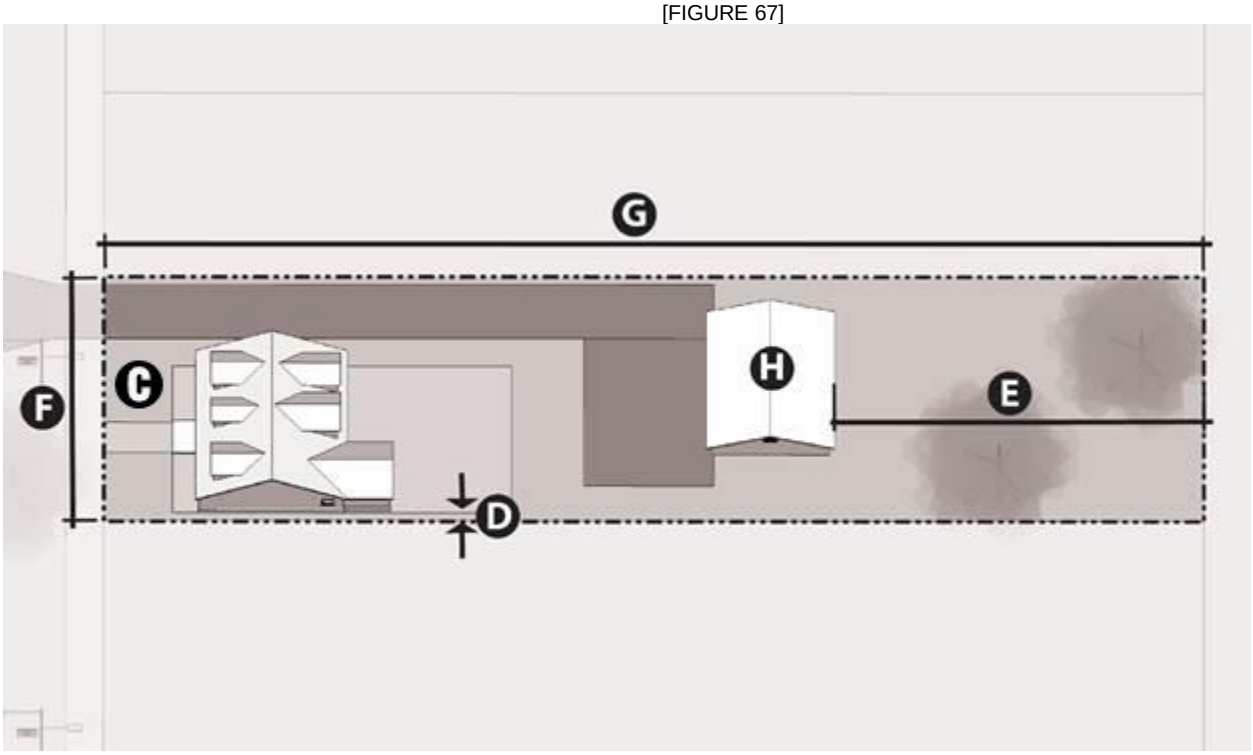
Detached Houses are the only building type intended to meet the intent of this district. Architectural regulations and Building Types are further described in CHAPTER 1246 – BUILDING TYPES.

1244.09.03 SITE LAYOUT REQUIREMENTS

[FIGURE 66]



[FIGURE 67]



(a) Building Massing

(a) BUILDING MASSING		
A. Minimum Height	15’	1.5 stories

B. Maximum Height	25’	2 stories
Maximum Dwelling Units per lot		1

(b) Building Placement

(B) BUILDING PLACEMENT			
C. Minimum Front Setback		Lesser of 20’ or the average setback on the block face	
D. Minimum Side Setback		5’.; total of two side yards 15’	
E. Minimum Rear Setback		30’	
Minimum Lot Size		4000 sq. ft.	
F. Lot Width	Min	40’	
	Max	70’, or average of adjacent lots, whichever is less	
G. Lot Depth	Min	100’	
	Max	200’	
Maximum Lot Coverage		Impervious Surfaces	60%
		Building	45%

(c) Building Access and Services

(c) BUILDING ACCESS AND SERVICES	
Parking	See Chapter 1254 for parking standards. Parking permitted in rear yard or side yard.
H. Garages	Garages shall be located in rear yard or along alley.

See section 1250.04.01 for placement of accessory buildings.

1244.10 R-6 Urban Residential

[FIGURE 68]

1244.10.01 R-6 A & B INTENT

The intent of the R-6 Urban Residential district is to preserve the historic character of Lansing's most urban neighborhoods maintaining the scale of medium-density single-family detached residences. These neighborhoods feature small lots, early 20th century-built homes often with alleys and rear loading garages. Infill development in this district should respect the historic single-family character. Typical character types include Four-Square, Craftsman, and Queen Anne vernacular types. Front-facing gable and hip roofs are typical. The intent of sub-district R-6B is to integrate attached residential units into appropriate locations at the perimeter of established residential neighborhoods. Attached residential units are intended to provide a physical transition from the adjacent busier street types, and/or non-residential uses to the purely residential neighborhood.

1244.10.02 R-6 BUILDING TYPES

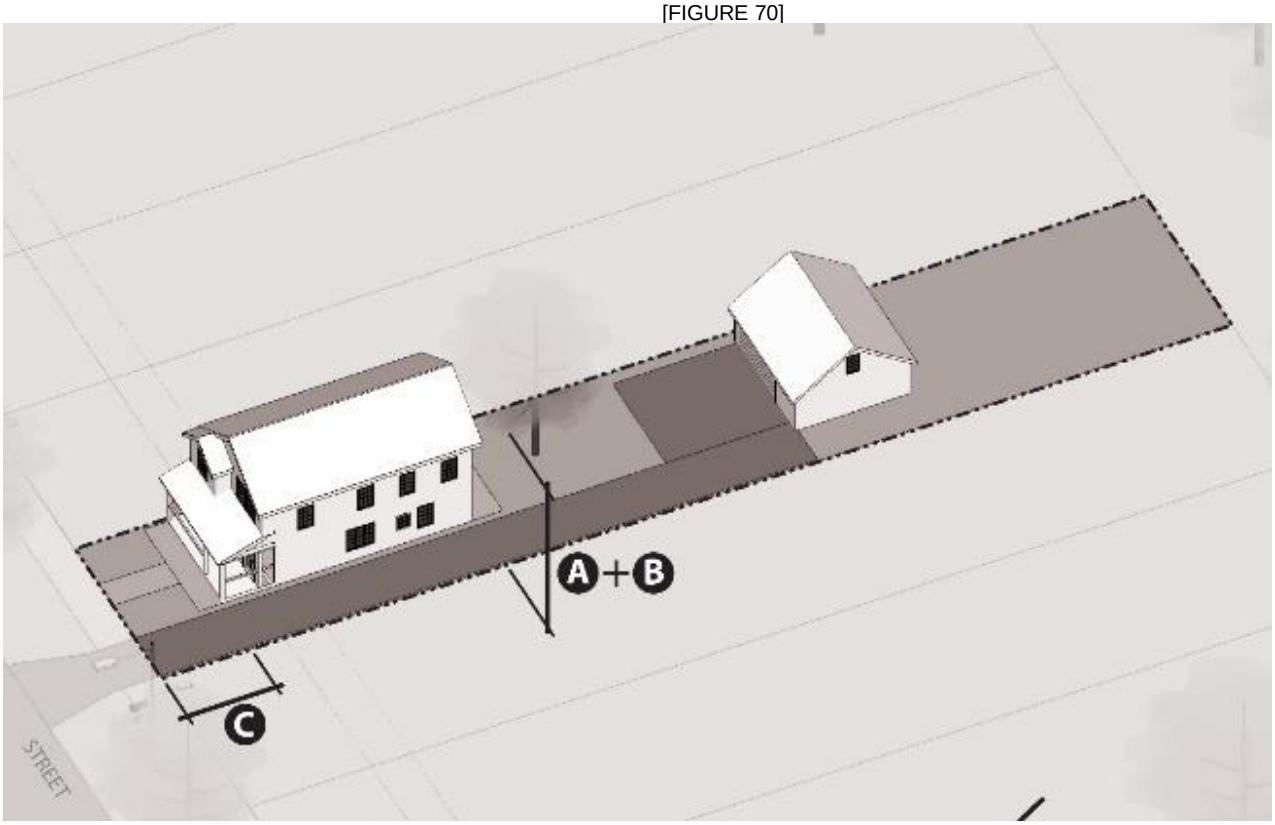
The following building types are suggested to meet the intent of this district. The table below shows which building types are suggested along the various street types in this district. Architectural regulations and Building Types are further described in CHAPTER 1246 - BUILDING TYPES.

[FIGURE 69]

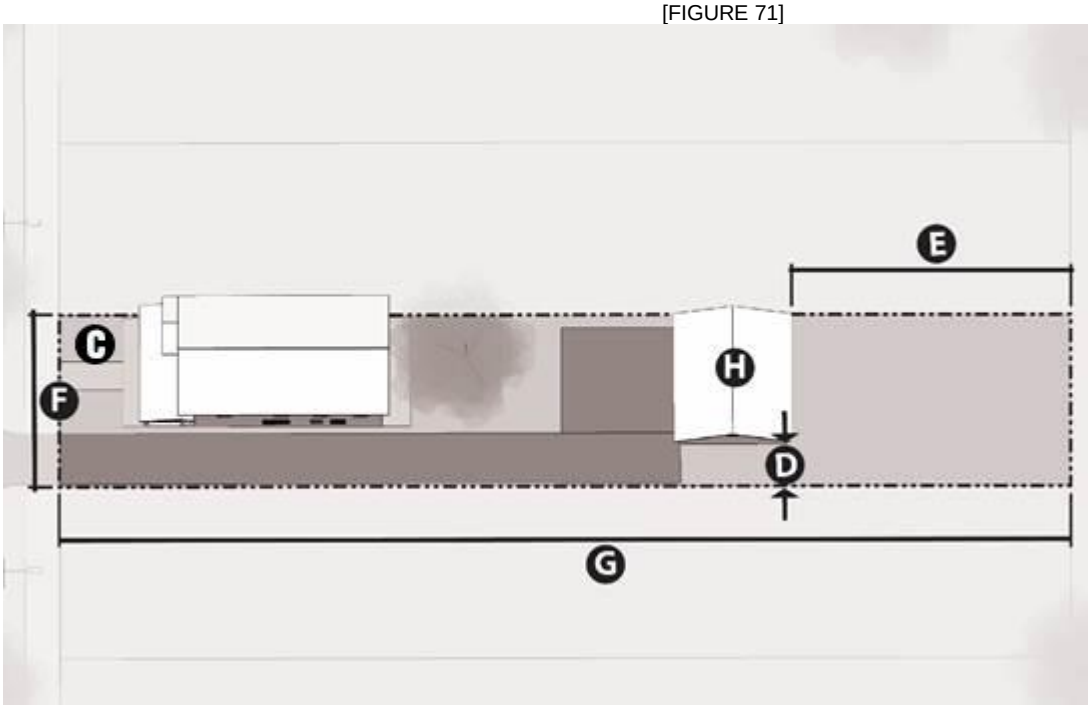
	ARTERIAL CORRIDORS	ACTIVITY CORRIDORS	PRIME CONNECTORS	NEIGHBORHOOD CONNECTORS	LOCAL STREETS
Detached house	X	X	X	X	X
Attached Residential (R-6B only)	X	X	X	X	-

1244.10.03 SITE LAYOUT REQUIREMENTS

[FIGURE 70]



[FIGURE 71]



(a) Building Massing

(A) BUILDING MASSING		
A. Minimum Height	20’	2 stories

B. Maximum Height	35’	2.5 stories	
Maximum Dwelling Units per lot		R-6A	1
		R-6B	6

(b) Building Placement

(B) BUILDING PLACEMENT			
C. Minimum Front Setback		Lesser of 20’ or the average setback on the block face	
D. Minimum Side Setback		5’.; total of two side yards 15’	
E. Minimum Rear Setback		30’	
Minimum Lot Size		R-6A 4000 sq. ft.	
		R-6B Efficiency: 2200 sq. ft. 1-bdrm: 2600 sq. ft., 2 bdrm: 3000 sq. ft., 3+ bdrms: 3800 sq. ft.	
F. Lot Width	Min	40’	
	Max	60’	
G. Lot Depth	Min	100’	
	Max	200’	
Maximum Lot Coverage		Impervious Surfaces	60%
		Building	45%

(c) Building Access and Services

(c) BUILDING ACCESS AND SERVICES	
Parking	See Chapter 1254 for parking standards. Parking permitted in rear yard or side yard.
H. Garages	Garages shall be located in rear yard or along alley.

See section 1250.04.01 for placement of accessory buildings.

1244.11 MFR Multi-Family Campus Residential

[FIGURE 72]

Illustrative example of the intent of this district

1244.11.01 MFR INTENT

The MFR Multiple Family Campus Residential district is applied to areas of Lansing that are appropriate for the highest range of residential densities to accommodate multiple family dwellings. The MFR zone is suitable as a transition from the residential districts into mixed-use commercial areas. MFR complexes should be designed with a campus-like character, providing shared open space, landscape buffering, and consistent site design features.

1244.11.02 MFR BUILDING TYPES

Attached Residential is the only building type intended to meet the intent of this district. Architectural regulations and Building Types are further described in CHAPTER 1246 – BUILDING TYPES.

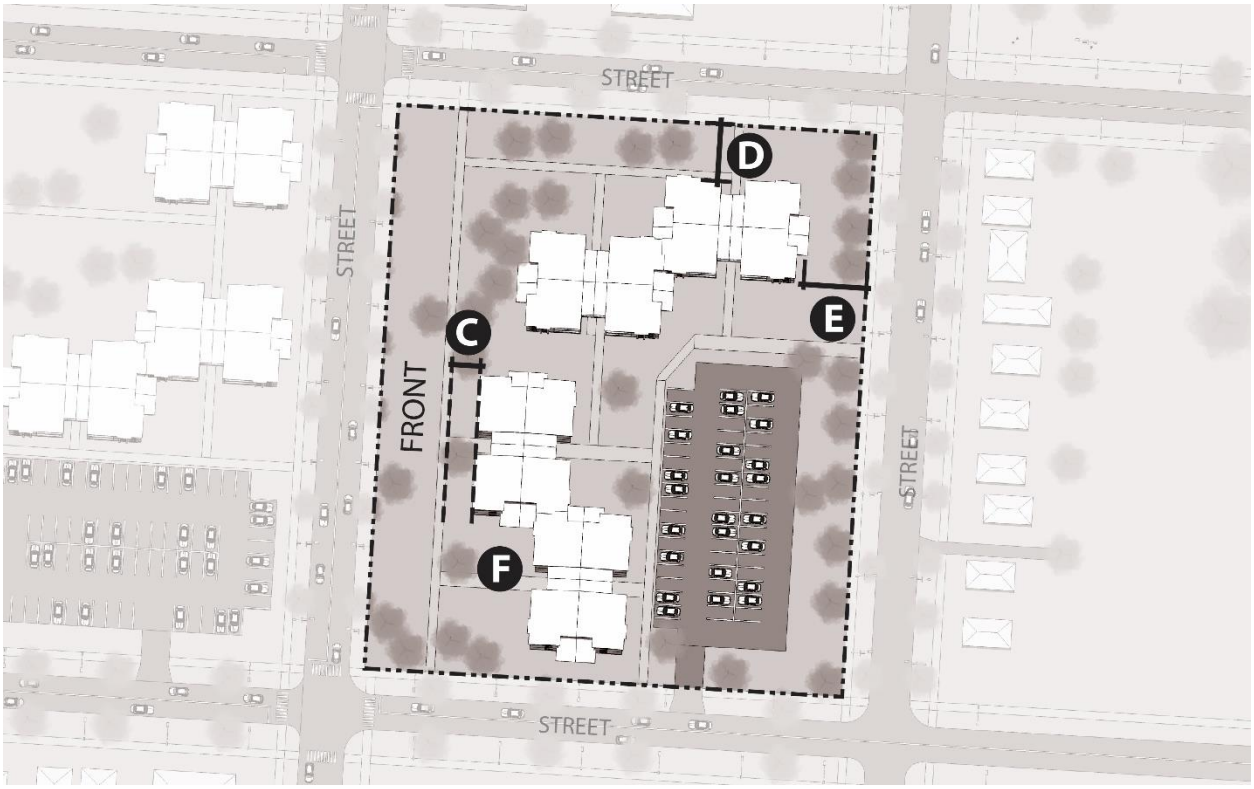
1244.11.03 SITE LAYOUT REQUIREMENTS

[FIGURE 73]

(a) Building Massing

(a) BUILDING MASSING		
A. Minimum Height	15’	1 story
B. Maximum Height	45’	4 stories

[FIGURE 74]



(b) Building Placement

(b) BUILDING PLACEMENT			
C. Minimum Front Setback		20'	
D. Minimum Side Setback		10% up to a maximum of 25’	
E. Minimum Rear Setback		25’	
F. Minimum Lot Size Per unit	Efficiency	2200 sq. ft.	
	One bedroom	2600 sq. ft.	
	Two bedroom	3000 sq. ft.	
	Three+ Bedroom	3800 sq. ft.	
Maximum Lot Coverage		Impervious Surfaces	60%
		Building	40%

See section 1250.04.01 for placement of accessory buildings.

(c) Building Access and Services

(c) BUILDING ACCESS AND SERVICES

Building Access & Entrances	Entrances may face interior parking but should have pedestrian connections to the public right-of-way sidewalks.
Parking	See Chapter 1254 for parking standards. Parking permitted in rear yard or side yard.

1244.12 R-MX Mixed Residential

[FIGURE 75]

Illustrative example of the intent of this district

1244.12.01 R-MX INTENT

The R-MX Mixed Residential district is intended to accommodate a mixture of housing types along corridors and near the Downtown. Historically, these areas were single-family neighborhoods that have transitioned over time to include a mixture of housing types. Historic single-family houses should be retained where possible for their character and infill housing should respect the established scale and massing. Denser housing along corridors is intended to provide a transition to the adjacent established single-family neighborhoods.

1244.12.02 R-MX BUILDING TYPES

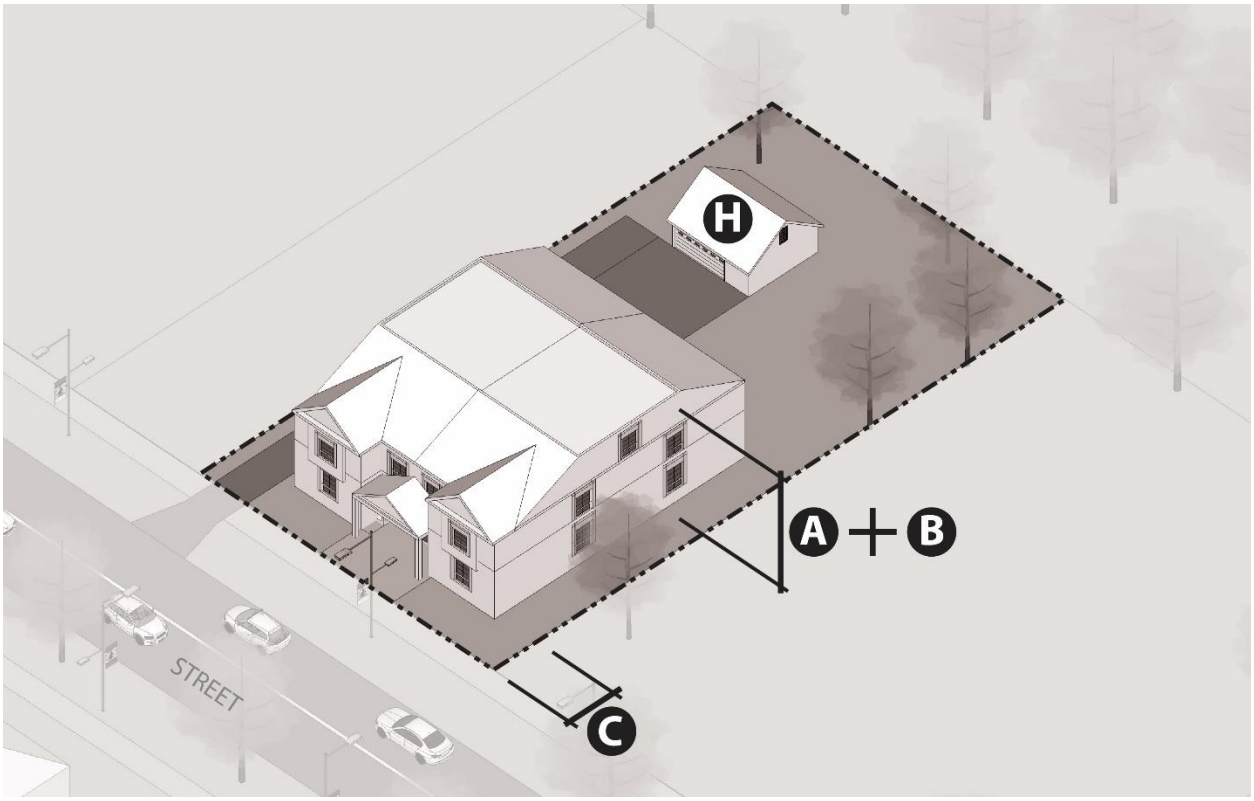
Detached Houses and Attached Residential are the only building types intended to meet the intent of this district. Architectural regulations and Building Types are further described in CHAPTER 1246 – BUILDING TYPES.

1244.12.03 SITE LAYOUT REQUIREMENTS

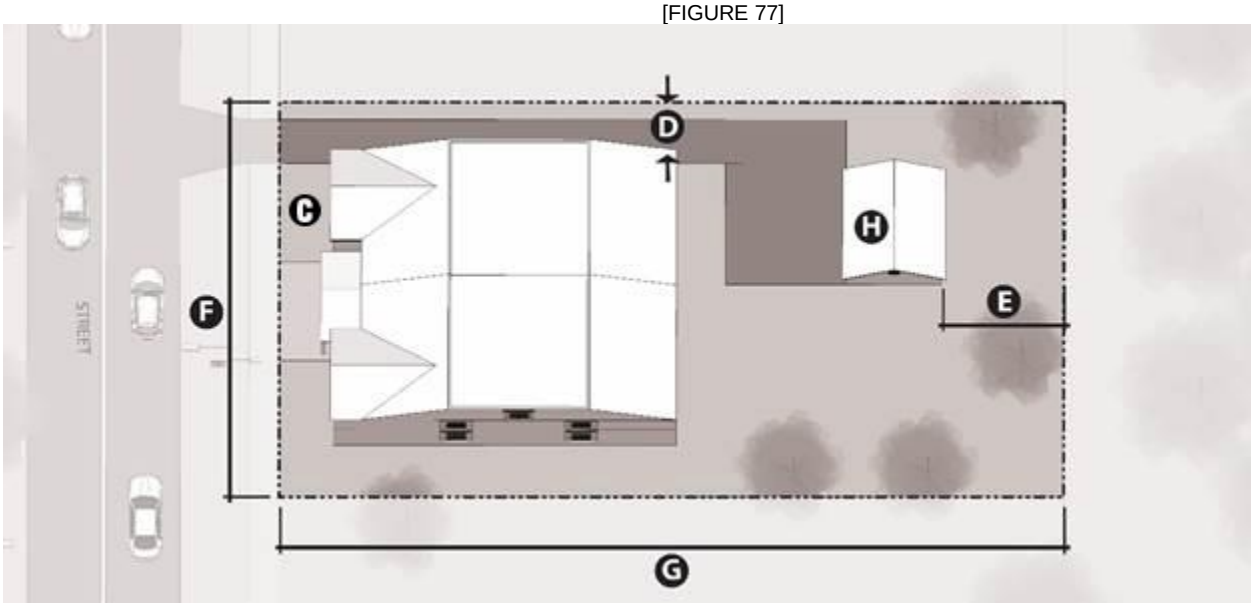
See CHAPTER 1246 – BUILDING TYPES for architectural standards.

See Chapter 1254 for parking standards. Parking permitted in rear yard or side yard. Garages shall be located in rear yard or along alley.

[FIGURE 76]



[FIGURE 77]



(a) Building Massing

(A) BUILDING MASSING		
A. Minimum Height	20’	2 stories
B. Maximum Height	45’	4 stories
Maximum Dwelling Units per lot		6

(b) Building Placement

(B) BUILDING PLACEMENT			
C. Minimum Front Setback		20’	
D. Minimum Side Setback		5’.; total of two side yards 15’	
E. Minimum Rear Setback		30’	
Minimum Lot Size Per unit	Efficiency	2400 sq. ft.	
	One bedroom	2800 sq. ft.	
	Two bedroom	3200 sq. ft.	
	Three+ Bedroom	4000 sq. ft.	
F. Lot Width	Min	30’	
	Max	60’	
G. Lot Depth	Min	150’	
	Max	200’	
Maximum Lot Coverage		Impervious Surfaces	60%
		Building	40%

(c) Building Access and Services

(c) BUILDING ACCESS AND SERVICES	
Parking	See Chapter 1254 for parking standards. Parking permitted in rear yard or side yard.
Garages	Garages shall be located in rear yard or along alley.

See section 1250.04.01 for placement of accessory buildings.

1244.13 R-AR Adaptive Reuse Residential

[FIGURE 78]

Illustrative example of the intent of this district

1244.13.01 R-AR INTENT

The purpose and intent of the R-AR Adaptive Reuse Residential district is to:

(a) Promote the appropriate reuse or redevelopment of former institutional sites that is compatible in scale and intensity with the previous use or character of the area.

(b) Minimize impacts on and ensure proper transitions from taller buildings and more intense uses to adjoining residential neighborhoods and less intense uses.

(c) Provide for recreational, pedestrian and open space needs that may be displaced by redevelopment of vacant institutional sites

(d) Regulate building height and require appropriate landscaping and screening to achieve appropriate scale along streetscapes and ensure proper transition to nearby residential neighborhoods.

1244.13.02 R-AR BUILDING TYPES

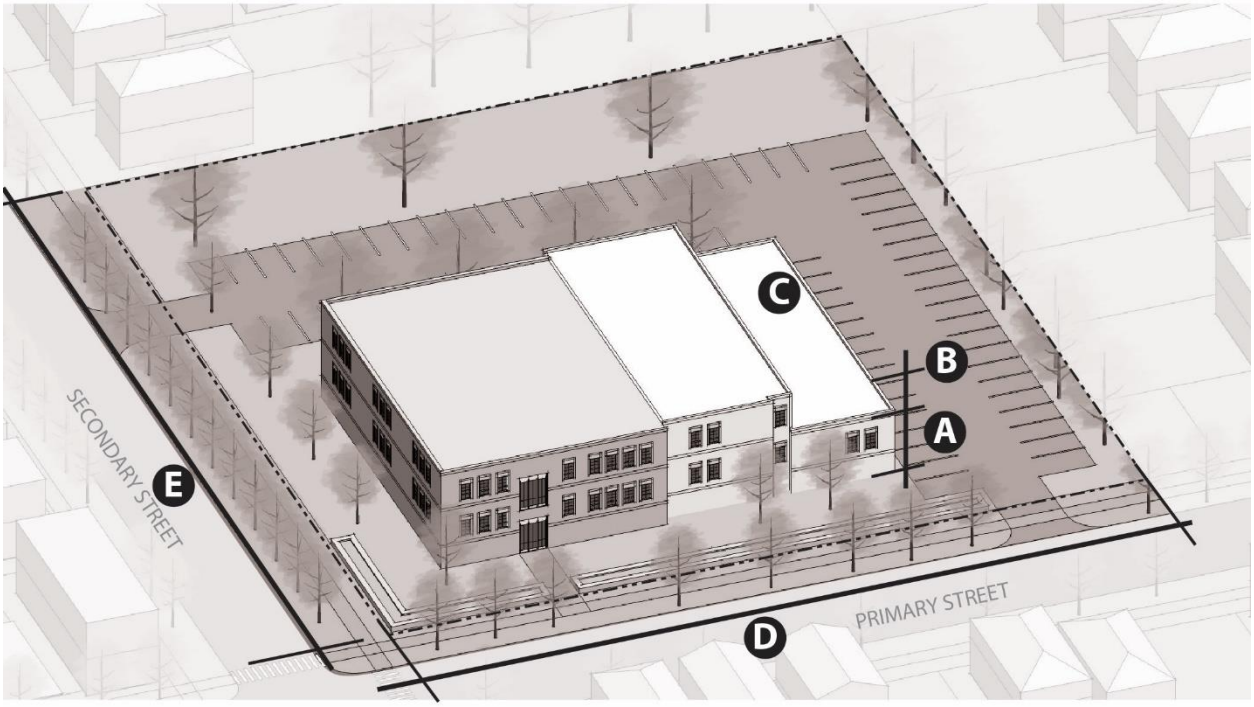
The following building types are suggested to meet the intent of this district. The table below shows which building types are suggested along the various street types in this district. Architectural regulations and Building Types are further described in CHAPTER 1246 – BUILDING TYPES.

[FIGURE 79]

	STREET TYPE					
	ARTERIAL CORRIDOR	SUBURBAN CORRIDOR	ACTIVITY	PRIME	NEIGHBORHOOD CONNECTOR	LOCAL
Urban Mixed-Use	X	X	X	X	-	-
Attached Residential	X	X	X	X	X	X
Detached house	X	X	X	X	X	X

1244.13.03 SITE LAYOUT REQUIREMENTS

[FIGURE 80]

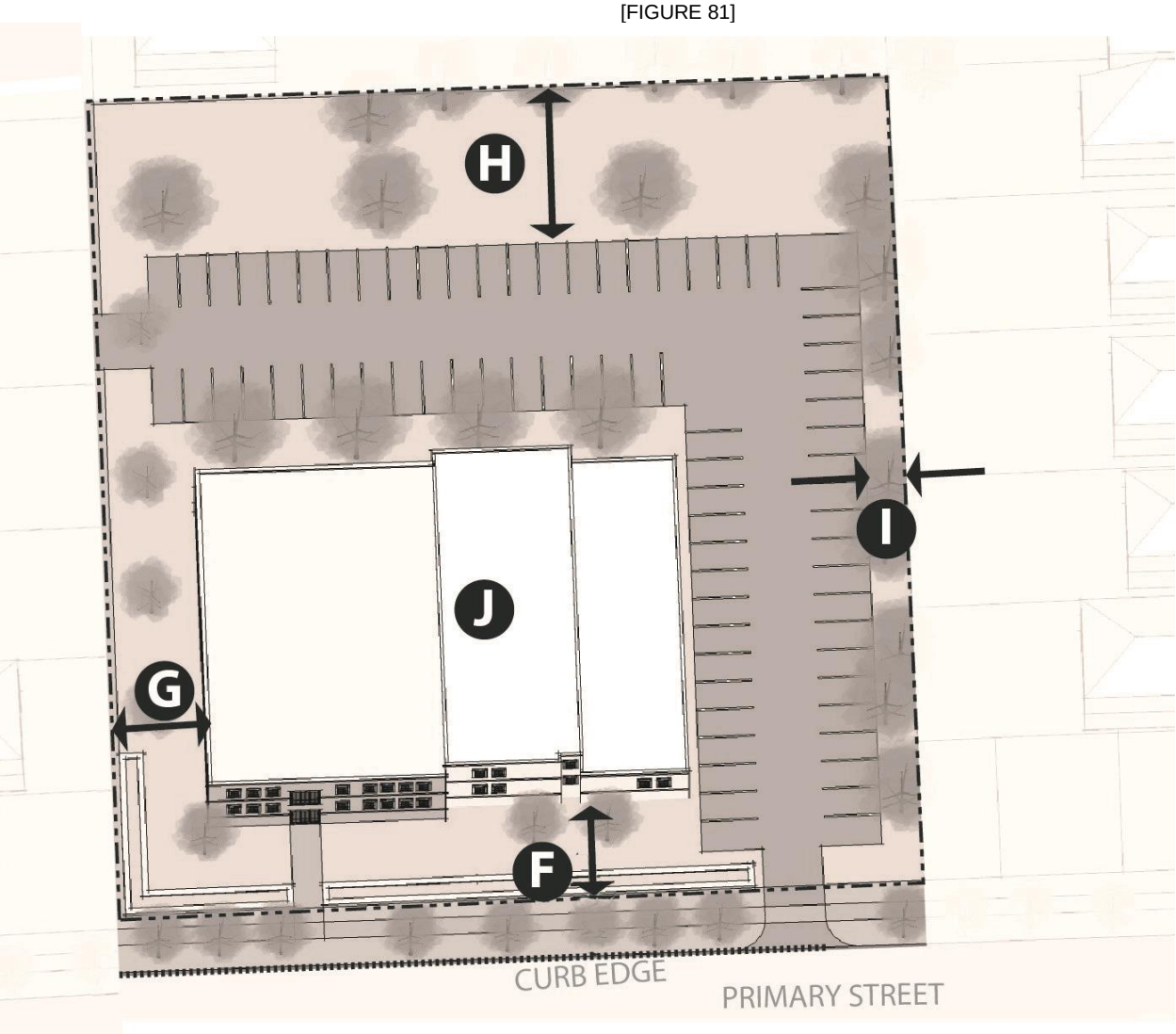


(a) Building Massing

(a) BUILDING MASSING		
A. Minimum Height	15’	1 story

B. Maximum Height	A: Equal to adjacent residential district; or B: Equal to existing height or maximum in adjacent residential district, whichever is greater, for sites where more than 75% of original structure is preserved.
C. Required Upper floor Building Step-Backs - when adjacent to residential districts	Equal to each story height, for each story above the maximum
D. Minimum Built Frontage, Primary Street	60% maximum on any street
E. Minimum Built Frontage, Secondary Street (for corner lots)	60% maximum on any street

[FIGURE 81]

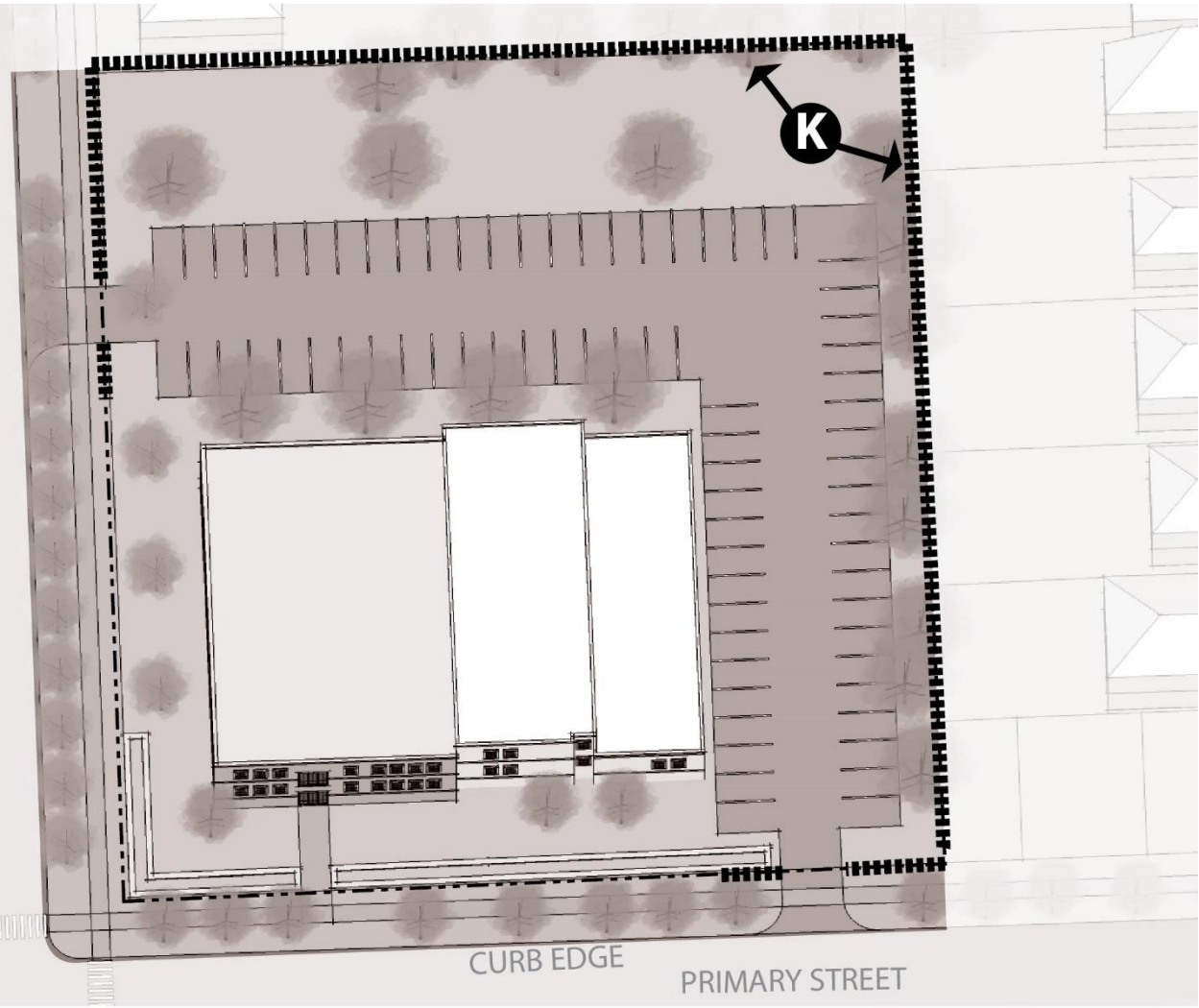


(b) Building Placement

(b) BUILDING PLACEMENT	
F. Front Setback (from inside edge of public sidewalk)	Whichever is Greater: A: Allow extension of established setback along frontage; or B: Match to double the setback in adjacent residential district; or C: Equal to building height
G. Minimum Side Setback	Whichever is greater: A: Double setback in adjacent residential district B: Equal to building height
H. Minimum Rear Setback	
I. Minimum Setback from Adjacent Residential Districts	Equal to double the front setback in adjacent residential district
	Landscaping per Chapter 1252; or screening wall or fence where adequate buffer cannot be provided
J. Maximum Lot Coverage	Equal to adjacent residential district (see INCENTIVES coverage bonuses)

See section 1250.04.01 for placement of accessory buildings.

[FIGURE 82]



(c) Building Access and Services

(c) PARKING	
Allowed Surface Parking Locations	Rear yards only; Side yard parking may be extended where transitions and buffers will exceed requirements
K. Side and Rear Parking Lot Setback / Screening	8' landscape buffer. Either setback may be reduced to 5' with 6' opaque screen wall.
Required Parking Spaces	Parking per Chapter 1254

Chapter 1245
Special Districts
1245.01 Applicability
(a) The standards of this chapter shall apply to all proposed development within the zoning districts contained herein, and shall be considered in combination with the standards in CHAPTER 1246 – BUILDING TYPES and other applicable chapters of this zoning ordinance. If there is a conflict between any standards, the stricter standards shall apply.
(b) Exempt Expansions. Changes of use to another permitted use or to increase parking to meet the minimum number of spaces required, building maintenance or façade changes that do not alter the building footprint or require site improvements, shall be permitted according to CHAPTER 1260 – SITE PLAN REVIEW, provided that standards of other applicable city codes and ordinances are met.

1245.02 Administration

a. Site Plan Review. Applications shall be reviewed according to CHAPTER 1260 – SITE PLAN REVIEW.

b. Incentives.

i. Types of Incentives. To promote redevelopment and stimulate reinvestment in the City, the Planning Office may grant additional flexibility or development options where one or more of the Recognized Benefits, listed below, are provided. The following incentives may be granted:

1. Dimensional Flexibility. Flexibility may be granted of the minimum lot coverage, building frontage, or setbacks provided the resulting layout will not negatively impact nearby residences.
2. Additional Building Height. The maximum building height may be increased by one additional story.
3. Reduced Minimum Parking. Reduced parking may be allowed consistent with Section 1254.01.04.

[FIGURE 83]

(1) Incentives → See above for details	A	B	C
(2) Recognized Benefit See below for details ↓	DIMENSIONAL FLEXIBILITY	BUILDING HEIGHT	REDUCED PARKING
A Open Space	X		
B Low-Impact Development	X		
C Mixed-Use			X
D Green Building	X	X	
E Additional Landscape Elements	X		
F Pedestrian Amenities	X		X
G Shared Access			X
H Shared Parking			X

ii. Recognized Benefits. Additional building height or flexibility may be granted during the project review when one or more of the following recognized benefits are provided:

1. Open Space. Inclusion of 5% open space above what may be required for the building type. Open space must meet the following standards to be counted toward the minimum requirement:
   a. Open space may be public or private but must be accessible to the public along with employees or residents or visitors.
   b. Dimensions, grading and design of the open space shall provide useable area for seating, gathering, recreation or other activities.
   c. Required open space shall not include wetlands, required setbacks, required landscape areas, water bodies, easements for private roads or overhead utilities, stormwater control facilities as required by Chapter 1219, floodplain area or public right-of-way, provided that where additional public right-of-way is desired by the city, it may be included.
   d. Required open space shall be functional (not isolated remnant parcels) and provided to supplement public space along a sidewalk, provide pedestrian or greenway connections, pocket parks to serve nearby uses, located and designed to terminate views along streets, or otherwise provide an amenity that would not be provided in a project that just met minimum code requirements.
2. Low Impact Development (LID, e.g. green roof, on-site stormwater retention). Use of alternative stormwater management design that may include green roofs, natural retention systems, porous pavement alternatives, or other energy or water conserving applications above and beyond the requirements of Chapter 1219 - Post-Construction Stormwater Management.
3. Provision for Mixed-Use. Proposals that include a mix of different but compatible use types within the same building, such as first-floor retail with offices or residential units on upper floors.

4. Green Buildings. Significant use of sustainable building and site design features such as: water use reduction, water efficient landscaping, innovative wastewater technologies, low impact stormwater management, optimize energy performance, on-site renewable energy, solar heating, reuse/recycled/renewable materials, indoor air quality or other sustainable elements.
5. Additional Landscape Elements. Exceeding minimum quantities or sizes required in CHAPTER 1252 – LANDSCAPING. Or additional plantings or decorative fence or wall where needed to help reduce impacts on neighboring properties. Native species, larger caliper plantings,
6. Pedestrian Amenities. Provision of public plazas, walkways or pedestrian-oriented features, such as street trees or benches beyond those required or enhancements to a transit stop, such as a shelter, large pad size or similar improvements endorsed by the Capital Area Transportation Authority (CATA) .
7. Shared Access. Removal of a driveway or use of shared driveway for access from public streets. This may require an access easement approved by the city attorney.
8. Shared Public Parking. See Section 1254.01.04 Factors to Permit a Reduction from the Amount of Parking Required.

c. Allowed Flexibility. It is recognized that certain existing site conditions may prohibit full compliance with this Section. The Director of Economic Development and Planning, upon recommendation of the Zoning Administrator, is authorized to approve modifications to the standards of this Section, after considering the criteria and standards below. Any request for relief from a required standard other than those listed below shall be made through the variance procedures set forth in Chapter 1274 – Board of Zoning Appeals.

1. Criteria for Modification
   a. Demonstration by the applicant that there is a unique situation with the property that makes it impractical to fully comply with the standards herein.
   b. The proposed development is consistent with the Design Lansing Comprehensive Plan, as amended.
   c. The proposed development is consistent with the Intent of this District.
   d. The proposed modification will not prevent or complicate logical extensions of streets, infrastructure, parking, open space, or development of adjacent properties.
   e. The modification is the minimum necessary to allow reasonable development that is consistent with the intent of the Zoning Ordinance and the Design Lansing Comprehensive Plan.
   f. The proposed development will not impair public safety.
   g. The modification is not simply for convenience of the development.
   h. The design will not be detrimental to adjacent residential uses.
2. Modification Standards
   a. Height
      i. Minimum and maximum height - up to ten percent for any cumulative increase or decrease in building height.
      ii. Clear height – up to ten percent.
   b. Building Placement
      i. Build-to line – up to one foot.
      ii. Frontage – reduction of up to ten percent of required length.
      iii. Street wall requirements – up to ten percent of the height/ fenestration/access gate requirements.
      iv. Upper floor step-backs – up to ten percent.
      v. Street wall/fence/screening requirements – up to ten percent.
   c. Architectural Regulations (per Chapter 1246)
      i. Windows (minimum and maximum fenestration percentage) – up to ten percent.
      ii. Projections (stoops, porches, awnings, balconies) – up to ten percent.
      iii. Required open space – up to ten percent.
      iv. Entrances (maximum average spacing) – up to ten percent increase in spacing.

d. Conditions and Phasing. Where deemed necessary, the Zoning Administrator, or Planning Board and Council for special uses, as applicable, may:
   i. Require a phasing plan that explains how new development and infrastructure, meeting the requirements of this section, will be constructed, and elements of the site not in compliance will be phased out over time. This may require temporary or permanent easements or commitments through a written agreement and performance guarantee.

e. Agreement. The City may require a written agreement if flexibility is granted through incentive or to ensure compliance with conditions of approval. An agreement with the City shall be prepared in a form acceptable to the City Attorney that specifies the required improvements, commitments and obligations of the development. The agreement shall specify any recognized benefits provided by the developer, flexibility granted by the City, and maintenance provisions for all site improvement.

1245.03 Industrial and Institutional Permitted Uses

In Industrial and Institutional Districts, the following principal uses are permitted. Permitted uses shall be subject to site plan review. Conditional uses are permitted if the Conditions noted in the Section referenced are met. Special Land Uses may be permitted by Council in accordance with the procedures and review standards described in CHAPTER 1262 – SPECIAL LAND USE PERMITS.

[FIGURE 84]

City of Lansing Form-Based Code Master Use Table Revised 1/28/20

P = PRINCIPAL PERMITTED C = CONDITIONAL USE S = SPECIAL LAND USE	IND-1	IND-2	IND-3	INST-1	INST-2	Conditions
Industrial						
Cleaning, processing, servicing, or repair of any product	P	P				
Dry cleaning plants	P	P	P			
Industrial scrap metal processing		P				
Lumber yards	P		P			
Manufacture of already processed components (bakeries, cosmetics, candies, etc)	P	P	P			
Manufacture of automobiles parts and car assembly		P				
Manufacture of toys, furniture, appliances, etc	P	P	P			
Metal forming	P	P	P			
Mining		S				
Motor vehicle repair station	P	C	C			1. All activities shall be conducted within an enclosed structure. 2. Any vehicle stored on the lot shall be stored in an enclosed structure or within a completely fenced area.
Power plants		P				
Production of consumer goods, with 20% GFA retail sales	P	P	P			
Research laboratory	P		P	P	P	
Salvage yards		C				1. The materials are enclosed by a structure or a fence, not less than eight feet in height, that obstructs vision. 2. The materials stored within 20 feet of the fence shall not exceed the height of the fence. 3. A plan is submitted to and approved by the Planning Division, which plan shows the type and location of the fence. 4. No outdoor burning occurs on the lot on which the salvage yard is located.
Sanitary land fill		S				
Tool, die, and machine shops	P	P	P			
Truck terminals	P	P				
Wholesale and warehouse uses	P	P	P			
Wireless Communications Towers	S	S	S			
Adult Business Uses	S	S	S			See 1250.02.11
Residential Uses						
Single-Family detached						
Two-Family dwelling				P	P	
Multi-Family dwelling	C	C	C	P	P	In Industrial Districts, multiple-family only as part of renovation of or addition to an existing structure.
Human Care Facilities						
AFC large group home (13-20)				S	S	
Child Care centers, preschools, and commercial day care				C	C	At least one property line abutting an arterial, suburban or activity corridor

City of Lansing Form-Based Code Master Use Table Revised 1/28/20

P = PRINCIPAL PERMITTED C = CONDITIONAL USE S = SPECIAL LAND USE	IND-1	IND-2	IND-3	INST-1	INST-2	Conditions
Institutional						
Places of Assembly	S	S	S	S	S	
Hospital				P	P	
Museum	C	C	C	P	P	1. Front, rear and side yards are not less than 25 feet, except as provided below. 2. If a front, rear or side yard abuts a Commercial Mixed-Use District, then the yard which abuts such District shall meet the dimensional requirements of the District which abuts such front, rear or side yard. 3. No parking exists in the front yard. 4. No accessory structure is located in the front yard.
Library	C	C	C	P	P	
Schools				C	C	All education facilities, except elementary or middle schools, must have at least one property line abutting and all points of ingress/egress directly to an arterial, suburban or activity corridor
Trade school	C	C	C	C	C	
Park, open space, plaza				P	P	
Commercial/Office						
Retail sales and Personal Services	P	P	P			
Professional/business offices	P	P	P	P	P	
Animal Hospital	C	C				
Bank	P	P	P			
Brewpub	P	P	P			
Clinic	P	P	P	C	C	At least one property line abutting and all points of ingress/ egress directly to an arterial, suburban or activity corridor
Funeral Home	P	P	P	P	P	
Golf courses	S					
Hotel	P	P	P			
Kennel	C	C				1. Structures must be setback at least 50 feet from each adjacent residential lot line 2. Lot size of at least 3 acres for a kennel having an outside exercise run or treatment area 3. Outside exercise run or treatment area must be located at least 100 feet from all lots lines and at least 400 feet from an adjacent residential lot line
Laundromat, dry cleaner	P	P	P			
Mini-golf	P					
Mobile Food Vending (Food trucks and carts)	C	C	C			(TO BE DRAFTED)
Motor vehicle service station	P	P	P			
Nursery, commercial greenhouse	P	P	P			

City of Lansing Form-Based Code Master Use Table Revised 1/28/20

P = PRINCIPAL PERMITTED C = CONDITIONAL USE S = SPECIAL LAND USE	IND-1	IND-2	IND-3	INST-1	INST-2	Conditions
Parking structure			C	C	C	1. Parking structures are encouraged to be lined on exterior elevations by non-parking uses. 2. On Activity Corridors, the first floor shall have a minimum depth of 20 feet to be occupied by commercial uses permitted in the district. 3. Access drives shall be permitted on the ground level, provided they are collectively no more than 25% of the frontage. 4. The facade of the parking structure shall be integrally designed with the architecture of the overall building, utilize the same building materials, provide an architectural treatment at the top of the structure, such as a cornice, and have wall openings with proportions that comply with the fenestration requirements in Section 1246.04 5. New parking structures shall be designed with a upper story minimum clear height of 9'.
Restaurant, bar, tavern	P	P	P			
Self-storage rental	P	P	P			
Studio (dance, health, music, etc)	P	P	P			
Vehicle sales, vehicle leasing, and other outdoor sales facility	C	C	C			1. The area of the lot on which the items described in this subsection are located shall be covered with Portland cement or asphaltic concrete. 2. Each point of vehicular ingress and egress to the lot shall be not less than sixty feet from the intersection of any two streets. 3. Any repair or refinishing which is done on the lot shall be done within the confines of an enclosed structure. 4. Lighting shall be confined within and directed onto the parking area only. 5. The portion of the lot on which the items described in this subsection are located shall have a buffer zone of at least eight (8) feet from all lot lines adjacent to the public right-of-way, excluding approved driveways, and any residentially zoned property. The buffer zone shall be landscaped, screened and buffered in accordance with the requirements of Section 1252.09
Drive-thru, as accessory use	C	C	C			1. The drive-thru window shall be on the side or rear of the building. The side of the building with the drive-thru lane shall be setback a minimum of twenty five (25) feet from any lot line. 2. The site will be adjacent to a Suburban Corridor, Arterial Corridor, Prime Connector, or Activity Corridor and all points of ingress and egress will be directly onto said street type. 3. Adequate waiting or standing areas for vehicles shall be provided on-site so that no vehicle is required to wait, stand, or be stored within a right-of-way, in accordance with the parking requirements of Chapter 1254. 4. Methods to minimize the impact of noise from outdoor speakers on adjacent residential are required.

Accessory uses customarily incidental to any of the above principal uses are allowed provided the Zoning Administrator may require additional parking or compliance with other standards upon a determination that such use may impact site operations beyond that of the Principal Use.
All activities shall take place within a completely enclosed building unless otherwise indicated.

1245.04 IND-1 Suburban Industrial

[FIGURE 85]

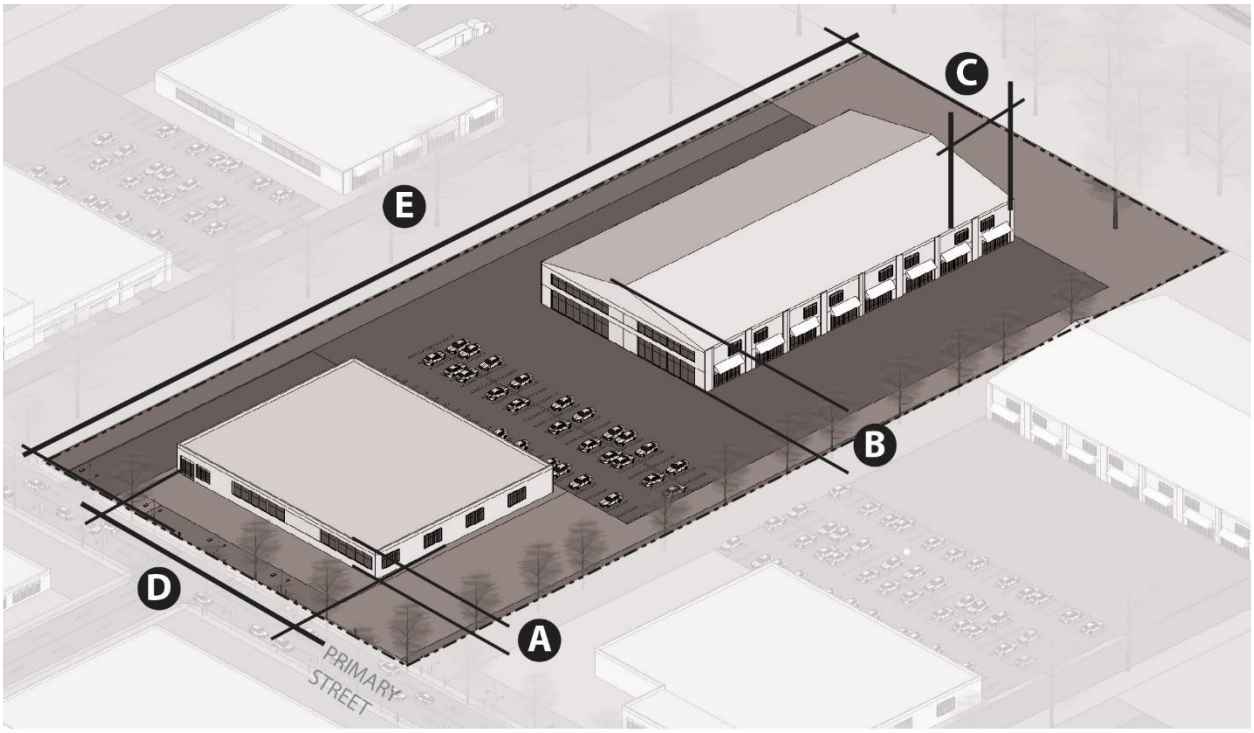
Illustrative example of the intent of this district

1245.04.01 IND-1 SUBURBAN INDUSTRIAL DISTRICT INTENT

The IND-1 Suburban Industrial district is intended for light-to-medium intensity industrial uses including Research & Development, manufacturing, warehousing and similar uses. IND-1 districts are distinct from other industrial districts in that the setting is of a more suburban style industrial park with low rise buildings, with relatively larger lots with expansive lawns.

1245.05.02 IND-1 SITE LAYOUT REQUIREMENTS

[FIGURE 86]

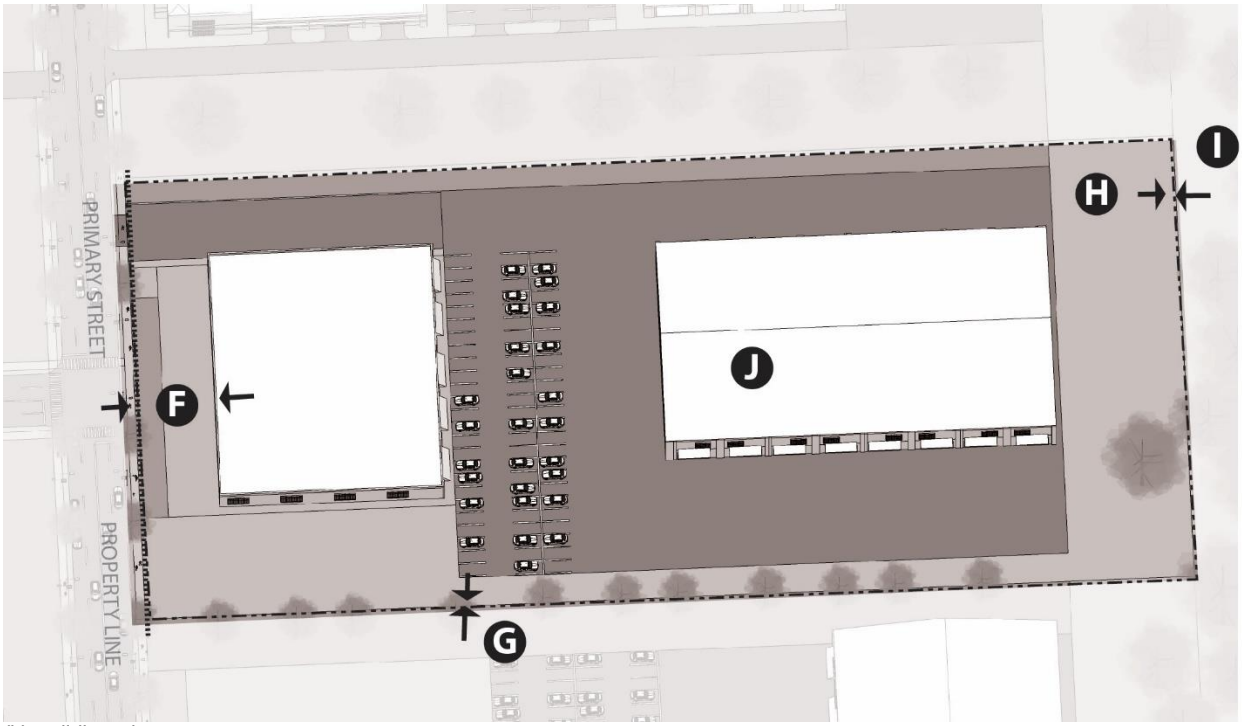


(a) Building Massing

(a) BUILDING MASSING	
A. Minimum Height	16’
B. Maximum Height	45’
See Section 1250.03.02 for height exceptions	
C. Required Upper floor Step-Backs - when adjacent to R-1 through R-6 districts	For the elevation adjacent to a residential district, the floors above the second story shall be tiered-back so that the highest point of the building is setback from the adjacent residential district a distance at least equal to the height of the building.
D. Minimum Frontage, Primary Street	50%
E. Minimum Frontage, Secondary Street	25%

These standards apply to principal and accessory buildings.

[FIGURE 87]

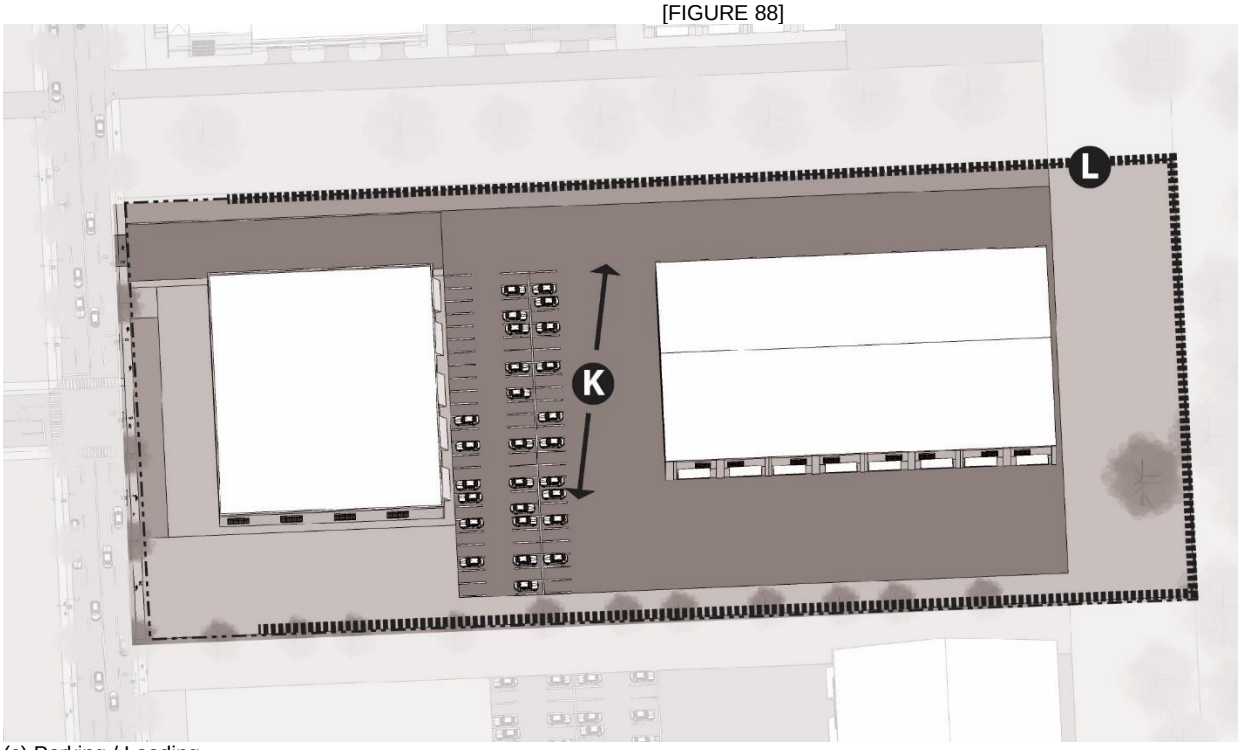


(b) Building Placement

(b) BUILDING PLACEMENT		
F. Front Setback	Arterial Corridor	Min. 25'
	Suburban Corridor	Min. 25' (include 20' landscape greenbelt)
	Activity Corridor	Min. 25'/max 40'
	Prime Connector	Min. 25' (include 20' landscape greenbelt)
	Neighborhood Connector	Min. 25'
	Local Street	Min. 25'
G. Minimum Side Setback	10’	
H. Minimum Rear Setback	10’	
I. Minimum Setback from Adjacent Residential Districts (adjacent residential includes directly abutting residential or across the street from residential)	Whichever is Greater: A: Match to double the setback in adjacent residential district; or B: Equal to building height	
J. Maximum Lot Coverage	45%	

See section 1250.04.01 for placement of accessory buildings.

[FIGURE 88]



(c) Parking / Loading

(d) PARKING/LOADING	
K. Allowed Surface Parking Locations	One single-loaded bay in front Side or rear parking allowed.
L. Side and Rear Parking Lot Setback / Screening from non-industrial districts	8' landscape buffer
Required Parking Spaces	See Table 1254.01.03 and Section 1254.01.04 for parking reductions
Loading Bays Truck turning templates and access to loading must be delineated on site plan	Not permitted in front yard See Section 1254.01.17

(d) Accessory Outdoor Storage

(e) ACCESSORY OUTDOOR STORAGE
Outdoor storage of equipment, vehicles, or materials shall be associated with the principal use. See Section 1250.02.07 for more on Vehicle Storage.
Accessory outdoor storage shall be screened from adjacent residential and public streets and shall not be located in the front yard. See Section 1252.09(e)
The Zoning Administrator may require the area identified on the site plan.

1245.05 IND-2 General Industrial

[FIGURE 89]

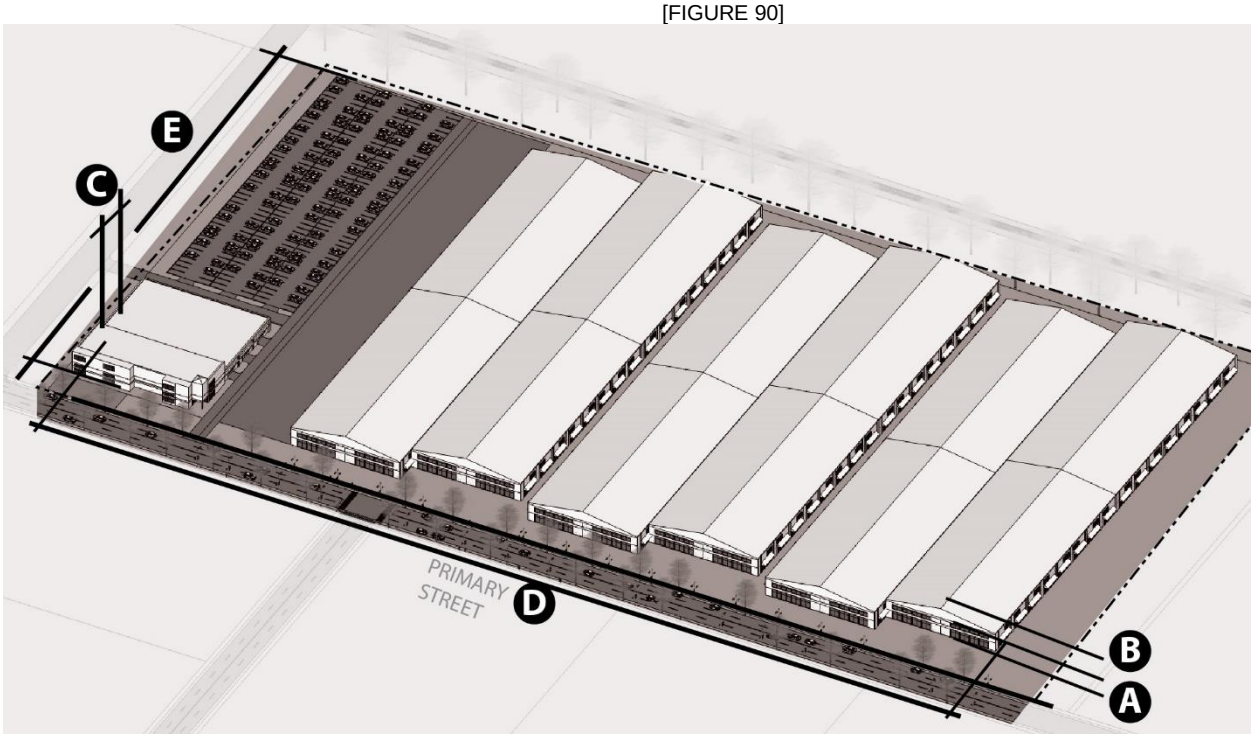
1245.05.01 IND-2 GENERAL INDUSTRIAL DISTRICT

INTENT

The IND-2 General Industrial district is intended for a wide range of industrial uses ranging from medium intensity, such as contractor yards and warehousing, to larger scale heavy industrial uses such as vehicle manufacturing plants, processing or storage and distribution of raw materials, trucking terminals and similar uses. This district also provides for higher intensity extractive uses and landfills, though given the urban character of the city, those types of uses have extensive regulations to ensure compatibility with surrounding land uses and the environment.

1245.05.02 IND-2 SITE LAYOUT REQUIREMENTS

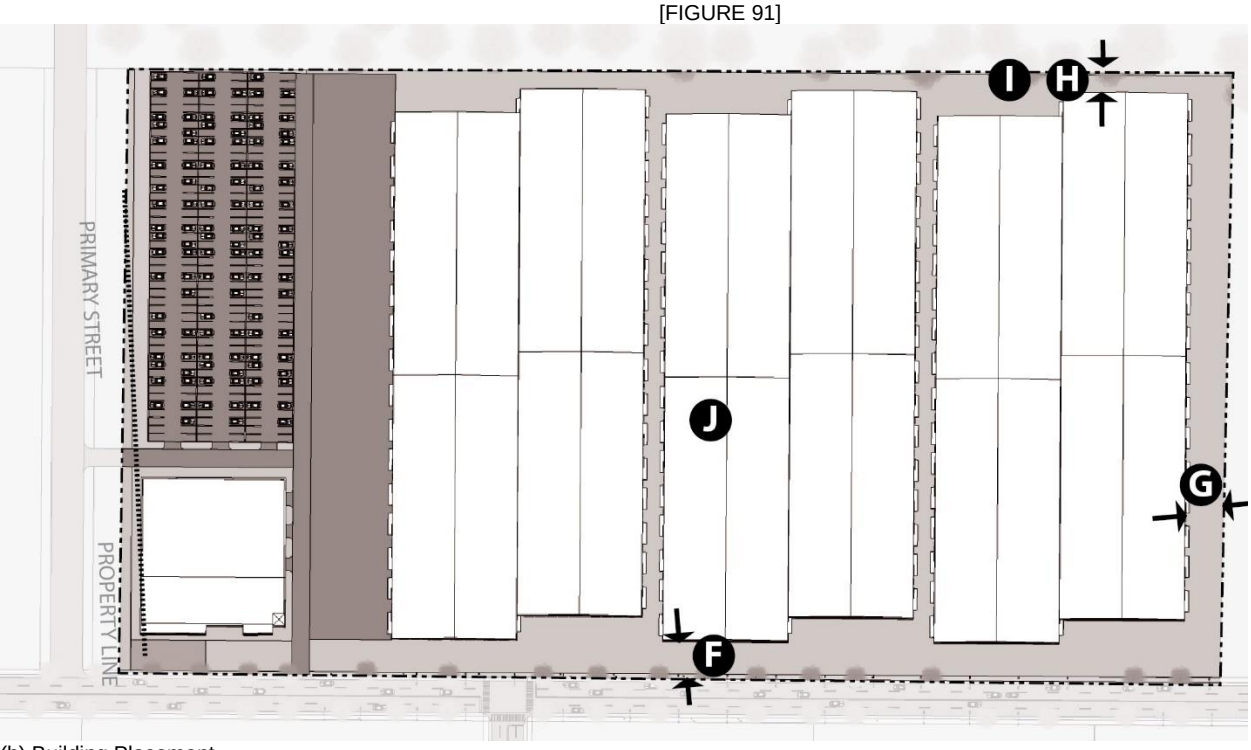
[FIGURE 90]



(a) Building Massing

(a) BUILDING MASSING	
A. Minimum Height	16’
B. Maximum Height	60’
See Section 1250.03.02 for height exceptions	
C. Required Upper floor Step-Backs - when adjacent to residential districts or uses	For the elevation adjacent to a residential district, the floors above the second story shall be tiered-back so that the highest point of the building is setback from the adjacent residential district a distance at least equal to the height of the building.
D. Minimum Frontage, Primary Street	0%
E. Minimum Frontage, Secondary Street	0%

[FIGURE 91]



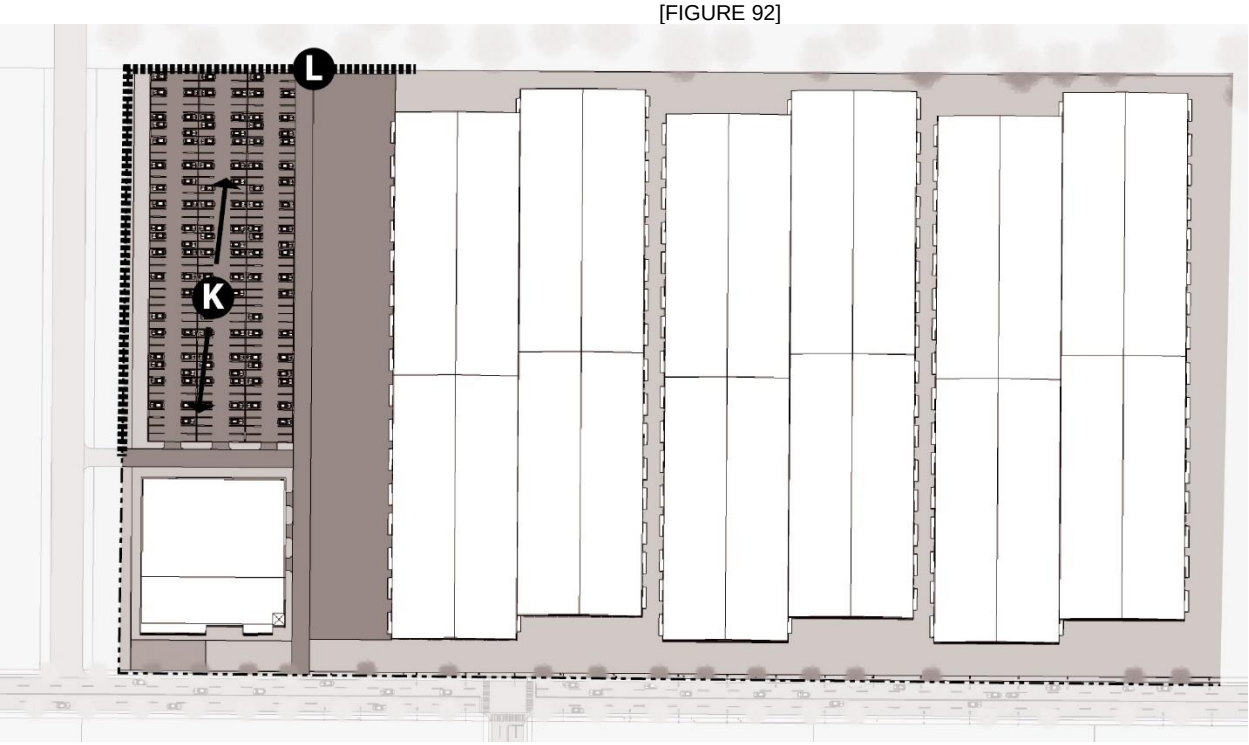
(b) Building Placement

(b) BUILDING PLACEMENT	
F. Minimum Front Setback	25’ (if less than 50% of buildings on blockface to be retained are residential, may be 0’)
G. Minimum Side Setback	0' allowed provided meet building code for firewall, otherwise, minimum 10'
H. Minimum Rear Setback	0'
I. Minimum Setback from Adjacent Residential Districts	Whichever is Greater: A: Match to double the setback in adjacent residential district; or B: Equal to building height

(adjacent residential includes directly abutting residential or across the street from residential)	
J. Maximum Lot Coverage	60%

See section 1250.04.01 for placement of accessory buildings.

[FIGURE 92]



(c) Parking / Loading

(c) PARKING/LOADING	
K. Allowed Surface Parking Locations	Side or rear only
L. Side and Rear Parking Lot Setback / Screening from non-industrial districts	8' landscape buffer.
Front Parking Lot Setback / Screening	8' landscape buffer
Required Parking Spaces	Parking per Chapter 1254
	See Table 1254.01.03 and Section 1254.01.04 for parking reductions
Loading Bays Truck turning templates and access to loading must be delineated on site plan	Not more than 50% of front yard frontage See Section 1254.01.17

(d) Accessory Outdoor Storage

(d) ACCESSORY OUTDOOR STORAGE
Outdoor storage of equipment, vehicles, or materials shall be associated with the principal use.
Accessory outdoor storage shall be screened from adjacent residential and public streets and shall not be located in the front yard. See Section 1252.09(e)
The Zoning Administrator may require the area identified on the site plan.

1245.06 IND-3 Urban Industrial

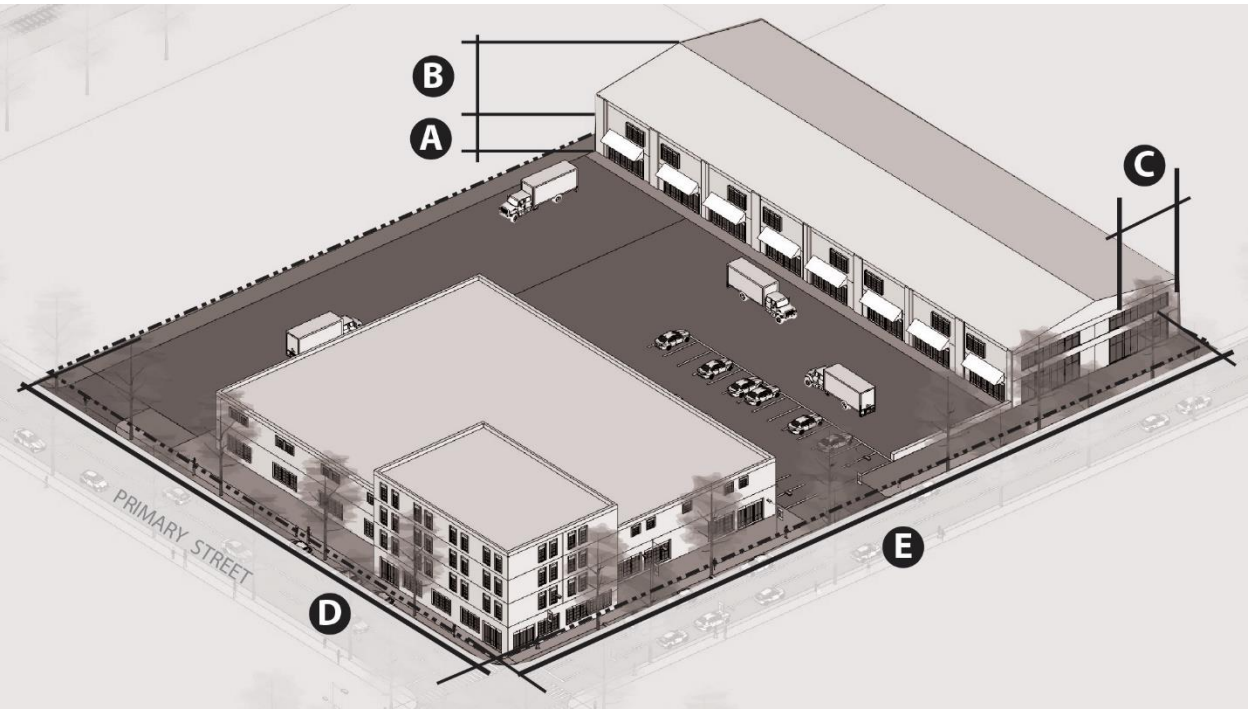
[FIGURE 93]

1245.06.01 IND-3 URBAN INDUSTRIAL DISTRICT INTENT

The IND-3 Urban Industrial district generally applies to areas in the city that have long been used for a variety of industrial uses. A distinction of the IND-3 District is that it includes many older multi-story industrial buildings in a more urban setting with shallow building setbacks often nestled into areas adjacent to older residential neighborhoods. Uses permitted range from office and research to manufacturing, with some uses offering goods or services for sale directly to the general public, such as heavy auto repair and lumber yards.

1245.06.02 IND-3 SITE LAYOUT REQUIREMENTS

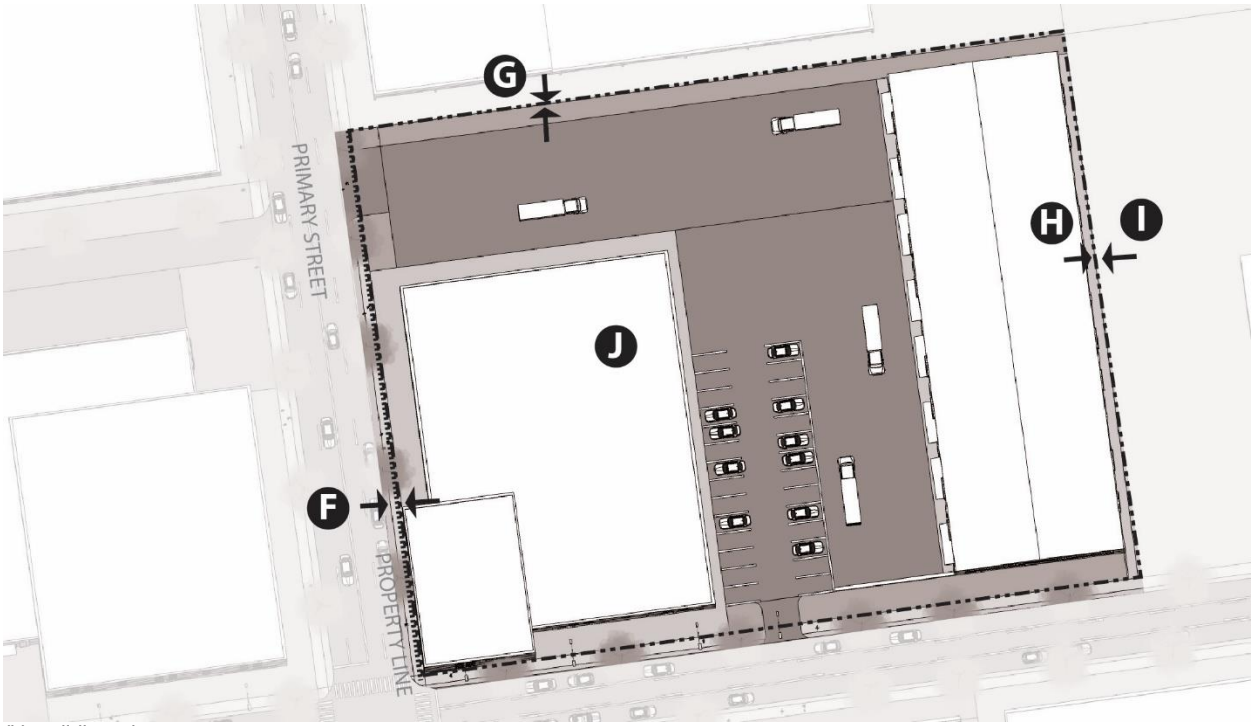
[FIGURE 94]



(a) Building Massing

(a) BUILDING MASSING	
A. Minimum Height	16’
B. Maximum Height	60’
See Section 1250.03.02 for height exceptions	
C. Required Upper floor Step-Backs - when adjacent to residential districts or uses	For the elevation adjacent to a residential district, the floors above the second story shall be tiered-back so that the highest point of the building is setback from the adjacent residential district a distance at least equal to the height of the building.
D. Minimum Frontage, Primary Street	75%
E. Minimum Frontage, Secondary Street	25%

[FIGURE 95]

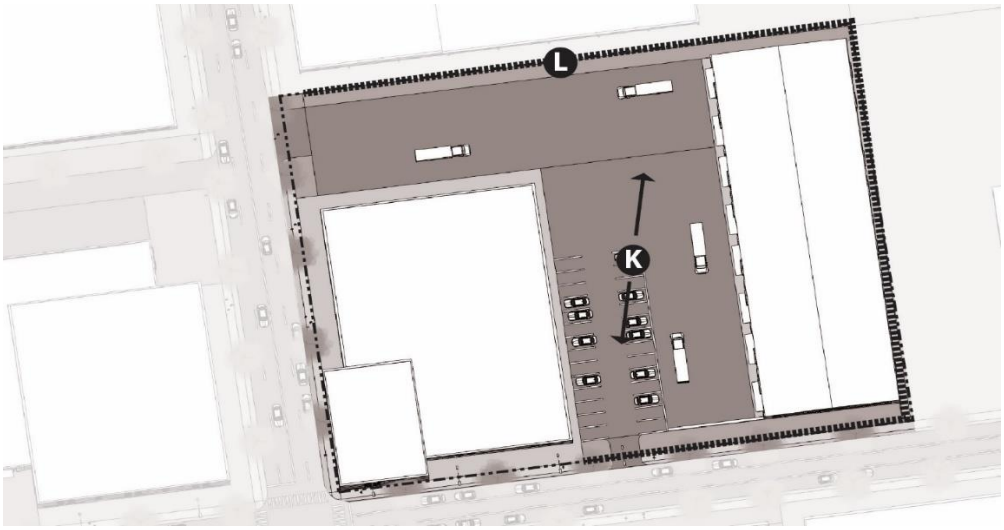


(b) Building Placement

(b) BUILDING PLACEMENT		
F. Front Setback	Arterial Corridor	0' min/15' max
	Activity Corridor	0' min/15' max
	Local Street	0' min/30' max
G. Minimum Side Setback	0' allowed provided meet building code for firewall, otherwise, minimum 10'	
H. Minimum Rear Setback	0'	
I. Minimum Setback from Adjacent Residential Districts	10’ + 1’ setback for each 1’ height above 10’	
(adjacent residential includes directly abutting residential or across the street from residential)		
J. Maximum Lot Coverage	75%	

See section 1250.04.01 for placement of accessory buildings.

[FIGURE 96]



(c) Parking / Loading

(c) PARKING/LOADING	
K. Allowed Surface Parking Locations	Side or rear only
L. Side and Rear Parking Lot Setback / Screening from non-industrial districts	8' landscape buffer. Buffer may be reduced to 5' with 6' opaque fence or screen wall when adjacent to R-1 through R-6 districts
Front Parking Lot Setback / Screening	8' landscape buffer which may be reduced to 5' with a 3' masonry knee wall at Build-to Line.
Required Parking Spaces	Parking per Chapter 1254
	See Table 1254.01.03 and Section 1254.01.04 for parking reductions
Loading Bays Truck turning templates and access to loading must be delineated on site plan	Not permitted in front yard See Section 1254.01.17

(d) Accessory Outdoor Storage

(d) ACCESSORY OUTDOOR STORAGE
Outdoor storage of equipment, vehicles, or materials shall be associated with the principal use.
Accessory outdoor storage shall be screened from adjacent residential and public streets and shall not be located in the front yard. See Section 1252.09
The Zoning Administrator may require the area identified on the site plan.

1245.07 INST-1 Suburban Institutional
Illustrative example of the intent of this district

[FIGURE 97]

1245.07.01 INST-1 SUBURBAN INSTITUTIONAL DISTRICT

INTENT

The INST-1 Suburban Institutional district is established for the development of major educational, governmental, and medical facilities and other complementary and supporting uses such as office developments and attached residential. The Suburban Institutional district encourages campus-type character, which includes landscaped open space between buildings, a green buffer at the perimeter, and uniform site design and details.

1245.07.02 INST-1 BUILDING TYPES

The following building types are suggested to meet the intent of this district. The table below shows which building types are suggested along the various street types in this district. Architectural regulations and Building Types are further described in CHAPTER 1246 – BUILDING TYPES.

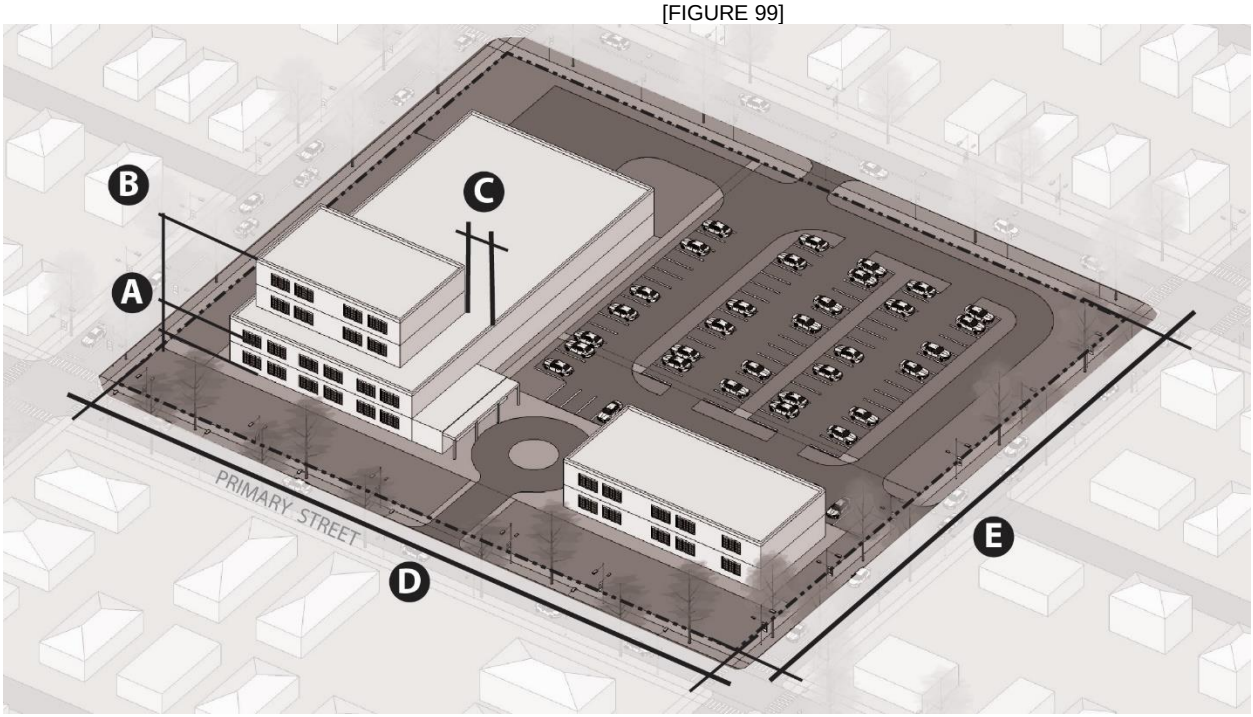
[FIGURE 98]

ALLOWED BUILDING TYPE	STREET TYPE					
	ARTERIAL CORRIDOR	SUBURBAN CORRIDOR	ACTIVITY CORRIDOR	PRIME CONNECTOR	NEIGHBORHOOD CONNECTOR	LOCAL
Flats / Lofts	X	X	X	X	X	-
Storefront Mixed-Use	X	X	X	X	X	-
Mid-Rise / High-Rise	X	X	X	X	X	-
Tower & Podium	X	X	X	X	X	-
Urban Office	X	X	-	X	X	X
Parking Structure	X	X	**	X	X	-

Parking structures must be lined on Activity Corridors with commercial uses per Table

1245.07.02 INST-1 SITE LAYOUT REQUIREMENTS

[FIGURE 99]

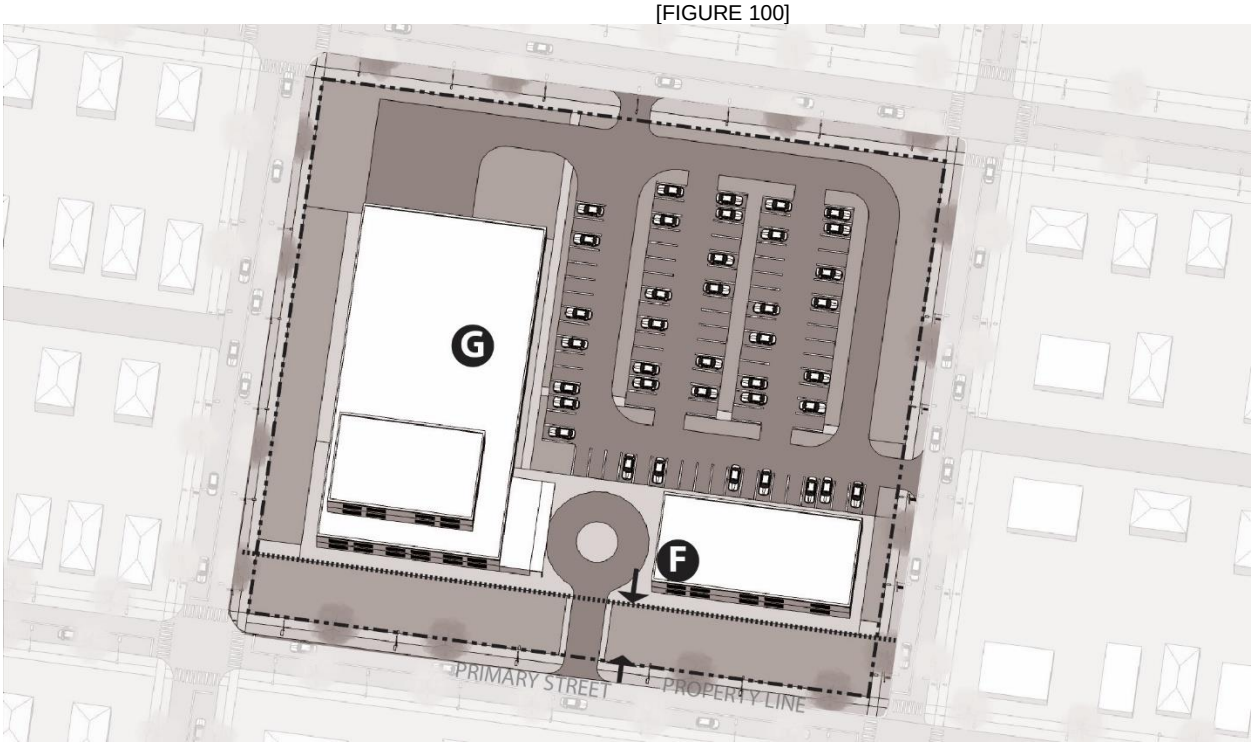


(a) Building Massing

(a) BUILDING MASSING	
A. Minimum Height	16’
B. Maximum Height	60’ Buildings of greater than the maximum height may be allowed provided side and rear yards are increased above the minimum required yards by one foot for each foot of building height that exceeds the maximum height allowed. See Section 1250.03.02 for height exceptions.
See Section 1250.03.02 for height exceptions.	
C. Required Upper floor Step-Backs - when adjacent to R-1 through R-6 districts	For the elevation adjacent to a residential district, the floors above the second story shall be tiered-back so that the highest point of the building is setback from the adjacent residential district a distance at least equal to the height of the building.
D. Minimum Frontage, Primary Street	75%
E. Minimum Frontage, Secondary Street	25%

These standards apply to principal and accessory buildings.

[FIGURE 100]

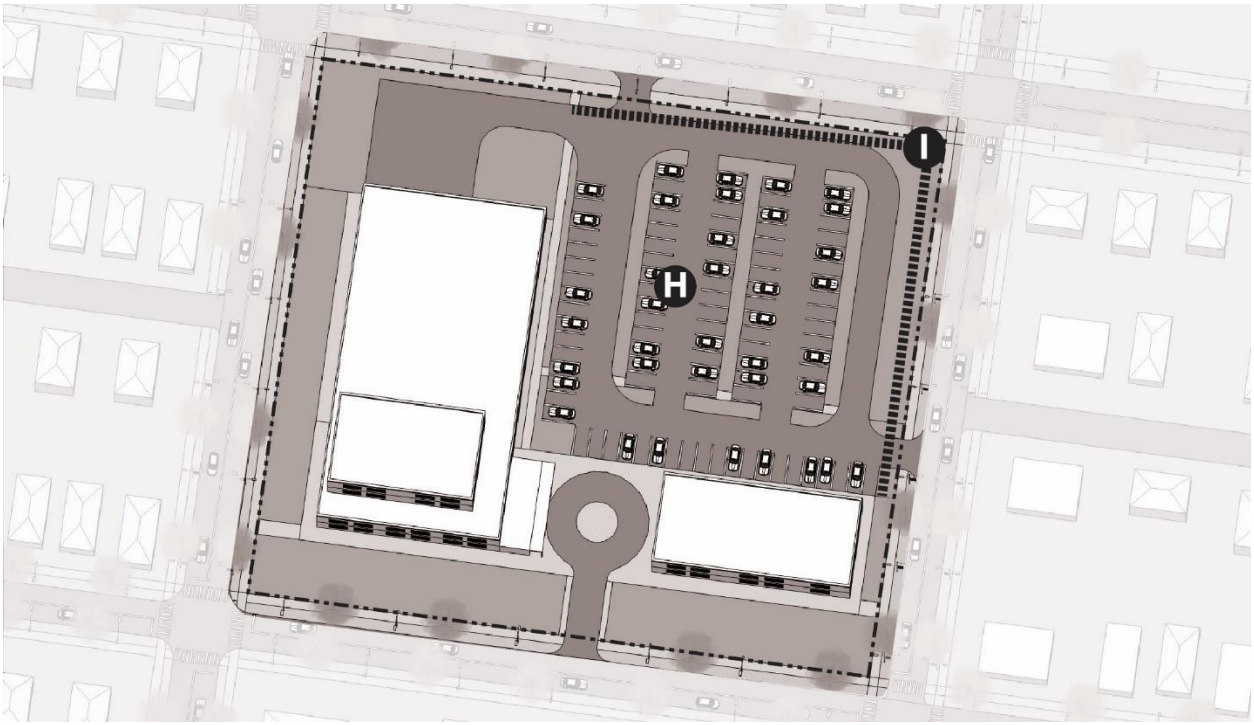


(b) Building Placement

(b) BUILDING PLACEMENT	
F. Setbacks	30’ min.
G. Maximum Lot Coverage	75%

See section 1250.04.01 for placement of accessory buildings.

[FIGURE 101]



(c) Parking / Loading

(c) PARKING/LOADING		
H. Allowed Surface Parking Locations	Arterial Corridor	Front/Side/rear
	Suburban Corridor	Front/side/rear
	Activity Corridor	Side/rear
	Prime Connector	Front/side/rear
	Neighborhood Connector	Front/side/rear
	Local Street	Front/side/rear
I. Side and Rear Parking Lot Setback / Screening from non-industrial districts	Wherever an off-street parking area is adjacent to a residential district, there shall be a minimum parking lot setback of 25'' with a continuous obscuring wall, fence and/or landscaped area at least 42" in height shall be provided. The zoning administrator may reduce this buffer based on the provision of landscaping, the presence of existing trees or in consideration of topographic conditions.	
Required Parking Spaces	Parking per Chapter 1254	
	See Table 1254.01.03 and Section 1254.01.04 for parking reductions	
Loading Bays Truck turning templates and access to loading must be delineated on site plan	Not permitted in front yard See Section 1254.01.17	
Drop-Off Zones	Permitted at the rear, side or front of the building	

1245.08 INST-2 Urban Institutional

[FIGURE 102]

1245.08.01 INST-2 URBAN INSTITUTIONAL DISTRICT INTENT

The INST-2 Urban Institutional district is established for the development of major educational, governmental, and medical facilities and other complementary and supporting uses such as office developments and attached residential. The Urban Institutional district encourages a walkable character, uniform site design and details, and integration into the neighboring urban mixed-use districts.

To help ensure any future expansion of this district is consistent with the intent of this code, the applicant shall demonstrate the following during a rezoning application:

A. The expansion is a logical extension that abuts an existing district boundary at least 200 feet in length.
B. The expansion has frontage along a non-local street or all access must connect to a non-local street through the existing district.
C. A conceptual design for the lot(s) must be described as part of a campus plan associated with the rezoning. The concept plan shall demonstrate adequate buffering from any adjacent residential use. The City may require additional setback, landscaping or other design elements to help ensure compatibility with the adjacent land uses.

1245.08.02 INST-2 BUILDING TYPES

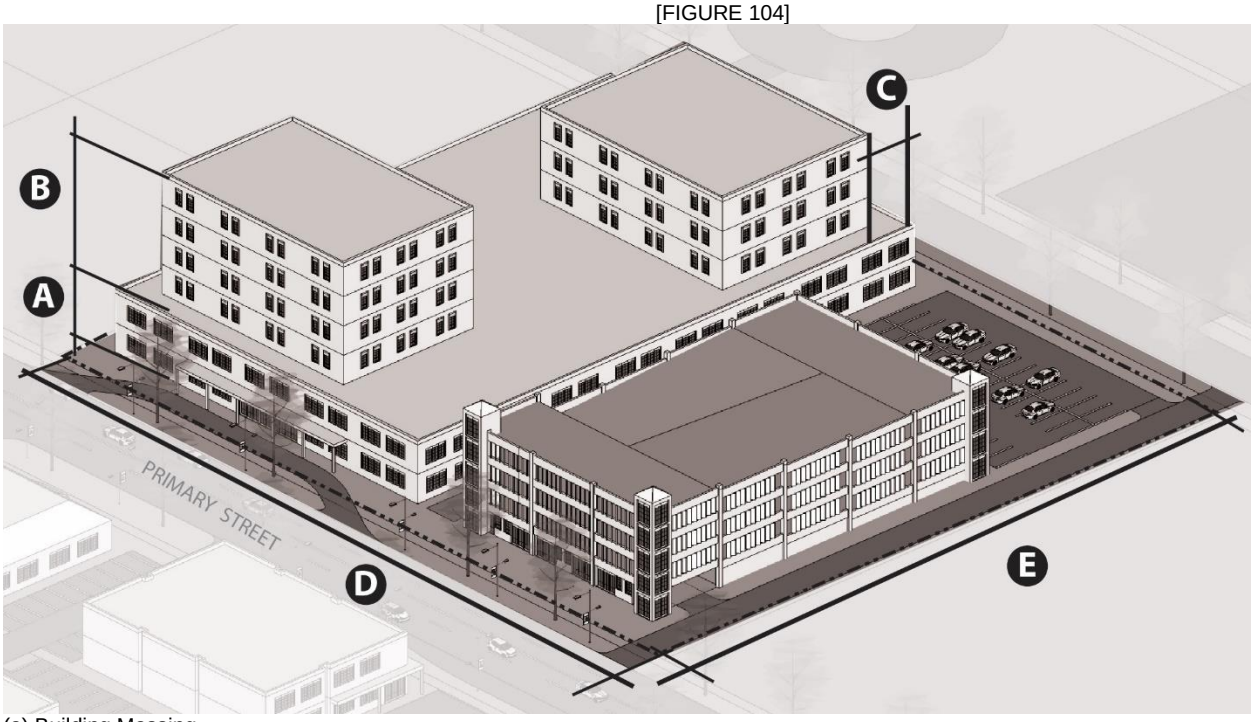
The following building types are suggested to meet the intent of this district. The table below shows which building types are suggested along the various street types in this district. Architectural regulations and Building Types are further described in CHAPTER 1246 – BUILDING TYPES.

[FIGURE 103]

ALLOWED BUILDING TYPE	STREET TYPE					
	ARTERIAL CORRIDOR	SUBURBAN CORRIDOR	ACTIVITY CORRIDOR	PRIME CONNECTOR	NEIGHBORHOOD CONNECTOR	LOCAL
Flats / Lofts	X	X	X	X	X	-
Storefront Mixed-Use	X	X	X	X	X	-
Mid-Rise / High-Rise	X	X	X	X	X	-
Tower & Podium	X	X	X	X	X	X
Urban Office	X	X	-	X	X	X
Parking Structure	X	X	**	X	X	X

1245.08.03 INST-2 SITE LAYOUT REQUIREMENTS

[FIGURE 104]



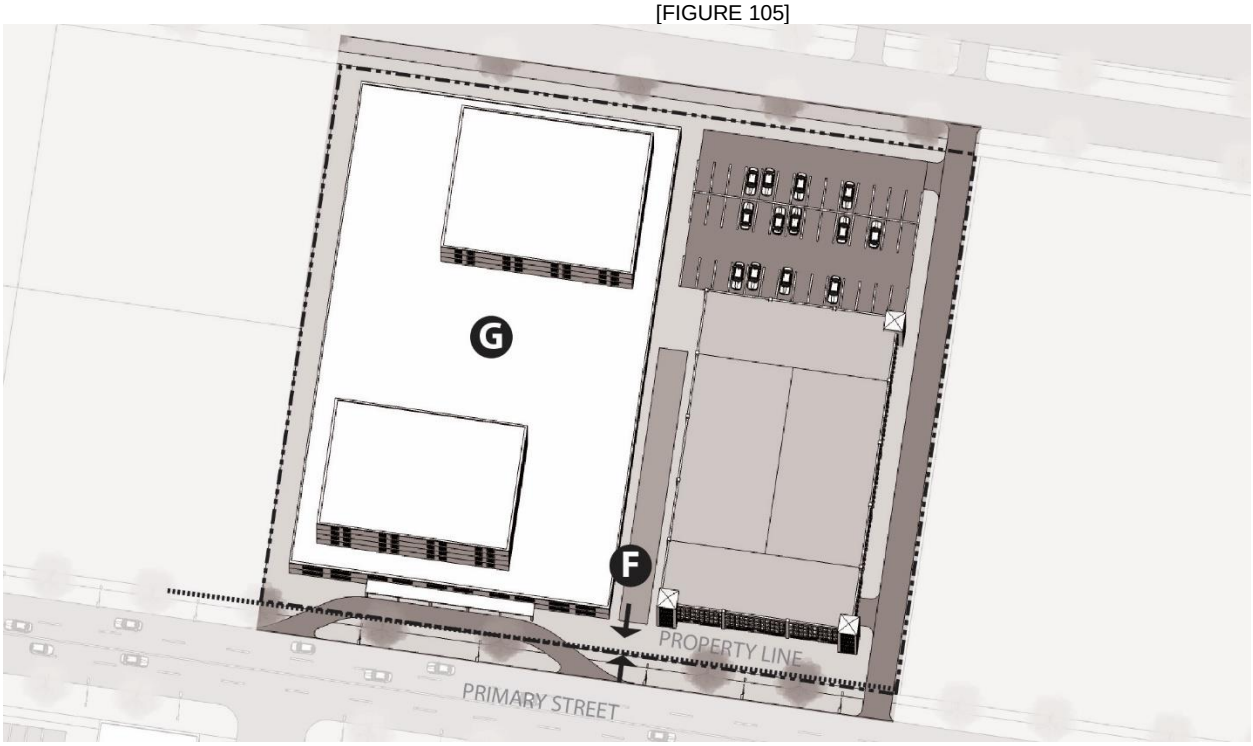
(a) Building Massing

(a) BUILDING MASSING	
A. Minimum Height	16’

B. Maximum Height	60’
See Section 1250.03.02 for height exceptions	
C. Required Upper floor Step-Backs - when adjacent to R-1 through R-6 districts	For the elevation adjacent to a residential district, the floors above the second story shall be tiered-back so that the highest point of the building is setback from the adjacent residential district a distance at least equal to the height of the building.
D. Minimum Frontage, Primary Street	75%
E. Minimum Frontage, Secondary Street	25%

These standards apply to principal and accessory buildings.

[FIGURE 105]

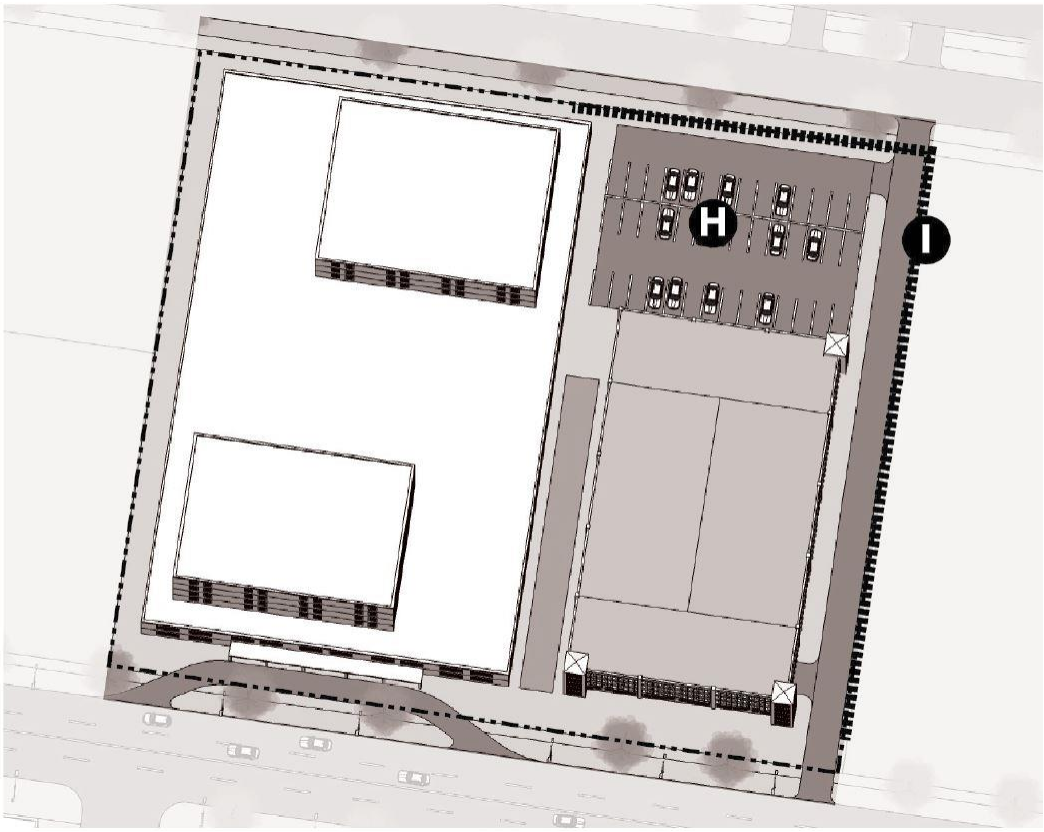


(b) Building Placement

(b) BUILDING PLACEMENT		
G. Setbacks	Activity Corridor	0' min/15' max
	All other street types	Whichever is Greater: A: Allow extension of established setback along frontage; or B: Match to double the setback in adjacent residential district
F. Maximum Lot Coverage	100%	

See section 1250.04.01 for placement of accessory buildings.

[FIGURE 106]



(c) Parking / Loading

(c) PARKING/LOADING		
H. Allowed Surface Parking Locations	Arterial Corridor	Side/rear
	Suburban Corridor	Side/rear
	Activity Corridor	Side/rear
	Prime Connector	Side/rear
	Neighborhood Connector	Side/rear
	Local Street	Side/rear
I. Side and Rear Parking Lot Setback / Screening from non-industrial districts	Wherever an off-street parking area is adjacent to a residential district, there shall be a minimum parking lot setback of 25'' with a continuous obscuring wall, fence and/or landscaped area at least 42" in height shall be provided. The zoning administrator may reduce this buffer based on the provision of landscaping, the presence of existing trees or in consideration of topographic conditions.	
Required Parking Spaces	Parking per Chapter 1254	
	See Table 1254.01.03 and Section 1254.01.04 for parking reductions	
Loading Bays Truck turning templates and access to loading must be delineated on site plan	Not permitted in front yard See Section 1254.01.17	
Drop-Off Zones	Permitted at the rear, side or front of the building	

Chapter 1246
Architectural Standards
Introduction
This Chapter sets forth the architectural standards applicable to the various character districts in the City of Lansing. These standards supplement those stated for each Zoning District. These standards are intended to result in construction and development that reinforces the vision established in the Design Lansing Comprehensive Plan.
Applicability
1246.02.01 RESIDENTIAL, SERVICE, RETAIL, ACCESSORY, AND INDUSTRY, MANUFACTURING & PROCESSING USES
The requirements of this Chapter shall apply to all proposed development with Residential, Service, Retail, Accessory, and Industry, Manufacturing & Processing uses and shall be considered in combination with the standards for the applicable Zoning District and the rest of the zoning ordinance.
1246.02.02 RECREATION, EDUCATION, PUBLIC ASSEMBLY, TRANSPORTATION, COMMUNICATIONS & INFRASTRUCTURE USES
Development with Public Recreation, Public Education, Public Assembly, Transportation, Public Communications and/or Infrastructure uses shall comply with the standards for the applicable Zoning District, but shall not be required to meet the standards in this Chapter.
1246.02.03 ADDITIONS OR MODIFICATIONS TO EXISTING BUILDINGS
Building additions to buildings built prior to the adoption of this form-based code shall apply the architectural standards that most closely match the existing building, as determined by the Zoning Administrator.
1246.03 Modifications

a. Modifications to the standards established in this Article may be approved by the Zoning Administrator. Any such modification shall require an application that includes a site plan and a front elevation drawing of the proposed building superimposed on a color drawing or photograph of the entire block showing the relationship of the proposed building to other buildings on the block. The application shall be reviewed by the Zoning Administrator based upon the following criteria:
    i. The design of the building shall be in keeping with the desired architectural character as articulated in the Comprehensive Plan, the intent of the district, and by example of new buildings designed following the standards of this code. This shall not prevent innovation and creativity in design that is in keeping with the Comprehensive Plan, as determined by the Zoning Administrator.
    ii. The design shall meet district height requirements.
    iii. The exterior finish materials shall be of equal or better quality, in terms of durability and appearance/texture similar to brick, stone, or wood, as those permitted in the district. The intent is to accommodate new technologies and building material while maintaining the desired character of the districts, as defined in paragraph 1, above.

b. Relief from Unlisted Standards.

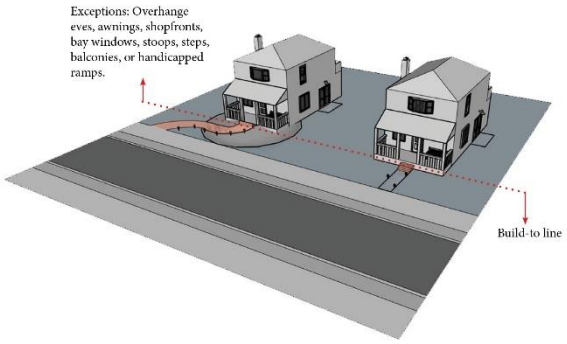
Any request for relief from a standard other than those listed above shall be made through the variance permit procedures set forth in Article 1274.

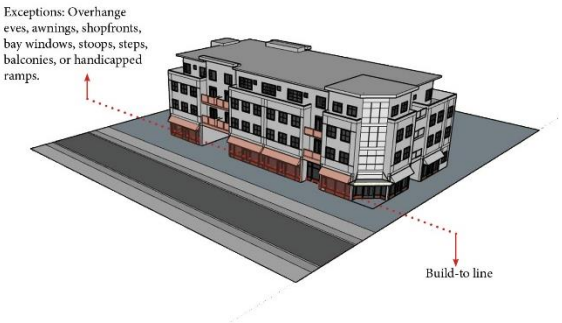
1246.04 Architectural Regulations

1246.04.01 General Architectural Standards

a. No part of any building may project forward of the build-to line except overhanging eaves, awnings, shopfronts, bay windows, stoops, steps, balconies, or handicapped ramps approved by the Zoning Administrator.

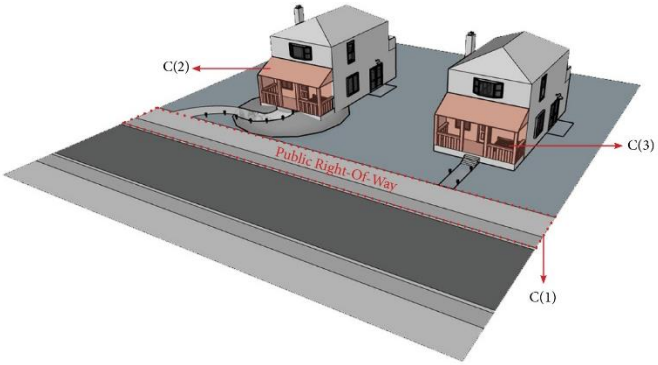
[FIGURE 107]





b. Stoops and Front Porches
    i. Shall not extend into the public right-of-way.
    ii. All required front porches shall be completely covered by a roof.
    iii. Front porches may be screened (insect screening) when all architectural elements (columns, railings, etc.) occur on the outside of the screen facing the street-space
    iv. Finished floor height shall be no more than 8 inches below the first interior finished floor level of the building.

[FIGURE 108]



c. Awnings/Overhangs - When an awning or overhang is incorporated into a building, the following requirements must be met:

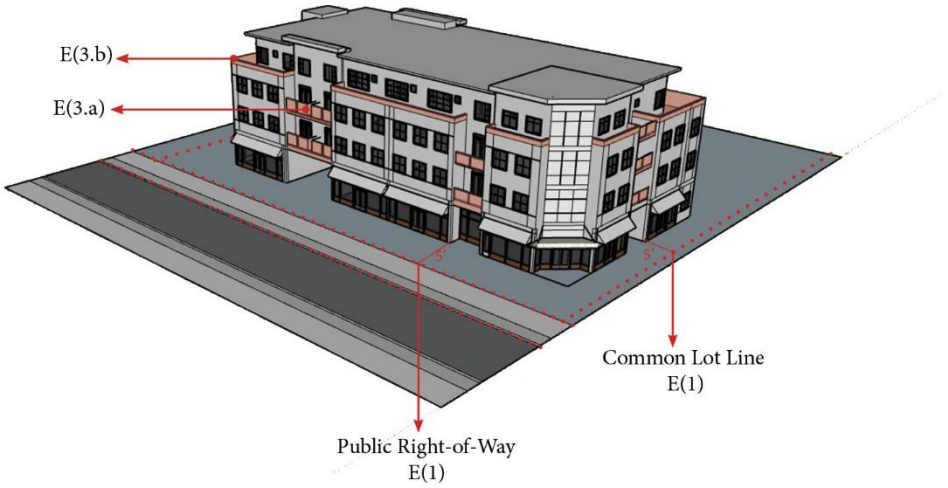
i. Minimum 10 feet clear height above sidewalk, minimum 5 feet depth out from the facade. Maximum projection to within 1 foot of back of curb where there are no street trees, or 1 foot into the tree-planting strip.
ii. Canvas cloth or equivalent (no shiny or reflective materials).
iii. Metal and glass are permitted, when configured as a marquee over an entrance.
iv. No internal illumination through the awning/overhang.
v. Lettering on awnings limited to 6 inches tall on vertically hanging fabric at curb side of awning.
vi. No one-quarter cylinder configurations.
vii. Awnings and overhangs shall complement the fenestration pattern of the building facade.

[FIGURE 109]

d. Balconies:

i. Shall not be located within 5 feet of any common lot line and shall not encroach into the public right-of-way.
ii. Balconies may be a single level or multiple balconies stacked vertically for multiple stories.
iii. Where Residential Districts include balconies as a method for achieving the required private open area, the balcony:
   1. Shall be enclosed by balustrades, railings, or other means that block at least half of the view through them;
   2. Shall not otherwise be enclosed above a height of 42 inches, except with insect screening and/or columns/posts supporting a roof or connecting with another balcony above; and

[FIGURE 110]



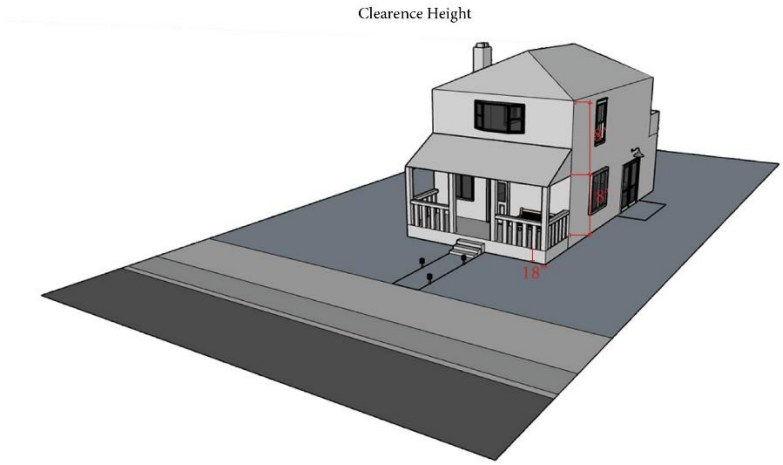
e. Windows

i. Glass shall be clear, with light transmission at the ground story at least 90 percent and for the upper stories 75 percent (modification as necessary to meet any applicable building and energy code requirements).
ii. Ground story windows may not be made opaque by window treatments (excepting operable sunscreen devices within the conditioned space).
iii. A minimum of 80 percent of the ground story window surface shall allow a view into the building interior for a depth of at least 12 inches.

1246.04.02 RESIDENTIAL BUILDING TYPES

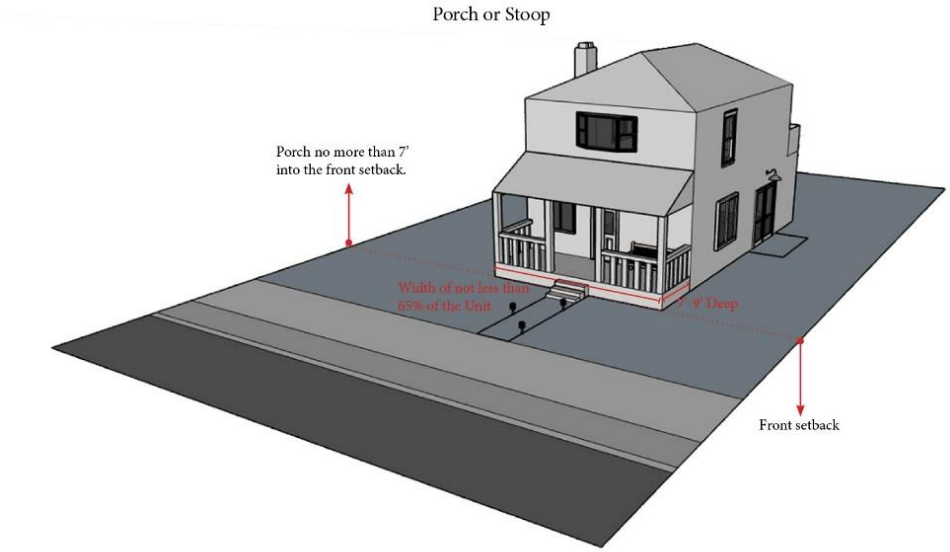
First Floor Clear Height 8' min.
Upper Floors Clear Height 8' min.
Ground Floor Finish Elevation Above/Below Sidewalk - minimum 18" with stairs. ADA accessible units with ramp access permitted with approval. Where the first floor is occupied by a lobby, office, or common space and no dwelling are located on the first floor along the front of the building, then the first floor may be at the same grade as the sidewalk.

[FIGURE 111]



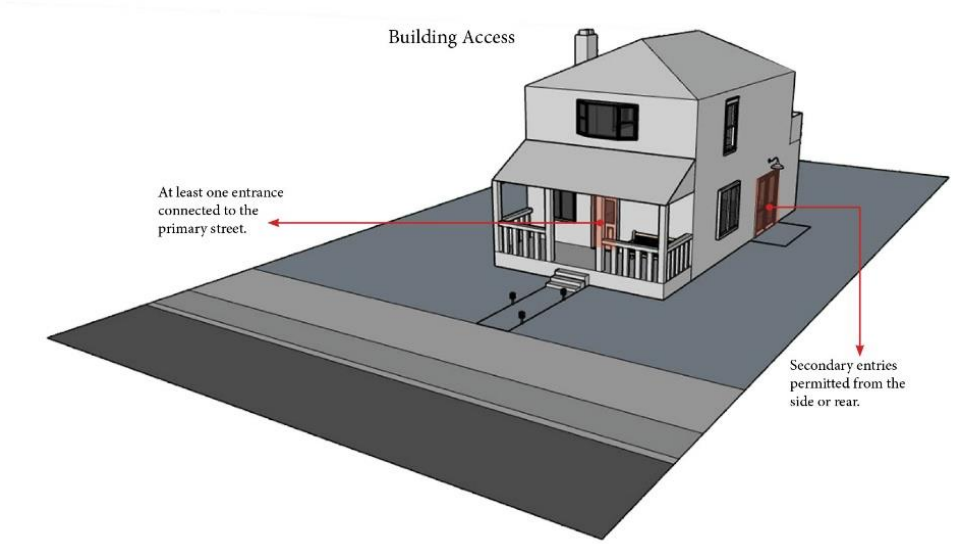
Porch or Stoop - Each residential unit with a separate entrance shall include a stoop of not more than 5' deep and 6' wide (not including steps or ramp) or a porch between 7' and 9' deep that projects no more than 7' into the front setback and with a width of not less than 65% of each unit with a separate entrance. Where the first floor is occupied by a lobby, office, or common space and no dwelling are located on the first floor along the front of the building, then a stoop or porch is not required.

[FIGURE 112]



Building Access - At least one entry must face onto and connect to the primary street. Secondary entries permitted from the side or rear. Maximum recessed entry of 5'.

[FIGURE 113]

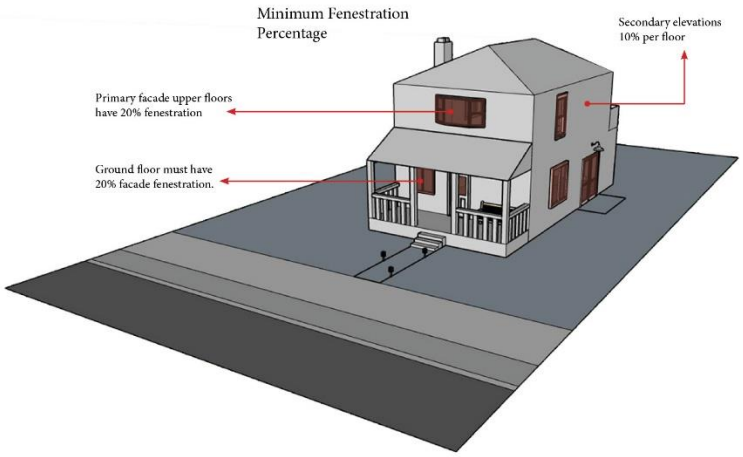


Minimum Fenestration Percentage:

Primary Façade - Ground Floor 20%; Upper Floors 20%

Secondary Elevations - 10% per floor

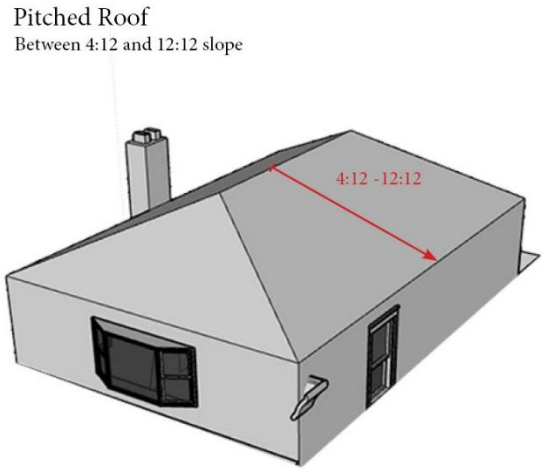
[FIGURE 114]



Allowed building materials on primary facades (i.e. facing onto a street): Brick or stone siding, wood siding, vinyl siding, fiber clapboards. Material must be consistent with adjacent residential character. Other materials as determined by Zoning Administrator.
Allowed building materials on secondary facades (i.e. those not facing onto a street): Same as primary facades, but also including decorative metal, wood; EIFS (on upper floors only); other similar materials as determined by Zoning Administrator.
Roof Types

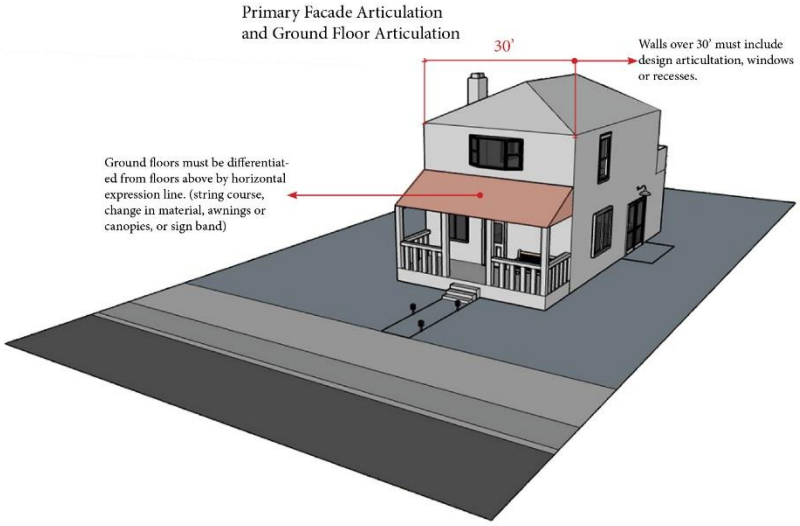
Pitched: between 4:12 and 12:12 slope
Flat roof: with cornice and parapet 30

[FIGURE 115]



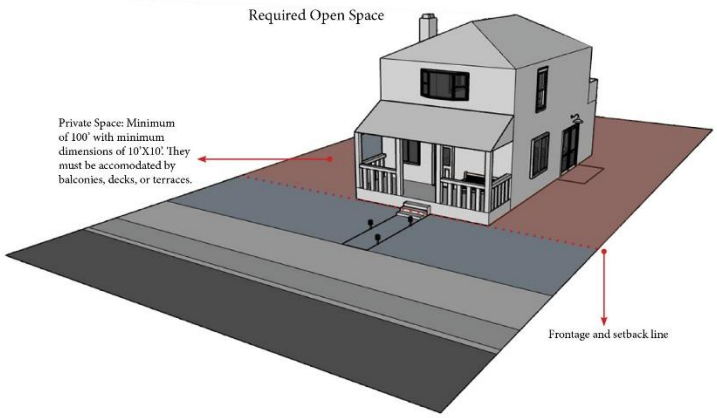
All rooftop mounted HVAC and mechanical equipment shall be screened from view on all sides of the building.
Roof Materials (for pitched roofs) - Asphalt, fiberglass, tile, slate, standing seam metal
Primary Facade Articulation - Walls over 30' in length must include design articulation, windows or recesses
Primary Facade Ground Floor Articulation - Ground floors shall be differentiated from the floors above by a horizontal expression line such as a string course, change in material or textures, awnings or canopies, or sign band.

[FIGURE 116]



Service - Services and utility hookups shall not be visible from the primary street frontage, preferably located in the rear yard.
Required Open Space (Outside of Frontage and setback areas.) - Private space. Minimum 100 square feet per unit. Minimum dimensions 10' x 10'. Private open space may be accommodated by balconies, decks or terraces.

[FIGURE 117]



1246.04.03 COMMERCIAL / MIXED-USE BUILDING TYPES
Second Floor Finish Elevation - 14' min.
Upper Floors Clear Height - 8' min.
Ground Floor Finish Elevation Above/Below Sidewalk - Max of 6" above adjacent sidewalk with ramp

[FIGURE 118]

Minimum Fenestration Percentage:
Storefront 60%
Non-storefront Ground Floor 40%
Upper Floors 20%

[FIGURE 119]

Allowed building materials on primary facades (i.e. facing onto a street) - Brick (masonry); stone; glass; other similar materials as determined by Zoning Administrator
Allowed building materials on secondary facades (i.e. those not facing onto a street) - Same as primary facades, but also including decorative metal, wood; EIFS (on upper floors only); other similar materials as determined by Zoning Administrator

Roof Types

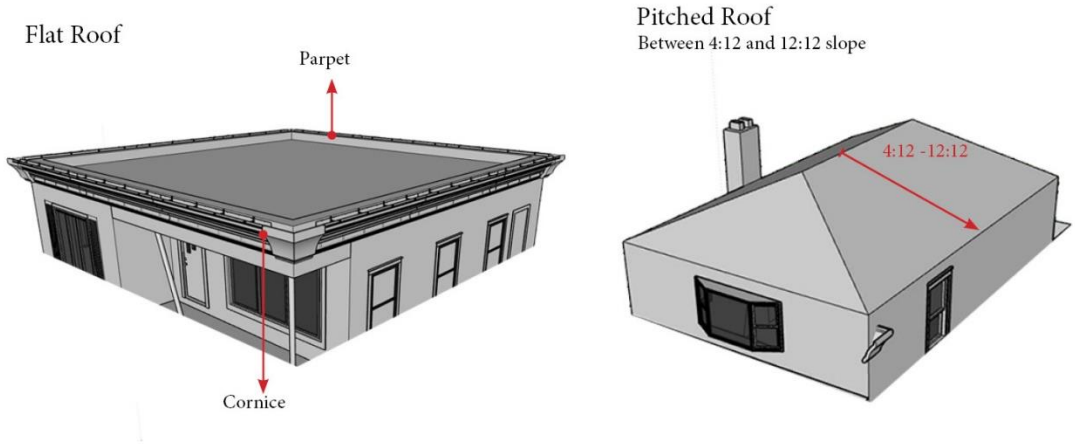
Pitched: between 4:12 and 12:12 slope

Flat roof: with cornice and parapet

All rooftop mounted HVAC and mechanical equipment shall be screened from view on all sides of the building.

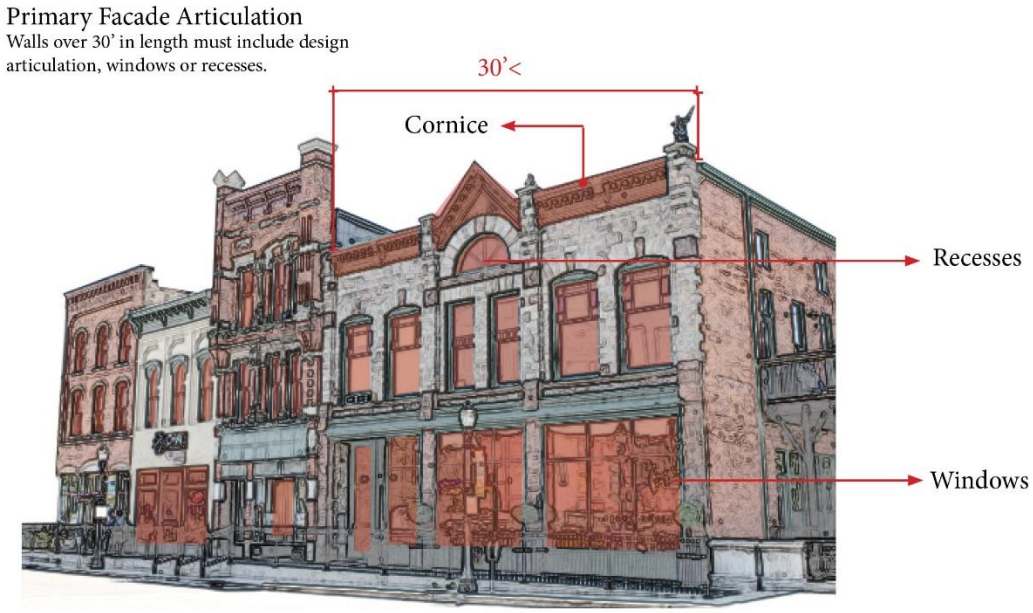
Roof Materials (for pitched roofs) - Asphalt, fiberglass, tile, slate, standing seam metal

[FIGURE 120]



Primary Facade Articulation - Walls over 30' in length must include design articulation, windows or recesses

[FIGURE 121]



Primary Facade Ground Floor Articulation - Ground floors shall be differentiated from the floors above by a horizontal expression line such as a string course, change in material or textures, awnings or canopies, or sign band.

[FIGURE 122]

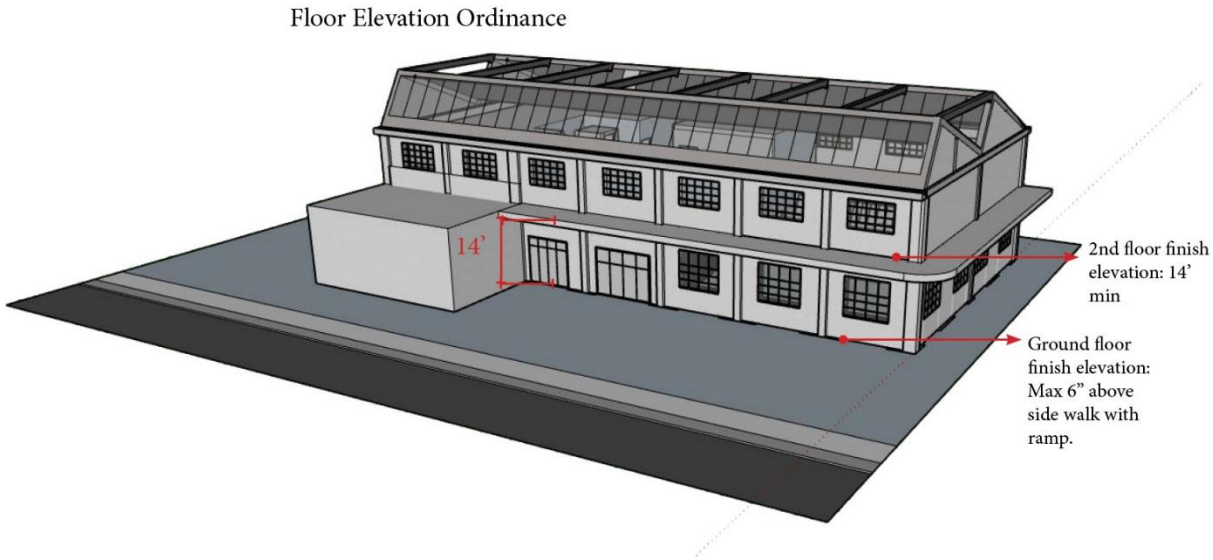
Building Access - At least one entry must face onto and connect to the primary street. Secondary entries permitted from the side or rear. Maximum recessed entry of 5'.

[FIGURE 123]

Service - Services. Services and utility hookups shall not be visible from the primary street frontage, preferably located in the rear yard.

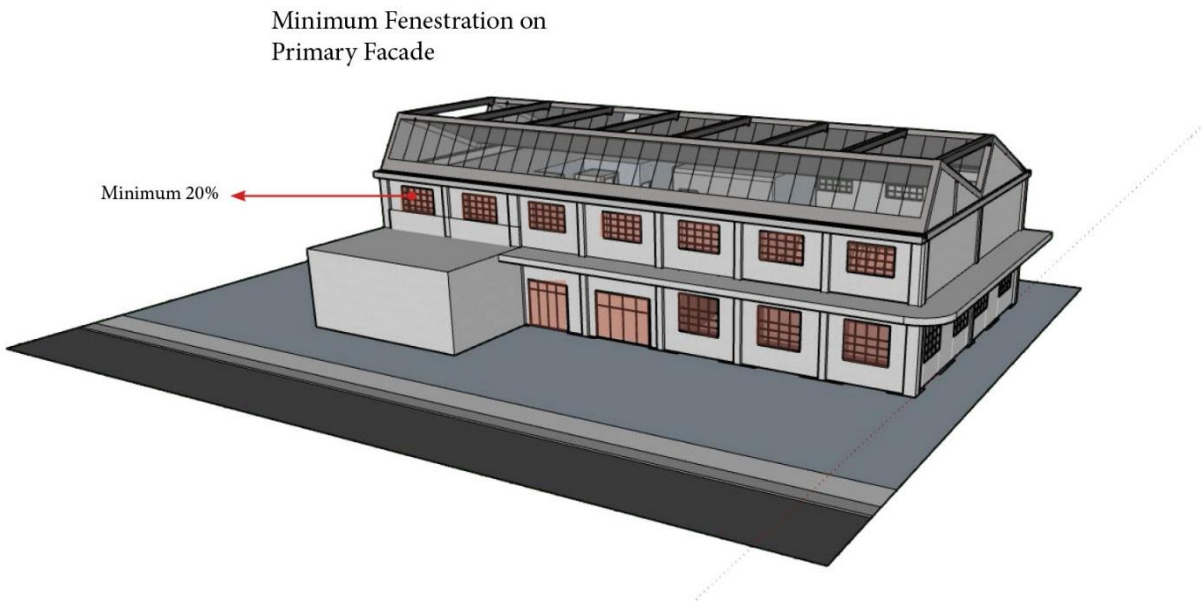
1246.04.04 INDUSTRIAL BUILDING TYPES
The following standards shall only apply to those industrial building facades that are at least 50% visible to a Residential use or Non-Local Street within 300 feet of the building façade:
Second Floor Finish Elevation - 14' min.
Ground Floor Finish Elevation Above/Below Sidewalk - Max of 6" above adjacent sidewalk with ramp

[FIGURE 124]



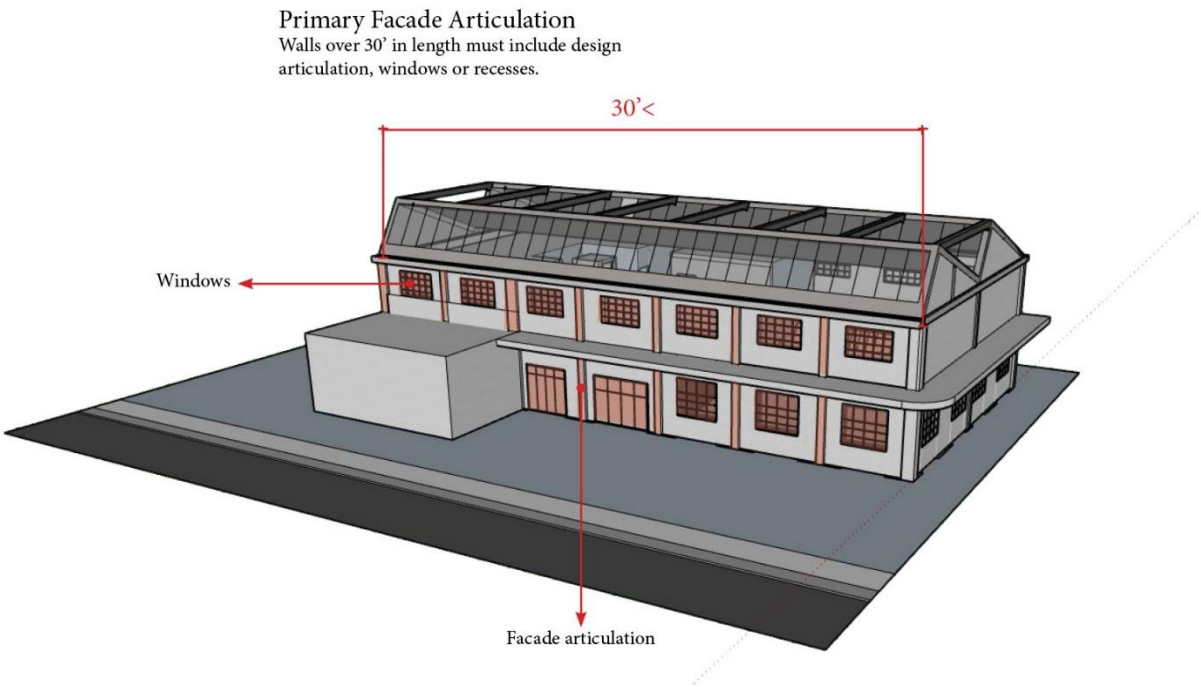
Minimum fenestration on primary façade - 30%

[FIGURE 125]



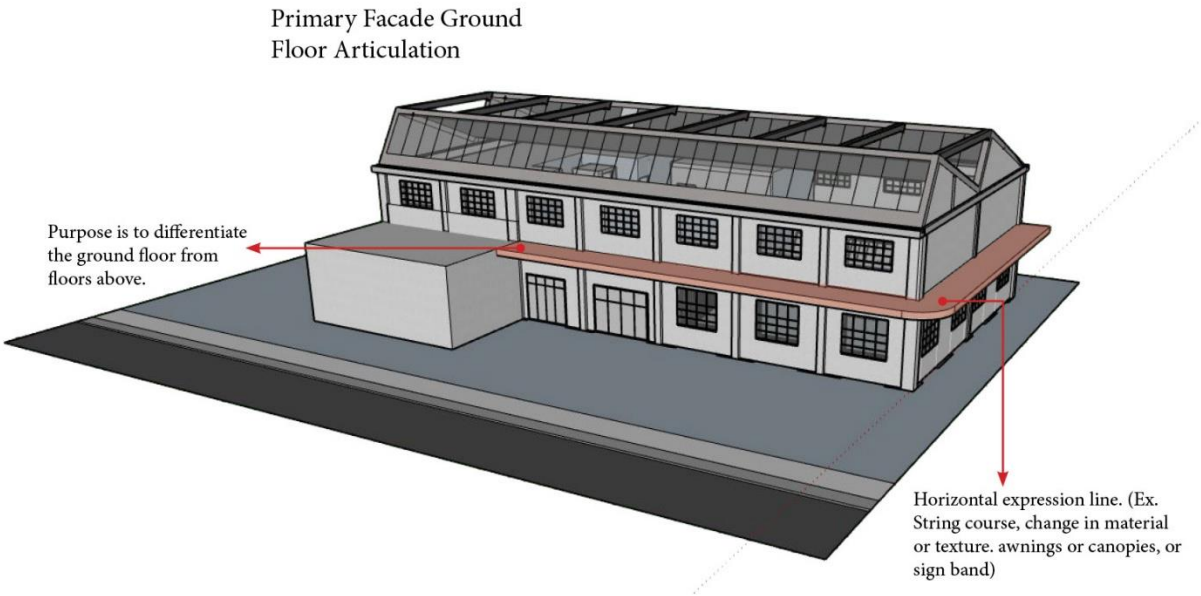
Allowed building materials on primary facades (i.e. facing onto a street) - Brick (masonry); stone; other similar materials as determined by Zoning Administrator
Allowed building materials on secondary facades (i.e. those not facing onto a street) - Same as primary facades, but also including decorative metal, wood; EIFS (on upper floors only); other similar materials as determined by Zoning Administrator
Roof Types
Pitched: between 4:12 and 12:12 slope
Flat roof: with cornice and parapet
All rooftop mounted HVAC and mechanical equipment shall be screened from view on all sides of the building.
Primary Facade Articulation - Walls over 30' in length must include design articulation, windows or recesses

[FIGURE 126]



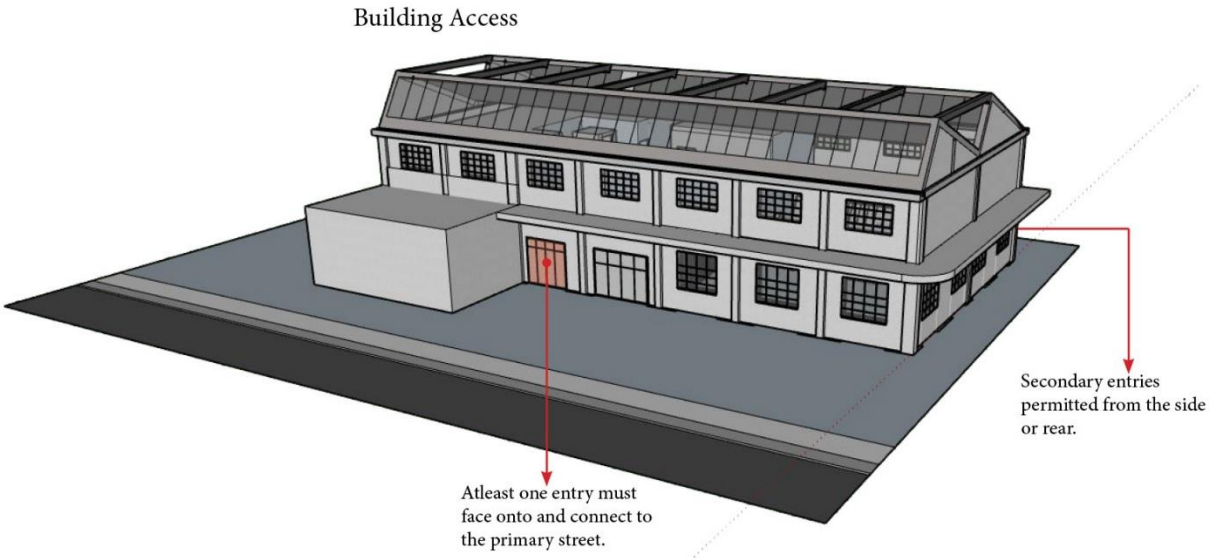
Primary Facade Ground Floor Articulation - Ground floors shall be differentiated from the floors above by a horizontal expression line.

[FIGURE 127]



Building Access - At least one entry must face onto and connect to the primary street. Secondary entries permitted from the side or rear.

[FIGURE 128]



Service - Services, utility hookups, loading docks and trash/recycling containers shall not be located on the front of the building, and must be screened if visible from the street.

1246.05 Example Building Types
The following sections illustrate how different types of buildings can meet the intent of the districts in Chapters 1243-1245 and the Architectural Standards of Section 1246.04
1246.05.01 Detached House

[FIGURE 129]

Illustrative examples of the intent of this building
(a) DESCRIPTION
A Detached House is a dwelling unit typically occupied by a single-family household. Detached Houses include one-, one- and-a-half, and two-story dwellings. In the DT-1 district, Detached Houses have been converted to offices. The design and character of a detached house in a given location should be consistent with and reinforce the character of the surrounding neighborhood.

(b) APPLICABILITY
A Detached House is the suggested building type in all residential districts and applicable to most road types. While compatible as “grandfathered in” historic structures, new Detached Houses within higher density residential districts (R-MX 42 and MFR), DT-1, and fronting Arterial, Suburban, and Activity corridors are not generally encouraged.
See also Section 1244.02 - General Development Requirements for Dwelling Units.

1246.05.02 Attached Residential

[FIGURE 130]

Illustrative examples of the intent of this building
(a) DESCRIPTION
Attached residential building types may take the form of small apartment buildings or duplexes integrated into an urban neighborhood or townhouses. Attached Residential buildings should be designed to complement the size, scale, character, and architecture of the surrounding residential district. Attached residential buildings may be designed as side-by-side and/or stacked units and provide a dedicated point of entry for each residential unit or common entry.
(b) APPLICABILITY
Attached residential buildings are applicable in higher density residential and mixed-use districts that serve as a transition between commercial or mixed-use districts and residential neighborhoods: R-MX, R-AR, MFR, S-C, MX-C, MX-1, DT-1, DT-2.
See also Section 1244.02 - General Development Requirements 46 for Dwelling Units.

1246.05.03 Urban Mixed-Use

[FIGURE 131]

Illustrative example of the intent of this building

(a) DESCRIPTION

The purpose and intent of the Urban Mixed-Use building type is to provide a high character pedestrian scaled building that is flexible and mixed in its uses. Typically, ground floor uses include retail, entertainment, dining, and professional services with high transparency window areas creating a connection between the sidewalk and building interiors. Upper floor uses typically includes a mixture of residential and office space. The building form and mass is intended to reinforce pedestrian comfort, walkability, and activity. Larger buildings shall be broken up into multiple store-fronts each with their own entries.

(b) APPLICABILITY

Urban mixed-use buildings are a key building type for urban zones that provide pedestrian scaled buildings oriented on the street. They are less likely to be appropriate along local streets.

1246.05.04 Tower & Podium

[FIGURE 132]

Illustrative example of the intent of this building

(a) DESCRIPTION

Tower & Podium buildings are buildings that consist of a large footprint base, typically 2-3 stories tall, and one or more towers that project upwards from a portion of this base. Tower & Podium type buildings are often used for hotel convention centers, hospitals, and other institutional or commercial activities. The base (podium) levels of the Tower & Podium buildings are intended to be pedestrian oriented facades that encourage an active street frontage.

(b) APPLICABILITY

Tower & Podium buildings are applicable to the most dense commercial districts (Downtown Core) as well as designated institutional districts (INST-1 and INST-2).

1246.05.05 Commercial Flex

[FIGURE 133]

Illustrative example of the intent of this building

(a) DESCRIPTION

Commercial Flex buildings provide opportunities for diverse buildings types - to accommodate a diverse range of uses - in medium density urban environments while retaining a building facade that supports the downtown character. Commercial Flex buildings are 1-3 floors in height and may include high bay spaces to accommodate light industrial or other non-storefront oriented commercial uses. Building facades are oriented towards the street and designed in a pedestrian friendly manner with adequate window transparency and articulation.

(b) APPLICABILITY

Commercial Flex buildings are suggested in the Urban Flex (DT-2) and Urban Industrial (IND-3) districts.

1246.05.06 Parking Structure

[FIGURE 134]

Illustrative example of the intent of this building

(a) DESCRIPTION

Parking Structures provide multiple levels of vehicle parking in higher density locations. Parking Structures are designed to fit the architectural character and context of the urban environment. Open air openings into the parking area and other horizontal or vertical elements should provide an attractive facade that reinforces the pedestrian experience. Parking structures are encouraged to be lined on the exterior by residential, office, and retail, and are required to have the first floors occupied for the first 20 feet by commercial uses along Activity Corridors.

(b) APPLICABILITY

Parking garages are applicable in higher density districts where there is not sufficient space or desire for surface parking lots.

1246.05.07 Suburban Commercial

[FIGURE 135]

Illustrative example of the intent of this building

(a) DESCRIPTION

Suburban Commercial buildings are designed to balance the needs of automobile access to commercial uses (stores, retail, etc.) while still retraining a strong design character and relationship to the street environment that is welcoming to pedestrians and creates an effective transition to non-commercial areas. Commercial buildings are typically 1-2 floors in height, and can accommodate big-box style commercial uses if needed. Individual storefronts within a building should be clearly defined and distinct and sidewalks connect front entrances to the public sidewalk. Suburban commercial buildings can incorporate a mixture of non-residential uses.

(b) APPLICABILITY

Suburban commercial buildings are the primary building type for the Suburban Corridor district (SC) and are used along Arterial, Suburban, and Prime Connector streets. This type of building is not intended for Activity Corridors, Neighborhood Connectors, or Local Streets.

1246.05.08 Suburban Office / Research

[FIGURE 136]

Illustrative example of the intent of this building

(a) DESCRIPTION

Suburban Office/Research buildings are typically multi-story buildings with a primary entrance into a lobby space for accessing office, research, or institutional type uses. Buildings can be designed for a single tenant or for multiple different tenants to provide a mixture of uses within the building.

(b) APPLICABILITY

Suburban commercial buildings are a common building type for the Suburban Corridor district (SC) and can be used along a variety of roadway types. They can be used to transition away from more intense commercial activity towards neighborhood residential areas.

1246.05.09 Motor Vehicle Service Stations

[FIGURE 137]

Illustrative example of the intent of this building

(a) DESCRIPTION

Traditional suburban-style gas station design places the filling pumps and canopy structure in the front or front corner of the lot and the shop at the rear of the lot, which breaks the street edge experience and disconnects the storefront from the sidewalk. New gas stations should adopt a "gas backwards" approach along urban corridors (MX-1, -2, -3, DT-2 where permitted), where filling pumps and canopy are placed to the side or rear or the lot and the shop building occupies the front or front corner of the lot. Traditional configurations are acceptable in S-C and MX-C districts as long as the building form and conditional use standards are met. In both urban and suburban districts, the building should be designed to fit within the district's context and aesthetics.

(b) APPLICABILITY

Motor vehicle service stations are permitted with conditions in commercial mixed-use districts as described in Section 1245.03. They are less desirable for use along Activity Corridors and Local Streets.

[FIGURE 138]

STREET TYPE

FBC ZONE	ARTERIAL CORRIDOR	SUBURBAN CORRIDOR	ACTIVITY CORRIDOR	PRIME CONNECTOR	NEIGHBORHOOD CONNECTOR	LOCAL
S-C	X	X	X	X	X	-
MX-C	X	X	-	X	X	-
MX-1	X	X	-	X	X	-
MX-2	X	X	-	X	X	-
MX-3	X	-	-	-	-	-
DT-2	X	-	-	X	X	-

Chapter 1250
General Provisions

1250.01 SCOPE OF APPLICATION

The standards and regulations listed in this Chapter shall apply to all uses, buildings and structures within all zoning except where it is specified to be district- or use-specific.

1250.02 USE-RELATED REGULATIONS

1250.02.01 USES

Determination of "Similar Uses": Since every type of potential use cannot be addressed in the Zoning Ordinance, the Zoning Administrator shall be authorized to permit "similar uses" which closely resemble the uses listed for a given zoning district. In making this determination, the Zoning Administrator shall use criteria including, but not limited to the nature of the use, scale, aesthetics, traffic generated, parking, potential impact on property values, noise, vibration, dust, smoke, odor, glare and other objectionable impacts in terms of health, safety and welfare, provided that the proposed use would not constitute a violation of any other Federal, State or local law or regulation. Once a proposed similar use is permitted, the proposed use shall comply with all standards and conditions that apply to that zoning district.

1250.02.02 HOME OCCUPATIONS

A home occupation which meets all of the following conditions shall be permitted as an accessory use to any single family residential use or residential unit in a duplex:

a. No person, other than a member of the family residing in the dwelling unit, shall engage in the home occupation and no more than one primary caregiver, as that term is defined in the Michigan Medical Marihuana Act, being MCL 333.26421 et seq., as amended, shall engage in the activities of a primary caregiver on any lot.
b. The use of the dwelling unit as a home occupation shall be clearly incidental and subordinate to its use for residential purposes.
c. Not more than 20 percent of the gross floor area of the dwelling unit is used in any way for the home occupation.
d. No change occurs in the outside appearance of the dwelling.
e. No signs shall be posted on the lot advertising any home occupation.

f. The sale of goods does not occur in the dwelling unit or on the lot on which the dwelling unit is located.

g. No equipment is used, except equipment which is normally used for purely domestic or household purposes. Equipment not normally used for purely domestic or household purposes or any portion of the dwelling unit where energy use and heat generation resulting from the growth of marihuana exceeds levels reasonably attributable to residential uses are permitted if the Board of Zoning Appeals approves such use. The Board shall approve of such use if it is satisfied that the intensity of use will not be increased to a level that will adversely impact any lot within 300 feet of the lot seeking Board approval and that any energy use and heat generation resulting from the growth of marihuana exceeding levels reasonably attributable to residential uses has been approved by the Fire Marshal or his or her designee and the Building Safety Office.

h. No activity related to the occupation occurring on the premises including clients, customers, or pickup and delivery vehicles shall adversely impact the surrounding neighborhood or the right of surrounding residents to quiet enjoyment of their property, including but not limited to, the creation of noise, vibrations, odors, heat, glare, unnatural light, or electrical interference detectable beyond the property line; or have any pickup or delivery by motor vehicle before 7:00 a.m. or after 7:00 p.m. and not more than a total of five (5) pickups, deliveries or customer/client visits each day during the permitted time.

i. For purposes of this subsection, any term defined by 21 USC 860(e) shall have the meaning given to it by 21 USC 860(e). No person who engages in the activities of a primary caregiver as a home occupation shall engage in the transfer, distribution, or administration to any patient:

i. Within 1,000 feet of the real property comprising a public or private elementary, vocational, or secondary school; a public or private college, junior college, or university; a playground; a church or other structure in which religious services are conducted; a facility at which substance abuse prevention services or substance abuse treatment and rehabilitation services, as those terms are defined in part 61 of PA 368 OF 1978, being MCL 333.6101 et seq., are offered; or

ii. Within 100 feet of a public or private youth center, public swimming pool, or video arcade facility.

j. All marihuana plants shall be kept in an enclosed, locked facility, as that term is defined in the Michigan Medical Marihuana Act.

k. This section shall apply to every person engaging in the activities of a primary caregiver as a home occupation, regardless of whether or not the activities commenced prior to the enactment of this section.

1250.02.03 TEMPORARY BUILDINGS, STRUCTURES, USES AND EVENTS

a. Temporary Construction Buildings and Storage Trailers. Temporary construction buildings, structures, uses and storage trailers may be permitted, after review and approval of the building official, subject to the following conditions:

i. Temporary Construction Buildings

1. Temporary buildings and structures may only be used for the storage of construction materials, tools, supplies and equipment for construction management and supervision offices, and for temporary on-site sanitation, solid waste or fuel facilities, related to construction activity on the same lot.
2. No temporary building or structure shall be used as a dwelling unit.

ii. Temporary Trailers

1. Enclosed trailers may be used for the temporary storage of materials only in commercial and Industrial zoning districts and when such materials are in the process of being received or shipped.
2. The trailer(s) shall not be used for permanent storage of materials.
3. Each trailer shall be equipped with a current trailer license as issued by a state and be in proper operating condition to be used upon the streets and roadways of this state.
4. The use of trailer(s) for temporary storage shall be limited to three trailers for the permitted principal use.

b. Temporary Outdoor Uses, Activities and Special Events

i. Temporary outdoor uses and activities, such as but not limited to art shows, sidewalk sales, carnivals, auto shows, and boat shows, may be approved for a period not to exceed consecutive days; provided, the proposed use or event is found to be: temporary in character; not detrimental to adjacent property; not disturbing to the public peace; and will not create undue traffic congestion or hazards. Temporary events, accessory to and on the same lot as a principal permitted use, may be approved by the building official. Any temporary event that is conducted on public right-of-way or city owned property shall require city council approval.

ii. Tent sales in a parking lot for individual businesses shall be permitted in all commercial and industrial zoning districts as an accessory use to a primary permitted use. All merchandise sold shall be that of the regular retail use in the principal building of the site. Each business shall be limited to one tent sale per calendar year for a maximum of 10 consecutive days. The area occupied by the tent sale shall not exceed 10% of the floor area of the permanent retail space of the business and the longest dimension of the tent shall not exceed the width of the permanent retail space of the business. Tent sales shall be located in a manner that does not conflict with site circulation for vehicles or pedestrians. A site plan shall be provided for administrative approval by the building official showing the location of the proposed tent, existing structures, sufficient off-street parking, utilities, lighting and signs prior to initiation of such activity

c. Residential Temporary Uses and Structures

i. A temporary structure or a temporary use which meets all of the following conditions shall be permitted in a residential district:

1. In the case of a temporary structure, a permit has been issued by the Building Safety Office authorizing the temporary structure.
2. In the case of a temporary use, a permit has been issued by the Planning Division. In determining whether to issue a permit, the Planning Division shall review a request in accordance with the standards outlined in Section 1262.02(f)(1) to (9) and shall approve the request, deny it or approve it with conditions.
3. The person issued a permit under subsection (c)(1) or (2) hereof agrees in writing to remove the temporary structure or cease temporary use pursuant to the permit.
4. Permits issued under subsection (c)(1) or (2) hereof shall be for a period not to exceed two weeks, and upon request may be extended twice for a period not to exceed two weeks for each extension.

ii. The temporary use of a permanent structure as a real estate office for the purpose of marketing new residential development which meets all of the following conditions shall be permitted in a residential district:

1. The temporary use of the permanent structure is located within the residential development.
2. The temporary use of the permanent structure shall be removed after three years, or after 90 percent of the residential development is sold, whichever comes first.

1250.02.04 (RESERVED)

1250.02.05 KEEPING OF ANIMALS

a. Definitions, as used in this section:

WILD ANIMAL: Any animal not domesticated by humans or any animal which a person is prohibited from possessing by law. Wild animals shall include, but shall not be limited to, the families of the following: alligator, deer, opossum, badger, wild dog, dog-wolf, coyote, weasel, bear, raccoon, skunk, wild cat, lemur, marten, poisonous spider, poisonous lizard, snake, and primate (excluding humans).

LIVESTOCK: Horses, cattle, sheep, goats, poultry, pigs and other useful animals normally kept or raised on a farm, including pygmy goats and potbelly pigs.

b. Household pets.
   i. The keeping of household pets, including dogs, cats, fish, birds, hamsters and other animals generally regarded as commonly housed inside human dwellings as household pets, is permitted as an accessory use in any zoning district.
   ii. No more than three dogs, four months of age and older, shall be kept or housed in or at one dwelling unit.

c. Wild animals. The keeping of wild animals, as defined in this ordinance, shall be prohibited in any residential zoning district:

d. Livestock. No livestock or poultry shall be owned, kept, possessed, harbored or kept charge of except as provided for below:
   i. No more than five (5) hens may be kept on any one- or two-family residential property, and no roosters, ducks, peacocks, turkeys or emus shall be allowed;
   ii. Hens must be kept in an enclosure so constructed or repaired as to keep the hens confined on the owner's property, and to prevent rats, mice, or other rodents from being harbored underneath, within, or within the walls of the enclosure;
   iii. A covered enclosure or fenced enclosure shall not be located closer than 10 feet from the property line of any adjacent property, nor closer than 40 feet from any residential structure on an adjacent property, unless the adjacent property owner consents in writing to the Zoning Administrator;
   iv. All feed and other items associated with the keeping of hens that are likely to attract or to become infested with or infected by rats, mice, or other rodents, shall be protected so as to prevent rats, mice, or other rodents from gaining access to or coming into contract with them.

1250.02.06 RESTRICTIONS ON DEMOLITION AND REUSE OF LOTS

No permit for demolition of a primary structure may be issued if the intended use is for non-required parking or if the property on which the structure is located is zoned for nonresidential purposes and the intended use is for open space, unless the request satisfies one of the following:

a. The structure is being demolished to accommodate construction of a development plan approved by the City. A demolition permit being authorized under this condition shall not be issued until a site plan has been submitted to the City for review and approval in accordance with the requirements of Chapter 1260.

b. A special land use permit for parking has been approved by the Lansing City Council.

c. The owner of the property can demonstrate, to the satisfaction of the Director of the Economic Development & Planning Department that:
   i. Demolition of the structure will not disrupt the established land use/development pattern in the area in which it is located.
   ii. Redevelopment or reuse of the site will have no negative impacts on the adjoining property owners.
   iii. Redevelopment or reuse of the site will be consistent with the land use pattern being advanced in the Comprehensive Plan.
   iv. The additional parking is necessary to accommodate the parking needs of the use that it is intended to serve during a typical day and no other options for providing said parking are reasonably available.
   v. The structure proposed for demolition is deemed to be a threat to the health, safety and welfare of the community by the City of Lansing Building Safety Office, Code Compliance Office, or Fire Department.

1250.02.07 VEHICLE PARKING, SERVICE, AND STORAGE

a. All Districts:
   i. Commercial vehicles used as signs are prohibited. No commercial vehicle may be parked for a time period exceeding 48 hours for the intended purpose, as determined by the Zoning Administrator, of advertising a product or serving as a business sign.
   ii. All vehicles must be incidental to the primary use.
   iii. An accessory use on a lot shall not include the storage of junk or junk vehicles.

b. Residential Districts:
   i. The parking or storage of the following shall not be permitted in a residential district except within a completely enclosed building:
      1. A vehicle with three or more axles, with or without a trailer;
      2. A bus/motor coach, box truck, flat-bed truck, wrecker, semi-tractor/trailer, construction vehicle, farm vehicle or equipment including, but not limited to, a trailer, backhoe or dump truck,
      3. A vehicle with a gross weight exceeding 10,000 pounds; and
      4. A vehicle which exceeds 12 feet in height or 35 feet in length.
   ii. The parking or storage of essential public service vehicles (e.g., ambulance) where the vehicle is operated by the homeowner or the occupant of the dwelling is exempt from these provisions.
   iii. An accessory structure shall not be used to service or repair a motor vehicle owned by a person other than a person residing on the premises on which the accessory structure is located.
   iv. An accessory use on a residential lot shall not include motor vehicle repair, except repair to a vehicle owned by a person residing on the premises so long as the repair is completed within a 24-hour period and is limited to:
      1. Changing oil or other fluids;
      2. Minor tune-up;
      3. Tire rotation; and
      4. Changing brake pads if the vehicle is supported in a safe manner.
   v. No accessory structure may be a public garage.
   vi. An accessory use of a lot may include the parking of up to four operable vehicles or one operable vehicle for each licensed driver residing in the dwelling, whichever is greater.

1250.02.08 RECREATIONAL VEHICLE AND RECREATIONAL EQUIPMENT PARKING AND STORAGE IN RESIDENTIAL DISTRICTS
The following standards shall apply in all residential districts:

a. Recreational vehicles shall not be connected to sanitary facilities, shall not be occupied, and shall be locked at all times.
b. Recreational vehicles and recreational equipment greater than eight feet in width or 32 feet in length shall not be parked or stored on any residential lot, except as otherwise permitted in this ordinance.
c. No more than two recreational vehicles or pieces of recreational equipment, or a combination thereof, shall be stored on a residential lot.
d. Only one recreational vehicle or piece of recreational equipment, not exceeding 25 feet in length, may be parked or stored on an approved driveway within the front or side yard of a residential lot.
e. Except as otherwise permitted in this Section, recreational vehicles must be parked on a paved surface in the rear yard and must be setback as least 3 feet from the side and rear property lines.
f. Regardless of size, one recreational vehicle may be temporarily parked anywhere on a paved surface within a residential lot for up to 72 hours within a seven (7) day time period for the purpose of loading and unloading or for normal maintenance and cleaning.
g. Recreational vehicles and equipment may not be stored or parked on a residential lot for the purpose of making major repairs, refurbishing, or reconstruction of the recreational vehicle or equipment.

1250.02.09 RESTAURANTS AND TAVERNS WITH OUTDOOR SEATING.
Outdoor seating areas on private property accessory to a restaurant or bar are permitted only after approval by the Zoning Administrator of a plan, and subject to the following requirements:

a. The seating area shall be delineated with railings or ornamental walls that are a minimum of three (3) feet tall.
b. Pedestrian circulation and access to the building entrance shall not be impaired. Access to the outdoor seating shall be provided only through doors leading into the building.
c. The seating area shall be kept free of debris and litter. Written procedures for cleaning and trash containment and removal must be submitted.
d. Additional signage shall not be permitted.
e. Requests for outdoor seating shall include submission to the Zoning Administrator of a plan that demonstrates compliance with the above requirements.

1250.02.10 MEDICAL MARIHUANA (RESERVED)

1250.02.11 ADULT BUSINESSES

a. Intent. In the development and execution of this chapter, it is recognized that there are some uses which, because of their very nature, are recognized as having serious objectionable operational characteristics, particularly when several of them are concentrated under certain circumstances thereby having deleterious effects upon the adjacent areas. Special regulations of these uses is necessary to insure that these adverse effects will not contribute to the blighting or downgrading of the surrounding neighborhood. These special regulations are itemized in this section. The primary control or regulation is for the purpose of preventing a concentration of these uses in any one area or next to residential zones.
b. Definitions. As used in this section, the following terms shall have the meanings indicated:

- ADULT BOOKSTORE. An establishment which excludes minors, as defined in M.C.L.A. 722.51 et seq., and has, as a significant portion of its stock in trade, books, periodicals, magazines, newspapers, pamphlets, pictures, photographs, motion picture films and/ or videotapes, or novelty items or paraphernalia which are distinguished or characterized by their emphasis on matter depicting, describing or relating to “specified sexual activities” or “specified anatomical areas,” or an establishment with a segment or section devoted to the sale or display of such material which exceeds percent of the floor area of the establishment.
- ADULT BUSINESS. Adult bookstores, adult movie theaters, adult personal service businesses, adult cabarets, adult novelty businesses, massage parlors and nude modeling studios, or any combination thereof, as defined in this section, which meets one or more of the criteria defined in ADULT BUSINESS, SIGNIFICANT PORTION.
- ADULT BUSINESS, SIGNIFICANT PORTION. A business where a significant portion of the stock in trade or services provided meets at least one of the following criteria:
  - i. Thirty-five percent or more of the stock, materials, novelties or services provided are classified as adult materials and/or services as defined herein.
  - ii. Thirty-five percent or more of the usable floor area of the building, is used for the sale, display and/or provision of services classified as adult materials and/or services, as defined herein.
  - iii. The advertising (on signs, in publications, on television or radio and/or other media forms) associated with the business depicts, describes or relates to specified sexual activities and/or specified anatomical areas.
- ADULT PERSONAL SERVICE BUSINESS. A business having as its principal activity a person, while nude or while displaying specified anatomical areas, as defined herein, providing personal services for another person. Such businesses include, but are not limited to, modeling studios, body painting studios, wrestling studios and conversation parlors.
- ADULT MOTION PICTURE THEATER. An establishment, in a completely enclosed building or room, which excludes minors, with a capacity for more than or persons as defined in M.C.L.A. 722.51 et seq., and offers, for an admission fee, membership fee or other valuable consideration, the viewing of motion picture films, videotapes, pictures or photographs, cable television, satellite transmissions or other visual media, which are distinguished or characterized by their emphasis on matter depicting, describing or relating to specified sexual activity or specified anatomical areas, as defined herein, for the observation of patrons therein.
- ADULT MINI-MOTION-PICTURE THEATER. As defined above with a capacity for 50 or fewer persons.
- ADULT CABARET. An establishment (which may or may not include the service of food or beverages) having as an activity the presentation or display of male or female impersonators, dancers, entertainers, waiters, waitresses or employees who display specified anatomical areas, as defined herein.
- ADULT NOVELTIES. Objects, items, and/or devices offered for sale which are designed for sexual stimulation or which simulate human genitals.
- BUTTOCK. Includes the perineum and anus of any person.

- MASSAGE PARLOR. An enterprise of a nonmedical nature specializing in the manipulation of body tissues for remedial or hygienic purposes, as by rubbing, stroking, or kneading with the hand or instrument.
- MASSAGE. Offering for sale through the use of physical, mechanical or other devices, the manipulation of body muscle or tissue by rubbing, stroking, kneading, tapping or vibrating of the body of another.
- NUDE MODELING STUDIO. A place which offers as its principal activity the providing of models to display specified anatomical areas, as defined herein, for artists and photographers for a fee.
- OFFERED FOR SALE. Offered in exchange for money, a membership fee or any other valuable consideration.
- SPECIFIED ANATOMICAL AREAS:
  - i. Less than completely and opaquely covered human genitals, pubic region, buttock and female breast below a point immediately above the top of the areola.
  - ii. Human male genitals in a discernibly turgid state, even if completely and opaquely covered.
- SPECIFIED SEXUAL ACTIVITIES. Human genitals in a state of sexual stimulation or arousal, acts of human masturbation, sexual intercourse or sodomy, fondling or other erotic touching of human genitals, pubic region or buttock or female breast.
- SODOMY. Sexual bestiality.
- SEXUAL INTERCOURSE. Genital coitus, fellatio, cunnilingus, anal intercourse or any other intrusion, however slight, of any person's body, or of any object into the genital or anal openings of another's body.

c. Location of Uses.

Any existing building or land, or new building hereafter erected, converted or structurally altered, used for an adult business, shall meet all of the following conditions:

i. No adult business, as defined herein, shall be permitted within a 1,000 foot radius of an existing adult business. Measurement of the 1,000 foot radius shall be made from the outermost boundaries of the lot or parcel upon which the proposed adult use will be situated.

ii. No adult business, as defined herein, shall be permitted within a 300 foot radius of any residentially used or zoned land as depicted on the official Zoning Map and defined in this Zoning Code. Measurement of the 300 foot radius shall be made from the outermost boundaries of the lot or parcel upon which the proposed adult use will be situated.

iii. No adult business, as defined herein, shall be permitted within a 300 foot radius of a school, library, park, playground, licensed group day care center, church, convent, monastery, synagogue or similar place of worship or other place of public congregation. Measurement of the 300 foot radius shall be made from the outermost boundaries of the lot or parcel upon which the proposed adult use will be situated.

iv. No adult business, as defined herein, shall be permitted within the Capitol Center District, as defined in Section 1442.23(b) of the Building and Housing Code.

d. Miscellaneous Requirements.

i. No person shall reside in or permit any person to reside in the premises of an adult business.

ii. The provisions of this section regarding massage parlors shall not apply to hospitals, sanitariums, nursing homes, medical clinics or the offices of a physician, surgeon, chiropractor, osteopath, psychologist, clinical social worker or family counselor who is licensed to practice his or her respective profession in the State of Michigan, or who is permitted to practice temporarily under the auspices of an associate or an establishment duly licensed in the State of Michigan, clergymen, certified members of the American Massage and Therapy Association and certified members of the International Myomassethics Federation who have a current massage therapist license through the Lansing City Clerk.

1250.03 SUPPLEMENTAL DIMENSIONAL REGULATIONS

1250.03.01 PROJECTIONS INTO YARDS

Certain architectural features may project into the required yards as follows:

(a) PERMITTED PROJECTIONS INTO REQUIRED YARDS

[FIGURE 139]

Projection	Front Yard	Rear Yard	Side Yard
Air conditioning equipment shelters	Not permitted in front yard		Permitted up to 3 feet from any side or rear lot line
Arbors and trellises	Permitted up to 4 feet from any lot line		
Awnings and canopies	3 ft.	5 ft.	0 ft.
Bay windows	3ft.	5 ft.	0 ft.
Eaves, overhanging	3ft.	5 ft.	3 ft.
Flagpoles	Permitted up to 4 feet from any lot line		
Gutters	3 ft.	5 ft.	1 ft.
Light standard, ornamental	Permitted in any yard		

Mechanical equipment such as HVAC	..	3 ft.	5 ft.
Paved terraces	Permitted up to 3 feet from any lot line		
Unroofed porches and stoops*	3 ft.	5 ft.	1 ft.
Stairways, open unroofed	3 ft.	5 ft.	1 ft.
Steps	3 ft.	5 ft.	1 ft.
Window air conditioning units	3 ft.	5 ft.	1 ft.

* See additional regulations in this ordinance.

1250.03.02 SUPPLEMENTARY HEIGHT REGULATIONS

The following structural appurtenances may be permitted to exceed the height limitations for the authorized use, as follows:

a) Structural extensions appropriate to the building design, such as cornices, shall be limited to five feet above the allowable height limit.

1250.03.03 SIGHT VISIBILITY AT CORNERS AND DRIVEWAYS

a) Corner Clearance at Street Intersections. No fence, wall, shrubbery, sign or other obstruction to vision above a height of three feet from the established street grades shall be permitted within the triangular area formed at the intersection of any street right-of-way lines by a straight line drawn between said right-of-way lines at a distance along each line of 25 feet from their point of intersection, nor shall such obstruction to vision be permitted at the intersection of any driveway or alley and a street right-of-way line within a triangular area formed at such intersection by a straight line drawn between the driveway or alley line and the street right-of-way line at a distance along each line of 10 feet from their point of intersection. In those instances where such triangular area cannot be constructed on the property in question, a 10-foot setback shall be required between the property line and the driveway or alley.

b) Visibility at Driveways. No fence or hedge shall materially obstruct the vision of motorists entering any street or other public way open to vehicular traffic from a driveway adjacent thereto. The area of a lot to which this applies is the area within a triangle joining the point of the intersection of the lot line and the side edge of the driveway, a point on the driveway edge line 10 feet from such intersection (away from the right-of-way) and a point on the lot line 10 feet from such intersection (away from the driveway).

1250.04 SITE DEVELOPMENT REGULATIONS

1250.04.01 ACCESSORY BUILDINGS AND STRUCTURES, AND ATTACHED GARAGES

a) In General, Applies to All Districts

a. Accessory buildings and structures are permitted only in connection with and incidental to a principal building or use permitted within the zoning district in which it is located.

b. No accessory building or structure shall be occupied or utilized unless the principal structure to which it is accessory is occupied or utilized.

c. An accessory building or structure must be located in the same zoning district as the principal building or structure on a lot.

d. Where the accessory building or structure is structurally attached to a principal building or structure, it shall be subject to all the regulations of this chapter applicable to principal buildings and structures except as otherwise noted in this section.

e. Accessory buildings and structures shall not be occupied for dwelling purposes.

f. Detached accessory structures shall not be permitted in a front yard and shall be set back at least three (3) feet from side or rear lot line. Detached accessory structures that are 1,000 square feet or more in area shall be set back not less than six (6) feet from any side or rear lot line. If an accessory structure is attached to a structure containing the principal use, it shall meet all dimensional requirements imposed upon the structure containing the principal use, except as provided in this section.

g. The maximum building height of any detached accessory building shall be 15, as defined in Chapter 1240.

h. The design and building materials of any accessory building shall be consistent with the character of the principal building on the property.

i. The floor area of an accessory building shall not exceed the ground floor area of the principal building.

j. Accessory structures for an approved nonresidential use shall comply with the setback requirements for the principal structures and shall provide landscaping, screening and buffering in accordance with Chapter 1252.

b) Applies to Residential Districts

a. Single family residential lots shall have no more than one storage shed and one garage or detached carport. Residential lots that contain a legally conforming duplex may have one (1) accessory structure, which may be a garage, carport or storage building, for each unit. Multiple family residential lots may have one accessory building, which may be a garage, carport or storage building, for each legally conforming, multiple family residential building on the property.

b. The maximum floor area of an accessory structure, for each unit in a duplex, shall be 600 square feet on a lot less than 10,000 square feet in size and 720 square feet on a lot greater than 10,000 square feet in size.

c. The following size limitations shall apply to buildings that are accessory to a single family residential dwelling:

[INFIGURE 140]

Lot Size (square foot)	Maximum Square Footage of Detached Accessory Garages	Maximum Square Footage of All Accessory Buildings	Maximum Square Footage of Attached Garages
Less than 5,000	600	800	600
5,000—7,800	720	1,000	800
7,801—10,800	770	1,050	800
10,801—21,780	840	1,200	1,000
21,781—43,560	1,000	1,200	1,000
43,560+	1,200	1,400	1,200

d. Accessory buildings and structures combined shall cover no more than 35% of a rear yard.
e. The floor area of additions and structures attached to the private garage, including, but not limited to, covered patios, decks, storage areas and carports, shall be included in calculating the total allowable floor area of that garage.
f. The floor area of a garage or carport space in a Planned Unit shall not exceed 770 square feet, per unit.
g. On through lots, an accessory structure located behind the principal structure shall conform to the front yard setback of the district in which it is located.
h. Uncovered and unenclosed decks, patios, terraces and porches elevated six (6) inches or more above grade in any residential district shall be set back a minimum of three (3) feet from any side lot line and may project up to eight (8) feet into the required front and rear yard setbacks.
i. An accessory structure shall not involve the operation of a business.

1250.04.02 MECHANICAL EQUIPMENT

a) Ground- and building-mounted mechanical equipment including, but not limited to, heating units, cooling units, air handling units, refrigeration units, blowers, ventilating fans, water and gas meters, elevator housing and tanks are subject to the following regulations:
   a. Mechanical equipment and utilities located on or around any non-residential or multiple-family building shall be screened from public view. Such screening shall be of a height sufficient to screen the equipment.
   b. Alternatives for screening materials for ground-mounted mechanical and utilities shall include a solid wall, fence, evergreen plantings, berms and/or other decorative features compatible with the principal building. In a non-residential zoning district, ground-mounted mechanical equipment shall not be located within 20 feet of any residential district.
b) Roof-mounted equipment shall not exceed a height of 10 feet above the surrounding roof surface, and shall occupy no more than 15% of the total roof area.
c) All roof-mounted equipment shall be screened by parapet walls or a pitched roof of sufficient height to screen rooftop equipment and the screening shall be integrated into the architectural design of the building meeting the standards noted in Section 1246 Building Types. Screening is not required if such equipment is not visible when standing at grade level not less than 200 feet from the front entrance of the building. Where adjacent to any residential district, all roof-mounted mechanical units must be setback a minimum of 20 feet from the side of the building facing the residential district and screened using solid architectural materials that meet the standards noted in Section 1246 Building Types and that provide sound attenuation.

1250.04.03 EXTERIOR LIGHTING

a) Definitions:

CANOPY STRUCTURE: Any overhead protective structure which is constructed in such a manner as to allow pedestrians/vehicles to pass under.
FLOOD OR SPOT LIGHT: Any light fixture or lamp that incorporates a reflector or refractor to concentrate the light output into a directed beam in a particular direction.
GLARE: Direct light emitted by a lamp, luminous tube lighting or other light source.
LAMP: The component of the luminaire that produces the actual light including luminous tube lighting.
LIGHT FIXTURE: The assembly that holds a lamp and may include an assembly housing, a mounting bracket or pole socket, a lamp holder, a ballast, a reflector or mirror, and a refractor or lens. A light fixture also includes the assembly for luminous tube and fluorescent lighting.
LIGHT POLLUTION: Artificial light which causes a detrimental effect on the environment, enjoyment of the night sky or causes undesirable glare or unnecessary illumination of adjacent properties.
LIGHT TRESPASS: The shining of light produced by a luminaire beyond the boundaries of the property on which it is located.
LUMINAIRE: The complete lighting system including the lamp and light fixture.
LUMINOUS TUBE LIGHTING: Gas filled tubing which, when subjected to high voltage, becomes luminescent in a color characteristic of the particular gas used, e.g., neon, argon, etc.
OUTDOOR LIGHT FIXTURES: Outdoor artificial illuminating devices, outdoor fixtures, lamps and other similar devices, permanently installed or portable, used for flood lighting, general illumination or advertisement
SHIELDED FIXTURE: Outdoor light fixtures shielded or constructed so that light rays emitted by the fixture are projected below the horizontal plane passing through the lowest point on the fixture from which light is emitted, e.g. “shoebox-type” fixtures. A luminaire mounted in a recessed fashion under a canopy or other structure such that the surrounding structure effectively shields the light in the same manner is also considered fully shielded for the purposes of this article.

b) Lighting standards. Unless otherwise exempted by this Section, all lighting must comply with the following standards:
   a. Freestanding pole lighting.
      i. Exterior lighting shall be fully shielded and directed downward to prevent off-site glare. Fixed (not adjustable), downward-directed fixtures shall be used in an effort to maintain a unified lighting standard throughout the city and prevent “sky glow.”
      ii. The intensity of light shall not exceed 5 food-candles within any site. For sites abutting a residential district or use, the intensity of light cannot exceed 0.5 food-candles at the property line. A maximum of 10 food-candles is permitted within a site for gasoline stations and automobile dealerships as long as the light intensity does not exceed the allowable intensities at the property line.

iii. The Zoning Administrator may approve decorative light fixtures as an alternative to shielded fixtures when it can be proven that there will be no off-site glare and the proposed fixtures are necessary to preserve the intended character of the site.
iv. The maximum height of parking lot light fixtures shall be 20 feet, except that the Zoning Administrator may permit a maximum height of 30 feet within commercial, mixed use, industrial, research and office zoning districts and for institutional uses in residential districts when the poles are no closer than 150 feet to a residential district or use.

b. Building-mounted lighting.
i. Building-mounted lighting shall be fully shielded and directed downward to prevent off-site glare. Fixed (not adjustable), downward-directed fixtures shall be used in an effort to maintain a unified lighting standard throughout the city and prevent "sky glow."
ii. The intensity of light shall not exceed 5 food-candles within any site. For sites abutting a residential district or use, the intensity of light cannot exceed 0.5 food-candles at the property line. A maximum of 10 food-candles is permitted within a site for gasoline stations and automobile dealerships as long as the light intensity does not exceed the allowable intensities at the property line.
iii. The Zoning Administrator may approve decorative light fixtures as an alternative to shielded fixtures when it can be proven that there will be no off-site glare and the proposed fixtures will improve the appearance of the site.
iv. Luminous-tube and exposed-bulb fluorescent lighting is prohibited as an architectural detail on all buildings, e.g. along the roof line and eaves, around windows, etc. The Zoning Administrator may approve internally illuminated architectural bands when it can be shown that the treatment will enhance the appearance of the building or is necessary for security purposes.

c. Window lighting.
i. Any light fixtures visible through a window must be shielded to prevent glare at the property line.
ii. Luminous tube and exposed bulb fluorescent lighting (visible from the property line) is prohibited unless it is part of a sign that meets the requirements of Section 220-78, Signs.

c) Exemptions.
The following are exempt from the lighting requirements of this article, except that the Zoning Administrator may take steps to eliminate the impact of the exempted items when deemed necessary to protect the health, safety and welfare of the public:
i. Sports field lighting, in use no later than 11:00 p.m. Other sports field lighting may be approved by the Zoning Administrator after a determination that compliance with the standards in this Section have been met to the greatest extent possible, and that all efforts possible were made to minimize any negative impacts to surrounding uses.
ii. Swimming pools.
iii. Holiday decorations.
iv. Window displays without glare.
v. Shielded pedestrian walkway lighting.
vi. Residential lighting with no off-site glare.
vii. Street lights.

1250.04.04 WASTE RECEPTACLES AND ENCLOSURES

a) Waste receptacles may be permitted as accessory to any use except single or 2-family residential uses, subject to the following conditions:
a. Waste receptacles must be clearly accessible to servicing vehicles.
b. A concrete pad, at least two feet greater than the dimension of the waste on all sides, shall be provided.
c. Waste receptacles shall be screened on all sides. Such screening shall be constructed of an earth mound, brick or decorative concrete block or an opaque wood or vinyl fence with a minimum height of six feet or one foot above the height of the enclosed dumpster, whichever is greater.
d. Access gates must provide screening and may be of wood construction or chain-link with screen slats.
e. Waste receptacles and their screening enclosures shall be located as far from residential districts/uses as practical.
f. Waste receptacles and their screening enclosures shall be located in such a manner as to minimize impacts on adjacent properties by not obstructing or impeding views from windows, doorways, or outdoor gathering areas.
g. The location of waste receptacles shall be indicated on the site plans and the location and screening shall be subject to approval of the Zoning Administrator.
h. Detail drawings or a note shall be provided on the plan to assure that the above requirements are met.

b) The above requirements shall not apply to portable trash containers intended for curbside pick-up.

1250.04.05 COLLECTION BINS

a) Purpose. The purpose of this section is to regulate collection bins in the City of so that they remain clean, safe and do not create hazards to pedestrians or to vehicular traffic.

b) Definitions. As used in this Section, unless otherwise provided:
COLLECTION BIN means any container, receptacle, or similar device that is located on any parcel or lot of record within the City and that is used for soliciting and collecting the receipt of clothing, household items, or other salvageable personal property. This term does not include recycle bins for the collection of recyclable material, any rubbish or garbage receptacle.
CODE COMPLIANCE OFFICE means the Code Compliance Supervisor or his or her authorized representative.
COLLECTION BIN OPERATOR means a person who owns, operates, supervises or otherwise is in control of collection bins to solicit collections of salvageable personal property.
PROPERTY OWNER means any person, agent, firm or corporation having a legal or equitable interest in the property; or recorded in the official records of the State, county or municipality as holding title to the property.
PUBLIC SERVICE DEPARTMENT means the Director of Public Service or his or her authorized representative.

c) Permit required.
No person or entity shall cause or permit the installation or placement of a collection bin upon any real property located within the City of Lansing, whether public or private, without first obtaining an annual permit from the City Clerk.

d) Permit application.
An application for a collection bin permit, as required by this Section shall be made to the City Clerk upon forms provided by the City. Such application shall be filed with the City Clerk not less than 30 days prior to date that the collection bin is placed on real property. One annual permit is required for each collection bin. The application shall contain the following information:

i. An affidavit and acknowledgment from the property owner, giving written permission to place a collection bin on the property owner's real property, as well as an acknowledgment of receipt of a copy of this chapter, and a signed statement agreeing to obey all of its requirements.
ii. A site plan indicating the placement of the collection bin, in compliance with the requirements of this Section.
iii. The name, address, telephone number and e-mail address of the applicant, property owner and collection bin operator.
iv. The name, address, telephone number and e-mail address of the agent or person who will be available during regular business hours and will be responsible for compliance.
v. A photograph of the collection bin to be installed.
vi. The number to a 24-hour hotline for overflow events.
vii. A nonrefundable fee determined by resolution as set by City Council.
viii. A copy of the license and registration from the State of Michigan under the Michigan Consumer Protection Act and the Charitable Organizations Solicitations Act if statutorily required.
ix. In order to bring existing collection bins into compliance with this section, collection bin operators, of existing collection bins, shall have 30 days from the adoption of this chapter to submit a permit application to the City Clerk.

e) Permit form, effective periods and renewal.
The City Clerk shall issue a permit for compliant collection bins that conform to the following:
i. A collection bin permit is valid for a one-year period. The renewal application must be filed not later than 30 days before the current permit expires.
ii. If the permit expires and the permit is not renewed, the collection bin must be removed from the real property within a maximum of ten days after expiration of the permit.

f) Permitted locations.
i. Collection bins are allowed in all commercial and industrial districts.
ii. Collection bins shall not be located within 1,000 feet from another collection bin as measured along a straight line from one box to the other.

g) Standards for bin and surrounding area.
Collection bins shall conform to the following standards:
i. Collection bins shall be maintained in good condition and appearance with no structural damage, holes or visible rust and shall be free of graffiti.
ii. Collection bins are required to be placed on a paved or concrete surface. Collection bins must be level and stable.
iii. Collection bins shall be locked and be equipped with a secure safety chute so contents cannot be accessed by anyone other than those responsible for the retrieval of the contents.
iv. The collection bins shall be emptied with such frequency and regularity as to ensure that it does not overflow and materials do not accumulate outside the collection bin.
v. The collection bin operator and property owner shall maintain, or cause to be maintained, the area surrounding the bins free from any overflow collection items, furniture, rubbish, debris, hazardous materials, and noxious odors. To extent provided by law, the collection bin operator and/or property owner shall be jointly and severally responsible for the City's cost to abate any nuisance.
vi. Collection bins shall be located on a parcel where there is a functioning and permitted use. Collection bins shall not be permitted:
1. On any land used or zoned residential;
2. On any unimproved parcel;
3. Where the principal use of the land has been closed or unoccupied for more than 30 days.
vii. One collection bin on a single lot of record is allowed.
viii. The total size of a collection bin is limited to a maximum dimension of 5' × 5' × 7'.
ix. Collection bins shall not cause a visual obstruction, as determined by the Transportation Engineer, City Engineer or Director of Public Service Department, to vehicular or pedestrian traffic.
x. No collection bin shall be placed closer than ten feet from:
1. A public or private sidewalk except that this provision does not apply to a private sidewalk as long as the sidewalk maintains a five-foot clearance;
2. A public right-of-way;
3. A driveway; or
4. A side or rear property line of adjacent property used for purposes.
xi. Collection bins shall not be placed in a designated fire lane, in or adjacent to a handicap parking space, or block a building entrance or exit.
xii. Collection bins shall be made of durable metal or UV resistant molded hard plastic or fiberglass material that is fire resistant or fire proof.

h) Identification of collection bins.
i. Collection bins shall have signage on each bin that identifies the name, mailing address, email address, website and phone number of the collection bin operator. The collection bin signage may include a company logo. Total sign area on the collection bin signage may not exceed 6 square feet per side. The font size used on the sign shall not be less than 1 inch in height.
ii. The collection bin must prominently display at all times a readable permit identification sticker provided by the City.

i) Permit revocation, removal of collection bins and liability.
i. If the Public Service Department and/or Code Compliance Office determines that a collection bin has been placed or is being maintained in violation of this chapter, a correction notice shall be sent by regular United States Mail to the collection bin operator and property owner of the real property on which the collection bin has been placed, as shown on the most recent permit application. In the event there is not on file a permit application made for the collection bin within 24 months immediately preceding the date of violation, the correction notice shall be sent to the real property tax payer of record in the Assessor's Office. The correction notice shall describe the offending condition and the actions necessary to correct the condition. The correction notice shall provide that the offending condition be corrected or abated within 7 calendar days after mailing.

ii. If the offending condition is not corrected or abated within this 7 calendar days after mailing, the City or the City's contractor shall clean-up the collection bin area.

iii. All costs incurred by the City or the City's contractor associated with the correction or abatement of a collection bin shall be the responsibility of the property owner and collection bin owner. If such obligation is not paid within 30 days after mailing of a billing of costs to the property owner, the City may place a lien upon such real property enforceable as a tax lien in the manner prescribed by the general laws of this State against the property and collected as in the case of general property tax. If the same is not paid prior to the preparation of the next assessment roll of the City, the amount shall be assessed as a special tax against such premises on the next assessment roll and collected thereunder.

iv. The City Clerk shall have the right to revoke any permit issued hereunder if:

1. Offending conditions cited in a correction notice are not corrected or abated within seven days after mailing;
2. Placement or conditions of the bin or surrounding area violate any applicable State or Federal law;
3. Any governmental authority or agency determines that the collection bin has violated the Michigan Consumer Protection Act and/or the Charitable Organizations and Solicitations Act or other statute enacted to regulate or govern collection bins.

v. Upon revocation of permit issued pursuant to this chapter, the collection bin shall be removed from the real property within ten calendar days and, if not so removed within the time period, the City or the City's contractor may remove, store or dispose of the collection bin.

vi. All costs incurred by the City or the City's contractor associated with removal, storage or disposal of a collection bin shall be the responsibility of the property owner and collection bin owner. If such obligation is not paid within 30 days after mailing of a billing of costs to the property owner, the City may place a lien upon such real property enforceable as a tax lien in the manner prescribed by the general laws of this State against the property and collected as in the case of general property tax. If the same is not paid prior to the preparation of the next assessment roll of the City, the amount shall be assessed as a special tax against such premises on the next assessment roll and collected thereunder.

vii. If a collection bin permit is revoked, the collection bin operator shall not be eligible for a new permit for 1 year from the date of revocation.

j) Appeal to City Council.

Any person aggrieved by the decision rendered by the City Clerk in granting or denying an application for a permit under this article or in revoking a permit issued under this article may appeal that decision to the City Council. The Public Service Department shall make written findings of fact in support of any license revocation. The appeal shall be made by filing a written request with the City Clerk setting forth the grounds for the appeal not later than ten days after receiving notice of the revocation by the City Clerk. In the event that the written request is filed with the City Clerk, Council shall hold a public hearing on the revocation, and shall have the power to reverse, affirm or modify the decision of the City Clerk. Council shall, in its determination, make written findings of fact supporting its decision. The determination by Council shall be final, subject to appeal to a court of competent jurisdiction.

k) Penalty and remedies.

i. In addition to revocation of permit pursuant to this Section any person violating the provisions of this article is guilty of a municipal civil infraction.

ii. In addition to the penalty provided in subsection (a) of this section, any condition caused or permitted to exist in violation of the provisions of this chapter, or any ordinance, shall be deemed a new and separate offense for each day that such condition continues to exist.

iii. Nothing in this chapter shall prevent the City from pursuing any other remedy provided by law in conjunction with or in lieu of prosecuting persons under this section for violation of this chapter.

iv. The collection bin operator and real property owner shall be jointly and severally liable for each violation and for payment of 11 any fines and costs.

1250.04.06 FENCES AND HEDGES

a) Purpose; application.

In order to protect the use and enjoyment of properties by providing for the passage of air and light; to protect the public welfare and safety by providing for the safe movement of motor vehicles and pedestrians; and to facilitate efficient police and fire-fighting services, no person shall erect, construct, modify, maintain, plant or grow any fence, hedge, tree, shrub, plant or vine or cause or permit the same to be done in violation of this chapter.

b) Definitions.

As used in this chapter:

MINOR REPAIR Repairs dealing primarily with nonstructural portions of the fence, as well as appearance.

MAJOR REPAIR. Repairs directly connected to the structural portion of the fence.

SAFETY HAZARD. Any fence which is not in conformity with this section.

c) Limitations.

i. Front Yard.

1. No fence or hedge shall exceed a height of three feet within a front yard.
2. In front yard corner lots, an unobstructed clear vision corner shall be maintained as specified in 1250.03.03
3. For driveways not on a corner, see Section 1250.03.03 (b)
4. A fence within the front yard may be erected or maintained to a height above three feet, but not to exceed a height of four feet, if the fence meets all of the following requirements:
   a. The fence consists of at least 50 percent of open spaces uniformly distributed along its surface above a height of three feet.
   b. Vision through the fence is not materially obstructed from any angle so as to obstruct the view of vehicular traffic on adjacent streets or public ways or of pedestrian traffic on
5. Chain-link, wire, cyclone or similar fences are prohibited in front yards in all non-industrial zoning districts.
6. A hedge within a front yard may be planted, grown or maintained to a height above three feet if the hedge meets all of the following requirements:
   a. The property owner prepares and submits to the Zoning Administrator a written plan which complies with the requirements for landscaping, screening and buffering plans as set forth in this Section.
   b. The abutting road is not a Local Street as defined the Comprehensive Plan, or the abutting property is used for industrial purposes.

c. The hedge does not obstruct the vision of motorists and complies with paragraphs (1)(b) and (1)(c) hereof.
d. All abutting property owners submit a written statement that they do not object to the plan.
e. The plan is approved by the Zoning Administrator.

ii. Side and Rear Yard

1. No fence or hedge within a side yard or rear yard shall exceed 6 feet in height but may be permitted to a maximum height of 8 feet, if all of the following requirements can be met:
   a. The property is zoned for commercial or industrial land use, or in the case of properties zoned for residential or office uses, the abutting property is zoned for commercial or industrial land use.
   b. The topography of the subject property is generally one or more feet lower than the abutting property, or the health or safety of the owner or occupant of the subject property is endangered by uses of the abutting property.
   c. The fence is approved by the Zoning Administrator.

d) Materials.

i. Fences shall be constructed of one or more of the following materials: Chain-link, wood, brick, poured concrete, wrought-iron, vinyl or similar material that is approved by the Zoning Administrator.
ii. For all fences less than 8 feet in height and for all fences, regardless of height, which are less than 30 feet from a neighboring parcel of land which is being used residentially, barbed wire on fences may be utilized only upon the written request of the applicant and written approval by the Zoning Administrator. Approval of such request shall be based on demonstrated need, safety and reasonableness. For all fences 8 feet in height and 30 feet or more away from a neighboring parcel of land which is being used residentially, barbed wire on fences shall be allowed without prior approval of the Zoning Administrator. Under no circumstances will any fence 6 feet in height or less be permitted to use barbed wire. Barbed wire shall not extend more than 3 vertical feet above the top of the fence.
iii. No fence shall contain razor wire, concertina wire or similar type of wire, or carry any electrical current.
iv. Berms. If earth berms are to be constructed, they shall have a maximum slope of 3:1 and shall be sodded or seeded or utilize other ground cover. Berm height, width, location and materials must be approved by the Department.

e) Swimming pool fences.

i. Except as otherwise provided in this chapter, every swimming pool with a depth of 24 inches at any point and/or a volume of 150 cubic feet or more must be maintained within an adequate enclosure surrounding the pool area that complies with the following provisions:
   a. The pool enclosure shall extend not less than four feet above the ground. All enclosures shall be self-closing and self-latching with latches placed at least four feet above the ground. No opening in a pool enclosure fence or gate shall be designed or maintained so as to permit access to the pool except under the supervision of the pool owner or by his permission.
   b. Pool enclosure fences shall be constructed so as to prohibit the passage of a sphere larger than four inches in diameter through any opening or under the fence. Pool enclosure fences shall be designed to withstand substantial (200 pounds per square foot) concentrated horizontal loads at any point in the fence.

f) Unsafe or dangerous fences; failure to maintain.

i. No owner, occupant or agent in charge shall keep or maintain any fence which is unsafe or dangerous. A fence shall be deemed unsafe or dangerous whenever:
   1. More than 50 percent of the fence area is in need of paint or other minor repair;
   2. Any portion has been damaged by wind, flood, fire or other cause in such a manner that structural strength or stability is appreciably less than it was previous to such event;
   3. Any portion of any structural member of the fence is likely to fall, to become detached or dislodged or to collapse and thereby injure persons or damage property; or
   4. More than ten percent of the fence area is in need of major repair.

g) Repair or removal; remedies of city.

The Department of Economic Development and Planning may order repaired or removed any fence which is hazardous to the health or safety of the community. Sections 1250.04.06 (c) and (f) shall be utilized as the basis for making such decision. Upon finding a fence which is a health or safety hazard, the Department shall adhere to the following process:

i. The Department, upon finding a fence that is a health or safety hazard, shall notify the property owner of the problem in writing by mail or, if possible, in person. The property owner shall be given ten working days to resolve the identified problem.
ii. If the health or safety hazard still exists after ten working days, the Department shall post the fence as being a health or safety hazard. A certified letter, return receipt requested, shall also be sent to the property owner notifying the owner of the health or safety hazard and of the actions necessary to correct the hazard and what the City will do if it is not corrected by a certain date. The owner shall be given 30 days to resolve the identified problem.
iii. The Department shall re-inspect the property after 30 days. If the identified problem still exists, the Department shall have the fence, or that portion of the fence causing the problem, repaired or removed with the cost of such repair or removal being attached to the tax rolls for the property.

h) Conflict of laws.

All ordinances or parts of ordinances in these Codified Ordinances which require fences that are inconsistent with this chapter shall remain effective and nothing in this chapter shall be construed to limit the authority or power granted elsewhere in these Codified Ordinances to any City department, board or commission to require fences in appropriate circumstances which deviate from the requirements of this chapter.

1250.05 ANTENNA, COMMUNICATIONS, AND ENERGY STRUCTURES

1250.05.01 RECEPTION ANTENNA FACILITIES

a) In all single-family zoning districts, the installation and/or use of a reception antenna facility having a diameter in excess of three (3) feet shall be permitted only as an accessory use and only as authorized in this section.

b) A ground-mounted reception antenna facility shall be located in the rear yard only and shall be located no closer than six (6) feet from a side or rear lot line.
c) A roof-mounted reception antenna facility shall be located on that portion of the roof adjacent to the rear yard of the property and a structure-mounted facility shall be located in the rear yard only.
d) Excluded from the regulations of this section are conventional VHF and UHF television.

1250.05.02 WIRELESS COMMUNICATIONS TOWERS AND ANTENNAS

a) Purpose.

The purpose of this section is to establish general guidelines for the siting of wireless communications towers and antennas. The goals of this ordinance [chapter] are to: (1) protect residential areas, property values, and land uses from potential adverse impacts of towers and antennas; (2) strongly encourage the location of towers in nonresidential areas; (3) minimize the total number of towers throughout the community; strongly encourage the appropriate placement of new and existing towers (4) strongly encourage the joint use of new and existing tower sites as a primary option rather than construction of additional single-use towers; (5) strongly encourage users of towers and antennas to locate them, to the extent possible, in areas where the adverse impact on the community is minimal; (6) strongly encourage users of towers and antennas to configure them in a way that minimizes displeasing aesthetics of the towers and antennas through careful design, siting, landscape screening, and innovative camouflaging techniques; (7) enhance the ability of the providers of telecommunications services to provide such services to the community quickly, effectively, and efficiently; (8) consider, to the extent permitted by law, the public health and safety impacts of communication towers; and (9) avoid potential damage to adjacent properties from tower failure through engineering, design, and careful siting of tower structures. In furtherance of these goals, the city shall give due consideration to the city's comprehensive plan, zoning map, existing land uses, and environmentally sensitive areas in approving sites for the location of towers and antennas.

b) Definitions.

For the purposes of this chapter, the following words and phrases shall have the meanings set forth below:

ALTERNATIVE TOWER STRUCTURE. Clock towers, bell steeples, light poles and similar alternative-design mounting structures that camouflage or conceal the presence of antennas or towers.

ANTENNA. Any exterior transmitting or receiving device mounted on a tower, building or structure and used in communications that radiate or capture electromagnetic waves, digital signals, analog signals, radio frequencies (excluding radar signals), wireless telecommunications signals or other communication signals.

FAA. The Federal Aviation Administration.

FCC. The Federal Communications Commission.

HEIGHT. When referring to a tower or other structure, the distance measured from the finished grade of the parcel to the highest point on the tower or other structure, including the base pad and any antenna.

PREEXISTING TOWERS AND PREEXISTING ANTENNAS. Any tower or antenna for which a building permit or special land use permit has been properly issued prior to the effective date of this ordinance, including permitted towers or antennas that have not yet been constructed so long as such approval is current and not expired.

TOWER. Any structure that is designed and constructed primarily for the purpose of supporting one or more antennas for telephone, radio and similar communication purposes, including self-supporting lattice towers, guyed towers, or monopole towers. The term includes radio and television transmission towers, microwave towers, common-carrier towers, cellular telephone towers, alternative tower structures, and the like. The term includes the structure and any support thereto.

c) Applicability.

i. New towers and antennas. All new towers or antennas in the city shall be subject to these regulations, except as provided in subsections 1250.05.02 (c)(2) through 1250.05.02 (c)(4), inclusive.
ii. Amateur radio station/receive only antennas. This chapter shall not govern any tower, or the installation of any antenna, that is under 70 feet in height and is owned and operated by a federally-licensed amateur radio station operator or is used exclusively for those antennas defined in Code of Federal Regulations 1.4000.
iii. Preexisting towers or antennas. Preexisting towers and preexisting antennas shall not be required to meet the requirements of this section, other than the requirements of subsections 1250.05.02 (d)(6) and 1250.05.02 (d)(7).
iv. AM array. For purposes of implementing this chapter, an AM array, consisting of one or more tower units and supporting ground system which functions as one am broadcasting antenna, shall be considered one tower. Measurements for setbacks and separation distances shall be measured from the outer perimeter of the towers included in the AM array. Additional tower units may be added within the perimeter of the AM array by right.

d) General requirements.

i. Principal or accessory use. Antennas and towers may be considered either principal or accessory uses. A different existing use of an existing structure on the same lot shall not preclude the installation of an antenna or tower on such lot.
ii. Lot size. For purposes of determining whether the installation of a tower or antenna complies with district development regulations, including but not limited to setback requirements, lot-coverage requirements, and other such requirements, the dimensions of the entire lot shall control, even though the antennas and/or towers may be located on leased parcels within such lot.
iii. Inventory of existing sites. Each applicant for an antenna and/or tower shall provide to the zoning administrator an inventory of its existing towers, antennas, or sites approved for towers or antennas, that are either within the jurisdiction of the City or within one mile of the border thereof, including specific information about the location, height, and design of each tower. Information submitted to the zoning administrator shall be considered public information. The zoning administrator may share such information with the public and other applicants applying for special land use permits under this ordinance or other organizations seeking to locate antennas within the jurisdiction of the City, provided, however that the zoning administrator is not, by sharing such information, in any way representing or warranting that such sites are available or suitable.
iv. Aesthetics. Towers and antennas shall meet the following requirements:
    1. Except as otherwise required for an alternative tower structure, towers shall either maintain a galvanized steel finish or, subject to any applicable standards of the FAA, be painted a neutral color so as to reduce visual obtrusiveness.
    2. At a tower site, the design of the buildings and related structures shall, to the extent possible, use materials, colors, textures, screening, and landscaping that will blend them into the natural setting and surrounding buildings.

3. If an antenna is installed on a structure other than a tower, the antenna and supporting electrical and mechanical equipment must be of a neutral color that is identical to, or closely compatible with, the color of the supporting structure so as to make the antenna and related equipment as visually unobtrusive as possible.

v. Lighting. Towers shall not be artificially lighted, unless required by the FAA or other applicable authority. If lighting is required, the lighting alternatives and design chosen must cause the least disturbance to the surrounding views. Lighting may be provided on an alternative tower structure to enhance its camouflaging or concealing effect. All lighting must be approved by the City.

vi. State or federal requirements. All towers must meet or exceed current standards and regulations of the FAA, the FCC, and any other agency of the state or federal government with the authority to regulate towers and antennas. If such standards and regulations are changed, then the owners of the towers and antennas governed by this chapter shall bring such towers and antennas into compliance with such revised standards and regulations within six months of the effective date of such standards and regulations, unless a different compliance schedule is mandated by the controlling state or federal agency. Failure to bring towers and antennas into compliance with such revised standards and regulations shall constitute grounds for the removal of the tower or antenna at the owner's expense.

vii. Building codes; safety standards. To ensure the structural integrity of towers, the owner of a tower shall ensure that it is maintained in compliance with standards contained in applicable state or local building codes and the applicable standards for towers that are published by the electronic industries association, as amended from time to time. If, upon inspection, the City concludes that a tower fails to comply with such codes and standards and constitutes a danger to persons or property, then upon notice being provided to the owner of the tower, the owner shall have 30 days to bring such tower into compliance with such standards. Failure to bring such tower into compliance within said 30 days shall constitute grounds for the removal of the tower or antenna at the owner's expense.

viii. Measurement. For purposes of measurement, tower setbacks and separation distances shall be calculated and applied to facilities located in the City irrespective of municipal and county jurisdictional boundaries.

ix. Not essential services. Towers and antennas shall be regulated and permitted pursuant to this chapter and shall not be regulated or permitted as essential services, public utilities, or private utilities.

x. Public notice. For purposes of this chapter, any special land use request, variance request, or appeal of a special land use shall require public notice to the LPD neighborhood watch coordinators, and all neighborhood associations, property owners, neighborhood associations, neighborhood watches, and all property owners and occupants of properties that are located within 1,000 feet of the parcel that is the subject of the request, in addition to any notice otherwise required by the Zoning Code.

xi. Signs. No signs shall be allowed on an antenna or tower.

xii. Buildings and support equipment. Buildings and support equipment associated with antennas or towers shall comply with the requirements of Section 1250.05.02 (h).

xiii. Multiple antenna/tower plan. The City encourages the users of towers and antennas to submit a single application for approval of multiple towers and/or antenna sites. Applications for approval of multiple sites shall be given priority in the review process.

xiv. Height. No tower shall exceed the maximum allowable height of the zoning district in which it is location, unless a variance is approved by the Board of Zoning Appeals.

e) Permitted use.

The following use is deemed to be a permitted use and shall not require a special land use permit: antennas or towers located 43 on property owned, leased, or otherwise controlled by the City provided a license or lease authorizing such antenna or tower has been approved by the Council.

f) Administratively approved uses.

i. General. The following provisions shall govern the issuance of administrative approvals for towers and antennas.

1. The zoning administrator may administratively approve the uses listed in this section.
2. Each applicant for administrative approval shall apply to the zoning administrator providing the information set forth in subsections 1250.05.02 (g)(2)a. and 1250.05.02 (g)(2)c. of this section and a refundable fee as established by resolution of council to reimburse the city for the costs and expenses incurred in reviewing the application. No application for an administratively approved use shall be considered by the zoning administrator until all conditions required in the resolution of council shall have been met.
3. The zoning administrator shall respond to each such application within 60 days after receiving it by either approving or denying the application. If the zoning administrator fails to respond to the applicant within said 60 days, then the application shall be deemed to be approved.
4. In connection with any such administrative approval, the zoning administrator may, in order to encourage shared use, administratively waive any zoning district setback requirements in section 1250.05.02 (g)(2)d. or separation distances between towers in section 1250.05.02 (g)(2)e. by up to 50 percent .
5. In connection with any such administrative approval, the zoning administrator may, in order to encourage the use of monopoles, administratively allow the reconstruction of an existing tower to monopole construction.
6. If an administrative approval is denied, the applicant shall file an application for a special land use permit pursuant to section 1250.05.02 (g) prior to filing any appeal that may be available under the Zoning Code.

ii. List of administratively approved uses. The following uses may be approved by the zoning administrator after conducting an administrative review:

1. Locating a tower or antenna, including the placement of additional buildings or other supporting equipment used in connection with said tower or antenna, in any heavy industrial zoning district, provided that there is no residential property adjacent to the district.
2. Locating antennas on existing structures or towers consistent with the terms of subsections 1 and 2 below.
   a. Antennas on existing structures. Any antenna which is not attached to a tower may be approved by the zoning administrator as an accessory use to any commercial mixed-use or residential multi-family structure of eight or more dwelling units, provided:
      i. The antenna does not extend more than 30 feet above the highest point of the structure;
      ii. The antenna complies with all applicable FCC and FAA regulations; and
      iii. The antenna complies with all applicable building codes.

b. Antennas on existing towers. An antenna which is attached to an existing tower may be approved by the zoning administrator and, to minimize the displeasing aesthetics associated with the proliferation and clustering of towers, collocation of antennas by more than one carrier on existing towers shall take precedence over the construction of new towers, provided such collocation is accomplished in a manner consistent with the following:

i. A tower which is modified or reconstructed to accommodate the collocation of an additional antenna shall be of the same tower type as the existing tower, unless the zoning administrator allows reconstruction as a monopole.

ii. Height:

1. An existing tower may be modified or rebuilt to a taller height, not to exceed 30 feet over the tower's existing height, to accommodate the collocation of an additional antenna.
2. The height change referred to in subsection A above may only occur one time per communication tower.
3. The additional height referred to in subsection A above shall not require an additional distance separation as set forth in Section 1250.05.02 (g). The tower's premodification height shall be used to calculate such distance separations.

iii. Onsite location.

1. A tower which is being rebuilt to accommodate the collocation of an additional antenna may be moved onsite within 50 feet of its existing location.
2. After the tower is rebuilt to accommodate collocation, only one tower may remain on the site.
3. A relocated onsite tower shall continue to be measured from the original tower location for purposes of calculating separation distances between towers pursuant to subsection 1250.05.02 (g)(2)e. The relocation of a tower hereunder shall in no way be deemed to cause a violation of subsection 1250.05.02 (g)(2)e.
4. The onsite relocation of a tower which comes within a location that is less than the separation distances to residential units or residentially zoned lands as established in subsection 1250.05.02 (g)(2)e shall only be permitted when approved by the zoning administrator.

iii. Installing a cable microcell network through the use of multiple low-powered transmitters/receivers attached to existing wireline systems, such as conventional cable or telephone wires, or similar technology that does not require the use of towers.

g) Special land use permits.

i. General. The following provisions shall govern the issuance of special land use permits for towers or antennas by the Council following review and recommendation by the Planning Board:

1. If the tower or antenna is not a permitted use under Section 1250.05.02 (e) of this chapter, then a special land use permit shall be required for the construction of a tower or the placement of an antenna in all zoning districts.
2. Applications for special land use permits under this section shall be subject to the procedures and requirements of Chapter 1262, Special Land Use Permits, of the Zoning Code, except as modified in this section.
3. In granting a special land use permit, the Council may impose conditions to the extent the Council concludes such conditions are necessary to minimize any adverse effect of the proposed tower on adjoining properties. In addition to any other conditions, Council may require an applicant to post with the City Clerk cash, a certified check, an irrevocable letter of credit issued by a bank, or a surety bond in an amount sufficient to pay for the removal of the tower in case the tower is abandoned as set forth in section 1250.05.02 (i). The surety bond shall be open ended and shall be executed by the applicant and a United States based corporate surety authorized to do business in this state as a surety. Any surety bond or irrevocable letter of credit shall be in a form approved by the City Attorney, and shall be made payable to the City. In the event that an abandoned tower is removed at the applicant's expense, the bond, instrument of credit, cash deposit or certified check shall be released to the applicant.
4. Any information of an engineering nature that the applicant submits, whether civil, mechanical, or electrical, shall be certified by a licensed professional engineer.
5. An applicant for a special land use permit shall submit the information described in this section, the information described in section 1250.05.02 (d), and, in addition to any other fee required by law, a refundable fee as established by resolution of the Council to reimburse the City for the costs and expenses incurred in reviewing the application. No application for a special land use permit shall be considered by the Planning Board until all conditions required in the resolution of council shall have been met.

ii. Towers.

1. Information required. In addition to any information required for applications for special land use permits pursuant to Chapter 1262, Special Land Use Permits, of the Zoning Code, applicants for a special land use permit for a tower shall submit the following information with the application or, with respect to other information deemed by the zoning administrator to be necessary to assess compliance with this chapter pursuant to subsection 1. below, as soon as reasonably practicable as determined by the zoning administrator:

a. A scaled site plan clearly indicating the location, type and height of the proposed tower, on-site land uses and zoning, adjacent land uses and zoning (including when adjacent to other municipalities), comprehensive plan classification of the site and all properties within the applicable separation distances set forth in subsection 1250.05.02 (g)(2)e, adjacent roadways, proposed means of access, setbacks from property lines, elevation drawings of the proposed tower and any other structures, topography, parking, and other information deemed by the zoning administrator to be necessary to assess compliance with this ordinance.

b. Legal description of the parent tract and leased parcel (if applicable).

c. The setback distance between the proposed tower and the nearest residential unit, platted residentially zoned properties, and unplatted residentially zoned properties.
d. The separation distance from other towers described in the inventory of existing sites submitted pursuant to subsection 1250.05.02 (d)(3) shall be shown on an updated site plan or map. The applicant shall also identify the type of construction of the existing tower(s) and the owner/operator of the existing tower(s), if known.
e. A landscape plan showing specific landscape materials.
f. Method of fencing, and finished color and, if applicable, the method of camouflage and illumination.
g. A description of compliance with subsections 1250.05.02 (d)(3), (4)—(7), (11), and (12), 1250.05.02 (g)(2)d,
h. 1250.05.02 (g)(2)e and all applicable federal, state or local laws.
i. A notarized statement by the applicant as to whether construction of the tower will accommodate collocation of additional antennas for future users.
j. Evidence at the time of application of a lease or an option to lease by a telecommunications provider with the owner of the property in question.
k. A description of the suitability of the use of existing towers, other structures or alternative technology not requiring the use of towers or structures to provide the services to be provided through the use of the proposed new tower, including specifics as to why such towers, structures or alternative technologies are not suitable or feasible in lieu of a tower.
l. A description of the feasible location(s) of future towers or antennas within the city based upon existing physical, engineering, technological or geographical limitations in the event the proposed tower is erected.

2. Factors considered in granting special land use permits for towers. In addition to any standards for consideration of special land use permit applications pursuant to Chapter 1262, Special Land Use Permits, of the Zoning Code, the Council may consider the following factors and any other factors allowed by law in determining whether to issue a special land use permit, although the Council may waive or reduce the burden on the applicant of one or more of these criteria if the Council concludes that the goals of this chapter are better served thereby:
   a. Height of the proposed tower;
   b. Proximity of the tower to residential structures and residential district boundaries;
   c. Nature of uses on adjacent and nearby properties;
   d. Surrounding topography;
   e. Surrounding tree coverage and foliage;
   f. Design of the tower, with particular reference to design characteristics that have the effect of reducing or eliminating visual obtrusiveness;
   g. Proposed ingress and egress;
   h. Evidence at the time of application of a lease or an option to lease by a telecommunications provider with the owner of the property in question; and
   i. Availability of suitable existing towers, other structures, or alternative technologies not requiring construction of a new tower, as discussed in subsection 1250.05.02 (g)(2)c of this chapter.
3. Availability of suitable existing towers, other structures, or alternative technology. No new tower shall be permitted unless the applicant demonstrates to the reasonable satisfaction of the Council that no existing tower, structure or alternative technology that does not require the use of towers or structures can accommodate the applicant's proposed antenna. An applicant shall submit information requested by the council related to the availability of suitable existing towers, other structures or alternative technology. Evidence submitted to demonstrate that no existing tower, structure or alternative technology can accommodate the applicant's proposed antenna may consist of any of the following:
   a. No existing towers or structures are located within the geographic area which meets the applicant's engineering requirements.
   b. Existing towers or structures are not of sufficient height to meet the applicant's engineering requirements.
   c. Existing towers or structures do not have sufficient structural strength to support the applicant's proposed antenna and related equipment.
   d. The applicant's proposed antenna would cause electromagnetic interference with the antenna on the existing towers or structures, or the antenna on the existing towers or structures would cause interference with the applicant's proposed antenna.
   e. The fees, costs, or contractual provisions required by the owner in order to share an existing tower or structure or to adapt an existing tower or structure for sharing are unreasonable. Costs exceeding new tower development are presumed to be unreasonable.
   f. The applicant demonstrates that there are other limiting factors that render existing towers and structures unsuitable.
   g. The applicant demonstrates that an alternative technology that does not require the use of towers or structures, such as a cable microcell network using multiple low-powered transmitters/receivers attached to a wireline system, is unsuitable. Costs of alternative technology that exceed new tower or antenna development shall not be presumed to render the technology unsuitable.
4. Setbacks. The following setback requirements shall apply to all towers for which a special land use permit is required; provided, however, that the Council may reduce the standard setback requirements if the goals of this chapter would be better served thereby:
   a. Towers must be set back a distance equal to at least 75 percent of the height of the tower from any adjoining lot line.
   b. Guys and accessory buildings must satisfy the minimum zoning district setback requirements.

5. Separation. The following separation requirements shall apply to all towers and antennas for which a special land use permit is required; provided, however, that the Council may reduce the standard separation requirements if the goals of this chapter would be better served thereby:
    a. Separation from off-site uses/designated areas.
        i. Tower separation shall be measured from the base of the tower to the lot line of the off-site uses and/ or designated areas as specified in Table 1, except as otherwise provided in Table 1250.05.A.
        ii. Separation requirements for towers shall comply with the minimum standards established in Table 1250.05.A.

[FIGURE 141]

Table 1250.05.A

Off-Site Use/Designated Area	Separation Distance
Single-family or duplex residential units[1]	100 feet or 150 percent height of tower whichever is greater
Vacant single-family or duplex residentially zoned land which is either platted or has preliminary subdivision plan approval which is not expired	100 feet or 150 percent height of tower[2] whichever is greater
Vacant unplatted residentially zoned lands[3]	100 feet or 100 percent height of tower whichever is greater
Existing multifamily residential units greater than duplex units	100 feet or 100 percent height of tower whichever is greater
Nonresidentially zoned lands or nonresidential uses	None; only setbacks apply

Footnotes:
1. Includes modular homes and mobile homes used for living purposes.
2. Separation measured from base of tower to closest building setback line.
3. Includes any unplatted residential use properties without a valid preliminary subdivision plan or valid development plan approval and any multifamily residentially zoned land greater than duplex.

    b. Separation distances between towers.
        i. Separation distances between towers shall be applicable for and measured between the proposed tower and preexisting towers. The separation distances shall be measured by drawing or following a straight line between the base of the existing tower and the proposed base, pursuant to a site plan, of the proposed tower. The separation distances (listed in linear feet) shall be as shown in Table 1250.05.B.

[FIGURE 142]

Table 1250.05.B

Existing Towers—Types	Lattice	Guyed	Monopole 75 feet in height or greater	Monopole less than 75 feet in height
Lattice	5,000	5,000	1,500	750
Guyed	5,000	5,000	1,500	750
Monopole 75 feet in height or greater	1,500	1,500	1,500	750
Monopole less than 75 feet in height	750	750	750	750

6. Security fencing. Towers shall be enclosed by security fencing not less than six feet in height and shall also be equipped with an appropriate anti-climbing device; provided however, that the council may waive such requirements, as it deems appropriate.
7. Landscaping. The following requirements shall govern the landscaping surrounding towers for which a special land use permit is required; provided, however, that the Council may waive such requirements if the goals of this chapter would be better served thereby:
    a. Tower facilities shall be landscaped with a buffer of plant materials that effectively screens the view of the tower compound from property used for residences. The standard buffer shall consist of a landscaped strip at least four feet wide outside the perimeter of the compound.
    b. In locations where the visual impact of the tower would be minimal, the landscaping requirement may be reduced, deferred, or waived.
    c. Existing mature tree growth and natural land forms on the site shall be preserved to the maximum extent possible. In some cases, such as towers sited on large, wooded lots, natural growth around the

property perimeter may be a sufficient buffer; in these cases, landscaping may be deferred during the time period that the natural growth provides a sufficient buffer.

h) Building or other equipment storage.

1. Antennas mounted on structures or rooftops. The equipment cabinet or structure used in association with antennas shall comply with the following:
   a. The cabinet or structure shall not contain more than 36 square feet of gross floor area or be more than seven feet in height. In addition, for buildings and structures which are less than 65 feet in height, the related unmanned equipment structure, if over 36 square feet of gross floor area or seven feet in height, shall be located on the ground and shall not be located on the roof of the structure.
   b. If the equipment structure is located on the roof of a building, the area of the equipment structure and other equipment and structures shall not occupy more than five percent of the gross roof area.
   c. Equipment storage buildings or cabinets shall comply with all applicable building codes.
2. Antennas mounted on utility poles or light poles. The equipment cabinet or structure used in association with antennas shall be located in accordance with the following:
   a. In all residential districts, the equipment cabinet or structure may be located:
      i. In a front or side yard provided the cabinet or structure is no greater than six feet in height or 12 square feet of gross ground area, including foundation pad and the cabinet/ structure is located a minimum of ten feet from all lot lines, and the cabinet/structure is screened by an evergreen hedge with a height of at least 36 inches.
      ii. In a rear yard, provided the cabinet or structure is no greater than seven feet in height or 36 square feet in gross ground area, including foundation pad. The cabinet/ structure shall be screened by an evergreen hedge with an ultimate height of eight feet and a planted height of at least 36 inches.
   b. In industrial and commercial mixed-use districts, the equipment cabinet or structure shall be no greater than seven feet in height or 42 square feet in gross ground area, including foundation pad. The structure or cabinet shall be screened by an evergreen hedge with an ultimate height of eight feet and a planted height of at least 36 inches. In all other instances, structures or cabinets shall be screened from view of all residential properties which abut or are directly across the street from the structure or cabinet by a solid fence 6 feet in height or an evergreen hedge with an ultimate height of eight feet and a planted height of at least 36 inches.
3. Antennas located on towers. The related unmanned equipment structure shall not contain more than 200 square feet of gross floor area or be more than 12 feet in height, and shall be located in accordance with the minimum yard requirements of the zoning district in which it is located.
4. Modification of building size requirements. The requirements of subsections 1250.05.02 (h)(1) through 1250.05.02 (h)(3) may be modified by the council to encourage collocation.

i) Removal of abandoned antennas and towers.

Any antenna or tower that is not operated for a continuous period of 12 months shall be considered abandoned, and the owner of such antenna or tower shall remove the same within 90 days of receipt of notice from the City notifying the owner of such abandonment. Failure to remove an abandoned antenna or tower within said 90-day period shall be grounds for the city to remove, or cause the removal of, the tower or antenna at the owner's expense. If there are two or more users of a single tower, then this provision shall not become effective until all users cease using the tower.

j) Nonconforming uses.
   a. Not expansion of nonconforming use. Towers that are constructed, and antennas that are installed, in accordance with the provisions of this ordinance [chapter] shall not be deemed to constitute the expansion of a nonconforming use or structure.
   b. Preexisting towers. Preexisting towers shall be allowed to continue their usage as they presently exist. Routine maintenance (including replacement with a new tower of like construction and height) shall be permitted on such preexisting towers. New construction other than routine maintenance on a preexisting tower shall comply with the requirements of this chapter.

1250.05.03 WIND ENERGY CONVERSION SYSTEMS (WECS)

a) Intent and Purpose

The purpose of this section is to establish guidelines for siting wind turbines and wind energy facilities. This section's goals are as follows:
   a. To promote the safe, effective, and efficient use of wind energy systems installed to reduce the on-site consumption of electricity supplied by utility companies.
   b. To lessen potential adverse impacts wind energy systems may have on residential areas through careful design, siting, noise limitations, and other techniques.
   c. To avoid potential damage to adjacent properties from turbine failure through engineering and proper siting of turbine structures.

b) Definitions

COMMERCIAL WIND ENERGY CONVERSION SYSTEM. Any WECS that is designed and built to provide electricity to the electric utility power grid as an ongoing commercial enterprise or for commercial profit.

DECIBEL. The unit of measure used to express the magnitude of sound pressure and sound intensity.

ROOF-MOUNTED WIND ENERGY CONVERSION SYSTEM. A single wind energy conversion system that is mounted to the roof of any structure.

SHADOW FLICKER. Alternating changes in light intensity caused by the moving blade of a wind energy system casting shadows on the ground and stationary objects, such as a window at a dwelling.

TEMPORARY METEOROLOGICAL TOWERS (TMT). A tower of monopole design which is designed and built to hold wind resource testing devices such as anemometers, wind vanes and accessory equipment and which is to remain in place for no more than 18 months.

WIND ENERGY CONVERSION SYSTEM (WECS). Any device such as a turbine, windmill or charger that converts wind energy to a usable form of energy.

c) Permitted Uses
   a. Permitted Accessory Use. Each parcel of property may contain one of the following which shall be considered lawful accessory uses in all zoning districts:
      i. One TMT, up to the maximum allowable height of the zoning district in which it is located.
      ii. One WECS, up to the maximum allowable height of the zoning district in which it is located.
      iii. One Roof-Mounted WECS, per building, with may extend no more than ten (10) feet above the area of the roof structure to which it is attached.
   b. Special Land Use. All Commercial WECS's regardless of height, a WECS's or TMT's that exceeds the maximum height allowed within the zoning district in which it is located, up to a maximum height of 150 feet, buildings with more than one roof mounted WECS and

parcels of land with more than 1 freestanding WECS shall be permitted as a special land use in all industrial zoning districts, and shall be subject to the provisions of Section 1262, Special Land Use Permits.

d) Application

Application Process: The following information shall be provided with all applications for WECS's and TMT's

a. Applicant Information. Name, address and contact information.
b. Legal Description. A legal description of the property on which the system would be located.
c. Plot Plan and Documentation. The Plot Plan shall include maps showing the physical features and land uses of the project area, both before and after construction of the proposed wind energy system. The plot plan shall include:
    i. The project area boundaries.
    ii. The location, height and dimensions of all existing and proposed and fencing.
    iii. Distance of proposed structure from all property lines and structures.
    iv. The location and dimensions of all temporary and permanent access roads.
    v. All new infrastructure above ground related to the project.
    vi. The location of all overhead utility wires.
d. Additional Documentation.
    i. Insurance: Proof of the applicant's appropriate liability insurance.
    ii. Sound Pressure Level: Documentation of the manufacturers designed sound pressure levels (decibels) for unit to be installed.
    iii. Certifications: Certification that applicant has complied or will comply with all applicable state and federal laws and regulations.
    iv. Grant of Authority: The applicant shall provide evidence of ownership of the land which the WECS or TMT is to be located and the written consent of the land owner if different from the applicant. If the applicant is leasing land the applicant shall provide a copy of the lease agreement and the land owner s written authorization for the applicant to construct the structure.

e) Standards and Requirements

All WECS's and TMT's shall comply with the following standards and requirements:

a. Property setbacks.
    i. The distance between a freestanding WECS or TMT and the nearest property line shall be at least the 1.5 times the height of the tower.
    ii. No part of a freestanding WECS or TMT, including guy wire anchors, may extend closer than ten (10) feet to the owner's property line.
b. Height.
    i. Freestanding WECS's and TMT's shall have a height not greater than 150 feet.
    ii. Roof-Mounted WECS's shall not exceed a height of ten (10 feet above the uppermost peak of the roof to which it is attached.
    iii. For freestanding WECS's and TMT's, the height shall be measured from the existing grade to the tip of the turbine blade at its highest point.
    iv. The applicant shall demonstrate compliance with all FAA lighting regulations and the Michigan Tall Structures Act as part of the approval process, if applicable.
c. Location & Other Required Setbacks.
    i. No freestanding WECS or TMT shall be located within a front yard of any residential, commercial or office zoning district.
    ii. Roof-mounted wind energy systems shall be setback from the building edge a distance equal to 1/2 the diameter of its rotor and blades.
    iii. The distance between a WECS or TMT and any road or public right-of-way shall be at least 1.5 times the height of the WECS or TMT.
    iv. Distance Between - The distance between a freestanding and any other freestanding WECS shall be at least 1.5 times the height of the taller of the two WECS's.
d. Noise.
    i. Audible noise or the sound pressure level of a WESC or TMT shall not exceed 55 decibels at any property line.
    ii. No WESC or TMT shall create, regardless of decibel levels, any ticking, humming, or other sound which annoys,
    iii. Noise and sound pressure levels may be temporarily exceeded short-term events such as utility outages and/or severe wind storms.
e. Lighting. WECS and TMT shall not be artificially lighted unless required by the FAA or other applicable authority. Where FAA lighting is required, minimum FAA lighting standards shall not be exceeded. All FAA lighting shall be shielded to the extent possible to reduce glare and visibility from the ground. The tower shaft shall not be illuminated unless required by the FAA.
f. Shadow Flicker. No WECS or TMT shall cause shadow flicker upon any building on a neighboring property.
g. Vibrations. No WECS or TMT shall produce vibrations through the ground that are humanly perceptible beyond the parcel on which it is located.
h. Construction Codes, Towers & Interconnections Standards.
    i. WECS and TMT shall comply with all applicable State construction codes and local building permit requirements.
    ii. WECS and TMT shall comply with Federal Aviation Administration requirements, the Michigan Airport Zoning Act (PA 23 of 1950), The Michigan Tall Structures Act (PA 259 of 1959), and any other applicable State or Federal laws or regulations.
    iii. A WECS that is tied to the electrical grid shall comply with Michigan Public Service Commission and utility interconnection requirements.
b. Safety.
    i. Design Safety Certification. The safety of the design of every WECS or TMT shall be certified by the applicant's professional engineer, or certified installer/technician. The standard for certification shall be included with the permit application. If WECS or TMT construction is approved, the professional engineer shall that the construction and installation of the WECS or TMT meets or exceeds the manufacturer's construction and installation standards, and any applicable State and Federal laws and regulations prior to operation.
    ii. Controls and Brakes. Every WECS or TMT shall be equipped with manual and automatic controls/braking systems to limit rotation speeds to the designed limits of the WECS or TMT. The applicant's professional engineer, installer or technician must certify that the rotor and overspeed controls conform to applicable design standards. No changes or alterations from

the certified design shall be permitted unless accompanied by a professional engineer's, installer or technician's statement of certification approved by the City.

iii. Lightning. Every WECS or TMT shall have lightning protection.

iv. Guy Wires. If a TMT is supported by guy wires, the wires shall be clearly visible to a height of a least six (6) feet above the guy wire anchors. All permanent WECS must be of a freestanding monopole design and guy wires shall not be used.

v. Grade Clearance. The minimum vertical blade tip clearance from grade shall be 20 feet for any WECS or TMT employing a horizontal axis rotor.

vi. Ice Throw. Every WECS or TMT shall be designed so that ice throw or ice shedding does not cross the property lines of the site or impinge on any right-of-way or overhead utility line.

vii. Interference. Every WECS or TMT shall be designed and operated to minimize or mitigate interference with electromagnetic communications, such as radio, telephone, microwave or television signals.

viii. Climb Prevention. Every freestanding WECS or TMT must be protected by anti-climbing devices such as:

1. Fences with locking portals at least eight (8) feet high;
2. Anti-climbing devices twelve (12) feet from base of pole; and
3. Anchor points for TMT guy wires shall be enclosed by a fence at least six (6) feet in height or shall be located within the confines of a yard that is completely surrounded by a fence at least six (6) feet in height.

a. Warnings. A visible warning sign of High Voltage shall be placed at the base of every Commercial WECS. The sign must have at six (6) inch letters with ¾-inch stroke. Such signs shall be located at all points of site ingress and egress. In addition to warning signs and signs required by law, every Commercial shall be equipped with a sign containing owner identification and contact information. No other signs or are permitted.

f) Appearance

All WECS's and TMT's shall comply with the following standards and requirements:

a. All permanent freestanding WECS's must be of monopole design and guy wires shall not be used.

b. Color. Towers and blades shall be painted a non-reflective neutral color approved by the City or as otherwise required by law.

c. Visual Appearance; Power lines. The design of the WECS buildings and related structures shall, to the extent reasonably possible, use materials, colors, textures, screening and landscaping that will blend WECS components with the natural setting and existing environment. The electrical collection system shall be placed underground within the interior of each parcel at a depth designed to accommodate any existing land use to the maximum extent practicable. The collection system may be placed overhead adjacent to public roadways, at points of interconnection to the electric grid or in other areas as necessary.

g) Abandonment and Removal

The following regulations shall apply to all WECS's and TMT's:

a. A WECS or TMT that has not been in operation for 12 consecutive months shall be deemed to have been abandoned. The Zoning Administrator shall issue a notice of abandonment to the owner of a WECS or TMT, giving the owner 30 days to respond. If the owner provides information demonstrating that the system has not been abandoned and is still in compliance with all requirements of this ordinance and the Building Code, the notice of abandonment shall be withdrawn. If the tower is determined to be abandoned, the owner shall be given 60 days to remove the WECS or TMT. If the owner fails to comply, the Zoning Administrator shall have the WECS or TMT removed at the owner's expense.

b. The city may require that a tower be removed in accordance with the above standards if any portion of the system becomes a nuisance, is damaged or is in any way deemed to be detrimental to the public health, safety and welfare as determined by the City Building Inspector.

h) Insurance and Maintenance

The following requirements shall apply to all WECS's and TMT's

a. Liability Insurance. The owner or operator of a Commercial WECS shall maintain a current commercial liability and property damage insurance policy with coverage limits acceptable to the City pertaining to installation and operation of the Commercial WECS. The amount and terms of the policy shall be established as a condition of special land use permit approval. The City and land owner shall be named as additional insured. Certificates of insurance shall be provided to the City annually.

b. Annual Inspection; Maintenance. The WECS and surrounding area shall be maintained in accordance with industry standards. Every Commercial WECS must be inspected annually by a professional engineer or authorized installer/technician to certify that the WECS is in good working condition and is not a hazard to persons or property. Certification records shall be submitted annually to the City.

1250.06 FLOODPLAIN REGULATION

a) Intent. It is the intent of this Ordinance to protect human life, health, and property from flood conditions, to preserve the ability of floodplains to carry and discharge a base flood, and to significantly reduce potential hazards as a result of flood conditions within the City of Lansing. Further, it is the purpose of this Ordinance to comply with the statutory and regulatory requirements of the National Flood Insurance Program.

b) Definitions.

AREA OF SPECIAL FLOOD HAZARD. The land in the flood plain within a community subject to a one percent or greater chance of flooding in any given year.

BASE FLOOD. The flood having a one percent chance of being equaled or exceeded in any given year; also known as the 100-year flood.

DEVELOPMENT. Any man made modification to unimproved or improved real estate, including but not limited to: buildings, pools, decks or other structures, mining, dredging, filling, grading, paving, excavation, or drilling operations or storage of equipment or 38 materials.

ENCROACHMENT. Development or a structure which is located within the area of special flood hazard.

FLOOD or FLOODING:

1. A general and temporary condition of partial or complete inundation of normally dry land areas from: 1) the overflow of inland or tidal waters, 2) the unusual and rapid accumulation or runoff of surface waters from any source, 3) mudflows, and
2. The collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as flash flood or an abnormal tidal surge, or by some similarly unusual and unforeseeable event which results in flooding, as defined in the Section.

FLOOD DAMAGE. Any damage to persons, materials, supplies, property or real estate caused by and as a direct result of flooding and /or the influence of flood conditions.
FLOODPLAIN. Any land area susceptible to being inundated by water from any source (see definition of flooding).
FLOODPLAIN and FLOODWAY BOUNDARIES. The boundaries of the floodplain and floodway that coincide with the boundaries of the areas indicated as such in the most current report entitled "Ingham County, Michigan (All Jurisdictions)" dated 8/16/11 and the Flood Insurance Rate Map (FIRMS) panel number(s) of 26065C; 0013D, 0014D, 0018D, 0020D, 0108D, 0126D, 0127D, 0128D, 0129D, 0131D, 0132D, 0133D, 0134D, 0136D, 0137D, 0139D, 0141D, 0142D, 0143D, 0144D, 0151D, 0153D, 0154D, 0161D, 0162D, and 0170D, dated 8/16/11.
FLOOD INSURANCE RATE MAP (FIRM). An official map of a community, on which the Federal Emergency Management Agency has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.
FLOODWAY OR REGULATORY FLOODWAY. The designated area of a river or other watercourse and the adjacent land areas that must be reserved from development or construction activity in order to discharge the base flood without cumulatively increasing the water surface elevation beyond these areas.
NEW CONSTRUCTION. Structures and/or development for which the "start of construction" commenced on or after the effective date of this ordinance, and includes any subsequent improvements to structures.
ORDINARY HIGH WATER MARK. A point that represents the maximum rise of a body of water in non-flood conditions.
STRUCTURE. A walled and/or roofed building that is principally above ground.
SUBSTANTIAL IMPROVEMENT. Any repair, reconstruction, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure either,

1. Before the improvement or repair is started; or
2. If the structure has been damaged and is being restored, before the damage occurred.

For the purposes of this definition, "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. The term does not, however, include either:

1. Any project for improvement of a structure to comply with existing state or local health, sanitary, or safety code specifications which are the minimum necessary to assure safe conditions, or
2. Any alteration of a structure listed on the National Register of Historic Places or a State Inventory of Historic Places.

WATERCOURSE. Any natural or artificial drainage way wherein waters flow either continuously or intermittently, including any adjacent areas subject to flooding. Watercourses include both natural and manmade open ditches, streams, enclosed storm drains, lakes, and ponds.

c) General Standards for Flood Hazard Reduction

All new construction and substantial improvements within an area of special flood hazard, shall be constructed by methods and practices that minimize flood damage including, but not limited to:

a. Be designed and anchored to prevent flotation, collapse, or lateral movement of the structure;
b. Be constructed with materials and utility equipment resistant to flood damage;
c. All new and replacement water supply systems shall not allow infiltration of flood waters into the systems;
d. All public utilities and facilities shall be designed, constructed and located to minimize or eliminate flood damage.
e. Drainage shall be provided to reduce damage to structures created by flood hazards.

d) Specific Base Flood Elevation Standards

a. On the basis of the most recent available base flood elevation data the following standards shall apply in the area of special flood hazard:
    i. All new construction and substantial improvements of residential structures shall have the lowest floor, including basement, elevated to a minimum of one (1) foot above the base flood level.
    ii. All new construction and substantial improvements of structures shall have either:
        1. The lowest floor, including basement, elevated to a minimum of one (1) foot above the base flood elevation; or
        2. Be constructed such that below base flood elevation, together with attendant utility and sanitary facilities:
            a. The structure is watertight, with walls impermeable to the passage of water; and
            b. Is constructed with structural components having the ability to neutralize hydrostatic and hydrodynamic loads; and
            c. The effects of buoyancy must be resisted.

A registered professional engineer or architect shall certify that the standards of this subparagraph are satisfied, and that the flood proofing methods employed are adequate to withstand the flood depth, pressures, velocities, impact and uplift forces and other factors associated with a base flood in the location of the structure. Such certification shall be submitted to the Building Safety Office, and shall indicate the elevation to which the structure is flood proofed.

b. The most recent base flood elevation data received from the Federal Emergency Management Agency shall take precedence over data from other sources.

e) Construction.

a. Any use permitted by right or by special conditions for the zoning district applicable to the land in question, as governed by this Zoning Ordinance, shall be permitted in a designated floodplain, subject to compliance with all rules and regulations of the Federal Emergency Management Agency's National Flood Insurance Program and all applicable requirements of the City and the State Department of Natural Resources/Environmental Quality.
b. Where topographical data, engineering studies or other studies are needed to determine the effects of flooding on a structure and/or the effects of the structure on the flow of water, the applicant shall submit such data or studies. All such data shall be prepared by a registered professional engineer, architect or land surveyor.
c. No construction shall be allowed within a 100 year floodplain without obtaining the necessary permits from all City, State and Federal authorities.
d. Encroachments, new construction, substantial improvements and development shall be prohibited within the floodway. Exception to this prohibition shall only be made upon certification by a registered professional engineer and the Michigan Department of Environmental Quality that the proposed development will not result in any increases in the base flood elevation during a base flood discharge.
e. Dumping or backfilling with any material or excavation in any manner is prohibited, unless:

i. Through compensating excavation and shaping of the floodplain, the flow and impounding capacity of the floodplain will be maintained or improved, will not cause an increase in the flood hazard or damage from floods and will not allow water to collect in pools that will stagnate.
ii. No significantly measurable reduction in the flow or capacity of the floodplain thereby results.
iii. Adequate site plans and engineering drawings shall be submitted to effectively show the final results of all dumping, backfilling or excavation.
iv. Alteration of any floodplain area shall be subject to approval by the State of Michigan Department of Natural Resources/Environmental Quality.

f. The construction or location of bridges, outdoor play equipment, bleachers and similar outdoor equipment and appurtenances and the storage of materials or equipment is prohibited in a floodplain, unless such elements would not cause any significant obstruction to the flood or reduction in the impoundment capacity of the floodplain and would not suffer flood damage.

f) Special Permit Required. A special permit is required for use of the floodplain on parcels of one-half acre or more in size. Such requests shall be made in writing, to the Planning Office, with the data required by section 1250.06 (e)(3) and (5)(c). Requests for special permits under this Section shall be submitted to the Planning Board for recommendation, to the Public Service Department for its technical report and to the Building Safety Office for compliance with all applicable building codes relative to construction in a 100 year floodplain, before final action is taken by the City Council.

g) Nonliability of City. The degree of flood protection required by this Ordinance is considered reasonable for regulatory purposes and is based upon National and State regulations and standards. Larger floods and increased flood elevations may occur on occasions. Approval of the use of land, construction and/or development under this Ordinance shall not be considered a guarantee or warranty of safety or damage from flood events. This Ordinance does not imply that areas outside the area of special flood hazard will be free from flood damage, nor does this Ordinance create liability on the part of the City of Lansing or any officer or employees thereof for any flood damages that result from reliance on this Ordinance or any administrative decision lawfully made thereunder.

1250.07 VESTED RIGHTS

(a) Nothing in this chapter shall be interpreted or construed to give rise to permanent vested rights in the continuation of any particular use, density, Zone District, neighborhood classification or permissible activity therein. All land, buildings, structures, uses and designations are hereby declared to be subject to such subsequent amendment, change or modification as may be necessary for the preservation or protection of the public health, safety and welfare.

Chapter 1252
Landscaping

1252.01 Applicability

a) Landscaping for all districts in the city shall comply with the standards of this section.
b) An approved landscape, screening and buffering plan that meets the requirements of this Section is required prior to issuance prior to approval of a site plan for activities listed in Section 1260.02, Site Plans Required.

1252.02 Planting plan specifications

a) A planting plan shall be provided to include the following:
   a. Minimum scale of one inch equals 50 feet.
   b. Existing and proposed contours with contour interval not to exceed two feet.
   c. The planting plan shall indicate, to scale, the location, spacing and starting size for all proposed landscape material within the required buffer or landscaped area.
   d. Typical straight cross section including slope, height and width of berms and type of ground cover or height and type of construction for all proposed walls, including footings.
   e. Significant construction details to resolve specific site conditions, e.g., tree wells to preserve existing trees, culverts to maintain natural drainage patterns.
   f. Planting and staking details in either text or drawing form to insure proper installation and establishment of proposed plant materials.
   g. A tree survey identifying the location and species of existing trees twelve (12) inches or greater in caliper, measured at 12 inches off the ground, and identifying which trees are to be preserved. The Zoning Administrator may require an evaluation of the quality of the trees for purposes of determining which trees should be removed or preserved.
b) The requirements of an approved landscape, screening and buffering plan shall remain in force, unless written revision is approved by the Zoning Ordinance.
c) The landscaping shown on the approved landscape, screening and buffering plan shall be maintained according to Section 1252.09. Any plants in the approved plan that die shall be replaced within a reasonable time, but in no case shall such time exceed 4 months. The replacement plants shall meet the purpose of the original specifications of an approved landscape, screening and buffering plan.

1252.03 Plant material sizes and spacing

a) Trees and woody shrubs shall not be placed closer than 3 feet to the fence line or property line as measured from the center of root ball. Branches of trees may extend over property line but shrubs must be properly trimmed at the property line. Adjacent property owners reserve the right to trim branches of vegetation extending onto their property.
b) Evergreen trees shall have a minimum starting size of at least 5 feet in height.
c) Deciduous trees shall have a minimum starting size of at least 2 caliper inches.
d) Shrubs shall have a minimum starting size of at least 24 inches in height and spread and spaced a distance apart equal to or less than 75% of the shrub's mature spread diameter.

1252.04 Species

a) Mixing of Species. The overall landscape plan shall not contain more than 33% of any one plant species. The use of trees native to the area, and mixture of trees from the same species association, is encouraged in all landscaped area.
b) Prohibited Species. Species deemed invasive by the State of Michigan or Michigan State University will be heavily disfavored during Landscape Plan review. Such invasive species may be rejected in the discretion of the Zoning Administrator.

1252.05 Interior Site Landscaping

Areas of lot coverage that are not paved or occupied by building footprint must be landscaped with grass lawn, ground covers, perennial / shrub beds, or a combination thereof.

Non-organic ground covers (e.g. stone chips, rock) must be arranged in a deliberate manner and may not exceed more than 25% of the site landscape area. Rubber pellets or other freely migrating materials require Zoning Administrator Approval.

1252.06 Non-residential Right of Way and Front Setback Planting

a) Street yard landscaping within the public rights-of-way
   a. Public rights-of-way shall be planted with grass. Trees, shrubs, or other ground covers may be planted within the right-of-way with permission from the City Forester and other appropriate authorities with jurisdiction over the street.
   b. Yards abutting Activity Corridors shall incorporate decorative paving and streetscape elements. Plant material shall be located in tree wells, bioswales, and above ground planters.

b) Between sidewalk and parking
   a. Setback landscaping between the edge of sidewalk and parking lot edge shall consist of lawn and landscape planting beds.
   b. Landscape planting beds shall be a minimum of 25% of the landscape setback area.
   c. Setback areas greater than 20 feet in depth must plant at least one deciduous tree for every 30 feet of frontage or part thereof and a minimum of one shrub shall be planted for each ten lineal feet of frontage, or portion thereof.
   d. These landscape requirements are in addition to other screening or buffer requirements as indicated in the applicable zoning district section.

b) Between sidewalk and building
   a. Non-residential setback landscaping between the edge of sidewalk and building face shall consist of lawn, landscape planting beds, and paved pedestrian areas.
   b. Landscape planting beds shall be a minimum of 25% of the landscape setback area. This may be reduced to 0% in areas where the public sidewalk is immediately to adjacent to the building face.
   c. Setback areas greater than 20 feet in depth must plant at least one deciduous tree for every 30 feet of frontage or part thereof and a minimum of one shrub shall be planted for each ten lineal feet of frontage, or portion thereof.
   d. (d) These landscape requirements are in addition to other screening or buffer requirements as indicated in the applicable zoning district section.

1252.07 Parking lot landscaping

Parking lot landscaping shall be arranged in a manner that improves the safety of pedestrian and vehicular traffic, guides traffic movement, improves the environment and improves the appearance of the parking area and site. Parking lot landscaping shall be provided in accordance with the following standards:

a) In all industrial districts, one tree for each 6,000 square feet of the total of the paved driveway and parking lot surface is required.
b) In all other districts, one tree shall be required for each 4,000 square feet of paved driveway and parking lot surface, provided that no fewer than 2 trees are provided.
c) All of the required parking lot trees and landscape areas shall be placed within landscape islands inside of the parking lot or the area within 10 feet surrounding the parking lot.
d) Each tree shall be provided with an open land area of not less than 150 square feet to provide area for infiltration and with a minimum diameter of 6 feet at the trunk of the tree for protection. If a sprinkled irrigation system is provided, the open land areas can be reduced to no less than 75 square feet. Tree plantings shall also be protected from automobiles with curbing or other suitable device.
e) Landscaping shall be installed such that, when mature, it does not obscure traffic signs, fire hydrants, lighting, drainage patterns on site or adjacent properties, or obstruct vision for safety of ingress or egress.

1252.08 Buffering and Screening

a) A landscaped buffer shall be provided between the subject site and all adjacent properties as regulated in the district chapters.
b) At least 1 tree for each 30 linear feet, or fraction of buffer area shall be provided.
c) Landscape buffers shall consist of woody shrubs, evergreens, fencing/screen walls (75% or more opaque), or any combination thereof that forms a contiguous visual buffer at the required buffer height by district and at least 40% of the overall area must be covered by plant materials at the time of planting.
d) The Zoning Administrator may allow a consistent 75% or more opaque screen wall or fence for the entire length of the buffer to provide buffering that meets the intent of this section. If a screen wall or fence is used for all of the buffer area, the overall landscape buffer width may be reduced to 5 feet in depth. The remaining landscape buffer area must be covered at least 40% by plant materials at the time of planting.
e) Where a screen wall or fence is not otherwise required, the Zoning Administrator may require an opaque screening within the buffer area, to block views and contain materials. Screening shall be provided in the form of a 6 foot tall ornamental fence or wall, capable of keeping paper and other debris from blowing off the premises.

1252.09 Maintenance

a) Plant materials, including lawn, shall be kept trimmed and maintained so as to promote proper growth and a neat and orderly appearance.
b) Trees and shrubs shall be trimmed to avoid conflicts with pedestrian use of the sidewalk.
c) Landscaping at corner properties shall be planted to provide the clear vision required in Section 1250.003.03. Landscaping in the clear vision triangle shall not contain obstructions greater than 18” in height.
d) Weeds shall be kept under control.
e) Buffer strips shall be properly maintained according to the types of materials utilized. Cover materials shall be maintained in a manner as specified at the time of the plan’s approval.
f) Landscape/buffer areas shall be kept free from refuse and debris.
g) No buildings or parking or storage of materials or vehicles shall be allowed in any designated buffer strips, unless approved by the Zoning Administrator.

1252.10 Waivers & Implementation

a) If the Zoning Administrator, upon inspection, determines that suitable landscaping, screening and buffering on a site already exists or that such landscaping, screening and buffering should not be required, then the provisions requiring landscaping, screening and buffering may be waived in whole or in part. However, such waiver shall not apply to the maintenance portion of this chapter.
b) Criteria which shall be used when considering a waiver shall include, but shall not be limited to:

a. Existing natural vegetation;
b. Topography;
c. Existing wetland, floodplain and poor soils areas;
d. Existing and proposed building placement;
e. Building heights;
f. Adjacent land uses;
g. Distance between land uses;
h. Dimensional conditions unique to the parcel;
i. Traffic sight distances;
j. Traffic operational characteristics on and off site;
k. Visual, noise and air pollution levels;
l. Presence of utility easements and adjacent utility corridors
m. Health, safety and welfare of the City;

c) The Zoning Administrator may consider fewer plantings than otherwise required if larger plantings are proposed.

d) If, in the determination of the Zoning Administrator, the weather makes it impossible or impractical to implement or maintain the landscape, screening and buffering plan prior to issuance of a certificate of occupancy or approval of the completed building or site improvements, the Zoning Administrator may grant an extension of up to 6 months to fully implement the landscape plan. Failure to implement the landscape plan shall be considered a violation of this Zoning Ordinance and subject to the enforcement procedures contained herein.

Chapter 1254
Parking
1254.01 OFF-STREET PARKING
1254.01.01 PARKING REQUIREMENTS IN GENERAL

a) Purpose. Off-street parking and loading areas are to be designed, maintained and operated in a manner that will ensure adequate parking is provided, provide uncongested access for emergency vehicles, limit interference with the pedestrian realm and, where appropriate, protect surrounding uses from undesirable impacts of traffic and parking. Site access standards are intended to reduce the potential for crashes and congestion through a reduction of conflict points associated with traffic movements at other access points or street intersections. The standards of this section apply at the time of erection, enlargement or change in use, of any principal building or structure.

b) Compliance required. In each zoning district the off- street parking requirements for the storage or parking of a motor vehicle for the use of occupants, employees or patrons, in a structure which is erected, constructed, substituted, resumed or extended after the effective date of this Zoning Code (Ordinance 636, passed March 7, 1983), shall be as prescribed in this chapter. The determination of the required number of off-street parking spaces and the regulation of such spaces shall be as described in this chapter.

c) Ownership of Parking Lot. All off-street parking shall be under the direct control, either by ownership, lease, or other legally binding agreement, of the beneficial user of the property. If the off-street parking is controlled by lease and the lease is discontinued, it shall be the obligation of the beneficial user of the property served to provide replacement parking that meets the requirements of this chapter.

d) All off-street parking shall be under the direct control, either by ownership, lease, or other legally binding agreement, of the beneficial user of the property. If the off-street parking is controlled by lease or agreement and the lease/agreement is discontinued, it shall be the obligation of the beneficial user of the property served to provide replacement parking that meets the requirements of this chapter.

e) The storage of inoperable vehicles is prohibited in the off-street parking area required by Section 1250.02.07.

1254.01.02 LOCATION; EXPANSION; ENCROACHMENTS.

Except as provided in subsections (a) to (c) hereof, all required off-street parking for a principal use, conditional use, special land use or nonconforming use shall be located on the same lot on which such principal use, conditional use, special land use or 30 nonconforming use is located. Permitted locations for off-street parking are marked with an “X” in the following table and also described by district in Chapters 1243-45.

District	Front	Side	Rear
R-1		X	X
R-2		X	X
R-3		X	X
R-4		X	X
R-5		X	X
R-6A		X	X
R-6B		X	X
MFR		X	X
R-MX		X	X
RAR		extended where transitions and buffers will exceed requirements	X
SC	2 Rows, aisle	X	X

MXI			
Arterial	1 Row	X	X
Suburban	1 Bay, Row	X	X
Prime Connector		X	X
Neighborhood Connector		X	X
MX2		X	X
MXC		X	X
MX3		X	X
DTI		X	X
DT2	1 Single loaded bay	X	X
DT3		X	X
IND-1	X	X	X
IND-2	X	X	X
IND-3	X	X	X
INST-1			
Arterial	X	X	X
Suburban	X	X	X
Activity		X	X
Prime Connector	X	X	X
Neighborhood Connector	X	X	X
Local Street	X	X	X
INST-2			
Arterial	X	X	X
Suburban	X	X	X
Activity		X	X
Prime Connector	X	X	X
Neighborhood Connector	X	X	X
Local Street	X	X	X

a) The off-street parking for a lot which is zoned IND-1 or IND-2 be located on a separate lot, if the following 3 conditions are met:
   a. The lot does not contain a cabaret, as defined by Section 808.01.
   b. The separate lot is zoned IND-1 or IND-2.
   c. The separate lot is not more than 5,280 feet, measured from the closest point on the closest lot line of the separate lot to the closest point on the closest lot line of the lot served, provided that is said parking is more than 1,000 feet from the Principal Use then a shuttle service shall be provided.

b) Off-street parking for nonresidential uses on a lot which is zoned a Commercial Mixed-Use District may be located on a separate lot if the following 3 conditions are met:
   a. The lot does not contain a cabaret, as defined by Section 808.01.
   b. The separate lot is zoned a Commercial Mixed-Use District.
   c. The separate lot is not more than 300 feet, as measured from the closest point on the closest lot line of the separate lot to the closest point on the closest lot line of the lot served.

c) Valet parking, approved as noted in Section 1254.01.04 may be on another lot.

1254.01.03 PARKING REQUIRED

a) Factors for Calculation of Parking:

a. Gross Floor Area. Where floor area is the unit for determining the required number of off-street parking and loading spaces, said unit shall mean the gross floor area (GFA), unless otherwise noted.

b. Gross Leasable Floor Area. Where the floor area measurement is specified as gross leasable floor area (GLA), parking requirements shall apply to all internal building areas excluding the floor area used for incidental service, storage, mechanical equipment rooms, heating/cooling systems and similar uses, and other areas nor intended for use by the general public. Where these areas are not yet defined, leasable floor area shall be considered to be eighty-five percent (85%) of the gross floor area.

c. Bench Seating. In calculating bench seating for places of assembly, each twenty-four (24) inches of benches, pews or other such seating shall be counted as one seat.

d. Employees. Where the number of spaces required is based on the number of employees, calculations shall be based upon the maximum number of employees likely to be on the premises during the peak shift.

e. Fractional Requirements. When units of measurements determining the number of required parking or loading spaces result in a fractional space, any fraction up to and including One-half shall be disregarded and fractions over one-half shall require one additional parking space.

f. Similar uses. If a use is not specifically described in Table 1254.01.03, the minimum number of spaces for the use shall be determined by the Zoning Administrator by requiring the minimum number of spaces for a use which is listed and is similar to the use in question.

b) Table 1254.01.03 Parking Requirements

Vehicle parking spaces shall be provided in accordance with the following table. The required parking shall include barrier free parking as required per 1254.01.05, bike parking per 1254.02.02 and loading/unloading zones per 1254.01.05.

Use	Minimum Number of Parking Spaces
Residential	
Single-family detached dwellings	Two (2) spaces for each dwelling unit. One (1) parking space may be in a private garage on the property. Parking spaces may be on an approved driveway but only the part of the driveway outside of the public street right-of-way may be included.
Two-family dwellings	
Multiple dwelling	One (1) space per each efficiency. One and a half (1.5) spaces per 1 bedroom dwelling unit. Two (2) spaces per each unit with 2 or more bedroom.

Mobile home park	Two (2) spaces per lot, at least one (1) space of which to be provided on the lot. To provide the balance of this requirement, parking may be provided within 300 feet of all lots it is intended to serve. All parking areas shall be clearly defined and hard surfaced.
Bed and breakfast inn	Two (2) spaces for the permanent residents plus one (1) space for each room rented.
Human Care Facilities	
Child care facility	One (1) space for each employee and one (1) space for each 10 children, plus three (3) passenger vehicle spaces for loading and unloading children.
Group day care and foster care group home	One (1) employee parking space, plus three (3) passenger vehicle spaces for loading and unloading children, either on-site or in legal parking areas along the street adjacent to the house.
Housing for the elderly	Senior independent units one (1) space per unit plus point twenty five (0.25) spaces per unit for visitor parking. Senior "interim care" and "intermediate care" units retirement villages point five (0.5) spaces per unit or 2 beds point twenty five (0.25) spaces per unit for visitor/employee parking. Point five (0.5) spaces per unit for visitor/employee parking.
Institutional, Recreational, and Public Gathering Venues	
Places of public assembly	One (1) space per 3 seats or 6 feet of bench seating. Calculations shall be based on the occupancy for all assembly areas combined.
Hospital	Two (2) spaces per each inpatient room or exam or outpatient procedure/ operating room procedure. One (1) space per laboratory or recovery room plus, One (1) space for each patient or procedure room for employee parking plus, Parking for any medical offices is in addition. to the above.
Museum or library	One (1) parking space per 250 square feet plus separate parking for school or charter buses.

Use	Minimum Number of Parking Spaces
Hospital	Two (2) spaces per each inpatient room or exam or outpatient procedure/ operating room procedure. One (1) space per laboratory or recovery room plus, One (1) space for each patient or procedure room for employee parking plus, Parking for any medical offices is in addition. to the above.
Museum or library	One (1) parking space per 250 square feet plus separate parking for school or charter buses.
Elementary and middle schools	One (1) space for each teacher or administrator or staff person plus separate loading /unloading areas for buses. Adequate and distinct parking and drop-off/ pick-up zones for parents shall be provided for any auditorium or athletic fields, as required for "places of public assembly".
High Schools, Colleges and Universities	One (1) space for each 1 teacher or administrator or staff person plus, One (1) space for each 5 students. For High Schools: Separate areas for any bus drop-off and pick-up zones. Additional parking shall be provided for any auditorium or athletic fields as noted under "Places of Public Assembly" provided the Zoning Administrator mar reduce that additional parking if activities are during the school day (such as a cafeteria) or will occur during non-school times when adequate parking is available.
Bowling alley	Five (5) for each bowling lane, plus parking required by this section for any bar, restaurant or assembly space attached to a bowling alley.
Dance hall, pool or billiard parlor, roller or ice skating rink, fitness center or gym, exhibition hall or assembly hall without fixed seats	One (1) space for each 3 persons allowed within the maximum occupancy load as established by the local, County or State fire, building or health codes.
Golf course (except a miniature or par 3 course)	Six (6) spaces for each hole and 1 for each employee.
Miniature or par 3 golf course	Three (3) spaces for each hole and one (1) for each employee.
Parks, open space, plaza (public or private)	As determined by the Zoning Administration consideration of types of activities, facilities, and potential for walking and bicycling visits.

Use	Minimum Number of Parking Spaces
Community or senior centers	One (1) space per each 200 square feet, provided by the Zoning Administrator may modify the requirements based on the types of activities provided, level of programming, and potential for trips to be via transit, walking, biking, or shared ride.
Offices	
Professional and business offices (non-medical)	One (1) space per 300 square feet. For any building or percentage of building used for medical or clinic, additional parking shall be required for that use, as noted above.
Clinic/ medical office	One (1) space for every 200 square feet.
Bank	One (1) space for every 250 square feet of gross floor area plus, Three (3) parking or stacking spaces for each ATM machine plus, Three (3) stacking spaces for each drive-in window.
General Retail Uses	
Retail use	Up to 300,00 square feet of shopping area: One (1) space per 250 square feet plus parking required for any areas used as a grocery or sit-down type restaurant. For part of building over 300,000 square feet: One (1) space per 300 square feet providing a parking management system is in place for employee parking for peak holiday shopping days. Parking for a theater shall be calculated separately.
Shopping center (which may include a grocery and restaurants)	One (1) space per 200 square feet for up to 100,000 square feet, then One (1) space per 250 square feet for the remainder of the building(s).
Grocery store, liquor or beverage store	One (1) space per 200 square feet.
Showroom or repair shop for the display or repair of goods such as bathroom and kitchen fixtures, shoes, plumbing and heating/cooling equipment, machinery, and similar goods.	Four (4) spaces for each establishment plus, One (1) space for every 800 square feet of usable floor area.
Outdoor sales facility (not including specific types such as vehicle sales addressed separately)	One (1) space for every 500 square feet of lot area used for retail sales or retail use.

Use	Minimum Number of Parking Spaces
Food and Beverage Sales	
Restaurant (General sit-down types not including restaurant categories with specific uses below)	One (1) space per 125 square feet of usable floor area.
Coffee, tea, and beverages (may include bakery items)	One (1) space per 100 square feet of usable floor area plus, At least 10 stacking spaces for any drive through.
Carry-out restaurant (with no or limited seating for eating on premises	Six (6) space per station or counter service plus, One (1) space for each employee (minimum of 3)
Drive-in restaurant	One (1) space or each customer order station Parking for employees (minimum of 6) Parking required for any indoor seating.
Bars, taverns, brewpubs, etc..	One (1) space per each 60 square feet of usable floor area or one (1) space per 2 seats, whichever is greater.
Commercial Services	
Animal hospital or kennel	One (1) space per 500 square feet.
Dry cleaners	One (1) space per 100 square feet of area open to the public (minimum of 2). Employee parking (minimum of 2).
Personal service Use	Two (2) spaces for each chair, booth, or bed.
Hotel	One (1) space per room plus additional meeting rooms, banquet facilities and restaurants as determined by the Zoning Administrator.
Nursery, commercial, greenhouse	One (1) space per 500 square feet.
Funeral home	One (1) space for each 50 square feet of assembly, parlor, or chapel room floor area.
Laundromat or coin-operated dry cleaner	One (1) space for each 3 washing or dry cleaning machines.
Studio, such as dance, health, music, or other similar places of instruction	One (1) space for every 40 square feet of usable floor area.
Self storage rental	One (1) space for each employee, plus one space for each 50 storage rental units.
Auto-Related Uses	
Motor vehicle service station	One (1) space at each fueling station plus at least three (3) spaces for employees plus one (1) space per each tow truck, plus One (1) space for each 500 square feet devoted to sales of automotive goods or convenience items.
Motor vehicle repair station	One (1) space for each 250 square feet, plus one (1) space for each service bay.

Use	Minimum Number of Parking Spaces
Vehicle sale, vehicle leasing	One (1) space for each 300 square feet of usable floor space in the sale room. Two (2) for each auto service stall in the service area. Spaces shall be distinct from, and shall not include, spaces for display or storage of vehicles for sale or lease.
Auto wash	One (1) space for each employee plus, Five (5) stacking spaces for the storage of waiting vehicles plus, Four (4) waiting spaces per wash rack for self-serve auto washes.
Industrial	
Whole sale and warehouse activates	Five (5) spaces plus one (1) space for each employee in the shift which has the greatest number of employees, or one (1) space for each 1,500 square feet, which ever is greater.
Manufacturing, processing, and other types of industrial use	One (1) space per 400 square feet or One point two (1.2) spaces per employee at peak shift, whichever is greater; plus one (1) space for each corporate vehicle.

c) Limits on Excessive Parking. In order to minimize excessive areas of pavement which reduces aesthetic standards and contribute to high rates of storm water runoff, exceeding the minimum parking space requirements by more than twenty percent (20%) shall only be allowed with approval by the Zoning Administrator. In granting such additional space, the Zoning Administrator shall determine that such parking will be required, based on documented evidence, to accommodate the use on a typical day. Except in industrial districts or an institutional use, the spaces exceeding the 20% minimum must be made available for public parking.

1254.01.04 FACTORS TO PERMIT A REDUCTION FROM THE AMOUNT OF PARKING REQUIRED

a) Shared Parking on the Same Lot. Where two or more uses are present on the premises, parking requirements shall be calculated for each use, based on the Table 1254.01.03. However, the Zoning Administrator may permit a reduction for shared parking between two or more uses where the applicant can document that the amount of parking provided will meet the peak needs of the uses collectively as noted in (d) below.

b) Shared Parking on Adjacent Lots. Two (2) or more buildings or uses may collectively provide the required off-street parking, in which case the required number of parking spaces for the uses calculated individually may be reduced by the Zoning Administrator by up to 25%, provided a parking study is provided as noted in (d) below and a signed agreement is provided by the property owners in a form acceptable to the City Attorney.

c) Parking Reductions. The Zoning Administrator may permit a reduction of required parking by up to 20% provided that a parking study is provided as noted in (d) below.

   a. Owner provides a parking study as noted in (d) below that demonstrates the amount of parking provided will be sufficient for the nature of the use as determined by the City Transportation Engineer. Such parking study shall be based upon publications of research and/or actual parking counts for the particular use. In such case, the city may require the owner provide a program to provide the amount of required parking if the actual parking needed exceeds the parking provided.

   b. Owner demonstrates that there is available shared parking available, either in a municipal lot, parking structure, or shared with another property. For shared use of a private lot, the owner shall demonstrate that there will be sufficient parking available for all users during the time of peak shared demand.

   c. Owner provides incentives for employees to use public transit, bicycle or live within walking distance of the use. In such case the applicant shall provide information on the program that demonstrates effectiveness to the city. This could include priority on-site bicycle parking, stipends for use of transit, employee reward programs for non-single occupant vehicle commutes or similar incentives. The accepted parking reduction program would be a condition of zoning approval.

   d. The amount of required parking may be reduced if a shared car or program is provided. The amount of the reduction shall be determined by the Zoning Administrator, with input from the Transportation Engineer, in consideration of the number of shared vehicles provided and the level of availability.

d) Parking Study. A parking study to support a parking reduction shall be prepared by a qualified professional based on methodologies of recognized parking organizations such as the Urban Land Institute or the Institute of Transportation Engineers.

e) Valet Parking. The Zoning Administrator may allow a reduction in on-site parking required for valet parking provided the valet parking area is under the same ownership as the Principal Use or is leased and that a shared parking agreement has been approved by the City Attorney. Such parking agreement shall be considered as part of the permitted use such that, if the parking agreement is no longer valid, the city may restrict the use to the scale of parking available.

f) Exceptions in the DT-3, MX-C & MX-3 Districts:
   a. Properties located within the DT-3 district are exempt from the requirements of Section 1254.01.03.
   b. Properties zoned MX-C, located on the north side of the 900 block and east ½ of the 1000 block of W. Saginaw Street, are exempt from the requirements of Section 1254.01.03, except that at least one (1) off-street parking space shall be required for each residential unit. The required parking spaces must be located within 300 feet of the property they serve and may be located on city-owned off-street parking lots and private parking lots where a permit has been issued or an agreement has been established allowing use of the parking spaces on a 24 hour basis.
   c. Commercially zoned properties in the MX-3 districts are exempt from the requirements of Section 1254.01.03, with the following exceptions:
      i. Properties in the MX-3 district on S. Cedar Street must provide parking in accordance with Section 1254.01.03.
      ii. Properties in the MX-3 that have frontage on E. Michigan Avenue or adjoin properties that have frontage on E. Michigan Avenue, except those located in the 2000 block on both the north and south sides of the street, must provide at least 20% of the on-street parking required by Section 1254.01.03. 25
      iii. At least one (1) off-street street parking space shall be required for each residential unit in the MX-3 district.
      iv. All required parking spaces in the MX-3 districts must be located within 300 feet of the property they serve and may be located on city-owned off-street parking lots and private parking lots where a permit has been issued or an agreement has been established allowing use of the parking spaces on a 24 hour basis.

1254.01.05 BARRIER FREE PARKING REQUIREMENTS

(a) Barrier Free Parking. Within each parking lot, signed and marked barrier free spaces shall be in accordance with the Michigan Department of Labor, Construction Code Commission, Barrier Free Design Division.

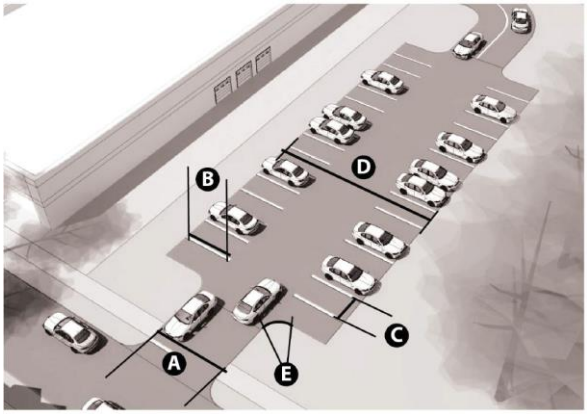
1254.01.07 STORAGE OF MERCHANDISE AND INOPERABLE VEHICLES.

a) The storage of merchandise, motor vehicles for sale and trucks, or the repair of vehicles, is prohibited in the off-street parking area required by Table 1254.01.03, if such activity reduces the number of off-street parking spaces available below the number required by Section 1254.01.03.

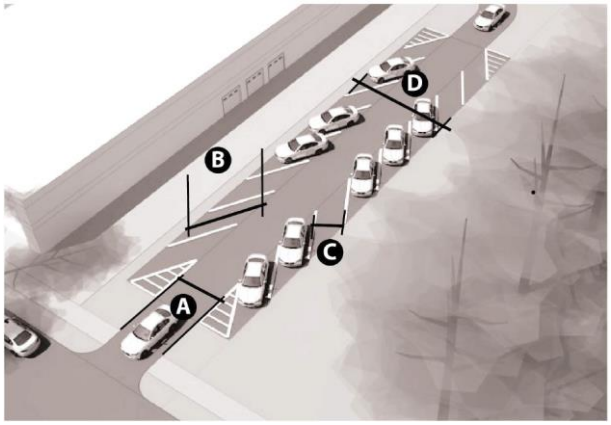
1254.01.08 PARKING SPACE DIMENSIONS

a) Except for 1-family or two-family dwellings, required off-street parking shall be designed pursuant to this section.
b) Dimensions. All parking spaces and maneuvering aisles shall be designed and marked with minimum dimensions described

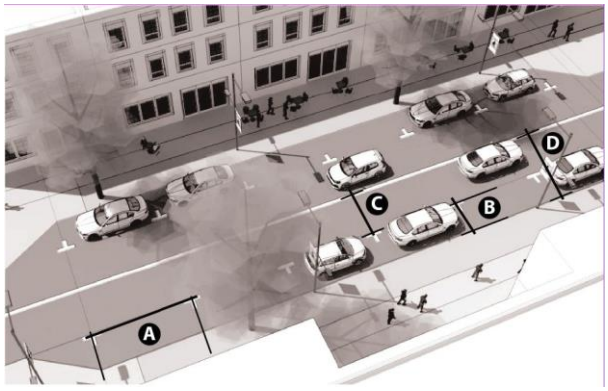
(1) Perpendicular (90-degree) parking		
-A- Aisle Width	2-way	24 ft.
	1-way	18 ft.
-B- Stall Depth		18 ft. min.[1]
-C- Stall Width		9 ft.
-D- Overall Width (double-loaded bay)	2-way	60 ft.
	1-way	54 ft.
-E- Corner Radius		5 ft.



(2) Angled (45, 60, 75-degree) parking		
-A- Aisle Width	2-way	20 ft.
	1-way	15 ft.
-B- Stall Depth		18 ft. min.[1]
-C- Stall Width		9 ft.
-D- Overall Width (double-loaded bay)	varies depending on the angle of the parking and 1-way or 2-way traffic	



(3) Parallel parking		
-A-	Stall Length	20 ft. min.
-B-	Stall Width	7 ft. min., 8 ft. typical
-C-	Aisle Width	10 ft. min., 12 ft. max.
-D-	Overall Width (single-loaded bay)	18 ft. min



a. Space length may be reduced by up to two feet if an unobstructed overhang of not less than two feet is provided, such as a landscaped area or sidewalk. A sidewalk shall have a minimum width of seven feet where abutting a parking area.

c) Islands
   a. Mid-bay islands: minimum of 9' wide
   b. Between facing bays: minimum of 6' wide
   c. End-cap islands: minimum of 6' wide 20

d) If requested by an applicant, the width of a parking space and any dimension described in (b) above may be varied by the Transportation Engineer, based upon all of the following criteria:
   a. The size of vehicles which use the lot;
   b. The turnover rate;
   c. The shape of the lot;
   d. Sound traffic flow principles;
   e. The use of the lot; and
   f. Adequacy of signs that provide information or restrict parking in certain spaces.

1254.01.09 SURFACING

a) Except as provided for in subsections (b) and (c) hereof, off-street parking and loading areas, including access drives, shall be hard-surfaced with either Portland cement or asphalt.
b) An alternative surface, including, but not limited to, gravel, may be approved by the Zoning Administrator, if circumstances exist which justify the alternative surface, and if the City Engineer believes the alternative surface will not result in an unreasonable amount of sediment being deposited in the sewers, and so long as the alternative surface is maintained in a dust-controlled condition.
c) A lot used temporarily for off-street parking may be surfaced with gravel, so long as the temporary use does not extend for more than two years, and so long as the surface is maintained in a dust-controlled condition.

1254.01.10 GRADING AND DRAINAGE

a) The City Engineer shall approve the grading of required off-street parking areas, based upon the design standards promulgated by the American Association of State and Highway Transportation Officials.
b) The City Engineer shall approve drainage of required off-street parking areas, if the drainage may adequately be served by an existing storm sewage system.

1254.01.11 SIGNS, STRIPING, AND MAINTENANCE

a) The City may require the installation of pavement markings and signs to direct circulation, provide information, and identify restrictions on use of parking spaces and loading areas.
b) Except for one-family or two-family dwellings parking spaces shall be striped and such striping shall be maintained.
c) Maintenance of Parking Lot. All off-street parking and loading facilities required by this Chapter shall be maintained free of accumulated snow, debris or other materials which prevent full use and occupancy of such facilities except for temporary periods of no more than five (5) days in the event of heavy rainfall or snowfall.

1254.01.12 INGRESS AND EGRESS

a) The number and location of points of ingress and egress to off-street parking areas developed after the effective date of this Zoning Code (Ordinance 636, passed March 7, 1983) shall be approved by the Transportation Engineer.
b) The number of access points shall be the minimum necessary to provide reasonable access as determined by the City Transportation Engineer.
c) To reduce conflicts which can contribute to congestion and crash potential, access shall be located as far from signalized intersections as is practical.
d) Access shall be located to minimize conflicts with through traffic, pedestrians, bicyclists and movements into access points adjacent to the property or across the street. To confirm this, a site plan shall include driveways across from the property frontage and adjacent access points.
e) The City Transportation Engineer may require redesign, relocation, easements for a shared access system or restrict some movements at an access point to provide safe and efficient operations.
f) Each ingress and egress to and from any off-street parking area located in an area zoned for other than single-family residential use shall be at least 5 feet from any adjacent property located in any Single-Family Residential District.
g) All parking spaces shall be provided adequate access by means of maneuvering lanes. Backing directly into a street is prohibited.

1254.01.13 UNOBSTRUCTED ACCESS

a) Except as provided in subsection (b) or (c) hereof, each required off-street parking space shall be arranged in a way which provides for unobstructed access to a public right-of-way. Unobstructed access shall not be construed to prohibit security devices.

b) In the case of a lot used as a single-family dwelling, 1 of the two off-street parking spaces required by Table 1254.01.03 may be obstructed from access to a public right-of-way by another parking space, if all of the following conditions are met:
   a. The obstructed space is located on an approved driveway.
   b. The obstructed space is not in the front yard.
   c. The driveway is surfaced pursuant to the requirements of Section 1254.01.09 40
   d. The unobstructed space is directly behind the obstructed space.

c) In the case of a lot used as a two-family dwelling, two of the four off-street parking spaces required by Table 1254.01.03 may be obstructed from access to a public right-of-way by another parking space, if all of the following conditions are met:
   a. The obstructed space is located behind the front line of the dwelling.
   b. The obstructed space is not in the front yard.
   c. The driveway is surfaced pursuant to the requirements of Section 1254.01.09.
   d. The unobstructed space is directly behind the obstructed space.

1254.01.14 LIGHTING.

All lighting used to illuminate any off-street parking area shall be so installed as to be confined within and directed onto the parking area only.

1254.01.15 VEHICLE STOPS

a) A vehicle stop shall be provided for any parking space if the space abuts a public right-of-way, sidewalk, or landscaping or screening required by Chapter 1252, and shall either be one of the following or be approved by the Transportation Engineer:
   a. A concrete curb;
   b. A concrete, or similar durable material, stop properly anchored; or
   c. A steel or concrete post at least 3 feet in height.

1254.01.16 CHANGES TO A PARKING LOT

a) An area designated as required off-street parking may be changed to another use or encroached upon, so long as the minimum requirements of Table 1254.01.03 continue to be met.
b) Changes to parking areas other than for single family detached homes or duplexes on individual lots shall be approved as part of a site plan. Minor changes to the parking layout, such as a reconfiguration, as determined by the Zoning Administrator, shall require submittal of a parking plan which indicates property lines, existing and proposed ground elevations at two (2) foot contour intervals, the number of spaces, calculations for meeting the minimum space requirements of this Article, dimensions of aisles, driveways and typical parking stalls, location of curbs and curb blocks, location and size of signs, existing and proposed landscaping, existing and proposed lighting and drainage facilities.
c) Reduction prohibited. A substitution, alteration or deletion of any off-street parking shall not have the effect of reducing the off-street parking below the number required in Table 1254.01.03.

1254.01.17 LOADING

When on premise space for standing, loading and unloading vehicles is necessary for uses involving the receipt or distribution of goods, the following provisions shall apply:

a) Traffic Flow. The size of the loading area shall be sufficient to prevent undue interference with adjacent required parking spaces, maneuvering aisles, or traffic flow on public streets.
b) Alleys. Where an alley exists at the rear of the building, the loading area may be computed from the centerline of the alley.
c) Location. Loading/unloading areas and docks shall not be provided in the front yard or on any building side facing and directly visible to a public street. Where possible, loading areas shall be integrated into the design of the building to minimize visibility.
d) Screening. Loading docks and loading areas facing a residential district shall be adequately screened by a wall and/or landscaping.
e) Not Included with Parking. Required loading areas shall not be included in calculations for off-street parking space requirements.
f) Size. The size of all required loading/unloading spaces shall be at least ten (10) feet by fifty (50) feet or five-hundred (500) square feet in area, with a clearance of at least fourteen (14) feet in height. The Zoning Administrator may modify this requirement for uses that will involve smaller delivery trucks such as offices.
g) An alternative surface, including, but not limited to, gravel, may be approved by the Zoning Administrator, if circumstances exist which justify the alternative surface, and if the City Engineer believes the alternative surface will not result in an unreasonable amount of sediment being deposited in the sewers, and so long as the alternative surface is maintained in a dust-controlled condition.

1254.01.18 FRONT YARD PARKING

a) Prohibitions; Exceptions.
   a. In Residential districts described in Chapter 1244 no person shall park or place a motor vehicle, trailer or watercraft in a front yard. However, this section shall not apply:
      i. To vehicles parked or placed in a driveway;
      ii. While engaged in actual loading or unloading;
      iii. Where permitted pursuant to any other provision of these Codified Ordinances;
      iv. Where parking areas were legally established by designating front yard parking on plot plans in connection with plans submitted for building permits which were issued prior to the effective date of this chapter
   b. Where prior to such effective date, parking areas were established in front yards as an accessory use to a lawful conforming use by the development of hard-surfaced parking areas.

b) Notice of violation

Whenever any motor vehicle, trailer or watercraft is found parked in violation of this chapter, the personnel authorized by Council resolution shall take the registration number and any other information displayed which may identify its user and shall conspicuously affix to such motor vehicle, trailer or watercraft a notice, in writing, on a form provided by the City Controller and approved by the City Controller and the Director of the Department of Planning and Municipal Development, for the driver or operator to answer the charge against him or her within 3 days, Saturdays, Sundays and holidays excepted, during the hours and at the place specified in the notice.

c) Failure to comply with notices

If a violator of any of the provisions of this chapter does not appear in response to the notice affixed pursuant to subsection (b) above within a period of 5 days, Saturdays, Sundays and holidays excepted, a final notice shall be sent to the owner of the motor vehicle, trailer or watercraft to which the notice was

affixed, informing him or her of the violation and warning him or her that if such notice is disregarded, a complaint will be filed and a warrant of arrest issued in the same manner provided for parking tickets in the Traffic Code.

d) Presumption in reference to illegal parking

In any prosecution under this chapter, proof that the particular motor vehicle, trailer or watercraft described in the complaint was parked in violation of this chapter, together with proof, as disclosed by the records of the Secretary of State, that the defendant named in the complaint was, at the time of such parking, the registered owner of such motor vehicle, trailer or watercraft, shall constitute in evidence a prima-facie presumption that the registered owner thereof was the person who parked or placed such motor vehicle, trailer or watercraft at the point where, and for the time during which, such violation occurred.

1254.02 BICYCLE PARKING

1254.02.01 DEFINITIONS.

For purposes of this chapter:

APBP GUIDELINES. The 2nd edition of the bicycle parking guidelines issued by the Association of Pedestrian and Bicycle Professionals.

BICYCLE LOCKER. A locked compartment for the storage of a single bicycle.

BICYCLE PARKING SPACE. A secure structure designed and available exclusively for the storage of a bicycle.

BICYCLE ROOM. A room with controlled access for users of bicycles to be stored in the room.

EXEMPT PROPERTY. Is property:

e) For which the Zoning Administrator, per Section 1254.01.04(f), reduces or eliminates the off-street parking requirements of Table 1254.01.03 and

f) For which the property owner does not actually provide off-street parking.

Non-exempt property in a DT-3 or MX-3 district is property:

g) For which the Zoning Administrator, per Section 1254.01.04(f), reduces or eliminates the off-street parking requirements of Table 1254.01.03; and

h) For which the property owner does actually provide off-street parking.

LONG-TERM BICYCLE PARKING SPACE. Bicycle parking that is covered and enclosed on all four sides.

SHORT-TERM BICYCLE PARKING SPACE. Any bicycle parking space that is not a long-term bicycle parking space.

1254.02.02 REQUIRED BICYCLE PARKING SPACES.

Bicycle parking spaces shall be provided for the benefit of any structure identified in Section 1254.02.04 or Section 1254.02.05 if, after the effective date of this chapter:

a) A site plan for the property on which the structure is located must be submitted to the Planning Office;

b) The property on which the structure is located is rezoned to a district other than a Residential District; or

c) A special land use permit is granted for the property on which the structure is located.

1254.02.03 BICYCLE PARKING GUIDELINES.

a) To the extent feasible and unless otherwise provided by this chapter or the City of Lansing Bicycle Parking Guidelines promulgated by the Zoning Administrator, property owners are encouraged to conform to the APBP Guidelines, copies of which are available in the Planning Office and the City Clerk's Office.

b) During the operating hours of the structure identified in Sections 1254.02.04 and 1254.02.05, bicycle parking spaces required by this chapter shall be lighted at an illumination level of at least .4 food-candles.

c) Bicycle parking spaces shall be located within 100 feet of an entrance to the structure or inside the structure.

d) Bicycle parking spaces shall be adequately maintained and kept free of mud, debris, ice, and snow.

e) Each short-term bicycle parking space provided pursuant to the provisions of this chapter shall support a bicycle in an upright position; allow both the bicycle frame and the front wheel to be locked; be securely anchored; have a hard surface, such as asphalt, concrete, or brick pavers, with dimensions of at least 6 feet by two feet; be constructed of materials that resist cutting, rusting, bending, and deformation; and be installed in accordance with the City of Lansing Bicycle Parking Guidelines promulgated by the Zoning Administrator based on the APBP Guidelines, maintenance of uniformity among Michigan communities, and other best practices.

f) Long-term bicycle parking spaces provided pursuant to the provisions of this chapter shall be provided in (1) bicycle lockers that ensure adequate clearance for simultaneous users; (2) bicycle racks in locked cages; or (3) bicycle rooms.

1254.02.04 SHORT-TERM BICYCLE PARKING REQUIREMENTS BASED ON LAND USE.

a) For purposes of this section:

   a. Every 24 inches of bench seating shall be counted as 1 seat.

   b. Numbers resulting from the prescribed formulas shall be rounded up from ½ to the next whole number in calculating the number of required bicycle parking spaces.

b) Short-term bicycle parking is not required on exempt property. On non-exempt property in a DT-3 or MX-3 district the property owner shall provide a number of short-term bicycle parking spaces that is at least 5 percent of the number of off-street parking spaces actually provided.

c) Except as otherwise provided in subsection (b), property owners shall provide the following number of short-term bicycle parking spaces for the benefit of the corresponding specified structures:

Structure	Required Number of Bicycle Parking Spaces
Multifamily Residential	2 for every 10 dwelling units
Churches and Other Places of Worship	2 for every 50 seats in the main unit of worship
Lodging	2 for every 50 units
Athletic Clubs and Fitness Centers	2 for every 500 square feet of usable floor area, with a maximum of 30
Libraries and Museums	
Planned Developments and Shopping Centers	
Retail Stores not Otherwise Identified	
Banks and Financial Institutions	
Offices of Medical Professionals, Health Clinics, and Medical Centers	
Gas Stations	
Sports Arenas and Stadiums	2 for every 250 seats, with a maximum of 30
Theaters and Auditoriums	2 for every 100 seats, with a maximum of 30
Eating and Drinking Establishments	2 for every 24 seats
Commercial Property not Otherwise Identified	2 for every 5,000 square feet of usable floor area, with a minimum of 2
Industrial, Manufacturing, Wholesale, and Research Establishments	2 for every 20,000 square feet of usable floor area, with a minimum of 2
Commercial Off-Street Parking Facilities	2 for every 20 vehicle parking spaces, with a maximum of 30
Consumer Repair Service Establishments	2 for every 3,000 square feet of usable floor area, with a minimum of 2 and a maxim um of 30
Cemeteries, Mausoleums, and Parks	2 for every 20,000 square feet of land, with a maximum of 10

1254.02.05 LONG-TERM BICYCLE PARKING REQUIREMENTS BASED ON EMPLOYMENT AND TRANSIT.

a) For purposes of this section, numbers resulting from the prescribed formulas shall be rounded up from ½ to the next whole number in calculating the number of required long-term bicycle parking spaces.

b) Except as otherwise provided in subsection (c), in addition to any requirements imposed by Section 1254.02.04:

   a. Property owners are not required to provide long-term bicycle parking spaces for the benefit of structures other than bus stations in which no more than 40 employees work at any given time.

   b. Property owners shall provide two bicycle parking spaces for every 40 employees that work in a structure other than a bus station at any given time.

   c. Property owners shall provide two bicycle parking spaces for every bus bay in a bus station.

c) Long-term bicycle parking is not required on exempt property. On non-exempt property in a DT-3 or MX-3 district, in addition to any requirements imposed by Section 1254.02.04, the property owner shall provide a number of long-term bicycle parking spaces that is at least 5 percent of the number of off-street parking spaces actually provided.

1254.02.06 OFFSET OF REQUIRED OFF-STREET PARKING SPACES.

The number of off-street parking spaces required by section 1254.01 will be reduced by 1 space, with a maximum reduction of 20 percent of the number of off-street parking spaces required by Table 1254.01.03, for each of the following:

a) Every 6 bicycle parking spaces provided in excess of those required by this chapter;

b) Every 6 short-term bicycle parking spaces covered by a permanent structure approved by the Zoning Administrator.

Chapter 1260
Site Plan Review

1260.01 Intent

It is the intent of this article to require site plan review and approval prior to issuance of a zoning compliance permit for certain buildings, structures and uses to ensure that the arrangement, location, design and materials within a site are consistent with the character of the city and the goals and design guidelines in the Design Lansing Comprehensive Plan, the regulations in this Zoning Ordinance, and compliance with other City Ordinances related to development. In particular, the standards herein are intended to minimize negative impacts on natural resources, utility systems, public service delivery, traffic operations, pedestrian and bicyclist safety, adjacent neighborhood or district character, and the character of future development.

It is further the intent of this article to bring existing sites that do not conform with current standards of this chapter into greater conformity when uses change or an exterior renovation or expansion is proposed.

1260.02 Uses Subject to Review

a) Except for individual single or two-family principal or accessory structures, a site plan shall be submitted to the Planning Office for all of the following activities:
   a. Construction of a new building or building addition that is 1,000 square feet or greater in area;
   b. Structural alteration of an existing structure or a change of use when the effect of the alteration or change is to increase the intensity of the land use;
   c. Excavation or filling of ground within the boundaries of the 100-year base floodplain;
   d. The installation of 1,000 square feet or more of new impervious surface;
   e. A manufactured housing community;
   f. An activity which relocates a structure from one lot to another lot or within the same lot; and
   g. Mass grading of topography and/or grading that alters the existing site drainage patterns.

b) The Planning Office may waive the requirement of site plan review when the Planning Office and all other City departments that are charged with reviewing site plans, including the Board of Water & Light, are in agreement that there is no reasonable need for site plan review under the circumstances involved.

1260.03 Standards for Approval

The Zoning Administrator may deny, approve, or approve with conditions the plan based on the following design standards that apply in addition to the applicable use and dimensional regulations:

a) Site Design Characteristics. All elements of the plan shall be designed to take into account the site's topography; the size and type of lot; the character of adjoining property; the type and size of buildings; pedestrian circulation and the traffic operations of adjacent streets. The site shall be developed so as not to impede the normal and orderly development or improvement of surrounding property for uses permitted in this ordinance.

b) Building Design. The building design shall relate to the surrounding area in regard to texture, scale, mass, and proportion. The quality of building design and construction materials shall be in accordance with the requirements of Chapter 1246 – Building Types. Buildings shall be designed to take advantage of natural heating, cooling, and buffering opportunities and incorporate energy efficient fixtures.

c) Change of Use and Redevelopment. For changes of use and site alterations or building expansions, the Zoning Administrator shall determine the extent of improvement required in relation to the extent of change proposed. In particular the Zoning Administrator may require changes to improve public safety; closure or redesign of driveways; redesign or resurfacing of parking and loading areas; installation of curbing; replacement or additions to landscaping or screening; upgrades to lighting; relocation and enclosure of waste receptacles; and upgrades to the building exterior.

d) Preservation or Conservation of Significant Natural Features. The landscape shall be preserved in its natural state, insofar as practicable, by minimizing tree and soil removal, alteration to the natural drainage courses, and the amount of cutting, filling and grading. Views of the river shall be preserved and protected. Insofar as practical, natural features and the site topography shall be incorporated into the proposed site design.

e) Preservation of Capital Views. The design shall be considerate of existing public views of Michigan's State Capitol.

f) Streets. All streets shall be developed in accordance with the City of Lansing engineering standards. All streets shall be designed to accommodate multiple modes of transportation (autos, trucks, transit pedestrians and bicyclists). Street connections shall be provided where necessary to enhance vehicular, pedestrian and bicycle connectivity to surrounding neighborhoods.

g) Access, Driveways and Circulation. Safe, convenient, uncongested and well defined vehicular circulation within and to the site shall be provided and shall meet the following criteria:
   a. Drives, streets, parking and other elements shall be designed to discourage through traffic, while promoting safe and efficient traffic operations within the site and at its access points.
   b. The number of access points shall be the minimum necessary to provide reasonable access to the property.
   c. Access to the site shall be designed to minimize conflicts with traffic on adjacent streets, particularly to avoid conflicts with traffic operations at street intersections and associated with left turns into and from the site. The city may require closure or relocation or redesign of access points, or a redesign of on-site parking and circulation, to improve operations and safety.
   d. For uses having frontage and/or access on a major street, the number, design, and location of access driveways and other provisions for vehicular circulation shall comply with the provisions of Chapter 1254 – Parking. The city may require shared access with adjacent parcels with a shared access agreement, especially where safe access spacing from intersections or other driveways cannot be provided on a site.
   e. All driveways shall meet the design and construction standards of the city or the MDOT for access along state routes.

h) Emergency Vehicle Access. Site circulation, parking lot design, and buildings or groups of buildings shall be arranged so as to permit emergency vehicle access as required by the fire department and police department.

i) Sidewalks, Pedestrian and Bicycle Circulation. Safe pedestrian circulation and access to building entrances shall be provided. Conflicts between pedestrian pathways and traffic circulation shall be minimized to the extent practical. In locations where transit is available, convenient pedestrian access shall be provided from the building entrance to the transit stop. Pedestrian circulation shall be as provided in 1250.04.06 Pedestrian and Bicycle Oriented Design Features.

j) Parking. The number and dimensions of off-street parking spaces shall be sufficient to meet the minimum required by Chapter 1254 parking. Parking lots shall be designed to minimize the amount of impermeable surface. Bicycle parking shall be provided as required in Section 1254.02.

k) Loading. All loading and unloading areas and outside storage areas, including waste receptacles, shall be accessed and screened in accordance with Section 1254.01.17 Loading.

l) Waste Receptacles. Waste receptacles shall be provided as required in 1250.04.04 Waste Receptacles and Enclosures.

m) Lighting. Exterior lighting shall be arranged so that it is deflected away from adjacent properties and so that it does not impede the vision of traffic along adjacent streets in accordance with Section 1250.04.03 Exterior Lighting.

n) Mechanical Equipment and Utilities. Mechanical equipment and utilities, including roof-, building- and ground-mounted, shall be screened in accordance with the requirements of Section 1250.04.02 Mechanical Equipment.

o) Landscaping. Landscaping, landscape buffers and greenbelts shall be provided and designed in accordance with the provisions of Chapter 1252 – Landscaping. Potable water consumption for irrigation shall be minimized to the extent practical through utilization of plant species that minimizes the need for irrigation, irrigation efficiency, use of captured rainwater or use of recycled wastewater.
p) Utilities and Storm Water Management. Public water and sewer facilities shall be available or shall be provided for by the developer as part of the site development. All utilities and storm water management facilities shall be reviewed and approved by the city engineer. Low impact stormwater management techniques shall be used wherever possible such as pervious pavement, bio-swales, rain gardens and green roofs.
q) Noise. The site has been designed, buildings so arranged, and activities/equipment programmed to minimize the emission of noise, particularly for sites adjacent to residential districts and to comply with the city's noise ordinance.
r) Other Agency Reviews. The applicant has provided documentation of compliance with other appropriate agency review standards, including, but not limited to, the Board of Water & Light, the Michigan Department of Environmental Quality (MDEQ), Michigan Department of Transportation (MDOT) and other federal, state and county agencies, as applicable.

1260.04 Submittal Requirements

A site plan shall be dated, submitted in electronic format, drawn to a scale of not less than one inch equals 50 feet, if the subject property is less than three acres, and one inch equals 100 feet, if three acres or more. The site plan shall contain all of the following information, provided that the Zoning Administrator may waive certain submittal requirements for a reoccupancy or minor change on an existing site where it is determined such information is not necessary to determine compliance with this Ordinance:

a) The names, addresses, telephone number and email address of the applicant, owner and the architect, engineer, or other design professional who prepared the plan;
b) The parcel numbers, addresses and legal descriptions of all parcels that are related to the project for which site plan approval is being sought;
c) Location map and north arrow;
d) Existing and proposed lot lines, acreage and dimensions of the site including width, length and frontage;
e) Locations and dimensions for all existing and proposed easements, sidewalks, fire lanes, streets/alley right-of-ways,
f) Location of existing access points (driveways) adjacent to, and across the street from, the site including the spacing from the proposed access points.
g) Location and dimensions (width, radii, grades) of proposed access points and existing or proposed acceleration/deceleration tapers or lanes along or adjacent to the site;
h) Location of all existing and proposed buildings;
i) Required and proposed setbacks for all buildings and parking lots;
j) The height of all proposed buildings and structures;
k) The location and dimensions of all bicycle parking spaces, vehicular parking spaces/aisles, loading and unloading areas and driveways on or within 120 feet of the site;
l) Number of required and proposed vehicular and bicycle parking spaces;
m) The location of all existing and proposed right-of-way trees and a landscaping, screening and buffering plan that demonstrates compliance with the requirements of Chapter 1252 – Landscaping;
n) The location and enclosure details for all waste receptacles;
o) A photometric plan and a detail of the proposed exterior lighting poles/fixtures;
p) Existing and proposed land elevations and/or contours to appropriately illustrate and direction of drainage flow;
q) The location and elevations of existing water courses and water bodies, including county drains and manmade surface drainage ways, floodplains, and wetlands;
r) A soil erosion and sedimentation control plan unless no earth changes are proposed as part of the site plan (an associated permit may also be required consistent with the requirements of City of Lansing Ordinance 1218.06.);
s) Where required consistent with City of Lansing Ordinance 1219.04, a proposed, post-construction storm water management plan consistent with the requirements of Chapter 1219 of the City Code, including design of storm sewers, stormwater outlets, and stormwater retention or detention ponds;
t) The location and status of any floor drains in existing or proposed structures on the site. The point of discharge for all drains and pipes shall be specified on the site plan;
u) Location of any on-site wastewater treatment and disposal systems;
v) Location of existing and proposed public water mains, public and private drinking water wells, monitoring wells, irrigation wells, test wells or wells used for industrial processes;
w) Inventory of hazardous substances (including include CAS numbers) to be stored, used or generated on-site, presented in a format acceptable to the City Fire Marshal;
x) Descriptions of type of operations proposed for the project and drawings show size, location, and description of any proposed interior or exterior areas of structures for storing, using, loading or unloading of hazardous substances, hazardous wastes, and/or polluting materials;
y) Description and location for any existing or proposed above ground and below ground storage tanks;
z) Delineation of areas on the site which are known or suspected to be contaminated, together with a report on the status of cleanup or closure.

1260.05 Compliance and Construction with Approved Site Plan.

(a) Property which is the subject of site plan approval must be developed in strict compliance with the approved site plan including any approved revisions, amendments or modifications made thereto. Failure to conform to the approved site plan shall constitute a violation of this Chapter. In order to assure compliance with the approved site plan, a completion bond equivalent to the value of the site work shall be submitted to the Planning Office prior to commencement of construction. If construction and development does not conform to the approved plan, the approval thereof shall be revoked by the zoning administrator by written notice of such revocation. Upon revocation of such approval, all further construction activities shall cease upon the site, other than for the purpose of correcting the violation. If necessary based upon continued non-compliance, the City may also elect to invoke the provisions of the completion bond for the purposes of mobilizing forces to correct any non-compliant aspects of the development. The completion bond shall be released by the Planning Office upon confirmation that the development is compliant with the approved site plan including any approved revisions, amendments or modifications made thereto.

(b) For all approved site plans, as-built drawings for all site work and utility construction shall be submitted to the Public Service Department within fourteen (14) days of completion of construction.

(c) The approval of any site plan under this provision shall expire one year after the date of such approval, unless actual construction and development have been commenced in accordance with said site plan prior thereto. If such construction and development is commenced within said one year period,

then such approval shall continue for a period of two years from the date thereof; provided, however, that should a lapse of more than six months in continuous substantial construction and development not occur, said approval shall expire.

Chapter 1262
Special Land Use Permits
1262.01 Compliance required
Special land uses shall be permitted as provided in this Zoning Code if the requirements of this chapter are met.

1262.02 Applications; review procedures

a) An application for a special land use permit may be made by an applicant on forms provided by the Planning Division. The application shall be filed with the City Clerk and shall be accompanied by the fees established by Council and the documents required by Chapter 1260.
b) The City Clerk shall refer the application described in subsection (a) hereof to the Planning Board for consideration and recommendation to Council.
c) The Board, upon receipt of an application from the City Clerk, shall publish one notice in a newspaper of general circulation in the City that a request for a special land use approval has been received. The Board shall also send a notice by first class mail to all persons to whom real property is assessed, according to the records maintained in the office of the City Assessor, within 300 feet of the boundary of the lot. If the name of the occupant is not known, the term "occupant" may be used in making notification.
d) The notice described in subsection (c) hereof shall be given not less than ten days and not more than 15 days before the public hearing described in subsection (f) hereof.
e) The notice shall:
    a. Describe the nature of the special land use request;
    b. Indicate the lot which is the subject of the special land use request;
    c. State when and where the special land use request will be considered;
    d. Indicate when and where written comments concerning the request will be received; and
    e. Indicate that a public hearing will be held by the Board on the special land use request and give the date, time and location of the public hearing described in subsection (f) hereof.
f) The Board shall hold a public hearing for the purpose of considering the special land use request and recommend to Council whether it should approve, approve with conditions or deny the special land use. In making its recommendation, the Board shall consider each of the following standards:
    a. If the special land use is designed, constructed, operated and maintained in a manner harmonious with the character of adjacent property and the surrounding area;
    b. If the special land use changes the essential character of the surrounding area;
    c. If the special land use interferes with the general enjoyment of adjacent property;
    d. If the special land use represents an improvement to the use or character of property under consideration and the surrounding area in general and also is in keeping with the natural environment of the lot;
    e. If the special land use is not hazardous to adjacent property, or does not involve uses, activities, materials or equipment which are detrimental to the health, safety or welfare of persons or property through the excessive production of traffic, noise, smoke, odor, fumes or glare;
    f. If the special land use is adequately served by essential public facilities and services, or it is demonstrated that the person responsible for the proposed special land use is able to continually provide adequately for the services and facilities deemed essential to the special land use under consideration;
    g. If the special land use does not place demands on public services and facilities in excess of current capacity;
    h. If the special land use is consistent with the intent and purpose of this Zoning Code and the objectives of any currently adopted Comprehensive Plan; and
    i. If the special land use meets the dimensional requirements of the district in which the property is located.

(g) The Board shall state to Council, in writing, its recommendations as to each special land use request and the reasons for its recommendation.
(h) Council, upon receiving the recommendation from the Board, shall hold a public hearing for the purpose of a de novo review of the recommendation of the Board and deciding whether to concur in such recommendation.
(i) A notice that a request for special land use approval has been received by Council and that a public hearing will be held, shall be published in a newspaper of general circulation in the City. Notice shall also be sent by first class mail to those persons described in subsection (c) hereof.
(j) The notice described in subsection (i) hereof shall meet all of the requirements described in subsections (d) and (e) hereof.
(k) Council may deny, approve or approve with conditions a request for special land use approval, based upon the standards described in subsection (f) hereof. If conditions are imposed, they shall meet the requirements of Section 1262.03. The decision of Council shall be reduced to writing. The writing shall state Council's decision and shall specify the basis for the decision and conditions imposed upon the special land use, if any.

1262.03 Conditions on special land uses

a) Council may impose conditions on its grant of a special land use to achieve any of the following findings:
    a. Compatibility of the special land use with existing adjacent land uses;
    b. Protection of the natural environment and natural resources;
    c. Energy conservation;
    d. Accommodation of increased public service needs likely to result from the special land use;
    e. Protection of the health, safety, and welfare of the property owner and the community;
    f. Accommodation of considerations listed in section 1262.02(f).
b) A new building or building addition, that is 1,000 square feet or more in area, and on a parcel of land for which a special land use permit has been granted on or after the effective date of this ordinance, shall require an amendment to the special land use permit after review and approval by the City Council in accordance with the following procedure:
    a. Within five days upon receipt of a site plan for a new building or building addition 1,000 square feet or greater in area, the planning office shall refer the matter to the City Council which shall schedule a public hearing on amending the special land use permit. Notification of the public hearing, in accordance with requirements of section 1262.02(e) shall be sent by first class mail to the following, not less than seven days prior to the hearing:
        i. All property owners within 500 feet of the subject property;

ii. The applicable neighborhood watch officer, if any; and
iii. The applicable neighborhood association, if any.

b. (2) Following the public hearing, the Council shall review the site plan for compliance with the criteria contained in this chapter for evaluating special land use permits and shall deny, approve or approve with conditions the amendment to the original special land use permit.

c. (3) The Council shall complete its review and render its decision within 60 days from the date that the site plan was referred by the planning office. Failure to act shall be deemed approval of the amended special land use permit.

c) Conditions of approval, if any, shall be recorded in the written decision described in section 1262.02(k) and shall remain unchanged, except upon the mutual consent of the applicant and Council.

Chapter 1264
Planned Unit Developments

1264.01 Applicability
The Planned Unit Development (PUD) process is an option for properties within all zoning districts, and is mandatory for some larger parcels, or groups of parcels, as designated on the Form-Based Code zoning map.

1264.02 Intent

a) The intent of this article is to offer an alternative to conventional development by permitting flexibility in the regulations for development. The standards contained herein are intended to promote and encourage development on parcels of land which are suitable in size, location and character for the uses proposed while ensuring compatibility with adjacent land uses.

b) The PUD zoning standards are provided as a design option to:
(a) Encourage innovation in land development in terms of variety, design, layout and type of structures constructed;
(b) Accommodate development on sites that exhibit difficult development constraints;
(c) Encourage redevelopment of brownfield or greyfield sites as mixed-use neighborhoods;
(d) Encourage the adaptive reuse of historic buildings;
(e) Provide the opportunity to mix compatible uses, or residential types;
(f) Preserve and protect significant natural features, open space and cultural/historic resources;
(g) Ensure that new developments are consistent with the historic character of the community;
(h) Promote efficient provision of public services and utilities;
(i) Minimize adverse traffic impacts;
(j) Encourage development of convenient recreational facilities; and
(k) Encourage the use and improvement of land where site conditions make development under conventional zoning difficult or less desirable.

c) For properties approved for PUD designation, these PUD standards provide the developer with flexibility in design and permit variation of the specific bulk, area, and in some situations, the density requirements of this chapter on the basis of the total PUD plan, subject to the approval of the PUD by the Planning Board in accordance with the requirements set forth herein. The PUD standards shall not be sought primarily to avoid the imposition of standards and requirements of other zoning classifications rather than to achieve the stated purposes set forth in this section

d) The applicant shall submit a written application for a planned residential development on forms provided by the Planning Office. The application shall be filed with the City Clerk and shall be accompanied by the following:
a. The fees established by Council; and
b. Four copies of a development plan which meets the requirements of Section 1264.03(b).

e) Upon submission of a written application as described in subsection (c) hereof, the Planning Board shall follow the procedures described in Section 1262.02(f) and (g).

f) Upon following the procedures described in Section 1262.02(f) and (g), the Board shall recommend to Council to approve, approve with conditions or disapprove the development plan contained in the written application.

g) Council, upon receiving a recommendation from the Board as described in subsection (e) hereof, shall approve, approve with conditions or disapprove the development plan.

h) Approval by Council of an application for a planned residential development pursuant to this section shall expire two years after the date of approval by Council, unless within such two-year period the applicant has either started construction or has filed a preliminary plat for tentative approval pursuant to Public Act 288 of 1967, as amended, being M.C.L.A. 560.101 to 560.293. If the start of construction for a planned residential development has not begun or the filing of a preliminary plat for tentative approval has not occurred within the time period permitted by this subsection, then the Board may, upon written request, extend approval for two years beyond the time permitted by this subsection. If one extension is granted by the Board, then any further extensions shall be granted with Council approval after approval by the Board.

1264.03 Eligibility Criteria
The following criteria shall apply all planned unit developments (PUDs):

a) Unified Control. The planned unit development shall be under the control of one (1) owner or group of owners and shall be capable of being planned and developed as one (1) integral unit.

b) Recognizable Benefit.
a. The applicant shall demonstrate to the Planning Board that the PUD provides at least three (3) of the following site design elements that could not be attained through a project designed under conventional zoning:
i. Mixed-use development with residential, and nonresidential uses or a variety of housing types;
ii. Redevelopment of brownfield or greyfield sites;
iii. Pedestrian/transit-oriented design with buildings oriented to the sidewalk and parking to the side or rear of the site;
iv. High quality architectural design beyond the site plan requirements of this chapter;
v. Extensive landscaping beyond the site plan requirements of this chapter;
vi. Preservation, enhancement or restoration of natural resources (trees, slopes, nonregulated wetland areas, views to the river);

vii. Preservation or restoration of historic resources;
viii. Provision of open space or public plazas or features;
ix. Efficient consolidation of poorly dimensioned parcels or property with difficult site conditions (e.g., topography, shape etc.);
x. Effective transition between higher and lower density uses, and/or between nonresidential and residential uses; or allow incompatible adjacent land uses to be developed in a manner that is not possible using a conventional approach;
xi. Shared vehicular access between properties or uses;
xii. Mitigation to offset impacts on public facilities (such as road improvements); or
xiii. Significant use of sustainable building and site design features such as: water use reduction, water-efficient landscaping, innovative wastewater technologies, low impact stormwater management, optimize energy performance, on-site renewable energy, passive solar heating, reuse/recycled/renewable materials, indoor air quality or other elements identified as sustainable by established groups such as the U.S. Green Building Council (LEED) or ANSI National Green Building Standards.

b. In granting the relaxation of any district standard for a PUD, the Planning Board may require the applicant to demonstrate through bona fide documentation that the project will not be detrimental to the public health, safety or welfare of the future occupants of the PUD, the surrounding neighborhood, or the city as a whole. Such documentation may include, but is not limited to, traffic impacts studies, environmental impact studies, market needs assessments, infrastructure impact studies and any other such reports or studies.

c) Compatibility with Adjacent Uses. The proposed location of uses or structures that are of a significantly different scale or character than the abutting residential districts, such as access drives, parking areas, waste receptacles, swimming pools, tennis courts and facilities of a similar nature, shall not be located near the perimeter of the PUD unless designed to prevent any negative impacts on adjoining residential uses.

d) Master Plan. The proposed PUD shall be consistent with the City of Lansing Comprehensive Plan.

1264.04 Permitted Uses.

The uses permitted in the PUD shall be consistent with and in accordance with the uses permitted by right or by special land uses in the underlying zoning district. Other uses, however, may be permitted upon a finding by the Planning Board that such uses will be appropriate and compatible with the uses proposed for the development and with surrounding uses. The Planning Board may permit additional uses to create an integrated, mixed-use development based upon the recommendations of the City of Lansing Master Plan. Approval of a PUD shall include the specific identification of the uses permitted within the PUD, and only those uses so approved shall be permitted.

1264.05 Height, Area and Bulk Regulations.

The height, bulk and area conditions set forth in the underlying district requirements shall be used as guidelines for the use areas set forth in the PUD. However, to encourage flexibility and creativity consistent with the intent of the PUD, the Planning Board may permit specific departures from the requirements of this chapter. Any regulatory modification shall be approved through a finding by the Planning Board that the deviation shall result in a higher quality of development than would be possible using conventional zoning standards.

a) Modifications to Dimensional Requirements. Where modification of the zoning ordinance standards is requested, the applicant shall provide a table for each specific standard proposed to be modified. Unless modifications are specifically requested and approved by the city, the site plan shall comply with the appropriate requirements of the city.

1264.06 Approval Procedure

a) Overview of PUD Review and Approval Process. The PUD review and approval process includes the following steps:
   a. Preapplication conference with Planning Board OFFICE on the PUD concept plan.
   b. Planning Board review of PUD concept plan and scheduling of public hearing.
   c. Planning Board public hearing and recommendation on PUD concept plan.
   d. City council review and approval of PUD overlay zone, PUD concept plan and PUD agreement.

b) Preapplication Conference with Planning Office.
   a. Applicant Request. An optional pre-application conference with the Planning Board Office may be requested by the applicant to discuss the appropriateness of a PUD and the concept plan to solicit feedback and to receive requests for additional materials supporting the proposal.

c) Planning Office Review of PUD Concept Plan.
   a. PUD Concept Plan. A concept plan for the PUD that contains all of the following information, along with fees established by City Council, shall be submitted for Planning Office review:
      i. A conceptual plan for the development, drawn to an engineer's scale of not less than one (1) inch = fifty (50) feet for property less than three (3) acres, or one (1) inch = one hundred (100) feet for property three (3) acres or more in size, that includes all of the following:
         1. Title block with sheet number/title; name, address and telephone number of the applicant and firm or individual who prepared the plans; and date(s) of submission and any revisions;
         2. Scale and north-point;
         3. Location map drawn to a separate scale;
         4. Legal description of property;
         5. Zoning classification of site and all abutting parcels;
         6. Net acreage (minus rights-of-way) and total acreage;
         7. Existing lot lines, building lines, structures, parking areas and other improvements on the site and within one hundred (100) feet of the site;
         8. Proposed lot lines, lot dimensions, property lines, setback dimensions and other improvements;
         9. Location and height of all proposed buildings or structures;
         10. Location of existing and proposed roads, driveways, parking lots, sidewalks and pathways on or within two hundred fifty (250) feet of site;
         11. Proposed off-street parking lots and number of spaces;
         12. Conceptual landscape plan;
         13. The general location of existing plant material;
         14. Location of existing drainage courses, floodplains, rivers and MDEQ regulated wetlands;
         15. Location of existing and proposed sanitary sewers;

16. Location of existing and proposed water mains;
17. Stormwater retention and detention pond locations and existing, or proposed storm sewers;
18. Number and location of residential units;
19. Density calculations by type of residential unit; and
20. Location and size of recreation and open space areas.

ii. Documentation indicating how the criteria for qualification for a PUD have been met.

iii. A table which details all deviations from the established zoning district uses; area, height and setback requirements; off-street parking regulations; general provisions; or subdivision regulations which would otherwise be applicable to the uses and development proposed in the absence of this PUD article; this table shall clearly identify the allowed regulation in comparison to the requested deviation.

iv. The manner of the ownership and dedication, and any mechanism to protect and maintain any areas designated as common areas or open space.

v. Any additional information requested by the Planning Board to better assist in the determination of PUD qualification such as, but not limited to: market studies, fiscal impact analysis, traffic impact studies, and environmental impact assessments.

b. Planning Board Public Hearing. A public hearing for the Planning Board to review the requested PUD concept Plan shall be scheduled in accordance with the Michigan Zoning Enabling Act (P.A. 110 of 2006, as amended).

c. Planning Board Review, Decision, and Recommendation.

i. PUD Concept Plan. The Planning Board shall review the PUD concept plan in consideration of public hearing comments, technical reviews from city staff, correspondence from applicable review agencies and compliance with the standards of this article and other applicable standards and requirements of this chapter. The Planning Board shall recommend approval, approval with conditions or denial of the PUD request to the City Council. The recommendation shall be based on the following:

1. Whether the proposal provides the recognizable benefits intended in this Chapter;
2. Promotes the land use goals and objectives of the City or the master plan;
3. Whether all applicable provisions of this article and this chapter are met;
4. Whether eligibility criteria of section 35-132 are met;
5. Whether there is, or will be at the time of development, adequate facilities to accommodate the sanitary sewage, stormwater, solid waste, water supply needs and traffic generated by the proposed project; and
6. Whether the project successfully provides a transition between higher and lower density uses and/or between nonresidential and residential.

d. Draft PUD Agreement. The applicant shall submit a draft PUD agreement for review and approval by the City Council after review by the city attorney. The agreement shall provide:

i. A survey of the acreage comprising the proposed development.

ii. The manner of ownership of the developed land.

iii. The manner of the ownership and of dedication or mechanism to protect any areas designated as common areas or open space.

iv. Provision assuring that open space areas shown on the plan for use by the public or residents of the development will be or have been irrevocably committed for that purpose; the city may require conveyances or other documents to be placed in escrow to accomplish this.

v. Satisfactory provisions have been made to provide for the future financing of any improvements shown on the plan for site improvements, open space areas and common areas which are to be included within the development and that maintenance of such improvements is assured by a means satisfactory to the City Council.

vi. The cost of installing, improving and maintaining streets and the necessary utilities has been assured by a means satisfactory to the City Council.

vii. Provisions to ensure adequate protection of natural features.

viii. The PUD site plan shall be incorporated by reference and attached as an exhibit.

e. Planning Board Public Hearing. A public hearing for the Planning Board to review the requested PUD concept Plan shall be scheduled in accordance with the Michigan Zoning Enabling Act (P.A. 110 of 2006, as amended).

d) City Council Review of PUD Overlay Zoning PUD Concept Plan and PUD Agreement.

a. Following receipt of a recommendation from the Planning Board on the PUD overlay zoning and PUD concept plan and draft PUD agreement; the City Council shall conduct a public hearing to review the concept plan and PUD agreement.

b. Notice regarding this public hearing shall be given in accordance with Section 3-303 of the Lansing City Charter.

c. After the public hearing, City Council shall either approve, deny, or approve with a list of conditions made part of the approval.

e) Conditions. In accordance with the Michigan Zoning Enabling Act (P.A. 110 of 2006, as amended), reasonable conditions may be required with the approval of a PUD for the purpose of ensuring that public services and facilities affected by a proposed land use or activity will be capable of accommodating increased service and facility loads caused by the land use or activity, protecting the natural environment and conserving natural resources, ensuring compatibility with adjacent uses of land, promoting the use of land in a socially and economically desirable manner, and further the implementation of the City of Lansing Comprehensive Plan. Conditions attached shall be included in the PUD agreement.

f) Time Limits for PUD Concept Plan Approval. Approval of the PUD concept plan by the City Council shall confer upon the owner the right to proceed through the subsequent planning phase for a period not to exceed two (2) years from date of approval. If application for final site plan approval for the PUD or a phase of the PUD is not requested within this time period, the PUD concept plan approval shall automatically become null and void and all rights thereunder shall terminate. The City Council may for good cause extend the period up to an additional two (2) years, if requested in writing by the applicant prior to the expiration date. Upon expiration of a PUD concept plan, the City Council may direct the Planning Board to conduct a public hearing and make a recommendation to remove the PUD overlay district.

g) Final Approval of Site Plan

a. Following City Council approval of the PUD concept plan, a final site plan for the PUD or individual phases of the PUD shall be submitted in accordance with Chapter 1260, Site Plan Review procedures.

b. All site plans subsequently submitted shall conform with the PUD concept plan, all conditions attached to preliminary approval, the PUD agreement and the requirements of this ordinance. Where the Planning Office determines that changes to the final site plan significantly deviate from the PUD concept plan, the Planning Board Office shall refer the PUD to the Planning Board to conduct

another public hearing, review the plan as an amended resubmission of the PUD concept plan under the requirements of this article, and make a recommendation on the proposed changes to the City Council for approval, denial, or approval with conditions.

Chapter 1270
Nonconformities

1270.01 Purpose and Intent

(a) Within the districts established by this chapter or amendments that may later be adopted, there exist lots, structures uses of land, and sites which were lawful before this chapter was passed or amended but which would be prohibited, regulated or restricted under the terms of this chapter or future amendment. It is the intent of this Chapter to permit non-conforming lots, buildings, structures, uses, and sites to continue until they are removed, but not to encourage their continued use or survival.

(b) No Expansion of Nonconformities. Non-conforming lots, buildings, structures, uses, and sites are hereby declared to be incompatible with the zoning districts in which they are located. It is the intent of this Chapter that these nonconformities shall not be enlarged upon, expanded, or extended, nor be used as grounds for adding other buildings, structures or uses prohibited elsewhere in the zoning district, except as may be provided for in this Chapter.

(c) Required upgrades to Nonconforming Sites. Similar to other types of non-conforming situations noted herein, there exist sites that were developed consistent with an approved site plan and other site regulated standards applicable at that time said use or site plan was approved, but that do not fully meet the requirements of this ordinance. Those site design features include parking space and aisle sizes, access, parking lot, landscaping/buffering, waste receptacle screening, lighting and similar standards. One purpose is this chapter is to define the extent to which a site plan must be upgraded to meet the current site plan related standards when changes or minor modifications to a conforming use and/or conforming building are proposed for a lot that does not fully meet the current standards. The intent is to require a level of upgrade that is reasonable to improve compliance given the nature of the existing nonconforming site features and extent of the changes proposed on the lot.

(d) Construction Prior to Effective Date of this Chapter. Nothing in this Chapter shall be deemed to require a change in the plans, construction, or designated use of any building on which actual construction was lawfully begun prior to the effective date of this Chapter, or an amendment thereto, and upon which actual building construction has been diligently conducted.

1270.02 Non-Conforming Lots of Record

If two or more lots or combinations of lots and portions of lots with continuous frontage in single ownership are of record and if all or part of the lots do not meet the requirements for lot width and area, the lands involved shall be considered to be an undivided parcel for the purposes of this chapter, and no portion of said parcel shall be used or sold in a manner which diminishes compliance with lot width and area requirements established by this chapter, nor shall any division of any parcel be made which creates a lot with width or area below the requirements stated in this chapter.

1270.03 Non-conforming Buildings or Structures

(a) Continuation of Non-conforming Buildings or Structures. Where a lawful building or structure exists prior to the effective date of this Chapter, or an amendment hereto, that does not comply with the requirements of this Chapter because of restrictions such as parking, lot area, coverage, width, height, or yards, that building or structure may be continued so long as it remains otherwise lawful, subject to the following provisions:

(1) No such structure may be enlarged or altered in a way which increases its nonconformity.

(2) Should such structure be destroyed by any means to an extent of more than 50% of its replacement cost at time of destruction, it shall not be reconstructed except in conformity with the provisions of this chapter. The owner shall provide the necessary information to make a determination as to whether or not repairs to the structure will exceed 50% of the replacement cost, exclusive of the foundation.

(3) Should a non-conforming building or structure be destroyed to an amount equal to or less than fifty (50) percent of its estimated replacement cost, exclusive of the foundation, it may be reconstructed in its previously non-conforming location.

1270.04 Non-Conforming Uses

(a) Enlargement or Increase of Non-conforming Use. No non-conforming use shall be enlarged or increased, nor extended to occupy a greater area of land than was occupied prior to the effective date of this Chapter, or an amendment thereto, except as may be permitted by the Board of Zoning Appeals in determining that the proposed enlargement, increase, or greater area shall:

(1) Not have a substantial detrimental effect on the use and enjoyment of adjacent uses or lots;

(2) Comply with all parking, sign, or other applicable regulations for accessory uses for the area affected by the proposed enlargement, increase, or greater area;

(3) Comply with any reasonable conditions imposed by the Board of Zoning Appeals that are necessary to ensure that the proposed enlargement, increase, or greater area shall not prove detrimental to adjacent properties, the neighborhood, or the community.

(b) Extension within a Building. Any non-conforming use may be extended throughout any parts of a building which were manifestly arranged or designed for that use at the time of adoption or amendment of this Chapter and would have been permitted by right, but the use shall not be extended to occupy any land outside the building.

(c) Reduction in Non-conforming Use. If any part of a non-conforming use is moved or reduced in size by action of the owner, the part of the non-conforming use that is moved or reduced in size shall be considered to be abandoned and any subsequent use shall conform to the requirements of this Chapter.

(d) Abandonment of a Non-conforming Use. If a non-conforming use is abandoned for any reason for a period of more than twelve (12) calendar months, any subsequent use shall conform to the requirements of this Chapter. Where nonconforming use status applies to a structure and premises in combination, removal or destruction of the structure shall eliminate the nonconforming status of the land.

(e) Extensions. Upon request, the Zoning Administrator may approve an administrative extension of up to an additional six (6) calendar months where a property owner can demonstrate a good faith effort to sell or lease the premises to another, similar use prior to determining abandonment. Requested extensions beyond the six (6) months must be approved by the Board of Zoning Appeals.

(f) Change to Other Non-conforming Use. A non-conforming use may be changed to another non-conforming use provided the Zoning Administrator makes all of the following determinations:

(1) The proposed use shall be as compatible as, or more compatible with, the surrounding area than the previous non-conforming use.

(2) The proposed non-conforming use shall not be enlarged or increased, nor extended to occupy a greater area of land than the previous non-conforming use, except as may otherwise be permitted by this Article.
(3) That appropriate conditions of approval and safeguards are provided that ensure compliance with the intent and purpose of this Chapter.

1270.05 Non-conforming Sites

This section applies when a change in use or a site plan is proposed on a site that does not conform with the current ordinance standards,

(a) New development or a replacement of the existing building(s). Where a new building is being constructed, full compliance with the current ordinance standards shall be required.
(b) Building Façade Renovations. Renovations to a building that does not include changes to the site, shall not be required to be brought into compliance with the ordinance, except for conforming features that impact safety such as building code compliance.
(c) Change in use, expansion or reconstruction on part of the site. The Zoning Administrator may review the extent of the non-compliance and may require full or partial compliance, or allow certain non-conforming features to remain, based on the relationship to the extent of the change proposed for the lot. In making such a determination, the Zoning Administrator may require an upgrade to the site based upon the following standards.
    (1) Reasonable site improvements to be made in relation to the scale and construction cost of the improvements
    (2) Improvements to the site are necessary to address safety-related site issues in accordance with the building code, fire code and other safety regulations.
    (3) Existing parking and loading spaces do not meet the current requirements of Chapter 1254 – Parking. The Zoning Administrator may allow for continued us of parking and loading spaces that do not meet the current required dimensions within all or a portion of the existing parking area if the intensity of the use will not increase. The Zoning Administrator may require improvements to the pavement and parking lot striping.
    (4) The closing, relocating, redesigning or reconfiguring of access points to allow shared access with an adjacent parcels for the purpose of reducing conflicts with traffic and non-motorized travel along the public street. (For example, driveways closest to signalized intersections or that have a poor offset spacing from driveways across the street may need to be closed, relocated or restrict certain turning movements to improve traffic flow and reduce crash potential). The Zoning Administrator may defer to the City Transportation Engineer for required changes to access design. See CHAPTER 1254.01.12 - INGRESS AND EGRESS.
    (5) Improved landscaping, to the extent practical, is necessary to provide sufficient buffering from less intensive adjacent uses, to improve the streetscape, mitigate the impact of non-conforming buildings or structures, and reduce the flowrate and improve the quality of stormwater runoff.
    (6) Conformance with the standards of section will result in reduced glare onto adjacent residential or institutional properties and public rights-of-way.
    (7) Relocating and screening waste receptacles that are not fully conforming to current placement and screening standards will reduce conflicts with vehicles, improve views from the public street, and reduce impacts on adjacent residential property.

Chapter 1272
Administration, Enforcement and Penalty

1272.01 Enforcement by Planning Office, Code Compliance Office and Building Safety Office; violations; reviews

(a) The Planning Office, the Code Compliance Office and the Building Safety Office are hereby authorized and directed to enforce this Zoning Code, and for such purpose the authorized representatives of such Offices shall have the powers of a law enforcement officer. The Director of Economic Development and Planning, the Zoning Administrator, the Planning Manager and all code compliance officers are designated as the authorized City officials to issue Municipal civil infraction citations (directing alleged violators to appear in court) or Municipal civil infraction violation notices (directing alleged violators to appear at the Municipal Ordinance Violations Bureau) as provided in Chapter 203 of these Codified Ordinances. As used in this section and throughout these Codified Ordinances, “Planning Office”, “Code Compliance Office” and “Building Safety Office” means the Offices within the Department of Economic Development and Planning.
(b) Whenever necessary to make an inspection to enforce any provision of this Zoning Code, or whenever the Planning Office, the Code Compliance Office and the Building Safety Office or their authorized representatives have reasonable cause to believe that there exists in any structure or upon any lot a violation of this Zoning Code, any authorized City representative may, if entry would not otherwise be lawful, enter the structure or upon the lot to inspect the same, after obtaining the consent of the owner or person having charge or control of the structure or lot, or after obtaining a warrant authorizing entry.
(c) The Planning Office, the Code Compliance Office and the Building Safety Office and their authorized representatives charged with enforcement of this Zoning Code, acting in good faith and without malice in the discharge of their duties, shall be indemnified and held harmless by the City against any liability for any damage that may accrue to persons or property as the result of any act or by reason of any act or omission in the discharge of their duties. Any suit brought against the Planning Office, the Code Compliance Office and/or the Building Safety Office and/or any employee of the Planning Office, the Code Compliance Office or the Building Safety Office, because of such act or omission performed by the employee in the enforcement of any provision of this Zoning Code, shall be defended by legal counsel provided by the City.
(d) No person shall erect, construct, enlarge, alter, repair, move, improve, remove, convert, demolish, equip, use, occupy or maintain any building, structure or lot, or cause or permit the same to be done, in violation of this Zoning Code.
(e) Any building, structure or lot erected, constructed, enlarged, altered, repaired, moved, improved, removed, converted, demolished, equipped, used, occupied or maintained in violation of this Zoning Code shall be a nuisance per se. The City may enjoin or abate any violation of any of the provisions of this Zoning Code by appropriate action.

1272.02 Fees

Fees required by this Zoning Code shall be set by resolution of Council.

1272.04. Penalty; notice to abate violations; equitable remedies

(a) Except as otherwise provided in this Zoning Code, whoever violates any of the provisions of this Zoning Code is responsible for a Municipal civil infraction and shall be subject to the civil fine provided in Section 203.06 of these Codified Ordinances, plus costs and other sanctions, for each infraction. Repeat offenses shall be subject to increased fines as provided in Section 202.99(c)(2).
(b) In all cases where penalties or forfeitures are provided for any act or omission, they shall be held to apply to each and every such act or omission. Each and every day the violation exists shall be a separate act or omission. In addition to the foregoing penalties, the City may enjoin or abate any violation of any of the provisions of this Zoning Code by appropriate action.

Chapter 1274
Board of Zoning Appeals

1274.01 Establishment

There is hereby established a Board of Zoning Appeals as provided in Section 5 of Public Act 207 of 1921, as amended, being M.C.L.A. 125.585.

1274.02 Composition; terms of office; vacancies

(a) The Board of Zoning Appeals shall consist of nine members who are appointed by the Mayor with the advice and consent of Council. To be eligible for appointment, each person shall possess the qualifications required by the City Charter for holding office.
(b) After the effective date of this Zoning Code (Ordinance 636, passed March 7, 1983), each subsequent appointment to the Board shall be for one, two or three years, respectively, so as to provide for the appointment of an equal number of members each year. Thereafter, each member shall be appointed for a full three-year term. The Mayor shall attempt to appoint at least one member to the Board who is serving as a member of the Planning Board. The Chairperson of the Board of Zoning Appeals shall be elected annually by the membership of the Board.
(c) Members may be removed at the pleasure of the Mayor, with the advice and consent of Council. Appointments to fill vacancies shall be made upon the occurrence of the vacancy and each person so appointed shall take office immediately upon the confirmation of Council, to serve for the remainder of the unexpired term. If a vacancy is not filled within 60 days after the occurrence of the vacancy, Council shall appoint a committee of three of its members to act instead of the Mayor in the making of such appointment.

1274.03 Powers and duties

(a) The Board of Zoning Appeals shall hear and decide appeals from, and review any order, requirement, decision or determination made by, the Planning Office related to the Zoning Code.
(b) The Board of Zoning Appeals shall determine if a Class A nonconformity may be restored or reconstructed pursuant to Section 1270.06(c).
(c) If requested by an applicant, the Board of Zoning Appeals shall review any decision of the Planning Board, which decision is made under Chapter 1270.
(d) The duty to alter or change the Zoning Code or the Zoning Map is reserved to Council in the manner provided by law.
(e) The Board of Zoning Appeals shall hear and determine requests for variances in accordance with Section 1274.06.

1274.04 Appeal procedures.

(a) Either of the following may take an appeal to the Board of Zoning Appeals pursuant to the procedures described in this section:
    (1) A person aggrieved by a Planning Office decision regarding this Zoning Code; or
    (2) Any officer, department, board or bureau of the City aggrieved by a Planning Office decision regarding this Zoning Code.
(b) An applicant shall file with the Planning Office all of the following:
    (1) A notice of appeal on forms provided by the Office. The notice of appeal shall specify the grounds for the appeal.
    (2) A drawing which, by a decision of the Office, reasonably reflects the factors involved in the appeal.
(c) The Office shall, upon the proper filing of the notice of appeal, immediately transmit to the Board of Zoning Appeals all the papers constituting the record of the appeal.
(d) An appeal shall stay all proceedings in furtherance of the action appealed from, unless the Office certifies to the Board, after the notice of appeal is filed, that by reason of facts stated in an Office certification, a stay would, in the opinion of the Office, cause imminent peril to life or property. If the Office so certifies, proceedings shall not be stayed, otherwise than by a restraining order which may be granted by the Board or by the Circuit Court by giving notice to the Office and showing due cause.

1274.05 Hearings

(a) The Board of Zoning Appeals shall fix a reasonable time for the hearing of an appeal filed pursuant to Section 1274.04.
(b) The Board shall give notice of the appeal to the persons to whom real property within 300 feet of the lot in question is assessed, according to the records held in the office of the City Assessor. The board shall also give notice to the occupants of single-family and two-family dwellings within 300 feet of the lot. If the occupant's name is not known, the term "occupant" may be used.
(c) The notices described in subsection (b) hereof shall be delivered personally or by mail at the address given in the last assessment roll.
(d) The Board shall decide an appeal within a reasonable time.
(e) At the hearing a party may appear in person, by agent or by attorney.
(f) The Board may reverse or affirm, wholly or partly, or may modify, the order, requirement, decision or determination appealed from, and shall make an order, requirement, decision or determination as in its opinion ought to be made on the lot, and to that end shall have all the powers of the officer or body from whom the appeal is taken.

1274.06 Variances

a) The Board of Zoning Appeals may authorize a variance described in subsection (b) hereof. For the purposes of this section, "variance" means a modification of the strict letter of this Zoning Code, granted when strict enforcement of this Zoning Code would cause practical difficulties or unnecessary hardship.
b) The Board may grant variances for the following:

1. Modification of the dimensional requirements as may be necessary to secure appropriate improvement of a lot, which lot is of such shape or so located with relation to surrounding development or physical characteristics that it cannot otherwise be appropriately improved without such modification; and
2. Modification of zoning requirements for additions or enlargements to existing structures, provided that all requirements for the particular use in the zoning district where such use is first permitted cannot be met without physical hardship pertaining to the shape of the lot and adjacent land uses or topography.

c) When considering a variance described in subsection (b) hereof, the Board shall consider the following criteria in determining if a practical difficulty or unnecessary hardship exists:
1. If the owner of the lot complies with this Zoning Code, he or she can secure no reasonable return from, or make no reasonable use of, his or her property.
2. The hardship results from the application of this Zoning Code to his or her lot, rather than from some other factor.
3. The hardship is not the result of his or her own actions.
4. The hardship is peculiar to the lot of the applicant.

d) The procedure for obtaining a variance in accordance with this section shall be the same as that outlined in Section 1274.04.

e) In considering a proposed variance from this Zoning Code, the Board shall first, in each specific case, determine that practical difficulties or unnecessary hardships exist, according to the following standards:
1. The proposed use will be of such location, size and character that it will be in harmony with the appropriate and orderly development of the surrounding neighborhood.
2. The proposed use will be of a nature that will make vehicular and pedestrian traffic no more hazardous than is normal for the district involved, taking into consideration vehicular turning movements in relation to routes of traffic flow, proximity and relationship to intersections, adequacy of sight distances, location and access of off-street parking and provisions for pedestrian traffic, with particular attention to minimizing child-vehicle contacts in residential districts.
3. The location, size, intensity, site layout and periods of operation of any such proposed use will be designed to eliminate a possible nuisance emanating therefrom, which nuisance might be noxious to the occupants of any other nearby permitted use, whether by reason of dust, noise, fumes, vibration, smoke or lights.
4. The location and height of structures and joint driveways and the location, nature and height of walls and fences will be such that the proposed use will not interfere with or discourage the appropriate development and use of adjacent land and structures or unreasonably affect their value.

1274.07 Vote required

The concurring vote of a majority of the members serving on the Board of Zoning Appeals shall be necessary to reverse an order, requirement, decision or determination of the Planning Office or to decide in favor of the applicant a matter upon which it is required to pass under an ordinance, or to effect a variance of such ordinance.

1274.08 Conditions for approval

The Board of Zoning Appeals, in acting favorably in connection with an appeal or variance, may attach any condition to its approval which it finds necessary to accomplish the reasonable application of the standards described in Section 1274.06(e).

1274.09 Appeals to Circuit Court

(a) The decision of the Board of Zoning Appeals shall be final. However, a person having an interest affected by this Zoning Code may appeal to the Circuit Court. Upon appeal, the Court shall review the record and decision of the Board to ensure that the decision:
(1) Complies with the Constitution and laws of the State;
(2) Is based upon proper procedure;
(3) Is supported by competent material and substantial evidence on the record; and
(4) Represents the reasonable exercise of discretion granted by law to the Board.

(b) If the Court finds that the record of the Board is inadequate to make the review required by this section, or that there is additional evidence which is material and with good reason was not presented to the Board, the Court shall order further proceedings before the Board on conditions which the Court considers proper. The Board may modify its findings and decision as a result of the new proceedings, or may affirm its original decision. The supplementary record and decisions shall be filed with the Court.

(c) As a result of the review required by this section, the Court may affirm, reverse or modify the decision of the Board.

Chapter 1276
Amendments

1276.01 Application for Amendment

(a) An application to amend, supplement or change the regulations and boundaries of zoning districts may be made by any of the following persons:
1. A person having a legal or equitable interest in the property;
2. The authorized representative of a person having a legal or equitable interest in the property; or
3. Council.

(b) The application described in subsection (a) hereof shall be made on forms provided by the Planning Office and shall be filed with the City Clerk and accompanied by the fees required by Council.

(c) Within one day after receipt of the application, the City Clerk shall refer the application to the Planning Board. Simultaneously, the City Clerk shall place the application on the agenda for the next Council meeting.

(d) After the City Clerk refers the application to the Board, the Board shall hold not less than one public hearing before submitting a final report to Council and shall provide notice of the public hearing as described in subsection (e) hereof.

(e) Not less than 15 days' notice of the time and place of the public hearing described in this subsection shall first be published in an official paper or a paper of general circulation in the City. In addition, not less than 15 days' notice of the time and place of the public hearing shall be given by mail to each public utility company and to each railroad company owning or operating any public utility or railroad within the districts or zones affected, if the public utility company or railroad registers its name and mailing address with the City Clerk for the purpose of receiving the notice. An affidavit of mailing shall be maintained by the Planning Office. In addition, the Planning Office shall provide not less than 15 days' notice of a public hearing on a proposed amendment to a zoning district boundary to the owner of the property in question, as represented on the tax records held in the office of the City Assessor. A hearing shall be granted an interested person at the time and place specified on the notice.

1276.02 Approval

(a) After the public hearing described in subsection 1276.01(d), the Board shall make its final report to Council. A summary of the comments submitted at the public hearing shall be transmitted with the report of the Board to Council. Council shall hold at least one public hearing and shall provide notice of a public hearing as described in subsection 1276.01(e).
(b) Council shall not determine the boundaries of districts nor impose regulations until after the final report of the Board, nor shall this Zoning Code or the maps be amended after they are adopted in the first instance until the proposed amendment has been submitted to the Board and it has held at least one hearing and made a report. In either case, Council may adopt the ordinance and maps, with or without amendments, after receipt of the Board's report, or refer this Zoning Code and maps again to the Board for a further report.
(c) Upon presentation of a protest petition meeting the requirements of this subsection, an amendment to this Zoning Code which is the object of the petition shall be passed only by a two-thirds vote of Council. The protest petition shall be presented to Council before final legislative action on the amendment, and shall be signed by one of the following:
    (1) The owners of at least 20 percent of the area of land included in the proposed change; or
    (2) The owners of at least 20 percent of the area of land included within an area extending outward 100 feet from any point on the boundary of the land included in the proposed change.
(d) For purposes of subsection (b) hereof, publicly owned land shall be excluded in calculating the 20 percent land area requirement.
(e) Following the adoption of this Zoning Code and following the adoption of subsequent amendments to this Zoning Code by Council, one notice of adoption shall be published by the City Clerk in a newspaper of general circulation in the City within 15 days after adoption. The notice shall include the following information:
    (1) In the case of a newly adopted zoning ordinance, the following statement: "A zoning ordinance regulating the development and use of land has been adopted by Council;"
    (2) In the case of an amendment to an existing ordinance, either a summary of the regulatory effect of the amendment, including the geographic area affected, or the text of the amendment;
    (3) The effective date of the ordinance; and
    (4) The place and time where a copy of the ordinance may be purchased or inspected.

1276.03 Conditional rezoning

(a) Intent. It is recognized that there are certain instances when it would be in the best interests of the City, as well as advantageous to land owners seeking a change in zoning boundaries, if specific conditions were to be proposed by the land owner as part of a request for a rezoning. It is the intent of this section to provide a process consistent with MCL Section 125.3405 by which a land owner seeking a rezoning may voluntarily propose conditions regarding the use and/or development of land as part of the rezoning request.
(b) Application and offer of conditions.
    (1) A land owner or a land owner's agent may voluntarily offer in writing conditions relating to the use and/or development of land for which a rezoning is requested. This offer may be made either at the time the application for rezoning is filed or at a later time during the rezoning process.
    (2) The required application and process for considering a rezoning request with conditions shall be the same as that for considering rezoning requests made without any offer of conditions, except as modified by the requirements of this section.
    (3) The land owner's offer of conditions may not purport to authorize uses or developments not permitted in the requested new zoning district.
    (4) Any use or development proposed as part of an offer of conditions that would require a special land use permit under the terms of this ordinance may only be commenced if a special land use permit for such use or development is ultimately granted in accordance with the provisions of this ordinance.
    (5) Any use or development proposed as part of an offer of conditions that would require a variance under the terms of this ordinance may only be commenced if a variance for such use or development is ultimately granted by the zoning board of appeals in accordance with the provisions of this ordinance.
    (6) Any use or development proposed as part of an offer of conditions that would require site plan approval under the terms of this ordinance may only be commenced if site plan approval for such use or development is ultimately granted in accordance with the provisions of this ordinance.
    (7) The offer of conditions may be amended during the process of rezoning consideration provided that any amended or additional conditions are offered voluntarily by the owner. an owner may withdraw all or part of its offer of conditions any time prior to final rezoning action of the City Council provided that, if such withdrawal occurs subsequent to the Planning Board's public hearing on the original rezoning request, then the rezoning application shall be referred to the Planning Board for a new public hearing with appropriate notice and a new recommendation.
(c) Planning Board review. The Planning Board, after public hearing and consideration of the factors for rezoning set forth in this ordinance, may recommend approval, approval with recommended changes or denial of the rezoning; provided, however, that any recommended changes to the offer of conditions are acceptable to and thereafter offered by the land owner.

(d) City Council review. After receipt of the Planning Board's recommendation, the City Council shall deliberate upon the requested rezoning and may approve or deny the conditional rezoning request. The City Council's deliberations shall include, but not be limited to a consideration of the factors for rezoning set forth in this ordinance.

(e) Approval.

(1) If City Council finds the rezoning request and offer of conditions acceptable, the offered conditions shall be incorporated into a formal written statement of conditions acceptable to the land owner and conforming in form to the provisions of this ordinance. The statement of conditions shall be incorporated by attachment or otherwise as an inseparable part of the ordinance adopted by City Council to accomplish the requested rezoning.

(2) The statement of conditions shall:

a. Contain a legal description of the land to which it pertains.

b. Contain a statement acknowledging that the statement of conditions runs with the land and is binding upon successor owners of the land.

c. Incorporate by attachment or reference any diagram, plans or other documents submitted or approved by the land owner that are necessary to illustrate the implementation of the statement of conditions. If any such documents are incorporated by reference, the reference shall specify where the document may be examined.

d. (Contain the notarized signatures of all of the land owners of the subject land preceded by a statement attesting to the fact that they voluntarily offer and consent to the provisions contained within the statement of conditions.

(3) Upon the rezoning taking effect, the zoning map shall be amended to reflect the new zoning classification along with a designation that the land was rezoned with a statement of conditions. The City Clerk shall maintain a listing of all lands rezoned with a statement of conditions.

(4) The City Council shall have authority to require that the statement of conditions be recorded with the register of deeds if it determines that, given the nature of the conditions, the recording of such a document would be of material benefit to the City or to any subsequent owner of the land.

(5) Upon the rezoning taking effect, the use of the land so rezoned shall conform thereafter to all of the requirements regulating its use and development as contained in the statement of conditions.

(f) Compliance with conditions.

(1) Any person who establishes a development or commences a use upon land that has been rezoned with conditions shall continuously operate and maintain the development or use in compliance with all of the conditions set forth in the statement of conditions. Any failure to comply with a condition contained within the statement of conditions shall constitute a violation of this zoning ordinance and be punishable accordingly. Additionally, any such violation shall be deemed a nuisance per se and subject to judicial abatement as provided by law.

(2) No permit or approval shall be granted under this ordinance for any use or development that is contrary to a statement of conditions.

(g) Time period for establishing development or use. Unless another time period is specified in the ordinance rezoning the subject land, the approved development and/or use of the land pursuant to building and other required permits must be commenced upon the land within 18 months (or shorter if specified) after the rezoning takes effect and thereafter proceed diligently to completion. This time limitation may, upon written request, be extended by the City Council if: (1) It is demonstrated to the City Council's satisfaction that there is a strong likelihood that the development and/or use will commence within the period of extension and proceed diligently thereafter to completion and (2) the City Council finds that there has not been a change in circumstances that would render the zoning with statement of conditions incompatible with other zones and uses in the surrounding area or otherwise renders it inconsistent with zoning policy.

(h) Reversion of zoning. If approved development and/or use of the rezoned land does not occur within the time frame specified under subsection (g) above, then the land shall revert to its former zoning classification as set forth in MCL § 125.3405.

(i) Subsequent rezoning of land. When land that is rezoned with a statement of conditions is thereafter rezoned to a different zoning classification or to the same zoning classification but with a different or no statement of conditions, whether as a result of a reversion of zoning or otherwise, the statement of conditions imposed under the former zoning classification shall cease to be in effect. Upon the land owner's written request, the City Clerk shall record with the register of deeds a notice that the statement of conditions is no longer in effect.

(j) Amendment of conditions when extension requested. If a conditional zoning has been approved and the applicant requests an extension of time for commencement of the development, the City Council may add to, delete or modify the conditions in the previously approved statement of conditions as part of its decision to grant the requested extension so long as the changes are proposed by the developer.

(k) City's right to rezone. Nothing in the statement of conditions nor in the provisions of this section shall be deemed to prohibit the City from rezoning all or any portion of land that is subject to a statement of conditions to another zoning classification. Any rezoning shall be conducted in compliance with City Ordinances and City Charter.

(l) Failure to offer conditions. The City shall not require a land owner to offer conditions as a requirement for rezoning. The lack of an offer of conditions shall not affect a land owner's rights under this ordinance.

Section 2. All ordinances, resolutions or rules, parts of ordinances, resolutions or rules inconsistent with the provisions hereof are hereby repealed in their entirety and shall be null and void and of no effect.

Section 3. Should any section, clause or phrase of this ordinance be declared to be invalid, the same shall not affect the validity of the ordinance as a whole, or any part thereof other than the part so declared to be invalid.

Section 4. All applications for site plan approval or zoning classification amendment made prior to the effective date of this ordinance will proceed under the existing zoning ordinance and map.

Section 5. This ordinance shall take effect on May 1, 2021, which is more than thirty days after passage, and pursuant to Section 3-307 of the City Charter, this Chapter shall expire December 31, 2031.

PASSAGE OF ORDINANCE

An Ordinance of the City of Lansing, Michigan, to amend the Lansing Codified Ordinances by amending Chapter 608, Section 608.04, to allow for consumption of alcoholic beverages on public property located in social districts established in conformity with state liquor control laws and at South Washington Office Complex.

Was read a second time by its title and adopted by the following roll call vote:

Yeas: Council Members Betz, Dunbar, Garza, Hussain, Jackson, Spadafore

Nays: Council Member Wood

The question being adoption of the substitution.

Motion not carried by the following roll call vote:

Yeas: Council Members Garza, Hussain, Wood

Nays: Council Members Jackson, Spadafore, Betz, Dunbar

The question being this ordinance shall take immediate effect.

Motion carried by the following roll call vote:

Yeas: Council Members Betz, Dunbar, Garza, Hussain, Jackson, Spadafore, Wood

Nays: None

ORDINANCE #1274

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO AMEND THE LANSING CODIFIED ORDINANCES BY AMENDING CHAPTER 608, SECTION 608.04, TO ALLOW FOR CONSUMPTION OF ALCOHOLIC BEVERAGES ON PUBLIC PROPERTY LOCATED IN SOCIAL DISTRICTS ESTABLISHED IN CONFORMITY WITH STATE LIQUOR CONTROL LAWS AND AT SOUTH WASHINGTON OFFICE COMPLEX.

THE CITY OF LANSING ORDAINS:

Section 1. That Chapter 608, Section 608.04, of the Code of Ordinances of the City of Lansing, Michigan be and is hereby amended to read as follows:

(a) EXCEPT AS AUTHORIZED IN DESIGNATED SOCIAL DISTRICTS PURSUANT TO MCL 436.1551, ~~N~~no person shall:

(1) Sell, consume or possess in an open container alcoholic beverages in the public streets, public places, parks, alleys, sidewalks, City-owned parking facilities ~~or~~ the Turner-Dodge House, OR THE SOUTH WASHINGTON OFFICE COMPLEX (SWOC), except as provided in this section; or

(2) Sell, consume or possess in an open container alcoholic beverages in a private parking lot or facility, including, but not limited to, shopping center parking lots or parking areas adjacent to commercial establishments which are utilized by patrons of the commercial establishment, unless such person has in his or her possession, in writing, the express permission or consent of the owner or lessee, or the lawful agent of the owner or lessee, of such lot or facility. This paragraph shall not apply to any event sponsored or authorized in writing by the owner or lessee of such premises.

(3) AS USED IN THIS CHAPTER, "ALCOHOLIC BEVERAGES" MEANS ALCOHOLIC LIQUOR, BEER, AND WINE, AS DEFINED IN THE MICHIGAN LIQUOR CONTROL CODE OF 1998, ACT 58 OF 1998.

(b) ~~Beer or wine~~ ALCOHOLIC BEVERAGES may be sold and/or consumed in City parks, upon approval of the Mayor, if:

(1) For sales of ~~beer and wine~~ ALCOHOLIC BEVERAGES, a special license for such sale is obtained from the Michigan Liquor Control Commission and if the Mayor approves the license application prior to the issuance of the license. Approval by the Mayor shall be granted only if the license is to be utilized in conjunction with a City-approved cultural, ethnic or community activity open to the public or if the license is to be utilized in conjunction with a City-approved tourist or convention activity; or

(2) For consumption only, where no sales occur, approval is granted for the consumption of ~~beer and wine~~ ALCOHOLIC BEVERAGES at a City-approved cultural, ethnic or community activity open to the public, or in conjunction with a City-approved tourist or convention activity, provided that with respect to either the sale of ALCOHOLIC BEVERAGES ~~beer and wine~~, or consumption, where no sales occur, the requirements set forth in subsections (g), (h) and (i) hereof are met.

(3) Prior mayoral approval shall not be required for the sale and/or consumption of ~~beer and wine~~ ALCOHOLIC BEVERAGES at the Turner-Dodge House, Scott Park, Cooley Gardens, South Washington Office Complex (SWOC), and Fenner Nature Center ~~however, with regard to the South Washington Office Complex such sale and/or consumption of beer and wine may only occur at non-profit events held on May 8, 2018~~.

(c) Notwithstanding the limitations set forth in subsection (b) hereof, ALCOHOLIC BEVERAGES ~~beer or wine~~ may be sold for consumption at Kircher Field or Ranney Field if a special license for such sale is obtained from the Michigan Liquor Control Commission and if the Mayor approves the license application prior to the issuance of the license. Approval of the Mayor shall be granted for the sale and/or consumption of ~~beer and wine~~ ALCOHOLIC BEVERAGES at Kircher Field or Ranney Field only in conjunction with City-approved district, State, regional or national adult athletic tournaments and if the requirements set forth in subsections (g), (h), and (i) hereof are met.

(d) Notwithstanding the limitations set forth in subsection (b) hereof, ~~beer or wine~~ ALCOHOLIC BEVERAGES may be sold for consumption, and may be consumed, within the grounds of the Turner-Dodge House, Scott Park, ~~or~~ Cooley Gardens, OR SWOC, provided that all permits required by the Department of Parks and Recreation have been obtained, a special license, if applicable, has been obtained from the Michigan Liquor Control Commission, and the

requirements set forth in subsections (g), (h), and (i) hereof are met. Rental fees for the Turner-Dodge House, the Scott Park, or Cooley Gardens shall be set by resolution of Council. Use of the Turner-Dodge House, Scott Park, ~~or~~ Cooley Gardens, OR SWOC, in conjunction with the sale of ~~beer or wine~~ ALCOHOLIC BEVERAGES for consumption shall not be limited to public events, but may also include private events.

(e) Sale and consumption of alcoholic beverages is allowable within the concession area or any other area within the perimeter of the Groesbeck Golf Course and Hope Soccer Complex, provided that, if sold, a license for such sale has been obtained from the Michigan Liquor Control Commission, and provided, further, that any such consumption or sale shall be contingent upon approval by the Department of Parks and Recreation and subject to such rules or restrictions as the Department may establish.

(f) Sale and consumption of alcoholic beverages may occur within the concession area or any other area within the City Market or its environs, provided that, if sold, a license for such sale has been obtained from the Michigan Liquor Control Commission and the sale and for consumption occurs within a clearly demarcated area in compliance with the license, and provided, further, that any such sales for consumption shall be contingent upon approval by the Lansing Entertainment and Public Facilities Authority (LEPFA) and subject to such rules or restrictions as LEPFA may establish. Notwithstanding section (i) herein, any such applicant shall file with the City Clerk proof of a personal injury and property damage insurance policy insuring such applicant against any liability imposed on such applicant or the City arising out of the sale or consumption of alcoholic beverages, and naming the City and LEPFA as additional insureds. Such policy shall provide for payment in the event of injury to or death of one person or more than one person, and for the payment for property damage in amounts set by Council resolution on the basis of recommendations by the Finance Department. This requirement may be waived or the amounts of such required insurance reduced by resolution of Council finding that such a reduction or waiver is in the public interest.

(g) ~~Beer or wine~~ ALCOHOLIC BEVERAGES may be sold for consumption within the streets, alleys, sidewalks and public places within the boundaries of the Downtown Mall and environs, as defined in Section 812.01 of the Business Regulation and Taxation Code AND IN DESIGNATED SOCIAL DISTRICTS PURSUANT TO MCL 436.1551, provided that the following conditions are satisfied:

(1) The request has been approved by the Mayor.

(2) The individual, group or organization making the application obtains a special license for such sale and consumption from the Michigan Liquor Control Commission.

(3) The individual, group or organization has complied with subsections (g), (h), (i) and (j) hereof.

(4) Any other conditions which the Mayor may require have been met.

(h) The City Clerk shall provide a form on which the applicant shall provide the following information:

(1) The name and address of the applicant;

(2) The name of the organization, if applicable;

(3) The type of event;

(4) The date of the application;

(5) The date and time of the event planned;

(6) The purpose of the event;

(7) The estimated number of persons attending;

(8) The name of the insurance company, if applicable, from which the necessary public liability policy will be or has been obtained;

(9) Proof that the proper rental fee has been paid, if applicable; and

(10) The security measures which the applicant proposes to utilize.

Upon the applicant's payment of an application fee, as determined by resolution of Council, the City Clerk shall forward the completed application form to the Police Department and to the Department of Parks and Recreation for review.

(i) Whenever a special license for the sale and/or consumption of ALCOHOLIC BEVERAGES ~~beer or wine~~ in City parks, or within the Downtown Mall and environs or upon the grounds of the Turner-Dodge House, Scott Park, Cooley Gardens, ~~or~~ Fenner Nature Center, OR SWOC is required, the applicant shall file with the City Clerk proof of a personal injury and property damage insurance policy insuring such applicant against any liability imposed on such applicant or the City arising out of the sale or consumption of ALCOHOLIC BEVERAGES ~~beer or wine~~. Such policy shall provide for payment in the event of injury to or death of one person or more than one person, and for payment for property damage in amounts set by Council resolution on the basis of recommendations by the Finance Department. Such policy shall have a provision to the effect that the insurance company shall notify the City Clerk at least ten days prior to the expiration of such policy. However, this requirement may be waived or the amounts of such required insurance reduced by resolution of Council finding that such a reduction or waiver is in the public interest.

(j) The applicant shall be solely responsible for providing adequate security, in the form of adequate personnel and fencing, as determined by the Department of Parks and Recreation. Approval by the Department of the applicant's plan for security shall be obtained prior to any application being approved or any event being scheduled.

(k) No person shall sell or dispense ~~beer or wine~~ ALCOHOLIC BEVERAGES for consumption in City parks, in any container other than a paper or plastic container. No person shall sell or dispense ~~beer or wine~~ ALCOHOLIC BEVERAGES for consumption within the Turner-Dodge House in any container other than a paper or plastic container unless prior written permission has been received from the Department of Parks and Recreation.

(l) (1) Notwithstanding any provision set forth in this Section 608.04 to the contrary, ~~beer or wine~~ ALCOHOLIC BEVERAGES may be sold for consumption on the premises, and may be consumed, at public or private events or functions within the grounds of the Potter Park Zoo Exploration and Discovery Center and Plaza, provided:

a. Dispensing of beer or wine shall be conducted by persons or entities not affiliated with Potter Park Zoo or any of its auxiliary organizations;

b. No beer or wine may be sold or dispensed during hours when the Potter Park Zoo is open to the general public;

c. For sales of ~~beer or wine~~ ALCOHOLIC BEVERAGES for consumption on the premises an appropriate license shall be obtained from the Michigan Liquor Control Commission; furthermore, prior mayoral approval is required, which approval shall only be granted in conjunction with a City-approved cultural, ethnic or community activity open to the public, or in conjunction with a City-approved tourist or convention activity;

~~d. Intoxicating liquors (i.e. distilled rather than fermented alcoholic beverages) may not be sold on the premises.~~

(2) ~~Commencing July 1, 2001, r~~**R**ental fees for the Potter Park Zoo Exploration and Discovery Center and Plaza shall be set by resolution of City Council.

Section 2. All ordinances, resolutions or rules, parts of ordinances, resolutions or rules inconsistent with the provisions are repealed.

Section 3. Should any section, clause or phrase of this ordinance be declared to be invalid, the same shall not affect the validity of the ordinance as a whole, or any part thereof other than the part so declared to be invalid.

Section 4. This ordinance shall take effect on the 30th day after enactment, unless given immediate effect by City Council and, pursuant to Section 3-307 of the City Charter, this Chapter shall expire December 31, 2031.

CONSENT AGENDA

By Vice President Hussain

To approve all items on the Consent Agenda.

Motion Carried by the following roll call vote:

Yeas: Council Members Betz, Dunbar, Garza, Hussain, Jackson, Spadafore, Wood

Nays: None

RESOLUTION #2021-051
BY COUNCIL PRESIDENT SPADAFORE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the City Council has a duty to oversee the financial affairs of the city, and serves as the policymaking body of the City of Lansing;

WHEREAS, an Ad Hoc Audit Committee will be established to provide guidance and oversight to the City Council Internal Auditor in the performance of his/her responsibilities, create and review annual audit plans, evaluate the financial position of the City, and examine operations to identify opportunities to reduce costs, increase efficiency, quality, and effectiveness, or otherwise improve management of City functions, programs, services, or policies; and

WHEREAS, a primary objective of the Ad Hoc Audit Committee is to evaluate and make a recommendation to the City Council regarding a potential charter amendment that implements a permanent Audit Committee.

NOW, THEREFORE BE IT RESOLVED, Lansing City Council President Spadafore appoints Council Member Spadafore as Chair of the Ad Hoc Audit Committee and Council Member Carol Wood as Vice Chair. A quorum of members at the Ad Hoc Audit Committee is two (2) members. Votes must be unanimous to forward any audit item or recommendation to the City Council.

BE IT FURTHER RESOLVED, The Ad Hoc Audit Committee shall establish and prepare an annual audit plan by December 31st of each calendar year. The annual audit plan, any previous findings, and recommendations will be reported to the Committee of the Whole no later than December 31st each year.

BE IT FINALLY RESOLVED, the Ad Hoc Audit Committee will meet on the days and times set by the Chair and will be dissolved by March 3, 2023.

Adopted as part of the Consent Agenda

RESOLUTION #2021-052
BY THE COMMITTEE ON WAYS AND MEANS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Authorizing Michigan Natural Resources Trust Fund (MNRTF) Grant Funding

WHEREAS, the Parks and Recreation Department is applying for grant funding through Michigan Natural Resources Trust Fund (MNRTF); and

WHEREAS, MNRTF will be accepting grant applications for the next grant cycle no later than April 1, 2021; and

WHEREAS, MNRTF requires a resolution from the governing body of the applicant supporting the applications, acknowledging the required match and committing to the amount and source of match that are specified in the applications; and

WHEREAS, the Parks Board at its February 10, 2021 unanimously approved the submission of the grants; and

WHEREAS, the Parks and Recreation Director is recommending the City apply for grant funding for the following projects:

Land acquisition of 67 acres from Lansing School District	$1,000,000
Land acquisition of two parcels 20.15 acres and 7.91 acres for Corporate Research Park (McClaren)	$1,400,000
Development Grant for ADA Playground Phase II at Riverfront Park (boardwalk, river access, parking lot and other amenities)	$300,000
Development Grant for Fenner Nature Center Walking Path	$300,000
Development Grant for Corporate Research Park (McClaren)	$300,000
Recreation Passport Grant for the Frances Park Rose Garden	$200,000

NOW, THEREFORE, BE IT RESOLVED that the City Council authorizes the submission of grant applications to the Michigan Natural Resources Trust Fund for the above projects; and

BE IT FINALLY RESOLVED that the City of Lansing, Michigan, does hereby accept the terms of the Agreement as received from the Michigan Department of Natural Resources and that the City of Lansing Parks and Recreation Department does hereby specifically agree, but not by way of limitation, as follows:

1. To appropriate all funds necessary to complete the project during the project period and to provide funding with a minimum twenty-five percent (25%) to match the grant authorized by the Parks and Recreation Department.

2. To maintain satisfactory financial accounts, documents, and records to make them available to the Parks and Recreation Department for auditing at reasonable times in perpetuity.

3. To regulate the use of the property acquired and reserved under this Agreement to assure the use thereof by the public on equal and reasonable terms.

4. To comply with any and all terms of said Agreement included all terms not specifically set forth in the foregoing portions of this Resolution.

Adopted as part of the Consent Agenda

RESOLUTION #2021-053
BY THE COMMITTEE ON WAYS AND MEANS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing City Council approved Resolution #2020-214 which allowed the Capital Area Response Effort (CARE) program to accept a Victims of Crime Act (VOCA) grant from the Michigan Department of Health and Human Services (MDHHS) in the amount of $206,121 total compensation, for the fiscal period beginning October 1, 2020 and ending September 30, 2021; and

WHEREAS, the CARE program subsequently applied for and was awarded an increase of $58,900 plus 20% local match for a total increase of $73,625; and

WHEREAS, The 20% local match, a non-cash match, will be satisfied by in-kind volunteers; and

WHEREAS, the CARE program plans to utilize a portion of the additional funds to purchase a vehicle in order for staff to transport victims to the CARE office, to shelter, and to appointments at community partner agencies such as food banks and the MDHHS; and

WHEREAS, the CARE program also plans to utilize part of the additional funds to assist victims of domestic violence in their efforts to relocate to safe housing by providing the cost of security deposit and/or first month's rent.

NOW, THEREFORE, BE IT RESOLVED, the Lansing City Council approves acceptance of the VOCA-CARE additional $58,900 grant award amount, $73,625 total compensation, from the MDHHS for the fiscal period beginning October 1, 2020 and ending September 30, 2021.

BE IT FINALLY RESOLVED, that the Administration is authorized to create appropriate accounts and to make the necessary operating transfers for the expenditure and control of the balance of the awarded grant funds

Adopted as part of the Consent Agenda

RESOLUTIONS

RESOLUTION #2021-054
BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the City of Lansing and the Local No. 421 International Association of Fire Fighters have negotiated a collective bargaining agreement (the "CBA") for the period covering July 1, 2019 through June 30, 2022, which is summarized in the Tentative Agreement Document approved by the parties effective February 12, 2021 ("Tentative Agreement") and which contains the changes to the prior CBA; and

WHEREAS, the Union membership ratified this agreement on March 3, 2021; and

WHEREAS, the Mayor recommends the CBA, as summarized in the Tentative Agreement, be approved;

NOW, THEREFORE BE IT RESOLVED, that the City Council hereby ratifies the Tentative Agreement of the parties for the CBA between the City of Lansing and the Union, Local No. 421 International Association of Fire Fighters for the period covering July 1, 2019 through June 30, 2022.

By Vice President Hussain

Motion Carried by the following roll call vote:

Yeas: Council Members Betz, Dunbar, Garza, Hussain, Jackson, Spadafore, Wood

Nays: None

REPORTS FROM COUNCIL COMMITTEES

ORDINANCES FOR INTRODUCTION

SPEAKER REGISTRATION FOR PUBLIC COMMENT ON CITY GOVERNMENT RELATED MATTERS

City Clerk Swope announced that the public needed to electronically "raise their hand" in order to speak during public comment period.

REPORTS FROM CITY OFFICERS, BOARDS, AND COMMISSIONS; COMMUNICATIONS AND PETITIONS; AND OTHER CITY RELATED MATTERS

By Vice President Hussain that all items be considered as being read in full and that President Spadafore make the appropriate referrals

Motion Carried by the following roll call vote:

Yeas: Council Members Betz, Dunbar, Garza, Hussain, Jackson, Spadafore, Wood

Nays: None

- Reports from City Officers, Boards and Commissions:

Letter(s) from the City Clerk re:

Marijuana Operations Licensing Social Equity Program Update
PLACED ON FILE

Minutes of Boards and Commissions placed on file in the Clerk's Office
PLACED ON FILE

Determinations of the Elected Officers Compensation Commission
PLACED ON FILE

Letter(s) from the Mayor re:

Grant Application; Michigan Department of Transportation Local Bridge Program (PEND-2376)
REFERRED TO THE COMMITTEE ON WAYS AND MEANS

Transfer of the Delta Grande Drain to the City of Lansing (PEND-2378)
REFERRED TO THE COMMITTEE ON CITY OPERATIONS

Setting a Public Hearing in consideration of Special Assessment; Glenburn Commons, Trash & Grass Abatement, Roll #GB-2021 (PEND-2380)
REFERRED TO THE COMMITTEE ON CITY OPERATIONS

Special Assessment; Glenburn Commons, Trash & Grass Abatement, Roll #GB-2021 (PEND-2382)
REFERRED TO THE COMMITTEE ON CITY OPERATIONS

Collective Bargaining Agreement; ratification of International Association of Fire Fighters Local 421 Contract (PEND-2384)
PLACED ON FILE

Item from Council Member Jackson:

City Charter Amendment, Rank Choice Voting for City Elections (PEND-2388)
REFERRED TO THE COMMITTEE ON CITY OPERATIONS

- Communications and Petitions, and Other City Related Matters:

Affidavit of Disclosure; Renee Freeman, Human Relations and Community Service Department
REFERRED TO THE BOARD OF ETHICS

Affidavit of Disclosure; David Odom Jr., Lansing Fire Department
REFERRED TO THE BOARD OF ETHICS

Affidavit of Disclosure; Council Member Kathie Dunbar
REFERRED TO THE BOARD OF ETHICS

Communication from Scott Woods Association regarding the repurposing of McLaren's Pennsylvania and Greenlawn campuses
PLACED ON FILE AND SENT TO THE PARKS BOARD

Communication from Rachelle Franklin in objection to the proposed ordinances to repeal certain actions as a criminal misdemeanor
REFERRED TO THE COMMITTEE ON EQUITY DIVERSITY AND INCLUSION

Communication from Julia Kramer about defunding the police
PLACED ON FILE

MOTION OF EXCUSED ABSENCE

By Vice President Hussain to excuse Council Member Spitzley from tonight's proceedings.

Motion Carried by the following roll call vote:

Yeas: Council Members Betz, Dunbar, Garza, Hussain, Jackson, Spadafore, Wood

Nays: None

REMARKS BY COUNCIL MEMBERS

President Spadafore explained the next steps for the Social Districts ordinance and gave the other Council Members recommendations. Let everyone know that he will be absent for family time this week.

REMARKS BY THE MAYOR OR EXECUTIVE ASSISTANT

Mayor Schor thanked Council and the Fire Department on their hard work. Mayor Schor answered Council Member Dunbar's question from earlier about the MSHDA applications. Schor also thanked everyone who participated in Winter Fest and made it a great success.

PUBLIC COMMENT ON CITY GOVERNMENT RELATED MATTERS

Verlecia Kelley spoke against Z-9-2020.

Linda Appling spoke on various City matters.

Ash spoke on various City matters.

Loretta Stanaway spoke recommending Council Member Betz to resign.

Max Donovan spoke on various City matters.

Sam Cho spoke on various City matters.

Tobias Webb spoke on various City matters.

Kelsey Brianne spoke on various City matters.

Ethan Schmitt spoke on various City matters.

Michael Lynn, Jr. spoke on various City matters.

Erica Lynn spoke on various City matters.

Amanda Thomashow spoke on various City matters.

Rachelle Franklin spoke on various City matters.

Suzanne VanDerPuy spoke in support of ranked choice voting.

Joe Darby spoke with concern about Woodbridge Manor Apartments.

Hugh McNichol spoke in support of ranked choice voting.

Abby Schwartz spoke in support of ranked choice voting.

ADJOURNED TIME 9:38 P.M.

Chris Swope

CHRIS SWOPE, CITY CLERK

OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
CITY OF LANSING
MARCH 22, 2021

Via ZOOM Conferencing, Meeting ID 859 4003 6219

The City Council of the City of Lansing met in regular session and was called to order at 7:00 p.m. by President Spadafore

PRESENT: Council Members Betz (remotely from Lansing, MI), Dunbar (remotely from Lansing, MI), Garza (remotely from Lansing, MI), Hussain (remotely from Lansing, MI), Jackson (remotely from Lansing, MI), Spadafore (remotely from Lansing, MI), Spitzley (remotely from Lansing, MI), Wood (remotely from Lansing, MI)

ABSENT: NONE

A quorum was present.

Mayor Schor asked people to remember Pastor Jesse Brown of Rivers of Life Church, who recently passed away, during the moment of Meditation. The Council observed a moment of Meditation followed by the Pledge of Allegiance led by President Spadafore.

CONSIDERATION OF LATE ITEMS

By Vice President Hussain

To suspend City Council Rule #9 to allow for Consideration of Late Items

Motion Carried by the following roll call vote:

Yeas: Council Members Betz, Dunbar, Garza, Hussain, Jackson, Spadafore, Spitzley, Wood

Nays: None

The following item was added to the agenda:

Annual Consolidated Strategy and Plan Submission & Action Plan Proposed Budget for Community Development Block Grant (CDBG) Fund Resources for FY 2021-2022

SPECIAL CEREMONIES and PRESENTATIONS

Fiscal Year 2021-2022 Budget Presentation

Mayor Schor made the following remarks when presenting his Fiscal Year 2021-2022 Budget:

Today we present to Council the Administration's 2021 Budget Proposal.

There is good news and bad news, and I will give you a high level overview. I look forward to the conversation and discussion with city council about the priorities provided in this budget in the next few months.

As you all know, we are dealing with the impacts of COVID and the shut-downs of businesses as well as people working remotely and layoffs in some industries.

You all know that we had to cut about $12.5 million when we passed our budget last year, and this continues to be the worst economic time in as long as we can remember. Tax revenues are down about 20-25%, which is worse than the Great Recession when the City saw a 15% reduction over two years.

While we have projections for revenues, some will continue to be in flux as we see the future of the coronavirus and how it will affects workers and businesses and our city. We don't yet know how long state employees will be working from him, nor how long retail and restaurants will be limited capacity. Or if they will have to shut down again. Certainly, we have vaccinations and continue to strongly encourage everyone to get the vaccination. The sooner we get to herd immunity, the sooner we can get people back to work and back to our business districts. And state government, which is one of our biggest employers, back to work in person.

We have good news for the current year budget. The budget book that you have will reflect additional dollars added to the current 2020 budget. We received dollars from the federal government that we used to assist many of our departments, and those dollars are reflected in this budget - including

$5.9 million from the public safety/public health reimbursement, and $1.4 million for the coronavirus local government grants which were part of the 2020 CARES legislation.

You will also see a $2.5 million increase in our reserves for the current year, as we were able to compile and file the previously unreported information for the city related to the Affordable Care Act from 2015. 2016, and 2017, and reverse the federal fines that we received as a result.

More good is that the federal government passed the American Rescue Plan, which will allow us to backfill losses in the 2021 budget that you have before you now.

The budget book in front of you backfills $15.25 million in income tax losses to our general fund over the course of the pandemic, $700,000 for our EDC which we spent significantly to assist our small businesses here in Lansing, and several million in parking losses to that enterprise fund. It includes $1.5 million in losses to LEPFA for the closed Lansing Center and for stadium losses, and will ensure that we can reopen the Lansing Center and have groups in there again once allowable.

We were also to backfill and include in this budget the dollars for Neighborhood assistance, Arts, Sister Cities, and My Brother's Keeper. We also restored cuts that were made to the Lansing EDC for the dollars spent for the business rescue program cuts to the the facade improvement program.

But it isn't just our general fund that has faced challenges due to COVID…the Lansing Center has been closed for over a year, and our parking fund has faced challenges. We will restore those losses as well with the federal dollars that we received. These dollars are not allowed to be used for roads, unfortunately, but I'm still optimistic at the federal government will pass an infrastructure bill and we will continue to work on that with the US conference of mayors. They are also not allowed to be used for pensions. We are still waiting on the US Department of Treasury for some of the specifics of using these funds as well.

In the current budget, I have been able to add a few new items to ensure that we are taking care of the needs of our city. Some of these were part of the City Council budget priorities, and I am proud to have been able to work with Councilmembers to get these into the budget.

As you know, gun violence continues to be an issue in Lansing and everywhere. We will continue to take many guns off the street through our Violent Crime Initiative. But I have also included funding for the Advance Peace initiative to reduce gun violence by utilizing street outreach. After hearing from the county prosecutor, county health department, Councilmembers, and many other advocates, I have included funding for this program for the 2022 calendar year in the community agency section of the budget, as long as Ingham County also provides the funding they are planning to commit. I am also one of the first members of Cincinnati Mayor John Cranley's Gun Violence Consortium. As part of this effort, we are piloting new gun technologies here in Lansing that will prevent guns from being used by anyone other than their owners. Whether illegally or accidentally, the technology that our police officers will be piloting will help save lives, and our membership in this consortium will allow for us to be leaders in this effort.

We also need to continue to ensure that we are not criminalizing those with mental health or homelessness or other issues which may result in a visit from a police officer. We don't criminalize these people here in Lansing. I am proud that together, we made Lansing the first city in the State of Michigan to have a social worker working hand-in-hand with our police department. My budget proposes to add a second social worker to assist Jan Bidwell and to help those with these challenges.

Additionally, I have included in my proposed budget funding for two Community Health Workers in conjunction with the Ingham County Health Department. These social workers will assist dispatch so that non-emergency and social needs calls go social service agencies. This will ensure that social service needs calls are connected with social service providers. This program was piloted previously between the city and the county through a grant, and is proven to work. I am excited to work with the County Health Department once again to best help our residents.

To ensure better transparency and faster response to those who seek public information, I have included an additional FOIA officer in the police department. FOIA requests for body camera footage is especially tough and time consuming as these videos needs to be watched and redacted to protect the privacy of bystanders, and this will help to get the information requested out as soon as possible.

Also in the police department, I included new radio testing equipment for the police department, which is needed as a result of conversions to finalize the process.

To ensure that all are safe in our courts, I have included funding for requested metal detectors. This has been a request for many years, and it is time we provide this safety and security for our judges and court staff.

In the Fire Department, we know that we have incredible staff in our Emergency Operations Center. From the flood three years ago to all their pandemic work for the last year, they have done a great job and I included necessary funding for EOC needs. In the fire department, I also included dollars to finalize our Siren upgrades Our Fire Department also has major needs for firehouse repairs and replacement, and for training, and we are exploring a bond to take to the voters. We will discuss this with you in the near future.

Our CSO, Judy Kehler, has been working to create many efficiencies, but she needs some assistance. You will see an increase in the Mayor's office budget so that she can have some needed temporary assistance. We will provide a business analyst position that will help her to research and navigate the many ideas that she has to save the city money through efficiencies

We have made great progress with roads and sidewalk. We budgeted $6.15 million from Act 51 funding for sidewalk gap repair, major streets, local streets, and bridge rehabilitation. I also added in dollars from the general fund for sidewalks. Those dollars, in addition to dollars remaining funds due to limited staff availability, will result in $250,000 in sidewalk repair for the spring and another $250,000 in sidewalk repair for the fall in addition to the gap funding that we have through Act 51.

For Councilman Garza and Hussain and our residents on the Southside, we included the $135,000 necessary for the renewal of the lease and funding for the S Lansing library. This is a necessary need and service for our South Lansing residents and for all of the city, and I appreciate both of your assistance and advocacy for this.

We also included an additional $130,000 as part of the funding dedicated to equity that Council President Spadafore pushed for in the HRCS Human Basic Needs budget based on the 1.35% passed in the recent ordinance update. Due to changes in the ordinance, the Basic Human Needs Fund is not ready yet but will be coming to you very soon.

Talking about equity, in addition to the My Brother's Keeper funds, I am recommending significant investment in funding for Racial Justice and Equity efforts including training, policy updates, and other implementation of recommendations from the Mayor's Racial Justice and Equity Alliance report that we receive in a few months.

For parks infrastructure, we will be mostly going along with the Parks Board recommendations but also adding additional money for playgrounds through the parks millage. And I am recommending additional grant match money for fit lots and other similar spaces which are very popular in Lansing.

In terms of legacy costs, we will have an additional $3.5 million in savings per year due to the recent retiree health care changes. But our pension boards also just did the responsible thing and adjusted assumptions for our pensions. This will ensure that our estimates are correct long-term, but will also increase our costs short term with a $4.1 million increase to our pension costs compared to 2021. To better show our total legacy costs, which will go from $40 million last year to about $45 million in the proposed budget, we have taken these costs out of each department and created a separate category for the best transparency.

With all of this, the budget before you is still projected to end the fiscal year with about $14 million in fund balance, which brings us closer to the 12% that we strive to get back to and maintain. As a result of this hard work, we do not need to utilizes the Tax Anticipation Note that Council approved previously for the upcoming year. Building our reserves back up while paying our bills is very important to the financial health to the city.

We do have other possible revenue enhancements coming in to the city. Judy Kehler continues to look at savings and efficiencies in a variety of areas. Andy Kilpatrick is working with Johnson Controls to find building efficiencies that can make us more sustainable and save money. Desiree Kirkland will be using the state tapes to see how we can increase income tax collections and offset any losses. Robert Widigan is implementing stronger financial controls through the city which ensure responsible use of our public funds. And others are working on varieties of ways to maximize revenue collection and reduce expenses.

And I can't forget to remind you all that Governor Whitmer has proposed to repay cities for income tax losses due to COVID, and the City of Lansing is budgeted for about $6. We have not included that in this budget as it has not yet passed the Legislature. But when it does, we will come to you with a supplemental appropriation for October, when the state fiscal year starts.

I am optimistic that this budget will be able to address our needs and priorities, but my administration will continue to look at options to address any potential future gaps in our budget. I look forward to your review of this budget with the public and am excited about the positive impacts that we will have on the city of Lansing together.

Finance Director, Robert J. F. Widigan and Deputy Finance Director, Jake Brower presented additional details of the proposed budget.

COMMENTS BY COUNCIL MEMBERS AND THE CITY CLERK

Council Member Spitzley commended the Ingham County Health Department for the vaccine rollout in Lansing.

Council Member Jackson let everyone know that they should email him if anyone would like to sign-up for his weekly newsletter.

Council Member Wood wanted to acknowledge Fran Woodring, Dorothy Rush, and Helen Simmons for volunteering even though they just turned 95.

Council Member Dunbar alerted Mayor Schor about two recent police incidents in the City.

Council President Spadafore announced that, starting next council meeting, council members and the public will have the option to participate physically in the City Hall Chambers during Council meetings and digitally. Committee meetings will continue to be 100% remote as of right now.

City Clerk Swope shared details about the May School Bond Election for Holt, Waverly, and Okemos Schools. He spoke about his experience volunteering to help administer COVID-19 vaccinations at the MSU Pavilion. He announced that City Clerk's Office volunteers were interviewed for the "Good Neighbors" segment on Fox 47 featuring Judith Lindsay and Sherryl Fundunburks-Stephens.

COMMUNITY EVENT ANNOUNCEMENTS

Michael Lynn, Jr. announced an event to get newly-aged 21 year olds their concealed pistol licenses. There is also a community conversation around safety in policing to take place.

Erica Lynn announced that Village Lansing will hold an open house for the class of 2021 graduates.

SPEAKER REGISTRATION FOR PUBLIC COMMENT ON LEGISLATIVE MATTERS

City Clerk Swope announced that the public needed to electronically "raise their hand" in order to speak during public comment period.

MAYOR'S COMMENTS

Mayor Schor congratulated the Ingham County Health Department for their work with the vaccine rollout, reminded everyone that the income tax due date has been pushed back to June 1, a Baker Neighborhood clean-up, a Golf in the Jackson Stadium event, and yard waste pick-up starting. He also responded to Council Member Dunbar's concerns about two recent police incidents

PUBLIC COMMENT ON LEGISLATIVE MATTERS

Loretta Stanaway spoke on various legislative matters.

Zach Whaley spoke on various legislative matters.

Michael Lynn, Jr. spoke on various legislative matters.

Doug Rubley spoke on the Fiscal Year 2021-2022 Budget Presentation

Mike Redding spoke against Z-9-2020

Erica Lynn spoke on various legislative matters.

Rachelle Franklin spoke on various legislative matters.

Kyle Richard spoke on various legislative matters.

LEGISLATIVE MATTERS

ORDINANCES FOR PASSAGE

PASSAGE OF ORDINANCE

FAILED

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.

Z-9-2020; 3534 & 3538 W. Jolly Road, Rezoning from "CUP" Community Unit Plan to "DM-1" Residential District

Was read a second time by its title and was not adopted by the following roll call vote:

Yeas: None

Nays: Council Members Betz, Dunbar, Garza, Hussain, Jackson, Spadafore, Spitzley, Wood

CONSENT AGENDA

By Vice President Hussain

To approve item 4 on the Consent Agenda.

Motion Carried by the following roll call vote:

Yeas: Council Members Betz, Dunbar, Garza, Hussain, Jackson, Spadafore, Spitzley, Wood

Nays: None

RESOLUTION #2021-055
BY THE COMMITTEE ON WAYS AND MEANS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

RESOLUTION APPROVING APPLICATION TO MICHIGAN DEPARTMENT OF TRANSPORTATION FOR LOCAL BRIDGE PROGRAM FUNDING

WHEREAS the Michigan Department of Transportation (MDOT) is currently soliciting applications for candidate projects for the Local Bridge Program to be funded in the 2024 fiscal year; and

WHEREAS April 5, 2021 is the deadline for submitting the applications; and

WHEREAS MDOT, in its Call for Projects for the FY2024 application cycle, is not limiting the number of funding applications the local agency owner may submit, provided the local agency owner commit to funding all applications submitted; and

WHEREAS multiple preventative maintenance projects can be bundle together as one application; and

WHEREAS nine bridges were identified as needing additional riprap in order to prevent and reduce bridge scours and that three bridges were identified as needing minor preventative maintenance; and

WHEREAS the City of Lansing, Public Service Department, intends to submit Local Bridge Program funding applications to MDOT for the following eight projects listed in the order of priority and funding category:

Priority	Project	Funding Category
1.	Aurelius Road over Pawlowski Creek	Replacement
2.	E Elm Street over Red Cedar River	Replacement
3.	Enterprise Drive over Pawlowski Creek	Preventative Maintenance
4.	Pennsylvania Avenue over Red Cedar River	Preventative Maintenance
5.	Riprap placement (9 bridges)	Preventative Maintenance
	a. Aurelius Road over the Red Cedar River	
	b. Beech Street over the Red Cedar River	
	c. Cavanaugh over Sycamore Creek	
	d. E Cesar Chavez Avenue over the Grand River	
	e. Kalamazoo Street over the Grand River	
	f. N ML King Jr Boulevard over the Grand River	
	g. Pennsylvania Avenue over the Red Cedar River	
	h. Shiawassee Street over the Grand River	
	i. W Elm Street over the Grand River	
6.	Kalamazoo Street over the Grand River	Preventative Maintenance
7.	Minor Preventative Maintenance (3 bridges)	Preventative Maintenance
	a. Cavanaugh Road over Sycamore Creek	
	b. Mt Hope Avenue over Sycamore Creek	
	c. W Elm Street over the Grand River	
8.	Beech Street over Red Cedar River	Preventative Maintenance

WHEREAS, if successful, the City would receive state or federal funding to finance 95% of construction cost, and the City would fund 5% of the construction and 100% of the engineering costs for any bridge project selected; and

WHEREAS, in order to demonstrate the need to replace the Aurelius Road Bridge over Pawlowski Creek, the City would fund 10% of the construction and 100% of the engineering if the bridge is selected; and

WHEREAS the estimated construction cost of the above listed projects and City's share of construction and engineering costs are tabulated below; and

#	Project	Estimated Construction Cost	City's Share		
			Match 5% (10% for Aurelius over Pawlowski)	Engineering 25%	TOTAL
1	Aurelius Rd over Pawlowski Creek	$1,382,000	$138,200	$345,500	$483,700
2	E Elm St over Red Cedar River	$3,089,000	$154,450	$772,250	$926,700
3	Enterprise Dr over Pawlowski Creek	$412,000	$20,600	$103,000	$123,600
4	Pennsylvania over Red Cedar River	$121,000	$6,050	$30,250	$36,300
5	Riprap placement (9 bridges)	$797,000	$39,850	$199,250	$239,100
6	Kalamazoo Street over Grand River	$145,000	$7,250	$36,250	$43,500
7	Minor Preventative Maintenance (3 bridges)	$105,000	$5,250	$26,250	$31,500
8	Beech Street over Red Cedar River	$46,000	$2,300	$11,500	$13,800

WHEREAS, any one or any combination of the above eight projects could be approved for 2024 funding: and

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council approves the submittal of the FY 2024 funding applications for the MDOT's Local Bridge Program as listed in the priority above.

BE IT FURTHER RESOLVED that upon grant award, the Mayor is authorized through the Public Service Director to administratively appropriate the necessary accounts for City costs associated with any bridge project selected, which will be budgeted with Act 51 funds.

Adopted as part of the Consent Agenda

RESOLUTIONS

RESOLUTION #2021-056
BY COUNCIL MEMBER SPADAFORE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, on January 31, 2020, the United States Department of Health and Human Services Secretary Alex Azar declared a public health emergency for COVID-19, and affected state and local governments have also declared states of emergency;

WHEREAS, on March 16, 2020 under Resolution 2020-053, City Council approved Mayor Schor's Declaration of Emergency (Executive Order 2020-02) through April 10, 2020; and

WHEREAS, on the following dates and under the following resolutions, City Council approved extensions of Mayor Schor's Declaration of Emergency:

- April 9, 2020 under Resolution 2020-053 through April 30, 2020;
- April 27th, 2020 under Resolution 2020-069 through May 15, 2020;
- May 11, 2020 under Resolution 2020-077 through June 8, 2020;
- June 8, 2020 under Resolution 2020-084 through June 30, 2020;
- June 22, 2020 under Resolution 2020-089 through July 14th, 2020;
- July 27, 2020 under Resolution 2020-113 through August 25, 2020; and
- August 24, 2020 under Resolution 2020-150 through September 22, 2020; and
- September 21, 2020 under Resolution 2020-181 through October 27, 2020; and
- October 26, 2020 under Resolution 2020-185 through November 30, 2020; and
- November 30, 2020 under Resolution 2020-226 through January 11, 2021; and
- January 11, 2021 under Resolution 2021-04 through February 8, 2021; and
- February 22, 2021 under Resolution 2021-044 through March 22, 2021

WHEREAS, the Resolutions emphasized the fact that the novel coronavirus (COVID-19) is a respiratory disease that can result in serious illness or death. It is caused by a new strain of coronavirus that had not been previously identified in humans and can easily spread from person to person; and

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council finds that the circumstances warrant an extension of the Mayor's emergency declaration and continuation of the emergency response plan to ensure that public health is protected; and

BE IT FINALLY RESOLVED that the City Council approves an extension of the declaration of emergency, through and including April 28, 2021 and authorizes such powers and duties as provided by Chapter 234.05, the Lansing Emergency Management Ordinance, together with those powers provided by statute, including those set forth in MCL § 30.401 et seq.

By President Spadafore

Motion Carried by the following roll call vote:

Yeas: Council Members Betz, Dunbar, Garza, Hussain, Jackson, Spadafore, Spitzley, Wood

Nays: None

RESOLUTION #2021-057
BY THE COMMITTEE OF DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

SLU-5-2020
Community Center & Residential Care Facility
727 Sparrow Avenue

WHEREAS, Child & Family Charities has requested a special land use permit to utilize the 727 Sparrow Avenue (St. Casimir Church & School) for a community outreach center and residential care facility (youth shelter); and

WHEREAS, community centers and residential care facilities are permitted in the "A" Residential district, which is the zoning designation of the subject property, if a Special Land Use permit is approved by the Lansing City Council; and

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

WHEREAS, the Planning Board held a public hearing on January 5, 2021, at which the applicant's representatives spoke in favor of the request and 13 individuals, most of whom live in very close proximity to the subject property, spoke in the support of the request and no other comments were received; and

WHEREAS, the Planning Board, at its regular meeting held on January 5, 2021, voted unanimously (4-0) to recommend approval of SLU-5-2020, a Special Land Use permit to allow a community outreach center and residential care facility (youth shelter) for up to 14 occupants; and

WHEREAS, the City Council held a public hearing regarding SLU-5-2020 on March 8, 2021; and

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

NOW THEREFORE BE IT RESOLVED that the Lansing City Council hereby approves SLU-5-2020, a Special Land Use permit to allow a community outreach center and residential care facility (youth shelter) for up to 14 occupants.

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

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

1. The proposed community center and residential care facility will be compatible with the essential character of the surrounding area, as designed.
2. The proposed community center and residential care facility will not change the essential character of the surrounding area.
3. The proposed community center and residential care facility will not interfere with the general enjoyment of adjacent properties.
4. The proposed community center and residential care facility will not impact adjacent properties as it will not be detrimental to the use or character of the property under consideration.
5. The proposed community center and residential care facility will not impact the health, safety and welfare of persons or property in the surrounding area.
6. The proposed community center and residential care facility can be adequately served by essential public facilities and services.
7. The proposed community center and residential care facility will not place any demands on public services and facilities in excess of current capacities.
8. The proposed community center and residential care facility is consistent with the intent and purposes of the Zoning Code and the Design Lansing Master Plan.
9. The proposed community center and residential care facility will comply with the requirements of the "A" Residential zoning district.

By Vice President Hussain to excuse Council Member Dunbar

Motion Carried by the following roll call vote:

Yeas: Council Members Betz, Garza, Hussain, Jackson, Spadafore, Spitzley, Wood

Nays: Council Member Spitzley

By Council Member Spitzley

Motion Carried by the following roll call vote:

Yeas: Council Members Betz, Garza, Hussain, Jackson, Spadafore, Spitzley, Wood

Nays: None

RESOLUTION #2021-058
BY THE COMMITTEE ON EQUITY DIVERSITY & INCLUSION
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

RESOLUTION APPROVING A PARTNERSHIP WITH ADVANCE PEACE AND A COMITTMENT TO HELP BUILD AND SUSTAIN LOCAL COMMUNITY CAPACITY TO INTERRUPT GUN VIOLENCE IN INGHAM COUNTY, MI AND THE CITY OF LANSING, MI

WHEREAS, the City of Lansing is committed to ensuring that youth and young adults most impacted by gun violence lead productive, safe, healthy, and law-abiding lives free from gun violence; and

WHEREAS, evidence-based and promising practices related to gun violence intervention and interruption are needed to help build individual, family, and community strength and resiliency in neighborhoods most impacted by gun violence; and

WHEREAS, Advance Peace was introduced by Ingham County Health Department to the Ingham County Board of Commissioners Law & Courts Committee on October 15, 2020 and February 11, 2021, and to the City of Lansing City Council and Lansing Mayor Andy Schor on December 14, 2020; and

WHEREAS, Advance Peace interrupts cyclical and retaliatory gun violence in urban neighborhoods by providing transformational opportunities to those at the center of firearm hostilities by providing them with a high-touch, personalized 18-month Peacemaker Fellowship grounded in evidence-based practices; and

WHEREAS, the Advance Peace personalized 18-month Peacemaker Fellowship evidence-based practices include Street Outreach; Mentoring; Intensive Case Management; Life Skills Training; Cognitive Behavioral Therapy; Subsidized Employment; and

WHEREAS, the Advance Peace personalized 18-month Peacemaker Fellowship includes seven intensive touch-points that include: LifeMAP Goals; Multiple Daily Check-ins; Social Services Navigation; Transformative Travel/Horizon Building Journeys; Elders Circle/ Intergenerational Mentoring; Internship Opportunities; LifeMAP Milestone Allowance; and

WHEREAS, Advance Peace has been nationally and internationally recognized for delivering and sustaining positive outcomes with its Fellowship participants, contributing to a 60%-71% reduction in gun violence in Richmond California; and

WHEREAS, the City of Lansing City Council commits to supporting Advance Peace in its efforts to replicate, operationalize and proof of concept the Operation Peacemaker Fellowship in Ingham County, MI and Lansing, MI; and

WHEREAS, Advance Peace will work with local stakeholders to identify a Lansing/Ingham community- based organization with the intent to help build and sustain local community capacity to interrupt gun violence in Lansing and Ingham County and effectively bridge the gap between conventional anti-violence programs and those most affected by gun violence; and

WHEREAS, Ingham County and the City of Lansing will work with Advance Peace and agree to establish and complete two 18-month Fellowship cohorts consisting of 25 Fellows each (or 50 Fellows) over a four-year period in Ingham County/Lansing, MI; and

WHEREAS, Advance Peace, Ingham County and the City of Lansing will work together to identify and secure requisite resources to support the establishment and completion of two 18-month Advance Peace Fellowship cohorts over a four-year period; and

WHEREAS, Ingham County and the City of Lansing agree to provide local gun violence related data and work with the Advance Peace evaluation team consisting of Michigan Public Health Institute (MPHI), the Institute of Urban and Regional Development at UC Berkeley (IURD) and the National Council on Crime and Delinquency (NCCD) to ensure completion of a quality and timely evaluation of the strategy as implemented in Ingham County, MI and Lansing, MI; and

WHEREAS, Advance Peace, Ingham County and the City of Lansing will work together with MPHI to evaluate outcomes and activities and continually improve delivery of the Advance Peace model in Ingham County and Lansing; and

WHEREAS, Advance Peace will aim to reduce cyclical and retaliatory firearm assaults causing injury or death by 50% over a four-year period; and

WHEREAS, Ingham County and the City of Lansing understands that the most impactful outcomes of the Advance Peace approach are possible when the initiative is sustained by local governments over a period of ten or more years, and when the model is institutionalized as a standing/on-going program and service offered in the local community with adequate funding to deliver all program components; and

WHEREAS, Ingham County and the City of Lansing support this resolution because it will provide additional resources in support of current efforts and commitments of the County and City to reduce firearm assaults causing injury and death; and

WHEREAS, the City of Lansing will support $240,000 for Fiscal Year 2021/2022 with the balance appropriated from marihuana license taxes or fees from the State of Michigan as necessary.

THEREFORE IT BE RESOLVED that Ingham County and the City of Lansing City Council will include in their 2021-2025 public safety planning, a commitment, support and partnership with Advance Peace which will help save lives and reduce the life altering trauma experienced by people living in the impacted communities and by the service providers who support them (including law enforcement).

BE IT FURTHER RESOLVED, that this funding commitment is contingent upon agreement with other local units of government located within Ingham County to share in the cost of this program.

By Council Member Spitzley to adopt a substitute for the resolution reported from committee

Motion Carried by the following roll call vote:

Yeas: Council Members Betz, Dunbar, Garza, Hussain, Jackson, Spadafore, Spitzley, Wood

Nays: None

By Council Member Spitzley to adopt the resolution as substituted

Motion Carried by the following roll call vote:

Yeas: Council Members Betz, Dunbar, Garza, Hussain, Jackson, Spadafore, Spitzley, Wood

Nays: None

ORDINANCES FOR INTRODUCTION

INTRODUCTION OF ORDINANCE

Council Member Jackson introduced:

> An Ordinance of the City of Lansing, Michigan, to repeal Chapter 630, Section 630.14, a criminal misdemeanor under the General Offenses Code of the Codified Ordinances to eliminate loitering in places where prostitution or solicitation for lewd conduct occurs.

The Ordinance was read a first time by its title and referred to the Committee on Equity Diversity & Inclusion.

RESOLUTION #2021-059
RESOLUTION SETTING PUBLIC HEARING
BY CITY COUNCIL

Resolved by the City Council of the City of Lansing that a public hearing be set for April 12, 2021 at 7 p.m. in Tony Benavides Lansing City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose to repeal Chapter 630, Section 630.14, a criminal misdemeanor under the General Offenses Code of the Codified Ordinances to eliminate loitering in places where prostitution or solicitation for lewd conduct occurs.

BE IT FURTHER RESOLVED, due to COVID-19, the public hearing may be held electronically in accordance with the amended Open Meetings Act in an effort to protect the health and safety of the public. Members of the public wishing to participate in the meeting may do so by logging into the ZOOM Webinar at https://us02web.zoom.us/j/85940036219; ID 859 4003 6219 or calling in (312) 626 6799.

By Council Member Jackson

Motion Carried by the following roll call vote:

Yeas: Council Members Betz, Dunbar, Garza, Hussain, Jackson, Spadafore, Spitzley, Wood

Nays: None

INTRODUCTION OF ORDINANCE

Council Member Jackson introduced:

> An Ordinance of the City of Lansing, Michigan, to repeal Chapter 650, Section 650.04, a criminal misdemeanor under the general offenses code of the Codified Ordinances to eliminate playing in streets.

The Ordinance was read a first time by its title and referred to the Committee on Equity Diversity & Inclusion.

RESOLUTION #2021-060
RESOLUTION SETTING PUBLIC HEARING
BY CITY COUNCIL

Resolved by the City Council of the City of Lansing that a public hearing be set for April 12, 2021 at 7 p.m. in Tony Benavides Lansing City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose to repeal Chapter 650, Section 650.04, a criminal misdemeanor under the General Offenses Code of the Codified Ordinances to eliminate playing in streets.

BE IT FURTHER RESOLVED, due to COVID-19, the public hearing may be held electronically in accordance with the amended Open Meetings Act in an effort to protect the health and safety of the public. Members of the public wishing to participate in the meeting may do so by logging into the ZOOM Webinar at https://us02web.zoom.us/j/85940036219; ID 859 4003 6219 or calling in (312) 626 6799.

By Council Member Jackson

Motion Carried by the following roll call vote:

Yeas: Council Members Betz, Dunbar, Garza, Hussain, Jackson, Spadafore, Spitzley, Wood

Nays: None

INTRODUCTION OF ORDINANCE

Council Member Jackson introduced:

An Ordinance of the City of Lansing, Michigan, to repeal Chapter 656, Section 656.04, a criminal misdemeanor under the General Offenses Code of the Codified Ordinances to eliminate prohibition of bicycles on Riverfront Park during an organized event.

The Ordinance was read a first time by its title and referred to the Committee on Equity Diversity & Inclusion.

RESOLUTION #2021-061
RESOLUTION SETTING PUBLIC HEARING
BY CITY COUNCIL

Resolved by the City Council of the City of Lansing that a public hearing be set for April 12, 2021 at 7 p.m. in Tony Benavides Lansing City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose to repeal Chapter 656, Section 656.04, a criminal misdemeanor under the General Offenses Code of the Codified Ordinances to eliminate prohibition of bicycles on Riverfront Park during an organized event.

BE IT FURTHER RESOLVED, due to COVID-19, the public hearing may be held electronically in accordance with the amended Open Meetings Act in an effort to protect the health and safety of the public. Members of the public wishing to participate in the meeting may do so by logging into the ZOOM Webinar at https://us02web.zoom.us/j/85940036219; ID 859 4003 6219 or calling in (312) 626 6799.

By Council Member Jackson

Motion Carried by the following roll call vote:

Yeas: Council Members Betz, Dunbar, Garza, Hussain, Jackson, Spadafore, Spitzley, Wood

Nays: None

INTRODUCTION OF ORDINANCE

Council Member Jackson introduced:

An ordinance of the City of Lansing, Michigan, to repeal Chapter 658, Section 658.03, a criminal misdemeanor under the general offenses code of the codified ordinances to eliminate annoying persons.

The Ordinance was read a first time by its title and referred to the Committee on Equity Diversity & Inclusion.

RESOLUTION #2021-062
RESOLUTION SETTING PUBLIC HEARING
BY CITY COUNCIL

Resolved by the City Council of the City of Lansing that a public hearing be set for April 12, 2021 at 7 p.m. in Tony Benavides Lansing City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose to repeal Chapter 658, Section 658.03, a criminal misdemeanor under the general offenses code of the codified ordinances to eliminate annoying persons.

BE IT FURTHER RESOLVED, due to COVID-19, the public hearing may be held electronically in accordance with the amended Open Meetings Act in an effort to protect the health and safety of the public. Members of the public wishing to participate in the meeting may do so by logging into the ZOOM Webinar at https://us02web.zoom.us/j/85940036219; ID 859 4003 6219 or calling in (312) 626 6799.

By Council Member Jackson

Motion Carried by the following roll call vote:

Yeas: Council Members Betz, Dunbar, Garza, Hussain, Jackson, Spadafore, Spitzley, Wood

Nays: None

INTRODUCTION OF ORDINANCE

Council Member Jackson introduced:

An ordinance of the City of Lansing, Michigan, to repeal Chapter 658, Section 658.06, a criminal misdemeanor under the general offenses code of the codified ordinances to eliminate that no person shall beg in any public place or go door-to-door requesting donations for personal gain.

The Ordinance was read a first time by its title and referred to the Committee on Equity Diversity & Inclusion.

RESOLUTION #2021-063
RESOLUTION SETTING PUBLIC HEARING
BY CITY COUNCIL

Resolved by the City Council of the City of Lansing that a public hearing be set for April 12, 2021 at 7 p.m. in Tony Benavides Lansing City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose to repeal Chapter 658, Section 658.06, a criminal misdemeanor under the general offenses code of the codified ordinances to eliminate that no person shall beg in any public place or go door-to-door requesting donations for personal gain.

BE IT FURTHER RESOLVED, due to COVID-19, the public hearing may be held electronically in accordance with the amended Open Meetings Act in an effort to protect the health and safety of the public. Members of the public wishing to participate in the meeting may do so by logging into the ZOOM Webinar at https://us02web.zoom.us/j/85940036219; ID 859 4003 6219 or calling in (312) 626 6799.

By Council Member Jackson

Motion Carried by the following roll call vote:

Yeas: Council Members Betz, Dunbar, Garza, Hussain, Jackson, Spadafore, Spitzley, Wood

Nays: None

INTRODUCTION OF ORDINANCE

Council Member Jackson introduced:

> An ordinance of the City of Lansing, Michigan, to repeal Chapter 680, Section 680.03, a criminal misdemeanor under the general offenses code of the codified ordinances to eliminate using profane language in a building or on any property adjacent to any building in the city occupied as public, private or parochial school.

The Ordinance was read a first time by its title and referred to the Committee on Equity Diversity & Inclusion.

RESOLUTION #2021-064
RESOLUTION SETTING PUBLIC HEARING
BY CITY COUNCIL

Resolved by the City Council of the City of Lansing that a public hearing be set for April 12, 2021 at 7 p.m. in Tony Benavides Lansing City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose to repeal Chapter 680, Section 680.03, a criminal misdemeanor under the general offenses code of the codified ordinances to eliminate using profane language in a building or on any property adjacent to any building in the city occupied as public, private or parochial school.

BE IT FURTHER RESOLVED, due to COVID-19, the public hearing may be held electronically in accordance with the amended Open Meetings Act in an effort to protect the health and safety of the public. Members of the public wishing to participate in the meeting may do so by logging into the ZOOM Webinar at https://us02web.zoom.us/j/85940036219; ID 859 4003 6219 or calling in (312) 626 6799.

By Council Member Jackson

Motion Carried by the following roll call vote:

Yeas: Council Members Betz, Dunbar, Garza, Hussain, Jackson, Spadafore, Spitzley, Wood

Nays: None

INTRODUCTION OF ORDINANCE

Council Member Jackson introduced:

> An ordinance of the City of Lansing, Michigan, to repeal Chapter 680, Section 680.06, a criminal misdemeanor under the general offenses code of the codified ordinances to eliminate borrowing money or a thing of value from a student at any school.

The Ordinance was read a first time by its title and referred to the Committee on Equity Diversity & Inclusion.

RESOLUTION #2021-065
RESOLUTION SETTING PUBLIC HEARING
BY CITY COUNCIL

Resolved by the City Council of the City of Lansing that a public hearing be set for April 12, 2021 at 7 p.m. in Tony Benavides Lansing City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose to repeal Chapter 680, Section 680.06, a criminal misdemeanor under the general offenses code of the codified ordinances to eliminate borrowing money or a thing of value from a student at any school.

BE IT FURTHER RESOLVED, due to COVID-19, the public hearing may be held electronically in accordance with the amended Open Meetings Act in an effort to protect the health and safety of the public. Members of the public wishing to participate in the meeting may do so by logging into the ZOOM Webinar at https://us02web.zoom.us/j/85940036219; ID 859 4003 6219 or calling in (312) 626 6799.

By Council Member Jackson

Motion Carried by the following roll call vote:

Yeas: Council Members Betz, Dunbar, Garza, Hussain, Jackson, Spadafore, Spitzley, Wood

Nays: None

INTRODUCTION OF ORDINANCE

Council Member Jackson introduced:

> An ordinance of the City of Lansing, Michigan, to repeal Chapter 696, Section 696.02, a criminal misdemeanor under the general offenses code of the codified ordinances to eliminate that no person shall carry any firearm, air rifle, bow and arrow, slingshot, crossbow or other dangerous weapon in any public place.

The Ordinance was read a first time by its title and referred to the Committee on Equity Diversity & Inclusion.

RESOLUTION #2021-066
RESOLUTION SETTING PUBLIC HEARING
BY CITY COUNCIL

Resolved by the City Council of the City of Lansing that a public hearing be set for April 12, 2021 at 7 p.m. in Tony Benavides Lansing City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose to repeal Chapter 696, Section 696.02, a criminal misdemeanor under the general offenses code of the codified ordinances to eliminate that no person shall carry any firearm, air rifle, bow and arrow, slingshot, crossbow or other dangerous weapon in any public place.

BE IT FURTHER RESOLVED, due to COVID-19, the public hearing may be held electronically in accordance with the amended Open Meetings Act in an effort to protect the health and safety of the public. Members of the public wishing to participate in the meeting may do so by logging into the ZOOM Webinar at https://us02web.zoom.us/j/85940036219; ID 859 4003 6219 or calling in (312) 626 6799.

By Council Member Jackson

Motion Carried by the following roll call vote:

Yeas: Council Members Betz, Dunbar, Garza, Hussain, Jackson, Spadafore, Spitzley, Wood

Nays: None

SPEAKER REGISTRATION FOR PUBLIC COMMENT ON CITY GOVERNMENT RELATED MATTERS

City Clerk Swope announced that the public needed to electronically “raise their hand” in order to speak during public comment period.

REPORTS FROM CITY OFFICERS, BOARDS, AND COMMISSIONS; COMMUNICATIONS AND PETITIONS; AND OTHER CITY RELATED MATTERS

By Vice President Hussain that all items be considered as being read in full and that President Spadafore make the appropriate referrals

Motion Carried by the following roll call vote:

Yeas: Council Members Betz, Dunbar, Garza, Hussain, Jackson, Spadafore, Spitzley, Wood

Nays: None

- Reports from City Officers, Boards and Commissions:

Items(s) from the City Clerk re:

Tri-County Regional Planning Commission Audit
REFERRED TO THE COMMITTEE ON WAYS AND MEANS

Minutes of Boards and Commissions placed on file in the Clerk’s Office
PLACED ON FILE

Lansing Economic Development Corporation 2020 Annual Report
REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING AND PLACED ON FILE

Items(s) from the Mayor re:

Setting a Show Cause Hearing in consideration of Orders to Make Safe or Demolish; 314 Bingham (PEND-2401)
REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

Orders to Make Safe or Demolish; 314 Bingham (PEND-2399)
REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

Public Act 99 Financing; Jackson Field Stadium (PEND-2398)
REFERRED TO THE COMMITTEE OF THE WHOLE

Ballot Proposal; Essential Services Millage Restoration Proposal (PEND-2404)
REFERRED TO THE COMMITTEE OF THE WHOLE

Fiscal Year 2021-2022 Budget (PEND-2406)
REFERRED TO THE COMMITTEE OF THE WHOLE AND TO THE INTERNAL AUDITOR

Public Act 99 Financing; Johnson Controls, Inc. (PEND-2409)
REFERRED TO THE COMMITTEE OF THE WHOLE

Item(s) from the Elected Officers Compensation Commission:

Setting a Public Hearing in consideration of an amendment to Chapter 280 Section 280.03, to provide that the Elected Officers Compensation Commission shall meet in even-numbered years. (PEND-2394)
REFERRED TO THE COMMITTEE ON CITY OPERATIONS

Amend Chapter 280 Section 280.03, to provide that the Elected Officers Compensation Commission shall meet in even-numbered years. (PEND-2395)
REFERRED TO THE COMMITTEE ON CITY OPERATIONS

Item(s) from the Board of Water and Light

External Auditor; Lansing Board of Water and Light selection of Baker Tilly
REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND TO THE INTERNAL AUDITOR

- Communications and Petitions, and Other City Related Matters:

Communication from Joseph Darby about Woodbridge Manor Apartments
REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

Communication from Lauren Whaley about various City matters
PLACED ON FILE

Notice from the Michigan Liquor Control Commission; Concord Lansing Dwtn LLC request for CONDITIONAL LICENSE, Transfer Ownership escrowed 2020 Class C license with Specific Purpose Permit (food) from Beekay Vending, L.L.C.; transfer location (governmental unit) under MCL 436.1531(1) from 930 Trowbridge Rd, East Lansing; transfer classification from a Class C to B-Hotel; new Sunday Sales Permit (AM & PM), Outdoor Service Area, Entertainment Permit and Specific Purpose Permit (guest registration) (RID #2102-00609)
REFERRED TO THE COMMITTEE ON CITY OPERATIONS

Communication from Downtown Lansing Inc., REO Town Commercial Association, and Old Town Commercial Association regarding Social District Boundaries
REFERRED TO THE COMMITTEE ON CITY OPERATIONS

REMARKS BY COUNCIL MEMBERS

Council Member Wood asked people to remember the residents of Boulder, Colorado as they notify loved ones who died at a shooting at a grocery store today.

President Spadafore requested input about the social district boundaries.

PUBLIC COMMENT ON CITY GOVERNMENT RELATED MATTERS

Verlecia Kelley thanked Council for adopting SLU-5-2020.

Claretta Duckett-Freeman spoke on various City matters.

Zach Whaley spoke on various City matters.

Rob Thomas spoke on various City matters.

Kyle Richard spoke on various City matters.

Michael Lynn, Jr. spoke on various City matters.

Erica Lynn spoke on various City matters.

Julia Kramer spoke on various City matters.

Ethan Schmitt spoke on various City matters.

ADJOURNED TIME 10:31 P.M.

CHRIS SWOPE, CITY CLERK

CITY OF LANSING
NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a Public Hearing will be held on Monday, April 12, 2021 at 7:00 p.m. via ZOOM Conferencing, Meeting ID 859 4003 6219 for the purpose of considering:

> An Ordinance of the City of Lansing, Michigan, to repeal Chapter 630, Section 630.14, a criminal misdemeanor under the General Offenses Code of the Codified Ordinances to eliminate loitering in places where prostitution or solicitation for lewd conduct occurs.

Members of the public wishing to participate in the meeting may do so by logging into or calling into the meeting using the website https://us02web.zoom.us/j/85940036219 or by phone number 312-626-6799 using Meeting ID: 859 4003 6219.

Persons with disabilities who need an accommodation to fully participate in these meetings should contact the City Council Office at 517-483-4177 (TDD (517) 483-4479) 24 hour notice may be needed for certain accommodations. An attempt will be made to grant all reasonable accommodation requests.

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

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

INTRODUCTION OF ORDINANCE

Council Member Jackson introduced:

> An Ordinance of the City of Lansing, Michigan, to repeal Chapter 630, Section 630.14, a criminal misdemeanor under the General Offenses Code of the Codified Ordinances to eliminate loitering in places where prostitution or solicitation for lewd conduct occurs.

The Ordinance is read a first time by its title and referred to the Committee on Equity Diversity & Inclusion.

RESOLUTION #2021-059

RESOLUTION SETTING PUBLIC HEARING
BY CITY COUNCIL

Resolved by the City Council of the City of Lansing that a public hearing be set for April 12, 2021 at 7 p.m. in Tony Benavides Lansing City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose to repeal Chapter 630, Section 630.14, a criminal misdemeanor under the General Offenses Code of the Codified Ordinances to eliminate loitering in places where prostitution or solicitation for lewd conduct occurs.

BE IT FURTHER RESOLVED, due to COVID-19, the public hearing may be held electronically in accordance with the amended Open Meetings Act in an effort to protect the health and safety of the public. Members of the public wishing to participate in the meeting may do so by logging into the ZOOM Webinar at https://us02web.zoom.us/j/85940036219; ID 859 4003 6219 or calling in (312) 626 6799.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO REPEAL CHAPTER 630, SECTION 630.14, A CRIMINAL MISDEMEANOR UNDER THE GENERAL OFFENSES CODE OF THE CODIFIED ORDINANCES TO ELIMINATE LOITERING IN PLACES WHERE PROSTITUTION OR SOLICITATION FOR LEWD CONDUCT OCCURS.

THE CITY OF LANSING ORDAINS:

Section 1. That Chapter 630, Section 630.14, of the Code of Ordinances of the City of Lansing, Michigan be and is hereby repealed in their entirety and shall be null and void and of no effect.

Section 2. All ordinances, resolutions or rules, parts of ordinances, resolutions or rules inconsistent with these provisions are hereby repealed in its entirety and shall be null and void and of no effect.

Section 3. Should any section, clause or phrase of this ordinance be declared to be invalid, the same shall not affect the validity of the ordinance as a whole, or any part thereof other than the part so declared to be invalid.

Section 4. This ordinance repeal shall take effect on the 30th day after enactment unless given immediate effect by City Council.

Approved as to form:

_____
City Attorney

Date: _____

CITY OF LANSING
NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a Public Hearing will be held on Monday, April 12, 2021 at 7:00 p.m. via ZOOM Conferencing, Meeting ID 859 4003 6219 for the purpose of considering:

> An Ordinance of the City of Lansing, Michigan, to repeal Chapter 650, Section 650.04, a criminal misdemeanor under the general offenses code of the Codified Ordinances to eliminate playing in streets.

Members of the public wishing to participate in the meeting may do so by logging into or calling into the meeting using the website https://us02web.zoom.us/j/85940036219 or by phone number 312-626-6799 using Meeting ID: 859 4003 6219.

Persons with disabilities who need an accommodation to fully participate in these meetings should contact the City Council Office at 517-483-4177 (TDD (517) 483-4479) 24 hour notice may be needed for certain accommodations. An attempt will be made to grant all reasonable accommodation requests.

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

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

INTRODUCTION OF ORDINANCE

Council Member Jackson introduced:

> An Ordinance of the City of Lansing, Michigan, to repeal Chapter 650, Section 650.04, a criminal misdemeanor under the general offenses code of the Codified Ordinances to eliminate playing in streets.

The Ordinance is read a first time by its title and referred to the Committee on Equity Diversity & Inclusion.

RESOLUTION #2021-060

RESOLUTION SETTING PUBLIC HEARING
BY CITY COUNCIL

Resolved by the City Council of the City of Lansing that a public hearing be set for April 12, 2021 at 7 p.m. in Tony Benavides Lansing City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose to repeal Chapter 650, Section 650.04, a criminal misdemeanor under the General Offenses Code of the Codified Ordinances to eliminate playing in streets.

BE IT FURTHER RESOLVED, due to COVID-19, the public hearing may be held electronically in accordance with the amended Open Meetings Act in an effort to protect the health and safety of the public. Members of the public wishing to participate in the meeting may do so by logging into the ZOOM Webinar at https://us02web.zoom.us/j/85940036219; ID 859 4003 6219 or calling in (312) 626 6799.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO REPEAL CHAPTER 650, SECTION 650.04, A CRIMINAL MISDEMEANOR UNDER THE GENERAL OFFENSES CODE OF THE CODIFIED ORDINANCES TO ELIMINATE PLAYING IN STREETS.

THE CITY OF LANSING ORDAINS:

Section 1. That Chapter 650, Section 650.04, of the Code of Ordinances of the City of Lansing, Michigan be and is hereby repealed in their entirety and shall be null and void and of no effect.

Section 2. All ordinances, resolutions or rules, parts of ordinances, resolutions or rules inconsistent with these provisions are hereby repealed in its entirety and shall be null and void and of no effect.

Section 3. Should any section, clause or phrase of this ordinance be declared to be invalid, the same shall not affect the validity of the ordinance as a whole, or any part thereof other than the part so declared to be invalid.

Section 4. This ordinance repeal shall take effect on the 30th day after enactment unless given immediate effect by City Council.

Approved as to form:

_____
City Attorney

Date: _____

CITY OF LANSING
NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a Public Hearing will be held on Monday, April 12, 2021 at 7:00 p.m. via ZOOM Conferencing, Meeting ID 859 4003 6219 for the purpose of considering:

> An Ordinance of the City of Lansing, Michigan, to repeal Chapter 656, Section 656.04, a criminal misdemeanor under the General Offenses Code of the Codified Ordinances to eliminate prohibition of bicycles on Riverfront park during an organized event.

Members of the public wishing to participate in the meeting may do so by logging into or calling into the meeting using the website https://us02web.zoom.us/j/85940036219 or by phone number 312-626-6799 using Meeting ID: 859 4003 6219.

Persons with disabilities who need an accommodation to fully participate in these meetings should contact the City Council Office at 517-483-4177 (TDD (517) 483-4479) 24 hour notice may be needed for certain accommodations. An attempt will be made to grant all reasonable accommodation requests.

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

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

INTRODUCTION OF ORDINANCE

Council Member Jackson introduced:

> An Ordinance of the City of Lansing, Michigan, to repeal Chapter 656, Section 656.04, a criminal misdemeanor under the General Offenses Code of the Codified Ordinances to eliminate prohibition of bicycles on Riverfront Park during an organized event.

The Ordinance is read a first time by its title and referred to the Committee on Equity Diversity & Inclusion.

RESOLUTION #2021-061

RESOLUTION SETTING PUBLIC HEARING
BY CITY COUNCIL

Resolved by the City Council of the City of Lansing that a public hearing be set for April 12, 2021 at 7 p.m. in Tony Benavides Lansing City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose to repeal Chapter 656, Section 656.04, a criminal misdemeanor under the General Offenses Code of the Codified Ordinances to eliminate prohibition of bicycles on Riverfront Park during an organized event.

BE IT FURTHER RESOLVED, due to COVID-19, the public hearing may be held electronically in accordance with the amended Open Meetings Act in an effort to protect the health and safety of the public. Members of the public wishing to participate in the meeting may do so by logging into the ZOOM Webinar at https://us02web.zoom.us/j/85940036219; ID 859 4003 6219 or calling in (312) 626 6799.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO REPEAL CHAPTER 656, SECTION 656.04, A CRIMINAL MISDEMEANOR UNDER THE GENERAL OFFENSES CODE OF THE CODIFIED ORDINANCES TO ELIMINATE PROHIBITION OF BICYCLES ON RIVERFRONT PARK DURING AN ORGANIZED EVENT.

THE CITY OF LANSING ORDAINS:

Section 1. That Chapter 656, Section 656.04, of the Code of Ordinances of the City of Lansing, Michigan be and is hereby repealed in their entirety and shall be null and void and of no effect.

Section 2. All ordinances, resolutions or rules, parts of ordinances, resolutions or rules inconsistent with these provisions are hereby repealed in its entirety and shall be null and void and of no effect.

Section 3. Should any section, clause or phrase of this ordinance be declared to be invalid, the same shall not affect the validity of the ordinance as a whole, or any part thereof other than the part so declared to be invalid.

Section 4. This ordinance repeal shall take effect on the 30th day after enactment unless given immediate effect by City Council.

Approved as to form:

_____
City Attorney

Date: _____

CITY OF LANSING
NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a Public Hearing will be held on Monday, April 12, 2021 at 7:00 p.m. via ZOOM Conferencing, Meeting ID 859 4003 6219 for the purpose of considering:

> An Ordinance of the City of Lansing, Michigan, to repeal Chapter 658, Section 658.03, a criminal misdemeanor under the General Offenses Code of the Codified Ordinances to eliminate annoying persons.

Members of the public wishing to participate in the meeting may do so by logging into or calling into the meeting using the website https://us02web.zoom.us/j/85940036219 or by phone number 312-626-6799 using Meeting ID: 859 4003 6219.

Persons with disabilities who need an accommodation to fully participate in these meetings should contact the City Council Office at 517-483-4177 (TDD (517) 483-4479) 24 hour notice may be needed for certain accommodations. An attempt will be made to grant all reasonable accommodation requests.

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

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

INTRODUCTION OF ORDINANCE

Council Member Jackson introduced:

> An ordinance of the City of Lansing, Michigan, to repeal Chapter 658, Section 658.03, a criminal misdemeanor under the general offenses code of the codified ordinances to eliminate annoying persons.

The Ordinance is read a first time by its title and referred to the Committee on Equity Diversity & Inclusion.

RESOLUTION #2021-062

RESOLUTION SETTING PUBLIC HEARING
BY CITY COUNCIL

Resolved by the City Council of the City of Lansing that a public hearing be set for April 12, 2021 at 7 p.m. in Tony Benavides Lansing City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose to repeal Chapter 658, Section 658.03, a criminal misdemeanor under the general offenses code of the codified ordinances to eliminate annoying persons.

BE IT FURTHER RESOLVED, due to COVID-19, the public hearing may be held electronically in accordance with the amended Open Meetings Act in an effort to protect the health and safety of the public. Members of the public wishing to participate in the meeting may do so by logging into the ZOOM Webinar at https://us02web.zoom.us/j/85940036219; ID 859 4003 6219 or calling in (312) 626 6799.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO REPEAL CHAPTER 658, SECTION 658.03, A CRIMINAL MISDEMEANOR UNDER THE GENERAL OFFENSES CODE OF THE CODIFIED ORDINANCES TO ELIMINATE ANNOYING PERSONS.

THE CITY OF LANSING ORDAINS:

Section 1. That Chapter 658, Section 658.03, of the Code of Ordinances of the City of Lansing, Michigan be and is hereby repealed in their entirety and shall be null and void and of no effect.

Section 2. All ordinances, resolutions or rules, parts of ordinances, resolutions or rules inconsistent with these provisions are hereby repealed in its entirety and shall be null and void and of no effect.

Section 3. Should any section, clause or phrase of this ordinance be declared to be invalid, the same shall not affect the validity of the ordinance as a whole, or any part thereof other than the part so declared to be invalid.

Section 4. This ordinance repeal shall take effect on the 30th day after enactment unless given immediate effect by City Council.

Approved as to form:

_____
City Attorney

Date: _____

CITY OF LANSING
NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a Public Hearing will be held on Monday, April 12, 2021 at 7:00 p.m. via ZOOM Conferencing, Meeting ID 859 4003 6219 for the purpose of considering:

> An Ordinance of the City of Lansing, Michigan, to repeal Chapter 658, Section 658.06, a criminal misdemeanor under the General Offenses Code of the Codified Ordinances to eliminate that no person shall beg in any public place or go door-to-door requesting donations for personal gain.

Members of the public wishing to participate in the meeting may do so by logging into or calling into the meeting using the website https://us02web.zoom.us/j/85940036219 or by phone number 312-626-6799 using Meeting ID: 859 4003 6219.

Persons with disabilities who need an accommodation to fully participate in these meetings should contact the City Council Office at 517-483-4177 (TDD (517) 483-4479) 24 hour notice may be needed for certain accommodations. An attempt will be made to grant all reasonable accommodation requests.

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

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

INTRODUCTION OF ORDINANCE

Council Member Jackson introduced:

> An ordinance of the City of Lansing, Michigan, to repeal Chapter 658, Section 658.06, a criminal misdemeanor under the general offenses code of the codified ordinances to eliminate that no person shall beg in any public place or go door-to-door requesting donations for personal gain.

The Ordinance is read a first time by its title and referred to the Committee on Equity Diversity & Inclusion.

RESOLUTION #2021-063

RESOLUTION SETTING PUBLIC HEARING
BY CITY COUNCIL

Resolved by the City Council of the City of Lansing that a public hearing be set for April 12, 2021 at 7 p.m. in Tony Benavides Lansing City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose to repeal Chapter 658, Section 658.06, a criminal misdemeanor under the general offenses code of the codified ordinances to eliminate that no person shall beg in any public place or go door-to-door requesting donations for personal gain.

BE IT FURTHER RESOLVED, due to COVID-19, the public hearing may be held electronically in accordance with the amended Open Meetings Act in an effort to protect the health and safety of the public. Members of the public wishing to participate in the meeting may do so by logging into the ZOOM Webinar at https://us02web.zoom.us/j/85940036219; ID 859 4003 6219 or calling in (312) 626 6799.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO REPEAL CHAPTER 658, SECTION 658.06, A CRIMINAL MISDEMEANOR UNDER THE GENERAL OFFENSES CODE OF THE CODIFIED ORDINANCES TO ELIMINATE THAT NO PERSON SHALL BEG IN ANY PUBLIC PLACE OR GO DOOR-TO-DOOR REQUESTING DONATIONS FOR PERSONAL GAIN.

THE CITY OF LANSING ORDAINS:

Section 1. That Chapter 658, Section 658.06, of the Code of Ordinances of the City of Lansing, Michigan be and is hereby repealed in their entirety and shall be null and void and of no effect.

Section 2. All ordinances, resolutions or rules, parts of ordinances, resolutions or rules inconsistent with these provisions are hereby repealed in its entirety and shall be null and void and of no effect.

Section 3. Should any section, clause or phrase of this ordinance be declared to be invalid, the same shall not affect the validity of the ordinance as a whole, or any part thereof other than the part so declared to be invalid.

Section 4. This ordinance repeal shall take effect on the 30th day after enactment unless given immediate effect by City Council.

Approved as to form:

_____
City Attorney

Date: _____

CITY OF LANSING
NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a Public Hearing will be held on Monday, April 12, 2021 at 7:00 p.m. via ZOOM Conferencing, Meeting ID 859 4003 6219 for the purpose of considering:

> An Ordinance of the City of Lansing, Michigan, to repeal Chapter 680, Section 680.03, a criminal misdemeanor under the General Offenses Code of the Codified Ordinances, to eliminate using profane language in a building or on any property adjacent to any building in the city occupied as public, private, or parochial school.

Members of the public wishing to participate in the meeting may do so by logging into or calling into the meeting using the website https://us02web.zoom.us/j/85940036219 or by phone number 312-626-6799 using Meeting ID: 859 4003 6219.

Persons with disabilities who need an accommodation to fully participate in these meetings should contact the City Council Office at 517-483-4177 (TDD (517) 483-4479) 24 hour notice may be needed for certain accommodations. An attempt will be made to grant all reasonable accommodation requests.

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

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

INTRODUCTION OF ORDINANCE

Council Member Jackson introduced:

> An ordinance of the City of Lansing, Michigan, to repeal Chapter 680, Section 680.03, a criminal misdemeanor under the general offenses code of the codified ordinances to eliminate using profane language in a building or on any property adjacent to any building in the city occupied as public, private or parochial school.

The Ordinance is read a first time by its title and referred to the Committee on Equity Diversity & Inclusion.

RESOLUTION #2021-064

RESOLUTION SETTING PUBLIC HEARING
BY CITY COUNCIL

Resolved by the City Council of the City of Lansing that a public hearing be set for April 12, 2021 at 7 p.m. in Tony Benavides Lansing City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose to repeal Chapter 680, Section 680.03, a criminal misdemeanor under the general offenses code of the codified ordinances to eliminate using profane language in a building or on any property adjacent to any building in the city occupied as public, private or parochial school.

BE IT FURTHER RESOLVED, due to COVID-19, the public hearing may be held electronically in accordance with the amended Open Meetings Act in an effort to protect the health and safety of the public. Members of the public wishing to participate in the meeting may do so by logging into the ZOOM Webinar at https://us02web.zoom.us/j/85940036219; ID 859 4003 6219 or calling in (312) 626 6799.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO REPEAL CHAPTER 680, SECTION 680.03, A CRIMINAL MISDEMEANOR UNDER THE GENERAL OFFENSES CODE OF THE CODIFIED ORDINANCES TO ELIMINATE USING PROFANE LANGUAGE IN A BUILDING OR ON ANY PROPERTY ADJACENT TO ANY BUILDING IN THE CITY OCCUPIED AS PUBLIC, PRIVATE OR PAROCHIAL SCHOOL.

THE CITY OF LANSING ORDAINS:

Section 1. That Chapter 680, Section 680.03, of the Code of Ordinances of the City of Lansing, Michigan be and is hereby repealed in their entirety and shall be null and void and of no effect.

Section 2. All ordinances, resolutions or rules, parts of ordinances, resolutions or rules inconsistent with these provisions are hereby repealed in its entirety and shall be null and void and of no effect.

Section 3. Should any section, clause or phrase of this ordinance be declared to be invalid, the same shall not affect the validity of the ordinance as a whole, or any part thereof other than the part so declared to be invalid.

Section 4. This ordinance repeal shall take effect on the 30th day after enactment unless given immediate effect by City Council.

Approved as to form:

_____
City Attorney

Date: _____

CITY OF LANSING
NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a Public Hearing will be held on Monday, April 12, 2021 at 7:00 p.m. via ZOOM Conferencing, Meeting ID 859 4003 6219 for the purpose of considering:

> An Ordinance of the City of Lansing, Michigan, to repeal Chapter 680, Section 680.06, a criminal misdemeanor under the General Offenses Code of the Codified Ordinances to eliminate borrowing money or a thing of value from a student at any school.

Members of the public wishing to participate in the meeting may do so by logging into or calling into the meeting using the website https://us02web.zoom.us/j/85940036219 or by phone number 312-626-6799 using Meeting ID: 859 4003 6219.

Persons with disabilities who need an accommodation to fully participate in these meetings should contact the City Council Office at 517-483-4177 (TDD (517) 483-4479) 24 hour notice may be needed for certain accommodations. An attempt will be made to grant all reasonable accommodation requests.

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

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

INTRODUCTION OF ORDINANCE

Council Member Jackson introduced:

> An ordinance of the City of Lansing, Michigan, to repeal Chapter 680, Section 680.06, a criminal misdemeanor under the general offenses code of the codified ordinances to eliminate borrowing money or a thing of value from a student at any school.

The Ordinance is read a first time by its title and referred to the Committee on Equity Diversity & Inclusion.

RESOLUTION #2021-065

RESOLUTION SETTING PUBLIC HEARING
BY CITY COUNCIL

Resolved by the City Council of the City of Lansing that a public hearing be set for April 12, 2021 at 7 p.m. in Tony Benavides Lansing City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose to repeal Chapter 680, Section 680.06, a criminal misdemeanor under the general offenses code of the codified ordinances to eliminate borrowing money or a thing of value from a student at any school.

BE IT FURTHER RESOLVED, due to COVID-19, the public hearing may be held electronically in accordance with the amended Open Meetings Act in an effort to protect the health and safety of the public. Members of the public wishing to participate in the meeting may do so by logging into the ZOOM Webinar at https://us02web.zoom.us/j/85940036219; ID 859 4003 6219 or calling in (312) 626 6799.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO REPEAL CHAPTER 680, SECTION 680.06, A CRIMINAL MISDEMEANOR UNDER THE GENERAL OFFENSES CODE OF THE CODIFIED ORDINANCES TO ELIMINATE BORROWING MONEY OR A THING OF VALUE FROM A STUDENT AT ANY SCHOOL.

THE CITY OF LANSING ORDAINS:

Section 1. That Chapter 680, Section 680.06, of the Code of Ordinances of the City of Lansing, Michigan be and is hereby repealed in their entirety and shall be null and void and of no effect.

Section 2. All ordinances, resolutions or rules, parts of ordinances, resolutions or rules inconsistent with these provisions are hereby repealed in its entirety and shall be null and void and of no effect.

Section 3. Should any section, clause or phrase of this ordinance be declared to be invalid, the same shall not affect the validity of the ordinance as a whole, or any part thereof other than the part so declared to be invalid.

Section 4. This ordinance repeal shall take effect on the 30th day after enactment unless given immediate effect by City Council.

Approved as to form:

_____
City Attorney

Date: _____

CITY OF LANSING
NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a Public Hearing will be held on Monday, April 12, 2021 at 7:00 p.m. via ZOOM Conferencing, Meeting ID 859 4003 6219 for the purpose of considering:

> An Ordinance of the City of Lansing, Michigan, to repeal Chapter 696, Section 696.02, a criminal misdemeanor under the General Offenses Code of the Codified Ordinances to eliminate that no person shall carry any firearm, air rifle, bow and arrow, slingshot, crossbow, or other dangerous weapon in any public place.

Members of the public wishing to participate in the meeting may do so by logging into or calling into the meeting using the website https://us02web.zoom.us/j/85940036219 or by phone number 312-626-6799 using Meeting ID: 859 4003 6219.

Persons with disabilities who need an accommodation to fully participate in these meetings should contact the City Council Office at 517-483-4177 (TDD (517) 483-4479) 24 hour notice may be needed for certain accommodations. An attempt will be made to grant all reasonable accommodation requests.

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

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

INTRODUCTION OF ORDINANCE

Council Member Jackson introduced:

> An ordinance of the City of Lansing, Michigan, to repeal Chapter 696, Section 696.02, a criminal misdemeanor under the general offenses code of the codified ordinances to eliminate that no person shall carry any firearm, air rifle, bow and arrow, slingshot, crossbow or other dangerous weapon in any public place.

The Ordinance is read a first time by its title and referred to the Committee on Equity Diversity & Inclusion.

RESOLUTION #2021-066

RESOLUTION SETTING PUBLIC HEARING
BY CITY COUNCIL

Resolved by the City Council of the City of Lansing that a public hearing be set for April 12, 2021 at 7 p.m. in Tony Benavides Lansing City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose to repeal Chapter 696, Section 696.02, a criminal misdemeanor under the general offenses code of the codified ordinances to eliminate that no person shall carry any firearm, air rifle, bow and arrow, slingshot, crossbow or other dangerous weapon in any public place.

BE IT FURTHER RESOLVED, due to COVID-19, the public hearing may be held electronically in accordance with the amended Open Meetings Act in an effort to protect the health and safety of the public. Members of the public wishing to participate in the meeting may do so by logging into the ZOOM Webinar at https://us02web.zoom.us/j/85940036219; ID 859 4003 6219 or calling in (312) 626 6799.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO REPEAL CHAPTER 696, SECTION 696.02, A CRIMINAL MISDEMEANOR UNDER THE GENERAL OFFENSES CODE OF THE CODIFIED ORDINANCES TO ELIMINATE THAT NO PERSON SHALL CARRY ANY FIREARM, AIR RIFLE, BOW AND ARROW, SLINGSHOT, CROSSBOW OR OTHER DANGEROUS WEAPON IN ANY PUBLIC PLACE.

THE CITY OF LANSING ORDAINS:

Section 1. That Chapter 696, Section 696.02, of the Code of Ordinances of the City of Lansing, Michigan be and is hereby repealed in their entirety and shall be null and void and of no effect.

Section 2. All ordinances, resolutions or rules, parts of ordinances, resolutions or rules inconsistent with these provisions are hereby repealed in its entirety and shall be null and void and of no effect.

Section 3. Should any section, clause or phrase of this ordinance be declared to be invalid, the same shall not affect the validity of the ordinance as a whole, or any part thereof other than the part so declared to be invalid.

Section 4. This ordinance repeal shall take effect on the 30th day after enactment unless given immediate effect by City Council.

Approved as to form:

_____
City Attorney

Date: _____

RESOLUTION #2021-067

BY THE COMMITTEE ON WAYS AND MEANS

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing City Charter Section 3-404.1 requires an independent audit of all accounts of the City government, including the Board of Water and Light (BWL), at the close of each fiscal year, and all such audits shall be made by a Certified Public Accountant designated by the City Council; and

WHEREAS, BWL staff engaged in its normal public procurement process for the purpose of soliciting and evaluating proposals from a variety of independent public accounting firms that have municipal utility audit experience to perform an audit of the BWL as required by Lansing City Charter, Section 3-404 for fiscal years ending June 30 on the following respective years: 2021, 2022, 2023, 2024 and 2025; and

WHEREAS, based on public procurement evaluation of the proposals received, the BWL staff recommends the firm of Baker Tilly to perform these BWL audits; and

WHEREAS, the Board of Commissioners support BWL staff's recommendations; and recommends that Lansing City Council approve and designate Baker Tilly to perform the annual financial audit for each of the fiscal years ending June 30 on the following respective years: 2021, 2022, 2023, 2024 and 2025 in accordance with Lansing City Charter Section 3-404.1.

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby supports the BWL Board of Commissioners recommendations to designate Baker Tilly to perform the annual financial audit for each of the fiscal years ending June 30 on the following respective years: 2021, 2022, 2023, 2024 and 2025 in accordance with Lansing City Charter Section 3-404.1.

RESOLUTION 2021-03-05

Lansing Board of Water & Light External Auditor Recommendation

WHEREAS, Lansing City Charter Section 3-404.1 requires an independent audit of all accounts of the City government, including the Board of Water and Light (BWL), at the close of each fiscal year, and all such audits shall be made by a Certified Public Accountant designated by the City Council; and

WHEREAS, BWL staff engaged in its normal public procurement process for the purpose of soliciting and evaluating proposals from a variety of independent public accounting firms that have municipal utility audit experience to perform an audit of the BWL as required by Lansing City Charter Section 3-404 for fiscal years ending June 30 on the following respective years: 2021, 2022, 2023, 2024, and 2025; and

WHEREAS, based on the public procurement evaluation of the proposals received, the BWL staff recommends the firm of Baker Tilly to perform these BWL audits; and

RESOLVED, that the Board of Commissioners support BWL staff's recommendation; and

FURTHER RESOLVED, the Board of Commissioners recommends that Lansing City Council approve and designate Baker Tilly to perform the annual financial audit for each of the fiscal years ending June 30 on the following respective years: 2021, 2022, 2023, 2024, and 2025 in accordance with Lansing City Charter 3-404.1; and

FURTHER RESOLVED, that the Corporate Secretary is hereby directed to submit this resolution on behalf of the Board of Commissioners to City Council requesting their approval of Baker Tilly as recommended by the Board of Commissioners.

Motion by Commissioner Lenz, **Seconded** by Commissioner Mullen, to approve the Resolution for Lansing Board of Water & Light External Auditor Recommendation.

Roll Call Vote:
Yeas: Commissioners David Price, Beth Graham, Deshon Leek, David Lenz, Tony Mullen, Ken Ross, Tracy Thomas, and Sandra Zerkle.
Nays: None.
Action: Motion Carried.

RESOLUTION #2021-068

BY THE COMMITTEE ON CITY OPERATIONS

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Delta Grande Drain is located wholly within the boundaries of the City of Lansing; and

WHEREAS, the City of Lansing has been operating and maintaining the Delta Grande Drain since the 1960s; and

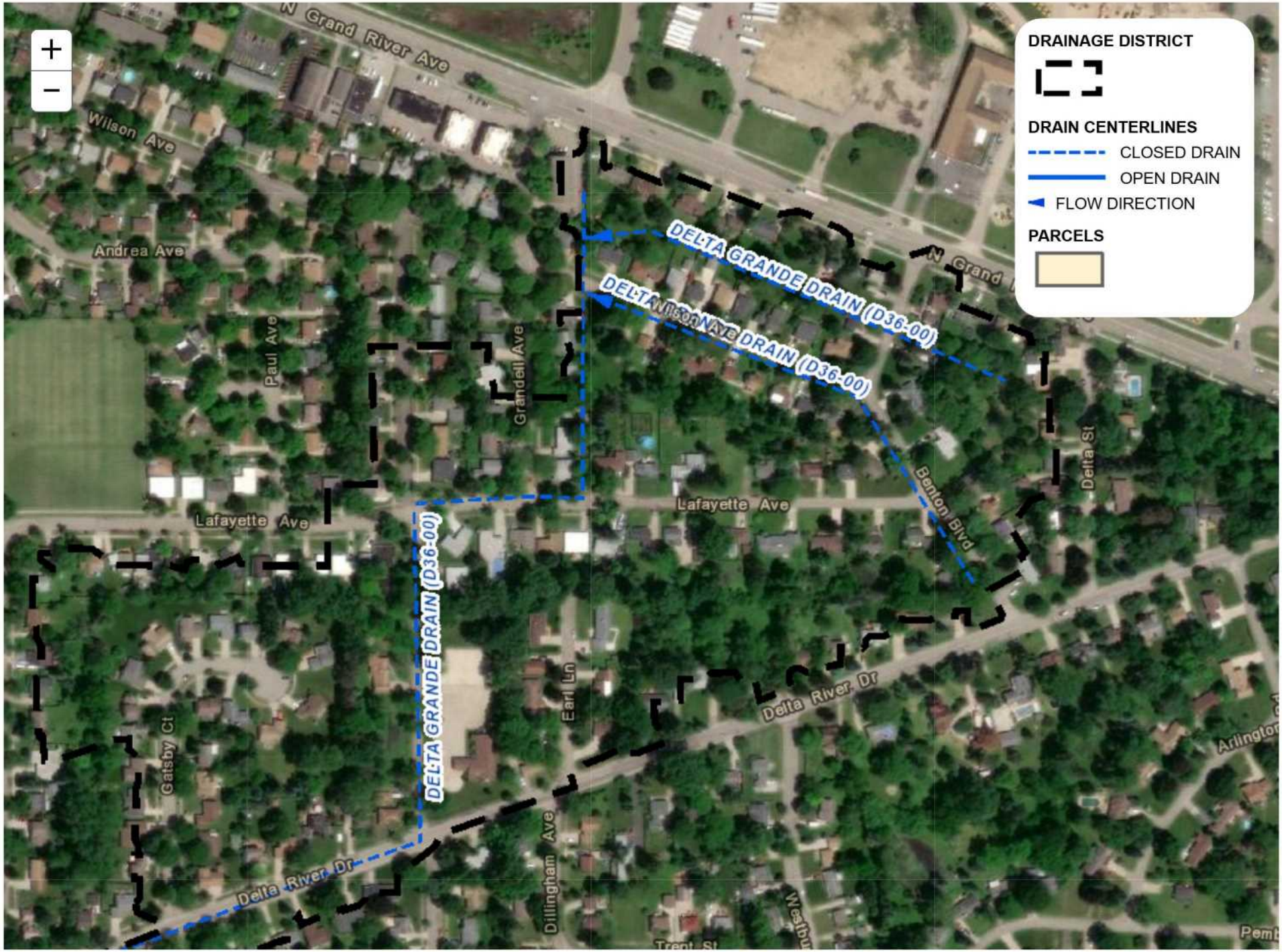
WHEREAS, the Ingham County Drain Commissioner determined that the Delta Grande Drain was never transferred to the City of Lansing per the requirements of Section 395 of the Drain Code of 1956; and

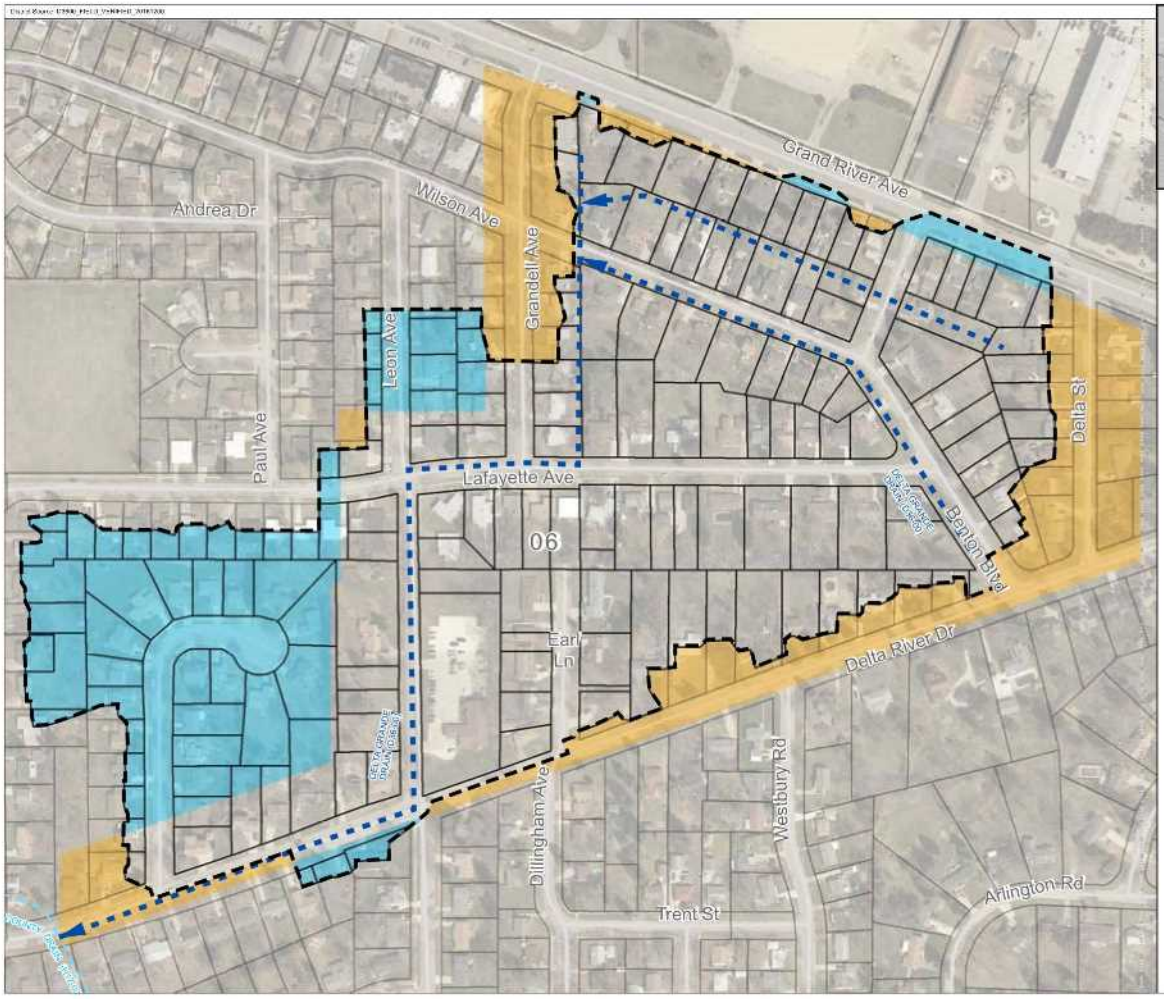
WHEREAS, Section 395 of the Drain Code of 1956 requires that in order for the Drain Commissioner to relinquish control of a county drainage district, the following requirements must be met

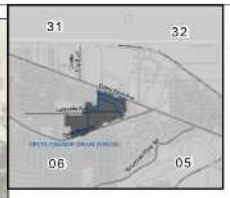
1. The drainage district must be wholly located within the boundaries of the City;
2. The drainage district has no outstanding indebtedness or contract liability;
3. The majority of the members of the Lansing City Council must request the transfer of the drainage district;
4. The majority of the members of the Ingham County Board of Commissioners must approve a resolution transferring the jurisdiction and control of the drainage district to the City;

NOW, THEREFORE, BE IT RESOLVED that Lansing City Council, per Section 395 of the Drain Code of 1956, requests that the maintenance, jurisdiction, control and operation of the Delta Grande Drain be transferred to the City of Lansing, and that the Ingham County Board of Commissioners approve a resolution transferring the Delta Grande Drain to the City of Lansing;

BE IT FURTHER RESOLVED that Lansing City Council requests that the Ingham County Drain Commissioner, upon receipt of the resolutions from the City of Lansing and the Ingham County Board of Commissioners approving the transfer of the Delta Grande, and upon the Delta Grande Drain becoming free of debt and contract liability, relinquish jurisdiction and control of the Delta Grande Drain to the City of Lansing.


DRAINAGE DISTRICT
DRAIN CENTERLINES
CLOSED DRAIN
OPEN DRAIN
FLOW DIRECTION
PARCELS
N Grand River Ave
Wilson Ave
Andrea Ave
Paul Ave
Grandell Ave
Lafayette Ave
DELTA GRANDE DRAIN (D36-00)
DELTA WILSON AVE DRAIN (D36-00)
Benton Blvd
Delta St
Earl Ln
Delta River Dr
Gatsby Ct
Dillingham Ave
Trent St





3

PATRICK E. LINDEMANN
INGHAM COUNTY DRAIN COMMISSIONER
707 BUHL AVENUE
P.O. BOX 220
MASON, MI 48854
PHONE: (517)-676-8395
FAX: (517)-676-8364

PRELIMINARY
1/31/2017 DAY OF REVIEW

LEGEND

DRAIN CENTERLINE
- OPEN DRAIN
- CLOSED DRAIN

OTHER DRAINS
- OPEN DRAIN
- CLOSED DRAIN
- OTHER WATERCOURSES
- PROPOSED DRAINAGE DISTRICT
- LANDS RECOMMENDED TO BE ADDED TO THE DISTRICT
- LANDS RECOMMENDED TO BE DELETED FROM THE DISTRICT
- MUNICIPAL BOUNDARIES
- SECTION BOUNDARIES
- ROADS

0 100 200 300 Feet

DELTA GRANDE DRAIN
CITY OF LANSING
INGHAM COUNTY
MICHIGAN

D36-00

COVER

RESOLUTION #2021-069

BY COUNCIL MEMBERS BETZ, DUNBAR, GARZA, HUSSAIN, JACKSON, SPADAFORE, SPITZLEY AND WOOD

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Fair Housing Act, enacted on April 11, 1968, enshrined into federal law the goal of eliminating racial segregation and ending housing discrimination in the United States; and

WHEREAS, the Fair Housing Act prohibits discrimination in housing based on race, color, religion, sex, familial status, national origin, and disability, and commits recipients of federal funding to affirmatively further fair housing in their communities; and

WHEREAS, the City of Lansing is committed to the mission and intent of Congress to provide fair and equal housing opportunities for all; and

WHEREAS, our social fabric, the economy, health, and environment are strengthened in diverse, inclusive communities; and

WHEREAS, more than fifty (50) years after the passage of the Fair Housing Act, discrimination persists, and many communities remain segregated; and

WHEREAS, acts of housing discrimination and barriers to equal housing opportunity are repugnant to a common sense of decency and fairness; and

WHEREAS, the City of Lansing, is a community committed to fair housing, and to promoting appropriate activities by private and public entities to provide and advocate for equal housing opportunities for all residents and prospective residents of the City of Lansing.

NOW THEREFORE BE IT RESOLVED that the City of Lansing City Council does hereby declare the month of April, 2021 as Fair Housing Month.

RESOLUTION #2021-070

BY COUNCIL MEMBERS HUSSAIN & SPADAFORE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the position of City Council Internal Auditor has been vacant since January 2020; and

WHEREAS, Eric Brewer previously served as the City Council Internal Auditor, and continues to maintain the qualifications required of the position; and

WHEREAS, Mr. Brewer currently serves as the City Council Internal Auditor on an Independent Contractor basis and has been vetted by the City Council President and Vice President; and

WHEREAS, it is the desire of Lansing City Council to hire Mr. Brewer as the Internal Auditor as a full time employee of the Lansing City Council.

NOW, THEREFORE BE IT RESOLVED that the Lansing City Council hereby appoints Eric Brewer to the position of City Council Internal Auditor beginning April 19, 2021.

BE IT FURTHER RESOLVED that in light of Mr. Brewer's qualifications, demonstrated positive work product and previous years of service to the City of Lansing, the City Council President and Vice President are authorized to negotiate an at will employment contract for a one year term that contains the following terms:

- Rate of pay: $49.41379 /hour
- Fringe benefits as negotiated, including an initial issuing of vacation leave, and accrual of sick and vacation leave per pay period
- Placement in the appropriate retirement system, as applicable under current retirement plans and City ordinances

BE IT FURTHER RESOLVED, the City Council may terminate this employment contract at will.

BE IT FINALLY RESOLVED, the City Council President and Vice President are authorized to renew this contract on a successive yearly basis, as appropriate.

CITY OF LANSING - DEMOLITION BOARD
REPORT FOR CITY COUNCIL
CASE OVERVIEW SHEET

ADDRESS:	**314 BINGHAM STREET**
PARCEL NUMBER:	33-01-01-15-332-161

SHOW CAUSE HEARING DATE:	
DEMOLITION CASE FILE #:	2019-D005

LISTED TAXPAYER:	WOELFEL, MANFRED
INTERESTED PARTIES:	WOELFEL, MANFRED
SEV INFORMATION:	$7,500.00
LAND VALUE:	$6,772.00
BUILDING VALUE:	$8,279.00
LOT SIZE:	FRONTAGE 33 ' 165' DEPTH

HOUSING CODE VIOLATION LTR:	10/2/2017
ORIGINAL RED TAG DATE:	10/2/2017
ZONING:	C RESIDENTIAL
ESTIMATE OF REPAIRS:	$90,226.00
PICTURES:	YES
OTHER:	

LEGAL DESCRIPTION:	N 1/2 LOT 7 BLOCK 14 GREEN OAK ADD

ORDER OF DEMOLITION BOARD

DEMOLITION BOARD MEETING DATE:	1/28/2021
ORDER:	MAKE SAFE OR DEMOLISH 3/01/2021
REASON/CONDITIONS:	FIRE DAMAGED UNSAFE
HEARING OFFICER:	DAVE MUYLLE

CURRENT PERMIT ACTIVITY

BUILDING:	ISSUED NO ACTIVITY
ELECTRICAL:	ISSUED NO ACTIVITY SINCE 11/20/2020
MECHANICAL:	ISSUED NO ACTIVITY
PLUMBING:	ISSUED NO ACTIVITY
DEMOLITION:	na

CURRENT CITY COUNCIL ACTIVITY

REQUEST FOR SHOW CAUSE SENT:	
SHOW CAUSE HEARING DATE:	
PUBLIC SAFETY COMMITTEE WILL REVIEW:	

314 BINGHAM STREET

- Original Red Tag Date
  - 10/02/2017
- Submitted Into Make Safe Or Demolish Process
  - 03/01/2019
- Property Vacant/Repairs Exceed Building SEV
  - Property vacant more than 180 days
  - Repairs exceed building SEV
- Title Information
  - MANFRED WOELFEL

314 BINGHAM

_Property Value Information

- SEV
  - $7,500.00 (as of 3/16/2021
- Structure
  - $8,279.00 *(as of 3/16/2021)*
- Land
  - $6,772.00 *(as of 2/01/19)*
- Estimate of Repairs
  - $90,226.00

314 BINGHAM STREET.

Housing Code Correction Letters

- Code Compliance Inspection Date
  - 10/02/2017
- Code Compliance Letter Written
  - 10/02/2017
- Code Compliance Due Date
  - 11/02/2017

314 BINGHAM STREET.

Demolition Board Actions

- Demolition Board Show Cause Hearings
  - 3/28/2019
  - 12/03/2020
  - 1/28/2021
- Order by Demolition Board
  - MS or D by 03/01/2021
- Request Sent To City Council for Show Cause Hearing
  - 3/18/2021

314 BINGHAM STREET.

City Council Actions

- Show Cause Hearing Held
  - 00/00/00
- Public Safety Committee Meeting
  - 00/00/00
- Resolution passed by City Council
- Extension Requested By Owner

314 BINGHAM STREET.

General Comments

OWNERS HAS BEEN GIVEN MULTIPLE EXTENSIONS HAS PULLED REQUIRED PERMITS HOWEVER THERE HAS BEEN NO ACTIVITY/INSPECTIONS ON PERMITS. ELECTRICAL PERMIT HAD A SERVICE APPROVAL ON 11/20/2020 TO TURN POWER ON NO OTHER WORK HAS BEEN DONE.

RECOMMENDATIONS

- **FOR NEW CASES:**
  - **Recommend time frame for MS or D.** This requires a resolution be passed by City Council –
    - 60 days for regular demolitions
    - 30 days for fire-damaged demolitions
  - **Table case** – Stays at PS Committee level for future review.
- **FOR EXTENSION REQUESTS:**
  - **Grant extension if requested.** Requires new resolution be passed by City Council.
  - **Deny extension requested.** Case will proceed in demo process and be sent out to bid for demolition.
- **FOR TABLED CASES:**
  - **Recommend time frame for MS or D.** This requires a resolution be passed by City Council –
    - 60 days for regular demolitions
    - 30 days for fire-damaged demolitions
  - **Return case to table** – Stays at PS Committee level for future review.

314 BINGHAM

RESOLUTION #2021-071

BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the City of Lansing Code Enforcement Division has declared the building at 314 Bingham Street, Parcel # 33-01-01-15-332-161, legally described as: North ½ of Lot 7, Block 14, Green Oak Addition, to be unsafe and dangerous as defined in Section 108.1 of the Lansing Housing Code and the applicable laws of the State of Michigan and thus, ordered the building to be red tagged on October 2, 2017 as unsafe to occupy; and

WHEREAS, the Lansing Demolition Board, at a special meeting held on January 28, 2021, to consider and make a recommendation on whether to declare the structure a dangerous building, as defined in the Housing Law of Michigan (MCLA 125.539) and the Lansing Housing and Property Maintenance Code (1460.01, et seq.), and ordered the property owner to make safe or demolish the structure by March 1, 2021; and

WHEREAS, the Code Enforcement Division has determined that compliance with the order of the demolition hearing board officer has not occurred; and

WHEREAS, the Housing Law of Michigan and the Lansing Codified Ordinances require that the City hold a hearing to give the property owner an opportunity to show cause as to why the building should not be demolished or otherwise made safe;

NOW THEREFORE, BE IT RESOLVED that a show cause hearing will be held during the City Council meeting on Monday, April 26, 2021 at 7:00 p.m. in consideration of the finding and order of the Lansing Demolition Hearing Board Officer regarding the structure at 314 Bingham Street, as legally described above, to give the owner, or the owner's agent, the opportunity to appear and show cause why the building should not be demolished or otherwise made safe; and to approve, disapprove, or modify the order of the hearing officer to demolish or make safe the subject structure.

BE IT FURTHER RESOLVED that the meeting will be conducted remotely via Zoom Conferencing and can be accessed using the following link https://us02web.zoom.us/j/85940036219 or by calling (312) 626-6799 and entering Meeting ID: 859 4003 6219.

BE IT FINALLY RESOLVED that the Lansing City Council directs the Code Enforcement Division to notify the owner of 314 Bingham Street of the opportunity to appear and present testimony at the hearing, as required by law.

RESOLUTION #2021-072

BY THE COMMITTEE ON CITY OPERATIONS

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the City of Lansing has reviewed the proposed special assessment boundaries set by Resolution 2016-202 and first proposed to be assessed by Resolution 2017-047; and

WHEREAS, the City of Lansing has reviewed the services provided within those boundaries and the cost incurred between March 15, 2020 and November 15, 2020, by the City totals $21,845.00.

NOW, THEREFORE BE IT RESOLVED, that the Glenburne Commons special assessment district is hereby confirmed by City Council to include all of the parcels within these subdivisions, excluding unoccupied units

Glenburne Subdivision
Glenburne Subdivision No. 2
Glenburne Subdivision No. 3
Glenburne Subdivision No. 4
Glenburne Subdivision No. 5
Part of the North 2 and South East ¼ of Section 36, T4N, R3W
City of Lansing, Eaton County, Michigan

BE IT FURTHER RESOLVED, hat the Glenburne Commons improvement be supported by a special assessment of improvement costs against the properties which are especially benefitted as follows: $47.91 per occupied parcel for the 2020 maintenance.

BE IT FURTHER RESOLVED, that the cost and expense of plans and assessments incidental to this preparation of the assessment and the roll, and for providing notices shall be included in the expense of the assessment;

BE IT FURTHER RESOLVED, that the Glenburne Commons assessment roll No. GB-2020, compiled by the City Assessor is attached and incorporated herein, and, presented and accepted by City Council with this resolution;

BE IT FURTHER RESOLVED, that a public hearing be held at 7:00 p.m. on Monday, April 26, 2021 via audio/video ZOOM meeting to consider the establishment of the Glenburne Commons District Special Assessment Roll GB-2020;

BE IT FINALLY RESOLVED, that notice to the affected owners of the properties in said district be given in accordance with Chapter 1026 of the Lansing Code of Ordinances

[31083:6:20170314:172318]

Parcel Number	Property Cl	Legal Description	Property Address
23-50-40-36-177-001	401	LOT 240 GLENBURNE NO 5	4232
23-50-40-36-177-011	401	LOT 241 GLENBURNE NO 5	4223
23-50-40-36-177-021	401	LOT 242 GLENBURNE NO 5	4215
23-50-40-36-177-030	402	LOT 243 GLENBURNE NO 5	0
23-50-40-36-177-040	401	LOT 244 GLENBURNE NO 5	4201
23-50-40-36-177-051	401	LOT 245 GLENBURNE NO 5	4200
23-50-40-36-177-061	401	LOT 246 GLENBURNE NO 5	4210
23-50-40-36-177-071	705	LOT 247 GLENBURNE NO 5	4220
23-50-40-36-177-082	401	LOTS 248 & 249 GLENBURNE NO 5	4310
23-50-40-36-177-113	401	LOTS 250, 251 & 252 GLENBURNE NO 5	4324
23-50-40-36-177-131	401	LOT 253 GLENBURNE NO 5	4336
23-50-40-36-177-141	401	LOT 254 GLENBURNE NO 5	4340
23-50-40-36-177-151	401	LOT 257 GLENBURNE NO 5	4348
23-50-40-36-177-161	401	LOT 256 GLENBURNE NO 5	4412
23-50-40-36-177-171	401	LOT 255 GLENBURNE NO 5	4418
23-50-40-36-255-001	401	LOT 89 GLENBURNE SUB	4024
23-50-40-36-255-011	401	LOT 90 GLENBURNE SUB	4028
23-50-40-36-255-021	401	LOT 91 GLENBURNE SUB	4034
23-50-40-36-255-031	401	LOT 92 GLENBURNE SUB	4038
23-50-40-36-255-041	401	LOT 93 GLENBURNE SUB	4042
23-50-40-36-255-051	401	LOT 94 GLENBURNE SUB	4046
23-50-40-36-255-061	401	LOT 95 GLENBURNE SUB	4050
23-50-40-36-255-071	401	LOT 96 GLENBURNE SUB	4054
23-50-40-36-255-081	401	LOT 97 GLENBURNE SUB	4058
23-50-40-36-255-091	401	LOT 98 GLENBURNE SUB	4062
23-50-40-36-255-101	401	LOT 99 GLENBURNE SUB	4100
23-50-40-36-255-111	401	LOT 100 GLENBURNE SUB	4104
23-50-40-36-255-121	401	LOT 101 GLENBURNE SUB	4110
23-50-40-36-255-131	401	LOT 102 GLENBURNE SUB	4116
23-50-40-36-255-141	401	LOT 103 GLENBURNE SUB	4122
23-50-40-36-255-151	401	LOT 104 GLENBURNE SUB	4128
23-50-40-36-255-161	401	LOT 105 GLENBURNE SUB	4134
23-50-40-36-255-171	401	LOT 106 GLENBURNE SUB	4200
23-50-40-36-255-183	401	LOT 107 & PART COMMONS B COM MOST E'LY	4206
23-50-40-36-255-192	401	LOT 108, ALSO PART COMMONS B COM NE CO	4224
23-50-40-36-255-202	401	LOT 109 EXC W'LY 4 FT GLENBURNE SUB	4304
23-50-40-36-255-212	401	LOT 110 & THE W'LY 4 FT LOT 109 GLENBURNE	4308
23-50-40-36-255-230	402	PRIVATE GLENBURNE COMMONS, GLENBURNE	0
23-50-40-36-256-002	401	LOT 88 GLENBURNE SUB	4023
23-50-40-36-256-011	401	LOT 87 GLENBURNE SUB	4029
23-50-40-36-256-021	401	LOT 86 GLENBURNE SUB	4037
23-50-40-36-256-031	401	LOT 85 GLENBURNE SUB	4045
23-50-40-36-256-041	401	LOT 84 GLENBURNE SUB	4101
23-50-40-36-256-051	401	LOT 83 GLENBURNE SUB	4107

23-50-40-36-256-061	401	LOT 82 GLENBURNE SUB	4111
23-50-40-36-256-071	401	LOT 81 GLENBURNE SUB	4115
23-50-40-36-256-081	401	LOT 80 GLENBURNE SUB	4121
23-50-40-36-256-091	401	LOT 79 GLENBURNE SUB	4127
23-50-40-36-256-101	401	LOT 78 GLENBURNE SUB	4131
23-50-40-36-256-111	401	LOT 77 GLENBURNE SUB	4135
23-50-40-36-256-121	401	LOT 76 GLENBURNE SUB	4154
23-50-40-36-256-131	401	LOT 175 GLENBURNE NO 3	4148
23-50-40-36-256-141	401	LOT 176 GLENBURNE NO 3	4144
23-50-40-36-256-151	401	LOT 177 GLENBURNE NO 3	4140
23-50-40-36-256-161	401	LOT 178 GLENBURNE NO 3	4136
23-50-40-36-256-171	401	LOT 179 GLENBURNE NO 3	4130
23-50-40-36-256-181	401	LOT 180 GLENBURNE NO 3	4124
23-50-40-36-257-001	401	LOT 75 GLENBURNE SUB	4201
23-50-40-36-257-011	401	LOT 174 GLENBURNE NO 3	4149
23-50-40-36-257-021	401	LOT 173 GLENBURNE NO 3	4143
23-50-40-36-257-031	401	LOT 172 GLENBURNE NO 3	4137
23-50-40-36-257-041	401	LOT 171 GLENBURNE NO 3	4131
23-50-40-36-257-051	401	LOT 170 GLENBURNE NO 3	4127
23-50-40-36-257-061	401	LOT 169 GLENBURNE NO 3	4123
23-50-40-36-257-071	401	LOT 168 GLENBURNE NO 3	4117
23-50-40-36-257-081	401	LOT 167 GLENBURNE NO 3	4113
23-50-40-36-257-091	401	LOT 166 GLENBURNE NO 3	4109
23-50-40-36-257-101	401	LOT 165 GLENBURNE NO 3	4101
23-50-40-36-257-111	401	LOT 164 GLENBURNE NO 3	4206
23-50-40-36-257-121	401	LOT 163 GLENBURNE NO 3	4210
23-50-40-36-257-131	401	LOT 162 GLENBURNE NO 3	4214
23-50-40-36-257-141	401	LOT 161 GLENBURNE NO 3	4218
23-50-40-36-257-151	401	LOT 160 GLENBURNE NO 3	4222
23-50-40-36-257-161	401	LOT 159 GLENBURNE NO 3	4223
23-50-40-36-257-171	401	LOT 158 GLENBURNE NO 3	4219
23-50-40-36-257-181	401	LOT 157 GLENBURNE NO 3	4215
23-50-40-36-257-191	401	LOT 156 GLENBURNE NO 3	4211
23-50-40-36-257-201	401	LOT 155 GLENBURNE NO 3	4207
23-50-40-36-257-211	401	LOT 154 GLENBURNE NO 3	4053
23-50-40-36-278-011	401	LOT 181 GLENBURNE NO 3	4116
23-50-40-36-278-021	401	LOT 182 GLENBURNE NO 3	4112
23-50-40-36-278-031	401	LOT 183 GLENBURNE NO 3	4106
23-50-40-36-278-041	401	LOT 184 GLENBURNE NO 3	4100
23-50-40-36-278-051	401	LOT 185 GLENBURNE NO 3	4054
23-50-40-36-278-061	401	LOT 186 GLENBURNE NO 3	4048
23-50-40-36-278-071	401	LOT 187 GLENBURNE NO 3	4042
23-50-40-36-278-081	401	LOT 188 GLENBURNE NO 3	4038
23-50-40-36-278-091	401	LOT 189 GLENBURNE NO 3	4034
23-50-40-36-278-101	401	LOT 190 GLENBURNE NO 3	4030
23-50-40-36-278-111	401	LOT 191 GLENBURNE NO 3	4024
23-50-40-36-278-121	401	LOT 192 GLENBURNE NO 3	4018

23-50-40-36-278-131	401	LOT 193 GLENBURNE NO 3	4014
23-50-40-36-278-141	401	LOT 194 GLENBURNE NO 3	4010
23-50-40-36-278-151	401	LOT 195 GLENBURNE NO 3	4008
23-50-40-36-278-161	401	LOT 196 GLENBURNE NO 3	4000
23-50-40-36-278-171	401	LOT 197 GLENBURNE NO 3	3944
23-50-40-36-278-181	401	LOT 198 GLENBURNE NO 3	3938
23-50-40-36-278-191	401	LOT 199 GLENBURNE NO 3	3932
23-50-40-36-278-201	401	LOT 200 GLENBURNE NO 3	3926
23-50-40-36-278-211	401	LOT 201 GLENBURNE NO 3	3920
23-50-40-36-278-221	401	LOT 202 GLENBURNE NO 3	3916
23-50-40-36-278-231	401	LOT 203 GLENBURNE NO 3	3910
23-50-40-36-278-241	401	LOT 204 GLENBURNE NO 3	3900
23-50-40-36-279-001	401	LOT 153 GLENBURNE NO 3	4047
23-50-40-36-279-011	401	LOT 152 GLENBURNE NO 3	4043
23-50-40-36-279-021	401	LOT 151 GLENBURNE NO 3	4037
23-50-40-36-279-031	401	LOT 150 GLENBURNE NO 3	4031
23-50-40-36-279-041	401	LOT 149 GLENBURNE NO 3	4025
23-50-40-36-279-051	401	LOT 148 GLENBURNE NO 3	4021
23-50-40-36-279-061	401	LOT 147 GLENBURNE NO 3	4017
23-50-40-36-279-071	401	LOT 146 GLENBURNE NO 3	4013
23-50-40-36-279-081	401	LOT 145 GLENBURNE NO 3	4009
23-50-40-36-279-091	401	LOT 144 GLENBURNE NO 3	4001
23-50-40-36-279-101	401	LOT 143 GLENBURNE NO 3	4200
23-50-40-36-279-111	401	LOT 142 GLENBURNE NO 3	4206
23-50-40-36-279-121	401	LOT 141 GLENBURNE NO 3	4210
23-50-40-36-279-131	401	LOT 140 GLENBURNE NO 3	4216
23-50-40-36-326-006	704	COM S 41DEG 13MIN 23SCD E 242.87 FT, S 44D	0
23-50-40-36-326-008	703	COM SW COR GLENBURNE NO 4 SUB, TH N 00D	0
23-50-40-36-326-011	704	COM AT A PT S 00DEG 01MIN 20SCD W 599.65	0
23-50-40-36-327-001	705	LOT 263 GLENBURNE NO 5	4309
23-50-40-36-327-012	401	LOTS 286 & 287 GLENBURNE NO 5	4324
23-50-40-36-327-031	401	LOT 285 GLENBURNE NO 5	4308
23-50-40-36-327-041	705	LOT 284 GLENBURNE NO 5	4300
23-50-40-36-327-051	401	LOT 283 GLENBURNE NO 5	4236
23-50-40-36-327-061	401	LOT 282 GLENBURNE NO 5	4230
23-50-40-36-327-071	401	LOT 281 GLENBURNE NO 5	4224
23-50-40-36-327-081	401	LOT 269 GLENBURNE NO 5	4219
23-50-40-36-327-091	705	LOT 268 GLENBURNE NO 5	4223
23-50-40-36-327-101	401	LOT 267 GLENBURNE NO 5	4229
23-50-40-36-327-111	705	LOT 266 GLENBURNE NO 5	4237
23-50-40-36-327-121	401	LOT 265 GLENBURNE NO 5	4241
23-50-40-36-327-131	401	LOT 264 GLENBURNE NO 5	4301
23-50-40-36-328-001	401	LOT 262 GLENBURNE NO 5	4325
23-50-40-36-328-011	705	LOT 261 GLENBURNE NO 5	4331
23-50-40-36-328-021	401	LOT 260 GLENBURNE NO 5	4337
23-50-40-36-328-031	401	LOT 259 GLENBURNE NO 5	4345
23-50-40-36-328-041	705	LOT 258 GLENBURNE NO 5	4351

23-50-40-36-328-051	401	LOT 309 GLENBURNE NO 5	4342
23-50-40-36-328-061	401	LOT 308 GLENBURNE NO 5	4336
23-50-40-36-328-071	705	LOT 307 GLENBURNE NO 5	4330
23-50-40-36-328-081	401	LOT 306 GLENBURNE NO 5	4324
23-50-40-36-328-091	401	LOT 305 GLENBURNE NO 5	4318
23-50-40-36-328-101	705	LOT 304 GLENBURNE NO 5	4312
23-50-40-36-328-111	401	LOT 303 GLENBURNE NO 5	4306
23-50-40-36-328-122	401	LOTS 301 & 302 GLENBURNE NO 5	4260
23-50-40-36-328-141	401	LOT 300 GLENBURNE NO 5	4254
23-50-40-36-328-151	705	LOT 299 GLENBURNE NO 5	4248
23-50-40-36-328-161	401	LOT 298 GLENBURNE NO 5	4240
23-50-40-36-328-171	401	LOT 297 GLENBURNE NO 5	4232
23-50-40-36-328-181	401	LOT 296 GLENBURNE NO 5	4215
23-50-40-36-328-191	705	LOT 295 GLENBURNE NO 5	4229
23-50-40-36-328-201	401	LOT 294 GLENBURNE NO 5	4237
23-50-40-36-328-211	401	LOT 293 GLENBURNE NO 5	4307
23-50-40-36-328-221	401	LOT 292 GLENBURNE NO 5	4311
23-50-40-36-328-231	401	LOT 291 GLENBURNE NO 5	4315
23-50-40-36-328-241	705	LOT 290 GLENBURNE NO 5	4321
23-50-40-36-328-251	401	LOT 289 GLENBURNE NO 5	4325
23-50-40-36-328-261	401	LOT 288 GLENBURNE NO 5	4331
23-50-40-36-329-001	401	LOT 310 GLENBURNE NO 5	4417
23-50-40-36-329-012	703	LOT 311 GLENBURNE NO 5; ALSO COM 3120.38	4500
23-50-40-36-329-021	705	LOT 312 GLENBURNE NO 5	4405
23-50-40-36-329-031	402	LOT 313 GLENBURNE NO 5	0
23-50-40-36-329-041	401	LOT 314 GLENBURNE NO 5	4355
23-50-40-36-329-051	401	LOT 315 GLENBURNE NO 5	4347
23-50-40-36-329-061	705	LOT 316 GLENBURNE NO 5	4341
23-50-40-36-329-071	401	LOT 317 GLENBURNE NO 5	4335
23-50-40-36-329-081	705	LOT 318 GLENBURNE NO 5	4327
23-50-40-36-329-091	401	LOT 319 GLENBURNE NO 5	4321
23-50-40-36-329-101	401	LOT 320 GLENBURNE NO 5	4315
23-50-40-36-329-111	705	LOT 321 GLENBURNE NO 5	4307
23-50-40-36-329-121	401	LOT 322 GLENBURNE NO 5	4303
23-50-40-36-401-001	401	LOT 111 GLENBURNE SUB	4312
23-50-40-36-401-011	401	LOT 112 GLENBURNE SUB	4316
23-50-40-36-401-021	401	LOT 113 GLENBURNE SUB	4318
23-50-40-36-401-031	401	LOT 114 GLENBURNE SUB	4324
23-50-40-36-401-041	401	LOT 115 GLENBURNE SUB	4332
23-50-40-36-401-051	401	LOT 116 GLENBURNE SUB	4336
23-50-40-36-401-061	401	LOT 117 GLENBURNE SUB	4340
23-50-40-36-401-071	401	LOT 228 GLENBURNE NO 5	4166
23-50-40-36-401-081	401	LOT 229 GLENBURNE NO 5	4108
23-50-40-36-401-091	401	LOT 230 GLENBURNE NO 5	4114
23-50-40-36-401-101	401	LOT 231 GLENBURNE NO 5	4120
23-50-40-36-401-111	401	LOT 232 GLENBURNE NO 5	4126
23-50-40-36-401-121	705	LOT 233 GLENBURNE NO 5	4132

23-50-40-36-401-131	401	LOT 234 GLENBURNE NO 5	4138
23-50-40-36-401-143	401	LOTS 235 & 236; GLENBURNE NO 5	4200
23-50-40-36-401-161	705	LOT 237 GLENBURNE NO 5	4212
23-50-40-36-401-171	401	LOT 238 GLENBURNE NO 5	4218
23-50-40-36-401-181	401	LOT 239 GLENBURNE NO 5	4224
23-50-40-36-402-001	705	LOT 270 GLENBURNE NO 5	4211
23-50-40-36-402-011	401	LOT 271 GLENBURNE NO 5	4205
23-50-40-36-402-021	401	LOT 272 GLENBURNE NO 5	4135
23-50-40-36-402-031	401	LOT 273 GLENBURNE NO 5	4123
23-50-40-36-402-041	401	LOT 274 GLENBURNE NO 5	4115
23-50-40-36-402-051	401	LOT 275 GLENBURNE NO 5	4109
23-50-40-36-402-061	401	LOT 276 GLENBURNE NO 5	4214
23-50-40-36-402-071	401	LOT 277 GLENBURNE NO 5	4200
23-50-40-36-402-081	705	LOT 278 GLENBURNE NO 5	4206
23-50-40-36-402-091	401	LOT 279 GLENBURNE NO 5	4212
23-50-40-36-402-101	401	LOT 280 GLENBURNE NO 5	4218
23-50-40-36-403-011	401	LOT 74 GLENBURNE SUB	4223
23-50-40-36-403-021	401	LOT 73 GLENBURNE SUB	4227
23-50-40-36-403-031	401	LOT 72 GLENBURNE SUB	4301
23-50-40-36-403-041	401	LOT 71 GLENBURNE SUB	4305
23-50-40-36-403-051	401	LOT 70 GLENBURNE SUB	4311
23-50-40-36-403-061	401	LOT 69 GLENBURNE SUB	4317
23-50-40-36-403-071	401	LOT 68 GLENBURNE SUB	4154
23-50-40-36-403-081	401	LOT 67 GLENBURNE SUB	4146
23-50-40-36-403-091	401	LOT 66 GLENBURNE SUB	4142
23-50-40-36-403-101	401	LOT 65 GLENBURNE SUB	4138
23-50-40-36-403-111	401	LOT 64 GLENBURNE SUB	4318
23-50-40-36-403-121	401	LOT 63 GLENBURNE SUB	4312
23-50-40-36-403-131	401	LOT 62 GLENBURNE SUB	4306
23-50-40-36-403-141	401	LOT 61 GLENBURNE SUB	4302
23-50-40-36-403-151	401	LOT 60 GLENBURNE SUB	4300
23-50-40-36-403-161	401	LOT 59 GLENBURNE SUB	4301
23-50-40-36-403-171	401	LOT 58 GLENBURNE SUB	4305
23-50-40-36-403-181	401	LOT 57 GLENBURNE SUB	4307
23-50-40-36-403-191	401	LOT 56 GLENBURNE SUB	4311
23-50-40-36-403-201	401	LOT 55 GLENBURNE SUB	4315
23-50-40-36-403-211	401	LOT 54 GLENBURNE SUB	4321
23-50-40-36-403-221	401	LOT 53 GLENBURNE SUB	4110
23-50-40-36-403-231	401	LOT 52 GLENBURNE SUB	4104
23-50-40-36-403-241	401	LOT 51 GLENBURNE SUB	4100
23-50-40-36-403-251	401	LOT 50 GLENBURNE SUB	4052
23-50-40-36-403-261	401	LOT 49 GLENBURNE SUB	4048
23-50-40-36-403-271	401	LOT 48 GLENBURNE SUB	4044
23-50-40-36-403-281	401	LOT 47 GLENBURNE SUB	4328
23-50-40-36-403-291	401	LOT 46 GLENBURNE SUB	4322
23-50-40-36-403-301	401	LOT 45 GLENBURNE SUB	4318
23-50-40-36-403-311	401	LOT 44 GLENBURNE SUB	4312

23-50-40-36-403-321	401	LOT 43 GLENBURNE SUB	4308
23-50-40-36-403-331	401	LOT 42 GLENBURNE SUB	4304
23-50-40-36-403-341	401	LOT 41 GLENBURNE SUB	4300
23-50-40-36-403-351	401	LOT 40 GLENBURNE SUB	4301
23-50-40-36-403-361	401	LOT 39 GLENBURNE SUB	4305
23-50-40-36-403-371	401	LOT 38 GLENBURNE SUB	4309
23-50-40-36-403-381	401	LOT 37 GLENBURNE SUB	4315
23-50-40-36-403-391	401	LOT 36 GLENBURNE SUB	4319
23-50-40-36-403-401	401	LOT 35 GLENBURNE SUB	4325
23-50-40-36-403-411	401	LOT 34 GLENBURNE SUB	4329
23-50-40-36-403-421	401	LOT 33 GLENBURNE SUB	4333
23-50-40-36-403-431	401	LOT 32 GLENBURNE SUB	4014
23-50-40-36-403-441	401	LOT 31 GLENBURNE SUB	4008
23-50-40-36-403-451	401	LOT 30 & S 20 FT LOT 29 GLENBURNE SUB	4336
23-50-40-36-403-471	401	N'LY 30 FT LOT 29 ALSO S'LY 35 FT LOT 28 GLEN	4330
23-50-40-36-403-481	401	LOT 27 & N 15 FT LOT 28 GLENBURNE SUB	4328
23-50-40-36-403-491	401	LOT 26 GLENBURNE SUB	4324
23-50-40-36-403-501	401	LOT 25 GLENBURNE SUB	4318
23-50-40-36-403-511	401	LOT 24 GLENBURNE SUB	4314
23-50-40-36-403-521	401	LOT 23 GLENBURNE SUB	4310
23-50-40-36-403-541	401	LOT 138 GLENBURNE NO 3	4306
23-50-40-36-403-551	401	LOT 139 GLENBURNE NO 3	4300
23-50-40-36-405-001	705	LOT 119 GLENBURNE SUB	4151
23-50-40-36-405-011	401	LOT 120 GLENBURNE SUB	4141
23-50-40-36-405-021	401	LOT 121 GLENBURNE SUB	4133
23-50-40-36-405-031	401	LOT 122 GLENBURNE SUB	4125
23-50-40-36-405-041	401	LOT 123 GLENBURNE SUB	4117
23-50-40-36-405-051	401	LOT 124 GLENBURNE SUB	4109
23-50-40-36-405-061	401	LOT 125 GLENBURNE SUB	4101
23-50-40-36-405-071	401	LOT 126 GLENBURNE SUB	4049
23-50-40-36-405-081	401	LOT 127 GLENBURNE SUB	4043
23-50-40-36-405-091	402	LOT 128 GLENBURNE SUB	0
23-50-40-36-405-101	705	LOT 129 GLENBURNE SUB	4025
23-50-40-36-405-111	401	LOT 130 GLENBURNE SUB	4017
23-50-40-36-405-121	401	LOT 131 GLENBURNE SUB	4009
23-50-40-36-405-131	401	LOT 132 GLENBURNE SUB	4400
23-50-40-36-405-141	201	LOT 136 GLENBURNE NO 2	4411
23-50-40-36-407-001	401	LOT 118 GLENBURNE SUB	4400
23-50-40-36-407-011	201	LOT 137 GLENBURNE NO 2	4590
23-50-40-36-407-021	201	LOT 226 GLENBURNE NO 4	4032
23-50-40-36-407-031	705	LOT 323 GLENBURNE NO 5	4217
23-50-40-36-407-041	401	LOT 324 GLENBURNE NO 5	4211
23-50-40-36-407-051	401	LOT 325 GLENBURNE NO 5	4207
23-50-40-36-407-061	402	LOT 326 GLENBURNE NO 5	0
23-50-40-36-426-001	401	LOT 22 GLENBURNE SUB	4315
23-50-40-36-426-011	401	LOT 21 GLENBURNE SUB	3928
23-50-40-36-426-021	401	LOT 20 GLENBURNE SUB	3922

23-50-40-36-426-031	401	LOT 19 GLENBURNE SUB	3914
23-50-40-36-426-041	401	LOT 18 GLENBURNE SUB	3906
23-50-40-36-426-051	401	LOT 17 GLENBURNE SUB	3900
23-50-40-36-426-061	401	LOT 218 GLENBURNE NO 3	3901
23-50-40-36-426-071	401	LOT 219 GLENBURNE NO 3	3909
23-50-40-36-426-081	401	LOT 220 GLENBURNE NO 3	3915
23-50-40-36-426-091	401	LOT 221 GLENBURNE NO 3	3923
23-50-40-36-426-101	401	LOT 222 GLENBURNE NO 3	4307
23-50-40-36-428-001	401	LOT 10 GLENBURNE SUB	3937
23-50-40-36-428-011	401	LOT 9 GLENBURNE SUB	3950
23-50-40-36-428-021	401	LOT 8 GLENBURNE SUB	3944
23-50-40-36-428-031	401	LOT 7 GLENBURNE SUB	3938
23-50-40-36-428-041	401	LOT 6 GLENBURNE SUB	3932
23-50-40-36-428-051	401	LOT 5 GLENBURNE SUB	3926
23-50-40-36-428-061	402	LOT 4 GLENBURNE SUB	0
23-50-40-36-428-071	402	LOT 3 GLENBURNE SUB	0
23-50-40-36-428-081	713	LOT 2 GLENBURNE SUB	0
23-50-40-36-428-091	713	LOT 1 GLENBURNE SUB	0
23-50-40-36-428-101	402	LOT 16 GLENBURNE SUB	0
23-50-40-36-428-111	713	LOT 15 GLENBURNE SUB	0
23-50-40-36-428-121	713	LOT 14 GLENBURNE SUB	0
23-50-40-36-428-131	401	LOT 13 GLENBURNE SUB	3919
23-50-40-36-428-141	401	LOT 12 GLENBURNE SUB	3925
23-50-40-36-428-151	401	LOT 11 GLENBURNE SUB	3931
23-50-40-36-429-001	401	LOT 133 GLENBURNE SUB	3951
23-50-40-36-429-021	401	LOT 134 GLENBURNE SUB	3941
23-50-40-36-481-001	401	LOT 210 GLENBURNE NO 3	3939
23-50-40-36-481-011	401	LOT 211 GLENBURNE NO 3	4209
23-50-40-36-481-021	401	LOT 212 GLENBURNE NO 3	4213
23-50-40-36-481-031	401	LOT 213 GLENBURNE NO 3	3924
23-50-40-36-481-041	401	LOT 214 GLENBURNE NO 3	3918
23-50-40-36-481-051	401	LOT 215 GLENBURNE NO 3	3914
23-50-40-36-481-061	401	LOT 216 GLENBURNE NO 3	3908
23-50-40-36-481-071	401	LOT 217 GLENBURNE NO 3	3900
23-50-40-36-481-081	401	LOT 205 GLENBURNE NO 3	3901
23-50-40-36-481-091	401	LOT 206 GLENBURNE NO 3	3911
23-50-40-36-481-101	401	LOT 207 GLENBURNE NO 3	3915
23-50-40-36-481-111	401	LOT 208 GLENBURNE NO 3	3923
23-50-40-36-481-121	401	LOT 209 GLENBURNE NO 3	3927

Property Street Name	Owner
BALMORAL DR	GROSE RANDY C
LOCHINVER CIRCLE	HOLMES NATASHA RENEA &
LOCHINVER CIRCLE	FEHSENFELD MOLLY M
LOCHINVER CIRCLE	ADDISS & ASSOCIATES INC
LOCHINVER CIRCLE	MORAN-GUERRA JOSE N &
LOCHINVER CIRCLE	STERGIOS PETER N & RACHEL R
LOCHINVER CIRCLE	HOUSTON-OTIS ELIZA & OTIS CRAIG M
LOCHINVER CIRCLE	LANSING HOUSING COMMISSION
BALMORAL DR	VANG TOU & LISA
BALMORAL DR	BENNEFIELD WALTER L & TAMARA J
BALMORAL DR	GASORSKI DAVID & VICTORIA L
BALMORAL DR	ZHANG HUIZHEN
BALMORAL DR	RHODES JOHN N & WILMA J
GLENBURNE BLVD	DILWORTH ANTHONY
GLENBURNE BLVD	TRAN KIET
SEAWAY DR	SHERMAN CAROLYN A
SEAWAY DR	LEFANTY NANCY L REVOCABLE TRUST
SEAWAY DR	SOUKKAI JOHN H &
SEAWAY DR	HOOPER JOHNNI & KECK DELLA
SEAWAY DR	MESSENHEIMER JENNIFER
SEAWAY DR	601 RESIDENTIAL L L C
SEAWAY DR	GRAY LOIS E
SEAWAY DR	ESTES TRAVIS D
SEAWAY DR	SMITH CHARLOTTE
SEAWAY DR	FRANCISCO ISAAC & JENNET
SEAWAY DR	STEPP CHRISTINA D
SEAWAY DR	PENDELL DIANE R
SEAWAY DR	BROWN LANITA S
SEAWAY DR	MGSE L L C & SETH GILBERT-EPSTEIN
SEAWAY DR	SMITH SARAH A
SEAWAY DR	DONELSON AISHA & KING ABRAHAM
SEAWAY DR	ANDERSON CLEOPHUS & SARITA
SEAWAY DR	WRIGHT LINDA
SEAWAY DR	MOSES AMANDA L
SEAWAY DR	HOMICK DARRYL & HOMICK DEVIN &
DUMFRIES CIRCLE	HICKS CALEB & LAUREN E
DUMFRIES CIRCLE	LEVKOVITZ L L C
SEAWAY DR	GLENBURNE COMMONS
SEAWAY DR	VAN ALSTINE TERRY MICHAEL
SEAWAY DR	GELLER NICOLE
SEAWAY DR	SUNDEEN JESSICA E
SEAWAY DR	BRYANT YVETTE E
SEAWAY DR	HARNS MIKAELA B & KOYL ZION D
SEAWAY DR	DOWRICK TODD

SEAWAY DR	FICK ALAN A II & ELIZABETH
SEAWAY DR	BENSON MARIA Q
SEAWAY DR	LUIZ ADOLFO G III
SEAWAY DR	SMITH NIKKI M
SEAWAY DR	WILSON BOBBY & CRYSTAL D
SEAWAY DR	LEEK TAWANA
HEATHGATE DR	LEWIS MICHAEL L & MARY A
HEATHGATE DR	ROBERTS ARTHUR A III & JOYCE
HEATHGATE DR	RIEKE PAUL E & JESSICA R
HEATHGATE DR	HILL DANIELLE J
HEATHGATE DR	VINING GARY
HEATHGATE DR	VINING GARY
HEATHGATE DR	J & D PROPERTIES OF MICHIGAN L L C
SEAWAY DR	WISEMAN MICHAEL K
HEATHGATE DR	COUTHEN KERMIT J & KIMBERLY
HEATHGATE DR	ANDERSON MATTHEW L
HEATHGATE DR	SMITH LEROY III & RENETHIA M
HEATHGATE DR	MITCHELL PROPERTY HOLDINGS L L C
HEATHGATE DR	BUSKULIC MIRA
HEATHGATE DR	XIE CHUAN GANG
HEATHGATE DR	OADE JUSTIN J
HEATHGATE DR	S & T INDUSTRIES L L C
HEATHGATE DR	FORBUS JANE A
HEATHGATE DR	UNITED Z'S INC
KILLARNEY CT	PRICE STACY L
KILLARNEY CT	FOX LAND HOLDINGS L L C
KILLARNEY CT	HERNANDEZ ANNA
KILLARNEY CT	LEVEQUE LEO & LINDA M
KILLARNEY CT	ZHAN JANET
KILLARNEY CT	EATON SYBILLENA
KILLARNEY CT	ALLEN BENJAMINE L & CASSANDRA E
KILLARNEY CT	RICH DONNIE JOE
KILLARNEY CT	ZDYBEL SMITH L L C
KILLARNEY CT	KRANZ DANIEL A
HEATHGATE DR	YANG TOU GER & MEGAN V
HEATHGATE DR	WHITEPIGEON WILLIAM
HEATHGATE DR	DOWNS GERALD A & JULIE A
HEATHGATE DR	VONGPHACHANH BOUBPHA & KYLANH
HEATHGATE DR	DOWRICK TODD
HEATHGATE DR	FOX LAND HOLDINGS L L C
HEATHGATE DR	WRATHER SHEILA M
HEATHGATE DR	ASHLEY VIRGINIA
HEATHGATE DR	DENSON SAMATRA
HEATHGATE DR	RAYMOND MARIA, BIANCA, JERRY III
HEATHGATE DR	PRINCE ALEXANDER & KRISTIN
HEATHGATE DR	J & D PROPERTIES OF MICHIGAN L L C
HEATHGATE DR	REDDICK ANDRE

HEATHGATE DR	FILDOR L L C
HEATHGATE DR	DUFFY BARBARA J
HEATHGATE DR	HARPER DOROTHY
HEATHGATE DR	KIRBY ALYSSA
WINDEMERE DR	FOMBY BENJAMIN E & VANESSA
WINDEMERE DR	HEDDEN MICHAEL J & SHERYL
WINDEMERE DR	STEVENS EARL L III & JANIS E
WINDEMERE DR	BEVERLY FRANK & BARBARA
WINDEMERE DR	LOVETT CENTHA
WINDEMERE DR	ALANIZ FERNANDO
WINDEMERE DR	HARRIS MICAELA D
WINDEMERE DR	HER PETER
HEATHGATE DR	DOWRICK TODD
HEATHGATE DR	FOX LAND HOLDINGS L L C
HEATHGATE DR	SIMPSON JERRY
HEATHGATE DR	CAO LUPIN & MAO CHAOLIN
HEATHGATE DR	HAMMOND DANIEL S
HEATHGATE DR	LUCKY RENTAL L L C
HEATHGATE DR	LINDSEY JOHN & LINDSEY SALLY
HEATHGATE DR	BERTRAM WARREN E JR
HEATHGATE DR	WARD DONALD L & JOAN M
HEATHGATE DR	ORCHARD RANDALL L & JESSICA M
CHADBURNE DR	BARBER ARTHUR L & AMANDA L
CHADBURNE DR	BROWN DEBORA J
CHADBURNE DR	SEARS MICHAEL J & NANCY R
CHADBURNE DR	BLACK TERRY & VICKIE
GLENBURNE BLVD	LANSING SCHOOL DISTRICT
ROSCOMMON DR	BOARD OF WATER & LIGHT
GLENBURNE BLVD	LANSING SCHOOL DISTRICT
BALMORAL DR	LANSING HOUSING COMMISSION
COURTLAND DR	LANE LENORA
COURTLAND DR	HAMIDOU NOREDDINE
COURTLAND DR	LANSING HOUSING COMMISSION
COURTLAND DR	CHAMBERS CHARLES H
COURTLAND DR	XIAOCHUN BIAN IRREVOCABLE TRUST
COURTLAND DR	LUO XUE YUN
BALMORAL DR	BRANDELL MARSHA C
BALMORAL DR	LANSING HOUSING COMMISSION
BALMORAL DR	MONGER TEK N & BASNET GOPI MAYA
BALMORAL DR	LANSING HOUSING COMMISSION
BALMORAL DR	MARTINEZ YARENIS R
BALMORAL DR	MCCLOUD REGINA M
BALMORAL DR	RANDLE RONNIE & JOCELYN V
BALMORAL DR	LANSING HOUSING COMMISSION
BALMORAL DR	ANJELAN FALIALA & MMUNGA ECA
BALMORAL DR	FRANKLIN APRIL
BALMORAL DR	LANSING HOUSING COMMISSION

GLENBURNE BLVD	PIERSON TROY A
GLENBURNE BLVD	WOLFSEN KEITH & WELCH LINDA
GLENBURNE BLVD	LANSING HOUSING COMMISSION
GLENBURNE BLVD	CASTILLA RICARDO & PAMELA
GLENBURNE BLVD	RAPPE KRISTY
GLENBURNE BLVD	LANSING HOUSING COMMISSION
GLENBURNE BLVD	CONNORS JENNIFER & WILLIAM III
GLENBURNE BLVD	HENGESBACH JANICE M
GLENBURNE BLVD	HARTLEY NATHAN & JULIE
GLENBURNE BLVD	LANSING HOUSING COMMISSION
GLENBURNE BLVD	CANTU SIMONA
GLENBURNE BLVD	CAO, MARY ANN
COURTLAND DR	STEVE L L C
COURTLAND DR	LANSING HOUSING COMMISSION
COURTLAND DR	VO THU VAN PHAN & MINH TIEN
COURTLAND DR	BROWN RAYMOND & PEGGY
COURTLAND DR	SANDERS JAN A
COURTLAND DR	MWANGU ANGELEE
COURTLAND DR	LANSING HOUSING COMMISSION
COURTLAND DR	STRONG GLORIA M
COURTLAND DR	VUE CHRIST & YANG SANDY
GLENBURNE BLVD	CUNNINGHAM QUINCY
GLENBURNE BLVD	CITY OF LANSING
GLENBURNE BLVD	LANSING HOUSING COMMISSION
GLENBURNE BLVD	HEATHCOTE JEROME G
GLENBURNE BLVD	INHULSEN JOHN & INHULSEN MICHAEL
GLENBURNE BLVD	PANJAITAN EDWARD
GLENBURNE BLVD	LANSING HOUSING COMMISSION
GLENBURNE BLVD	SIMMONS KIMBERLY
GLENBURNE BLVD	LANSING HOUSING COMMISSION
GLENBURNE BLVD	HAAN TYLER
GLENBURNE BLVD	BOUIE HEATHER
GLENBURNE BLVD	LANSING HOUSING COMMISSION
GLENBURNE BLVD	KIMBLE JESSICA
DUMFRIES CIRCLE	COREY ASHLEY
DUMFRIES CIRCLE	HICKS CARRIE E & DODD BOB F
DUMFRIES CIRCLE	DOWRICK TODD
DUMFRIES CIRCLE	HESTER KENNETH L
SEAWAY DR	FREEMAN MYRON S & DELORES
SEAWAY DR	KEO RABIA V
SEAWAY DR	DEFRENN DENNIS D
GLENBURNE BLVD	MORGAN WILLIAM J
BALMORAL DR	PIGGOTT EMILY & BRIAN
BALMORAL DR	AKWANGIRO JOHN
BALMORAL DR	PACHECO JESSICA
BALMORAL DR	BUSH SHAIRESE
BALMORAL DR	LANSING HOUSING COMMISSION

BALMORAL DR	THOLE RUTH
BALMORAL DR	LLOYD THOMAS J & HEATHER L
BALMORAL DR	LANSING HOUSING COMMISSION
BALMORAL DR	LOPEZ RAFAEL & RUIZ MARIA C
BALMORAL DR	J & D PROPERTIES OF MICHIGAN L L C
BALMORAL DR	LANSING HOUSING COMMISSION
BALMORAL DR	SAMSON ORA
BALMORAL DR	KELLER KAREN
BALMORAL DR	ALTON JOHN F
BALMORAL DR	LIRA EDWARD & BEVERLY S
BALMORAL DR	VALERIO SHAMEREL R & VALERIO MARY
GLENBURNE BLVD	WHITE DAVID M
COURTLAND DR	MIKALA ROGER FOTUE
COURTLAND DR	LANSING HOUSING COMMISSION
COURTLAND DR	STEWART TERRELL A & JESSICA L
COURTLAND DR	HILL CASSIETTA
SEAWAY DR	NEFF WILLIAM S
SEAWAY DR	HOWARD RUTH & HOWARD JULIE
SEAWAY DR	HOLLIE XERION
SEAWAY DR	PUETZ WILLIAM J & VICKIE E
SEAWAY DR	SHANKLIN ROGER & ADAMS WILLIE MAE
SEAWAY DR	SANCHEZ JOSE & ELEANOR H
GLENBURNE BLVD	MORALES RAFAEL C
GLENBURNE BLVD	SANCHEZ ERNESTO & HERLINDA
GLENBURNE BLVD	HOMICK DEVIN
GLENBURNE BLVD	HART EMERLISA
OLD CASTLE CIRCLE	BUKUR OREN
OLD CASTLE CIRCLE	HOUSTON JANIELLE L
OLD CASTLE CIRCLE	ESCOJIDO CRUZ L & CASTILLA ELISSA M
OLD CASTLE CIRCLE	VUE PHONE
OLD CASTLE CIRCLE	BOOKER CHRISTOPHER M &
OLD CASTLE CIRCLE	PARKER ASHLEY N
OLD CASTLE CIRCLE	GEORGE DANIEL M & JAMIE
OLD CASTLE CIRCLE	FILEDS ANTHONY
OLD CASTLE CIRCLE	HAYES JOHN H & JOYCE
OLD CASTLE CIRCLE	FOREMAN HEATH
OLD CASTLE CIRCLE	HOMICK DARRYL & SMITH DOUGLAS A
GLENBURNE BLVD	SEARS MICHAEL J & NANCY R
GLENBURNE BLVD	KENTFIELD MAKENSIE LYNN
GLENBURNE BLVD	DELEON RALPH & MARY F
GLENBURNE BLVD	VOLKER KEVIN L & MICHELE
GLENBURNE BLVD	POLAND TRAVIS L & ERIKA A
GLENBURNE BLVD	WILLIAMS GEORGE E & MARCIA
MACDOUGAL CIRCLE	H U D
MACDOUGAL CIRCLE	TEMPLETON LEONARD L &
MACDOUGAL CIRCLE	TOLBERT JANICE F
MACDOUGAL CIRCLE	MARTIN JOSEPH B

MACDOUGAL CIRCLE	SADA HERMOSINA A
MACDOUGAL CIRCLE	WILSON ERNEST W
MACDOUGAL CIRCLE	DELONG JACK L
MACDOUGAL CIRCLE	COVINGTON ERIKA C
MACDOUGAL CIRCLE	SEARS MICHAEL J & NANCY R
MACDOUGAL CIRCLE	DOWRICK TODD
MACDOUGAL CIRCLE	J & D PROPERTIES OF MICHIGAN L L C
MACDOUGAL CIRCLE	STEWART KANDY
MACDOUGAL CIRCLE	AHO BAMBI S
MACDOUGAL CIRCLE	DOWRICK TODD
MACDOUGAL CIRCLE	MENDES-LEAL ANA SOFIA
GLENBURNE BLVD	HALL-SIMMONS DREANA D
GLENBURNE BLVD	REED JOHNITA
CHADBURNE DR	THOMAS CELESTE
CHADBURNE DR	RYAN KATHLEEN
CHADBURNE DR	HENSTOCK STEVEN J &
CHADBURNE DR	BURK LISA
CHADBURNE DR	GONZALES SARAH
CHADBURNE DR	ALDACO JUVE & MARIA
CHADBURNE DR	K B & C PROPERTIES L L C
CHADBURNE DR	COUTHEN DESSIE & COUTHEN JAMES
CHADBURNE DR	PEASE SAMANTHA
GLENBURNE BLVD	LANSING HOUSING COMMISSION
GLENBURNE BLVD	KRUGER BRUCE
GLENBURNE BLVD	ZARGOZA GARCIA DIANA C
GLENBURNE BLVD	KITE AARON T
GLENBURNE BLVD	KITE AARON T
GLENBURNE BLVD	JOHNSON JOHNNY L & SARA &
GLENBURNE BLVD	KITE AARON T
GLENBURNE BLVD	JAMES CHAUNCEY & MONIQUE
GLENBURNE BLVD	STUBER KARLA
GLENBURNE BLVD	MURPHY PATRICK & LINDA L
GLENBURNE BLVD	LANSING HOUSING COMMISSION
GLENBURNE BLVD	MAGERS ERICA L
GLENBURNE BLVD	DOWRICK TODD K & SANDRA L
CHADBURNE DR	SEARS MIKE & NANCY
SEAWAY DR	WOODSIDE VILLAS L L C
SEAWAY DR	SWGB L L C
SEAWAY DR	WOODSIDE MEADOWS APARTMENTS LLC
WOODBRIDGE DR	WOODSIDE MEADOWS APARTMENTS LLC
GLENBURNE BLVD	LANSING HOUSING COMMISSION
GLENBURNE BLVD	WILBERT JESSE
GLENBURNE BLVD	CAPITAL AREA HOUSING PARTNERSHIP
GLENBURNE BLVD	OAK PARK DEVELOPMENT GROUP LLC
CHADBURNE DR	SIMEON NDIKURIYO
LIMERICK CIRCLE	CANNON REX
LIMERICK CIRCLE	MELVIN CANDANCE S

LIMERICK CIRCLE	SMITH SAMANTHA & PARR JASON
LIMERICK CIRCLE	BROOKS THERESA
LIMERICK CIRCLE	BAKER MARTHA
LAUDERHILL CIRCLE	MCINTYRE FRANKIE E & JOANNE
LAUDERHILL CIRCLE	HATT LINDA
LAUDERHILL CIRCLE	DOWRICK TODD K & SANDRA L
LAUDERHILL CIRCLE	ROUSER JEANETTE K
CHADBURNE DR	VOLKER GARY L & ELAINE R
LIMERICK CIRCLE	RIPLEY LARRY A & MELANIE M
GLENBURNE BLVD	BOWLER DARCY Y
GLENBURNE BLVD	WILLIAMS NORMA J
GLENBURNE BLVD	BERRY LORETTA M
GLENBURNE BLVD	DYER JEFFREY A &
GLENBURNE BLVD	KING LINDA M
GLENBURNE BLVD	BENNETT THOMAS
GLENBURNE BLVD	MICHIGAN LAND BANK FAST TRACK AUTH
GLENBURNE BLVD	CITY OF LANSING
GLENBURNE BLVD	CITY OF LANSING
LIMERICK CIRCLE	MICHIGAN LAND BANK FAST TRACK AUTH
LIMERICK CIRCLE	CITY OF LANSING
LIMERICK CIRCLE	CITY OF LANSING
LIMERICK CIRCLE	VINING GARY
LIMERICK CIRCLE	FOX JEROME C & MILLICENT I
LIMERICK CIRCLE	HARTSUFF GARY
GLENBURNE BLVD	SEARS MICHAEL J & NANCY R
GLENBURNE BLVD	SEARS MICHAEL J & NANCY R
WINDEMERE DR	HOSSINGER JEFFERY R
CHADBURNE DR	SMITH JEFFREY D & PAMELA J &
CHADBURNE DR	BREHLER JOSEPH C
LAUDERHILL CIRCLE	WILLIAMS SHALEEN CORA
LAUDERHILL CIRCLE	GALLEGOS ERNESTO
LAUDERHILL CIRCLE	ALLEN LEROY
LAUDERHILL CIRCLE	NELSON MAURICE
LAUDERHILL CIRCLE	IAFANO ROBERT & ZIEGLER KELSEY
WINDEMERE DR	GRAVES ERICA & KENNY L DENISE
WINDEMERE DR	RUIZ ARTURO R & EVA C
WINDEMERE DR	DOWRICK TODD
WINDEMERE DR	GARCIA MARISOL G
WINDEMERE DR	MCCLINTOCK DALE W & MARSHA

Owner Address	Owner City	Owner State	Owner Zip
2334 E CAVANAUGH RD	LANSING	MI	48910-5815
4223 LOCHINVER CIRCLE	LANSING	MI	48911
4215 LOCHINVER CIR	LANSING	MI	48911
913 W HOLMES RD, #240F	LANSING	MI	48910
4201 LOCHINVER CIR	LANSING	MI	48911-2575
4200 LOCHINVER CIRCLE	LANSING	MI	48911
4210 LOCHINVER CIRCLE	LANSING	MI	48911
419 CHERRY ST	LANSING	MI	48933
5312 ASPEN DR	LANSING	MI	48917
4324 BALMORAL DR	LANSING	MI	48911-2566
4336 BALMORAL DR	LANSING	MI	48911
908 LONGWOOD	CHALFONT	PA	18914-4427
4348 BALMORAL DR	LANSING	MI	48911-2566
4412 GLENBURNE BLVD	LANSING	MI	48911
3798 SHEARWATER LN	EAST LANSING	MI	48823
4024 SEAWAY DR	LANSING	MI	48911-2551
4028 SEAWAY DR	LANSING	MI	48911
4034 SEAWAY DR	LANSING	MI	48911-2551
4038 SEAWAY DR	LANSING	MI	48911-2551
4042 SEAWAY DR	LANSING	MI	48911
1378 FOXCROFT RD	EAST LANSING	MI	48823
4050 SEAWAY DR	LANSING	MI	48911-2551
4054 SEAWAY DR	LANSING	MI	48911-2551
4058 SEAWAY DR	LANSING	MI	48911-2551
4062 SEAWAY DR	LANSING	MI	48911
4100 SEAWAY DR	LANSING	MI	48911-2553
4104 SEAWAY DR	LANSING	MI	48911-2553
4110 SEAWAY DR	LANSING	MI	48911-2553
2290 SCIENCE PARKWAY	OKEMOS	MI	48864
4122 SEAWAY DR	LANSING	MI	48911
4128 SEAWAY DR	LANSING	MI	48911-2553
4134 SEAWAY DR	LANSING	MI	48911-2553
4200 SEAWAY DR	LANSING	MI	48911-2555
4206 SEAWAY DR	LANSING	MI	48911-2555
TILLSONBORG ON N4G 4G7			XXXXX
4304 DUMFRIES CIRCLE	LANSING	MI	48911
33 RASHI ST			XXXXX
124 W MICHIGAN AVE	LANSING	MI	48933-2500
4023 SEAWAY DR	LANSING	MI	48911-2552
4029 SEAWAY DR	LANSING	MI	48911-2552
4037 SEAWAY DR	LANSING	MI	48911-2552
4045 SEAWAY DR	LANSING	MI	48911-2552
4101 SEAWAY DR	LANSING	MI	48911
6435 HEATHFIELD DR	EAST LANSING	MI	48823

4111 SEAWAY DR	LANSING	MI	48911-2554
4115 SEAWAY DR	LANSING	MI	48911-2554
4121 SEAWAY DR	LANSING	MI	48911-2554
4127 SEAWAY DR	LANSING	MI	48911-2554
PO BOX 80131	LANSING	MI	48908-0131
4135 SEAWAY DR	LANSING	MI	48911-2554
4154 HEATHGATE DR	LANSING	MI	48911-2518
4148 HEATHGATE DR	LANSING	MI	48911-2518
4144 HEATHGATE DR	LANSING	MI	48911-2518
4140 HEATHGATE DR	LANSING	MI	48911-2518
P O BOX 70001	LANSING	MI	48908
P O BOX 70001	LANSING	MI	48908
13199 BLAISDELL DR	DEWITT	MI	48820-8188
4201 SEAWAY DR	LANSING	MI	48911-2556
4149 HEATHGATE DR	LANSING	MI	48911-2517
10147 HOLT HWY	DIMONDALE	MI	48821
4137 HEATHGATE DR	LANSING	MI	48911-2517
1010 SEMINOLE RD	NORTON SHORES	MI	49441-4344
4127 HEATHGATE DR	LANSING	MI	48911-2517
4123 HEATHGATE DR	LANSING	MI	48911
4117 HEATHGATE DR	LANSING	MI	48911
13501 COTTONWOOD CT	DEWITT	MI	48820-9057
4109 HEATHGATE DR	LANSING	MI	48911-2517
4101 HEATHGATE DR	LANSING	MI	48911
4206 KILLARNEY CT	LANSING	MI	48911-2530
1340 S WAVERLY RD SUITE H	LANSING	MI	48917
4214 KILLARNY CT	LANSING	MI	48911
4218 KILLARNEY CT	LANSING	MI	48911-2530
16302 CONCORD FALLS LN	SUGARLAND	TX	77498
4223 KILLARNEY CT	LANSING	MI	48911
4219 KILLARNEY CT	LANSING	MI	48911-2530
4215 KILLARNEY CT	LANSING	MI	48911-2530
3678 E HIAWATHA DR	OKEMOS	MI	48864-4040
4207 KILLARNEY CT	LANSING	MI	48911
4053 HEATHGATE DR	LANSING	MI	48911-2515
5453 HOUGHSTON RD	HARBOR SPRINGS	MI	49740-9041
4112 HEATHGATE DR	LANSING	MI	48911-2516
4106 HEATHGATE DR	LANSING	MI	48911
6435 HEATHFIELD DR	EAST LANSING	MI	48823
1340 S WAVERLY RD SUITE H	LANSING	MI	48917
4048 HEATHGATE DR	LANSING	MI	48911-2514
4042 HEATHGATE DR	LANSING	MI	48911
4038 HEATHGATE DR	LANSING	MI	48911
4034 HEATHGATE DR	LANSING	MI	48911
4030 HEATHGATE DR	LANSING	MI	48911
13199 BLAISDELL DR	DEWITT	MI	48820-8188
4018 HEATHGATE DR	LANSING	MI	48911

3724 W SAINT JOSEPH ST	LANSING	MI	48917
4010 HEATHGATE DR	LANSING	MI	48911-2514
4008 HEATHGATE DR	LANSING	MI	48911-2514
4000 HEATHGATE DR	LANSING	MI	48911
3944 WINDEMERE DR	LANSING	MI	48911-2519
7020 DEEPWATER POINT RD	WILLIAMSBURG	MI	49690-9248
3932 WINDEMERE DR	LANSING	MI	48911-2519
3926 WINDEMERE DR	LANSING	MI	48911-2519
3920 WINDEMERE DR	LANSING	MI	48911-2519
3916 WINDEMERE DR	LANSING	MI	48911-2519
3910 WINDEMERE DR	LANSING	MI	48911
3900 WINDEMERE DR	LANSING	MI	48911-2519
6435 HEATHFIELD DR	EAST LANSING	MI	48823
1340 S WAVERLY RD SUITE H	LANSING	MI	48917
4037 HEATHGATE DR	LANSING	MI	48911
2542 HOLLY ST	FULLERTON	CA	92835-4418
4025 HEATHGATE DR	LANSING	MI	48911
5777 KAYNORTH #2	LANSING	MI	48911
4017 HEATHGATE	LANSING	MI	48911
4013 HEATHGATE DR	LANSING	MI	48911-2515
4009 HEATHGATE DR	LANSING	MI	48911-2515
67410 RICHMOND ST APT 1	FORT RILEY	KS	66442
4200 CHADBURNE DR	LANSING	MI	48911
4206 CHADBURNE DR	LANSING	MI	48911-2576
16910 BLACK WALNUT LN	EAST LANSING	MI	48823-9656
308 N SWEGLES ST	SAINT JOHNS	MI	48879-1632
519 W KALAMAZOO ST	LANSING	MI	48933-2080
PO BOX 13007	LANSING	MI	48901-3007
519 W KALAMAZOO ST	LANSING	MI	48933-2080
419 CHERRY ST	LANSING	MI	48933
4324 COURTLAND DR	LANSING	MI	48911-2571
4308 COURTLAND DR	LANSING	MI	48911-2571
419 CHERRY ST	LANSING	MI	48933
4236 COURTLAND DR	LANSING	MI	48911-2569
2611 COCHISE LN	OKEMOS	MI	48864-2055
4224 COURTLAND DR	LANSING	MI	48911-2569
4219 BALMORAL DR	LANSING	MI	48911-2565
419 CHERRY ST	LANSING	MI	48933
4229 BALMORAL DR	LANSING	MI	48911
419 CHERRY ST	LANSING	MI	48933
4241 BALMORAL DR	LANSING	MI	48911
4301 BALMORAL DR	LANSING	MI	48911-2567
4325 BALMORAL DR	LANSING	MI	48911-2568
419 CHERRY ST	LANSING	MI	48933
4337 BALMORAL DR	LANSING	MI	48911
4345 BALMORAL DR	LANSING	MI	48911-2568
419 CHERRY ST	LANSING	MI	48933

22980 NE CHINOOK ST	TROUTDALE	OR	97060
4336 GLENBURNE BLVD	LANSING	MI	48911-2543
419 CHERRY ST	LANSING	MI	48933
4324 GLENBURNE BLVD	LANSING	MI	48911-2543
4318 GLENBURNE BLVD	LANSING	MI	48911-2543
419 CHERRY ST	LANSING	MI	48933
4306 GLENBURNE BLVD	LANSING	MI	48911-2543
4260 GLENBURNE BLVD	LANSING	MI	48911-2541
4254 GLENBURNE BLVD	LANSING	MI	48911-2541
419 CHERRY ST	LANSING	MI	48933
315 E MT HOPE AVE	LANSING	MI	48910
4232 GLENBURNE BLVD	LANSING	MI	48911
2303 SHAWNEE TRL	OKEMOS	MI	48864
419 CHERRY ST	LANSING	MI	48933
4237 COURTLAND DR	LANSING	MI	48911
4307 COURTLAND DR	LANSING	MI	48911-2572
4311 COURTLAND DR	LANSING	MI	48911-2572
4315 COURTLAND DR	LANSING	MI	48911
419 CHERRY ST	LANSING	MI	48933
4325 COURTLAND DR	LANSING	MI	48911-2572
4331 COURTLAND DR	LANSING	MI	48911-2572
4417 GLENBURNE BLVD	LANSING	MI	48911
124 W MICHIGAN AVE FL 8TH	LANSING	MI	48933-1665
419 CHERRY ST	LANSING	MI	48933
PO BOX 4341	EAST LANSING	MI	48826-4341
4355 GLENBURNE BLVD	LANSING	MI	48911-2544
4347 GLENBURNE BLVD	LANSING	MI	48911-2544
419 CHERRY ST	LANSING	MI	48933
4335 GLENBURNE BLVD	LANSING	MI	48911
419 CHERRY ST	LANSING	MI	48933
4321 GLENBURNE BLVD #23	LANSING	MI	48911
4315 GLENBURNE BLVD	LANSING	MI	48911
419 CHERRY ST	LANSING	MI	48933
4303 GLENBURNE BLVD	LANSING	MI	48911
4312 DUMFRIES CIR	LANSING	MI	48911
4316 DUMFRIES CIR	LANSING	MI	48911-2573
6435 HEATHFIELD DR	EAST LANSING	MI	48823-9659
4324 DUMFRIES CIR	LANSING	MI	48911-2573
6023 SLEEPY HOLLOW LN	EAST LANSING	MI	48823-9225
4336 SEAWAY DR	LANSING	MI	48911-2726
4340 SEAWAY DR	LANSING	MI	48911-2726
4166 GLENBURNE BLVD	LANSING	MI	48911
4108 BALMORAL DR	LANSING	MI	48911
4114 BALMORAL DR	LANSING	MI	48911
4120 BALMORAL DR	LANSING	MI	48911
4126 BALMORAL DR	LANSING	MI	48911-2562
419 CHERRY ST	LANSING	MI	48933

4138 BALMORAL DR	LANSING	MI	48911-2562
4200 BALMORAL DR	LANSING	MI	48911-2564
419 CHERRY ST	LANSING	MI	48933
4218 BALMORAL DR	LANSING	MI	48911-2564
13199 BLAISDELL DR	DEWITT	MI	48820-8188
419 CHERRY ST	LANSING	MI	48933
4205 BALMORAL DR	LANSING	MI	48911
4135 BALMORAL DR	LANSING	MI	48911-2563
4123 BALMORAL DR	LANSING	MI	48911-2563
1669 HARTEL RD	CHARLOTTE	MI	48813-9331
4109 BALMORAL DR	LANSING	MI	48911-2563
4214 GLENBURNE BLVD	LANSING	MI	48911
4200 COURTLAND DR	LANSING	MI	48911
419 CHERRY ST	LANSING	MI	48933
4212 COURTLAND DR	LANSING	MI	48911-2569
4218 COURTLAND DR	LANSING	MI	48911
4223 SEAWAY DR	LANSING	MI	48917
4227 SEAWAY DRIVE	LANSING	MI	48911
4301 SEAWAY DR	LANSING	MI	48911
4305 SEAWAY DR	LANSING	MI	48911-2727
4311 SEAWAY DR	LANSING	MI	48911-2727
139 LAKE RIDGE DR	MASON	MI	48854-8328
4154 GLENBURNE BLVD	LANSING	MI	48911-2538
4146 GLENBURNE BLVD	LANSING	MI	48911-2538
TILLSONBORG ON N4G 4G7			XXXXX
4138 GLENBURNE BLVD	LANSING	MI	48911-2538
FROID 34			XXXXX
4312 OLD CASTLE CIR	LANSING	MI	48911-2528
1135 MITCHELL AVE	LANSING	MI	48917
4302 OLD CASTLE CIRCLE	LANSING	MI	48911
4300 OLD CASTLE CIR	LANSING	MI	48911-2528
4301 OLD CASTLE CIR	LANSING	MI	48911
4305 OLD CASTLE CIR	LANSING	MI	48911-2528
2194 CEDARBEND DR	HOLT	MI	48842
4311 OLD CASTLE CIR	LANSING	MI	48911-2528
4315 OLD CASTLE CIR	LANSING	MI	48911-2528
225 GOSHEN RD			XXXXX
16910 BLACK WALNUT LN	EAST LANSING	MI	48823-9656
4104 GLENBURNE BLVD	LANSING	MI	48911
4100 GLENBURNE BLVD	LANSING	MI	48911-2536
4052 GLENBURNE BLVD	LANSING	MI	48911-2535
4048 GLENBURNE BLVD	LANSING	MI	48911
4044 GLENBURNE BLVD	LANSING	MI	48911-2535
2401 NW 23RD ST SUITE 1D	OKLAHOMA CITY	OK	73107
4322 MACDOUGAL CIR	LANSING	MI	48911-2529
4318 MACDOUGAL CIR	LANSING	MI	48911-2529
4312 MACDOUGLE CIR	LANSING	MI	48911

4308 MACDOUGAL CIR	LANSING	MI	48911-2529
4304 MACDOUGAL CIR	LANSING	MI	48911-2529
4300 MACDOUGAL CIRCLE	LANSING	MI	48911
4301 MACDOUGAL CIR	LANSING	MI	48911-2529
16910 BLACK WALNUT LN	EAST LANSING	MI	48823-9656
6435 HEATHFIELD DR	EAST LANSING	MI	48823-9659
13199 BLAISDELL DR	DEWITT	MI	48820-8188
4319 MACOUGAL CIR	LANSING	MI	48911
4325 MACDOUGAL CIR	LANSING	MI	48911
6435 HEATHFIELD DR	EAST LANSING	MI	48823
4333 MACDOUGAL CIRCLE	LANSING	MI	48911
4014 GLENBURNE BLVD	LANSING	MI	48911
4008 GLENBURNE BLVD	LANSING	MI	48911-2533
4336 CHADBURNE DR	LANSING	MI	48911-2740
4330 CHADBURNE DR	LANSING	MI	48911-2740
4328 CHADBURNE DR	LANSING	MI	48911
4324 CHADBURNE DR	LANSING	MI	48911
4318 CHADBURNE DR	LANSING	MI	48911
4314 CHADBURNE DR	LANSING	MI	48911-2740
PO BOX 881	EAST LANSING	MI	48826-0881
4306 CHADBURNE DR	LANSING	MI	48911
4300 CHADBURNE DR	LANSING	MI	48911
419 CHERRY ST	LANSING	MI	48933
7721 WILLIAMS RD	LANSING	MI	48911-3046
4133 GLENBURNE BLVD	LANSING	MI	48911-2537
3339 WAVERLY HILLS RD	LANSING	MI	48917
3339 WAVERLY HILLS RD	LANSING	MI	48917
4109 GLENBURNE BLVD	LANSING	MI	48911-2537
3339 WAVERLY HILLS RD	LANSING	MI	48917
3500 KAREN ST	LANSING	MI	48911
4043 GLENBURNE BLVD	LANSING	MI	48911
605 N GUNNELL RD	EATON RAPIDS	MI	48827-9385
419 CHERRY ST	LANSING	MI	48933
13130 HIDE AWAY LN	DEWITT	MI	48820
6435 HEATHFIELD DR	EAST LANSING	MI	48823-9659
16910 BLACK WALNUT LN	EAST LANSING	MI	48823-9656
31731 NORTHWESTERN HWY STE 250W	FARMINGTON HILLS	MI	48334
401 CHERRY BLOSSOM DR	YPSILANTI	MI	48197
31731 NORTHWESTERN HWY STE 250W	FARMINGTON HILLS	MI	48334
31731 NORTHWESTERN HWY STE 250W	FARMINGTON HILLS	MI	48334
419 CHERRY ST	LANSING	MI	48933
4211 GLENBURNE BLVD	LANSING	MI	48911
600 W MAPLE ST SUITE D	LANSING	MI	48906
PO BOX 308	CHARLOTTE	MI	48813
4315 CHADBURNE DR	LANSING	MI	48911-2741
3928 LIMERICK CIR	LANSING	MI	48911-2527
3922 LIMERICK CIR	LANSING	MI	48911-2527

3914 LIMERICK	LANSING	MI	48911
3906 LIMERICK CIR	LANSING	MI	48911
3609 JERREE ST	LANSING	MI	48911-2635
3901 LAUDERHILL CIR	LANSING	MI	48911-2526
3909 LAUDERHILL CIR	LANSING	MI	48911-2526
6435 HEATHFIELD DR	EAST LANSING	MI	48823-9659
3923 LAUDERHILL CIR	LANSING	MI	48911-2526
4307 CHADBURNE DR	LANSING	MI	48911-2741
3937 LIMERICK CIR	LANSING	MI	48911-2527
3724 W SAINT JOSEPH ST	LANSING	MI	48917
3944 GLENBURNE BLVD	LANSING	MI	48911-2531
3441 LAREDO DR UNIT 37	LEXINGTON	KY	40517-2241
3932 GLENBURNE BLVD	LANSING	MI	48911-2531
3926 GLENBURNE BLVD	LANSING	MI	48911-2531
1865 E STOLL RD	LANSING	MI	48906
300 N WASHINGTON SQ	LANSING	MI	48933-1244
124 W MIGHIGAN AVE	LANSING	MI	48911
124 W MICHIGAN AVE	LANSING	MI	48933
300 N WASHINGTON SQ	LANSING	MI	48933-1244
124 W MICHIGAN AVE	LANSING	MI	48933
124 W MICHIGAN AVE	LANSING	MI	48933
P O BOX 70001	LANSING	MI	48908
3925 LIMERICK CIR	LANSING	MI	48911-2527
3931 LIMERICK CIR	LANSING	MI	48911-2527
16910 BLACK WALNUT LN	EAST LANSING	MI	48823-9656
16910 BLACK WALNUT LN	EAST LANSING	MI	48823-9656
3939 WINDEMERE DR	LANSING	MI	48911-2520
4209 CHADBURNE DR	LANSING	MI	48911-2577
4213 CHADBURNE DR	LANSING	MI	48911-2577
3924 LAUDERHILL CIR	LANSING	MI	48911
4828 INGHAM ST	LANSING	MI	48911
3914 LAUDERHILL CIR	LANSING	MI	48911-2526
3908 LAUDERHILL CIR	LANSING	MI	48911-2526
3900 LAUDERHILL CIR	LANSING	MI	48911
3901 WINDEMERE DR	LANSING	MI	48911-2520
3911 WINDEMERE DR	LANSING	MI	48911-2520
6435 HEATHFIELD DR	EAST LANSING	MI	48823-9659
3923 WINDEMERE DR	LANSING	MI	48911-2520
3927 WINDEMERE DR	LANSING	MI	48911

Taxpayer	Taxpayer Address	Taxpayer City
NORTHERN STAR MORTGAGE FUND L L C	6789 QUAIL HILL PARKWAY SUIT	IRVINE CA 92603
LEVKOVITZ NOAM	33 RASHI ST	TEL AVIV 6326527 ISRAEL

ADDISS JON W	913 W HOLMES RD #240F	LANSING MI 48910
NDB REALTY LLC	5859 W SAGINAW	LANSING MI 48917

	1941 BENJAMIN DR	LANSING MI 48906
CONKLIN ELIZABETH	4240 GLENBURNE BLVD	LANSING MI 48911-2541
FINANCE DEPARTMENT	124 W MICHIGAN AVE	LANSING MI 48933

CHARTRAND MARY	11214 KUIPER DR	EAGLE MI 48822

MOORE DENNIS & AMY	12650 S WRIGHT RD	EAGLE MI 48822-9505
KITE AARON T	3339 WAVERLY HILLS RD	LANSING MI 48917
EATON COUNTY TREASURER	1045 INDEPENDENCE BOULEVAR	CHARLOTTE MI 48813

Taxpayer Zip	Number of Housing Units	Unit Rate	Total Assessment
	1	$ 47.91	$ 47.91
	1	$ 47.91	$ 47.91
	1	$ 47.91	$ 47.91
	0	$ 47.91	$ -
	1	$ 47.91	$ 47.91
	1	$ 47.91	$ 47.91
92603	1	$ 47.91	$ 47.91
	1	$ 47.91	$ 47.91
	1	$ 47.91	$ 47.91
	1	$ 47.91	$ 47.91
	1	$ 47.91	$ 47.91
	1	$ 47.91	$ 47.91
	1	$ 47.91	$ 47.91
	1	$ 47.91	$ 47.91
	1	$ 47.91	$ 47.91
	1	$ 47.91	$ 47.91
	1	$ 47.91	$ 47.91
	1	$ 47.91	$ 47.91
	1	$ 47.91	$ 47.91
	1	$ 47.91	$ 47.91
	1	$ 47.91	$ 47.91
	1	$ 47.91	$ 47.91
	1	$ 47.91	$ 47.91
	1	$ 47.91	$ 47.91
	1	$ 47.91	$ 47.91
	1	$ 47.91	$ 47.91
	1	$ 47.91	$ 47.91
	1	$ 47.91	$ 47.91
	1	$ 47.91	$ 47.91
	1	$ 47.91	$ 47.91
	1	$ 47.91	$ 47.91
	1	$ 47.91	$ 47.91
	1	$ 47.91	$ 47.91
	1	$ 47.91	$ 47.91
XXXXX	1	$ 47.91	$ 47.91
	0	$ 47.91	$ -
	1	$ 47.91	$ 47.91
	1	$ 47.91	$ 47.91
	1	$ 47.91	$ 47.91
	1	$ 47.91	$ 47.91
	1	$ 47.91	$ 47.91
	1	$ 47.91	$ 47.91

	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
48910	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
48917	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91

1	$	47.91	$	47.91
1	$	47.91	$	47.91
1	$	47.91	$	47.91
1	$	47.91	$	47.91
1	$	47.91	$	47.91
1	$	47.91	$	47.91
1	$	47.91	$	47.91
1	$	47.91	$	47.91
1	$	47.91	$	47.91
1	$	47.91	$	47.91
1	$	47.91	$	47.91
1	$	47.91	$	47.91
1	$	47.91	$	47.91
1	$	47.91	$	47.91
1	$	47.91	$	47.91
1	$	47.91	$	47.91
1	$	47.91	$	47.91
1	$	47.91	$	47.91
1	$	47.91	$	47.91
1	$	47.91	$	47.91
1	$	47.91	$	47.91
1	$	47.91	$	47.91
1	$	47.91	$	47.91
1	$	47.91	$	47.91
1	$	47.91	$	47.91
1	$	47.91	$	47.91
0	$	47.91	$	-
0	$	47.91	$	-
0	$	47.91	$	-
1	$	47.91	$	47.91
1	$	47.91	$	47.91
1	$	47.91	$	47.91
1	$	47.91	$	47.91
1	$	47.91	$	47.91
1	$	47.91	$	47.91
1	$	47.91	$	47.91
1	$	47.91	$	47.91
1	$	47.91	$	47.91
1	$	47.91	$	47.91
1	$	47.91	$	47.91
1	$	47.91	$	47.91
1	$	47.91	$	47.91
1	$	47.91	$	47.91
1	$	47.91	$	47.91
1	$	47.91	$	47.91
1	$	47.91	$	47.91

	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
48906	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
48911-2541	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
48933	0	$ 47.91	$	-
	1	$ 47.91	$	47.91
	0	$ 47.91	$	-
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91

	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
48822	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91

	1	$	47.91	$	47.91
	1	$	47.91	$	47.91
	1	$	47.91	$	47.91
	1	$	47.91	$	47.91
	1	$	47.91	$	47.91
	1	$	47.91	$	47.91
	1	$	47.91	$	47.91
	1	$	47.91	$	47.91
	1	$	47.91	$	47.91
	1	$	47.91	$	47.91
	1	$	47.91	$	47.91
	1	$	47.91	$	47.91
	1	$	47.91	$	47.91
	1	$	47.91	$	47.91
	1	$	47.91	$	47.91
	1	$	47.91	$	47.91
	1	$	47.91	$	47.91
48822-9505	1	$	47.91	$	47.91
	1	$	47.91	$	47.91
	1	$	47.91	$	47.91
	1	$	47.91	$	47.91
	1	$	47.91	$	47.91
	1	$	47.91	$	47.91
	1	$	47.91	$	47.91
	1	$	47.91	$	47.91
	1	$	47.91	$	47.91
	1	$	47.91	$	47.91
	1	$	47.91	$	47.91
	1	$	47.91	$	47.91
48917	1	$	47.91	$	47.91
	1	$	47.91	$	47.91
	0	$	47.91	$	-
	1	$	47.91	$	47.91
	1	$	47.91	$	47.91
	1	$	47.91	$	47.91
	1	$	47.91	$	47.91
	1	$	47.91	$	47.91
	1	$	47.91	$	47.91
	90	$	47.91	$	4,310.77
	66	$	47.91	$	3,161.23
	1	$	47.91	$	47.91
	1	$	47.91	$	47.91
	1	$	47.91	$	47.91
48813	0	$	47.91	$	-
	1	$	47.91	$	47.91
	1	$	47.91	$	47.91
	1	$	47.91	$	47.91

48917	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	0	$ 47.91	$	-
	0	$ 47.91	$	-
	0	$ 47.91	$	-
	0	$ 47.91	$	-
	0	$ 47.91	$	-
	0	$ 47.91	$	-
	0	$ 47.91	$	-
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	1	$ 47.91	$	47.91
	456		$	21,845.00

RESOLUTION #2021-073

BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, April 26, 2021 at 7 p.m. in City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of receiving comments on the proposed CDBG resources for the Annual Action Plan submission to HUD for FY 2021-2022.

BE IT FURTHER RESOLVED, due to COVID-19, the public hearing may be held electronically in accordance with the amended Open Meetings Act in an effort to protect the health and safety of the public. Members of the public wishing to participate in the meeting may do so by logging into or calling into the meetings using the website https://us02web.zoom.us/j/85940036219; meeting ID 859 4003 6219, dial in 301-715-8592.

PROPOSED FUNDING ALLOCATIONS
PROGRAM ACTIVITIES AND USE OF FUNDS
ANNUAL ACTION PLAN 2021 (7/1/21– 6/30/22)
CITY OF LANSING COMMUNITY DEVELOPMENT OBJECTIVES

The primary objective of Lansing's Housing and Community Development Program is the development of a viable community which will provide standard housing in a suitable living environment, principally to benefit low and moderate income persons, preserve and expand existing businesses and industries, and create an atmosphere conducive to stability in neighborhoods.

a. Provide standard housing in a suitable living environment through rehabilitation, new construction and improvement of the housing stock primarily in CDBG eligible neighborhoods and in specifically designated housing target areas.

b. Provide housing counseling and assistance that will benefit low and moderate-income households.

c. Promote home ownership for low and moderate-income households and promote deconcentration of poverty.

d. Maintain at current levels the number of public and assisted housing units available to low and moderate-income households.

e. Provide homeless prevention assistance, emergency shelter, street outreach and supportive human services for people with special needs, people who are homeless and those at risk of becoming homeless.

f. Provide assistance for permanent supportive housing and human services for low and moderate income households with a history of chronic homelessness, including those with special needs.

g. Promote economic opportunity for low and moderate-income individuals by facilitating economic development, providing employment opportunity, sponsoring job training, supporting business development, micro-enterprise lending and business or financial educational programs and initiatives.

h. Promote economic development to provide jobs, business services and shopping opportunities for residents located in CDBG eligible areas.

i. Provide community and neighborhood services, recreational opportunities and public facilities and promote neighborhood social cohesion to improve the quality of life in CDBG eligible neighborhoods.

j. Increase security and safety in neighborhoods by supporting public safety and crime prevention initiatives, public educational programs and citizens' awareness in CDBG eligible areas.

k. Improve the city's transportation, public facilities and infrastructure systems in CDBG eligible areas.

l. Protect and improve the city's physical environment, including preventing or eliminating blight, removing lead or other safety hazards, preserving historic resources, mitigating flood hazards, promoting healthy housing and improving energy fitness in housing occupied by low and moderate-income households.

m. Promote fair housing objectives.

n. Provide affordable housing and economic development that benefits low and moderate income people in the context of mixed use development along transit corridors.

COMMUNITY DEVELOPMENT BLOCK GRANT

CDBG Single-family, Owner-Occupied Rehab Program/Public Improvements

Includes loans and grants for rehabilitation of owner-occupied housing units through city sponsored programs, and in conjunction with affordable housing efforts sponsored by nonprofit housing corporations, public and private developers, and other state and federal agencies. Includes funds to meet lead hazard reduction regulations in rehabilitated structures, funds to assist in emergency housing rehabilitation, market analysis activities and technical assistance to nonprofit housing corporations, contractors, and low- and moderate-income households. Includes loans and grants for owner-occupied single-family units through city sponsored programs, loans to rehabilitate historic homes in conjunction with rehabilitation of the unit, and loans or grants for ramps, hazard remediation or weatherization. Includes staff, office space, technical assistance, training and other direct project costs associated with delivery of Community Development Block Grant, HOME, Emergency Solutions Grant and other State and Federal Programs.

General street, sidewalk, water/sewer improvements, including assistance to income eligible owner-occupants or those in CDBG-eligible areas for special assessments related to new improvements. Includes improvements to neighborhood parks, recreational facilities; public neighborhood, medical and community facilities in CDBG priority areas.

Proposed funding amount: $1,321,194

CDBG Rental Rehab Program

Includes loans and grants for rehabilitation of rental housing units through city sponsored programs. Includes funds to meet healthy housing standards and/or lead hazard reduction regulations in rehabilitated structures.

Proposed funding amount: $1,000

Acquisition

Includes acquisition, maintenance and security of properties acquired through programs, and activities related to acquisition, disposition, relocation and clearance of dilapidated and blighted structures. Funds may also be used to acquire and clear properties in the flood plain. Includes staff time associated with this activity.

Proposed funding amount: $100,000

Public Services (limited to 15%)

Includes services for low- and moderate-income individuals such as: homeownership counseling, education, neighborhood counseling, youth and senior programs, neighborhood clean-ups, community gardens, home repair classes. Services are for low- and moderate-income individuals and/or those in CDBG-eligible areas located within the Lansing city limits.

Proposed funding amount: $ 308,583 (15% of CDBG)

Economic Development

Loans, technical assistance and training to low- and moderate-income owners of and persons developing micro-enterprises within or planning to locate within the Lansing city limits. Technical assistance to individuals and for-profit businesses including workshops, technology assistance, and façade improvement loans/grants. Creation of jobs to benefit low and moderate-income city of Lansing residents.

Technical assistance to individuals and for-profit businesses including workshops, technology assistance, façade improvement loans/grants, market analysis, business promotion, referrals for the attraction of new business and expansion of existing business within CDBG-eligible areas of Lansing.

Proposed funding amount: $ 30,000

CDBG General Administration (limited to 20%)

Includes staff and other costs associated with preparation of required Consolidated Planning documents, environmental clearances, fair housing activities and citizen participation activities associated with the delivery of CDBG, HOME and other state and federal programs.
Includes planning and general administration costs associated with delivery of CDBG and other state and federal programs. Includes indirect administrative costs and building rent paid to the city.

Proposed funding amount: $411,444

TOTAL CDBG = $2,057,221 + PI $75,000 + Prv Yr $40,000 = $2,172,221

HOME

Down Payment Assistance

Funds provided to homebuyers for down payment and closing costs for purchase of a single-family home located within the Lansing city limits. Up to $40,000 will be available as a 0% interest second mortgage for homebuyers with income at or below 80% of median income. Assistance not limited to first-time homebuyers. May include staff time and/or homeownership counseling fees associated with this activity.

Proposed funding amount: $100,000

New Construction/HOME Rehab/Development Program

Includes funds for loans and grants for housing construction and rehabilitation with non-profit and for-profit developers, including CHDOs.

HOME funds allocated for housing developed in partnership with the city, including Supportive Housing Program (SHP) and Acquisition, Development and Resale (ADR) activities. Projects may include new construction and rehabilitation activities with non-profit and for-profit developers, including CHDOs. Funds may be used for staff time associated with these activities.

Proposed funding amount: $501,312

,

CHDO Set-aside (15% minimum required)

Reserved for housing developed, sponsored or owned by CHDOs in partnership with the City.

Proposed funding amount: $ 128,745

Community Housing Development Organization (CHDO) Operating (limited to 5%)

Funds reserved at option of the City to provide operating funds to CHDO's utilizing the City's HOME funds to produce affordable housing in the community.

Proposed funding amount: $42,918

HOME General Administration (limited to 10%)

Includes staff and general administration costs to deliver the HOME program.

Proposed funding amount: $85,386

TOTAL HOME = $768,361 + PI $50,000 + Prv Yrs $40,000 = $858,361

EMERGENCY SOLUTIONS GRANT (ESG)

Street Outreach

Street Outreach activities.

Proposed funding amount: $ 5,233

Homeless Prevention

Homeless Prevention activities.

Proposed funding amount: $61,054

Administrative Activities (limited to 7.5%)

Funds provided to offset the cost of administering emergency solutions program.

Proposed funding amount: $ 12,211

Homeless Management Information System (HMIS)

Funds will be provided for HMIS and comparable database costs.

Proposed funding amount: $ 5,233

Shelter Operation

Funds provided to shelter providers to cover cost of maintenance, operations, insurance, utilities and furnishings in shelter facilities.

Proposed funding amount: $ 90,708

TOTAL ESG: $174,439

SUMMARY

Forty –Seventh Year Community Development Resources

Program	Annual Action Plan
CDBG Entitlement Grant:	$2,057,221
Program Income (est.)	$75,000
Previous yr funds (est.)	$40,000
HOME Program Funds	$768,361
Program Income (est.)	$50,000
Previous yr funds (est.)	$40,000
ESG Program Funds:	$174,439
TOTAL	$3,205,021

Administrative, management and operation costs for the above programs include the administration, management and operations of the eligible activities, **as well as other federal and state community development programs in which the city is now or may be participating.**

CITY OF LANSING
NOTICE OF PUBLIC HEARING
ANNUAL ACTION PLAN
COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG), HOME
AND EMERGENCY SOLUTIONS GRANT (ESG) PROGRAMS
FOR FISCAL YEAR 2021-2022

The City Council of the City of Lansing will conduct a public hearing on Monday, April 26, 2021 at 7:00 P.M. during the regularly schedule City Council Meeting, via ZOOM Conferencing, Meeting ID 859 4003 6219, for the purpose of receiving comments on the proposed CDBG resources for the Annual Action Plan submission to HUD for FY 2021-2022.

To mitigate the spread of COVID-19 and to provide essential protections to vulnerable Michiganders and this State's health care system and other critical infrastructure, it is crucial that all Michiganders take steps to-limit in-person contact, particularly in the context of large groups. Therefore, the public hearing will be conducted via audio/video conference.

The public hearing will be electronically in accordance with the Open Meetings Act in an effort to protect the health and safety of the public. Members of the public wishing to participate in the meeting may do so by logging into or calling into the meetings using the website **https://zoom.us/j/85940036219** (Note: this option requires downloading Zoom software. If you have not already installed the software, this may take a few minutes) or by calling 646-876-9923 and entering Meeting ID: 859 4003 6219.

Copies of the proposed Annual Action Plan 2020 for the use of funds are available for review in the City Clerk's Office, downtown Capital Area District Library and in the Development Office of the Department of Economic Development and Planning. In light of the closure of public buildings due to the current state of emergency, the proposed Annual Action Plan 2021-2022 for the use of funds is available for review in the at https://www.lansingmi.gov/230/Development-Office. The Plan will be a part of the publicly available Council packet for the April 26, 2020 City Council meeting. If a member of the public wishes to review copies of the Annual Action Plan 2020 in-person, please contact the above listed public facilities to schedule an appointment that ensures the safety of both employees and public.

Persons with disabilities who need an accommodation to fully participate in these meetings should contact the City Council Office at 517-483-4177 (TDD (517) 483-4479) 24 hour notice may be needed for certain accommodations. An attempt will be made to grant all reasonable accommodation requests.

For more information, please call 517-483-4177. If you are interested in this matter, please view the public hearing via Zoom web conferencing which will provided on the April 26, 2021 City Council Agenda. Written comments will be accepted if received by the close 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/MiPMC
www.lansingmi.gov/Clerk
www.facebook.com/LansingClerkSwope

RESOLUTION #2021-074

BY COUNCIL MEMBERS BETZ, DUNBAR, GARZA, HUSSAIN, JACKSON, SPADAFORE, SPITZLEY AND WOOD

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Council President Spadafore recommends the Lansing City Council set the public hearing for the City of Lansing Fiscal Year 2021/2022 Budget for Monday, May 3, 2021.

WHEREAS BE IT RESOLVED, by the City Council of the City of Lansing that a public hearing be set for Monday, May 3, 2021 at 7 p.m. in City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of receiving comments on the proposed FY 2021-2022 Budget.

BE IT FURTHER RESOLVED, due to COVID-19, the public hearing may be held electronically in accordance with the amended Open Meetings Act in an effort to protect the health and safety of the public. Members of the public wishing to participate in the meeting may do so by logging into or calling into the meetings using the website https://us02web.zoom.us/j/85940036219; meeting ID 859 4003 6219, dial in 312-626-6799.

**********PLEASE NOTE THAT THE BOLDED LANGUAGE MUST APPEAR IN 11 POINT BOLD FACE TYPE**********

NOTICE OF PUBLIC HEARING ON THE
CITY OF LANSING'S PROPOSED FISCAL YEAR 2021/2022 BUDGET

The City Council of the City of Lansing will conduct a Public Hearing on Monday, May 3, 2021 at 7:00 p.m. via ZOOM Conferencing, Meeting ID 859 4003 6219., on the proposed City of Lansing budget and capital improvements. **The property tax millage rate proposed to be levied to support the proposed budget will be a subject of this hearing.**

The proposed budget is available for public inspection on weekdays, in the City Clerk's Office, 9th floor City Hall, between 8:00 a.m. and 5:00 p.m. and online at https://www.lansingmi.gov/1401/Documents-Placed-on-File.

All persons desiring to express an opinion about the proposed city budget, the tax rate, or proposed capital improvements are invited to attend this public hearing or submit written comments.

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/MiPMC
www.lansingmi.gov/Clerk
www.facebook.com/LansingClerkSwope

RESOLUTION 2021-100

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing City Charter (the "Charter"), pursuant to the Home Rule City Act, being MCL 117.1 *et seq.* (the "Act"), limits the City's authority to levy property taxes to a rate of 20 mills ($20 for every $1,000 of a property's taxable value); and

WHEREAS, the Headlee Amendment, being Section 31 of Article IX of the State Constitution, has resulted in a reduction of the City's authorized 20 mills limit to a millage rate known as the "Headlee Cap" but the State Constitution provides that this Headlee Cap is subject to override by the voters; and

WHEREAS, since November, 2011 the voters of Lansing have approved the Headlee Cap overrides in order to restore the authorized millage to the maximum 20 mills authorized under the Charter and the Act, for consecutive periods of five (5) years to the present; and

WHEREAS, the current Headlee Cap override permits the City to levy the current 19.44 mills but is set to expire December 31, 2021 unless the voters approve a new Headlee override; and

WHEREAS, if the Headlee Cap override is not voter approved, the City's millage rate in 2022 will be reduced and limited to 18.8658 mills; and

WHEREAS, the City intends to continue to levy the current 19.44 mills tax rate in the 2022-2023 fiscal year budget that includes essential services, including current police protection, fire protection, road and sidewalk needs and maintenance; and

WHEREAS, a property tax rate of 19.44 mills would exceed the City's 2022 Headlee Cap, and therefore, requires approval by the voters to override the Headlee Cap, as provided by the State Constitution; and

WHEREAS, if approved, three (3) mills of the proposed 19.44 millage would permit the continuation of essential services that include police protection and fire protection; and

WHEREAS, if approved, one (1) mill of the proposed 19.44 millage would permit the continuation of essential services that include road and sidewalk maintenance; and

WHEREAS, the continuation of the 4 mills for essential services, including police protection, fire protection, and road and sidewalk maintenance funding beginning in fiscal year 2022/2023 at the 19.44 mills rate will result in property tax revenues at a similar level to those projected for fiscal year 2021/2022;

NOW, THEREFORE, BE IT RESOLVED that at the election to be held on Tuesday, August 3, 2021, the following ballot proposal shall be submitted to the qualified electors of the City of Lansing in a manner and form substantially as follows:

CITY OF LANSING
ESSENTIAL SERVICES MILLAGE RESTORATION PROPOSAL

Shall the authorized charter millage for the City of Lansing, established at 20 mills ($20.00 per $1,000 of taxable value) and reduced to 18.8658 ($18.8658 per $1,000 of taxable value) by the millage rollbacks required under the Michigan Constitution, be restored to 20 mills ($20.00 per $1,000 of taxable value), which is an increase of 1.1342 mills ($1.1342 per $1,000 of taxable value) over the reduced millage, for the next five (5) years (from January 1, 2022 through December 31, 2026 inclusive), for the purpose of funding essential services, including police protection, fire protection, and local road and sidewalk maintenance?

If approved and levied, this restored and increased millage would generate approximately $2,770,894 in its first year.

Yes _____
No _____

BE IT FURTHER RESOLVED that the City Clerk is hereby authorized and directed to cause the above proposal to be placed on the ballot at the election to be held on Tuesday, August 3, 2021.

BE IT FURTHER RESOLVED that the ballot wording is hereby certified to the City Clerk and the Clerks of the Counties of Ingham, Clinton and Eaton for submission to the City's electors at election to be held on Tuesday, August 3, 2021.

BE IT FURTHER RESOLVED that the City Clerk is hereby directed to give notice of the election and notice of registration therefore in the manner prescribed by law and to do all things and to provide all supplies necessary to submit the ballot proposal to the vote of the electors as required by law.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO REPEAL CHAPTER 622, SECTION 622.01, A CRIMINAL MISDEMEANOR UNDER THE GENERAL OFFENSES CODE OF THE CODIFIED ORDINANCES TO ELIMINATE DRUG PARAPHERNALIA.

THE CITY OF LANSING ORDAINS:

Section 1. That Chapter 622, Section 622.01, of the Code of Ordinances of the City of Lansing, Michigan be and is hereby repealed in their entirety and shall be null and void and of no effect.

Section 2. All ordinances, resolutions or rules, parts of ordinances, resolutions or rules inconsistent with these provisions are hereby repealed in its entirety and shall be null and void and of no effect.

Section 3. Should any section, clause or phrase of this ordinance be declared to be invalid, the same shall not affect the validity of the ordinance as a whole, or any part thereof other than the part so declared to be invalid.

Section 4. This ordinance repeal shall take effect on the 30th day after enactment unless given immediate effect by City Council.

Approved as to form:

_____
City Attorney

Date: _____

INTRODUCTION OF ORDINANCE

Council Member Jackson introduced:

> An Ordinance of the City of Lansing, Michigan, to repeal Chapter 622, Section 622.01, a criminal misdemeanor under the General Offenses Code of the Codified Ordinances to eliminate drug paraphernalia.

The Ordinance is read a first time by its title and referred to the Committee on Equity Diversity & Inclusion

RESOLUTION #2021-075

RESOLUTION SETTING PUBLIC HEARING
BY CITY COUNCIL

Resolved by the City Council of the City of Lansing that a public hearing be set for April 26, 2021 at 7 p.m. in Tony Benavides Lansing City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose to repeal Chapter 622, Section 622.01, a criminal misdemeanor under the General Offenses Code of the codified ordinances to eliminate drug paraphernalia.

BE IT FURTHER RESOLVED, due to COVID-19, the public hearing may be held electronically in accordance with the amended Open Meetings Act in an effort to protect the health and safety of the public. Members of the public wishing to participate in the meeting may do so by logging into the ZOOM Webinar at https://us02web.zoom.us/j/85940036219 ; ID 859 4003 6219 or calling in (312) 626 6799.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO REPEAL CHAPTER 630, SECTION 630.12, A CRIMINAL MISDEMEANOR UNDER THE GENERAL OFFENSES CODE OF THE CODIFIED ORDINANCES TO ELIMINATE LOITERING IN PLACES WHERE CONTROLLED SUBSTANCES OR DRUG PARAPHERNALIA IS SOLD, USED, ETC.

THE CITY OF LANSING ORDAINS:

Section 1. That Chapter 630, Section 630.12, of the Code of Ordinances of the City of Lansing, Michigan be and is hereby repealed in their entirety and shall be null and void and of no effect.

Section 2. All ordinances, resolutions or rules, parts of ordinances, resolutions or rules inconsistent with these provisions are hereby repealed in its entirety and shall be null and void and of no effect.

Section 3. Should any section, clause or phrase of this ordinance be declared to be invalid, the same shall not affect the validity of the ordinance as a whole, or any part thereof other than the part so declared to be invalid.

Section 4. This ordinance repeal shall take effect on the 30th day after enactment unless given immediate effect by City Council.

Approved as to form:

_____
City Attorney

Date: _____

INTRODUCTION OF ORDINANCE

Council Member Jackson introduced:

> An Ordinance of the City of Lansing, Michigan, to repeal Chapter 630, Section 630.12, a criminal misdemeanor under the General Offenses Code of the Codified Ordinances to eliminate loitering in places where controlled substances or drug paraphernalia is sold, used, etc.

The Ordinance is read a first time by its title and referred to the Committee on Equity Diversity & Inclusion

RESOLUTION #2021-076

RESOLUTION SETTING PUBLIC HEARING
BY CITY COUNCIL

Resolved by the City Council of the City of Lansing that a public hearing be set for April 26, 2021 at 7 p.m. in Tony Benavides Lansing City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose to repeal Chapter 630, Section 630.12, a criminal misdemeanor under the general offenses code of the codified ordinances to eliminate loitering in places where controlled substances or drug paraphernalia is sold, used, etc.

BE IT FURTHER RESOLVED, due to COVID-19, the public hearing may be held electronically in accordance with the amended Open Meetings Act in an effort to protect the health and safety of the public. Members of the public wishing to participate in the meeting may do so by logging into the ZOOM Webinar at https://us02web.zoom.us/j/85940036219 ; ID 859 4003 6219 or calling in (312) 626 6799.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO REPEAL CHAPTER 650, SECTION 650.05, A CRIMINAL MISDEMEANOR UNDER THE GENERAL OFFENSES CODE OF THE CODIFIED ORDINANCES TO ELIMINATE PARENTAL RESPONSIBILITY.

THE CITY OF LANSING ORDAINS:

Section 1. That Chapter 650, Section 650.05, of the Code of Ordinances of the City of Lansing, Michigan be and is hereby repealed in their entirety and shall be null and void and of no effect.

Section 2. All ordinances, resolutions or rules, parts of ordinances, resolutions or rules inconsistent with these provisions are hereby repealed in its entirety and shall be null and void and of no effect.

Section 3. Should any section, clause or phrase of this ordinance be declared to be invalid, the same shall not affect the validity of the ordinance as a whole, or any part thereof other than the part so declared to be invalid.

Section 4. This ordinance repeal shall take effect on the 30th day after enactment unless given immediate effect by City Council.

Approved as to form:

_____
City Attorney

Date: _____

INTRODUCTION OF ORDINANCE

Council Member Jackson introduced:

> An Ordinance of the City of Lansing, Michigan, to repeal Chapter 650, Section 650.05, a criminal misdemeanor under the General Offenses Code of the Codified Ordinances to eliminate parental responsibility.

The Ordinance is read a first time by its title and referred to the Committee on Equity Diversity & Inclusion

RESOLUTION #2021-077

RESOLUTION SETTING PUBLIC HEARING
BY CITY COUNCIL

Resolved by the City Council of the City of Lansing that a public hearing be set for April 26, 2021 at 7 p.m. in Tony Benavides Lansing City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose to repeal Chapter 650, Section 650.05, a criminal misdemeanor under the General Offenses Code of the Codified Ordinances to eliminate parental responsibility.

BE IT FURTHER RESOLVED, due to COVID-19, the public hearing may be held electronically in accordance with the amended Open Meetings Act in an effort to protect the health and safety of the public. Members of the public wishing to participate in the meeting may do so by logging into the ZOOM Webinar at https://us02web.zoom.us/j/85940036219 ; ID 859 4003 6219 or calling in (312) 626 6799.

ORDINANCE #1285

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO AMEND THE LANSING CODIFIED ORDINANCES BY AMENDING CHAPTER 656, SECTION 656.05, TO PROVIDE THAT THE PENALTY FOR VIOLATION OF THIS ORDINANCE SHALL BE A MUNICIPAL CIVIL INFRACTION.

THE CITY OF LANSING ORDAINS:

Section 1. That Chapter 656, Section 656.05, of the Code of Ordinances of the City of Lansing, Michigan be and is hereby amended to read as follows:

656.05. - Persons in closed parks prohibited; exception.

(a) Except as otherwise provided in this section, all City parks, including all parking lots that serve City parks within the City, shall be closed from dusk to dawn unless a City sponsored or approved activity at a lighted park is occurring.

(b) If the closing time of a City park is different than dusk to dawn, notice of the closing time of that park shall be posted at the regular entrance to the park. If no regular entrance to the park exists, the notice of the different closing time of that park shall be posted at such other places which, in the sole discretion of the Director of Parks and Recreation, are likely to inform persons coming into the park of the park's closing time.

(c) No person or vehicle shall enter or be within any park or portion thereof or any parking lot or portion thereof which serves any City park when it is closed, except City or other public officials or employees in the course of their duties, unless such person has written permission to do so from the Director of Parks and Recreation or an authorized representative thereof.

(D) A VIOLATION OF THIS SUBSECTION SHALL BE A MUNICIPAL CIVIL INFRACTION.

Section 2. All ordinances, resolutions or rules, parts of ordinances, resolutions or rules inconsistent with the provisions are repealed.

Section 3. Should any section, clause or phrase of this ordinance be declared to be invalid, the same shall not affect the validity of the ordinance as a whole, or any part thereof other than the part so declared to be invalid.

Section 4. This ordinance shall take effect on the 30th day after enactment, unless given immediate effect by City Council and shall expire December 31, 2029.

PASSAGE OF ORDINANCE

An ordinance of the City of Lansing, Michigan, to amend the Lansing codified ordinances by amending Chapter 656, Section 656.05, to provide that the penalty for violation of this ordinance shall be a municipal civil infraction.

Is read a second time by its title. The Ordinance was reported from the Committee on Equity, Diversity and Inclusion, and is on the order of immediate passage.

COUNCIL MEMBER	YEAS	NAYS
DUNBAR	☐	☐
BETZ	☐	☐
GARZA	☐	☐
HUSSAIN	☐	☐
JACKSON	☐	☐
SPADAFORE	☐	☐
SPITZLEY	☐	☐
WOOD	☐	☐
	_____	_____
☐ ADOPTED	☐ FAILED	

AFFIDAVIT OF PUBLICATION

I, Earlisha Scott, am a resident of Lansing, County of Ingham, State of Michigan, and do hereby certify, swear or affirm, that I am competent to give the following declaration based on my personal knowledge, unless otherwise stated, and that the following facts are true and correct to the best of my knowledge: That the attached advertisement - CP#21-062- Notice of Public Hearing - Lansing City Clerk - appeared Wednesday, March 31, 2021 and that City Pulse satisfies the requirements of 1963 PA 247 MCL 691.1051.

WITNESS my signature 31st day of March 2021

Signature of Declarer

State of Michigan
County of Ingham

This instrument was acknowledged before me on March 31, 2021

By Earlisha Scott

Suzi Smith, Notary Public

My commission expires February 26, 2025

AFFIDAVIT OF PUBLICATION

I, Earlisha Scott, am a resident of Lansing, County of Ingham, State of Michigan, and do hereby certify, swear or affirm, that I am competent to give the following declaration based on my personal knowledge, unless otherwise stated, and that the following facts are true and correct to the best of my knowledge: That the attached advertisement - CP#21-061- Notice of Public Hearing - Lansing City Clerk - appeared Wednesday, March 31, 2021 and that City Pulse satisfies the requirements of 1963 PA 247 MCL 691.1051.

WITNESS my signature 31st day of March 2021

Signature of Declarer

State of Michigan
County of Ingham

This instrument was acknowledged before me on March 31, 2021

By Earlisha Scott

Suzi Smith, Notary Public

My commission expires February 26, 2025

AFFIDAVIT OF PUBLICATION

I, Earlisha Scott, am a resident of Lansing, County of Ingham, State of Michigan, and do hereby certify, swear or affirm, that I am competent to give the following declaration based on my personal knowledge, unless otherwise stated, and that the following facts are true and correct to the best of my knowledge: That the attached advertisement - CP#21-066 - Notice of Public Hearing - Lansing City Clerk - appeared Wednesday, March 31, 2021 and that City Pulse satisfies the requirements of 1963 PA 247 MCL 691.1051.

WITNESS my signature 31st day of March 2021

Signature of Declarer

State of Michigan
County of Ingham

This instrument was acknowledged before me on March 31, 2021

By Earlisha Scott

Suzi Smith, Notary Public

My commission expires February 26, 2025

AFFIDAVIT OF PUBLICATION

I, Earlisha Scott, am a resident of Lansing, County of Ingham, State of Michigan, and do hereby certify, swear or affirm, that I am competent to give the following declaration based on my personal knowledge, unless otherwise stated, and that the following facts are true and correct to the best of my knowledge: That the attached advertisement - CP#21-067 - Notice of Public Hearing - Lansing City Clerk - appeared Wednesday, March 31, 2021 and that City Pulse satisfies the requirements of 1963 PA 247 MCL 691.1051.

WITNESS my signature 31st day of March 2021

Signature of Declarer

State of Michigan
County of Ingham

This instrument was acknowledged before me on March 31, 2021

By Earlisha Scott

Suzi Smith, Notary Public

My commission expires February 26, 2025

AFFIDAVIT OF PUBLICATION

I, Earlisha Scott, am a resident of Lansing, County of Ingham, State of Michigan, and do hereby certify, swear or affirm, that I am competent to give the following declaration based on my personal knowledge, unless otherwise stated, and that the following facts are true and correct to the best of my knowledge: That the attached advertisement - CP#21-068- Notice of Public Hearing - Lansing City Clerk - appeared Wednesday, March 31, 2021 and that City Pulse satisfies the requirements of 1963 PA 247 MCL 691.1051.

WITNESS my signature 31st day of March 2021

Signature of Declarer

State of Michigan
County of Ingham

This instrument was acknowledged before me on March 31, 2021

By Earlisha Scott

Suzi Smith, Notary Public

My commission expires February 26, 2025

AFFIDAVIT OF PUBLICATION

I, Earlisha Scott, am a resident of Lansing, County of Ingham, State of Michigan, and do hereby certify, swear or affirm, that I am competent to give the following declaration based on my personal knowledge, unless otherwise stated, and that the following facts are true and correct to the best of my knowledge: That the attached advertisement - CP#21-063 - Notice of Public Hearing - Lansing City Clerk - appeared Wednesday, March 31, 2021 and that City Pulse satisfies the requirements of 1963 PA 247 MCL 691.1051.

WITNESS my signature 31st day of March 2021

Signature of Declarer

State of Michigan
County of Ingham

This instrument was acknowledged before me on March 31, 2021

By Earlisha Scott

Suzi Smith, Notary Public

My commission expires February 26, 2025

AFFIDAVIT OF PUBLICATION

I, Earlisha Scott, am a resident of Lansing, County of Ingham, State of Michigan, and do hereby certify, swear or affirm, that I am competent to give the following declaration based on my personal knowledge, unless otherwise stated, and that the following facts are true and correct to the best of my knowledge: That the attached advertisement - CP#21-064 - Notice of Public Hearing - Lansing City Clerk - appeared Wednesday, March 31, 2021 and that City Pulse satisfies the requirements of 1963 PA 247 MCL 691.1051.

WITNESS my signature 31st day of March 2021

Signature of Declarer

State of Michigan
County of Ingham

This instrument was acknowledged before me on March 31, 2021

By Earlisha Scott

Suzi Smith, Notary Public

My commission expires February 26, 2025

AFFIDAVIT OF PUBLICATION

I, Earlisha Scott, am a resident of Lansing, County of Ingham, State of Michigan, and do hereby certify, swear or affirm, that I am competent to give the following declaration based on my personal knowledge, unless otherwise stated, and that the following facts are true and correct to the best of my knowledge: That the attached advertisement - CP#21-065 - Notice of Public Hearing - Lansing City Clerk - appeared Wednesday, March 31, 2021 and that City Pulse satisfies the requirements of 1963 PA 247 MCL 691.1051.

WITNESS my signature 31st day of March 2021

Signature of Declarer

State of Michigan
County of Ingham

This instrument was acknowledged before me on March 31, 2021

By Earlisha Scott

Suzi Smith, Notary Public

My commission expires February 26, 2025

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO REPEAL CHAPTER 664, SECTION 664.01(b), A CRIMINAL MISDEMEANOR UNDER THE GENERAL OFFENSES CODE OF THE CODIFIED ORDINANCES TO ELIMINATE THAT NO PERSON SHALL DISTURB THE PUBLIC PEACE AND QUIET BY LOUD OR BOISEROUS CONDUCT.

THE CITY OF LANSING ORDAINS:

Section 1. That Chapter 664, Section 664.01(b), of the Code of Ordinances of the City of Lansing, Michigan be and is hereby repealed in their entirety and shall be null and void and of no effect.

Section 2. All ordinances, resolutions or rules, parts of ordinances, resolutions or rules inconsistent with these provisions are hereby repealed in its entirety and shall be null and void and of no effect.

Section 3. Should any section, clause or phrase of this ordinance be declared to be invalid, the same shall not affect the validity of the ordinance as a whole, or any part thereof other than the part so declared to be invalid.

Section 4. This ordinance repeal shall take effect on the 30th day after enactment unless given immediate effect by City Council.

Approved as to form:

_____
City Attorney

Date: _____

INTRODUCTION OF ORDINANCE

Council Member Jackson introduced:

> An ordinance of the City of Lansing, Michigan, to repeal Chapter 664, Section 664.02, a criminal misdemeanor under the general offenses code of the codified ordinances to eliminate that no person shall disturb, without lawful authority, any public assembly or meeting of persons.

The Ordinance is read a first time by its title and referred to the Committee on Equity Diversity & Inclusion

RESOLUTION #2021-078

RESOLUTION SETTING PUBLIC HEARING
BY CITY COUNCIL

Resolved by the City Council of the City of Lansing that a public hearing be set for April 26, 2021 at 7 p.m. in Tony Benavides Lansing City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose to repeal Chapter 664, Section 664.02, a criminal misdemeanor under the general offenses code of the codified ordinances to eliminate that no person shall disturb, without lawful authority, any public assembly or meeting of persons.

BE IT FURTHER RESOLVED, due to COVID-19, the public hearing may be held electronically in accordance with the amended Open Meetings Act in an effort to protect the health and safety of the public. Members of the public wishing to participate in the meeting may do so by logging into the ZOOM Webinar at https://us02web.zoom.us/j/85940036219 ; ID 859 4003 6219 or calling in (312) 626 6799.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO REPEAL CHAPTER 664, SECTION 664.02, A CRIMINAL MISDEMEANOR UNDER THE GENERAL OFFENSES CODE OF THE CODIFIED ORDINANCES TO ELIMINATE THAT NO PERSON SHALL DISTURB, WITHOUT LAWFUL AUTHORITY, ANY PUBLIC ASSEMBLY OR MEETING OF PERSONS.

THE CITY OF LANSING ORDAINS:

Section 1. That Chapter 664, Section 66 4.02, of the Code of Ordinances of the City of Lansing, Michigan be and is hereby repealed in their entirety and shall be null and void and of no effect.

Section 2. All ordinances, resolutions or rules, parts of ordinances, resolutions or rules inconsistent with these provisions are hereby repealed in its entirety and shall be null and void and of no effect.

Section 3. Should any section, clause or phrase of this ordinance be declared to be invalid, the same shall not affect the validity of the ordinance as a whole, or any part thereof other than the part so declared to be invalid.

Section 4. This ordinance repeal shall take effect on the 30th day after enactment unless given immediate effect by City Council.

Approved as to form:

_____
City Attorney

Date: _____

INTRODUCTION OF ORDINANCE

Council Member Jackson introduced:

> An ordinance of the City of Lansing, Michigan, to repeal Chapter 664, Section 664.02, a criminal misdemeanor under the general offenses code of the codified ordinances to eliminate that no person shall disturb, without lawful authority, any public assembly or meeting of persons.

The Ordinance is read a first time by its title and referred to the Committee on Equity Diversity & Inclusion

RESOLUTION #2021-078

RESOLUTION SETTING PUBLIC HEARING
BY CITY COUNCIL

Resolved by the City Council of the City of Lansing that a public hearing be set for April 26, 2021 at 7 p.m. in Tony Benavides Lansing City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose to repeal Chapter 664, Section 664.02, a criminal misdemeanor under the general offenses code of the codified ordinances to eliminate that no person shall disturb, without lawful authority, any public assembly or meeting of persons.

BE IT FURTHER RESOLVED, due to COVID-19, the public hearing may be held electronically in accordance with the amended Open Meetings Act in an effort to protect the health and safety of the public. Members of the public wishing to participate in the meeting may do so by logging into the ZOOM Webinar at https://us02web.zoom.us/j/85940036219 ; ID 859 4003 6219 or calling in (312) 626 6799.

ORDINANCE #1286

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO AMEND THE LANSING CODIFIED ORDINANCES BY AMENDING CHAPTER 688, SECTION 688.05, TO PROVIDE THAT THE PENALTY FOR VIOLATION OF THIS ORDINANCE SHALL BE A MUNICIPAL CIVIL INFRACTION.

THE CITY OF LANSING ORDAINS:

Section 1. That Chapter 688, Section 688.05, of the Code of Ordinances of the City of Lansing, Michigan be and is hereby amended to read as follows:

688.05. - Climbing or defacing.

No person shall climb, peel, cut, deface, remove, injure or destroy any tree, in any street, highway, park or grassplot of the City.

A VIOLATION OF THIS SUBSECTION SHALL BE A MUNICIPAL CIVIL INFRACTION.

Section 2. All ordinances, resolutions or rules, parts of ordinances, resolutions or rules inconsistent with the provisions are repealed.

Section 3. Should any section, clause or phrase of this ordinance be declared to be invalid, the same shall not affect the validity of the ordinance as a whole, or any part thereof other than the part so declared to be invalid.

Section 4. This ordinance shall take effect on the 30th day after enactment, unless given immediate effect by City Council and shall expire December 31, 2029.

INTRODUCTION OF ORDINANCE

Council Member Spitzley introduced:

An ordinance of the City of Lansing, Michigan, for the purpose of amending Chapter 688, Section 688.05, to provide that the penalty for violation of this ordinance shall be a municipal civil infraction.

The Ordinance is referred to the Committee on Equity Diversity & Inclusion

RESOLUTION SETTING PUBLIC HEARING
BY CITY COUNCIL

Resolved by the City Council of the City of Lansing that a public hearing be set for April 26, 2021 at 7 p.m. in Tony Benavides Lansing City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose to amend Chapter 688, Section 688.05, to provide that the penalty for violation of this ordinance shall be a municipal civil infraction.

BE IT FURTHER RESOLVED, due to COVID-19, the public hearing may be held electronically in accordance with the amended Open Meetings Act in an effort to protect the health and safety of the public. Members of the public wishing to participate in the meeting may do so by logging into the ZOOM Webinar at https://us02web.zoom.us/j/85940036219 ; ID 859 4003 6219 or calling in (312) 626 6799.

Interested Persons are invited to attend this Public Hearing

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO REPEAL CHAPTER 688, SECTION 688.07, A CRIMINAL MISDEMEANOR UNDER THE GENERAL OFFENSES CODE OF THE CODIFIED ORDINANCES TO ELIMINATE THAT NO PERSON SHALL BRING ANIMALS, VEHICLES OR BICYCLES ONTO ANY PARK OR ONTO ANY GRASSPLOT IN ANY STREET OR DEFACE THE GROUNDS OF VEGETATION THEREIN.

THE CITY OF LANSING ORDAINS:

Section 1. That Chapter 688, Section 688.07, of the Code of Ordinances of the City of Lansing, Michigan be and is hereby repealed in their entirety and shall be null and void and of no effect.

Section 2. All ordinances, resolutions or rules, parts of ordinances, resolutions or rules inconsistent with these provisions are hereby repealed in its entirety and shall be null and void and of no effect.

Section 3. Should any section, clause or phrase of this ordinance be declared to be invalid, the same shall not affect the validity of the ordinance as a whole, or any part thereof other than the part so declared to be invalid.

Section 4. This ordinance repeal shall take effect on the 30th day after enactment unless given immediate effect by City Council.

Approved as to form:

_____
City Attorney

Date: _____

INTRODUCTION OF ORDINANCE

Council Member Jackson introduced:

> An ordinance of the City of Lansing, Michigan, for the purpose of amending Chapter 688, Section 688.07, to provide that the penalty for violation of this ordinance shall be a municipal civil infraction.

The Ordinance is read a first time by its title and referred to the Committee on Equity Diversity & Inclusion

RESOLUTION #2021-097

RESOLUTION SETTING PUBLIC HEARING
BY CITY COUNCIL

Resolved by the City Council of the City of Lansing that a public hearing be set for May 10, 2021 at 7 p.m. in Tony Benavides Lansing City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose to amend Chapter 688, Section 688.07, to provide that the penalty for violation of this ordinance shall be a municipal civil infraction.

BE IT FURTHER RESOLVED, due to COVID-19, the public hearing may be held electronically in accordance with the amended Open Meetings Act in an effort to protect the health and safety of the public. Members of the public wishing to participate in the meeting may do so by logging into the ZOOM Webinar at https://us02web.zoom.us/j/85940036219 ; ID 859 4003 6219 or calling in (312) 626 6799.

DRAFT #3
DATE: MARCH 8, 2021

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO AMEND THE LANSING CODIFIED ORDINANCES BY AMENDING CHAPTER 280 SECTION 280.03, TO PROVIDE THAT THE ELECTED OFFICER COMPENSATION COMMISSION SHALL MEET IN EVEN-NUMBERED YEARS TO DETERMINE THE COMPENSATION OF ELECTED OFFICERS IN THE MANNER PROVIDED IN CHAPTER 280.

THE CITY OF LANSING ORDAINS:

Section 1. That Chapter 280 Section 280.03, of the Code of Ordinances of the City of Lansing, Michigan be and is hereby amended to read as follows:

280.03. Meetings; chairperson; compensation.

COMMENCING IN 2022, the Elected Officers Compensation Commission shall meet for not more than fifteen session days in each ~~odd-numbered~~ EVEN-NUMBERED year and shall make its determination within forty-five calendar days after its first meeting. Council shall designate, by resolution, the date, time and location for the first meeting, thereby officially calling the Commission together for the carrying out of its official duties. ~~Commencing in 1981, the Commission shall meet prior to March 1.~~ THE FIRST MEETING IN EVEN-NUMBERED YEARS SHALL NOT BE SET LATER THAN FEBRUARY 21. The City Clerk shall notify the members of the Commission in writing concerning the designated date, time and location, at least seven calendar days in advance. A majority of the members of the Commission constitutes a quorum for conducting the business of the Commission. The Commission shall not take action or make a determination without the concurrence of a majority of the members appointed and serving on the Commission. The Commission shall elect a Chairperson from among its

members. As used in this section, "session days" means calendar days on which the Commission meets and a quorum is present. The members of the Commission shall not receive compensation but shall be entitled to actual and necessary expenses incurred in the performance of official duties.

Section 2. All ordinances, resolutions or rules, parts of ordinances, resolutions or rules inconsistent with the provisions are repealed.

Section 3. Should any section, clause or phrase of this ordinance be declared to be invalid, the same shall not affect the validity of the ordinance as a whole, or any part thereof other than the part so declared to be invalid.

Section 4. This ordinance shall take effect on the 30th day after enactment, unless given immediate effect by City Council and shall expire December 31, 2029.

Approved as to form:

_____
City Attorney

Dated: _____

INTRODUCTION OF ORDINANCE

Council Member Dunbar introduced:

> An Ordinance of the City of Lansing, Michigan, to amend the City of Lansing Codified Ordinances by amending Chapter 280 Section 280.03, to provide that the Elected Officer Compensation Commission shall meet in even-numbered years to determine the compensation of elected officers in the manner provided in Chapter 280.

The Ordinance is read a first time by its title and referred to the Committee on City Operations.

RESOLUTION #2021-079

RESOLUTION SETTING PUBLIC HEARING
BY CITY COUNCIL

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, April 26, 2021 at 7 p.m. in Tony Benavides Lansing City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose to amend the City of Lansing Codified Ordinances by amending Chapter 280 Section 280.03, to provide that the Elected Officer Compensation Commission shall meet in even-numbered years to determine the compensation of elected officers in the manner provided in Chapter 280.

BE IT FURTHER RESOLVED, due to COVID -19, the public hearing may be held electronically in accordance with the amended Open Meetings Act in an effort to protect the health and safety of the public. Members of the public wishing to participate in the meeting may do so by logging into or calling into the meetings using the website or phone number and Meeting ID provided on the April 26, 2021 meeting agenda.

INTRODUCTION OF ORDINANCE

Council Member Dunbar introduced:

> An Ordinance of the City of Lansing, Michigan, to amend the City of Lansing Codified Ordinances by amending Chapter 280 Section 280.03, to provide that the Elected Officer Compensation Commission shall meet in even-numbered years to determine the compensation of elected officers in the manner provided in Chapter 280.

The Ordinance is read a first time by its title and referred to the Committee on City Operations.

RESOLUTION #2021-079

RESOLUTION SETTING PUBLIC HEARING
BY CITY COUNCIL

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, April 26, 2021 at 7 p.m. in Tony Benavides Lansing City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose to amend the City of Lansing Codified Ordinances by amending Chapter 280 Section 280.03, to provide that the Elected Officer Compensation Commission shall meet in even-numbered years to determine the compensation of elected officers in the manner provided in Chapter 280.

BE IT FURTHER RESOLVED, due to COVID -19, the public hearing may be held electronically in accordance with the amended Open Meetings Act in an effort to protect the health and safety of the public. Members of the public wishing to participate in the meeting may do so by logging into or calling into the meetings using the website or phone number and Meeting ID provided on the April 26, 2021 meeting agenda.

DRAFT #1
DATE: April 5, 2021

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO AMEND THE LANSING CODIFIED ORDINANCES BY AMENDING CHAPTER 608, SECTION 608.04, TO ALLOW FOR CONSUMPTION OF ALCOHOLIC BEVERAGES WITHIN CERTAIN LOCATIONS AT FRANCES PARK.

THE CITY OF LANSING ORDAINS:

Section 1. That Chapter 608 Section 608.04, of the Code of Ordinances of the City of Lansing, Michigan be and is hereby amended to read as follows:

608.04 - Restrictions on sale and consumption on public property.

(a) Except as authorized in designated social districts pursuant to MCL 436.1551, no person shall:

(1) Sell, consume or possess in an open container alcoholic beverages in the public streets, public places, parks, alleys, sidewalks, City-owned parking facilities the Turner-Dodge House, ~~or~~ the South Washington Office Complex (SWOC), or FRANCES PARK SITES, except as provided in this section; or

(2) Sell, consume or possess in an open container alcoholic beverages in a private parking lot or facility, including, but not limited to, shopping center parking lots or parking areas adjacent to commercial establishments which are utilized by patrons of the commercial establishment, unless such person has in his or her possession, in writing, the express permission or consent of the owner or lessee, or the lawful agent of the owner or lessee, of such lot or facility. This paragraph shall not apply to any event sponsored or authorized in writing by the owner or lessee of such premises.

(3) As used in this chapter, "alcoholic beverages" means alcoholic liquor, beer, and wine, as defined in the Michigan liquor control code of 1998, act 58 of 1998.

(4) AS USED IN THIS CHAPTER, "FRANCES PARK SITES" MEANS THE FRANCES PARK PAVILION, THE ROSE GARDEN, AND THE SCENIC OVERLOOK. RENTAL OF FRANCES PARK SITES SHALL INCLUDE ALL THREE SITES AS A COMBINED AREA, RATHER THAN INDIVIDUAL SITES.

(b) Alcoholic beverages may be sold and/or consumed in City parks, upon approval of the Mayor, if:

(1) For sales of alcoholic beverages, a special license for such sale is obtained from the Michigan Liquor Control Commission and if the Mayor approves the license application prior to the issuance of the license. Approval by the Mayor shall be granted only if the license is to be utilized in conjunction with a City- approved cultural, ethnic or community activity open to the public or if the license is to be utilized in conjunction with a City-approved tourist or convention activity; or

(2) For consumption only, where no sales occur, approval is granted for the consumption of alcoholic beverages at a City-approved cultural, ethnic or community activity open to the public, or in conjunction with a City-approved tourist or convention activity, provided that with respect to either the sale of alcoholic beverages, or consumption, where no sales occur, the requirements set forth in subsections (g), (h) and (i) hereof are met.

(3) Prior mayoral approval shall not be required for the sale and/or consumption of alcoholic beverages at the Turner-Dodge House, Scott Park Cooley Gardens, South Washington Office Complex (SWOC), ~~and~~ Fenner Nature Center, AND FRANCES PARK

SITES.

(c) Notwithstanding the limitations set forth in subsection (b) hereof, alcoholic beverages may be sold for consumption at Kircher Field or Ranney Field if a special license for such sale is obtained from the Michigan Liquor Control Commission and if the Mayor approves the license application prior to the issuance of the license. Approval of the Mayor shall be granted for the sale and/or consumption of alcoholic beverages at Kircher Field or Ranney Field only in conjunction with City-approved district, State, regional or national adult athletic tournaments and if the requirements set forth in subsections (g), (h), and (i) hereof are met.

(d) Notwithstanding the limitations set forth in subsection (b) hereof, alcoholic beverages may be sold for consumption, and may be consumed, within the grounds of the Turner-Dodge House, Scott Park, Cooley Gardens, ~~or~~ SWOC, OR FRANCES PARK SITES, provided that all permits required by the Department of Parks and Recreation have been obtained, a special license, if applicable, has been obtained from the Michigan Liquor Control Commission, and the requirements set forth in subsections (g), (h), and (i) hereof are met. Rental fees for the Turner-Dodge House, the Scott Park, ~~or~~ Cooley Gardens, SWOC, AND FRANCES PARK SITES shall be set by resolution of Council. Use of the Turner-Dodge House, Scott Park, Cooley Gardens, ~~or~~ SWOC, OR FRANCES PARK SITES, in conjunction with the sale of alcoholic beverages for consumption shall not be limited to public events, but may also include private events.

(e) Sale and consumption of alcoholic beverages is allowable within the concession area or any other area within the perimeter of the Groesbeck Golf Course and Hope Soccer Complex, provided that, if sold, a license for such sale has been obtained from the Michigan Liquor

Control Commission, and provided, further, that any such consumption or sale shall be contingent upon approval by the Department of Parks and Recreation and subject to such rules or restrictions as the Department may establish.

(f) Sale and consumption of alcoholic beverages may occur within the concession area or any other area within the City Market or its environs, provided that, if sold, a license for such sale has been obtained from the Michigan Liquor Control Commission and the sale and for consumption occurs within a clearly demarcated area in compliance with the license, and provided, further, that any such sales for consumption shall be contingent upon approval by the Lansing Entertainment and Public Facilities Authority (LEPFA) and subject to such rules or restrictions as LEPFA may establish. Notwithstanding section (i) herein, any such applicant shall file with the City Clerk proof of a personal injury and property damage insurance policy insuring such applicant against any liability imposed on such applicant or the City arising out of the sale or consumption of alcoholic beverages, and naming the City and LEPFA as additional insureds. Such policy shall provide for payment in the event of injury to or death of one person or more than one person, and for the payment for property damage in amounts set by Council resolution on the basis of recommendations by the Finance Department. This requirement may be waived or the amounts of such required insurance reduced by resolution of Council finding that such a reduction or waiver is in the public interest.

(g) Alcoholic beverages may be sold for consumption within the streets, alleys, sidewalks and public places within the boundaries of the Downtown Mall and environs, as defined in Section 812.01 of the Business Regulation and Taxation Code and in designated social districts pursuant to MCL 436.1551, provided that the following conditions are satisfied:

(1) The request has been approved by the Mayor.

(2) The individual, group or organization making the application obtains a special license for such sale and consumption from the Michigan Liquor Control Commission.

(3) The individual, group or organization has complied with subsections (g), (h), (i) and (j) hereof.

(4) Any other conditions which the Mayor may require have been met.

(h) The City Clerk shall provide a form on which the applicant shall provide the following information:

(1) The name and address of the applicant;

(2) The name of the organization, if applicable;

(3) The type of event;

(4) The date of the application;

(5) The date and time of the event planned;

(6) The purpose of the event;

(7) The estimated number of persons attending;

(8) The name of the insurance company, if applicable, from which the necessary public liability policy will be or has been obtained;

(9) Proof that the proper rental fee has been paid, if applicable; and

(10) The security measures which the applicant proposes to utilize.

Upon the applicant's payment of an application fee, as determined by resolution of Council, the City Clerk shall forward the completed application form to the Police Department and to the

Department of Parks and Recreation for review.

(i) Whenever a special license for the sale and/or consumption of alcoholic beverages -in City parks, or within the Downtown Mall and environs or upon the grounds of the Turner-Dodge House, Scott Park, Cooley Gardens, Fenner Nature Center, ~~or~~ SWOC, OR FRANCES PARK SITES is required, the applicant shall file with the City Clerk proof of a personal injury and property damage insurance policy insuring such applicant against any liability imposed on such applicant or the City arising out of the sale or consumption of alcoholic beverages. Such policy shall provide for payment in the event of injury to or death of one person or more than one person, and for payment for property damage in amounts set by Council resolution on the basis of recommendations by the Finance Department. Such policy shall have a provision to the effect that the insurance company shall notify the City Clerk at least ten days prior to the expiration of such policy. However, this requirement may be waived or the amounts of such required insurance reduced by resolution of Council finding that such a reduction or waiver is in the public interest.

(j) The applicant shall be solely responsible for providing adequate security, in the form of adequate personnel and fencing, as determined by the Department of Parks and Recreation. Approval by the Department of the applicant's plan for security shall be obtained prior to any application being approved or any event being scheduled.

(k)No person shall sell or dispense alcoholic beverages for consumption in City parks, in any container other than a paper or plastic container. No person shall sell or dispense alcoholic beverages for consumption within the Turner-Dodge House in any container other than a paper or plastic container unless prior written permission has been received from the Department of

Parks and Recreation.

(l) (1) Notwithstanding any provision set forth in this Section 608.04 to the contrary, alcoholic beverages may be sold for consumption on the premises, and may be consumed, at public or private events or functions within the grounds of the Potter Park Zoo Exploration and Discovery Center and Plaza, provided:

a. Dispensing of beer or wine shall be conducted by persons or entities not affiliated with Potter Park Zoo or any of its auxiliary organizations;

b. No beer or wine may be sold or dispensed during hours when the Potter Park Zoo is open to the general public;

c. For sales of alcoholic beverages for consumption on the premises an appropriate license shall be obtained from the Michigan Liquor Control Commission; furthermore, prior mayoral approval is required, which approval shall only be granted in conjunction with a City-approved cultural, ethnic or community activity open to the public, or in conjunction with a City-approved tourist or convention activity;

(2) Rental fees for the Potter Park Zoo Exploration and Discovery Center and Plaza shall be set by resolution of City Council

Section 2. All ordinances, resolutions or rules, parts of ordinances, resolutions or rules inconsistent with the provisions are repealed.

Section 3. Should any section, clause or phrase of this ordinance be declared to be invalid, the same shall not affect the validity of the ordinance as a whole, or any part thereof other than the part so declared to be invalid.

Section 4. This ordinance shall take effect on the 30th day after enactment, unless given immediate effect by City Council and shall expire December 31, 2029.

Approved as to form:

_____
City Attorney

Dated: _____

INTRODUCTION OF ORDINANCE

Council Member Dunbar introduced:

An ordinance of the City of Lansing, Michigan, for the purpose of amending the Lansing codified ordinances by amending Chapter 608, Section 608.04, to allow for consumption of alcoholic beverages within certain locations at Frances Park.

The Ordinance is referred to the Committee on City Operations

RESOLUTION #2021-080
RESOLUTION SETTING PUBLIC HEARING
BY CITY COUNCIL

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, April 26, 2021 at 7 p.m. in Tony Benavides Lansing City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of considering an ordinance of the City of Lansing, Michigan, for the purpose of amending the Lansing codified ordinances by amending Chapter 608, Section 608.04, to allow for consumption of alcoholic beverages within certain locations at Frances Park.

Chris Swope
Lansing City Clerk

March 30, 2021

Mayor Schor, President Spadafore and Council Members
124 W. Michigan Ave., 10th Floor
Lansing, MI 48933

Dear Mayor Schor, President Spadafore and Council Members:

In accordance with Article 5, Section 5-103.4 of the Lansing City Charter, I have prepared the attached report of **Board, Authority, and Commission Term Expirations**.

Please let me know if I can provide any further information in this matter.

Sincerely,

Chris Swope

Chris Swope, MMC/MiPMC
Lansing City Clerk

Lansing City Clerk's Office
Ninth Floor, City Hall, 124 W. Michigan Ave., Lansing, MI 48933-1695
517-483-4131 • TDD 517-483-4479 • 517-377-0068 FAX
www.lansingmi.gov/clerk • city.clerk@lansingmi.gov

Board and Commission Term Expirations

Board of Ethics

TERM EXPIRATION	LAST NAME/FIRST NAME	POSITION
6/30/2020	Keith Kris	Council - 4th Ward
6/30/2021	R Cole Bouck	Mayoral - At-Large
6/30/2021	Rev. John Folkers	Council - 1st Ward

Board of Fire Commissioners

TERM EXPIRATION	LAST NAME/FIRST NAME	POSITION
6/30/2021	Barbara Lawrence	1st Ward
6/30/2021	Stephen Purchase	At-Large

Board of Plumbing

TERM EXPIRATION	LAST NAME/FIRST NAME	POSITION
6/30/2015	Walter Steele	Citizen
6/30/2016	Geoffrey Mowry	Journeyman Plumber
6/30/2016	Stephen Reck	Citizen
6/30/2016	William Pond	Master Plumber

Board of Police Commissioners

TERM EXPIRATION	LAST NAME/FIRST NAME	POSITION
6/30/2021	Holly McDermitt	1st Ward
6/30/2021	William Renfrew	At-Large

Board of Public Service

TERM EXPIRATION	LAST NAME/FIRST NAME	POSITION
6/30/2021	Nancy Mahlow	1st Ward
6/30/2021	Ronald Wilson	At-Large

Board of Review

TERM EXPIRATION	LAST NAME/FIRST NAME	POSITION
6/30/2021	Michael Redding	At-Large

Board and Commission Term Expirations

Board of Water and Light

TERM EXPIRATION	LAST NAME/FIRST NAME	POSITION
6/30/2021	Anthony Mullen	At-Large
6/30/2021	David Lenz	1st Ward
6/30/2021	Stuart Goodrich	Meridian/Delhi/DeWitt/Lan

Board of Zoning Appeals

TERM EXPIRATION	LAST NAME/FIRST NAME	POSITION
6/30/2021	Emily Jefferson	At-Large
6/30/2021	Josh Hovey	Planning Board Represent
6/30/2021	Robert Fryling	At-Large

Building Board of Appeals

TERM EXPIRATION	LAST NAME/FIRST NAME	POSITION
6/30/2016	James R. Drake	
6/30/2017	Thomas Knoy	
6/30/2018	Donald Heck	
6/30/2019	Stephanie Space	

Capital Area Transporation Authority Board

TERM EXPIRATION	LAST NAME/FIRST NAME	POSITION
9/30/2021	Derek Melot	City of Lansing
9/30/2021	Nathan Triplett	City of Lansing

Capital Region Airport Authority Board

TERM EXPIRATION	LAST NAME/FIRST NAME	POSITION
9/30/2020	Yvette Collins	City of Lansing

Community Corrections Advisory Board

TERM EXPIRATION	LAST NAME/FIRST NAME	POSITION
9/17/2021	Ayanna Neal	Joint - Criminal Defense
9/17/2021	Jacqueline Straub	Joint - Adult Probation

Board and Commission Term Expirations

Downtown Lansing, Inc. Board

TERM EXPIRATION	LAST NAME/FIRST NAME	POSITION
6/30/2021	Summer Schriner	Adjacent Nbhd. Resident
6/30/2021	vacant (Terry Carella)	Business Owner

Economic Development Corporation / Tax Increment Finance Au

TERM EXPIRATION	LAST NAME/FIRST NAME	POSITION
2/28/2021	Kim Coleman	At-Large

Elected Officers Compensation Commission

TERM EXPIRATION	LAST NAME/FIRST NAME	POSITION
10/1/2021	Liisa Speaker	At-Large

Electrical Board

TERM EXPIRATION	LAST NAME/FIRST NAME	POSITION
6/30/2016	Joseph Peters	Electric Utility
6/30/2019	Craig Calkins	Electrical Journeyman
6/30/2021	Daniel Barclay	Electrical Contractor

Employees' Retirement System Board of Trustees

TERM EXPIRATION	LAST NAME/FIRST NAME	POSITION
6/30/2020	Scott Dedic	Citizen Non-Retiree
1/1/2021	Peter Spadafore	City Council
6/30/2021	Amy Kraus	Citizen Retiree
6/30/2021	Dennis Parker	Elected

Historic District Commission

TERM EXPIRATION	LAST NAME/FIRST NAME	POSITION
6/30/2021	Curtis Sonnenberg	At-Large
6/30/2021	Jaclyn Lillis-Warwick	At-Large
6/30/2021	Robert Gibb	At-Large

Human Relations and Community Services Advisory Board

TERM EXPIRATION	LAST NAME/FIRST NAME	POSITION
6/30/2021	Chad Guerrant	At-Large
6/30/2021	Jody Washington	1st Ward

Board and Commission Term Expirations

Lansing Entertainment and Public Facilities Authority Board of C

TERM EXPIRATION	LAST NAME/FIRST NAME	POSITION
6/30/2020	Frederick Sparrow	At-Large
6/30/2021	Charles Janssen	At-Large
6/30/2021	Charles Mickens	At-Large
6/30/2021	Price Dobernik	At-Large

Lansing Housing Commission

TERM EXPIRATION	LAST NAME/FIRST NAME	POSITION
6/30/2021	Michael McKissic	At-Large

Local Development Finance Authority Board

TERM EXPIRATION	LAST NAME/FIRST NAME	POSITION
6/30/2021	Benjamin Bakken	City of Lansing

Mechanical Board

TERM EXPIRATION	LAST NAME/FIRST NAME	POSITION
6/30/2013	Patrick Ryan	Contractor
6/30/2017	Marcus J Metoyer	Residential Heat & AC
6/30/2017	Paul Gilmore	Commercial Heat & AC
6/30/2018	Richard Cortright	Residential Contractor
6/30/2018	Ryan Irish	Citizen

Medical Marihuana Commission

TERM EXPIRATION	LAST NAME/FIRST NAME	POSITION
11/27/2019	Bryanna McGarry	At-Large
11/27/2020	Bettie J. Trice	4th Ward
11/27/2020	vacant (Feltman, Brockton)	1st Ward
11/27/2021	Anita Turner	3rd Ward

Michigan Avenue Corridor Improvement Authority Board of Direc

TERM EXPIRATION	LAST NAME/FIRST NAME	POSITION
6/30/2021	Scott Gillespie	
6/30/2021	Yvette Collins	Resident

Board and Commission Term Expirations

Next Michigan Development Corporation Board

TERM EXPIRATION	LAST NAME/FIRST NAME	POSITION
4/15/2021	Kris Nicholoff	At-Large

Park Board

TERM EXPIRATION	LAST NAME/FIRST NAME	POSITION
6/30/2021	Mike Dombrowski	1st Ward
6/30/2021	Nate Scramlin	At-Large

Planning Board

TERM EXPIRATION	LAST NAME/FIRST NAME	POSITION
6/30/2019	Anthony Cox	3rd Ward
6/30/2020	Josh Hovey	4th Ward
6/30/2021	Farhan Bhatti	At-Large
6/30/2021	John P. Ruge	1st Ward

Police and Fire Retirement System Board of Trustees

TERM EXPIRATION	LAST NAME/FIRST NAME	POSITION
6/30/2020	Bob Rose	Citizen
1/1/2021	Carol Wood	City Council

Saginaw Street Corridor Improvement Authority Board of Direct

TERM EXPIRATION	LAST NAME/FIRST NAME	POSITION
6/30/2021	James A. Houthoofd, Jr.	
6/30/2021	Jessica Yorko	resident

South Martin Luther King Jr. Boulevard Corridor Improvement A

TERM EXPIRATION	LAST NAME/FIRST NAME	POSITION
7/31/2021	Aini Abukar	
7/31/2021	Jeffrey Johnson	

Board and Commission Term Expirations

Tri-County Regional Planning Commission

TERM EXPIRATION	LAST NAME/FIRST NAME	POSITION
1/1/2021	Brandon Betz	Lansing Representative
1/1/2021	Brian T Jackson	Lansing Representative
1/1/2021	Chris Swope	Lansing Representative
1/1/2021	Peter Spadafore	Lansing Representative

RESOLUTION #2021-

BY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, on January 31, 2020, the United States Department of Health and Human Services Secretary Alex Azar declared a public health emergency for COVID-19, and affected state and local governments have also declared states of emergency;

WHEREAS, on March 16, 2020 under Resolution 2020-053, City Council approved Mayor Schor's Declaration of Emergency (Executive Order 2020-02) through April 10, 2020; and

WHEREAS, on the following dates and under the following resolutions, City Council approved extensions of Mayor Schor's Declaration of Emergency:

- April 9, 2020 under Resolution 2020-053 through April 30, 2020;
- April 27th, 2020 under Resolution 2020-069 through May 15, 2020;
- May 11, 2020 under Resolution 2020-077 through June 8, 2020;
- June 8, 2020 under Resolution 2020-084 through June 30, 2020;
- June 22, 2020 under Resolution 2020-089 through July 14th, 2020;
- July 27, 2020 under Resolution 2020-113 through August 25, 2020; and
- August 24, 2020 under Resolution 2020-150 through September 22, 2020; and
- September 21, 2020 under Resolution 2020-181 through October 27, 2020; and
- October 26, 2020 under Resolution 2020-185 through November 30, 2020; and
- November 30, 2020 under Resolution 2020-226 through January 11, 2021; and
- January 11, 2021 under Resolution 2021-04 through February 8, 2021; and
- February 22, 2021 under Resolution 2021-044 through March 22, 2021; and
- March 22, 2021 under Resolution 2021-056 through April 28, 2021

WHEREAS, the Resolutions emphasized the fact that the novel coronavirus (COVID-19) is a respiratory disease that can result in serious illness or death. It is caused by a new strain of coronavirus that had not been previously identified in humans and can easily spread from person to person; and

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council finds that the circumstances warrant an extension of the Mayor's emergency declaration and continuation of the emergency response plan to ensure that public health is protected; and

BE IT FINALLY RESOLVED that the City Council approves an extension of the declaration of emergency, through and including July 12, 2021, and authorizes such powers and duties as provided by Chapter 234.05, the Lansing Emergency Management Ordinance, together with those powers provided by statute, including those set forth in MCL § 30.401 et seq.

BY THE COMMITTEE ON CITY OPERATIONS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the City of Lansing Department of Public Service and the Lansing Board of Water & Light are partnering to construct the utility and infrastructure improvements associated with the Combined Sewer Overflow 016/017 Trunk Sewer Project along the N. Grand River Avenue corridor during the 2021 construction season; and

WHEREAS, this project includes a significant amount of work on the State of Michigan business trunkline road, Business Loop (BL) I-96 / N. Grand River Ave./North St., and on City major and local streets within the project area; and

WHEREAS; this work must be completed in a single construction season prior to a Michigan Department of Transportation road resurfacing project on this State trunkline, BL I-96 / N. Grand River Ave./North St., in early 2022; and

WHEREAS; the utility work in the BL I-96 / N. Grand River Ave./North St. intersection is atypically deep (i.e., approximately 25 feet deep) resulting in full closure to all vehicular traffic of this major street intersection; and

WHEREAS, the construction contractor, Hoffman Bros., Inc., is required to complete all work within the BL I-96 / N. Grand River Ave./North St. intersection and reopen this State business trunkline to through traffic within sixty (60) calendar days; and

WHEREAS, for the period May 8, 2021, through October 30, 2021, Hoffman Bros., Inc., has requested a waiver of the noise ordinance on Saturdays from 8:00 AM to 5:00 PM; and

WHEREAS, the City of Lansing Public Service Department recommends that the contractor be granted the requested noise waiver in order to:

- limit the amount of time local access for property owners is impacted;
- limit the amount of time that vehicular traffic will be detoured; and
- keep the project on-schedule.

NOW THEREFORE BE IT RESOLVED that a public hearing be held on Monday, April 26, 2021, at 7:00 PM in the City of Lansing Council Chambers, 124 W. Michigan Ave., in consideration of the request for granting a waiver of the noise ordinance for construction noise at (BL) I-96/N. Grand River/North St. on Saturdays from 8:00 AM to 5:00 PM for the period May 8, 2021, through October 30, 2021.

BE IT FINALLY RESOLVED that the City Clerk shall provide notice of the April 26, 2021 public hearing to all residents living within 500 feet of the real property line of the noise emitter.

Adopted by the Committee
on City Operations

on

Approved for Placement on

the City Council Agenda:

_____
for James Smiertka
City Attorney

Date: _____

BY THE COMMITTEE ON CITY OPERATIONS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, a public hearing was held on Monday, May 10, 2021, in consideration of the request by Hoffman Bros., Inc., the construction contractor for the Combined Sewer Overflow 016/017 Trunk Sewer Project, for issuance of a waiver of the noise ordinance on Saturdays from 8:00 AM to 5:00 PM for the period May 22, 2021, through October 30, 2021; and

WHEREAS, this project includes a significant amount of work on the State of Michigan business trunkline road, Business Loop (BL) I-96 / N. Grand River Ave./North St., and on City major and local streets within the project area; and

WHEREAS; this work must be completed in a single construction season prior to a Michigan Department of Transportation road resurfacing project on this State trunkline, BL I-96 / N. Grand River Ave./North St., in early 2022; and

WHEREAS; the utility work in the BL I-96 / N. Grand River Ave./North St. intersection is atypically deep (i.e., approximately 25 feet deep) resulting in full closure to all vehicular traffic of this major street intersection; and

WHEREAS, the construction contractor, Hoffman Bros., Inc., is required to complete all work within the BL I-96 / N. Grand River Ave./North St. intersection and reopen this State business trunkline to through traffic within sixty (60) calendar days; and

WHEREAS, the City of Lansing Public Service Department recommends that the contractor be granted the requested noise waiver in order to:

- limit the amount of time local access for property owners is impacted;
- limit the amount of time that vehicular traffic will be detoured; and
- keep the project on-schedule; and

WHEREAS, no substantive written or verbal comments in opposition to this noise waiver were received from anyone within the project area at the public hearing or during the public comment period.

NOW THEREFORE BE IT RESOLVED that the City Council grant a waiver of the noise ordinance for construction noise at (BL) 1-96/N. Grand River/North St. on Saturdays from 8:00 AM to 5:00 PM for the period May 22, 2021, through October 30, 2021.

BE IT FINALLY RESOLVED that the City Council finds that such noise waiver is appropriate because the construction operation is temporary in duration and cannot timely be done in a manner that would comply with the noise ordinance, no reasonable alternative is available to the applicant, and the noise created will not unreasonably damage or endanger the health, safety, or welfare of the public.

RESOLUTION #_____
BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the City of Lansing (City) and the Charter Township of DeWitt (Township) are considering entry into an agreement for the conditional transfer of property pursuant to 1984 PA 425 (Act 425 Agreement) from the Township to the City; and

WHEREAS, the Act 425 Agreement is being considered the purpose of the transferred area development by Emergent BioSolutions for a new expansion complex project; and

BE IT RESOLVED that a public hearing be held on _____ and notice provided as required by Public Act 425 of 1984.

Approved for placement on the City Council agenda:

_____

James D. Smiertka, City Attorney

Dated: _____

April 6, 2021
Draft 8

AGREEMENT FOR CONDITIONAL TRANSFER OF PROPERTY
PURSUANT TO 1984 PA. 425
BY AND BETWEEN THE TOWNSHIP OF DeWITT AND THE CITY OF LANSING

This Agreement ("Agreement") made this _____ day of _____, 2021, between the **CHARTER TOWNSHIP OF DeWITT** (the "Township"), a Michigan charter township organized and operating under the Charter Township Act, MCL 42.1, et seq., as amended, and the **CITY OF LANSING** (the "City"), a Michigan municipal corporation (individually, a "Party" and collectively, the "Parties").

WHEREAS, Township and City seek a regional partnership that will retain and attract businesses and jobs related to, and encourage, economic growth in the City and Township; and

WHEREAS, The City and Township find that the conditional transfer of the Transferred Area (defined herein) from the Township to the City pursuant to this Agreement and law will assist economic development and benefit the residents of the City and Township, including revenue that will support economic development; and

WHEREAS, this is an Agreement economically beneficial to the entire Mid-Michigan region; and

WHEREAS, the Township and the City are municipal corporations organized and existing pursuant to the laws of this State and are "local units" within the meaning of PA 1984 No. 425 (MCL 124.21 et seq.) "Act 425"; and

WHEREAS, Act 425 enables such local units, by written contract, to conditionally transfer property and jurisdiction pertaining to such property for the purpose of an economic development project or projects and to secure various public improvements and infrastructure necessary to develop the conditionally transferred property; and, in addition, the Township and City have agreed upon certain factors prior to entering into this written Agreement conditionally transferring the property, and, pursuant to Act 425, the Township, before signing this Agreement, held a public hearing on the _____ day of _____, 2021, regarding this conditional transfer agreement, and the City of Lansing held a public hearing on the _____ day of _____, 20__ regarding this same Agreement, both preceded by Notice in accordance with the requirements of the Michigan Open Meetings Act;

WHEREAS, the Township and City further find that the conditional transfer of property from the Township to the City pursuant to this Agreement will provide for certain municipal services to the Transferred Area, will assist economic development and be beneficial to the residents of the Township and City, and will work to prevent conditions of unemployment;

WHEREAS, this Agreement is meant to strengthen a mutual relationship between Township and City.

NOW THEREFORE, and pursuant to Act 425 of 1984, the Parties agree as follows:

ARTICLE I

DEFINITIONS AND REPRESENTATIONS

Section 1.1 Definitions.

A. "Agreement" means this Agreement for Conditional Transfer of Property;
B. "Transferred Area" means that portion of the Township legally described in Exhibit A and depicted in Exhibit B;
C. "BWL" shall mean the Lansing Board of Water and Light, a City-owned municipal utility supplier:
D. "Electric Service" means electric generation, transmission and distribution or any part thereof.
E. "Company" means Emergent BioSolutions or any successor entity.
F. "Tri-Party Development Agreement" means an agreement between the Parties and the Company which includes, *inter alia*, procedures and responsibilities relating to tax incentives and/or reimbursement of eligible brownfield costs.

Section 1.2 Representations.

The Township and the City represent that before entering into this Agreement the following factors were considered:

A. Composition of the population; population density; land areas and land uses; assessed valuation; topography, natural boundaries and drainage basins; and past and probable future growth, including population increase and business and commercial development in the area, and the comparative data for the Township and the portion of the Township remaining after the transfer of the Transferred Area.

B. The need for organized community services; the present costs and adequacy of governmental services in the Transferred Area; the practicality of supplying such services to the Transferred Area; the probable effect of the transfer and of the alternative courses of action on the costs and adequacy of services in the Transferred Area and on the remaining portion of the Township; the probable change in taxes and tax rate in the Transferred Area in relation to the benefits expected to accrue from such transfer; and the financial ability of the Township and the City by itself

and through its BWL to provide and maintain municipal and governmental services in the Transferred Area.

C. The general effect upon the Parties of the transfer, and the relationship of the transfer to applicable land use plans.

ARTICLE II

AREA AND JURISDICTION TRANSFERRED

Section 2.1 Transfer of Property.

The Transferred Area consists of approximately ___ (___) acres and shall be conditionally transferred from the jurisdiction of the Township to the jurisdiction of the City for the purposes specified in this Agreement.

Section 2.2 Jurisdiction – Governmental Services.

A. Water Distribution and Electric Service within the Transferred Area.

Public water distribution and electric service for the Transferred Area shall be provided by the City, subject to state law regarding any existing electrical franchises pertaining to existing electrical services. The Township consents to the use of public roads, rights-of-way and easements throughout the Township for purposes of extension of water and electric distribution systems to the Transferred Area. The Township agrees to support acquisition and/or permitting that may be needed to effectuate this provision. The Transferred Area shall be considered as being within the corporate limits and jurisdiction of the City for the purpose of constructing service lines and laterals on public property for connection with the City's water distribution system and electric service, respectively, and the conduct of a water and electric service utility business therein.

B. Sanitary Sewer Service (Subject to Public Service review)

1. It is understood that the properties and or facilities currently being served by a public sanitary sewer system shall continue to be served by that sewer system, with all rights under said system.

2. Sanitary Sewer Service Zone-_____ (Defined on Attachment-A): The City shall have exclusive jurisdiction over the sanitary sewer system within Zone-_____of the Transferred Area.

If, as determined by the Lansing City Engineer, the City is unable to serve any portion of Zone-_____, the City agrees to allow the owner of that portion to seek an alternative sanitary sewer service provider.

3. Sanitary Sewer Service Area-_____(Defined on Attachment-A): Requests for the extension of public sanitary sewer systems in Zone-_____ shall be submitted to both the City and Township to determine their respective abilities to serve.

   The agency to which service is directed to will be based upon: system capacity, construction cost, annual operation and maintenance costs, and replacement costs.

   a. Disputes regarding sewer service jurisdiction shall be resolved by:

      i. The recommendation of an independent engineering study commissioned by both Parties. The study shall include but is not limited to: system capacity, construction costs, annual operation and maintenance costs, and replacement costs.

4. All lands within the Transferred Area shall abide by the sanitary sewer ordinances, regulations, standards, and laws of the municipality providing sanitary sewer service.

5. Design of any public sanitary sewer system shall be in accordance with the requirements of the municipality which is to take ownership of said system, as well as the requirements of the State of Michigan.

   The construction of a public sanitary sewer system may be accomplished through a "Letter of Intent , "Petition", or other public infrastructure funding mechanisms, allowed under municipal ordinances.

6. Private sanitary sewer connections to the public sanitary sewer systems shall be done in accordance with this agreement and the ordinances and laws of the municipality providing sanitary sewer service.

7. Approval and permitting of private plumbing systems in accordance with Section 2.2 (D)

C. Police and Fire Services.

In the Transferred Area, fire, emergency medical services, and police protection shall be provided by and under the jurisdiction of the City. 911 services shall be provided by Clinton County. Nothing in this Agreement shall be construed to modify or terminate the provisions of any fire or law enforcement mutual aid agreements or other agreements to which the City or Township is a party.

D. Administrative Code Enforcement.

Within the Transferred Area land state construction code (including issuance of building and other permits), electrical, mechanical, plumbing, housing and fire code, international property maintenance code, and rental code administration and enforcement shall be within the jurisdiction of the Township.

E. Storm Water Management.

For the purpose of storm water drainage and regulation the property shall remain as currently managed by Clinton County Drain Commissioner.

Section 2.3 Jurisdiction – Zoning and Land Use.

A. The zoning within the transferred area shall be under the jurisdiction of the City, but the City will maintain the most applicable zoning equivalent to that of the Township as of the effective date of the Agreement. In addition, the City and the Township shall:

1. Agree to discuss and review all changes in the configuration and use of the Transferred Area; and

2. Within six (6) months from the date of this Agreement, said the Parties shall develop a joint basic plan (also known as a comprehensive or master plan). Said plan shall take into consideration and, where possible, incorporate the Township's Comprehensive and South Central Area Plan and portions of the City Comprehensive Plan dealing with the Transferred Area, if any. Furthermore, this plan shall describe development objectives as well as explore funding resources for infrastructure (roads and utilities) necessary for development of vacant Airport property. The cost of comprehensive planning will be borne equally by the Township and City. The cost of such planning shall be equally divided between the Parties to this Agreement. The Parties also agree to review and update the Transferred Area Comprehensive Plan at least every five (5) years hereafter.

B. For purposes of preliminary and final site plan review relating to land uses within the Transferred Area, the Township shall be accorded agency status under the zoning and building codes of the City.

C. The City agrees to notify the Township of any new development or changes in operations that may affect residents living in the Township.

Section 2.4 Jurisdiction – Taxes and Assessments.

A. Real and Personal Property Taxing Jurisdiction.

For purposes of real and personal property assessment, taxation, and the granting of any tax exemptions except as provided in Section 2.6 the Transferred Area shall be considered to be within the City:

1. All real and personal property within the Transferred Area shall be taxed at millage rates levied by the City for City operations and any special voted millage.

B. City Income Tax Jurisdiction.

Effective January 1 in the first year after adoption of this Agreement, and for the remaining term of this Agreement and any extensions thereof, for purposes of City of Lansing income taxes, the 425 Area shall be within the corporate limits and jurisdiction of the City.

C. Special Assessments.

The Transferred Area shall be treated as being within the corporate limits and jurisdiction of the City for purposes of special assessments. In the event that a special assessment is levied in connection with sanitary sewer appurtenances for service to be provided by the Township, the City herewith consents that unpaid special assessments for that purpose shall constitute a lien on the property assessed in favor of the Township.

D. Drain Assessments.

The Transferred Property shall be considered as part of City for County or inter-county drain assessments or costs. All drain assessments will continue to be administered under the same procedures that are in place at the time of execution of the Agreement. The City agrees that any unpaid assessments levied by the Township for that purpose shall constitute a lien on the property assessed in favor of the Township.

Section 2.5 Jurisdiction – Rates, Connection Fees, and Electrical Service.

A. Utility and Other Services. All rates, charges and fees for solid waste disposal, recycling, electric services, chilled water and steam generation, and any other utility service

provided by the City shall be calculated, levied and collected by the City and BWL in accordance with the then-current rates and ordinances applicable to other property within the corporate limits of the City, and as may be adjusted by the City and BWL pursuant to rate-making authority.

B. Connection Fees. Where required by ordinance or resolution, connection fees and capital charges for water and sanitary sewer connections in the Transferred Area shall be at the rates normally charged by the municipality which is providing said service, and shall belong to that entity.

Section 2.6 Liens for Utility Service.

Liens for electric and water service made against real property in the Transferred Area shall be created and remain in full force and effect as if the Transferred Area were within the corporate limits of the City, and liens for sanitary sewage disposal shall be created and remain in full force and effect as if the Transferred Area were located within the territorial limits of the entity providing said service.

Section 2.7. Utility Rights of Way.

A. The Township grants the right, power and authority to the City and BWL, a municipal utility, its successors and assigns (collectively the "City") to construct, set, lay, operate, repair, maintain and use electric lines, consisting of poles, wires, cables, pipes, conduits, masts, towers, cross arms, guys, braces, feeders, transmission wires, transformers, and other electrical appliances, on, along, over, under, through and across the highways, streets, alleys, bridges, and other public places, for the sole purpose of providing electric utility service to the Transferred Area.

B. All utility infrastructure erected by the City within the Township shall be located so as not to cause unnecessary interference with the proper use of streets, alleys, and other public ways and places so as not to cause unnecessary interference with the rights or reasonable convenience of property owners who adjoin any streets, alleys or other public ways and places.

C. All City utility infrastructure to be erected under, at or on street crossings, highway crossings or railroad crossings including State, Turner and DeWitt Roads, shall be in full compliance as to construction as required by the laws of the State of Michigan and subject to the policies, procedures, rules and regulations of the Township and Clinton County.

D. The City shall at all times, to the extent allowed by law, keep and save the Township harmless and free from all costs, loss and damage to which the Township may be put by reason of the negligent construction and maintenance of City infrastructure, the erection and maintenance of which is hereby authorized. Provided, however, that this indemnification shall

not in any manner abrogate or diminish the defense of sovereign immunity or governmental immunity of the parties to others.

E. The Township shall at all times, to the extent allowed by law, keep and save the City harmless and free from all costs, loss and damage to which the City may be put by reason of the negligent construction and maintenance of Township infrastructure, the erection and maintenance of which is hereby authorized. Provided, however, that this indemnification shall not in any manner abrogate or diminish the defense of sovereign immunity or governmental immunity of the parties to others.

Section 2.8 Voting.

Any qualified electors residing within the Transferred Area shall for voting purposes be considered to be qualified electors of the City entitled to vote in all City, State and Federal matters.

ARTICLE III

TAXES AND OTHER REVENUE

Section 3.1 Revenue Sharing and Taxing Collection.

During each year commencing with the year following the year in which this Agreement is adopted, and each year thereafter for the remaining term of this Agreement, the City shall remit from taxes collected to the Township:

A. For operating and special voted millage, fifty percent (50%) of all ad valorem property tax revenue collected on the taxable value of all real and taxable personal property within the Transferred Area, including all interest and penalties. The City shall retain one hundred percent (100%) of any debt millage.

B. Fifty percent (50%) of the City's industrial facilities tax revenue collected on all property within the Transferred Area, if any.

C. Fifty percent (50%) of all income tax revenue received by the City from within the Transferred Area.

D. Fifty percent (50%) of all other revenues or fees levied by the City excepting: fees and charges for utilities as provided in Section 2.5, fire and ambulance fees, and City infrastructure improvements as provided in Section 2.7.

E. Tax and collection administration fees shall be retained by the City of Lansing.

F. In the event there is a reduction of tax liability paid in previous years which is the result of an appeal to either the Michigan Tax Tribunal, the Michigan State Tax Commission, or any other body, the Township and City shall remit any sums paid to each under Section 3.1.A as adjudicated.

G. The Township shall remain responsible for all pending Michigan Tax Tribunal appeals at the time of this Agreement.

H. The Parties acknowledge and agree that City may grant tax incentives and/or the use of tax increment revenue to reimburse eligible brownfield costs for the benefit of the Company per a brownfield plan amended to include the Transferred Area pursuant to 1996 P.A. 381 (Brownfield) and/or 1974 P.A. 198 resulting in reduced tax revenue from Company to the Parties.

Section 3.2 Changes in Tax Structure.

A. Should any real or personal property taxes be reduced, limited or eliminated by the legislature with respect to any real or personal property or class of property subject to the tax sharing formula provided in this section, then any substitute tax, source of revenue, fee or payment in lieu of taxes which the legislature may provide or authorize the City to collect in lieu of said taxes shall likewise be allocated and remitted to the Township in an amount of 50% of collected revenues.

B. Except for reductions due to the application of 1996 P.A. 381 (Brownfield) and/or 1974 P.A. 198, during the term of the Agreement if any tax incentive and/or abatement results in a net reduction in existing revenue to the Township, the Township Board must agree in writing with the reduction in tax revenue or be made whole by the City of Lansing.

Section 3.3 Funds Related to Public Roads and Rights-of-Way.

The City shall be entitled to apply for, receive and retain all funds related to public roads and rights-of-way under its jurisdiction in the Transferred Area, except DeWitt, State, and Turner Road. These roads shall remain under the jurisdiction of the Clinton County Road Commission.

Section 3.4 Remittance of Taxes and Other Revenue.

The City shall remit to the Township, within sixty (60) days of the City's receipt of any taxes, substitute taxes, fees and other revenue (collectively, the "Tax and Other Revenue"), the Township's share of the Tax and Other Revenue.

Section 3.5 Audit Rights.

When remitting the Tax and Other Revenue to the Township, the City shall provide to the Township a detailed summary accounting of the Tax and Other Revenue. The Township shall be entitled, upon reasonable notice to the City, to inspect, examine and make copies of the City's books, documents and records of the Taxes and Other Revenue. The inspection shall occur at the City's offices. Any inspection, examination, or copying of the City's books, documents and records shall occur within three (3) years of the Township's receipt of the Taxes and Other Revenues.

ARTICLE IV

TERM, TERMINATION AND POST-TERMINATION JURISDICTION

4.1 Term of Agreement.

A. Initial Term. The initial term of this Agreement shall commence on the date set forth in Section 6.11 below, and shall terminate on December 31 of the fiftieth (50th) full calendar year following the effective date, unless renewed as provided herein.

B. Renewal. Pursuant to Section 2(2) of Act 425, MCL 124.22(2), the legislative bodies of the Township and City herewith agree to the renewal of this Agreement upon the same terms for an additional fifty (50) years (provided that the Agreement does not otherwise terminate prior to the expiration of its initial term) pursuant to Section 4.2, Subsections B through H below.

4.2 Termination, Rescission and Reversion of Property to the Township.

This Agreement may be terminated by either Party upon sixty (60) days written notice to the other Party:

A. By expiration of the term of this Agreement;

B. By mutual written agreement of the Parties;

C. By a referendum of the residents of the Township or the City initiated not more than forty-five (45) days after the approval of the Agreement by the governing body of the respective local governing unit;

D. By operation of law in the event a court of competent jurisdiction shall order the termination of this Agreement;

E. Material Breach of this Agreement by the City or Township. In the event such a breach occurs, the non-breaching Party shall inform the breaching Party in specific detail of the breach in writing and the steps that need to be taken to cure the breach. The breaching Party shall have one hundred eighty (180) days in which to cure the breach (the "Cure Period"). In the event the breach is not cured before expiration of the Cure Period, the non-breaching Party may seek an order terminating the Agreement from a court of competent jurisdiction.

F. Failure of the Parties to execute a Tri-Party Development Agreement with Company within one hundred eighty (180) days from the effective date of this Agreement.

4.3 Effect of Expiration, Termination or Non-renewal.

A. Jurisdiction. In the event of the termination of this Agreement upon expiration of its initial term without renewal thereof by the Township, the Transferred Area shall automatically, unconditionally and for all purposes be within the sole, complete and permanent jurisdiction of the City or its successor. Upon the termination of this Agreement upon the expiration of its renewal period, the Transferred Area will automatically, unconditionally and for all purposes be within the sole, complete and permanent jurisdiction of the City or its successor. Upon the occurrence of subsections B through E of subsection 4.2 above, the Transferred Area will become automatically, unconditionally and for all purposes returned to the sole, complete and permanent jurisdiction of the Township or its successor.

B. Rights After Expiration, Termination or Non-Renewal, Electrical or Other Utility Service. Regardless of the method of expiration, termination or non-renewal under this Agreement, nothing herein shall be construed as transferring ownership of the BWL electric system or any other City-owned utilities from ownership of the City or, in the event the Township is providing sanitary sewer service within the Transferred Area, nothing herein shall be construed as transferring ownership of the Township-owned sanitary sewer system from the ownership of the Township.

C. Continuation of Utilities After Expiration, Termination or Non-Renewal. After termination, expiration or non-renewal of this Agreement, Lansing may continue to provide electric services to property owners within the Township as may be permitted by law, at the rates as established by its BWL. As to other utility services, the entity providing utility service to the property within the Transferred Area, as may be permitted by law, may continue to provide such service at customer rates and fees charged to others within the party providing the service.

D. Special Assessment Collection and Payment. In the event the Transferred Property reverts to the Township upon termination, the Township shall remain obligated to collect any outstanding City special assessments and remit all proceeds to the City.

Section 4.4 Prohibition of Annexation.

While this Agreement is in effect, no other method of annexation or transfer shall take place as to any portion of the Transferred Area and the City shall take action to prevent and actively oppose annexation, transfer or detachment of any property located in the Township.

ARTICLE V

ENFORCEMENT

Section 5.1 Enforcement, Extension of Dates.

In the event of a dispute between the Parties arising under this Agreement, this Agreement may be enforced by either Party in an action commenced in the Circuit Court for the County of Clinton. The parties reserve the right to extend any date or deadline included in this Agreement, except the termination date. This right of extension shall also be available to the Parties if the Agreement, or any part thereof, is enjoined or stayed by a court of competent jurisdiction.

ARTICLE VI

MISCELLANEOUS

Section 6.1 Amendment.

This Agreement may not be amended without the prior written approval of both the Township Board and the City Council. No third party shall have any vested rights by virtue of this Agreement.

Section 6.2 Notices.

Any notice, demand or communication required, permitted or desired to be given under this Agreement shall be deemed effectively given when personally delivered or mailed by first class or certified mail addressed as follows:

If to the Township: DeWitt Charter Township Clerk
1401 W. Herbison Road
DeWitt, Michigan 48820

DeWitt Charter Township Manager

1401 W. Herbison Road
DeWitt, Michigan 48820

DeWitt Charter Township Supervisor
1401 W. Herbison Road
DeWitt, Michigan 48820

If to the City:

City of Lansing Clerk
124 W. Michigan Avenue
Lansing, Michigan 48933

City of Lansing Attorney
124 W. Michigan Avenue
Lansing, Michigan 48933

The Parties may, by written notice, designate any further or different address to which subsequent notices, demands or communications may be given.

Section 6.3 Governing Law.

This Agreement has been executed and delivered and it shall be interpreted, construed and enforced pursuant to and in accordance with the laws of the State of Michigan. All duties and obligations of the Parties created under this Agreement shall be considered as being performed in Clinton County, Michigan. The Parties agree that this Agreement was mutually drafted and cannot be construed against either the City or the Township upon the basis that one was the scrivener of this Agreement.

Section 6.4 Binding Effect.

This Agreement shall be binding upon the Parties hereto, their successors and assigns. This Agreement is executed by the City for and on its own behalf and on behalf of its BWL and shall be binding upon BWL and its officers and employees.

Section 6.5 Assignment.

No assignment of this Agreement or any of the rights and obligations thereunder shall be valid without the specific written consent of both Parties hereto.

Section 6.6 Severability.

In the event any provision of this Agreement is held to be unenforceable or any portion of the Transferred Area is held to be invalidly transferred for any reason, the unenforceability or

invalidity thereof shall not affect the remainder of this Agreement which shall remain in full force and effect and enforceable in accordance with its terms; except, in the event this Agreement is held to be void in its entirety, the Transferred Area shall return to the Township's complete jurisdiction, except for the City's jurisdiction over the electric systems within the area. If, because of the invalidity of any part of this Agreement or Agreements referenced herein, either Party determines that the material purpose and intent of the Agreement has failed, the parties shall renegotiate in good faith to amend the Agreement to make it valid and satisfactory to both parties.

Section 6.7 Articles and Other Headings.

The articles and other headings contained in this Agreement are for reference purposes only and shall not affect in any way the meaning or interpretation of this Agreement.

Section 6.8 Counterparts.

This Agreement may be executed in any number of counterparts and each such counterpart shall be considered a valid original.

Section 6.9 Entire Agreement.

This Agreement supersedes all previous and contemporaneous contracts and constitutes the entire agreement between the Parties. Neither Party shall be entitled to benefits other than those specified in this Agreement. No oral statements or prior or contemporaneous written material not specifically incorporated or reference herein shall be of any force and effect, and both Parties specifically acknowledge in entering into and executing this Agreement they rely solely upon the representations and agreements contained in this Agreement, and in the other contracts specified herein.

Section 6.10 Allocation of Cost of Litigation.

In the event a lawsuit or action is filed challenging this Agreement, the City and Township shall each bear its own costs of such suit or proceedings, including attorney fees. If, after conclusion of the lower court proceedings, one of the Parties desires to further proceed on appeal, and the other Party declines, the party desiring to proceed shall bear all remaining costs. Settlement of any dispute filed concerning this Agreement shall be approved by both the Lansing City Council and the DeWitt Charter Township Board.

Section 6.11 Filing and Effective Date.

In accordance with Act 425, following the execution of this Agreement by the Township and the City, duplicate originals of the Agreement shall be filed with the Clerk of Ingham

County and with the Michigan Secretary of State. This Agreement, certified by the County Clerk or Secretary of State, shall be *prima facie* evidence of the conditional transfer of the Transferred Area. This Agreement shall be effective on the date it is filed with the Ingham County Clerk and Secretary of State.

IN WITNESS WHEREOF, the Parties hereto have executed this Agreement on the date above first written by authority of the respective City Council and Township Board.

DeWITT CHARTER TOWNSHIP, a Michigan charter township

By: _____
_____**, Supervisor**

And: _____
_____**, Clerk**

CITY OF LANSING, a Michigan municipal corporation

By: _____

And: _____

APPROVED AS TO FORM:

DeWITT CHARTER TOWNSHIP ATTORNEY:

By: _____

AND:

LANSING CITY ATTORNEY:

By: _____

April 6, 2021
Draft 8

EXHIBIT A

LEGAL DESCRIPTION OF TRANSFERRED AREA

COMBINED PARCEL DESCRIPTION:
A PARCEL OF LAND IN THE SOUTHEAST 1/4 OF SECTION 32, T.5 N.-R.2 W., TOWNSHIP OF DEWITT, CLINTON COUNTY, MICHIGAN DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTH 1/4 CORNER OF SAID SECTION 32; THENCE N.02°03'32"E., ON THE NORTH & SOUTH 1/4 LINE OF SAID SECTION, 1062.07 FEET TO THE SOUTH LINE AS DESCRIBED IN A 'COVENANT DEED' RECORDED AS DOCUMENT #5135201 OF CLINTON COUNTY RECORDS; THENCE ON SAID SOUTH LINE THE FOLLOWING FOUR (4) COURSES: (1) 198.27 FEET ON THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 595.55 FEET, AND A LONG CHORD WHICH BEARS N.68°18'12"E., 197.35 FEET TO A POINT OF TANGENCY; (2) THENCE N.58°46'04"E., 33.49 FEET TO A POINT OF CURVATURE; (3) THENCE 272.62 FEET ON THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 495.55 FEET, AND A LONG CHORD WHICH BEARS N.74°31'41"E., 269.20 FEET TO A POINT OF TANGENCY; (4) THENCE S.89°42'42"E, ON A LINE PARALLEL WITH AND 99.50 FEET SOUTH OF THE EAST & WEST 1/8 LINE OF SAID SECTION, 572.09 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF DEWITT ROAD (BEING 66' WIDE AND ABANDONED BY RESOLUTION RECORDED AS DOCUMENT #5138451 OF CLINTON COUNTY RECORDS); THENCE ON SAID WESTERLY RIGHT-OF-WAY LINE OF ABANDONED DEWITT ROAD THE FOLLOWING THREE (3) COURSES: (1) S.27°13'28"E., 335.08 FEET TO A POINT OF CURVATURE; (2) THENCE 340.76 FEET ON THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 734.32 FEET, AND A LONG CHORD WHICH BEARS S.13°55'49"E., 337.71 FEET TO A POINT OF TANGENCY; (3) THENCE S.00°38'10"E, 44.89 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF DEWITT ROAD; THENCE CONTINUING S.00°38'10"E., ON SAID WESTERLY RIGHT-OF-WAY LINE, 534.20 FEET; THENCE N.89°43'51"W., PARALLEL WITH THE SOUTH LINE OF SAID SECTION, 646.75 FEET; THENCE S.00°09'58"W., 22.57 FEET TO SAID SOUTH SECTION LINE; THENCE N.89°43'51"W., ON SAID SOUTH SECTION LINE, 632.45 FEET TO THE NORTH 1/4 CORNER OF SECTION 5, T.4 N.-R.2 W.; THENCE CONTINUING N.89°43'51"W., ON SAID SOUTH SECTION LINE, 6.40 FEET TO THE POINT OF BEGINNING; CONTAINING 33.67 ACRES OF LAND AND SUBJECT TO ANY EASEMENTS OF RECORD.

EXHIBIT B

DEPICTION OF TRANSFERRED AREA

EXHIBIT B

Draft 2
April 5, 2021

RESOLUTION #_____

BY THE COMMITTEE _____

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the City of Lansing (City) and the Charter Township of DeWitt (Township) are "local units" as defined by Public Act 425 of 1984, as amended, (Act 425), (MCL 124.21 et seq); and

WHEREAS, Act 425 enables two local units of government to conditionally transfer property by written agreement for the purpose of economic development projects; and

WHEREAS, the City and Township propose that certain property be conditionally transferred from the Township to the City pursuant to Act 425; and

WHEREAS, a proposed Agreement provides, among other things, for the conditional transfer of property in the Township to the City, the providing of governmental utilities and services, zoning, taxation, revenue sharing, charging for services and ordinance application and enforcement, and mutually benefits the City and Township; and

WHEREAS, a proposed draft of the Agreement was placed on file with the City Clerk on _____, 2021 and

WHEREAS, the City held a public hearing on _____, 20__ at the regularly scheduled Council meeting regarding the proposed Agreement, preceded by notice in accordance with the requirements of Michigan's Open Meetings Act; and

WHEREAS, the proposed Agreement has been presented to Council for review and approval;

NOW, THEREFORE, BE IT RESOLVED the City finds that the conditional transfer of property from the Township to the City pursuant to the Agreement on file with the City Clerk will provide for the division of municipal powers, functions and responsibilities to allow for the joint administration of the transferred area and will assist economic development and be beneficial to the residents of the City and the Township, and will work to prevent conditions of unemployment.

BE IT FURTHER RESOLVED, pursuant to and in compliance with Act 425, the Mayor is hereby authorized to execute the Agreement for Conditional Transfer of Property Pursuant to 1984 PA 425, subject to the City Attorney's prior approval and correction of non-material technical modifications, as necessary, for the property more particularly described as:

COMBINED PARCEL DESCRIPTION:
A PARCEL OF LAND IN THE SOUTHEAST 1/4 OF SECTION 32, T.5 N.-R.2 W., TOWNSHIP OF DEWITT, CLINTON COUNTY, MICHIGAN DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTH 1/4 CORNER OF SAID SECTION 32; THENCE N.02°03'32"E., ON THE NORTH & SOUTH 1/4 LINE OF SAID SECTION, 1062.07 FEET TO THE SOUTH LINE AS DESCRIBED IN A 'COVENANT DEED' RECORDED AS DOCUMENT #5135201 OF CLINTON COUNTY RECORDS; THENCE ON SAID SOUTH LINE THE FOLLOWING FOUR (4) COURSES: (1) 198.27 FEET ON THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 595.55 FEET, AND A LONG CHORD WHICH BEARS N.68°18'12"E., 197.35 FEET TO A POINT OF TANGENCY; (2) THENCE N.58°46'04"E., 33.49 FEET TO A POINT OF CURVATURE; (3) THENCE 272.62 FEET ON THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 495.55 FEET, AND A LONG CHORD WHICH BEARS N.74°31'41"E., 269.20 FEET TO A POINT OF TANGENCY; (4) THENCE S.89°42'42"E, ON A LINE PARALLEL WITH AND 99.50 FEET SOUTH OF THE EAST & WEST 1/8 LINE OF SAID SECTION, 572.09 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF DEWITT ROAD (BEING 66' WIDE AND ABANDONED BY RESOLUTION RECORDED AS DOCUMENT #5138451 OF CLINTON COUNTY RECORDS); THENCE ON SAID WESTERLY RIGHT-OF-WAY LINE OF ABANDONED DEWITT ROAD THE FOLLOWING THREE (3) COURSES: (1) S.27°13'28"E., 335.08 FEET TO A POINT OF CURVATURE; (2) THENCE 340.76 FEET ON THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 734.32 FEET, AND A LONG CHORD WHICH BEARS S.13°55'49"E., 337.71 FEET TO A POINT OF TANGENCY; (3) THENCE S.00°38'10"E, 44.89 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF DEWITT ROAD; THENCE CONTINUING S.00°38'10"E., ON SAID WESTERLY RIGHT-OF-WAY LINE, 534.20 FEET; THENCE N.89°43'51"W., PARALLEL WITH THE SOUTH LINE OF SAID SECTION, 646.75 FEET; THENCE S.00°09'58"W., 22.57 FEET TO SAID SOUTH SECTION LINE; THENCE N.89°43'51"W., ON SAID SOUTH SECTION LINE, 632.45 FEET TO THE NORTH 1/4 CORNER OF SECTION 5, T.4 N.-R.2 W.; THENCE CONTINUING N.89°43'51"W., ON SAID SOUTH SECTION LINE, 6.40 FEET TO THE POINT OF BEGINNING; CONTAINING 33.67 ACRES OF LAND AND SUBJECT TO ANY EASEMENTS OF RECORD.

BE IT FINALLY RESOLVED after the Agreement is executed, the City Clerk will file a duplicate original of the Agreement with the County Clerk of the County of Ingham and with the Secretary of State of the State of Michigan in the office of the Great Seal.

Approved for placement on the City Council agenda:

_____

James D. Smiertka, City Attorney

Dated: _____

April 6, 2021
Draft 8

AGREEMENT FOR CONDITIONAL TRANSFER OF PROPERTY
PURSUANT TO 1984 PA. 425
BY AND BETWEEN THE TOWNSHIP OF DeWITT AND THE CITY OF LANSING

This Agreement ("Agreement") made this _____ day of _____, 2021, between the **CHARTER TOWNSHIP OF DeWITT** (the "Township"), a Michigan charter township organized and operating under the Charter Township Act, MCL 42.1, et seq., as amended, and the **CITY OF LANSING** (the "City"), a Michigan municipal corporation (individually, a "Party" and collectively, the "Parties").

WHEREAS, Township and City seek a regional partnership that will retain and attract businesses and jobs related to, and encourage, economic growth in the City and Township; and

WHEREAS, The City and Township find that the conditional transfer of the Transferred Area (defined herein) from the Township to the City pursuant to this Agreement and law will assist economic development and benefit the residents of the City and Township, including revenue that will support economic development; and

WHEREAS, this is an Agreement economically beneficial to the entire Mid-Michigan region; and

WHEREAS, the Township and the City are municipal corporations organized and existing pursuant to the laws of this State and are "local units" within the meaning of PA 1984 No. 425 (MCL 124.21 et seq.) "Act 425"; and

WHEREAS, Act 425 enables such local units, by written contract, to conditionally transfer property and jurisdiction pertaining to such property for the purpose of an economic development project or projects and to secure various public improvements and infrastructure necessary to develop the conditionally transferred property; and, in addition, the Township and City have agreed upon certain factors prior to entering into this written Agreement conditionally transferring the property, and, pursuant to Act 425, the Township, before signing this Agreement, held a public hearing on the _____ day of _____, 2021, regarding this conditional transfer agreement, and the City of Lansing held a public hearing on the _____ day of _____, 20__ regarding this same Agreement, both preceded by Notice in accordance with the requirements of the Michigan Open Meetings Act;

WHEREAS, the Township and City further find that the conditional transfer of property from the Township to the City pursuant to this Agreement will provide for certain municipal services to the Transferred Area, will assist economic development and be beneficial to the residents of the Township and City, and will work to prevent conditions of unemployment;

WHEREAS, this Agreement is meant to strengthen a mutual relationship between Township and City.

NOW THEREFORE, and pursuant to Act 425 of 1984, the Parties agree as follows:

ARTICLE I

DEFINITIONS AND REPRESENTATIONS

Section 1.1 Definitions.

A. "Agreement" means this Agreement for Conditional Transfer of Property;
B. "Transferred Area" means that portion of the Township legally described in Exhibit A and depicted in Exhibit B;
C. "BWL" shall mean the Lansing Board of Water and Light, a City-owned municipal utility supplier:
D. "Electric Service" means electric generation, transmission and distribution or any part thereof.
E. "Company" means Emergent BioSolutions or any successor entity.
F. "Tri-Party Development Agreement" means an agreement between the Parties and the Company which includes, *inter alia*, procedures and responsibilities relating to tax incentives and/or reimbursement of eligible brownfield costs.

Section 1.2 Representations.

The Township and the City represent that before entering into this Agreement the following factors were considered:

A. Composition of the population; population density; land areas and land uses; assessed valuation; topography, natural boundaries and drainage basins; and past and probable future growth, including population increase and business and commercial development in the area, and the comparative data for the Township and the portion of the Township remaining after the transfer of the Transferred Area.

B. The need for organized community services; the present costs and adequacy of governmental services in the Transferred Area; the practicality of supplying such services to the Transferred Area; the probable effect of the transfer and of the alternative courses of action on the costs and adequacy of services in the Transferred Area and on the remaining portion of the Township; the probable change in taxes and tax rate in the Transferred Area in relation to the benefits expected to accrue from such transfer; and the financial ability of the Township and the City by itself

and through its BWL to provide and maintain municipal and governmental services in the Transferred Area.

C. The general effect upon the Parties of the transfer, and the relationship of the transfer to applicable land use plans.

ARTICLE II

AREA AND JURISDICTION TRANSFERRED

Section 2.1 Transfer of Property.

The Transferred Area consists of approximately ___ (___) acres and shall be conditionally transferred from the jurisdiction of the Township to the jurisdiction of the City for the purposes specified in this Agreement.

Section 2.2 Jurisdiction – Governmental Services.

A. Water Distribution and Electric Service within the Transferred Area.

Public water distribution and electric service for the Transferred Area shall be provided by the City, subject to state law regarding any existing electrical franchises pertaining to existing electrical services. The Township consents to the use of public roads, rights-of-way and easements throughout the Township for purposes of extension of water and electric distribution systems to the Transferred Area. The Township agrees to support acquisition and/or permitting that may be needed to effectuate this provision. The Transferred Area shall be considered as being within the corporate limits and jurisdiction of the City for the purpose of constructing service lines and laterals on public property for connection with the City's water distribution system and electric service, respectively, and the conduct of a water and electric service utility business therein.

B. Sanitary Sewer Service (Subject to Public Service review)

1. It is understood that the properties and or facilities currently being served by a public sanitary sewer system shall continue to be served by that sewer system, with all rights under said system.

2. Sanitary Sewer Service Zone-_____ (Defined on Attachment-A): The City shall have exclusive jurisdiction over the sanitary sewer system within Zone-_____of the Transferred Area.

If, as determined by the Lansing City Engineer, the City is unable to serve any portion of Zone-_____, the City agrees to allow the owner of that portion to seek an alternative sanitary sewer service provider.

3. Sanitary Sewer Service Area-_____(Defined on Attachment-A): Requests for the extension of public sanitary sewer systems in Zone-_____ shall be submitted to both the City and Township to determine their respective abilities to serve.

   The agency to which service is directed to will be based upon: system capacity, construction cost, annual operation and maintenance costs, and replacement costs.

   a. Disputes regarding sewer service jurisdiction shall be resolved by:

      i. The recommendation of an independent engineering study commissioned by both Parties. The study shall include but is not limited to: system capacity, construction costs, annual operation and maintenance costs, and replacement costs.

4. All lands within the Transferred Area shall abide by the sanitary sewer ordinances, regulations, standards, and laws of the municipality providing sanitary sewer service.

5. Design of any public sanitary sewer system shall be in accordance with the requirements of the municipality which is to take ownership of said system, as well as the requirements of the State of Michigan.

   The construction of a public sanitary sewer system may be accomplished through a "Letter of Intent , "Petition", or other public infrastructure funding mechanisms, allowed under municipal ordinances.

6. Private sanitary sewer connections to the public sanitary sewer systems shall be done in accordance with this agreement and the ordinances and laws of the municipality providing sanitary sewer service.

7. Approval and permitting of private plumbing systems in accordance with Section 2.2 (D)

C. Police and Fire Services.

In the Transferred Area, fire, emergency medical services, and police protection shall be provided by and under the jurisdiction of the City. 911 services shall be provided by Clinton County. Nothing in this Agreement shall be construed to modify or terminate the provisions of any fire or law enforcement mutual aid agreements or other agreements to which the City or Township is a party.

D. Administrative Code Enforcement.

Within the Transferred Area land state construction code (including issuance of building and other permits), electrical, mechanical, plumbing, housing and fire code, international property maintenance code, and rental code administration and enforcement shall be within the jurisdiction of the Township.

E. Storm Water Management.

For the purpose of storm water drainage and regulation the property shall remain as currently managed by Clinton County Drain Commissioner.

Section 2.3 Jurisdiction – Zoning and Land Use.

A. The zoning within the transferred area shall be under the jurisdiction of the City, but the City will maintain the most applicable zoning equivalent to that of the Township as of the effective date of the Agreement. In addition, the City and the Township shall:

1. Agree to discuss and review all changes in the configuration and use of the Transferred Area; and

2. Within six (6) months from the date of this Agreement, said the Parties shall develop a joint basic plan (also known as a comprehensive or master plan). Said plan shall take into consideration and, where possible, incorporate the Township's Comprehensive and South Central Area Plan and portions of the City Comprehensive Plan dealing with the Transferred Area, if any. Furthermore, this plan shall describe development objectives as well as explore funding resources for infrastructure (roads and utilities) necessary for development of vacant Airport property. The cost of comprehensive planning will be borne equally by the Township and City. The cost of such planning shall be equally divided between the Parties to this Agreement. The Parties also agree to review and update the Transferred Area Comprehensive Plan at least every five (5) years hereafter.

B. For purposes of preliminary and final site plan review relating to land uses within the Transferred Area, the Township shall be accorded agency status under the zoning and building codes of the City.

C. The City agrees to notify the Township of any new development or changes in operations that may affect residents living in the Township.

Section 2.4 Jurisdiction – Taxes and Assessments.

A. Real and Personal Property Taxing Jurisdiction.

For purposes of real and personal property assessment, taxation, and the granting of any tax exemptions except as provided in Section 2.6 the Transferred Area shall be considered to be within the City:

1. All real and personal property within the Transferred Area shall be taxed at millage rates levied by the City for City operations and any special voted millage.

B. City Income Tax Jurisdiction.

Effective January 1 in the first year after adoption of this Agreement, and for the remaining term of this Agreement and any extensions thereof, for purposes of City of Lansing income taxes, the 425 Area shall be within the corporate limits and jurisdiction of the City.

C. Special Assessments.

The Transferred Area shall be treated as being within the corporate limits and jurisdiction of the City for purposes of special assessments. In the event that a special assessment is levied in connection with sanitary sewer appurtenances for service to be provided by the Township, the City herewith consents that unpaid special assessments for that purpose shall constitute a lien on the property assessed in favor of the Township.

D. Drain Assessments.

The Transferred Property shall be considered as part of City for County or inter-county drain assessments or costs. All drain assessments will continue to be administered under the same procedures that are in place at the time of execution of the Agreement. The City agrees that any unpaid assessments levied by the Township for that purpose shall constitute a lien on the property assessed in favor of the Township.

Section 2.5 Jurisdiction – Rates, Connection Fees, and Electrical Service.

A. Utility and Other Services. All rates, charges and fees for solid waste disposal, recycling, electric services, chilled water and steam generation, and any other utility service

provided by the City shall be calculated, levied and collected by the City and BWL in accordance with the then-current rates and ordinances applicable to other property within the corporate limits of the City, and as may be adjusted by the City and BWL pursuant to rate-making authority.

B. Connection Fees. Where required by ordinance or resolution, connection fees and capital charges for water and sanitary sewer connections in the Transferred Area shall be at the rates normally charged by the municipality which is providing said service, and shall belong to that entity.

Section 2.6 Liens for Utility Service.

Liens for electric and water service made against real property in the Transferred Area shall be created and remain in full force and effect as if the Transferred Area were within the corporate limits of the City, and liens for sanitary sewage disposal shall be created and remain in full force and effect as if the Transferred Area were located within the territorial limits of the entity providing said service.

Section 2.7. Utility Rights of Way.

A. The Township grants the right, power and authority to the City and BWL, a municipal utility, its successors and assigns (collectively the "City") to construct, set, lay, operate, repair, maintain and use electric lines, consisting of poles, wires, cables, pipes, conduits, masts, towers, cross arms, guys, braces, feeders, transmission wires, transformers, and other electrical appliances, on, along, over, under, through and across the highways, streets, alleys, bridges, and other public places, for the sole purpose of providing electric utility service to the Transferred Area.

B. All utility infrastructure erected by the City within the Township shall be located so as not to cause unnecessary interference with the proper use of streets, alleys, and other public ways and places so as not to cause unnecessary interference with the rights or reasonable convenience of property owners who adjoin any streets, alleys or other public ways and places.

C. All City utility infrastructure to be erected under, at or on street crossings, highway crossings or railroad crossings including State, Turner and DeWitt Roads, shall be in full compliance as to construction as required by the laws of the State of Michigan and subject to the policies, procedures, rules and regulations of the Township and Clinton County.

D. The City shall at all times, to the extent allowed by law, keep and save the Township harmless and free from all costs, loss and damage to which the Township may be put by reason of the negligent construction and maintenance of City infrastructure, the erection and maintenance of which is hereby authorized. Provided, however, that this indemnification shall

not in any manner abrogate or diminish the defense of sovereign immunity or governmental immunity of the parties to others.

E. The Township shall at all times, to the extent allowed by law, keep and save the City harmless and free from all costs, loss and damage to which the City may be put by reason of the negligent construction and maintenance of Township infrastructure, the erection and maintenance of which is hereby authorized. Provided, however, that this indemnification shall not in any manner abrogate or diminish the defense of sovereign immunity or governmental immunity of the parties to others.

Section 2.8 Voting.

Any qualified electors residing within the Transferred Area shall for voting purposes be considered to be qualified electors of the City entitled to vote in all City, State and Federal matters.

ARTICLE III

TAXES AND OTHER REVENUE

Section 3.1 Revenue Sharing and Taxing Collection.

During each year commencing with the year following the year in which this Agreement is adopted, and each year thereafter for the remaining term of this Agreement, the City shall remit from taxes collected to the Township:

A. For operating and special voted millage, fifty percent (50%) of all ad valorem property tax revenue collected on the taxable value of all real and taxable personal property within the Transferred Area, including all interest and penalties. The City shall retain one hundred percent (100%) of any debt millage.

B. Fifty percent (50%) of the City's industrial facilities tax revenue collected on all property within the Transferred Area, if any.

C. Fifty percent (50%) of all income tax revenue received by the City from within the Transferred Area.

D. Fifty percent (50%) of all other revenues or fees levied by the City excepting: fees and charges for utilities as provided in Section 2.5, fire and ambulance fees, and City infrastructure improvements as provided in Section 2.7.

E. Tax and collection administration fees shall be retained by the City of Lansing.

F. In the event there is a reduction of tax liability paid in previous years which is the result of an appeal to either the Michigan Tax Tribunal, the Michigan State Tax Commission, or any other body, the Township and City shall remit any sums paid to each under Section 3.1.A as adjudicated.

G. The Township shall remain responsible for all pending Michigan Tax Tribunal appeals at the time of this Agreement.

H. The Parties acknowledge and agree that City may grant tax incentives and/or the use of tax increment revenue to reimburse eligible brownfield costs for the benefit of the Company per a brownfield plan amended to include the Transferred Area pursuant to 1996 P.A. 381 (Brownfield) and/or 1974 P.A. 198 resulting in reduced tax revenue from Company to the Parties.

Section 3.2 Changes in Tax Structure.

A. Should any real or personal property taxes be reduced, limited or eliminated by the legislature with respect to any real or personal property or class of property subject to the tax sharing formula provided in this section, then any substitute tax, source of revenue, fee or payment in lieu of taxes which the legislature may provide or authorize the City to collect in lieu of said taxes shall likewise be allocated and remitted to the Township in an amount of 50% of collected revenues.

B. Except for reductions due to the application of 1996 P.A. 381 (Brownfield) and/or 1974 P.A. 198, during the term of the Agreement if any tax incentive and/or abatement results in a net reduction in existing revenue to the Township, the Township Board must agree in writing with the reduction in tax revenue or be made whole by the City of Lansing.

Section 3.3 Funds Related to Public Roads and Rights-of-Way.

The City shall be entitled to apply for, receive and retain all funds related to public roads and rights-of-way under its jurisdiction in the Transferred Area, except DeWitt, State, and Turner Road. These roads shall remain under the jurisdiction of the Clinton County Road Commission.

Section 3.4 Remittance of Taxes and Other Revenue.

The City shall remit to the Township, within sixty (60) days of the City's receipt of any taxes, substitute taxes, fees and other revenue (collectively, the "Tax and Other Revenue"), the Township's share of the Tax and Other Revenue.

Section 3.5 Audit Rights.

When remitting the Tax and Other Revenue to the Township, the City shall provide to the Township a detailed summary accounting of the Tax and Other Revenue. The Township shall be entitled, upon reasonable notice to the City, to inspect, examine and make copies of the City's books, documents and records of the Taxes and Other Revenue. The inspection shall occur at the City's offices. Any inspection, examination, or copying of the City's books, documents and records shall occur within three (3) years of the Township's receipt of the Taxes and Other Revenues.

ARTICLE IV

TERM, TERMINATION AND POST-TERMINATION JURISDICTION

4.1 Term of Agreement.

A. Initial Term. The initial term of this Agreement shall commence on the date set forth in Section 6.11 below, and shall terminate on December 31 of the fiftieth (50th) full calendar year following the effective date, unless renewed as provided herein.

B. Renewal. Pursuant to Section 2(2) of Act 425, MCL 124.22(2), the legislative bodies of the Township and City herewith agree to the renewal of this Agreement upon the same terms for an additional fifty (50) years (provided that the Agreement does not otherwise terminate prior to the expiration of its initial term) pursuant to Section 4.2, Subsections B through H below.

4.2 Termination, Rescission and Reversion of Property to the Township.

This Agreement may be terminated by either Party upon sixty (60) days written notice to the other Party:

A. By expiration of the term of this Agreement;

B. By mutual written agreement of the Parties;

C. By a referendum of the residents of the Township or the City initiated not more than forty-five (45) days after the approval of the Agreement by the governing body of the respective local governing unit;

D. By operation of law in the event a court of competent jurisdiction shall order the termination of this Agreement;

E. Material Breach of this Agreement by the City or Township. In the event such a breach occurs, the non-breaching Party shall inform the breaching Party in specific detail of the breach in writing and the steps that need to be taken to cure the breach. The breaching Party shall have one hundred eighty (180) days in which to cure the breach (the "Cure Period"). In the event the breach is not cured before expiration of the Cure Period, the non-breaching Party may seek an order terminating the Agreement from a court of competent jurisdiction.

F. Failure of the Parties to execute a Tri-Party Development Agreement with Company within one hundred eighty (180) days from the effective date of this Agreement.

4.3 Effect of Expiration, Termination or Non-renewal.

A. Jurisdiction. In the event of the termination of this Agreement upon expiration of its initial term without renewal thereof by the Township, the Transferred Area shall automatically, unconditionally and for all purposes be within the sole, complete and permanent jurisdiction of the City or its successor. Upon the termination of this Agreement upon the expiration of its renewal period, the Transferred Area will automatically, unconditionally and for all purposes be within the sole, complete and permanent jurisdiction of the City or its successor. Upon the occurrence of subsections B through E of subsection 4.2 above, the Transferred Area will become automatically, unconditionally and for all purposes returned to the sole, complete and permanent jurisdiction of the Township or its successor.

B. Rights After Expiration, Termination or Non-Renewal, Electrical or Other Utility Service. Regardless of the method of expiration, termination or non-renewal under this Agreement, nothing herein shall be construed as transferring ownership of the BWL electric system or any other City-owned utilities from ownership of the City or, in the event the Township is providing sanitary sewer service within the Transferred Area, nothing herein shall be construed as transferring ownership of the Township-owned sanitary sewer system from the ownership of the Township.

C. Continuation of Utilities After Expiration, Termination or Non-Renewal. After termination, expiration or non-renewal of this Agreement, Lansing may continue to provide electric services to property owners within the Township as may be permitted by law, at the rates as established by its BWL. As to other utility services, the entity providing utility service to the property within the Transferred Area, as may be permitted by law, may continue to provide such service at customer rates and fees charged to others within the party providing the service.

D. Special Assessment Collection and Payment. In the event the Transferred Property reverts to the Township upon termination, the Township shall remain obligated to collect any outstanding City special assessments and remit all proceeds to the City.

Section 4.4 Prohibition of Annexation.

While this Agreement is in effect, no other method of annexation or transfer shall take place as to any portion of the Transferred Area and the City shall take action to prevent and actively oppose annexation, transfer or detachment of any property located in the Township.

ARTICLE V

ENFORCEMENT

Section 5.1 Enforcement, Extension of Dates.

In the event of a dispute between the Parties arising under this Agreement, this Agreement may be enforced by either Party in an action commenced in the Circuit Court for the County of Clinton. The parties reserve the right to extend any date or deadline included in this Agreement, except the termination date. This right of extension shall also be available to the Parties if the Agreement, or any part thereof, is enjoined or stayed by a court of competent jurisdiction.

ARTICLE VI

MISCELLANEOUS

Section 6.1 Amendment.

This Agreement may not be amended without the prior written approval of both the Township Board and the City Council. No third party shall have any vested rights by virtue of this Agreement.

Section 6.2 Notices.

Any notice, demand or communication required, permitted or desired to be given under this Agreement shall be deemed effectively given when personally delivered or mailed by first class or certified mail addressed as follows:

If to the Township: DeWitt Charter Township Clerk
1401 W. Herbison Road
DeWitt, Michigan 48820

DeWitt Charter Township Manager

1401 W. Herbison Road
DeWitt, Michigan 48820

DeWitt Charter Township Supervisor
1401 W. Herbison Road
DeWitt, Michigan 48820

If to the City:

City of Lansing Clerk
124 W. Michigan Avenue
Lansing, Michigan 48933

City of Lansing Attorney
124 W. Michigan Avenue
Lansing, Michigan 48933

The Parties may, by written notice, designate any further or different address to which subsequent notices, demands or communications may be given.

Section 6.3 Governing Law.

This Agreement has been executed and delivered and it shall be interpreted, construed and enforced pursuant to and in accordance with the laws of the State of Michigan. All duties and obligations of the Parties created under this Agreement shall be considered as being performed in Clinton County, Michigan. The Parties agree that this Agreement was mutually drafted and cannot be construed against either the City or the Township upon the basis that one was the scrivener of this Agreement.

Section 6.4 Binding Effect.

This Agreement shall be binding upon the Parties hereto, their successors and assigns. This Agreement is executed by the City for and on its own behalf and on behalf of its BWL and shall be binding upon BWL and its officers and employees.

Section 6.5 Assignment.

No assignment of this Agreement or any of the rights and obligations thereunder shall be valid without the specific written consent of both Parties hereto.

Section 6.6 Severability.

In the event any provision of this Agreement is held to be unenforceable or any portion of the Transferred Area is held to be invalidly transferred for any reason, the unenforceability or

invalidity thereof shall not affect the remainder of this Agreement which shall remain in full force and effect and enforceable in accordance with its terms; except, in the event this Agreement is held to be void in its entirety, the Transferred Area shall return to the Township's complete jurisdiction, except for the City's jurisdiction over the electric systems within the area. If, because of the invalidity of any part of this Agreement or Agreements referenced herein, either Party determines that the material purpose and intent of the Agreement has failed, the parties shall renegotiate in good faith to amend the Agreement to make it valid and satisfactory to both parties.

Section 6.7 Articles and Other Headings.

The articles and other headings contained in this Agreement are for reference purposes only and shall not affect in any way the meaning or interpretation of this Agreement.

Section 6.8 Counterparts.

This Agreement may be executed in any number of counterparts and each such counterpart shall be considered a valid original.

Section 6.9 Entire Agreement.

This Agreement supersedes all previous and contemporaneous contracts and constitutes the entire agreement between the Parties. Neither Party shall be entitled to benefits other than those specified in this Agreement. No oral statements or prior or contemporaneous written material not specifically incorporated or reference herein shall be of any force and effect, and both Parties specifically acknowledge in entering into and executing this Agreement they rely solely upon the representations and agreements contained in this Agreement, and in the other contracts specified herein.

Section 6.10 Allocation of Cost of Litigation.

In the event a lawsuit or action is filed challenging this Agreement, the City and Township shall each bear its own costs of such suit or proceedings, including attorney fees. If, after conclusion of the lower court proceedings, one of the Parties desires to further proceed on appeal, and the other Party declines, the party desiring to proceed shall bear all remaining costs. Settlement of any dispute filed concerning this Agreement shall be approved by both the Lansing City Council and the DeWitt Charter Township Board.

Section 6.11 Filing and Effective Date.

In accordance with Act 425, following the execution of this Agreement by the Township and the City, duplicate originals of the Agreement shall be filed with the Clerk of Ingham

County and with the Michigan Secretary of State. This Agreement, certified by the County Clerk or Secretary of State, shall be *prima facie* evidence of the conditional transfer of the Transferred Area. This Agreement shall be effective on the date it is filed with the Ingham County Clerk and Secretary of State.

IN WITNESS WHEREOF, the Parties hereto have executed this Agreement on the date above first written by authority of the respective City Council and Township Board.

DeWITT CHARTER TOWNSHIP, a Michigan charter township

By: _____
_____**, Supervisor**

And: _____
_____**, Clerk**

CITY OF LANSING, a Michigan municipal corporation

By: _____

And: _____

APPROVED AS TO FORM:

DeWITT CHARTER TOWNSHIP ATTORNEY:

By: _____

AND:

LANSING CITY ATTORNEY:

By: _____

EXHIBIT A

LEGAL DESCRIPTION OF TRANSFERRED AREA

COMBINED PARCEL DESCRIPTION:
A PARCEL OF LAND IN THE SOUTHEAST 1/4 OF SECTION 32, T.5 N.-R.2 W., TOWNSHIP OF DEWITT, CLINTON COUNTY, MICHIGAN DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTH 1/4 CORNER OF SAID SECTION 32; THENCE N.02°03'32"E., ON THE NORTH & SOUTH 1/4 LINE OF SAID SECTION, 1062.07 FEET TO THE SOUTH LINE AS DESCRIBED IN A 'COVENANT DEED' RECORDED AS DOCUMENT #5135201 OF CLINTON COUNTY RECORDS; THENCE ON SAID SOUTH LINE THE FOLLOWING FOUR (4) COURSES: (1) 198.27 FEET ON THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 595.55 FEET, AND A LONG CHORD WHICH BEARS N.68°18'12"E., 197.35 FEET TO A POINT OF TANGENCY; (2) THENCE N.58°46'04"E., 33.49 FEET TO A POINT OF CURVATURE; (3) THENCE 272.62 FEET ON THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 495.55 FEET, AND A LONG CHORD WHICH BEARS N.74°31'41"E., 269.20 FEET TO A POINT OF TANGENCY; (4) THENCE S.89°42'42"E, ON A LINE PARALLEL WITH AND 99.50 FEET SOUTH OF THE EAST & WEST 1/8 LINE OF SAID SECTION, 572.09 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF DEWITT ROAD (BEING 66' WIDE AND ABANDONED BY RESOLUTION RECORDED AS DOCUMENT #5138451 OF CLINTON COUNTY RECORDS); THENCE ON SAID WESTERLY RIGHT-OF-WAY LINE OF ABANDONED DEWITT ROAD THE FOLLOWING THREE (3) COURSES: (1) S.27°13'28"E., 335.08 FEET TO A POINT OF CURVATURE; (2) THENCE 340.76 FEET ON THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 734.32 FEET, AND A LONG CHORD WHICH BEARS S.13°55'49"E., 337.71 FEET TO A POINT OF TANGENCY; (3) THENCE S.00°38'10"E, 44.89 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF DEWITT ROAD; THENCE CONTINUING S.00°38'10"E., ON SAID WESTERLY RIGHT-OF-WAY LINE, 534.20 FEET; THENCE N.89°43'51"W., PARALLEL WITH THE SOUTH LINE OF SAID SECTION, 646.75 FEET; THENCE S.00°09'58"W., 22.57 FEET TO SAID SOUTH SECTION LINE; THENCE N.89°43'51"W., ON SAID SOUTH SECTION LINE, 632.45 FEET TO THE NORTH 1/4 CORNER OF SECTION 5, T.4 N.-R.2 W.; THENCE CONTINUING N.89°43'51"W., ON SAID SOUTH SECTION LINE, 6.40 FEET TO THE POINT OF BEGINNING; CONTAINING 33.67 ACRES OF LAND AND SUBJECT TO ANY EASEMENTS OF RECORD.

EXHIBIT B

DEPICTION OF TRANSFERRED AREA

EXHIBIT B

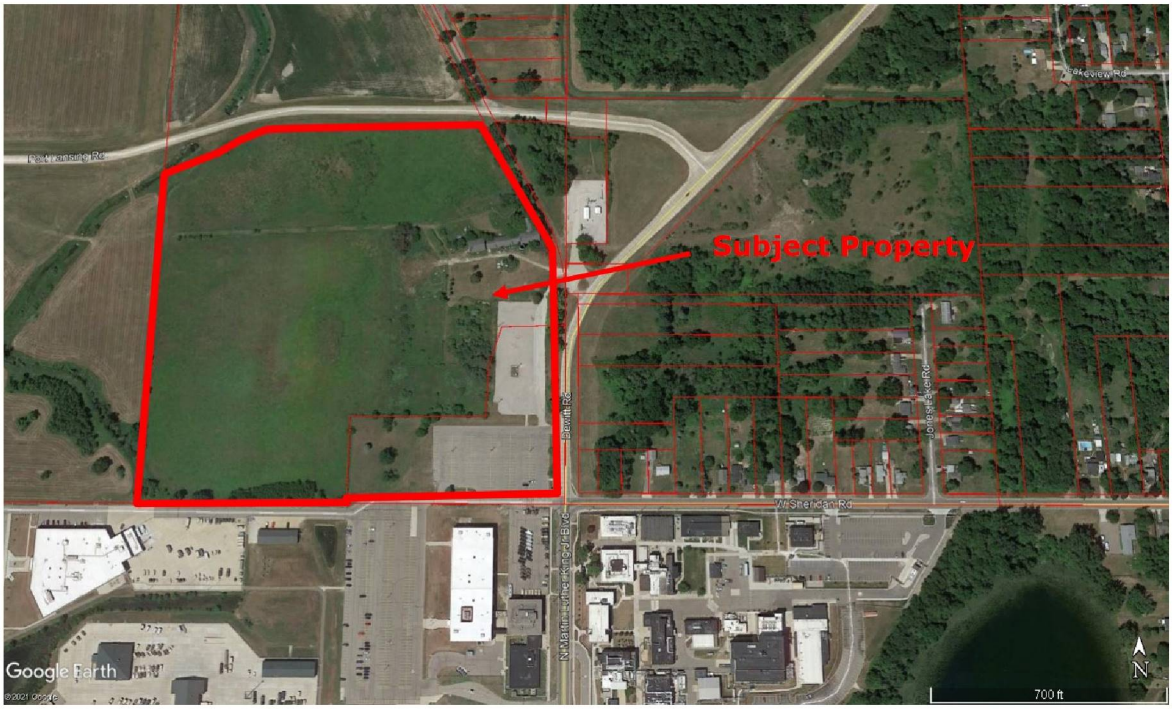
RE: New PA425 Interlocal Agreement between DeWitt Charter Township and the City of Lansing

April 2021

Emergent BioSolutions (Emergent) is considering locations for prospective business expansion, and a specific site (visual reference below) in the Lansing region of Michigan is an attractive option. The proposed Public Act 425 Interlocal Conditional Land Use Transfer Agreement (425 Agreement) between DeWitt Charter Township (Township) and the City of Lansing (City) is an important step to enable infrastructure support and financing tools to make any future project assessment feasible and an attractive option to choose the Lansing, Michigan location over out-of-state options.

In terms of geographic scope, the 425 Agreement covers a single land parcel of approximately 34 acres, west of Dewitt Rd and south of Port Lansing Rd, which Emergent currently owns. To the north and west of the proposed new 425 Agreement is property already under an existing 425 Agreement between Township and City as part of the Port Lansing Next Michigan Development Corporation (NMDC), and this proposed 425 Agreement's terms match those of the existing Port Lansing NMDC 425 Agreement.

Earlier this year, the company submitted a preliminary site plan to DeWitt Township for Site Plan Review to determine feasibility of constructing a 180,000 square foot industrial building. Additional details would be provided by Emergent and LEAP if prospective project plans are finalized, and decision made to move forward. The proposed 425 Agreement acts as a foundational and enabling framework only for Emergent to assess future growth opportunities. Emergent would need to return to Lansing City Council for consideration of Brownfield Tax Increment Financing (TIF) Plan (Brownfield Plan) via Public Act 381 (PA381) and an Industrial Facilities Tax Abatement (IFT Abatement) through Public Act 198 (PA198) for a potential project. If a project does not materialize on this site in the coming years for any reason, the 425 Agreement will be nullified, and the property revert fully to DeWitt Township's jurisdiction.



RESOLUTION #_____
BY THE COMMITTEE _____
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the City of Lansing (City) and the Charter Township of DeWitt (Township) are "local units" as defined by Public Act 425 of 1984, as amended (Act 425), (MCL 124.21 et seq.); and

WHEREAS, Act 425 enables two local units of government to conditionally transfer property by written agreement for the purpose of economic development projects; and

WHEREAS, on November 28, 2011, the City and Township conditionally transferred two parcels of property from the Township to the City pursuant to Act 425 described as Capitol Regional International Airport – Area #1 and Area #2; and

WHEREAS, proposed First Amendments to the two Agreements for Conditional Transfer of Property Pursuant to 1984 P.A. 425 (Renewal Agreements) providing for the continuation of the original PA 425 agreements has been negotiated and prepared; and

WHEREAS, the proposed Renewal Agreements were placed on file with the City Clerk on _____; and

WHEREAS, the proposed Renewal Agreements have been presented to Council for review and approval;

NOW, THEREFORE, BE IT RESOLVED that the City finds that the continuation of the conditional transferred property from the Township to the City pursuant to the Renewal Agreements on file with the City Clerk will continue to support economic development and be beneficial to the residents of the City and the Township.

BE IT FURTHER RESOLVED that the Lansing City Council hereby approves the City entering into the Renewal Agreements as on file in the office of the City Clerk.

BE IT FURTHER RESOLVED that pursuant to and in compliance with Act 425, the Mayor is hereby authorized to execute the Renewal Agreements that will continue the Conditional Transfer of Property Pursuant to 1984 PA 425, subject to the City Attorney's prior approval and correction of minor technical revisions, if any, for the property particularly described in Exhibit A, Area #1 and Exhibit A, Area #2, attached hereto and part hereof.

BE IT FINALLY RESOLVED that after the Renewal Agreements are executed, the City Clerk will file a duplicate original of the Renewal Agreements with the appropriate County Clerk and with the Secretary of the State of Michigan in the office of the Great Seal.

EXHIBIT A

LEGAL DESCRIPTION OF TRANSFERRED AREA #1

A PARCEL OF LAND IN THE SOUTH 1/2 OF SECTION 31, T5N, R2W, DEWITT TOWNSHIP, CLINTON COUNTY, MICHIGAN, THE BOUNDARY OF SAID PARCEL DESCRIBED AS: BEGINNING AT THE SOUTHWEST CORNER OF SAID SECTION 31, THENCE N 00°26'32" E ALONG THE WEST LINE OF SAID SECTION 31 A DISTANCE OF 2639.30 FEET TO THE WEST 1/4 CORNER OF SAID SECTION 31; THENCE S89°38'51"E ALONG THE EAST-WEST 1/4 LINE OF SAID SECTION 31 A DISTANCE OF 5540.30 FEET TO THE EAST 1/4 CORNER OF SAID SECTION 31; THENCE S00°00'23"E ALONG THE EAST LINE OF SAID SECTION 31 A DISTANCE OF 1541.09 FEET TO THE CENTERLINE OF PORT LANSING ROAD; THENCE ALONG SAID CENTERLINE THE FOLLOWING 2 COURSES: N89°07'30"W 230.82 FEET AND SOUTHWESTERLY 390.69 FEET ALONG A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 433.10 FEET, A DELTA ANGLE OF 51°41'05" AND A CHORD LENGTH OF 377.57 FEET BEARING S65°01'58"W; THENCE S45°39'10"W CONTINUING ALONG SAID CENTERLINE AND IT'S EXTENSION 1338.51 FEET TO THE SOUTH LINE OF SAID SECTION 31; THENCE N89°49'05"W ALONG SAID SOUTH LINE 1108.63 FEET TO THE SOUTH 1/4 CORNER OF SAID SECTION 31; THENCE N89°31'52"W CONTINUING ALONG SAID SOUTH LINE 2921.94 FEET TO THE POINT OF BEGINNING, SAID PARCEL CONTAINING 312.24 ACRES MORE OR LESS, SAID PARCEL SUBJECT TO RIGHT OF WAY FOR ROAD PURPOSES ALONG PORT LANSING ROAD; SAID PARCEL SUBJECT TO ALL OTHER EASEMENTS AND RESTRICTIONS IF ANY.

EXHIBIT A

LEGAL DESCRIPTION OF TRANSFERRED AREA #2

A PARCEL OF LAND LOCATED IN SECTIONS 29, 30, 31, 32 & 33, T5N, R2W, DEWITT TOWNSHIP, CLINTON COUNTY, MICHIGAN, THE BOUNDARY OF SAID PARCEL DESCRIBED AS: BEGINNING AT THE SOUTHWEST CORNER OF SAID SECTION 30; THENCE N00°07'15"W, 1319.79 FEET ALONG THE W LINE OF SECTION 30 & CENTERLINE OF AIRPORT ROAD TO THE S 1/8 LINE OF SECTION 30; THENCE ALONG THE 1/8 LINE N89°56'50"E, 1579.64 FEET; THENCE N00°19'04"W, 1306.78 FEET TO THE E & W 1/4 LINE OF SECTION 30; THENCE ALONG SAID 1/4 LINE N89°48'23"W, 257.69 FEET; THENCE N00° 38' 18"E, 664.21 FEET; THENCE N89°40'31"W, 1029.51 FEET; THENCE S00°24'42"W, 119.90 FEET; THENCE N89°39'41"W, 290.39 FEET TO THE CENTERLINE OF AIRPORT ROAD; THENCE ALONG SAID CENTERLINE N00°25'50"E, 328.30 FEET; THENCE S89°31'07"E, 281.48 FEET; THENCE N00°14'07"E, 150.00 FEET; THENCE S89°31'07"E, 182.00 FEET; THENCE N00°14'07"E, 204.74 FEET TO THE S LINE OF WINDY RIDGE NO. 3; THENCE ALONG THE S LINE OF WINDY RIDGE NO. 3 & DUXBURY ESTATES S89°31'07"E, 2424.39 FEET TO THE N & S 1/4 LINE OF SAID SECTION 30; THENCE ALONG SAID 1/4 LINE S00°15'22"E, 1215.94 FEET TO THE E & W 1/4 LINE OF SAID SECTION 30; THENCE S89°44'12"E, 2642.93 FEET TO THE 1/4 CORNER COMMON TO SECTIONS 29 & 30; THENCE ALONG THE E & W 1/4 LINE OF SECTION 29; S89°45'09"E, 2642.80 FEET TO THE CENTER POST OF SECTION 29; THENCE CONTINUING ON SAID 1/4 LINE S89°30'18"E, 821.42 FEET TO THE CENTERLINE OF DEWITT ROAD; THENCE S00°56'40"W, 1636.06 FEET ALONG SAID CENTERLINE; THENCE S01°13'46"W, 1005.21 FEET ALONG SAID CENTERLINE; THENCE S01°42'05"W, 605.75 FEET; THENCE S89°40'18"E, 570.52 FEET; THENCE N00°07'54"E, 602.34 FEET TO THE N LINE OF SAID SECTION 32; THENCE ALONG THE N LINE OF SECTION 32 S89°45'40"E, 1321.89 FEET TO THE NE CORNER OF SECTION 32; THENCE S00°23'31"W, 1320.05 FEET ALONG THE E LINE OF SECTION 32 TO THE N 1/8 LINE OF SAID SECTION 33; THENCE ALONG SAID 1/8 LINE S89°28'46"E, 1927.64 FEET TO THE CENTERLINE OF TURNER ROAD; THENCE ALONG THE CENTERLINE OF TURNER ROAD ALONG A 85,665.10 FOOT RADIUS CURVE TO THE RIGHT (DELTA= 01°10'32", CHORD= S06°36'43"E, 1757.58 FEET) FOR 1757.61 FEET; THENCE CONTINUING ALONG THE CENTERLINE OF TURNER ROAD ALONG A 1978.54 FOOT RADIUS CURVE TO THE RIGHT (DELTA= 04°46'40", CHORD= S04°13'24"E, 164.94 FEET) FOR 164.98 FEET; THENCE N89°24'28"W, 824.98 FEET TO THE W LINE OF NORTHDALE FARMS SUBDIVISION; THENCE S00°09'45"W, 27.04 FEET TO THE NE CORNER OF LOT 8 OF NORTHDALE FARMS SUBDIVISION; THENCE ALONG THE N LINE OF SAID LOT 8 S89°53'35"W, 365.82 FEET TO THE NE CORNER OF LOT 83 OF NORTHDALE FARMS SUBDIVISION; THENCE ALONG THE N LINE OF SAID LOT 83 TO THE NE CORNER OF LOT 70 OF NORTHDALE FARMS SUBDIVISION N89°29'01"W, 294.96 FEET; THENCE ALONG THE N LINE OF SAID LOT 70 TO THE NW CORNER OF SAID LOT 70 N89°48'30"W, 296.66 FEET; THENCE N89°18'57"W, 66.17 FEET TO THE NE CORNER OF LOT 55 OF NORTHDALE FARMS SUBDIVISION; THENCE ALONG THE N LINE OF SAID LOT 55, N89°55'41"W, 293.98 FEET TO THE NW CORNER OF SAID LOT 55 & THE W LINE OF SAID SECTION 33; THENCE S00°01'10"W, 701.96 FEET ALONG SAID W LINE TO THE S

1/8 LINE OF SECTION 32; THENCE ALONG SAID 1/8 LINE N89°41'58"W, 543.66 FEET TO THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF THE PROPOSED DEWITT ROAD RELOCATION; THENCE ALONG SAID RIGHT-OF-WAY LINE, S44°08'01"W, 817.95 FEET; THENCE S00°02'36"W, 69.85 FEET; THENCE S89°41'22"E, 460.38 FEET; THENCE S00°12'25"E, 330.00 FEET; THENCE N89°41'22"W, 330.00 FEET; THENCE S00°09'34"E, 164.41 FEET; THENCE N89°41'22"W, 237.42 FEET; THENCE S00°05'43"E, 132.00 FEET; THENCE N89°43'50"W, 56.42 FEET; THENCE S00°43'01"W, 32.79 FEET; THENCE N89°44'01"W, 50.60 FEET; THENCE N00°05'43"W, 557.36 FEET; THENCE S88°23'41"W, 17.06 FEET; THENCE ALONG A 560.00 FOOT RADIUS CURVE TO THE RIGHT (DELTA = 04°50'44", CHORD = N20°20'37"E, 47.34 FEET) FOR 47.36 FEET; THENCE ALONG A 770.82 FOOT RADIUS CURVE TO THE LEFT (DELTA = 26°07'16", CHORD = N14°10'07"W, 348.38 FEET) FOR 351.42 FEET; THENCE N27°14'45"W, 316.50 FEET; THENCE N89°42'19"W, 609.67 FEET; THENCE ALONG A 495.55 FOOT RADIUS CURVE TO THE LEFT (DELTA = 31°31'14", CHORD= S 74°32'04" W, 269.20 FEET) FOR 272.62 FEET; THENCE S58°46'27"W, 33.52 FEET; THENCE ALONG A 595.55 FOOT RADIUS CURVE TO THE RIGHT (DELTA= 19°03'24", CHORD= S68°18'09"W, 197.17 FEET) FOR 198.08 FEET TO THE N & S 1/4 LINE OF SAID SECTION 32; THENCE ALONG SAID 1/4 LINE S00°03'39"W, 1061.59 FEET TO THE S LINE OF SAID SECTION 32; THENCE ALONG THE S LINE SECTION 32 N89°21'25" W, 2640.34 FEET TO THE SOUTHWEST CORNER OF SAID SECTION 32; THENCE N89°49'05"W ALONG THE SOUTH LINE OF SAID SECTION 31 A DISTANCE OF 1530.40 FEET TO THE CENTERLINE OF PORT LANSING ROAD AS EXTENDED; THENCE N45°39'10"E ALONG SAID CENTERLINE AND IT'S EXTENSION 1338.51 FEET; THENCE NORTHEASTERLY 390.69 FEET CONTINUING ALONG SAID CENTERLINE ALONG A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 433.10 FEET, A DELTA ANGLE OF 51°41'05" AND A CHORD LENGTH OF 377.57 FEET BEARING N65°01'58"E; THENCE S89°07'30"E CONTINUING ALONG SAID CENTERLINE 230.82 FEET TO THE EAST LINE OF SAID SECTION 31; THENCE N00°00'23"W ALONG SAID EAST LINE 1541.09 FEET TO THE EAST 1/4 CORNER OF SAID SECTION 31; THENCE N89°38'51"W ALONG THE EAST-WEST 1/4 LINE OF SAID SECTION 31 A DISTANCE OF 5540.30 FEET TO THE WEST 1/4 CORNER OF SAID SECTION 31; THENCE N00°26'32"E ALONG THE WEST LINE OF SAID SECTION 31 A DISTANCE OF 5.21 FEET TO THE EAST 1/4 CORNER OF SECTION 36, T5N, R3W, WATERTOWN TOWNSHIP, CLINTON COUNTY, MICHIGAN; THENCE N00°00'01"E CONTINUING ALONG SAID WEST LINE 1311.31 FEET TO THE NORTH 1/8 LINE OF SAID SECTION 31; THENCE ALONG SAID 1/8 LINE S 89°39'50" E, 449.98 FEET; THENCE N 00°00'04" E, 1318.74 FEET TO THE NORTH LINE OF SAID SECTION 31; THENCE ALONG THE NORTH LINE OF SECTION 31, N 89°39'50" W, 450.00 FEET TO THE POINT OF BEGINNING;

LESS: (CONSUMERS ENERGY PROPERTY)
PART OF THE NORTH 1/2 OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 32, T5N-R2W, DEWITT TOWNSHIP, CLINTON COUNTY, MICHIGAN, DESCRIBED AS BEGINNING AT A POINT ON THE WEST LINE OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 32, SAID POINT BEING DEFINED BY THE FOLLOWING THREE (3) COURSES FOR THE SOUTHEAST CORNER OF SAID SECTION: (1) N01°23'30"W, ALONG THE EAST LINE OF SAID SECTION, 1324.86 FEET AND (2)

S88°52'54"W, 1319.36 FEET TO THE NORTHWEST CORNER OF SAID SOUTHEAST 1/4 OF SOUTHEAST 1/4 AND (3) S01°22'11"E, ALONG THE WEST LINE OF SAID SOUTHEAST 1/4 OF SOUTHEAST 1/4, 140.00 FEET TO THE POINT OF BEGINNING; THENCE S01°22'11"E, ALONG SAID WEST LINE, 362.24 FEET; THENCE N88°52'54"E, 132.00 FEET; THENCE N01°22'11"W, 362.24 FEET; THENCE S88°52'54"W, 132.00 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINING 1563.00 ACRES, MORE OR LESS; SAID PARCEL SUBJECT TO RIGHT-OF-WAY FOR ROAD PURPOSES ALONG PORT LANSING ROAD, AIRPORT ROAD, DEWITT ROAD, AND TURNER ROAD; SAID PARCEL SUBJECT TO ALL EASEMENTS OR RESTRICTIONS IF ANY.

Also, to include the CITY OF LANSING (Police Department Firearms Range) legally described as:

A PARCEL OF LAND ON PART OF THE NORTHWEST ¼ OF THE NORTHWEST ¼ OF SECTION 31, CLINTON COUNTY; T5N R2W, DESCRIBED AS BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 31; THENCE N89°26'13"E 450 FEET ALONG THE NORTH LINE OF SECTION 31; THENCE PARALLEL WITH THE WEST LINE OF SECTION 31 S00°41'11"E 1318.74 FEET TO THE SOUTH LINE OF THE NORTHWEST ¼ OF THE NORTHWEST ¼ OF SECTION 31; THENCE S 89°26'18"W 450 FEET ALONG THE SOUTH LINE OF THE NORTHWEST ¼ OF THE NORTHWEST ¼ TO THE WEST LINE OF SECTION 31; THENCE N00°41'11"W 1318.73 FEET ALONG THE WEST LINE OF SECTION 31 TO THE POINT OF BEGINNING, CONTAINING 13.62 ACRES OF LAND, MORE OR LESS, AND SUBJECT TO ANY EASEMENTS OR RIGHTS OF WAY OF RECORD.

FIRST AMENDMENT TO
AGREEMENT FOR CONDITIONAL TRANSFER OF PROPERTY
PURSUANT TO 1984 PA. 425
CAPITAL REGION INTERNATIONAL AIRPORT – AREA #1

This First Amendment to Agreement for Conditional Transfer of Property (this "Amendment") is made this _____ day of _____, 2021 (the "Effective Date"), between the **CHARTER TOWNSHIP OF DeWITT** (the "Township"), a Michigan charter township organized and operating under the Charter Township Act, MCL 42.1, et seq., as amended, and the **CITY OF LANSING** (the "City"), a Michigan municipal corporation (individually, a "Party" and collectively, the "Parties").

WHEREAS, the Parties entered into an agreement, dated November 28, 2011, for the conditional transfer of property located at the Capital Region International Airport – Area #1 (the "425 Agreement"); and

WHEREAS, the 425 Agreement provided for an initial term ending on December 31 of the fiftieth (50th) full calendar year after the 425 Agreement was filed in accordance with law; and

WHEREAS, the Parties desire to extend the initial term for the period described below in this Amendment; and

WHEREAS, except as amended by this Amendment, the remaining terms and conditions contained in the 425 Agreement shall remain in full force and effect.

NOW, THEREFORE, it is agreed as follows:

1. Term. Paragraph 4.1 of the 425 Agreement is hereby amended to extend the initial term until December 31 of the fiftieth (50th) full calendar year following the Effective Date first written and defined above.

2. Counterparts. This Amendment may be executed in one or more counterparts, each of which shall be deemed an original and all of which such counterparts shall be together construed as one in the same Amendment. Facsimile and electronic signatures shall be binding.

3. Miscellaneous. The following miscellaneous provisions are agreed to by the Parties:

A. Except as specifically modified above by this Amendment, the 425 Agreement remains unmodified and unchanged by the Parties. The 425 Agreement shall continue in full force and effect and is hereby ratified and affirmed by this Amendment.

B. This Amendment shall be construed, interpreted and enforced under the laws of the State of Michigan.

C. This Amendment shall be binding upon and shall inure to the benefit of the Parties, their successors and assigns

D. All terms that are not defined by this Amendment shall have the same meaning as those terms described in the 425 Agreement.

E. In the event of any conflict between the terms of this Amendment and the terms of the 425 Agreement, the terms of this Amendment shall govern and control.

IN WITNESS WHEREOF, the Parties hereto have executed this Agreement on the date above first written by authority of the respective City Council and Township Board.

DeWITT CHARTER TOWNSHIP, a Michigan charter township

By: _____
_____**, Supervisor**

And: _____
_____**, Clerk**

CITY OF LANSING, a Michigan municipal corporation

By: _____

And: _____

APPROVED AS TO FORM:

DeWITT CHARTER TOWNSHIP ATTORNEY:

By: _____

AND:

LANSING CITY ATTORNEY:

By: _____

FIRST AMENDMENT TO
AGREEMENT FOR CONDITIONAL TRANSFER OF PROPERTY
PURSUANT TO 1984 PA. 425
CAPITAL REGION INTERNATIONAL AIRPORT – AREA #2

This First Amendment to Agreement for Conditional Transfer of Property (this "Amendment") is made this _____ day of _____, 2021 (the "Effective Date"), between the **CHARTER TOWNSHIP OF DeWITT** (the "Township"), a Michigan charter township organized and operating under the Charter Township Act, MCL 42.1, et seq., as amended, and the **CITY OF LANSING** (the "City"), a Michigan municipal corporation (individually, a "Party" and collectively, the "Parties").

WHEREAS, the Parties entered into an agreement, dated November 28, 2011, for the conditional transfer of property located at the Capital Region International Airport – Area #2 (the "425 Agreement"); and

WHEREAS, the 425 Agreement provided for an initial term ending on December 31 of the fiftieth (50th) full calendar year after the 425 Agreement was filed in accordance with law; and

WHEREAS, the Parties desire to extend the initial term for the period described below in this Amendment; and

WHEREAS, except as amended by this Amendment, the remaining terms and conditions contained in the 425 Agreement shall remain in full force and effect.

NOW, THEREFORE, it is agreed as follows:

1. Term. Paragraph 4.1 of the 425 Agreement is hereby amended to extend the initial term until December 31 of the fiftieth (50th) full calendar year following the Effective Date first written and defined above.

2. Counterparts. This Amendment may be executed in one or more counterparts, each of which shall be deemed an original and all of which such counterparts shall be together construed as one in the same Amendment. Facsimile and electronic signatures shall be binding.

3. Miscellaneous. The following miscellaneous provisions are agreed to by the Parties:

A. Except as specifically modified above by this Amendment, the 425 Agreement remains unmodified and unchanged by the Parties. The 425 Agreement shall continue in full force and effect and is hereby ratified and affirmed by this Amendment.

B. This Amendment shall be construed, interpreted and enforced under the laws of the State of Michigan.

C. This Amendment shall be binding upon and shall inure to the benefit of the Parties, their successors and assigns

D. All terms that are not defined by this Amendment shall have the same meaning as those terms described in the 425 Agreement.

E. In the event of any conflict between the terms of this Amendment and the terms of the 425 Agreement, the terms of this Amendment shall govern and control.

IN WITNESS WHEREOF, the Parties hereto have executed this Agreement on the date above first written by authority of the respective City Council and Township Board.

DeWITT CHARTER TOWNSHIP, a Michigan charter township

By: _____
_____**, Supervisor**

And: _____
_____**, Clerk**

CITY OF LANSING, a Michigan municipal corporation

By: _____

And: _____

APPROVED AS TO FORM:

DeWITT CHARTER TOWNSHIP ATTORNEY:

By: _____

AND:

LANSING CITY ATTORNEY:

By: _____

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING
RESOLUTION TO SET A PUBLIC HEARING FOR
BROWNFIELD PLAN #75 AMENDMENT #2 – CAPITAL CITY MARKET AND 637 E. MICHIGAN AVE. 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 Capital City Market, and 637 East Michigan 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 48910, and that all aspects of the brownfield plan are open for discussion at the public hearing.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Lansing that a public hearing be held Monday, **[INSERT DATE]**, 2021, at 7:00 p.m. for the purpose of receiving public comment on Brownfield Plan #75 Amendment #2 – Capital City Market and 637 East Michigan Avenue Brownfield Redevelopment Project under the Brownfield Redevelopment Financing Act, for property more particularly described as:

Parcel 636 E. Michigan Avenue: A parcel of land in Block 242, Original Plat, City of Lansing, Ingham County, Michigan, and recorded in Liber 2 of Plats, Page 36, Ingham County Records, Connard's Subdivision on Lot 1, Block 242, Original Plat, City of Lansing, Ingham County, Michigan, as recorded in Liber 1 of Plats, Page 31, Ingham County Records, and in Barnard's Subdivision on Lots 2, 3, and 4, Block 242, Original Plat, City of Lansing, Ingham County, Michigan, as recorded in Liber 1 of Plats, Page 32, Ingham county Records, the surveyed boundary of said parcel described as: Beginning at the Northwest corner of said Connard's Subdivision 425.18 feet (recorded as 425.04 feet) to the Northeast corner of said Connard's Subdivision; thence S00°06'32"W along the East line of said Connard's Subdivision, the East line of said Block 242, and the East line of said Barnard's Subdivision 521.16 feet to the Southeast corner of Block 1, said Barnard's Subdivision; thence N89°29'27"W along the South line of said Block 1 a distance of 429.20 feet (recorded as 429.00 feet) to the Southwest corner of said Block 1; thence N00°33'03"E along the West line of said Barnard's Subdivision 121.50 feet to the Northwest corner of Block 1 of said Barnard's Subdivision; thence S89°28'38"E along the North line of said Block 1 of Barnard's Subdivision 135.00 feet to the East line of the West 135 feet of said Lot 2, Block 242; thence N00°33'03"E along said East line 78.23 feet to the south line of the North 8 feet of said Lot 2, Block 242; S89°18'57"E along said South line 30.00 feet to the Southerly extension of the East line of Lot 23, said Connard's

Subdivision; thence N00°33'03"E along said Southerly extension of the East line of said Lot 23 and the East line of Lots 23, 22, 21, and 20, said Connard's Subdivision 155.45 feet; thence N54°22'13"W 13.08 feet; thence N89°27'25"W 4.35 feet; thence N00°29'31"E 3.08 feet; thence N89°27'25"W 149.95 feet to the West line of said Connard's Subdivision; thence N00°33'03"E along said West line 155.83 feet to the point of beginning; said parcel containing 4.24 acres, more or less, said aprcel subject to all easements and restrictions, if any; and

Parcel 119 S. Larch Street: Lots 20, 21 & 22, except the North 16.5 feet of Lot 20, Connard's Subdivision on Lot 1, Block 242, Original Plat, City of Lansing, Ingham County, Michigan, as recorded in Liber 1 of Plats, Page 31, Ingham County Records, also except a parcel of land being part of Lot 20, Connard's Subdivision on Lot 1, Block 242, Original Plat, City of Lansing, Ingham County, Michigan, as recorded in Liber 1 of Plats, Page 31, Ingham County Records, the boundary of said parcel described as: Commencing at the Northwest corner of said Connard's Subdivision; thence S00°33'03"W along the West line of said Connard's Subdivision 142.49 feet to a point 16.5 feet South of the Northwest corner of said Lot 20 and the point of beginning of this description; thence S89°26'46"E parallel with the North line of said Lot 20 a distance of 165.00 feet to the East line of said Lot 20; thence S00°33'03"W along said East line 23.91 feet; thence N54°22'13"W 13.08 feet; thence N89°27'25"W 4.35 feet; thence N00°29'31"E 3.08 feet; thence N89°27'25"W 149.95 feet to the West of said Connard's Subdivision; thence N00°33'03"E along said West line 13.34 feet to the point of beginning; said parcel containing 0.44 acre, more or less; said parcel subject to all easements and restrictions, if any.

Parcel 637 E. Michigan Avenue: Part of Lot 39, Assessor's Plot No. 36 of Block 243, Original Plat, as recorded in Liber 11, Page 18, Ingham County Records and part of vacated East Street described as: Commencing 107.75 feet North of the East 1/4 corner of Section 16, Town 4 North, Range 2 West, thence West 46.6 feet, thence South 50 feet to the North line of Michigan Avenue, thence West to the East line of Pere Marquette Drive at a point 123.75 feet West of the East line of said Section 16, thence North 88 feet; thence North 09 degrees 48 minutes 53 seconds East 41.25 feet, thence North 03 degrees 20 minutes 18 seconds East 71.04 feet, thence North 00 degrees 05 minutes 20 seconds East 392.91 feet, thence East 112.28 feet to the East line of said Section 16, thence South 542.58 feet to the Point of Beginning.

And that the City Clerk cause notice of such hearing to be published once in a publication of general circulation, no less than 10 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 #75 Amendment #2 – Capital City Market and 637 E. Michigan Ave. Brownfield Redevelopment Project and the scheduled public hearing. The meeting will be conducted remotely via Zoom Conferencing at [**INSERT LINK]** or by dialing 312-626-6799 using meeting ID: **[INSERT MEETING ID]**

CITY OF LANSING
NOTICE OF PUBLIC HEARING

The Lansing City Council will hold a public hearing on Monday, **[INSERT DATE]** at 7:00 p.m., via ZOOM Conferencing, Meeting ID **[INSERT MEETING ID]**, for the purpose stated below:

To afford an opportunity for all residents, taxpayers of the City of Lansing, other interested persons and ad valorem taxing units to appear and be heard on the approval of Brownfield Plan #75 Amendment #2 – Capital City Market and 637 E. Michigan Ave 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 Capital City Market and 637 East Michigan Avenue, located in the City of Lansing, but more particularly described as:

Parcel 636 E. Michigan Avenue: A parcel of land in Block 242, Original Plat, City of Lansing, Ingham County, Michigan, and recorded in Liber 2 of Plats, Page 36, Ingham County Records, Connard's Subdivision on Lot 1, Block 242, Original Plat, City of Lansing, Ingham County, Michigan, as recorded in Liber 1 of Plats, Page 31, Ingham County Records, and in Barnard's Subdivision on Lots 2, 3, and 4, Block 242, Original Plat, City of Lansing, Ingham County, Michigan, as recorded in Liber 1 of Plats, Page 32, Ingham county Records, the surveyed boundary of said parcel described as: Beginning at the Northwest corner of said Connard's Subdivision 425.18 feet (recorded as 425.04 feet) to the Northeast corner of said Connard's Subdivision; thence S00°06'32"W along the East line of said Connard's Subdivision, the East line of said Block 242, and the East line of said Barnard's Subdivision 521.16 feet to the Southeast corner of Block 1, said Barnard's Subdivision; thence N89°29'27"W along the South line of said Block 1 a distance of 429.20 feet (recorded as 429.00 feet) to the Southwest corner of said Block 1; thence N00°33'03"E along the West line of said Barnard's Subdivision 121.50 feet to the Northwest corner of Block 1 of said Barnard's Subdivision; thence S89°28'38"E along the North line of said Block 1 of Barnard's Subdivision 135.00 feet to the East line of the West 135 feet of said Lot 2, Block 242; thence N00°33'03"E along said East line 78.23 feet to the south line of the North 8 feet of said Lot 2, Block 242; S89°18'57"E along said South line 30.00 feet to the Southerly extension of the East line of Lot 23, said Connard's Subdivision; thence N00°33'03"E along said Southerly extension of the East line of said Lot 23 and the East line of Lots 23, 22, 21, and 20, said Connard's Subdivision 155.45 feet; thence N54°22'13"W 13.08 feet; thence N89°27'25"W 4.35 feet; thence N00°29'31"E 3.08 feet; thence N89°27'25"W 149.95 feet to the West line of said Connard's Subdivision; thence N00°33'03"E along said West line 155.83 feet to the point of beginning; said parcel containing 4.24 acres, more or less, said aprcel subject to all easements and restrictions, if any; and

Parcel 119 S. Larch Street: Lots 20, 21 & 22, except the North 16.5 feet of Lot 20, Connard's Subdivision on Lot 1, Block 242, Original Plat, City of Lansing, Ingham County, Michigan, as recorded in Liber 1 of Plats, Page 31, Ingham County Records, also except

a parcel of land being part of Lot 20, Connard's Subdivision on Lot 1, Block 242, Original Plat, City of Lansing, Ingham County, Michigan, as recorded in Liber 1 of Plats, Page 31, Ingham County Records, the boundary of said parcel described as: Commencing at the Northwest corner of said Connard's Subdivision; thence S00°33'03"W along the West line of said Connard's Subdivision 142.49 feet to a point 16.5 feet South of the Northwest corner of said Lot 20 and the point of beginning of this description; thence S89°26'46"E parallel with the North line of said Lot 20 a distance of 165.00 feet to the East line of said Lot 20; thence S00°33'03"W along said East line 23.91 feet; thence N54°22'13"W 13.08 feet; thence N89°27'25"W 4.35 feet; thence N00°29'31"E 3.08 feet; thence N89°27'25"W 149.95 feet to the West of said Connard's Subdivision; thence N00°33'03"E along said West line 13.34 feet to the point of beginning; said parcel containing 0.44 acre, more or less; said parcel subject to all easements and restrictions, if any.

Parcel 637 E. Michigan Avenue: Part of Lot 39, Assessor's Plot No. 36 of Block 243, Original Plat, as recorded in Liber 11, Page 18, Ingham County Records and part of vacated East Street described as: Commencing 107.75 feet North of the East 1/4 corner of Section 16, Town 4 North, Range 2 West, thence West 46.6 feet, thence South 50 feet to the North line of Michigan Avenue, thence West to the East line of Pere Marquette Drive at a point 123.75 feet West of the East line of said Section 16, thence North 88 feet; thence North 09 degrees 48 minutes 53 seconds East 41.25 feet, thence North 03 degrees 20 minutes 18 seconds East 71.04 feet, thence North 00 degrees 05 minutes 20 seconds East 392.91 feet, thence East 112.28 feet to the East line of said Section 16, thence South 542.58 feet to the Point of Beginning.

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

NOTE: States of emergency declared by the Mayor and approved by City Council have led to a closure of City Hall to public at this time due to COVID-19. Public observation and participation may be facilitated electronically in accordance with the Open Meetings Act as amended, in an effort to protect the health and safety of the public.

Members of the public wishing to participate in the meeting may do so by logging into or calling into the meetings using the website **[INSERT LINK]** or by phone number 312-626-6799 using meeting ID: **[INSERT MEETING ID]**.

Persons with disabilities who need an accommodation to fully participate in these meetings should contact the City Council Office at 517-483-4177 (TDD (517) 483-4479) 24 hour notice may be needed for certain accommodations. An attempt will be made to grant all reasonable accommodation requests.

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

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

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING
RESOLUTION APPROVING BROWNFIELD PLAN #75 AMENDMENT #2 – CAPITAL CITY MARKET AND 637 E. MICHIGAN AVE. 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, Brownfield Plan #75 Amendment #2 – Capital City Market and 637 E. Michigan Ave. Brownfield Redevelopment Project (the 'Plan'); and

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

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

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

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

3. the Project may result in total new private investment of approximately $44,600,000,

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 April 9, 2021, unanimously recommended approval of the Plan, for this Project, as amended;

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 Brownfield Plan #75 Amendment #2 – Capital City Market and 637 E. Michigan Ave. Brownfield Redevelopment Project.

CITY OF LANSING
BROWNFIELD REDEVELOPMENT AUTHORITY

BROWNFIELD PLAN #75
AMENDMENT #2

CAPITAL CITY MARKET
LOCATED AT 636 E. MICHIGAN AVENUE AND A PORTION OF 119 S. LARCH STREET, AND 637 E. MICHIGAN AVENUE, LANSING, MICHIGAN

April 2, 2021

Approved by BRA:
Approved by City Council:

Prepared on Behalf of:

600 E. Michigan-Lansing, LLC
600 E. Michigan, LLC
330 Marshall Street, Suite 100
Lansing, MI 48912
Contact Person: Mr. Pat Gillespie, President
Telephone: (571) 333-4123

Prepared By:

PM Environmental, Inc.
3340 Ranger Road
Lansing, MI 48906
Contact Person: Jessica DeBone
Telephone: (616) 328-5297

TABLE OF CONTENTS

PROJECT SUMMARY 1
I. INTRODUCTION AND PURPOSE 5
II. GENERAL PROVISIONS 5

A. Description of the Eligible Property (Section 13 (2)(h)) and Project 5
B. Basis of Eligibility (Section 13 (2)(h) and Section 2(o)) 10
C. Summary of Eligible Activities and Description of Costs (Sec. 13 (2)(a-b)) 11
D. Estimate of Captured Taxable Value and Tax Increment Revenues (Sec. 13 (2)(c)) 13
E. Method of Brownfield Plan Financing and Description of Advances by the Municipality (Sec. 13 (2)(d)); Maximum Amount of Note or Bonded Indebtedness (Sec. 13 (2)(e)) 14
F. Duration of Brownfield Plan (Sec. 13 (2)(f)) 14
G. Estimated Impact of Tax Increment Financing on Revenues of Taxing Jurisdictions (Sec. 13 (2)(g)) 14
H. Legal Description, Property Map, Statement of Qualifying Characteristics and Personal Property (Sec. 13 (2)(h)) 16
I. Displacement/Relocation of Individuals on Eligible Property (Sec. 13 (2)(i-l)) 16
J. Local Brownfield Revolving Fund ("LBRF") (Sec. 13 (2)(m)) 16
K. Other Material that the Authority or Governing Body Considers Pertinent (Sec. 13 (2)(n)) 16

APPENDICIES

Appendix A Legal Description
Appendix B Property Location Boundary
Appendix C Preliminary Site Plans and Renderings
Appendix D Documentation of Eligibility

TABLES

Table 1: Estimated Costs of Eligible Activities
Table 2: Tax Increment Financing Capture
Table 3: Tax Increment Financing Reimbursement

PROJECT SUMMARY

Project Name:	Capital City Market and 637 E. Michigan
Project Location:	The property is located at 636 East Michigan Avenue and a portion of 119 South Larch Street, and 637 East Michigan Avenue in Township four north (T.4N), Range two west (R.2W), Section 16, Lansing, Ingham County Michigan 48912 (the "Property").
Type of Eligible Property:	The property is determined to be a "Facility" and "adjacent or contiguous" to a "Facility"
Eligible Activities:	Pre-Approved Activities, Department Specific Activities, Demolition, Asbestos and Lead Activities, Infrastructure Improvements, Site Preparation, and Preparation and Implementation of a Brownfield Plan and Act 381 Work Plan.
Developer Reimbursable Costs:	$3,641,045 Eligible Activities $502,786 15% Contingency $1,804,384 Estimated Interest $5,948,214 Total
Years to Complete Reimbursement :	21 years are estimated for reimbursement of Eligible Activities; however, reimbursement may occur up to 30 years from the start of capture.
Estimated Capital Investment:	Total investment of $41.5 million associated with Capital City Market; approximately $25 million in developer investment and an additional $16.5 million by the hotel developer. An additional $3.1 million in investment is anticipated for the 637 E. Michigan portion of the project.
Project Overview:	The Capital City Market project entails a four-story mixed used development consisting of an urban market, hotel and market rate residential apartments. The building consists of an approximate 48,000 square foot footprint (i.e. first floor area) with just under 35,000 square feet on each of the additional floors. The anchor tenant is an urban market operated by Meijer. Designed to create an open-air atmosphere, the market features garage doors that roll up to allow fresh produce to be placed on the sidewalks. In addition to fresh and frozen food options, the market has a coffee shop, and healthy grab and go food items. The project at 637 East Michigan entails the renovation and revitalization of the iconic Union Depot along the Michigan Avenue Corridor. The approximate 5,900 square foot building will undergo

significant renovation to maximize its usable space and turn the property into a multi-tenant destination, with up to three users. A letter of intent has been executed with Starbucks, who would occupy approximately half of the building. A drive-thru configuration will be added on the west side of the building to accommodate Starbucks as an anchor tenant. Outdoor patio space will be offered and improvements within the existing parking area will take place to create a more walkable environment. A public parklet along Michigan Avenue with greenery, and shade features will be added to allow the public a place to stop, rest, and enjoy the surrounding area. The overall investment will go towards maintaining a landmark within the City.

It is estimated that Capital City Market created 70 temporary construction jobs, 30 new full time and 10 part time jobs by the urban market and 9 full time and 21 part time jobs associated with the hotel. It is estimated that the 637 E. Michigan portion of the project will create approximately 20 temporary construction jobs, 10 new full time equivalent (FTE) jobs associated future tenant(s).

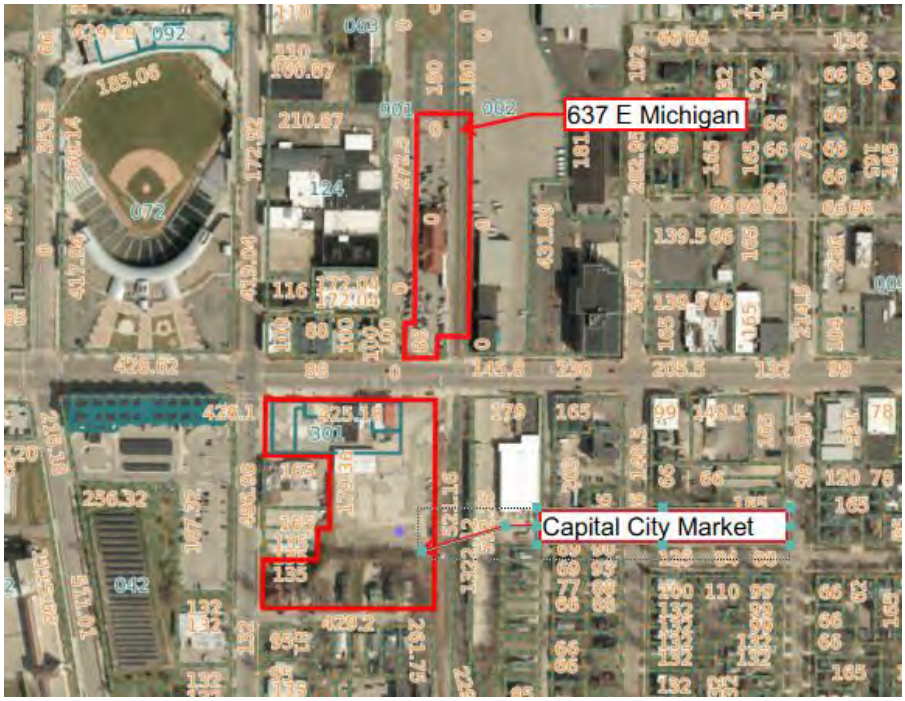
Together, these projects will act as a catalyst for future growth and investment along the Michigan Avenue corridor, having an immediate impact on surrounding property values, eliminating the neighborhood's status as a low access area (formerly referred to as food desert), and improving walkability in Lansing's downtown urban core.

Amendment Summary:

Amendment #1 of this Plan was requested and approved to extend the property boundaries approved under the originally approved Brownfield Plan. This was a result of the developer's acquisition of .05 acres from parcel 33-01-01-16-428-092 and an easement consisting of .01 acres from the same parcel. The acquisition and easement allowed the developer to control costs on the project as a result of unforeseen foundations on this portion of the property that would have required extensive shoring activities that were not economical to the overall development. The amendment did not result in a change in the overall total estimated eligible activities. However, eligible activities did occur within the extended boundary of the project.

Amendment #2 is made possible due to the success of maximizing grant funding through EGLE and maintaining an efficient project budget on the Capital City Market development. Because of this success, the Developer proposes to continue to redevelop other properties adjacent and near the Capital City Market development. Amendment #2 proposes to include as eligible property, the

adjacent parcel known as 637 East Michigan Avenue, while reconciling the approved Eligible Activities under the Plan based on what is estimated to be requested for reimbursement for Capital City Market and the estimated Eligible Activities for 637 East Michigan. Based on the Capital City Market project's efficiencies, the Developer reimbursement period is anticipated to be shorter than originally estimated, resulting in new taxes for the TIFA and taxing jurisdictions sooner. Amendment #2 will enable additional investment along the Michigan Avenue corridor, supporting the overall revitalization of the corridor and the surrounding Stadium District within the City. The property is eligible to be included within the Plan as it is "adjacent and contiguous" to an eligible parcel, as defined by Public Act 381, as amended. A map is provided below for reference of parcel location.



Total New Taxes Generated:

Uses over the life of the Brownfield Plan (21 years)	**Taxes Captured**
Portion Captured to Reimburse Developer	$5,948,214
Portion Captured for Lansing Brownfield Redevelopment Authority (LBRA) (Administration and Local Brownfield Revolving Fund)	$543,925
Portion Captured for State Brownfield Fund	$299,323
Total Captured	**$6,791,461**
10% Passed-Through to TIFA or Taxing Units*	$779,773
Total New Taxes Generated	**$7,571,234**

*TIFA is currently estimated to expire in 2039

Uses of Captured Taxes:

Uses over the life of the Brownfield Plan (21 years)	**Taxes Captured**
Reimbursement to Developer for Eligible Activity Costs	$3,641,045
Reimbursement to Developer for Contingency (15%) on Eligible Activity Costs*	$502,786
Reimbursement to Developer for Interest on Eligible Activity Costs**	$1,804,384
Developer Eligible Reimbursement Total	**$5,948,214**
LBRA Administration Fees and LBRA Local Brownfield Revolving Fund (LBRF)	$543,925
State Brownfield Fund	$299,323
Total Captured	**$6,791,461**

*15% Contingency excludes preparation of Brownfield Plan/381 Work Plan and Pre-Approved Activities
**Interest is an estimate calculated at 5%

I. INTRODUCTION AND PURPOSE

In order to promote the revitalization of environmentally distressed, historic, functionally obsolete and blighted areas within the boundaries of Lansing (the "City"), the City has established the Lansing Brownfield Redevelopment Authority (LBRA) (the "Authority") pursuant to the Brownfield Redevelopment Financing Act, Michigan Public Act 381 of 1996, as amended ("Act 381").

The purpose of this Brownfield Plan (the "Plan") is to promote the redevelopment of and investment in the eligible "Brownfield Property" within the City and to facilitate financing of eligible activities at the Brownfield Property. Inclusion of Brownfield Property within any Plan in the City will facilitate financing of eligible activities at eligible properties and will provide tax incentives to eligible taxpayers willing to invest in revitalization of eligible sites, commonly referred to as "Brownfields." By facilitating redevelopment of the Brownfield Property, this Plan is intended to promote economic growth for the benefit of the residents of the City and all taxing units located within and benefited by the Authority.

The identification or designation of a developer or proposed use for the Brownfield Property that is subject to this Plan shall not be integral to the effectiveness or validity of this Plan. This Plan is intended to apply to the eligible property identified in this Plan and, to identify and authorize the eligible activities to be funded. Any change in the proposed developer or proposed use of the eligible property shall not necessitate an amendment to this Plan, affect the application of this Plan to the eligible property, or impair the rights available to the Authority under this Plan.

This Plan is intended to be a living document, which may be modified and/or amended as submitted by the developer and as approved by the LBRA and Lansing City Council, in accordance with and as necessary to achieve the purposes of Act 381. The applicable sections of Act 381 are noted throughout the Plan for reference purposes.

This Plan contains information required by Section 13(1) of Act 381, as amended

II. GENERAL PROVISIONS

A. <u>Description of the Eligible Property (Section 13 (2)(h)) and Project</u>

The Capital City Market portion of the project consists of three (3) legal parcels and an easement, following multiple combinations and splits. These parcels along with the easement are outlined in the table below and total approximately 4 acres.

The 637 E. Michigan portion of the project consists of one (1) legal parcel, which is included in the table below and totals 1.51 acres.

The parcels and all tangible personal property located thereon will comprise the eligible property and is referred to herein as the "Property." The Property is located on the Michigan Avenue corridor, bounded by commercial and vacant properties to the north, railroad tracks to the east, Barnard Street to the south, and South Larch Street to the west.

Individual parcel and easement information is outlined below and legal descriptions are included within Appendix A and Property location maps are included in Appendix B.

Description of Former Individual Parcels (now combined),Easement and 637 East Michigan Avenue			
Property Address	**Former Parcel ID (now combined under 33-01-01-16-428- 301, 302, and 303)**	**Acreage**	**Most Recent Prior Use**
600 East Michigan Avenue	33-01-01-16-428-081	.379	Vacant - Former Gas Station
612-614 East Michigan Avenue	33-01-01-16-428-061	.225	Former Auto Service
622 East Michigan Avenue	33-01-01-16-428-051	.056	Vacant Former commercial
624 East Michigan Avenue	33-01-01-16-428-041	.056	Vacant Former commercial
626 East Michigan Avenue	33-01-01-16-428-031	.056	Vacant Former commercial/office
628 East Michigan Avenue	33-01-01-16-428-021	.056	Vacant Former commercial/office
117 South Larch Street	33-01-01-16-428-100	.233	Vacant Former storage/warehouse
636 East Michigan Avenue	33-01-01-16-428-002	1.821	Surface Parking
Formerly 139 South Larch Street	33-01-01-16-428-141	.126	Vacant
145 South Larch Street	33-01-01-16-428-151	.084	Vacant Former Residential
147 South Larch Street	33-01-01-16-428-161	.084	Vacant Former Residential
611 Barnard Street	33-01-01-16-428-171	.084	Vacant Former Residential
Formerly 613 Barnard Street	33-01-01-16-428-181	.117	Vacant
619 Barnard Street	33-01-01-16-428-191	.117	Vacant Former Residential
Formerly 621 Barnard Street	33-01-01-16-428-201	.117	Vacant
625 Barnard Street	33-01-01-16-428-211	.117	Vacant Former Residential
629 Barnard Street	33-01-01-16-428-221	.117	Vacant Former Residential
633 Barnard Street	33-01-01-16-428-231	.117	Vacant Garage
No Address	33-01-01-16-428-901	.044	Vacant Alleyway
Portion of 119 South Larch Street	Portion of 33-01-01-16-428-092	.063	Vacant
Portion of 119 South Larch Street	Portion of 33-01-01-16-428-092 now combined with 33-01-01-16-428- 301, 302, and 303	.05	Vacant
Property Address	**Parcel ID**	**Acreage**	**Most Recent Prior Use**
Portion of 119 South Larch Street (Easement)	Portion of 33-01-01-16-428-092	.01	Vacant
Property Address	**Parcel ID**	**Acreage**	**Most Recent Prior Use**
637 East Michigan Ave	33-01-01-16-227-403	1.51	Vacant former Restaurant

600 E. Michigan-Lansing, LLC, 637 E Michigan, LLC development entities of Gillespie Group, or any affiliate, or such other developer as approved by the Authority, are collectively the project developer ("Developer").

Gillespie Group ("GG") was founded by Patrick Gillespie and is led by a team of experienced professionals. GG specializes in creative urban development, revitalizing communities, and pursuing excellence in all that they do. With an eye to the future, the team takes creative risks, visualizing energetic spaces that breathe new life into city neighborhoods. The group's diverse, statewide portfolio includes more than 1,890 residential units and over 685,000 square feet of commercial/retail space. Much of GG's demonstrated success is in Lansing with urban renewal projects such as The Outfield, Marketplace, Lansing Brewing Company and Stadium District. Bold, innovative designs and a transformative vision for a better Michigan are at the heart of each effort GG takes on, which is exactly the vision for the Project, referred to as Capital City Market and 637 E. Michigan.

Capital City Market Parcels – Historical Use and Project Description

The Property was developed with a 3,616 square foot automotive service garage building (formerly identified as 612-614 East Michigan Avenue) constructed in 1930, four retail buildings (formerly identified as 622-628 East Michigan Avenue) totaling 8,654 square feet constructed in 1900, a warehouse building (formerly identified as 117 South Larch Street) totaling 5,520 square feet constructed in 1946, six residential dwellings (formerly identified as 145-147 South Larch Street and 611-629 Barnard Street) totaling 9,720 square feet constructed between 1884 and 1916, and a garage building (formerly identified as 633 Barnard Street) totaling 960 square feet constructed in 1983 and is in area characterized by commercial and residential uses. The Property is currently zoned G1: General Commercial and permits the project's use.

The northeastern portion of the Property (formerly identified as 636 East Michigan Avenue) was occupied by lumber storage for Hall Lumber Company from at least 1892 to 1898. By 1950, a larger office building, occupied by Lewis Fuel Oil Company was constructed. The Lewis Fuel Oil office building was demolished between 1994 and 1997, and prior to redevelopment this portion of the Property was occupied by a surface parking lot since that time.

The first north-central portion of the Property was occupied by four storefront buildings (formerly identified as 622-628 East Michigan Avenue). The two eastern buildings were constructed prior to 1892. The two western storefront buildings were constructed between 1906 and 1913. A majority of the former occupants have included various retail, medical, and professional office tenants, with the exception of 622 and 624 East Michigan Avenue. The storefront buildings, formerly identified as 622 East Michigan Avenue and 624 East Michigan Avenue, were occupied by a radiator shop from at least 1935 to 1959 and a glassworks shop from at least 1945 to 1964, respectively.

The second north-central portion of the Property was occupied by an automotive service building (formerly identified as 612-614 East Michigan Avenue), which was constructed by 1930 as a gasoline service station. Gasoline dispensing operations ceased in approximately the mid-1950s and the Property has been occupied by an automotive service business since the early 1960s. Three orphan gasoline underground storage tanks (USTs) with capacities between 1,000 and 1,500 gallons were present on the former 612-614 East Michigan Avenue parcel of the Property.

The northwestern parcel of the Property (formerly identified as 600 East Michigan Avenue) was most recently characterized by a vacant lot with four (4) USTs that were not in use prior to redevelopment. An auto sales and service building was constructed in the south-central portion by 1950 and was demolished by the early 1970s. A former convenience store building associated with a retail gasoline station was constructed in the early 1970s, with a car wash building constructed in 1995. All of the former buildings were demolished in 2012 and the property was vacant since that time, prior to redevelopment.

The central portion of the Property (formerly identified as 636 East Michigan Avenue) was occupied by Hall Lumber Company, Michigan Implement & Transfer Company and Butler-Langevin Lumber Company, from at least 1892 to 1988 with lumber and coal storage and planning, sash and door manufacturing and occupied by agricultural implements and engines and/or threshers. The former building located at 117 South Larch Street was constructed in 1946 and was utilized as storage in at least 1951 and boat storage and repair in at least 1966. All of the former buildings (with the exception of the remaining building at the time of redevelopment) were demolished by 1950 and the property was occupied by Lewis Fuel Oil Company from at least 1940 until the early 1990s with operations consisting of bulk petroleum and coal distribution. A garage building, with truck service operations was constructed by 1951 and demolished between 1997 and 1998. Six coal silos were present on the northeastern portion from 1950 until 1973 and various petroleum above ground storage tanks (ASTs) were present on the southern portion from 1950 to 1994. All of the former buildings were demolished (except the remaining building at the time of redevelopment) were demolished between 1994 and 1997, and the Property was vacant land and/or a surface parking lot since that time, prior to redevelopment.

The southern portion of the Property (formerly identified as 145-147 South Larch Street and 601-637 Barnard Street) was historically been occupied by various residential dwellings.

The Property was redeveloped with a four-story, mixed-used project consisting of an urban market, hotel and market rate residential apartments. This included consolidation of all of the parcels comprising the Property into a single parcel and demolition of all previously existing structures and improvements. The building now has an approximate 48,000 square foot footprint (i.e. first floor area) with just under 35,000 square feet on each of the additional floors. The anchor tenant is an urban market that with an open-air atmosphere featuring a coffee shop, fresh and frozen produce and healthy grab and go options. The building is positioned along Michigan Avenue with open air garage doors along a portion of the market, which assists in further activating the sidewalks.

The remainder of the ground floor, on the eastern portion of the property includes lobby and amenity space for a Marriott brand hotel. The hotel's amenities include a conference room/meeting space, lounge and bistro restaurant. The stories above will includes 122 guest rooms.

On the western portion of the property, occupying the second through fourth floors, are 40 market-rate residential apartment units. The units consist of studios, 1-bedroom units and2-bedroom units.

The remainder of the Property (i.e., south and east of the mixed-use building) consists of ample parking for the residents and businesses with landscape features and trees throughout.

Demolition and site preparation activities began in early 2019, with completion of the urban market tenant in the fall of 2020 and the remainder of the development completed by winter 2020/2021. GG will invest an estimated $25 million in the development with an additional $16.5 million invested by the hotel. It is estimated that the project will create approximately 70 temporary construction jobs, 30 new full time jobs and 10 part time jobs by the urban market tenant and 30 new jobs associated with the hotel.

Preliminary site plans and renderings are included in Appendix C.

637 E. Michigan Parcel – Historical Use and Project Description

Historical records document that the Property was used as part of the east adjoining lumber yard as early as 1892 and contained three railroad tracks through the central portion of the parcel. Between 1892 and 1898, the first railroad passenger building was constructed in the central portion of the property and the railroad tracks were limited to an easement on the east side of the property. In 1902, the passenger building was rebuilt and moved slightly south of the original location and an express office was added to the north of the passenger building. The property ceased operations by 1972 and between 1974 and 1978, the express office was demolished, the railroad spur removed, and the passenger office became vacant. Following significant renovation, the property opened as a restaurant in 1979, and in 1999 with the help of a Lansing Economic Development Corporation Small Business Loan a rail car was added to the eastern portion of the building and used as a dining area. The restaurant, known as Clara's, and a household name throughout the Lansing Region operated for 37 years, closing in 2016.

Designed by the Detroit firm Spier and Rohns, the former Union Depot exemplifies turn-of-the-century, Tudor Revival style. While the Depot underwent many changes to be reinvented as a restaurant, it retained its original unique massing, decorative features, and historic fabric. The Union Depot was listed in the National Register of Historic Places in 1995.

The Developer proposes to again reinvent the building and surrounding property, while maintaining the historic character as best possible. While the project is not a historic preservation project and is not seeking historic tax credits, the historic look and charm will be retained while allowing for more modern uses. The building will undergo renovations to create up to three new tenant spaces complete with outdoor seating areas, proposed to be open to the public. A letter of intent is executed with Starbucks, who is proposed occupy nearly half of the building. As part of Starbucks' policy, seating both indoors and out, and use of available Wi-Fi and restroom space is open to anyone, even if they don't buy anything. The existing parking lot will receive new life through greenscapes and urban public parklets. However, maintaining the property's character while converting the building for multiple tenants comes with significant challenges. The building will require replacement of structural components, due to some that are failing, and due to altering the building into separate user spaces and or user specific design specifications. Additional needs include a new roof, and new mechanicals, plumbing and electrical throughout. Asbestos containing building materials will need to be abated prior

to renovation activities including the roofing materials and flooring and mastic within the building.

Stabilization activities took place on the property following acquisition in 2016, which included selective demolition and asbestos abatement which are outlined within the attached Table 1. Future demolition and site preparation activities will begin in the summer of 2021, with completion by the summer of 2023. Total project investment is estimated to be $3.1 million, including acquisition, hard and soft construction costs. It is estimated that the project will create approximately 20 temporary construction jobs, 10 new full time equivalent (FTE) jobs associated with future tenant(s).

The project will complement the Capital City Market development, adding to the vibrancy that has resulted and continuing to catalyze future development within the Stadium District. Starbucks as the anchor tenant, will bring an internationally branded coffee shop to the Capital City allowing a free space for both residents and visitors to gather. Additionally, it will increase amenities to residents and visitors, while allowing for the Union Depot to continue its legacy as a part of the City of Lansing.

Preliminary site plans and renderings are included in Appendix C.

B. Basis of Eligibility (Section 13 (2)(h) and Section 2(o))

The Property is considered “eligible property” as defined by Act 381, Section 2 because (a) the Property was previously utilized or is currently utilized for a commercial use; (b) it is located within the City of Lansing, a qualified local governmental unit under Act 381; (c) the Property is determined to be a “facility,” “property” and a “site”; and (d) the property is “adjacent and contiguous” to a “facility, “property” and a “site.

Capital City Market Parcels – Basis of Eligibility

The parcel formerly identified as 600 East Michigan Avenue is listed with the Department of Environment, Great Lakes and Energy (EGLE) as a closed Leaking Underground Storage Tank (LUST) site associated with three historical releases reported between 1990 and 1999. Regulatory closure was achieved for those releases between 1996 and 2000. However, residual gasoline contamination remains on the parcel.

The parcel formerly identified as 612-614 East Michigan Avenue is listed as an open LUST site due to a release of gasoline reported in December 2017 associated with three orphan USTs identified at that parcel. The parcel formerly identified as 636 East Michigan Avenue is also listed as an open LUST site, with three open releases of gasoline, used oil, and/or heating oil, which were reported between January and March of 1995.

Subsurface investigation activities conducted between 1995 and 2017 documented the presence of soil and groundwater contamination exceeding Part 201 Generic Cleanup Criteria (GCC) and Part 213 Risk-Based Screening Levels (RBSLs) on the following parcels formerly known as 600 East Michigan Avenue, 612-614 East Michigan Avenue, 636 East Michigan Avenue, and 117 South Larch Street.

The identified contaminants included various volatile organic compounds (VOCs), polynuclear aromatic compounds (PNAs) and metals, which exceed the Part 201/213 Residential and Nonresidential Drinking Water/Drinking Water Protection (DW/DWP), Groundwater Surface Water Interface/Groundwater Surface Water Interface Protection (GSI/GSIP), and Direct Contact (DC) GCC/RBSLs, and the EGLE Residential and Nonresidential Recommended Interim Action Screening Levels (RIASLs) for vapor intrusion.

Soil gas samples collected from the 600 East Michigan Avenue parcel of the Property in 2013 also identified gasoline VOC concentrations exceeding the EGLE Residential and Nonresidential RIASLs.

Based upon documented exceedances of the Part 201 GCC, Part 213 RBSLs, and EGLE RIASLs, and its status as an open LUST site, the Property is a "facility" as defined under Part 201, and a "property" and a "site" as defined under Part 213.

600 E. Michigan-Lansing, LLC conducted a Baseline Environmental Assessment for the Property, dated March 22, 2018, which was submitted to the Michigan Department of Environmental Quality (EGLE) to obtain liability protections for existing contamination at the time of purchase from the State of Michigan. Therefore, 600 E. Michigan-Lansing, LLC is not liable for existing contamination at the time of purchase.

637 E. Michigan Parcel – Basis of Eligibility

637 E. Michigan is considered "adjacent or contiguous" to a "facility, "property" and a "site" and is estimated to increase the captured taxable value of that property.

Additional documentation and description of the Property's eligibility is provided in Appendix D.

C. Summary of Eligible Activities and Description of Costs (Sec. 13 (2)(a-b))

The "eligible activities" that are intended to be carried out at the Property are considered "eligible activities" as defined by Section 2 of Act 381 and as permitted under the Brownfield Redevelopment Financing Act that include: Pre-Approved Activities, Department Specific Activities, Demolition, Asbestos Activities, Infrastructure Improvements, Site Preparation and preparation and implementation of a Brownfield Plan and Act 381 Work Plan. A complete itemization of these activities and associated expenses is included in Table 1. Letters inclusive of a greenfield analysis for urban storm water management costs and special foundations are included as Appendices E and F.

The following eligible activities and budgeted costs are intended as part of the development. All activities are intended to be "Eligible Activities" under the Brownfield Redevelopment Financing Act. The Authority is not obligated to reimburse any eligible activities conducted after July 1, 2023.

Eligible Activities	Total Estimated Costs	Local Only Act 381 Eligible Activities	MSF Act 381 Eligible Activities	EGLE Act 381 Eligible Activities
Pre-Approved Activities	$109,140			$109,140
Department Specific Activities	$280,000	$25,000		$255,000
Demolition Activities	$85,300	$69,300	$15,000	$1,000
Asbestos Activities	$41,820	$40,820		1,000
Infrastructure Improvements	$1,075,828	$135,828	$940,000	
Site Preparation	$1,868,957	$120,315	$1,748,642	
Brownfield/Work Plan Preparation	$180,000	$120,000	$15,000	$15,000
Brownfield/Work Plan Implementation	$40,000	$10,000	$15,000	$15,000
Subtotal	***$3,641,045***	***$518,363***	***$2,733,642***	***$389,040***
15% Contingency*	$502,786	$58,689	$405,546	$38,550
Subtotal with Contingency	***$4,143,830***	***$577,052***	***$3,139,188***	***$427,590***
Interest**	*$1,804,384*	$365,596	$1,302,561	$136,227
Subtotal with Contingency and Interest	***$5,948,214***	***$942,648***	***$4,441,272***	***$564,293***

** 15% contingency excludes the cost of Pre-Approved activities and preparation of the Brownfield Plan and Act 381 Work Plan*
***Interest is an estimate calculated at 5%,*

Administrative Activities	
LBRA Admin Fee and LBRF (10% Annually)	$543,925
State Brownfield Fund	$299,323
Sub-Total	$843,247
10% Pass Through (state and local)	$779,773
Total	$1,623,020

Eligible activities will be financed by 600 E. Michigan-Lansing, LLC and 637 E Michigan, LLC using any or all of: (i) conventional financing, (ii) tax increment revenue bonds (the "Bonds") permitted under Section 17 of Act 381 and issued by the LBRA, (iii) an EGLE Grant and/or Loan which will be funded to the LBRA to pay the cost of certain of the eligible activities and (iv) a direct loan from the LBRA to pay the cost of certain eligible activities. The Developer will be reimbursed for eligible costs as described in Section C and outlined in Table 1. Costs for Eligible Activities funded by the Developer and the EGLE Loan will be repaid under the Michigan Brownfield Redevelopment Financing Program (Michigan Public Act 381, as amended) with incremental taxes generated by the Project. Tax increment revenues ("TIR") generated by the Project will be captured by the LBRA and used either to reimburse the cost of the eligible activities as approved under this Plan and associated Reimbursement Agreement, EGLE Loan Agreement, and Development Agreement relating to the Project, or to pay debt service on the Bonds pursuant to a bond indenture. The Developer may also be reimbursed for eligible activities not financed by the EGLE Loan, the conventional financing, or the Bonds with TIR subject to the terms of the EGLE Loan Agreement, the Reimbursement Agreement, and/or a bond indenture.

Payments will be made to the full extent incremental property tax revenues are or become available for such purposes under Act 381. The costs listed in the table referenced above are estimated costs and may increase or decrease depending on the nature and extent of environmental contamination and other conditions encountered on the Property. In addition, the interest cost referenced above is an estimate and may increase or decrease depending on the actual incurred eligible activity costs and financing costs.

However, in no event shall the total reimbursed costs for eligible activities, and contingency exceed $4,143,830 plus approved interest of $1,804,384 ($5,948,214 total) unless amended and approved by the LBRA and Lansing City Council.

D. Estimate of Captured Taxable Value and Tax Increment Revenues (Sec. 13 (2)(c))

Incremental taxes on real property will be captured under this Plan to reimburse eligible activity expenses. The base taxable value of the parcels associated with the Capital City Market portion of the project shall be determined by the use of the 2018 tax year tax values, which is $517,438. Tax increment revenue capture will begin when tax increment is generated by redevelopment of the Property, which is expected to begin in 2021 or when full redevelopment is completed whichever occurs first. The estimated taxable value of this portion of the completed development is $5,685,236, upon full completion. An annual increase in taxable value of 1% has been used for calculation of future tax increments in this Plan.

The base taxable value of the parcel associated with the 637 E. Michigan portion of the project shall be determined by the use of the 2021 tax year tax values, which is $237,500. Tax increment revenue capture will begin when tax increment is generated by redevelopment of the Property, which is expected to begin in 2023 or when full redevelopment is completed whichever occurs first. The estimated taxable value of this portion of the completed development is $392,800, upon full completion. An annual increase in taxable value of 1% has been used for calculation of future tax increments in this Plan.

Tables 2 and 3 detail the estimate of captured tax increment revenues for each year of the Plan from the Property.
TIR will also be used to pay or reimburse administrative expenses and the Local Brownfield Revolving Fund (LBRF) first, as outlined in the attached tables. In the event that the use of school tax revenues is not approved by the EGLE or MSF, as applicable, TIR will consist of local-only taxes (to the extent available).

E. Method of Brownfield Plan Financing and Description of Advances by the Municipality (Sec. 13 (2)(d)); Maximum Amount of Note or Bonded Indebtedness (Sec. 13 (2)(e))

It is anticipated that specific eligible activities will be financed by 600 E. Michigan-Lansing, LLC and 637 E Michigan, LLC using conventional financing or any one or more of the issuance of Bonds permitted under Section 17 of Act 381 and issued by the LBRA, an EGLE Grant and/or Loan, which will be funded to the LBRA to pay the cost of certain eligible activities, and an LBRA Loan to pay the cost of certain eligible activities. TIR generated by the Property will be captured by the LBRA and used to pay or reimburse the costs of the eligible activities as approved under this Plan and associated Reimbursement Agreement, LBRA Loan Agreement, EGLE Loan Agreement, Development Agreement and Bond Indenture. The Developer may also be reimbursed for eligible activities not financed by the EGLE Loan, the LBRA Loan, the conventional financing, or the Bonds with TIR, subject to the terms of the EGLE Loan Agreement, the LBRA Loan Agreement, the Reimbursement Agreement, and/or the bond indenture.

F. Duration of Brownfield Plan (Sec. 13 (2)(f))

In no event shall the duration of the Plan, exceed 35 years following the date of the resolution approving the Plan, nor shall the duration of the tax capture exceed the lesser of the period authorized under subsection (4) and (5) of Section 13 of Act 381 or 30 years. The Property will become part of this Plan on the date this Plan is approved by the Lansing City Council.

G. Estimated Impact of Tax Increment Financing on Revenues of Taxing Jurisdictions (Sec. 13 (2)(g))

Tables 2 and 3 attached to this Plan provide the estimated TIR to be generated and captured under this Plan, for an estimated period of 21 years.

The total estimated cost of the eligible actives, contingency, interest, administrative fees, LBRF and State Brownfield Fund to be reimbursed or captured through use of TIR is projected to be up to $6,791,461. Taxes will continue to be generated to the City's tax increment finance authority (TIFA) or taxing jurisdictions on local and school captured millages at the total base taxable value of $754,938 starting in 2021 and throughout the duration of this Plan totaling approximately $1,150,485 or $54,785 annually starting in 2021 and throughout the duration of the Plan. The TIFA is currently estimated to expire in 2039.

Non-capturable millages, will see an immediate increase in new taxes generated following redevelopment and will provide new tax revenue of approximately $580,823 throughout the duration of this Plan.

Ten percent of newly generated taxes will be captured for the TIFA or taxing jurisdictions on local and state school captured millages throughout the duration of this Plan totaling approximately $779,773.

A summary of the estimated impact to taxing jurisdictions for the life of the Plan is summarized below.

Millage	Rate	Amount Captured (Eligible Activities, LBRA LBRF, LBRA Admin. Fee, State BF Fund)	Taxes from current base tax value for the TIFA and Taxing Jurisdictions	New Taxes Passed through to TIFA
State Education Tax (SET)	6.0000	$518,384	$95,122	$58,962
School Operating Tax	18.0000	$1,555,153	$285,367	$176,887
Subtotal	***24.0000***	***$2,073,537***	***$380,489***	***$235,849***
Lansing Oper	19.4400	$2,098,274	$308,196	$241,914
Lans Com College	3.8072	$410,934	$60,358	$47,377
Ingham Intermed	4.7062	$507,968	$74,611	$58,564
Ingham Cnty Sum	6.8000	$733,964	$107,805	$84,620
Ingham County	3.2800	$354,030	$52,000	$40,817
Airport Auth	0.6990	$75,447	$11,082	$8,698
CATA	3.0070	$324,563	$47,672	$37,419
CADL-Library	1.5600	$168,380	$24,732	$19,413
Zoo Millage	0.4100	$44,254	$6,500	$5,102
Subtotal	***43.7094***	***$4,717,815***	***$692,956***	***$543,925***
Total Capturable Millages	***67.7094***	***$6,791,352***	***$1,073,444***	***$779,773***
Non-Capturable Millages	**Rate**	**New Taxes Generated**	**Taxes Preserved for Taxing Unit**	**New Taxes Generated**
Lansing Debt	0.2600	$28,063	$4,122	NA
Lansing Sch Debt	4.6000	$549,750	$72,927	NA
Total Non-Capturable Millages	***4.8600***	***$580,823***	***$77,049***	

H. Legal Description, Property Map, Statement of Qualifying Characteristics and Personal Property (Sec. 13 (2)(h))

The legal description of the Property included in this Plan is attached in Appendix A.

Property location maps are included in Appendix B.

Documentation of characteristics that qualify the Property as eligible property is provided in Appendix D.

Personal property may be included as part of the eligible property to the extent that it is taxable personal property.

I. Displacement/Relocation of Individuals on Eligible Property (Sec. 13 (2)(i-l))

No displacement of businesses or residents is expected as part of this project. All parcels were vacant of businesses or residents prior to acquisition with the exception of one business, which relocated in July of 2018 and one residence whose lease expires prior to the anticipated approval timeline of the Plan. The existing residential lease ended and all properties were vacant by August 31, 2018, prior to approval of this Plan. An additional lease for surface parking exists on the property, however, the lease will end November 14, 2018. The property will continue to be rented on a month to month basis through April 1, 2019 as a courtesy. Therefore no displacement or relocation will occur on the Property. Compliance with all relocation requirements of Act 381 and the standards and provisions of the Uniform Relocation Assistance and Real Property Acquisitions Policies Act of 1970, Public Law 91-646 will be kept.

J. Local Brownfield Revolving Fund ("LBRF") (Sec. 13 (2)(m))

The LBRA has established a Local Brownfield Revolving Fund (LBRF). Capture for the LBRA is included in this plan on an annual basis with administrative fees totaling 10% of the annual available local TIR, and is currently estimated to total $543,925 over 21 years. The funds deposited into the LBRF as part of this Plan will be used to support future development projects in Lansing in accordance with the requirements of Act 381, as amended.

K. Other Material that the Authority or Governing Body Considers Pertinent (Sec. 13 (2)(n))

The Lansing Brownfield Redevelopment Authority and the City Council as the Governing Body, in accordance with Act 381, may amend this Plan in order to fund additional eligible activities associated with the Project described herein. The Property is located within a Lansing Tax Increment Finance Authority (TIFA) district and therefore an interlocal agreement will be required to be approved and executed as part of this project. This project is a high priority for the City of Lansing, which will be transformational for the Michigan Avenue corridor and surrounding residents. Those living in and near the downtown will have access to affordable, healthy food within walking distance, while nearby properties will see an increase in property value. The development will increase both daytime and evening foot traffic, extending spending in nearby local businesses. Significant blight conditions will be eliminated and environmental

conditions will be reduced and mitigated to prevent exposures. Overall the project will attract new residents and business into the downtown and catalyze future growth and investment.
Eligible Activities associated with the parcel referred to as 637 East Michigan Avenue shall be reimbursed via local only tax increment revenues only.

Appendix A

PM ENVIRONMENTAL Environmental & Engineering Services

PLOT PLAN

For:
Gillespie Group
600 E. Michigan–Lansing, LLC
330 Marshall Street
Lansing, MI 48912

Survey Address:
600 Michigan Avenue
Lansing, MI 48912

Legal Description: A parcel of land in Block 242, Original Plat, City of Lansing, Ingham County, Michigan, as recorded in Liber 2 of Plats, Page 36, Ingham County Records, Connard's Subdivision on Lot 1, Block 242, Original Plat, City of Lansing, Ingham County, Michigan, as recorded in Liber 1 of Plats, Page 31, Ingham County Records, and in Barnard's Subdivision on Lots 2, 3 and 4, Block 242, Original Plat, City of Lansing, Ingham County, Michigan, as recorded in Liber 1 of Plats, Page 32, Ingham County Records, the surveyed boundary of said parcel described as: Beginning at the Northwest corner of said Connard's Subdivision; thence S89°25'55"E along the North line of said Connard's Subdivision 425.18 feet (recorded as 425.04 feet) to the Northeast corner of said Connard's Subdivision; thence S00°06'32"W along the East line of said Connard's Subdivision, the East line of said Block 242, and the East line of said Barnard's Subdivision 521.16 feet to the Southeast corner of Block 1, said Barnard's Subdivision; thence N89°29'27"W along the South line of said Block 1 a distance of 429.20 feet (recorded as 429.00 feet) to the Southwest corner of said Block 1; thence N00°33'03"E along the West line of said Barnard's Subdivision 121.50 feet to the Northwest corner of Block 1 of said Barnard's Subdivision; thence S89°28'38"E along the North line of said Block 1 of Barnard's Subdivision 135.00 feet to the East line of the West 135 feet of Lot 2, said Block 242; thence N00°33'02"E along said East line 78.23 feet to the South line of the North 8 feet of said Lot 2, Block 242; thence S89°18'57"E along said South line 30.00 feet to the Southerly extension of the East line of Lot 23, said Connard's Subdivision; thence N00°33'03"E along said Southerly extension of the East line of said Lot 23 and the East line of Lots 23, 22, 21, and 20, said Connard's Subdivision 179.36 feet to the South line of the North 16.50 feet of said Lot 20; thence N89°26'46"W along said South line 165.00 feet to the West line of said Connard's Subdivision; thence N00°33'03"E along said West line 142.49 feet to the point of beginning; said parcel containing 4.19 acres more or less; said parcel subject to all easements and restrictions if any.

KEBS, INC. KYES ENGINEERING BRYAN LAND SURVEYS
2116 HASLETT ROAD, HASLETT, MI 48840
PH. 517–339–1014 FAX. 517–339–8047
13432 PRESTON DRIVE, MARSHALL, MI 49068
PH. 269–781–9800 FAX. 269–781–9805

DRAWN BY KDB	SECTION 16, T4N, R2W
FIELD WORK BY ---	JOB NUMBER: 92950.BND–PLT
SHEET 2 OF 2	

PLOT PLAN

For:
Gillespie Group
600 E. Michigan–Lansing, LLC
330 Marshall Street
Lansing, MI 48912

Survey Address:
636 E. Michigan Avenue
Lansing, MI 48912

Proposed Legal Descriptions:

Parcel 636 E. Michigan Avenue: A parcel of land in Block 242, Original Plat, City of Lansing, Ingham County, Michigan, as recorded in Liber 2 of Plats, Page 36, Ingham County Records, Connard's Subdivision on Lot 1, Block 242, Original Plat, City of Lansing, Ingham County, Michigan, as recorded in Liber 1 of Plats, Page 31, Ingham County Records, and in Barnard's Subdivision on Lots 2, 3 and 4, Block 242, Original Plat, City of Lansing, Ingham County, Michigan, as recorded in Liber 1 of Plats, Page 32, Ingham County Records, the surveyed boundary of said parcel described as: Beginning at the Northwest corner of said Connard's Subdivision; thence S89°25'55"E along the North line of said Connard's Subdivision 425.18 feet (recorded as 425.04 feet) to the Northeast corner of said Connard's Subdivision; thence S00°06'32"W along the East line of said Connard's Subdivision, the East line of said Block 242, and the East line of said Barnard's Subdivision 521.16 feet to the Southeast corner of Block 1, said Barnard's Subdivision; thence N89°29'27"W along the South line of said Block 1 a distance of 429.20 feet (recorded as 429.00 feet) to the Southwest corner of said Block 1; thence N00°33'03"E along the West line of said Barnard's Subdivision 121.50 feet to the Northwest corner of Block 1 of said Barnard's Subdivision; thence S89°28'38"E along the North line of said Block 1 of Barnard's Subdivision 135.00 feet to the East line of the West 135 feet of said Lot 2, Block 242; thence N00°33'03"E along said East line 78.23 feet to the South line of the North 8 feet of said Lot 2, Block 242; thence S89°18'57"E along said South line 30.00 feet to the Southerly extension of the East line of Lot 23, said Connard's Subdivision; thence N00°33'03"E along said Southerly extension of the East line of said Lot 23 and the East line of Lots 23, 22, 21, and 20, said Connard's Subdivision 155.45 feet; thence N54°22'13"W 13.08 feet; thence N89°27'25"W 4.35 feet; thence N00°29'31"E 3.08 feet; thence N89°27'25"W 149.95 feet to the West line of said Connard's Subdivision; thence N00°33'03"E along said West line 155.83 feet to the point of beginning; said parcel containing 4.24 acres, more or less, said aprcel subject to all easements and restrictions, if any.

Parcel 119 S. Larch Street: Lots 20, 21 & 22, except the North 16.5 feet of Lot 20, Connard's Subdivision on Lot 1, Block 242, Original Plat, City of Lansing, Ingham County, Michigan, as recorded in Liber 1 of Plats, Page 31, Ingham County Records, also except a parcel of land being part of Lot 20, Connard's Subdivision on Lot 1, Block 242, Original Plat, City of Lansing, Ingham County, Michigan, as recorded in Liber 1 of Plats, Page 31, Ingham County Records, the boundary of said parcel described as: Commencing at the Northwest corner of said Connard's Subdivision; thence S00°33'03"W along the West line of said Connard's Subdivision 142.49 feet to a point 16.5 feet South of the Northwest corner of said Lot 20 and the point of beginning of this description; thence S89°26'46"E parallel with the North line of said Lot 20 a distance of 165.00 feet to the East line of said Lot 20; thence S00°33'03"W along said East line 23.91 feet; thence N54°22'13"W 13.08 feet; thence N89°27'25"W 4.35 feet; thence N00°29'31"E 3.08 feet; thence N89°27'25"W 149.95 feet to the West line of said Connard's Subdivision; thence N00°33'03"E along said West line 13.34 feet to the point of beginning; said parcel containing 0.44 acre, more or less; said parcel subject to all easements and restrictions, if any.

All bearings are derived from Michigan State Plane South Zone grid bearings obtained from GPS observations using corrections obtained from the Lansing C.O.R.S.

ERICK R. FRIESTROM
PROFESSIONAL SURVEYOR NO. 53497

08/02/19
DATE

KEBS, INC. KYES ENGINEERING BRYAN LAND SURVEYS
2116 HASLETT ROAD, HASLETT, MI 48840
PH. 517–339–1014 FAX. 517–339–8047
13432 PRESTON DRIVE, MARSHALL, MI 49068
PH. 269–781–9800 FAX. 269–781–9805

DRAWN BY KDB	SECTION 16, T4N, R2W
FIELD WORK BY ---	JOB NUMBER: 92950.PLT–2
SHEET 4 OF 5	

ALTA/NSPS LAND TITLE SURVEY

"637 E. MICHIGAN AVENUE"

SURVEYOR'S NOTES:

1. This plan was made at the direction of the parties named hereon and is intended solely for their immediate use. Survey prepared from fieldwork performed in February 2016.

2. All bearings and distances on the survey are record and measured unless otherwise noted. Measured Bearings are based on Michigan State Plane South Zone grid bearings obtained from GPS observations using corrections obtained from the Lansing C.O.R.S.

3. All dimensions are in feet and decimals thereof.

4. No building tie dimensions are to be used for establishing the property lines.

5. There are no observable potential encroachments onto the subject property from adjoining lands, or from the subject property onto adjoining lands, except as shown hereon.

6. There is no observable evidence of cemeteries on this site.

7. There is no observable evidence of earth moving work, building construction, or building additions within recent months.

8. There is no observable evidence of site used as a solid waste dump, sump, or sanitary landfill.

9. Parcel has direct access to public E. Michigan Avenue and public Pere Marquette Drive.

ALTA/ACSM LAND TITLE SURVEY – TABLE "A" REQUIREMENTS:

Item 1: Shown on the survey map.

Item 2: Address of the surveyed property: 637 E. Michigan Avenue, Lansing, MI 48912

Item 3: By scaled map location and graphic plotting only, this property lies entirely within Flood Zone "X", areas outside the 0.2% annual chance floodplain, according to the National Flood Insurance Program, Flood Insurance Rate Map for the City of Lansing, Ingham County, Michigan, Community Panel No. 20090 0131 D, dated August 16, 2011.

Item 4: 1.51 Acres (65,832 square feet)

Item 7a: Shown on the survey map.

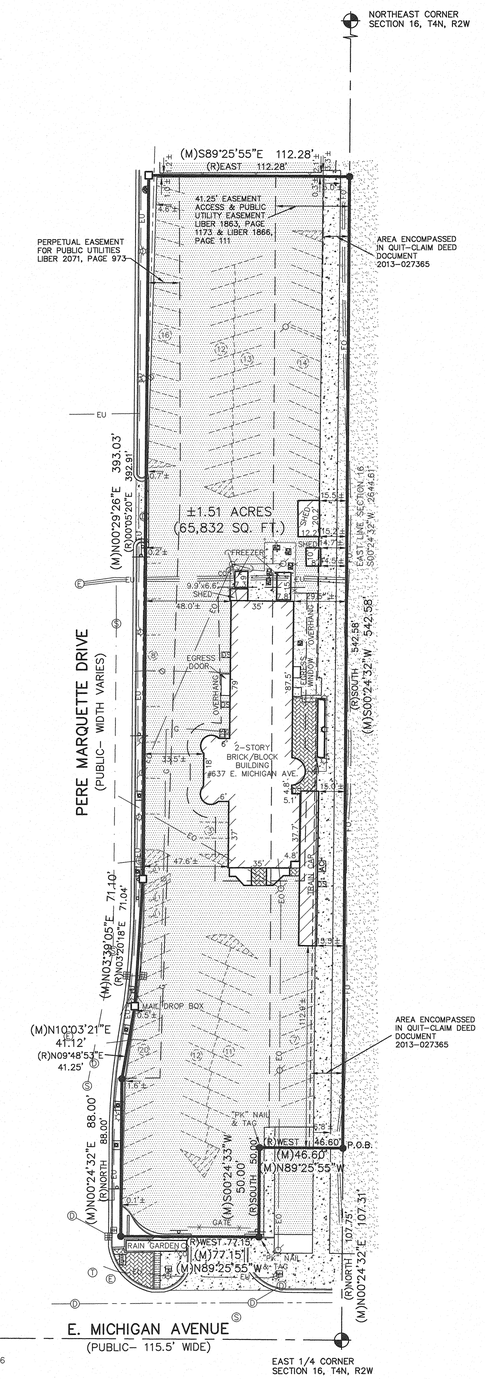
Item 8: Shown on the survey map.

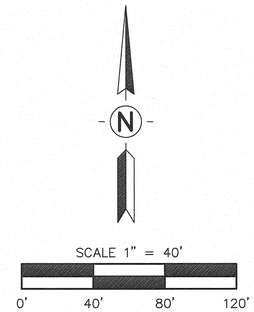
Item 9: Parking:
Regular Parking Spaces: 113
Barrier Free Parking Spaces: 3
Total on-site Parking Spaces: 116

Item 11: Utility information as shown was obtained from available public records and from supporting field observations, where possible, and is subject to verification in the field by the appropriate authorities prior to use for construction. This parcel was marked by MISS DIG Ticket No. A60480054-00A. MISS DIG positive response shows markings were completed by City of Lansing for water, sanitary sewer and storm sewer, Level 3 Communications, Lansing Board of Water & Light, and Consumers Energy Gas Distribution. Utilities found on site that were located by MISS DIG were: gas, water, electric, and fiber optic lines.

LEGEND

●	= SET 1/2" BAR WITH CAP	Ⓢ	= SANITARY MANHOLE
□	= FOUND BAR & CAP #18998	Ⓓ	= DRAINAGE MANHOLE
	= DEED LINE	Ⓔ	= ELECTRIC MANHOLE
	= DISTANCE NOT TO SCALE	Ⓣ	= TELEPHONE MANHOLE
	= FENCE		= CATCHBASIN
	= ASPHALT	CO	= SANITARY CLEANOUT
	= CONCRETE		= FIRE HYDRANT
	= GRAVEL		= VALVE
	= BRICK		= UTILITY POLE
	= SANITARY SEWER		= LIGHT POLE
	= STORM SEWER		= GUY POLE
	= WATER LINE		= GUY WIRE
G	= GAS LINE		= UTILITY PEDESTAL
FO	= UNDERGROUND FIBER OPTIC		= TRANSFORMER
C	= UNDERGROUND TELEVISION		= ELECTRIC METER
EU	= UNDERGROUND ELECTRIC		= GAS METER
EO	= OVERHEAD WIRES		= WATER METER
	= PARKING METER		= MONITORING WELL
	= AIR CONDITIONING UNIT		= SIGN
	= HAND HOLE		= POST





LEGAL DESCRIPTION:
(As provided by First American Title Insurance Company, Commitment No. 142176, dated February 4, 2015)
Part of Lot 39, Assessor's Plat No. 36 of Block 243, Original Plat, as recorded in Liber 11, Page 18, Ingham County Records and part of vacated East Street described as: Commencing 107.75 feet North of the East 1/4 corner of Section 16, Town 4 North, Range 2 West, thence West 46.6 feet, thence South 50 feet to the North line of Michigan Avenue, thence West to the East line of Pere Marquette Drive at a point 123.75 feet West of the East line of said Section 16, thence North 88 feet; thence North 09 degrees 48 minutes 53 seconds East 41.25 feet, thence North 03 degrees 20 minutes 18 seconds East 71.04 feet, thence North 00 degrees 05 minutes 20 seconds East 392.91 feet, thence East 112.28 feet to the East line of said Section 16, thence South 542.58 feet to the Point of Beginning.

SCHEDULE B, SECTION II, EXCEPTIONS:
(As provided by First American Title Insurance Company, Commitment No. 142176, dated February 4, 2015)

Item 15: Right of Way easement as recorded in Liber 4 of Miscellaneous Records, Page 395, does not cross the subject parcel and therefore is not shown hereon.

Item 16: Terms, covenants and conditions as recorded in Liber 1865, Page 432 do not cross the subject parcel and therefore are not shown hereon, Easement as recorded in Liber 1863, Page 1173 and Liber 1866, Page 111 crosses the subject parcel and is shown hereon.

Item 17: Parcel is subject to the general easement as recorded in Liber 2071, Page 973, said easement is plottable and is shown hereon.

Item 18: Parcel may be subject to the terms, provisions and easements as recorded in Liber 1267, Page 455, Liber 1780, Page 331 and Liber 2793, Page 412, the exact routes of said easements are not described and therefore are not plottable.

Item 19: Parcel is subject to the interest of the Pennsylvania Lines, LLC as recorded in Liber 2793, Page 412, and Liber 2700, Page 115, no easement is described and therefore is not shown hereon.

Item 20: Parcel is subject to the Reservation of Easement to the City of Lansing as recorded in Instrument No. 2013-005529, said easement is not described and therefore is not shown hereon.

Item 21: Parcel is subject to the Easement Deed to Sprint Communications as recorded in Instrument No. 2013-005529, the exact route of said easement is not described and therefore is not shown hereon.

CERTIFICATION:
To: 637 E. Michigan LLC; Gillespie Property Management, Inc.; Clara's Inc.; and First American Title Insurance Company:

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2016 "Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys," jointly established and adopted by ALTA and NSPS, and includes Items 1, 2, 3, 4, 7a, 8, 9 and 11 of Table A thereof. The field work was completed on February 23, 2016.

STATE OF MICHIGAN
ERICK R. FRIESTROM
PROFESSIONAL SURVEYOR
No. 53497
LICENSED PROFESSIONAL SURVEYOR

06/13/16

Erick R. Friestrom Date of Plat or Map:
Professional Surveyor No. 53497

REVISIONS	COMMENTS
02/29/16	PRELIMINARY
06/13/16	SIGNED FINAL

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

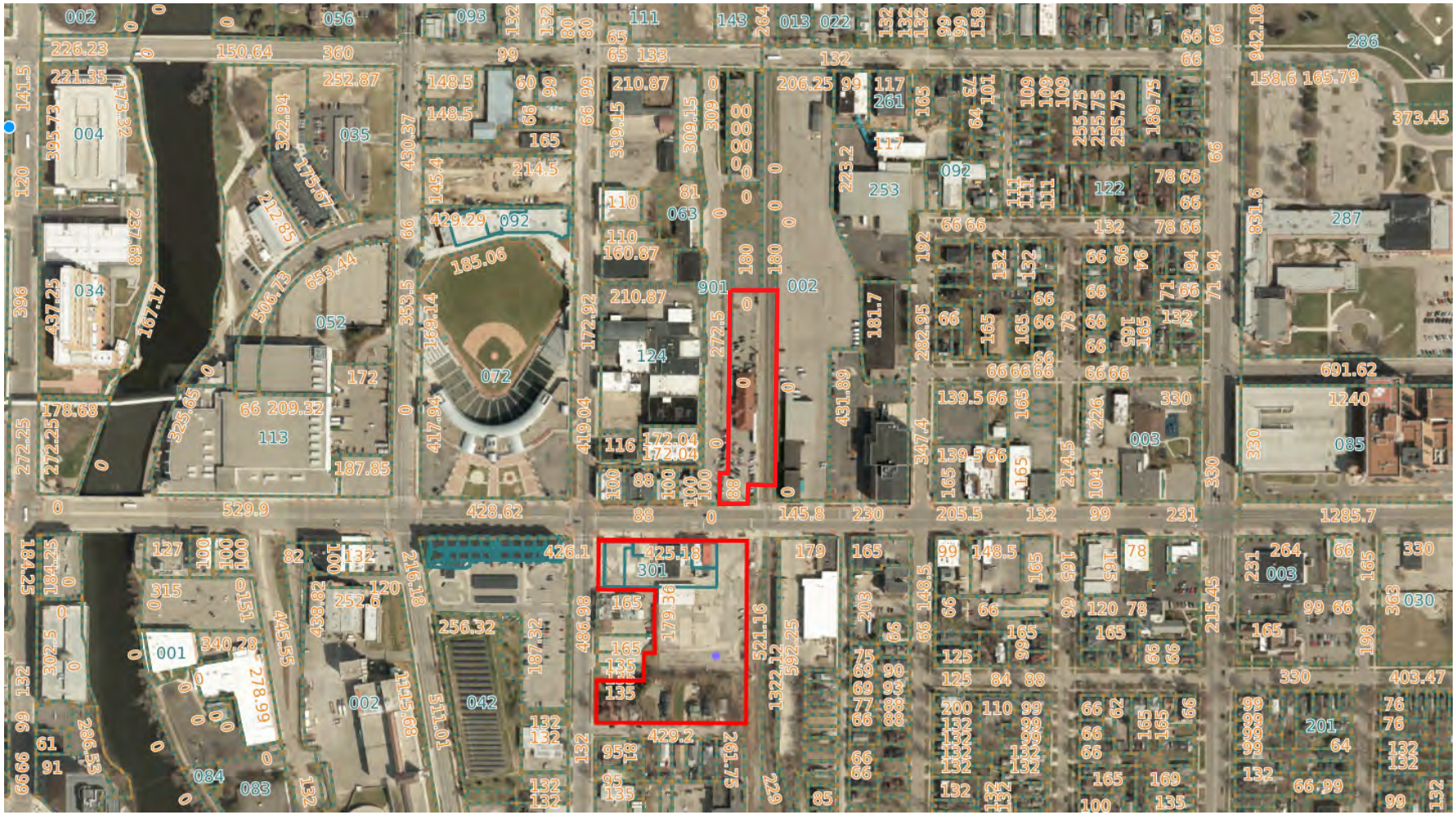
DRAWN BY SLH	SECTION 16, T4N, R2W
FIELD WORK BY RF	JOB NUMBER: 90233.ALT
SHEET 1 OF 1	

Appendix B

PM ENVIRONMENTAL Environmental & Engineering Services

INGHAM COUNTY
MICHIGAN

Ingham County Parcels 2/20/2021 3:11:02 PM



Disclaimer: The data is provided for reference only and WITHOUT WARRANTY of any kind.

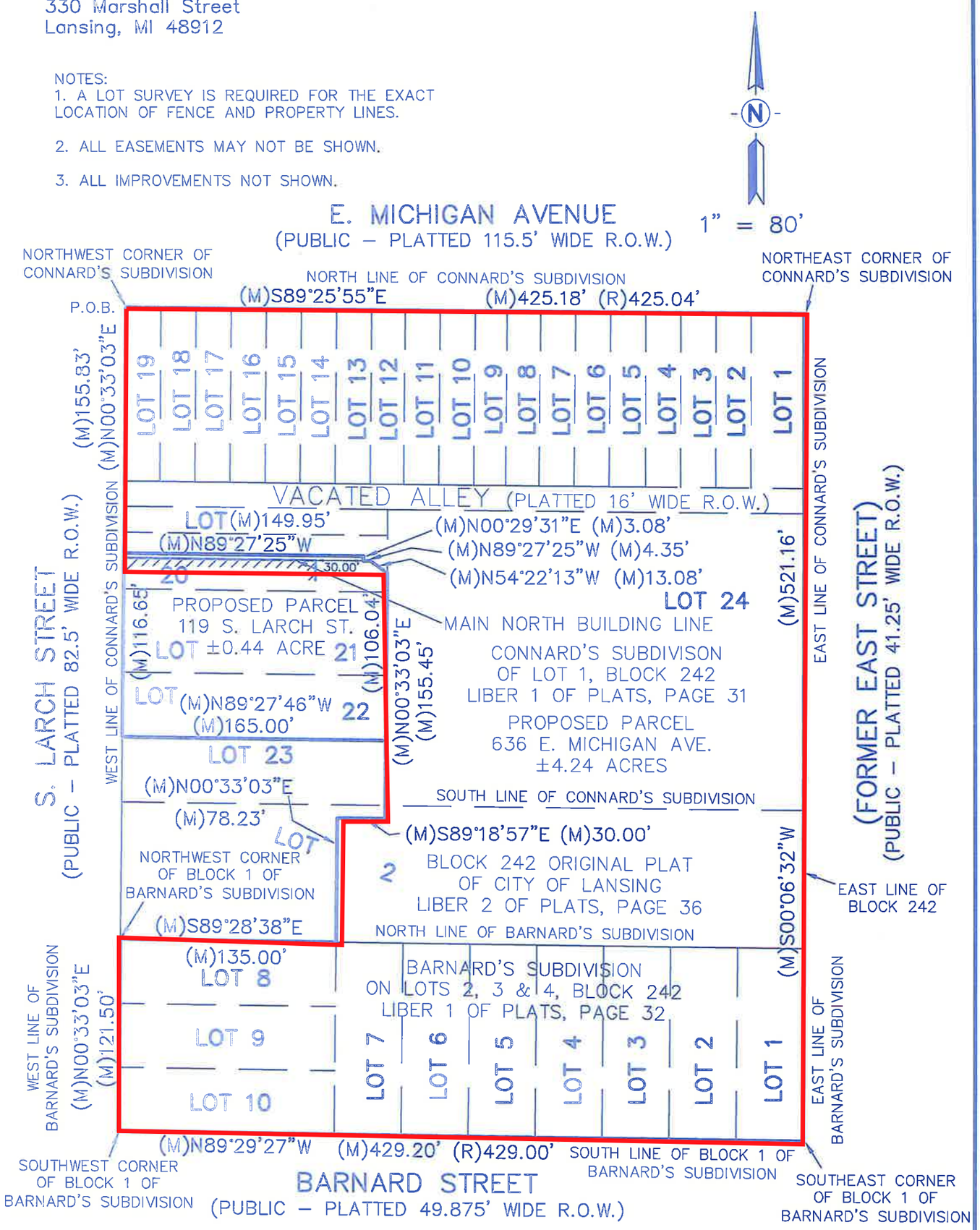
PLOT PLAN

PROPOSED CONFIGURATION

For:
Gillespie Group
600 E. Michigan–Lansing, LLC
330 Marshall Street
Lansing, MI 48912

Survey Address:
636 E. Michigan Avenue
Lansing, MI 48912

NOTES:
1. A LOT SURVEY IS REQUIRED FOR THE EXACT LOCATION OF FENCE AND PROPERTY LINES.
2. ALL EASEMENTS MAY NOT BE SHOWN.
3. ALL IMPROVEMENTS NOT SHOWN.



This plan was made at the direction of the parties hereon and intended solely for their immediate use and no survey has been made and no property lines were monumented, all easements recorded or unrecorded may not be shown, unless specifically noted, and no dimensions are intended for use in establishing property lines.

R = Recorded Distance
= Deed Line
= Distance Not to Scale
= Deck, Porch, Sidewalk, & Patio Areas

KEBS, INC.
KYES ENGINEERING
BRYAN LAND SURVEYS
2116 HASLETT ROAD, HASLETT, MI 48840
PH. 517–339–1014 FAX. 517–339–8047
13432 PRESTON DRIVE, MARSHALL, MI 49068
PH. 269–781–9800 FAX. 269–781–9805

DRAWN BY KDB	SECTION 16, T4N, R2W
FIELD WORK BY ---	JOB NUMBER: 92950.PLT–2
SHEET 2 OF 5	

08/02/19
ERICK R. FRIESTROM
PROFESSIONAL SURVEYOR NO. 53497
DATE

ALTA/NSPS LAND TITLE SURVEY

"637 E. MICHIGAN AVENUE"

SURVEYOR'S NOTES:

1. This plan was made at the direction of the parties named hereon and is intended solely for their immediate use. Survey prepared from fieldwork performed in February 2016.

2. All bearings and distances on the survey are record and measured unless otherwise noted. Measured Bearings are based on Michigan State Plane South Zone grid bearings obtained from GPS observations using corrections obtained from the Lansing C.O.R.S.

3. All dimensions are in feet and decimals thereof.

4. No building tie dimensions are to be used for establishing the property lines.

5. There are no observable potential encroachments onto the subject property from adjoining lands, or from the subject property onto adjoining lands, except as shown hereon.

6. There is no observable evidence of cemeteries on this site.

7. There is no observable evidence of earth moving work, building construction, or building additions within recent months.

8. There is no observable evidence of site used as a solid waste dump, sump, or sanitary landfill.

9. Parcel has direct access to public E. Michigan Avenue and public Pere Marquette Drive.

ALTA/ACSM LAND TITLE SURVEY – TABLE "A" REQUIREMENTS:

Item 1: Shown on the survey map.

Item 2: Address of the surveyed property: 637 E. Michigan Avenue, Lansing, MI 48912

Item 3: By scaled map location and graphic plotting only, this property lies entirely within Flood Zone "X", areas outside the 0.2% annual chance floodplain, according to the National Flood Insurance Program, Flood Insurance Rate Map for the City of Lansing, Ingham County, Michigan, Community Panel No. 20090 0131 D, dated August 16, 2011.

Item 4: 1.51 Acres (65,832 square feet)

Item 7a: Shown on the survey map.

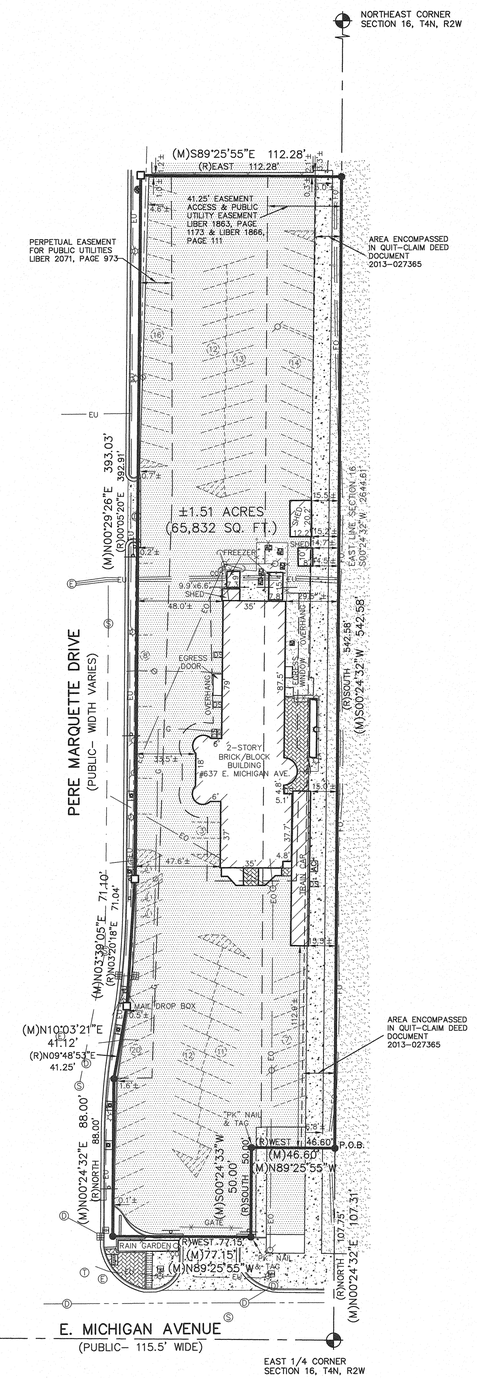
Item 8: Shown on the survey map.

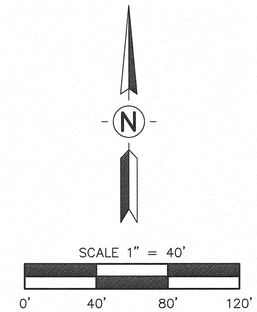
Item 9: Parking:
Regular Parking Spaces: 113
Barrier Free Parking Spaces: 3
Total on-site Parking Spaces: 116

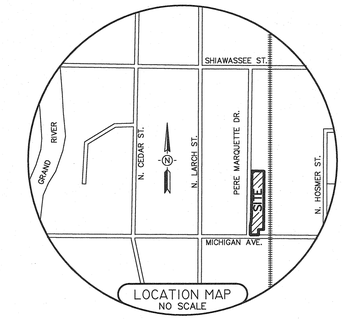
Item 11: Utility information as shown was obtained from available public records and from supporting field observations, where possible, and is subject to verification in the field by the appropriate authorities prior to use for construction. This parcel was marked by MISS DIG Ticket No. A60480054-00A. MISS DIG positive response shows markings were completed by City of Lansing for water, sanitary sewer and storm sewer, Level 3 Communications, Lansing Board of Water & Light, and Consumers Energy Gas Distribution. Utilites found on site that were located by MISS DIG were: gas, water, electric, and fiber optic lines.

LEGEND

●	= SET 1/2" BAR WITH CAP	Ⓢ	= SANITARY MANHOLE
□	= FOUND BAR & CAP #18998	Ⓓ	= DRAINAGE MANHOLE
	= DEED LINE	Ⓔ	= ELECTRIC MANHOLE
	= DISTANCE NOT TO SCALE	Ⓣ	= TELEPHONE MANHOLE
	= FENCE		= CATCHBASIN
	= ASPHALT	CO	= SANITARY CLEANOUT
	= CONCRETE		= FIRE HYDRANT
	= GRAVEL		= VALVE
	= BRICK		= UTILITY POLE
	= SANITARY SEWER		= LIGHT POLE
	= STORM SEWER		= GUY POLE
	= WATER LINE		= GUY WIRE
G	= GAS LINE		= UTILITY PEDESTAL
FO	= UNDERGROUND FIBER OPTIC		= TRANSFORMER
C	= UNDERGROUND TELEVISION		= ELECTRIC METER
EU	= UNDERGROUND ELECTRIC		= GAS METER
EO	= OVERHEAD WIRES		= WATER METER
	= PARKING METER		= MONITORING WELL
	= AIR CONDITIONING UNIT		= SIGN
	= HAND HOLE		= POST







LEGAL DESCRIPTION:

(As provided by First American Title Insurance Company, Commitment No. 142176, dated February 4, 2015)
Part of Lot 39, Assessor's Plat No. 36 of Block 243, Original Plat, as recorded in Liber 11, Page 18, Ingham County Records and part of vacated East Street described as: Commencing 107.75 feet North of the East 1/4 corner of Section 16, Town 4 North, Range 2 West, thence West 46.6 feet, thence South 50 feet to the North line of Michigan Avenue, thence West to the East line of Pere Marquette Drive at a point 123.75 feet West of the East line of said Section 16, thence North 88 feet; thence North 09 degrees 48 minutes 53 seconds East 41.25 feet, thence North 03 degrees 20 minutes 18 seconds East 71.04 feet, thence North 00 degrees 05 minutes 20 seconds East 392.91 feet, thence East 112.28 feet to the East line of said Section 16, thence South 542.58 feet to the Point of Beginning.

SCHEDULE B, SECTION II, EXCEPTIONS:

(As provided by First American Title Insurance Company, Commitment No. 142176, dated February 4, 2015)

Item 15: Right of Way easement as recorded in Liber 4 of Miscellaneous Records, Page 395, does not cross the subject parcel and therefore is not shown hereon.

Item 16: Terms, covenants and conditions as recorded in Liber 1865, Page 432 do not cross the subject parcel and therefore are not shown hereon, Easement as recorded in Liber 1863, Page 1173 and Liber 1866, Page 111 crosses the subject parcel and is shown hereon.

Item 17: Parcel is subject to the general easement as recorded in Liber 2071, Page 973, said easement is plottable and is shown hereon.

Item 18: Parcel may be subject to the terms, provisions and easements as recorded in Liber 1267, Page 455, Liber 1780, Page 331 and Liber 2793, Page 412, the exact routes of said easements are not described and therefore are not plottable.

Item 19: Parcel is subject to the interest of the Pennsylvania Lines, LLC as recorded in Liber 2793, Page 412, and Liber 2700, Page 115, no easement is described and therefore is not shown hereon.

Item 20: Parcel is subject to the Reservation of Easement to the City of Lansing as recorded in Instrument No. 2013-005529, said easement is not described and therefore is not shown hereon.

Item 21: Parcel is subject to the Easement Deed to Sprint Communications as recorded in Instrument No. 2013-005529, the exact route of said easement is not described and therefore is not shown hereon.

CERTIFICATION:

To: 637 E. Michigan LLC; Gillespie Property Management, Inc.; Clara's Inc.; and First American Title Insurance Company:

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2016 "Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys," jointly established and adopted by ALTA and NSPS, and includes Items 1, 2, 3, 4, 7a, 8, 9 and 11 of Table A thereof. The field work was completed on February 23, 2016.

STATE OF MICHIGAN
ERICK R. FRIESTROM
PROFESSIONAL SURVEYOR
No. 53497
LICENSED PROFESSIONAL SURVEYOR

06/13/16

Erick R. Friestrom Date of Plat or Map:
Professional Surveyor No. 53497

REVISIONS	COMMENTS
02/29/16	PRELIMINARY
06/13/16	SIGNED FINAL

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

DRAWN BY SLH	SECTION 16, T4N, R2W
FIELD WORK BY RF	JOB NUMBER: 90233.ALT
SHEET 1 OF 1	

Appendix C

PM ENVIRONMENTAL Environmental & Engineering Services

COFFEE
YOUR COMPANY
NAME HERE

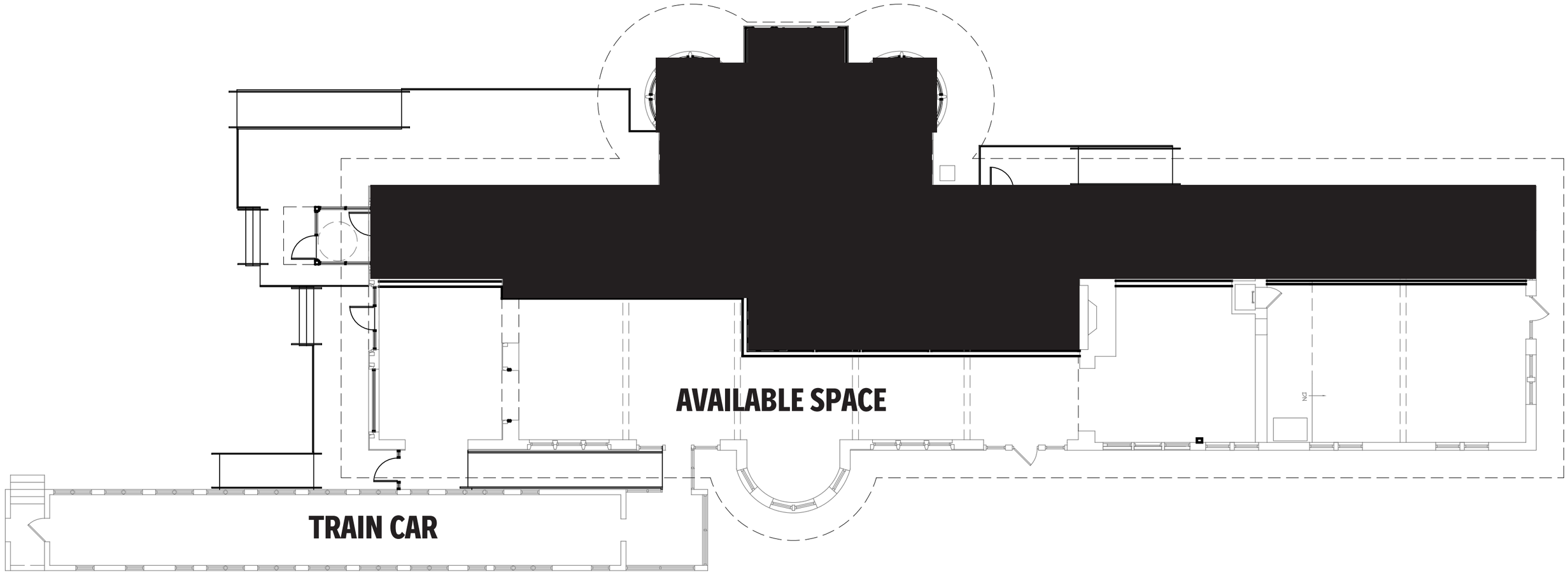
studio [intrigue] ARCHITECTS

637 E. MICHIGAN GREEN SPACE PLAN

N

GILLESPIE GROUP

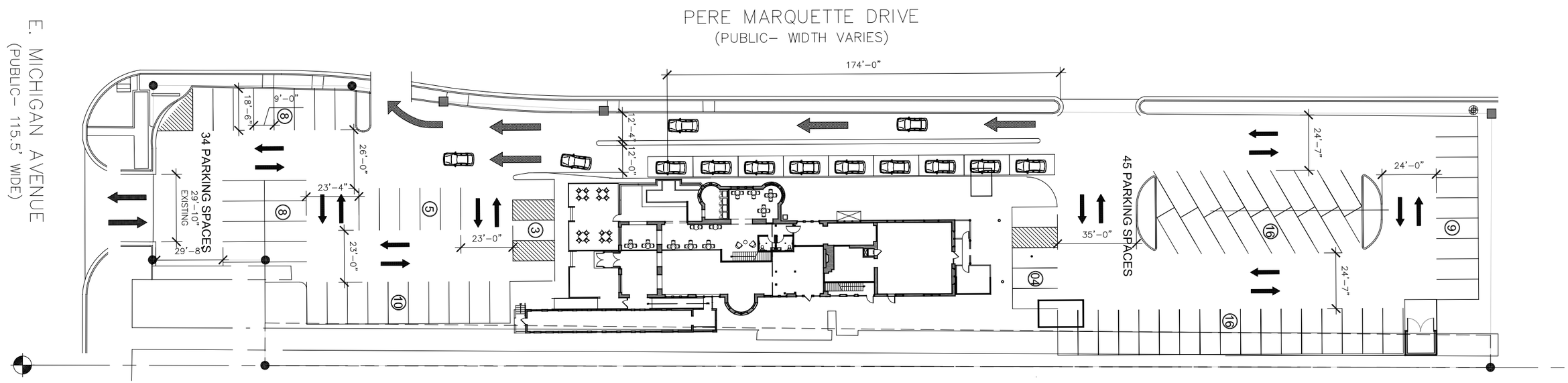
COPYRIGHT STUDIO [INTRIGUE] ARCHITECTS © 2021



GILLESPIE GROUP

SUITE 2: 2,977 SF

SITE PLAN



GILLESPIE GROUP

WEST

Site Plan is for inspirational and discussion purposes only

PARKLET Example

GILLESPIE GROUP

PARKLET Example

GILLESPIE GROUP

HOTEL
HOTEL
HOTEL
GILLESPIE GROUP
Integrated

GILLESPIE GROUP Integrated Technologies

LARCH
MICHIGAN
CAPITALCITYMARKET
CAPITALCITYMARKET
CAPITAL CITY MARKET
COFFEE
CAPITAL
MARKET
DETROIT
GILLESPIEGROUP
Integrated

Integrated Architecture

GILLESPIE GROUP

scale

0' 30' 60' 120'

N

20171202

2 August 2018

CONCEPT | site plan

600 E MICHIGAN AVE

1

© 2018 Integrated Architecture All rights reserved No part of this document may be used or reproduced in any form or by any means, or stored in a database or retrieval system, without the prior written permission of Integrated Architecture

Integrated Architecture

GILLESPIE GROUP

CONCEPT | aerial view from SE

20171202 2 August 2018

600 E MICHIGAN AVE 8

© 2018 Integrated Architecture All rights reserved No part of this document may be used or reproduced in any form or by any means, or stored in a database or retrieval system, without the prior written permission of Integrated Architecture

Integrated Architecture

GILLESPIE GROUP

CONCEPT | aerial view from SW

20171202 2 August 2018

600 E MICHIGAN AVE 9

© 2018 Integrated Architecture All rights reserved No part of this document may be used or reproduced in any form or by any means, or stored in a database or retrieval system, without the prior written permission of Integrated Architecture

600 E. Michigan Project

CITY OF LANSING, INGHAM COUNTY, MICHIGAN

CLIENT:
GILLESPIE GROUP
330 MARSHALL ST.
LANSING, MI. 48912
PH:(517) 333-4123
FAX:(517) 333-6725

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

SPECIFICATIONS

SANITARY SEWERS

1. All sanitary sewer construction shall comply with the Construction Standards of City of Lansing and shall be subject to the inspection and approval of the City.
2. All sanitary sewermain piping shall be PVC SDR 26.
3. All pipe to be laid with the aid of laser equipment.
4. All sanitary sewer manholes shall be in accordance with Construction Standards of the City of Lansing with Neenah R-1763 or EJIW 1620 solid self sealing cover.
5. Trench width shall be maintained to a point at least 12" above the top of the pipe to ensure bedding conditions.
6. All sanitary leads shall be 6" PVC SDR 23.5 installed at minimum slope of 1%.
7. A sewer permit shall be obtained from the Public Service Department, 7th floor City Hall, by a drain layer licensed by the city
8. All sewer work shall be performed by a drain layer licensed by the City. Prior to working on sidewalk, curb and gutter, or drive approaches within the right of way the owner or contractor shall obtain a permit from the Public Service Department, 7th floor City Hall.
9. All sanitary sewer leads to be contructed with clean-outs.

STORM SEWER

1. All storm sewer construction shall comply with the requirements of the City of Lansing and shall be subject to their inspection and approval.
2. All storm sewer 10" and smaller shall be PVC SCH 40, PVC SDR 23, 5, or C-700 ES.
3. All storm sewer pipe 12" and larger shall be C-76, Class III reinforced concrete pipe.
4. All storm sewer joints shall be wrapped with Mirafi Geotextile 140N or equal. No joint mastic shall be used. Fabric shall be 18" wide, overlapped by not less than 6" and held in place by duct taping the overlap and/or equal holding material, until backfilled. "O" ring rubbers on PVC pipe shall be removed and wrapped as indicated above.
5. All pipe to be laid with the aid of laser equipment.
6. All storm sewer manholes and catch basins shall be in accordance with the City of Lansing and shall be subject with Neenah R-1784 or E.J.I.W. 1060-B covers for manholes. E.J.I.W. 7045 or Neenah R-3031-A for Standard curb inlets, E.J.I.W. 7065 or Neenah R-3034-B for rolled curb inlets, E.J.I.W. 6508 or Neenah R-4340-A for Beehive Grate or castings as indicated on the plans.
7. All catch basins and yard drains shall have a three foot deep sump.

WATER SYSTEM

1. All water system construction shall comply with the Construction Standards of the Lansing Board of Water and Light.

BENCHMARKS

BENCHMARK #1 ELEV. = 848.06 (NAVD88)
CHISELED "X" IN SOUTHEAST FLANGE BOLT, UNDER "W" IN "EJIW", FIRE HYDRANT, SOUTHEAST QUADRANT OF LARCH STREET AND MICHIGAN AVENUE.

BENCHMARK #2 ELEV. = 844.33 (NAVD88)
CHISELED "X" IN EAST BOLT OF LIGHT POLE, 110' SOUTH OF SOUTH LINE OF #119 S. LARCH STREET AND 27' EAST OF EAST BACK OF CURB OF S. LARCH STREET.

BENCHMARK #3 ELEV. = 848.13 (NAVD88)
CHISELED "X" IN SOUTHEAST FLANGE BOLT, UNDER "E" IN "EJIW", FIRE HYDRANT, 27' EAST OF EAST BUILDING LINE OF #628 E. MICHIGAN AVENUE AND 3' SOUTH OF SOUTH CURB LINE OF E. MICHIGAN AVENUE.

BENCHMARK #4 ELEV. = 850.66 (NAVD88)
NAIL IN WEST SIDE UTILITY POLE, ±85' SOUTH OF BUS SHELTER, ±350' SOUTH OF THE CENTERLINE OF MICHIGAN AVENUE, AND ±465' EAST OF CENTERLINE OF LARCH STREET.

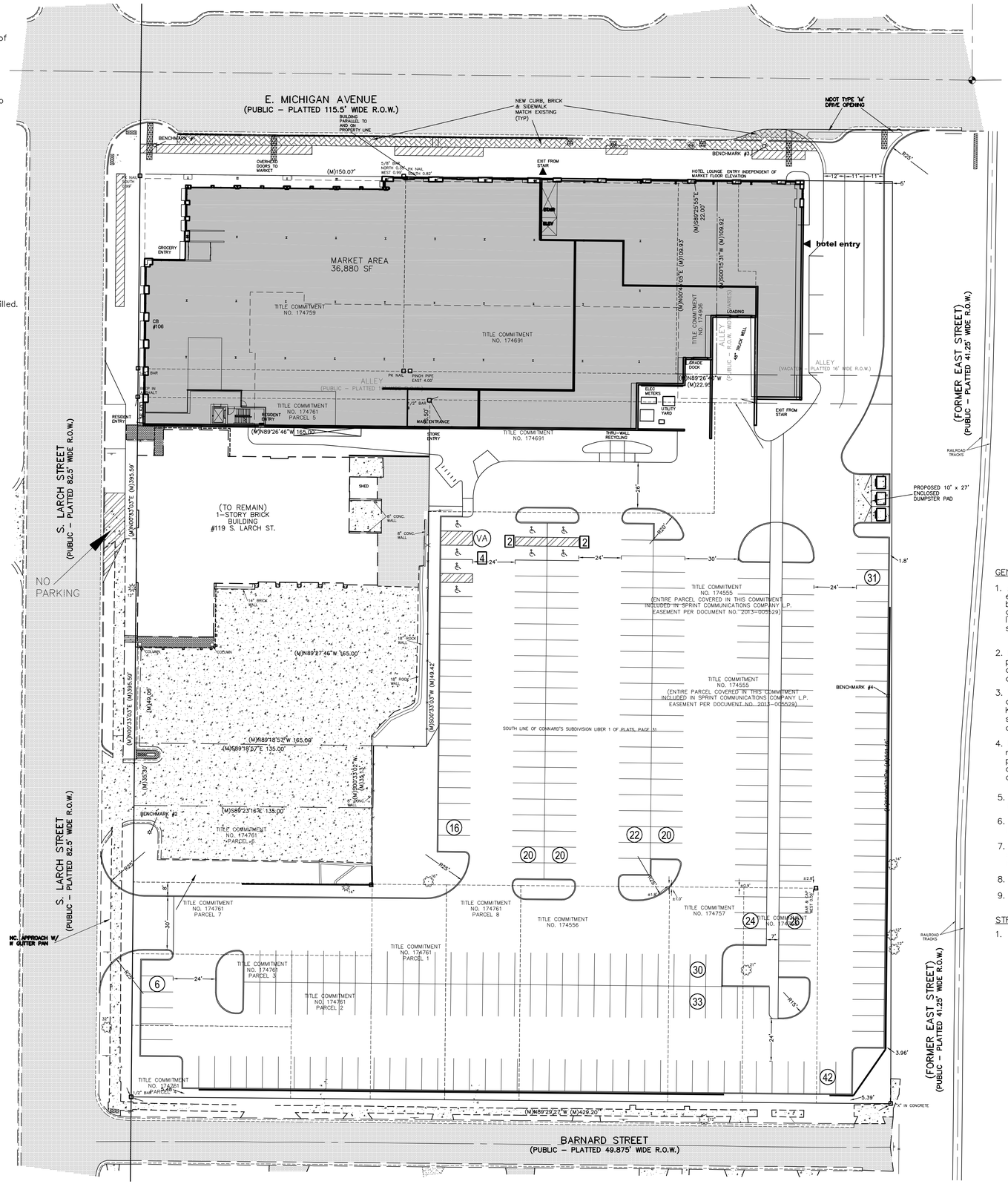
72 HOURS (3 WORKING DAYS) BEFORE YOU DIG CALL MISS DIG 800-482-7171 (TOLL-FREE)

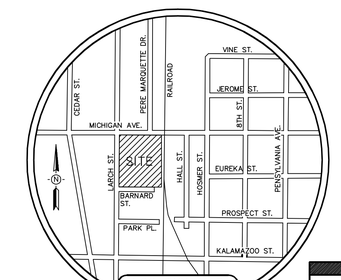
EX. LEGEND

- = SET 1/2" BAR WITH CAP
- = FOUND IRON AS NOTED
- = DEED LINE
- = DISTANCE NOT TO SCALE
- = FENCE
- = ASPHALT
- = CONCRETE
- = GRAVEL
- = STEEL PLATE
- = ADA PLATE
- = PORCH/DECK/STAIRS
- = BRICK
- = BUILDING OVERHANG
- = ELECTRIC MANHOLE
- = TELEPHONE MANHOLE
- = DECIDUOUS TREE
- = CONIFEROUS TREE
- = AIR CONDITIONING UNIT
- = PARKING METER
- = SIGN
- = POST/BOLLARD

LBWL NOTES:

1. MAINTAIN A MINIMUM OF 10 FT HORIZONTAL AND 18 INCHES OF VERTICAL SEPARATION BETWEEN WATER AND SEWERS, AND A MINIMUM OF 5 FT HORIZONTAL AND 12 INCHES OF VERTICAL SEPARATION BETWEEN WATER AND OTHER UTILITIES.
2. ALL WATER MAIN AND SERVICES TO BE INSTALLED IN ACCORDANCE TO BWL STANDARDS AND SPECIFICATIONS.
3. CONTRACTOR TO CONTACT THE BWL AT LEAST 72 HOURS PRIOR TO SCHEDULED SHUT OFFS TO COORDINATE SHUT DOWN AND TURN ON ACTIVITIES.
4. LBWL IS NOT RESPONSIBLE FOR REPLACEMENT, REPAIR, OR MAINTENANCE OF SIDEWALKS THAT HAVE BEEN DAMAGED OR REMOVED DURING REPAIR, MAINTENANCE, REPLACEMENT OR INSPECTION OF WATERMAINS AND RELATED FIXTURES.
5. ALL PUBLIC WATER OUTSIDE OF R.O.W. SHALL BE WITHIN A 20' PUBLIC EASEMENT.
6. ALL DUCTILE IRON WATER MAIN SHALL BE PRESSURE CLASS 350, ALL COPPER PIPE SHALL BE TYPE "K".
7. ALL WORK ON LBWL WATER DISTRIBUTION SYSTEM SHALL BE PERFORMED BY THE LBWL OR BY A LBWL APPROVED CONTRACTOR WITH A LBWL INSPECTOR ON-SITE.
8. A LBWL WATER SERVICE AGREEMENT SHALL BE PUT IN PLACE PRIOR TO CONSTRUCTION OF ANY WATER RELATED ITEMS.





SCALE 1" = 30'

0' 30' 60' 90'

LEGAL DESCRIPTION:

(As provided by First American Title Insurance Company, Commitment No. 174555, dated October 27, 2017)
Lots 1, 2, 3, 24, and the East 10 feet of the North 51.55 feet of Lot 4, Connard's Subdivision of Lot 1, of Block 242, of the Original Plat of the City of Lansing, according to the recorded plat thereof; ALSO beginning at the Southeast corner of said Lot 1; thence South 16 feet; thence West 77 feet; thence North 16 feet; thence East 77 feet to the point of beginning; ALSO Lot 1 of Block 1 of Barnard's Subdivision, recorded in Liber 1 of Plats, Page 32, Ingham County Records; ALSO the North 1/2 of Lot 2, Block 242, except the West 135 feet thereof and except the East 30 feet of the West 165 feet of the North 8 feet thereof, Original Plat of the City of Lansing. The said property may also be described as: Beginning at the Northeast corner of Lot 1 of Connard's Subdivision of Lot 1 of Block 242 of the Original Plat of the City of Lansing, according to the recorded plat thereof; thence South along the Eastern boundaries of Lot 1, Lot 1 extended; and Lot 24 of Connard's Subdivision, the North 1/2 of Lot 2, Block 242 and Lot 1 of block 1 of Barnards Subdivision, a measured distance of 521.30 feet to an "X" cut on concrete marking the Southeast corner of Lot 1 of Block 1 of Barnards Subdivision; thence West 42 feet to a point being the Southwest corner of said Lot 1, Block 1 of Barnards Subdivision; thence North 121.5 feet to a point, which point is a measured distance of 41.87 feet West of the Eastern boundary line of lots 1 and 24 aforesaid, being the Northwest corner of said Lot 1, Block 1 of Barnards Subdivision; thence West 251.21 feet to a point being the Northwest corner of Lot 7, Block 1 of Barnards Subdivision; thence North 78.62 feet; a point 135 feet East of the East Boundary of Larch Street; thence East 30 feet to a point being 8 feet South of the North line of Lot 2, Block 242; thence North a measured distance of 195.9 feet along the West boundary line of Lot 24 of Connard's subdivision of Block 242 to a point being the Northwest corner of said Lot 24; thence East 183.04 feet along the Northern boundary line of said Lot 24 to a point 16 feet South of the Southwest corner of Lot 3 of Connard's Subdivision; thence Northerly 16 feet to a point being the Southwest corner of Lot 3 of Connard's Subdivision; thence continuing North along the West boundary line of said Lot 3, 59.5 feet to an "X" cut therein; thence West 10 feet to an "X" cut; thence North a measured distance of 51.55 feet to a point in the North Boundary Line of Lot 4 and the South boundary line of Michigan Avenue; thence East along the South boundary of Michigan Avenue and the North boundary lines of Lots 4, 3, 2, and 1 of Connard's Subdivision to the place of beginning.
EXCEPT:
Part of Lot 24, Connard's Subdivision of Lot 1, of Block 242, of the Original Plat of the City of Lansing, according to the recorded plat thereof, as recorded in Liber 1 of Plats, Page 32, Ingham County Records, being further described as commencing at the Northwest corner of Lot 24, of said Plat; thence South 90°00'00" East, 161.04 feet, along the Northerly line of Lot 24; thence South 00°24'20" East, 62.63 feet; thence South 89°49'30" West, 161.32 feet to the Westerly line of Lot 24; thence North 00°02'00" East, 63.12 feet, along said Westerly line to the point of beginning.

GENERAL

1. Any unstable soil (such as peat, muck, marl, soft blue clay, topsoil, etc.) which is encountered beneath proposed utilities, parking lots and structures, drives and buildings shall be removed down to sound subsoil and backfilled with sand and gravel as needed to reach finished grade. Such fill shall be compacted in 6" layers to 95% of max. density. The decision on material for bedding and backfill shall be made by the Engineer.
2. Information on depth, size, etc., of all other underground utilities shown herein is plan information only, obtained from the utility company involved. Prior to any final designing or construction. It is recommended that all utility companies, agencies, departments, etc., involved be contacted for verification of such locations.
3. The locations, size and elevation of sewers and related structures shown herein, were obtained through a survey completed by KEBS, inc. KEBS,inc. is not responsible for information on any other sewers, drains or related structures not found and not shown hereon, that may cross, parallel, lie contiguous to or service this site.
4. For protection of underground utilities, the contractor shall dial 800-482-7171 a minimum of 72 hours prior to excavating in the vicinity of utility lines. All "MISS DIG" participating members will thus be routinely notified. This does not relieve the contractor of the responsibility of notifying utility owners who may not be a part of the "MISS DIG" alert system.
5. All existing roads, driveways and yards disturbed during construction shall be restored by the contractor to its original condition.
6. All sewer pipe shall be bedded with CL. III granular material. Class material shall be used in backfilling all sewer trenches to 1' above the sewer pipe.
7. All compaction of trenches within the roadways shall be to 95% density. Equipment such as a small dozer in the trenches and a hoe-pack around the structures will be required, or equipment capable of reaching 95% density.
8. Contractor shall be responsible for obtaining all permits required for construction.
9. Contractor shall be responsible for maintaining As-Built drawings of all lot lead locations and drawings shall be available to the Engineer upon request.

STREETS

1. PER CITY OF LANSING SPECIFICATIONS.

1 DENOTES NUMBER OF B/F SPACES

VA DENOTES VAN ACCESS B/F SPACES

0 DENOTES PROPOSED NUMBER OF 9' x 18' PARKING SPACES

SITE ADDRESS: 600 E. MICHIGAN AVE, LANSING, MI. 48912

SURVEY#92950.BND

REVISIONS

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

600 E. Michigan Project
COVER SHEET

SCALE: 1"= 30'	DESIGNER: JWK	APPROVED BY: JWK
DATE: 4-2-18	PROJECT MGR. JWK	SHEET 1 OF 5
AUTHORIZED BY: GILLESPIE GROUP		JOB #: 92950

I:\92\92950\dwg\E-92950.dwg, 9/4/2018 10:23:03 AM, kkalmbach

Appendix D

PM ENVIRONMENTAL Environmental & Engineering Services

Corporate Headquarters
Lansing, Michigan
3340 Ranger Road, Lansing, MI 48906
f: 877.884.6775
t: 517.321.3331

Michigan Locations
Berkley **Bay City**
Grand Rapids **Detroit**
Chesterfield **Lansing**

February 28, 2018

District Supervisor
Michigan Department of Environmental Quality
Lansing Michigan District Office
525 West Allegan Street
Lansing, Michigan 48933

RE: Baseline Environmental Assessment of the 600 Block Urban Redevelopment Property Located at 600-636 E. Michigan Avenue, 117 S. Larch Street, 145-147 S. Larch Street, and 601-637 Barnard Street, Lansing, Michigan
PM Environmental, Inc. Project No. 01-9216-0-0002

Dear District Supervisor:

Enclosed is a copy of the Baseline Environmental Assessment prepared for the above referenced subject property in accordance with Section 20126(1)(c) of Part 201, Environmental Remediation, and Section 21323a(1)(b)(i) of Part 213, Leaking Underground Storage Tanks, of the Natural Resources and Environmental Protection Act (NREPA), P.A. 451 of 1994, as amended.

If you have any questions regarding this report, please contact us at 800.313.2966.

Sincerely,
PM ENVIRONMENTAL, INC.

J. Adam Patton, CHMM
Manager of Site Investigation Services

Enclosure

Corporate Headquarters
Lansing, Michigan
3340 Ranger Road, Lansing, MI 48906
f: 877.884.6775
t: 517.321.3331

Michigan Locations
Berkley **Bay City**
Grand Rapids **Detroit**
Chesterfield **Lansing**

February 28, 2018

Mr. Patrick Gillespie
600 E. Michigan-Lansing, LLC
330 Marshal Street, Suite 100
Lansing, Michigan 48912

RE: Baseline Environmental Assessment of the 600 Block Urban Redevelopment Property Located at 600-636 E. Michigan Avenue, 117 S. Larch Street, 145-147 S. Larch Street, and 601-637 Barnard Street, Lansing, Michigan
PM Environmental, Inc. Project No. 01-9216-0-0002

Dear Mr. Gillespie:

Enclosed is a copy of the Baseline Environmental Assessment prepared for the above referenced subject property in accordance with Section 20126(1)(c) of Part 201, Environmental Remediation, and Section 21323a(1)(b)(i) of Part 213, Leaking Underground Storage Tanks, of the Natural Resources and Environmental Protection Act (NREPA), P.A. 451 of 1994, as amended.

THIS BASELINE ENVIRONMENTAL ASSESSMENT WAS PREPARED FOR THE EXCLUSIVE USE OF 600 E. MICHIGAN-LANSING, LLC, THEIR ASSOCIATES AND LENDERS, EACH OF WHOM MAY RELY ON THE REPORT'S CONTENTS.

If you have any questions regarding this report, please contact us at 800.313.2966.

Sincerely,
PM ENVIRONMENTAL, INC.

J. Adam Patton, CHMM
Manager of Site Investigation Services

Enclosure

TABLE OF CONTENTS

1.0 INTRODUCTION AND DISCUSSION 1
1.1 Owner/Operator Information 3
1.2 Intended Use of the Subject Property 3
1.3 Summary of All Appropriate Inquiry Phase I Environmental Assessment 3
1.3.1 Phase I ESA Exceptions or Deletions 5
1.3.2 Phase I ESA Data Gaps 5
1.4 Summary of Previous Site Investigations 6
1.5 Summary of Current Site Investigation 9
1.6 Summary of Geophysical Investigation Activities 18
1.7 Subsurface Investigations Techniques and QA/QC Procedures 21
1.8 Geology and Hydrogeology 22
2.0 LOCATION OF CONTAMINATED MEDIA ON THE SUBJECT PROPERTY 22
2.1 Summary of Analytical Results (December 2017) 22
2.2 Subject Property Site Status 30
3.0 PROPERTY INFORMATION 30
3.1 Legal Description of Subject Property 30
3.2 Survey Map of Subject Property 30
3.3 Subject Location and Analytical Summary Maps 30
3.4 Subject Property Location Map 30
3.5 Subject Property Address 30
3.6 Subject Spatial Data 30
4.0 FACILITY STATUS OF SUBJECT PROPERTY 31
4.1 Summary Data Tables 31
4.2 Laboratory Reports and Chain of Custody Documentation 31
5.0 IDENTIFICATION OF BEA AUTHOR 31
6.0 AAI REPORT OR ASTM PHASE I ESA 32
7.0 REFERENCES 32

FIGURES

Figure 1: Property Vicinity Map
Figure 2: Generalized Diagram of the Subject Property and Adjoining Properties
Figure 3A: Soil Boring/Temporary Monitoring Well/Soil Gas Location Map with Soil Analytical Results (Northwest Area)
Figure 3B: Soil Boring/Temporary Monitoring Well/Soil Gas Location Map with Soil Analytical Results (North/Central Areas)
Figure 3C: Soil Boring/Temporary Monitoring Well/Soil Gas Location Map with Soil Analytical Results (West/South Areas)
Figure 4: Soil Boring/Temporary Monitoring Well/Soil Gas Location Map with Groundwater Analytical Results
Figure 5: Soil Boring/Temporary Monitoring Well/Soil Gas Location Map with Soil Gas Analytical Results

TABLES

Table 1: Summary of Soil Analytical Results: VOCs
Table 2: Summary of Soil Analytical Results: PNAs, PCBs, Metals, and Glycols
Table 3: Summary of Groundwater Analytical Results: VOCs, PNAs, Dissolved Metals and Glycols
Table 4: Summary of Soil Gas Analytical Results: VOCs

APPENDICES

Appendix A: Phase I ESA, PM, February 2, 2018
Appendix B: Soil Boring/Temporary Monitoring Well/Soil Gas Logs
Appendix C: Laboratory Analytical Reports
Appendix D: Assessing Information
Appendix E: Professional Qualification Statements

1.0 INTRODUCTION AND DISCUSSION

PM completed this Baseline Environmental Assessment (BEA) of the 600 Block Urban Redevelopment Property located in Lansing, Ingham County, Michigan (hereafter referred to as the "subject property") in accordance with Parts 201 and 213 of the Natural Resources and Environmental Protection Act (NREPA), P.A. 451 of 1994 (Parts 201 and 213), as amended.

The subject property consist of 18 parcels and an alleyway totaling approximately 4.0 acres and is located on the east side of South Larch Street and on the south side of East Michigan Avenue in Lansing, Michigan. The table below includes a listing of each parcel comprising the subject property:

Address	Parcel ID Number	Current Use
600 East Michigan Avenue	33-01-01-16-428-081	Vacant (Former Ballpark Mobil)
612-614 East Michigan Avenue	33-01-01-16-428-061	Brogan's Tire and Auto Service
622 East Michigan Avenue	33-01-01-16-428-051	Commercial
624 East Michigan Avenue	33-01-01-16-428-041	Commercial
626 East Michigan Avenue	33-01-01-16-428-031	Commercial/Office
628 East Michigan Avenue	33-01-01-16-428-021	Commercial/Office
117 South Larch Street	33-01-01-16-428-100	Storage/Warehouse
636 East Michigan Avenue	33-01-01-16-428-002	Parking
No Current Address	33-01-01-16-428-141	Vacant (formerly 139 South Larch Street)
145 South Larch Street	33-01-01-16-428-151	Residential
147 South Larch Street	33-01-01-16-428-161	Residential
611 Barnard Street	33-01-01-16-428-171	Residential
No Current Address	33-01-01-16-428-181	Vacant (formerly 613 Barnard Street)
619 Barnard Street	33-01-01-16-428-191	Residential
No Current Address	33-01-01-16-428-201	Vacant (formerly 621 Barnard Street)
625 Barnard Street	33-01-01-16-428-211	Residential
629 Barnard Street	33-01-01-16-428-221	Residential
633 Barnard Street	33-01-01-16-428-231	Residential
No Current Address	33-01-01-16-428-901	Vacant Alleyway

The property is developed with a 3,616 square foot automotive service garage building (612-614 East Michigan Avenue; Brogan's Tire and Auto Service) constructed in 1930, four retail buildings (622-628 East Michigan Avenue) containing 8,654 square feet constructed in 1900, a warehouse building (117 South Larch Street) containing 5,520 square feet constructed in 1946, six residential dwellings (145-147 South Larch Street and 611-629 Barnard Street) totaling 9,720 square feet constructed between 1884 and 1916, and a garage building (633 Barnard Street) containing 960 square feet constructed in 1983.

The service garage building is divided into a lobby area, service areas, and storage areas. The retail buildings are divided into various retail and storage areas. The easternmost retail building (628 East Michigan Avenue) contains two second floor apartments which are divided into bedroom areas, a kitchen, living area, and bathrooms. The warehouse building contains various

storage areas. The residential dwellings are generally divided into bedrooms, living areas, kitchens, bathrooms, and basements.

An asphalt paved parking lot is present in the eastern portion of the property. Various paved areas are present throughout the remainder of the property. In the area of the residential dwellings, groomed grass, driveways, and landscaped areas are present.

Standard and other historical sources documented that the northeastern portion of the property (identified as 636 East Michigan Avenue) was occupied lumber storage for Hall Lumber Company from at least 1892 to 1898. By 1906, two office buildings were present. An additional office building was constructed by 1913. These former office buildings were demolished by 1950, when a larger office building, occupied by Lewis Fuel Oil Company was constructed. The Lewis Fuel Oil office building was demolished between 1994 and 1997, and this portion of the property has been occupied by a surface parking lot since that time. Historic occupants of the former buildings consisted of various professional office operations.

The north-central portion of the property is currently occupied by four storefront buildings (identified as 622-628 East Michigan Avenue). The two eastern buildings were constructed prior to 1892. Additions were constructed to the rear of the eastern buildings between 1906 and 1913. The two western storefront buildings were constructed between 1906 and 1913. A majority of the historic occupants have included various retail, medical, and professional office tenants, with the exception of 622 and 624 East Michigan Avenue.

The storefront buildings, identified as 622 East Michigan Avenue and 624 East Michigan Avenue, were occupied by a radiator shop from at least 1935 to 1959 and a glassworks shop from at least 1945 to 1964, respectively.

The north-central portion of the property is occupied by an automotive service building (identified as 612-614 East Michigan Avenue), which was constructed by 1930 as a gasoline service station. Prior to 1930, this portion of the property was occupied by a lumber shed for a lumber company located further west. Gasoline dispensing operations ceased in approximately the mid-1950s and the property has been occupied by an automotive service business since the early 1960s.

The northwestern parcel of the property (formerly identified as 600 East Michigan Avenue) is currently a vacant lot with four underground storage tanks (USTs) that are not currently in use. In at least 1892, a lumber shed was present in the eastern portion of this parcel. The lumber shed was demolished and a small office building was constructed in the eastern portion, along East Michigan Avenue between 1892 and 1898 and was demolished by 1906. By 1906, several buildings associated with the Hall Lumber Company were constructed with lumber storage throughout the parcel. All of the former lumber buildings were demolished between 1938 and 1950. An auto sales and service building was constructed in the south-central portion by 1950 and was demolished by the early 1970. A former convenience store building associated with a retail gasoline station was constructed in the early 1970s, with a car wash building constructed in 1995. All of the former buildings were demolished in 2012 and the property has been vacant since that time. The property was occupied by lumber company with storage and/or milling operations from at least 1892 until 1921; automotive sales and service operations from the early 1920s until the 1950s; various commercial and retail businesses from at least the 1930s until the early 1950s; used auto sales from the 1950s until the 1960s, gasoline dispensing operations from least 1940 to 1943, and from the 1970s until 2006; and has been vacant of occupants since that time.

The central portion of the property (identified as 636 East Michigan Avenue) was occupied by Hall Lumber Company from at least 1892 to 1988 with lumber and coal storage and planning, sash and door manufacturing. By 1906, this portion was occupied by Michigan Implement & Transfer Company. Four buildings were constructed by 1906 which were occupied by agricultural implements and engines and/or threshers. In at least 1913, this portion of the subject property was occupied by Butler-Langevin Lumber Company and the previously identified buildings were identified as agricultural implements and lumber storage. The current building located at 117 South Larch Street was constructed in 1946 and was utilized as storage in at least 1951 and boat storage and repair in at least 1966. All of the former buildings (with the exception of the current building) were demolished by 1950 and the property was occupied by Lewis Fuel Oil Company from at least 1940 until the early 1990s with operations consisting of bulk petroleum and coal distribution. A garage building, with truck service operations was constructed by 1951 and demolished between 1997 and 1998 (identified as former auto service building on Figures). Six coal silos were present on the northeastern portion from 1950 until 1973 and various petroleum ASTs were present on the southern portion from 1950 to 1994. Coal pile storage was present on this portion of the property from at least 1906 until 1955. All of the former buildings were demolished (except the current building) were demolished between 1994 and 1997, and the property has been vacant land and/or a surface parking lot since that time.

The southern portion of the property (identified as 145-147 South Larch Street and 601-637 Barnard Street) is currently and has historically been occupied by various residential dwellings. Several dwellings were demolished between 1951 and the 1990s. A personal garage is present on the eastern portion, which was constructed in 1984.

Current operations at the subject property consist of typical automotive service operations, retail activities, professional office activities, storage activities, and residential activities.

1.1 Owner/Operator Information

600 E. Michigan-Lansing, LLC, 330 Marshall Street, Lansing, Michigan 48912 intends to purchase the subject property, which will be redeveloped for mixed commercial, retail, and residential uses.

1.2 Intended Use of the Subject Property

600 E. Michigan-Lansing, LLC, intends to redevelop the subject property for mixed commercial, retail, and residential uses. As part of the redevelopment, all parcels and the associated alleyway currently comprising the subject property will be consolidated into a single parcel, the identification number of which has not yet been assigned.

1.3 Summary of All Appropriate Inquiry Phase I Environmental Assessment

PM prepared a Phase I ESA dated February 2, 2018, in conformance with the scope and limitations of ASTM Practice E1527-13 (i.e., the 'ASTM Standard'). A copy of PM's February 2018 Phase I ESA, including photographs of the subject property, is included in Appendix A.

- The subject property parcel, identified as 600 East Michigan Avenue, is a closed Leaking Underground Storage Tank (LUST) site and a BEA site. Previous site assessment activities completed for 600 East Michigan Avenue in 2013 document that soil and groundwater contamination exists on-site above the current MDEQ Part 213 Risk Based Screening

Levels (RBSLs). Based on these analytical results and its closed LUST status, the subject property meets the definition of a "property," in accordance with Part 213 of P.A. 451 of the Michigan Natural Resources Environmental Protection Act (NREPA), as amended.

- The subject property parcel, identified as 636 East Michigan Avenue, is an open LUST site and a BEA site. Previous site assessment activities completed in 1994, 1995, and 2015 document that soil contamination exists on-site above the current MDEQ Part 201 Generic Residential Cleanup Criteria (CRCC) and Part 213 RBSLs. Based on these analytical results and its open LUST status, the subject property meets the definition of a "facility" and a "site," in accordance with Part 213 of P.A. 451 of the Michigan NREPA, as amended.

- The north-central portion of the property, identified as 612-614 East Michigan Avenue, is currently occupied by an automotive service building, which was constructed by 1930 as a gasoline service station. Gasoline dispensing operations ceased in approximately the mid-1950s and the property has been occupied by an automotive service business since the early 1960s. Current and historical interior waste streams associated with the service garage operations consist of general hazardous substances and/or petroleum products. A significant portion of this time period preceded major environmental regulations and current waste management and disposal procedures. The historical waste management practices associated with the service operations are unknown and may be a source of subsurface contamination.

- The southern portion of the property is currently and has historically been occupied by various residential dwellings. Several dwellings were demolished between 1951 and the 1990s. Several of the former residential dwellings were demolished prior to current disposal regulations. It is unknown how the building demolition debris was disposed of. It was not uncommon for building demolition debris to historically have been used as fill material onsite. The potential exists for construction debris and fill material to be present on these subject property parcels that were historically developed with basements, and to have negatively impacted the subsurface.

- Four current USTs are present at the subject property parcel identified as 600 East Michigan Avenue. The current UST system has been unused since 2012 without any subsurface investigation since 2013. Based on this information, the potential exists for a release to have occurred and impacted the subsurface.

- During the site reconnaissance, PM observed evidence of five in-ground hydraulic hoists within the warehouse building located at 117 South Larch Street and evidence of a former in-ground hoist within the building located at 612-614 East Michigan Avenue. The hydraulic reservoirs associated with the in-ground hoists were located underground. In-ground hoists have an underground reservoir for hydraulic fluids, which can contain polychlorinated biphenyls (PCBs). The potential exists that a release occurred from the current hydraulic hoist system and/or underground reservoir. Additionally, the potential exists for orphaned reservoirs to be present on the subject property.

- During the site reconnaissance, PM observed two vent pipes on the western exterior wall of the automotive service building (612-614 East Michigan Avenue). These vent pipes may be associated with the USTs identified in the 1951-1972 Sanborn maps. No known subsurface investigations have been completed in this area of the subject property and no

USTs are registered to this parcel. Based on this information, the potential exists for orphan USTs to be present and/or for a release to have occurred.

- Review of Fire Department records documented fuel oil as a heat source at various times for 612-614 East Michigan Avenue, 622 East Michigan Avenue, 626 East Michigan Avenue, and 636 East Michigan Avenue. Fuel oil was documented to be stored within 55-gallon drums at 622 East Michigan Avenue and within USTs at 636 East Michigan Avenue (bulk fuel oil storage and consumptive purposes on the parcel). PM was unable to verify if fuel oil was stored within above ground storage tanks (ASTs) or USTs at the remaining addresses. Based on this information, the potential exists for orphan USTs to be present and/or for a release to have occurred with the former use fuel oil.

- The storefront building, identified as 622 East Michigan Avenue, was occupied by a radiator shop from at least 1935 to 1959. Historical interior waste streams associated with the operations would have consisted of general hazardous substances and/or petroleum products. This time period preceded major environmental regulations and current waste management and disposal procedures. The historical waste management practices associated with the former service operations are unknown and may be a source of subsurface contamination.

The following adjoining and/or nearby RECs were identified:

- The west adjoining property, identified as 119 South Larch Street, is occupied by Liskey's Auto Truck Service. Review of historical the property was occupied by a pattern works and/or manufacturing company from at least 1906 until 1921, and sheet metal and machining company from 1924 until the 1950s, an automotive equipment company from 1936 until the 1950s, and has been occupied by automotive service operations since 1965. Based on the long-term operations on this property and the close proximity to the subject property (directly adjoining), the potential exists for a release to have occurred and migrated onto the subject property.

- A north adjoining property, identified as 605 East Michigan Avenue, was occupied by a dry cleaning operation from 1916 until 1959. Dry cleaning operations commonly involve the usage of general hazardous substances and/or petroleum products, which, if improperly managed and/or disposed of, can be a source of contamination. Based on the close proximity to the subject property (approximately 90 feet east) and long-term operations, the potential exists that a release has occurred on this property and migrated onto the subject property.

1.3.1 Phase I ESA Exceptions or Deletions

There were no identified exceptions or deletions from the Federal All Appropriate Inquiry Rule under 40 CFR 312, or the ASTM Standard within PM's February 2018 Phase I ESA.

1.3.2 Phase I ESA Data Gaps

No significant data gaps were identified within PM's February 2018 Phase I ESA.

1.4 Summary of Previous Site Investigations

Multiple site investigations were completed for the subject property between 1990 and 2015. Reports associated with those investigations are summarized in the table below:

Name of Report	Date of Report	Company that Prepared Report
Report of Site Assessment (600 East Michigan Avenue)	March 15, 1990	Environmental Science and Engineering, Inc. (ESE)
Phase II ESA (600 East Michigan Avenue)	February 21, 1991	ESE
Initial Abatement Measures Report (600 East Michigan Avenue)	August 20, 1991	ESE
UST Removal/Site Remediation Report (600 East Michigan Avenue)	November 7, 1991	ESE
60-Day LUST Initial Assessment Report (636 East Michigan Avenue)	3-10-1995	BLDI
Phase I Hydrogeologic Study and Preliminary RBCA Tier 1 Evaluation (636 East Michigan Avenue)	6-30-1995	BLDI
BEA (636 East Michigan Avenue)	7-10-1995	STS Consultants, Ltd.
LUST Closure Report (600 East Michigan Avenue)	January 11, 1996	Enecotech
Soil Characterization Report (636 East Michigan Avenue)	7-12-1996	MacKenzie Environmental Services
Risk-Based Corrective Action (RBCA) Assessment (636 East Michigan Avenue)	4-11-1997	BLDI
Summary of Soil Remediation Activities (636 East Michigan Avenue)	2-5-1999	Snell Environmental Group (SEG)
LUST Closure Report (600 East Michigan Avenue)	February 11, 2000	Timmermans
Phase I ESA (600 East Michigan Avenue)	July 18, 2011	Soil and Materials Engineers, Inc. (SME)
Phase I ESA (600 East Michigan Avenue)	7-31-2013	PM
BEA (600 East Michigan Avenue)	10-4-2013	PM
Documentation of Due Care Compliance (DDCC) (600 East Michigan Avenue)	10-4-2013	PM
Phase II ESA	11-11-2015	WSP Parsons Brinckerhoff (WSP)
BEA (636 East Michigan Avenue)	11-19-2015	WSP

PM reviewed available previous site investigations for 600 and 636 East Michigan Avenue, which are summarized below. Relevant portions of the previous reports, including sample location maps

and analytical summary tables, are also included in Section 10.4 of the February 2018 Phase I ESA (Appendix A).

600 East Michigan Avenue:

This parcel is a closed LUST site with three releases reported in 1990, 1991, and 1999. Various subsurface investigations were completed on this parcel from 1990 to 2000 to assess former gasoline dispensing operations on the property which occurred in at least 1940 and from the 1970s to 2000.

In 1991, three USTs (two 600-gallon and one 1,000-gallon of unknown contents) were removed from the northwestern portion of the parcel. Two releases were confirmed during UST removal activities and approximately 4,200 cubic yards of contaminated soils were removed from the parcel. Verification of soil remediation (VSR) and two additional soil sampling events were completed between 1991 and 1996, in which analytical results supported Type B Closure and were below Tier 1 Residential Soil Leaching to Groundwater Criteria and the releases was granted closure.

A waste oil UST was removed in 1996 with no assessment from the rear of the former service station building. In 1999, field observations noted photo-ionization detector (PID) readings (3.2 to 72 ppm) in the backfill in the area of the waste oil UST. A release was reported based on these observations in 1999. Subsequent sampling identified various volatile organic compound (VOC) and polynuclear aromatic compound (PNA) compounds in the fill above the current Part 213 Drinking Water Protection (DWP) and/or Groundwater Surface Water Interface Protection (GSIP) RBSLs. Delineation sampling did not identify any compounds above the laboratory method detection limits (MDLs) and the release received Type B Closure.

At the time of the 2011 Phase I ESA, the parcel was occupied by a gasoline dispensing station. SME documented similar historical information as included in this Phase I ESA, and identified the following RECs: former operations associated with the former automotive sales and service operations; former gasoline dispensing operations; potential fill materials associated with the former buildings; and adjoining properties to the east, south, and west based on former operations.

At the time of the 2013 Phase I ESA, the parcel was vacant of buildings and occupants. PM documented similar historical information was documented as in the Phase I ESA. The following RECs were identified: the historic use of the parcel for automotive service operations with the potential use of in-ground hoists and the lack of subsurface investigations from 2000 to 2011 when the property was occupied by gasoline dispensing station. Off-site RECs identified include: the historic use of the north adjoining property (605 East Michigan Avenue) as a dry cleaning business from at least 1916 to 1959, the historic use of the east adjoining property (614 East Michigan Avenue (current subject property parcel)) as an automotive service garage and/or gasoline service station since at least the 1960s, and the historic use of the south adjoining property (119 South Larch Street) as an automotive service garage since at least 1965.

During the 2013 subsurface investigation, a ground penetrating radar (GPR) survey was completed to investigate the potential for in-ground hoists. One anomaly consistent with an in-ground hoist was identified during the GPR survey and is located within the footprint of the former building. An exploratory boring was advanced within the center of the anomaly. A metal structure

was encountered directly beneath the concrete and appears to be consistent with the top of an in-ground hoist.

Additionally, 13 soil borings were advanced to between 15.0 and 20.0 feet below ground surface (bgs), four temporary monitoring wells were installed, and three temporary soil gas sampling points were installed. Soil and groundwater samples were analyzed for VOCs, PNAs, polychlorinated biphenyls (PCBs), and metals (cadmium, chromium, and lead). Soil gas samples were analyzed for VOCs. Soil analytical results documented PNAs above Part 213 RBSLs for DWP and Direct Contact (DC) and lead above Part 213 RBSLs in the southwestern portion of the parcel. Groundwater analytical results documented various VOCs and PNAs in the central and western portions of the parcel. Soil gas analytical results identified VOCs above Residential Soil Gas Screening Levels.

Based on the analytical results, a BEA and DDCC were completed for the current owner.

Previous site assessment activities completed in 2013 document that soil and groundwater contamination exists on-site above the current MDEQ Part 213 RBSLs. Based on these analytical results and its closed LUST status, the subject property meets the definition of a “property,” in accordance with Michigan Part 213.

Four current USTs remain on the 600 East Main parcel of the subject property.

636 East Michigan Avenue:

This parcel is an open LUST site with three releases reported in 1995. Various subsurface investigations were completed on this parcel from 1995 to 1999 to assess former bulk petroleum distribution and/or coal storage operations on the parcel, which occurred from at least 1940 to the early 1990s.

Multiple subsurface investigations were completed for the parcel in at least 1994 and 1995; however, not all reports were available for PM’s review. A majority of the reports were summarized in the 1997 RBCA report. The parcel formerly contained six USTs (i.e. containing fuel oil, used, oil, or gasoline), which were removed in 1995. The parcel also contained ten bulk petroleum ASTs formerly located in the southern portion of the parcel. During UST removal activities, three releases were reported associated with former USTs located in the northeastern, western, central, and eastern portions of the parcel. Analytical results documented various VOCs and PNAs in the locations of the former USTs above the Part 213 RBSLs. Groundwater sampling was not included based on groundwater not encountered until approximately 40.0 feet bgs.

In 1998, approximately 3,200 cubic yards of stock piled contaminated soils were removed from the southern portion of the parcel. The source of the soil piles was not identified; however, the piles were likely associated with the removal of multiple USTs on this portion of the subject property. After removal, VSR sampling (limited to the southern portion of the parcel) was completed. Samples were analyzed for VOCs, PNAs, and lead. Analytical results were below Part 201 Generic Residential Cleanup Criteria (GRCC). Lead was identified above statewide background levels, but below direct contact levels.

Review of the 2015 Phase II ESA, indicates that a Phase I ESA was completed in 2015, which documented RECs associated with the known contamination on the parcel, the former truck repair

operations with a former structure on the west-central portion of the parcel, the historic coal storage operations on the eastern and central portions of the parcel, and the former presence of railroad spurs located on the parcel. A copy of the Phase I ESA was not included for PM's review.

During the subsurface investigation, 21 soil borings were advanced to depths between 2.0 and 8.0 feet bgs. Soil samples were collected and analyzed for VOCs, PNAs, Michigan-10 (arsenic, barium, cadmium, chromium, copper, lead, mercury, selenium, silver, and zinc). Soil analytical results documented various VOC, PNAs, and metals above Part 201 GRCC, Part 213 RBSLs, and/or statewide background levels.

Based on the analytical results, a BEA was completed for the current tenant of the parcel.

Previous site assessment activities completed in 1994, 1995, and 2015 document that soil contamination exists on-site above the current MDEQ Part 201 Generic Residential Cleanup Criteria and Part 213 RBSLs. Based on these analytical results and its open LUST status, the subject property meets the definition of a "facility" and a "site," in accordance with Michigan Parts 201 and 213

1.5 Summary of Current Site Investigation

Prior to the commencement of field activities, MISSDIG, a utility locating service, was contacted to locate utilities on or adjacent to the subject property. Based on the large size of the subject property a joint meet was conducted with PM field staff and utility locators. Utilities were marked by the respective utility companies in the proposed soil boring location areas. The soil borings were also cleared of private subsurface utilities using GPR (Section 1.6).

In December 2017, PM completed a scope of work consisting of a geophysical survey to determine the potential presence of orphan USTs on the 612-614 East Michigan Avenue parcel using GPR; the advancement of 43 soil borings (SB-1 through SB-43); the installation of 18 temporary monitoring wells (TMW-4, TMW-6, TMW-7, TMW-10, TMW-11, TMW-13, TMW-14, TMW-15, TMW-16, TMW-18, TMW-26, TMW-27, TMW-29, TMW-33, TMW-35, TMW-36, TMW-40, and TMW-42); and the installation of 19 soil gas sample points (SSG-1, SG-2 through SG-6, SG-8, SG-10, SG-13, SG-19, SG-23, SG-25, SG-29, SG-31, and SG-33 through SG-37), and the collection of soil, groundwater, and soil gas samples for laboratory analysis of VOCs, PNAs, polychlorinated biphenyls (PCBs), Michigan ten metals (arsenic, barium, cadmium, chromium, copper, lead, mercury, selenium, silver, and zinc), and glycols, or some combination thereof. Select soil samples were also analyzed for Toxicity Characteristic Leaching Procedure (TCLP) lead. The soil boring/temporary monitoring well/soil gas locations and analytical results are included on Figures 3, 4, and 5 and in Tables 1 through 4. The soil boring/temporary monitoring well/soil gas logs are included as Appendix B.

The table below summarizes PM's December 2017 Phase II ESA activities including total boring depth, objective of the soil borings, and sample justification:

Description of Soil Boring and Temporary Monitoring Well Locations

Location (feet bgs)	Sample/ Screened Interval Depth (feet bgs)	Analysis	Objectives	Sample Selection (justification)
PSB/SSG-1 (20.0)	**Soil:** (6.0-7.0)	Lead and TCLP Pb	Re-asses soil lead concentrations at former (2013) soil boring PSB-9 location (6.0-7.0'), and current soil gas concentrations	**Soil**: A replicate sample was collected at 6.0-7.0-feet bgs. **Groundwater:** Not Sampled **Soil Gas:** Sampled
	Soil Gas: (5.0)	VOCs		
PSB/SG-2 (10.0)	**Soil Gas :** (4.5)	VOCs	Assess current soil gas concentrations at former (2013) PSG-3 location	**Soil**: Not Collected **Groundwater:** Not Sampled **Soil Gas:** Sampled
PSB/SG-3 (10.0)	**Soil Gas:** (5.0)	VOCs	Assess current soil gas concentrations at former (2013) PSG-2 location	**Soil**: Not Collected **Groundwater:** Not Sampled **Soil Gas:** Sampled
PSB/TMW/SG-4 (20.0)	**Soil:** (6.5-7.5)	VOCs and PNAs	Assess potential contaminant migration from the south adjoining property	**Soil**: Due to the lack of field screening evidence of contamination, a soil sample was collected above the saturated zone. **Groundwater:** Not Sampled **Soil Gas:** Sampled
	GW: (6.0-11.0)	VOCs and PNAs		
	Soil Gas: (7.1)	VOCs		
PSB/SG-5 (20.0)	**Soil:** (4.0-5.0)	VOCs and PNAs	Assess potential contaminant migration from the south adjoining property	**Soil**: Due to the lack of field screening evidence of contamination, a soil sample was collected above the saturated zone. **Groundwater:** Not Sampled **Soil Gas:** Sampled
	Soil Gas: (4.5)	VOCs		

Location (feet bgs)	Sample/ Screened Interval Depth (feet bgs)	Analysis	Objectives	Sample Selection (justification)
PSB/TMW/SG-6 (20.0)	**Soil:** (9.0-10.0)	VOCs, PNAs, and Pb	Assess former gasoline filling operations and potential contaminant migration from the north adjoining former drycleaners	**Soil:** Due to the lack of field screening evidence of contamination, a soil sample was collected above the saturated zone. **Groundwater:** Sampled **Soil Gas:** Sampled
	GW: (8.0-13.0)	VOCs, PNAs, and dissolved Pb		
	Soil Gas: (4.5)	VOCs		
PSB/TMW-7 (20.0)	**Soil:** (12.0-13.0)	VOCs, PNAs, PCBs, Cd, Cr, and Pb	Assess former gasoline filling operations	**Soil**: A soil sample was collected at the interval with the highest PID reading (218 ppm). **Groundwater:** Sampled **Soil Gas:** Not Sampled
	GW: (7.0-12.0)	VOCs, PNAs, and dissolved Pb		
PSB/SG-8 (20.0)	**Soil:** (11.0-12.0 and 19.0-20.0)	VOCs, PNAs, PCBs, Cd, Cr, and Pb	Assess current/former service operations and interior gasoline UST	**Soil**: A soil sample was collected t the approximate bottom depth of discovered interior orphan UST **Groundwater:** Not Encountered **Soil Gas:** Sampled
	Soil Gas: (3.5)	VOCs		
PSB-9 (7.0)	**Soil:** (2.0-3.0)	VOCs, PNAs, PCBs, Cd, Cr, and Pb	Assess current/former service operations	**Soil**: Due to the lack of field screening evidence of contamination, a soil sample was collected at a geologic interface. **Groundwater:** Not Encountered **Soil Gas:** Not Sampled

Location (feet bgs)	Sample/ Screened Interval Depth (feet bgs)	Analysis	Objectives	Sample Selection (justification)
PSB/TMW/ SG-10 (20.0)	**Soil:** (11.0-12.0)	VOCs, PNAs, and Pb	Assess historical gasoline UST	**Soil**: Due to the lack of field screening evidence of contamination, a soil sample was collected at the approximate bottom depth of the historical gasoline UST **Groundwater:** Sampled **Soil Gas:** Sampled
	GW: (7.0-12.0)	VOCs, PNAs, and dissolved Pb		
	Soil Gas: (9.5)	VOCs		
PSB/TMW-11 (5.0)	**Soil:** 2.0-3.0	VOCs, PNAs, Glycols, and Pb	Assess the former radiator shop operations	**Soil**: A soil sample was collected at the interval with the highest PID reading (5.9 ppm). **Groundwater:** Sampled **Soil Gas:** Not Sampled
	GW: (0.0-5.0)	VOCs, PNAs, Glycols, and dissolved Pb		
PSB-12 (5.5)	**Soil:** (3.0-4.0)	VOCs, PNAs, and Pb	Assess former glassworks operations	**Soil:** Due to the lack of field screening evidence of contamination, a soil sample was collected above the saturated zone. **Groundwater:** Not Sampled **Soil Gas:** Not Sampled
PSB/TMW/ SG-13 (5.0)	**Soil:** (0.0-1.0)	VOCs, PNAs, and Pb	Assess former glassworks operations	**Soil**: A soil sample was collected at the interval with the highest PID reading (0.8 ppm). **Groundwater:** Sampled **Soil Gas:** Sampled
	GW: (0.0-5.0)	VOCs, PNAs, and dissolved Pb		
	Soil Gas: (Sub-slab)	VOCs		
PSB/TMW-14/14R (20.0)	**Soil:** (0.5-1.5)	VOCs, PNAs, and PCBs	Assess former hydraulic scale house operations	**Soil**: Due to the lack of field screening evidence of contamination, a soil sample was collected beneath the pavement. **Groundwater:** Not Sampled **Soil Gas:** Not Sampled
	GW: (9.0-14.0)	NA (well did not produce)		

Location (feet bgs)	Sample/ Screened Interval Depth (feet bgs)	Analysis	Objectives	Sample Selection (justification)
PSB/TMW-15 (15.0)	**Soil:** (1.0-2.0)	VOCs and PNAs	Assess former fuel oil UST basin	**Soil**: A soil sample was collected at the interval with the highest PID reading (0.8 ppm). **Groundwater:** Sampled **Soil Gas:** Not Sampled
	GW: (0.0-5.0)	VOCs and PNAs		
PSB/TMW-16 (15.0)	**Soil:** (0.5-1.5)	MI-10 Metals	Assess former coal yard and rail operations	**Soil**: Due to the lack of field screening evidence of contamination, a soil sample was collected beneath the pavement. **Groundwater:** Sampled **Soil Gas:** Not Sampled
	GW: (0.0-5.0)	Dissolved MI-10 Metals		
PSB-17 (15.0)	**Soil:** (0.5-1.5)	MI-10 Metals	Assess former coal yard and rail operations	**Soil**: A soil sample was collected in an interval of sand with coal debris **Groundwater:** Not Sampled **Soil Gas:** Not Sampled
PSB/TMW-18 (15.0)	**Soil:** (0.5-1.5)	MI-10 Metals	Assess former coal yard and rail operations	**Soil**: A soil sample was collected in an interval of clay with coal debris **Groundwater:** Sampled **Soil Gas:** Not Sampled
	GW: (0.0-5.0)	Dissolved MI-10 Metals		
PSB/SG-19 (20.0)	**Soil:** (2.0-3.0)	VOCs, PNAs, PCBs, Cd, Cr and Pb	Assess historical vehicle service operations and in ground hoists	**Soil**: Due to the lack of field screening evidence of contamination, a soil sample was collected at a geologic interface. **Groundwater:** Not Encountered **Soil Gas:** Not Sampled
	Soil Gas: (sub-slab)	NA		
PSB-20 (20.0)	**Soil:** (0.0-1.0)	VOCs, PNAs, PCBs, Cd, Cr and Pb	Assess historical vehicle service operations and in ground hoists	**Soil**: Due to the lack of field screening evidence of contamination, a soil sample was collected immediately beneath the floor slab. **Groundwater:** Not Sampled **Soil Gas:** Not Sampled

Location (feet bgs)	Sample/ Screened Interval Depth (feet bgs)	Analysis	Objectives	Sample Selection (justification)
PSB-21 (15.0)	**Soil:** (4.5-5.5)	VOCs, PNAs, PCBs, Cd, Cr and Pb	Assess historical 1,000 gallon used oil UST basin	**Soil**: Due to the lack of field screening evidence of contamination, a soil sample was collected at a geologic interface above the water table. **Groundwater:** Not Sampled **Soil Gas:** Not Sampled
PSB-22 (20.0)	**Soil:** (1.0-2.0 and 16.0-17.0)	VOCs, PNAs, PCBs, Cd, Cr and Pb	Assess historical used oil and fuel oil UST basin	**Soil:** A soil sample was collected in a shallow discolored interval (1.0-2.0') and at the interval with the highest PID reading (0.6 ppm; 16.0-17.0'). **Groundwater:** Not Encountered **Soil Gas:** Not Sampled
PSB/SG-23 (20.0)	**Soil:** (0.5-1.5)	VOCs, PNAs, PCBs, Cd, Cr and Pb	Assess historical vehicle service operations	**Soil:** A soil sample was collected from a discolored interval beneath the asphalt pavement (suspected coal debris) and at the interval with the highest PID reading (170.1 ppm). **Groundwater:** Not Encountered **Soil Gas:** Sampled
	Soil Gas: (11.0)	VOCs		
PSB-24 (15.0)	**Soil:** (1.0-2.0)	VOCs, PNAs, PCBs, Cd, Cr and Pb	Assess historical vehicle service operations	**Soil**: Due to the lack of field screening evidence of contamination, a soil sample was collected immediately beneath the surface pavement **Groundwater:** Not Encountered **Soil Gas:** Not Sampled
PSB/SG-25 (20.0)	**Soil:** (11.0-12.0)	VOCs, PNAs, PCBs, and MI-10 Metals	Assess historical coal yard, petroleum dispensing, and gasoline release area	**Soil**: A soil sample was collected at the interval with the highest PID reading (11.1 ppm). **Groundwater:** Not Encountered **Soil Gas:** Sampled
	Soil Gas: (8.5)	VOCs		

Location (feet bgs)	Sample/ Screened Interval Depth (feet bgs)	Analysis	Objectives	Sample Selection (justification)
PSB/TMW-26 (20.0)	**Soil:** (3.5-4.5)	VOCs, PNAs, PCBs, and MI-10 Metals	Assess historical coal yard, petroleum dispensing, and gasoline release area	**Soil:** A soil sample was collected at a geologic interface. **Groundwater:** Sampled **Soil Gas:** Not Sampled
	GW: (4.0-9.0)	VOCs, PNAs, and dissolved MI-10 Metals		
PSB/TMW-27 (1567.0)	**Soil:** (2.5-3.5)	VOCs, PNAs, PCBs, and MI-10 Metals	Assess historical coal yard, petroleum dispensing, and gasoline release area	**Soil:** A soil sample was collected at the interval with the highest PID reading (58 ppm) **Groundwater:** Sampled **Soil Gas:** Not Sampled
	GW: (1.0-6.0)	VOCs, PNAs, and dissolved MI-10 Metals		
PSB-28 (20.0)	**Soil:** (3.0-4.0)	VOCs, PNAs, PCBs, and MI-10 Metals	Assess historical coal yard, petroleum dispensing, and gasoline release area	**Soil:** A soil sample was collected at a geologic interface. **Groundwater:** Not Sampled **Soil Gas:** Not Sampled
PSB/TMW/SG-29 (20.0)	**Soil:** (2.0-3.0)	VOCs and PNAs	Assess former bulk petroleum storage ASTs	**Soil**: A soil sample was collected at the interval with the highest PID reading (77.0 ppm). **Groundwater:** Sampled **Soil Gas:** Sampled
	GW: (12.0-17.0)	VOCs and PNAs		
	Soil Gas: (2.5)	VOCs		
PSB-30 (20.0)	**Soil:** (0.5-1.5)	VOCs and PNAs	Assess former bulk petroleum storage ASTs	**Soil:** A soil sample was collected at the interval with the highest PID reading (100.0 ppm). **Groundwater:** Not Encountered **Soil Gas:** Not Sampled

Location (feet bgs)	Sample/ Screened Interval Depth (feet bgs)	Analysis	Objectives	Sample Selection (justification)
PSB/SG-31 (20.0)	**Soil:** (4.0-5.0)	VOCs and PNAs	Assess former bulk petroleum storage ASTs	**Soil**: A soil sample was collected at the interval with the highest PID reading (87.5 ppm). **Groundwater:** Not Encountered **Soil Gas:** Not Sampled
	Soil Gas: (4.5)	VOCs		
PSB-32 (20.0)	**Soil:** (2.0-3.0)	VOCs and PNAs	Assess former bulk petroleum storage ASTs and loading rack	**Soil**: A soil sample was collected at the interval with the highest PID reading (104.0 ppm). **Groundwater:** Not Encountered **Soil Gas:** Not Sampled
PSB/TMW/ SG-33 (20.0)	**Soil:** (12.0-13.0)	VOCs and PNAs	Assess former bulk petroleum storage ASTs	**Soil**: A soil sample was collected from an interval of coarse sand with gravel that contrasted with other soils in the boring. **Groundwater:** Sampled **Soil Gas:** Sampled
	GW: (14.0-19.0)	VOCs and PNAs		
	Soil Gas: (1.5)	VOCs		
PSB/SG-34 (20.0)	**Soil:** (1.0-2.0)	VOCs and PNAs	Assess former bulk petroleum storage ASTs	**Soil**: A soil sample was collected at the interval with the highest PID reading (52.9 ppm). **Groundwater:** Not Sampled **Soil Gas:** Sampled
	Soil Gas: (1.5)	VOCs		
PSB/TMW/SG-35 (20.0)	**Soil:** (2.0-3.0)	VOCs and PNAs	Assess potential migration from former bulk petroleum operations to the south	**Soil**: A soil sample was collected at the interval with the highest PID reading (110 ppm). **Groundwater:** Sampled **Soil Gas:** Sampled
	GW: (7.0-12.0)	VOCs and PNAs		
	Soil Gas: (1.5)	VOCs		
PSB/TMW/SG-36 (15.0)	**Soil:** (3.0-4.0)	VOCs and PNAs	Assess potential migration from former bulk petroleum operations to the south	**Soil**: A soil sample was collected at the interval with the highest PID reading (68.1 ppm). **Groundwater:** Sampled **Soil Gas:** Sampled
	GW: (7.0-12.0)	VOCs and PNAs		
	Soil Gas: (0.5)	VOCs		

Location (feet bgs)	Sample/ Screened Interval Depth (feet bgs)	Analysis	Objectives	Sample Selection (justification)
PSB-37 (20.0)	**Soil:** (8.0-9.0)	VOCs, PNAs, PCBs, and MI-10 Metals	Assess former residential fill and migration from the north adjoining property	**Soil:** Due to the lack of field screening evidence of contamination, a soil sample was collected above the water table. **Groundwater:** Not Sampled **Soil Gas:** Sampled
	Soil Gas: (8.5)	VOCs		
PSB-38 (30.0)	**Soil:** (2.0-3.0 and 29.0-30.0)	VOCs, PNAs, PCBs, and MI-10 Metals	Assess former residential fill and migration from the north adjoining parcel	**Soil:** Due to the lack of field screening evidence of contamination or groundwater, both shallow and deep soil samples were collected. **Groundwater:** Not Encountered **Soil Gas:** Not Sampled
PSB-39 (15.0)	**Soil:** (2.5-3.5)	VOCs, PNAs, PCBs, and MI-10 Metals	Assess former coal yard and rail operations	**Soil:** A soil sample was collected above a geologic interface. **Groundwater:** Not Sampled **Soil Gas:** Not Sampled
PSB/TMW-40 (15.0)	**Soil:** (2.0-3.0)	VOCs, PNAs, PCBs, Cd, Cr and Pb	Assess historical vehicle service operations and in ground hoists	**Soil:** sampled from an area of black discolored sand that contrasted with other soils in the boring **Groundwater:** Sampled **Soil Gas:** Not Sampled
	GW: (2.0-7.0)	VOCs, PNAs, and dissolved Cd, Cr and Pb		
PSB-41 (3.5)	**Soil:** (2.0-3.0)	VOCs, PNAs, PCBs, Cd, Cr and Pb	Assess interior used oil AST area	**Soil:** A soil sample was collected at a geologic interface. **Groundwater:** Not Encountered **Soil Gas:** Not Sampled

Location (feet bgs)	Sample/ Screened Interval Depth (feet bgs)	Analysis	Objectives	Sample Selection (justification)
PSB/TMW-42 (20.0)	**Soil:** (9.0-10.0)	VOCs, PNAs, PCBs, Cd, Cr and Pb	Assess exterior orphan USTs	**Soil:** A soil sample was collected at the interval with the highest PID reading (318.7 ppm). **Groundwater:** Sampled **Soil Gas:** Not Sampled
	GW: (11.0-16.0)	VOCs, PNAs, and dissolved Cd, Cr and Pb		
PSB-43 (20.0)	**Soil:** (15.0-16.0)	VOCs, PNAs, PCBs, Cd, Cr and Pb	Assess exterior orphan USTs	**Soil:** A soil sample was collected at a geologic interface. **Groundwater:** Not Encountered **Soil Gas:** Not Sampled

bgs = below ground surface PID = photoionization detector ppm = parts per million
Pb = Lead Cd = Cadmium Cr = Chromium

1.6 Summary of Geophysical Investigation Activities

On December 18, 2017, PM completed a GPR survey at the subject property (Figure 2) to investigate the potential for orphan USTs and to clear the soil borings of subsurface utilities. At the time of the survey, weather conditions were approximately 40° F and light rain.

The GPR survey was completed using a GSSI® SIR-3000 radar control unit equipped with a 400 megahertz (MHz) antenna. The survey was completed utilizing 2-dimensional scanning methods in a 2 foot surface grid pattern (i.e., in north-south and east-west directions), to a maximum depth of 4.5 feet bgs.

PM encountered the following project specific conditions that limited its ability to assess the subject property:

- Parked vehicles located near the western perimeter of the subject property;
- Interior storage located within the building;
- Operations located within the building;

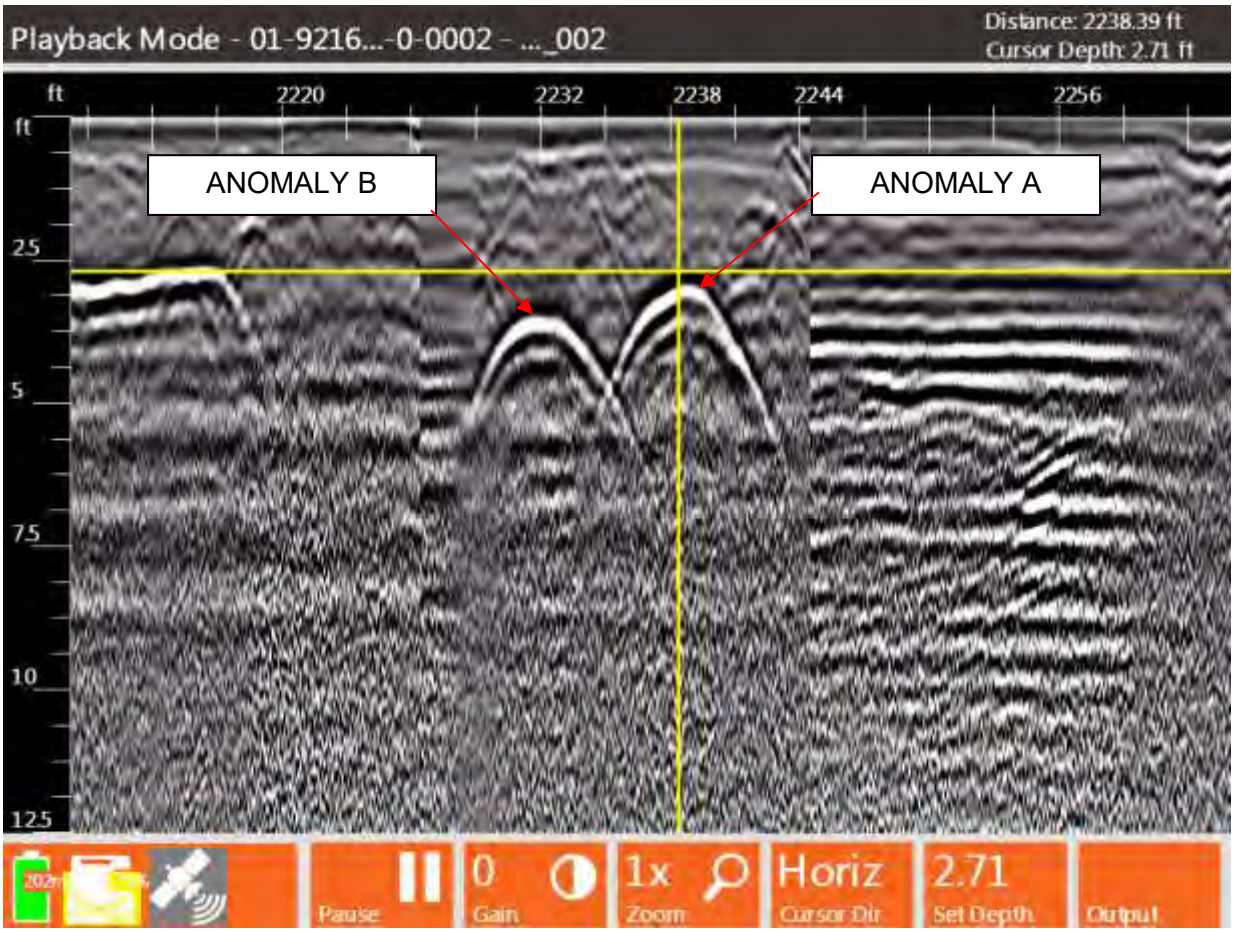
Three anomalies consistent with an orphan USTs were identified during the GPR survey.

Anomaly A is located west of the subject building. Anomaly A is approximately 15.0 feet in length, 7.0 feet in width, and located approximately 2.5 feet bgs. One shallow hand auger soil boring was advanced to 2.5 feet near the center of the anomaly. Refusal was encountered and a commercial metal detector (schonstedt) was used to verify that the anomaly was metallic in nature.

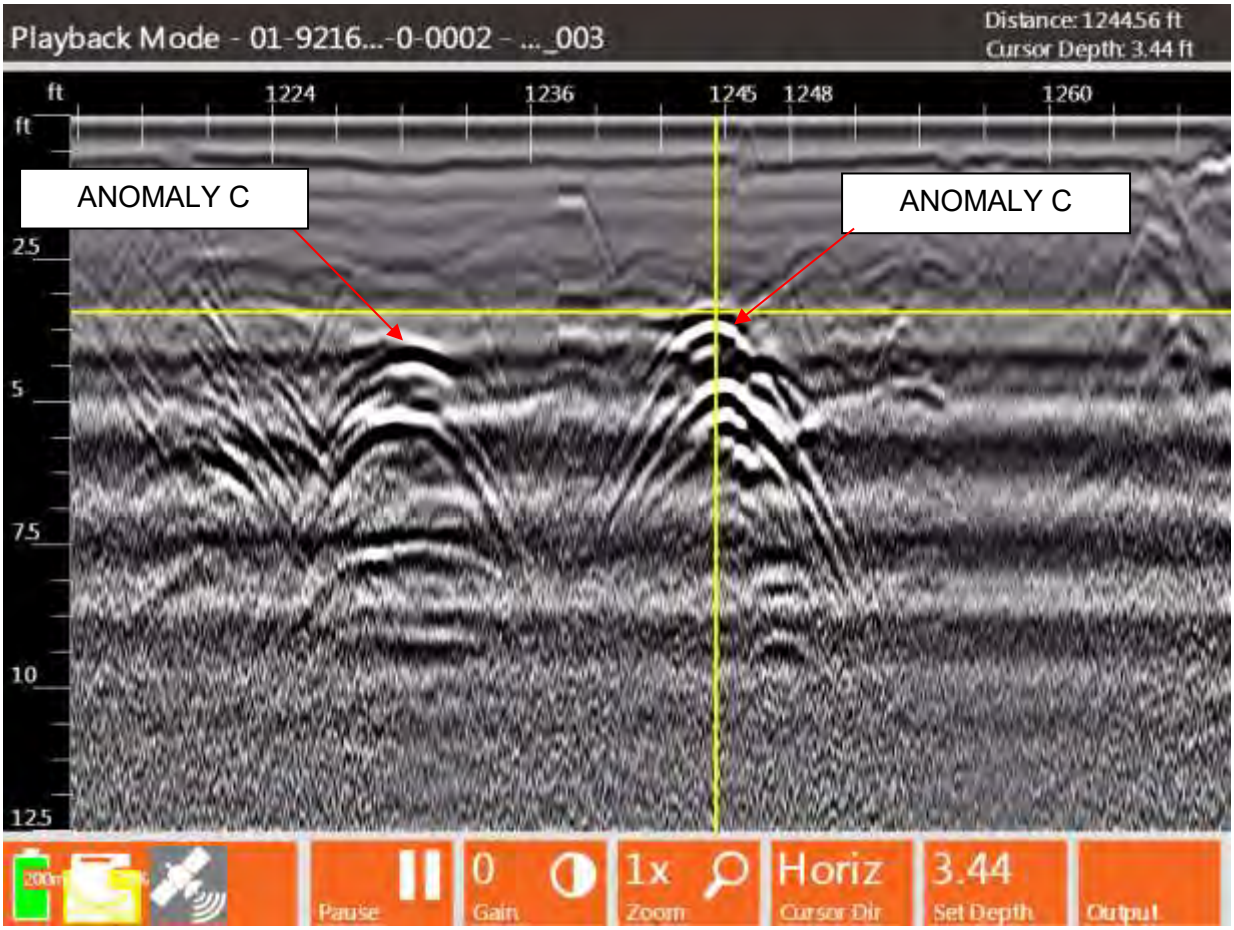
Anomaly B is located west of the subject building. Anomaly B is approximately 15.0 feet in length, 7.0 feet in width, and located approximately 2.75 feet bgs. One shallow hand auger soil boring was advanced to 2.75 feet near the center of the anomaly. Refusal was encountered and a schonstedt was used to verify that the anomaly was metallic in nature.

Anomaly C is located inside of the subject building. Anomaly C is at least 9.0 feet in length, 5.0 feet in width, and located approximately 3.0 feet bgs. One shallow hand auger soil boring was advanced to 2.5 feet near the center of the anomaly. Refusal was encountered and a schonstedt was used to verify that the anomaly was metallic in nature.

The following is an example data set collected from the subject property depicting the anomalies:



Anomaly A and Anomaly B.



Anomaly C at two different angles.

Other anomalies not consistent with USTs (i.e., those consistent with subsurface utilities, rebar, etc.) may have been observed; however, are not included within this report.

As indicated above, the metallic nature of the anomalies was confirmed using a stainless steel hand auger and a schonstedt metal detector. Anomalies A and B also correlate with two vent pipes identified along the western wall of the 612-614 East Michigan Avenue building, as summarized in the February 2018 Phase I ESA. Therefore, each anomaly (i.e., A through C) is believed to be a previously unknown, orphan UST with approximate capacities ranging from 1,000 gallons to 1,500 gallons.

Subsequent to identification of the orphan USTs, soil borings PSB-8, PSB-42, and PSB-43 were advanced adjacent to each on December 20, 2018 (Section 1.5 and Appendix B) and based on the identification of field screening evidence of a LUST release, the orphan USTs were registered with the Department of Licensing and Regulatory Affairs, Bureau of Fire Services, Storage Tank Division, and a confirmed release reported on December 21, 2018, which is within 24-hours of discovery. UST registration and release reporting was completed under Brogan's Tire and Auto Service, Inc., the current owner of the 612-614 East Michigan Avenue parcel.

The open LUST status of the 612-614 East Michigan Avenue parcel of the subject property indicates that it is a "site," in accordance with Part 213.

1.7 Subsurface Investigations Techniques and QA/QC Procedures

The soil borings were advanced to the desired depth using a direct push model 6712DT Geoprobe® drill rig and/or a stainless steel hand auger. Soil sampling was performed for soil classification, verification of subsurface geologic conditions, and for investigating the potential and/or extent of soil and groundwater contamination at the subject property. Soil samples were generally collected on a continuous basis using a 5-foot macro-core sampler.

Soils collected from discrete sample intervals were screened using a PID to determine if VOCs were present. Soil from specific depths was placed in plastic bags, sealed, and allowed to volatilize. The headspace within each bag was then monitored with the PID. The PID is able to detect trace levels of organic compounds in the air space within the plastic bag. The PID utilizes a 10.6 electron volts (eV) lamp. Soil samples were collected from the soil borings based upon the highest PID reading, visual/olfactory evidence of impact, a change in geology, former/current site feature depths, and/or surficial soil.

Soil samples for VOC analysis were preserved with methanol in accordance with United States Environmental Protection Agency (USEPA) Method 5035 modified.

Temporary monitoring wells were installed for groundwater sample collection in selected soil boring locations. Each consisted of a 5-foot one inch diameter, 0.010-inch slot, schedule 40, PVC screen and a one inch diameter PVC casing, which was lowered into the borehole to intersect the water table. After the screen for the well was set to the desired depth, an artificial sand pack or natural sands were allowed to collapse around the well screen. The groundwater samples for laboratory analyses were transferred directly from the low-flow pump discharge line into appropriately labeled sample containers with Teflon lined lids. Purge water was maintained separate and returned to the well.

The soil and groundwater samples were placed in appropriately labeled containers with Teflon® lined lids and/or sanitized glass jars, then placed in an ice-packed cooler and transported under chain of custody procedures for laboratory analysis within applicable holding times.

The soil vapor sampling was completed in general accordance with the guidelines established in the May 2013 MDEQ Guidance Document for the Vapor Intrusion Pathway, which included the quality assurance/quality control (QA/QC) procedures outlined below.

The soil gas sample were collected utilizing a polyethylene implant that is approximately two inches in length that is affixed to appropriate length tubing for sample collection and inserted into the annulus of the borehole. Upon completion of the borehole, a sampling interval is established by filling the hole with bentonite to the desired lower depth, as needed, inserting the sample implant and tubing, creating a sand pack of no more than one foot with the sampling implant in the center, and filling the remainder of the bore hole with bentonite.

Prior to the collection of each soil gas sample, the sampling apparatus was determined to be leak free utilizing an isolation chamber that encompassed tubing and associated connections as well as the sampling point. The chamber was charged with helium prior to purging the sampling point of a maximum of three volumes. A helium detector was then applied to the sampling line to ensure

no leaks had occurred. The soil gas samples were collected using 1-liter canisters regulated with a flow rate of 200 ml/minute and transported under chain of custody procedures for laboratory analysis within applicable holding times.

The soil, groundwater, and soil gas samples were submitted to Merit Laboratories, Inc. (Merit) in East Lansing, Michigan, for laboratory analysis.

Upon completion of the investigation, temporary monitoring well and soil gas sample materials were removed from the borehole. The soil boring/temporary monitoring well/soil gas sample locations were abandoned by placing the soil cuttings back into the borehole, filling the void with bentonite chips, hydrating the chips, resurfacing and returning the area to its pre-drilling condition.

1.8 Geology and Hydrogeology

Based on review of the current and previous boring logs from PM's December 2017 site investigation, the soil stratigraphy generally consists of up to 10.0 feet of sand underlain by clay with interbedded layers of sand and/or gravelly sand to a depth of at least 30.0 feet bgs, the maximum depth explored. Exceptions include soil boring PSB-2 where only pea gravel was encountered to 10.0 feet bgs; PSB-4 where sand soils were encountered to the maximum explored depth of 20.0 feet bgs; and soil boring PSB-10, PSB-35, and PSB-38, where sand soils were encountered at depths greater than 10.0, 20.0, and 14.0 feet bgs, respectively.

Perched and discontinuous groundwater was encountered at depths between 0.95 and 10.87 feet bgs during the December 2018 site investigation, with a thin lamina of water present immediately under pavement at soil borings PSB-15 and PSB-18, likely as a result of rainy conditions during the time period of the investigation.

2.0 LOCATION OF CONTAMINATED MEDIA ON THE SUBJECT PROPERTY

The analytical results from PM's 2017 investigation were compared with the MDEQ Generic Cleanup Criteria and Screening Levels as presented in Part 201 Rules 299.1 through 299.50, dated December 30, 2013 entitled "Cleanup Criteria Requirements for Response Activity", in accordance with Section 20120a(1) using the Residential and Nonresidential Cleanup Criteria. The analytical results for the groundwater and soil gas samples collected by PM were also compared with the MDEQ Media-Specific Volatilization to Indoor Air Interim Action Screening Levels, which are also known as Recommended Interim Action Screening Levels (RIASLs). A copy of the laboratory analytical reports for PM's December 2017 site investigation are included in Appendix C.

Relevant portions of the previous reports, including sample location maps and analytical summary tables, are also included in Section 10.4 of the February 2018 Phase I ESA (Appendix A).

2.1 Summary of Analytical Results (December 2017)

The sample analytical results and locations for PM's December 2017 site investigation are summarized on PM's Figures 3, 4, and 5 and in Tables 1 through 4.

Summary of Soil, Groundwater, and Soil Gas Analytical Results

Location (feet bgs)	Sample/ Screened Interval Depth (feet bgs)	Analysis	Objectives	Compounds Exceeding the Part 201/213 GCC/RBSLs, and MDEQ RIASLs
PSB/SSG-1 (20.0)	**Soil:** (6.0-7.0)	Lead and TCLP Pb	Re-asses soil lead concentrations at former (2013) soil boring PSB-9 location (6.0-7.0')	**Soil:** None
	Soil Gas: (5.0)	VOCs		**Soil Gas:** None
PSB/SG-2 (10.0)	**Soil Gas :** (4.5)	VOCs	Assess current soil gas concentrations at former (2013) PSG-3 location	**Soil Gas:** None
PSB/SG-3 (10.0)	**Soil Gas:** (5.0)	VOCs	Assess current soil gas concentrations at former (2013) PSG-2 location	**Soil Gas:** None
PSB/TMW/SG-4 (20.0)	**Soil:** (6.5-7.5)	VOCs and PNAs	Assess potential contaminant migration from the south adjoining property	**Soil:** None
	GW: (6.0-11.0)	VOCs and PNAs		**Groundwater:** None
	Soil Gas: (7.1)	VOCs		**Soil Gas:** None
PSB/SG-5 (20.0)	**Soil:** (4.0-5.0)	VOCs and PNAs	Assess potential contaminant migration from the south adjoining property	**Soil:** None
	Soil Gas: (4.5)	VOCs		**Soil Gas:** None
PSB/TMW/SG-6 (20.0)	**Soil:** (9.0-10.0)	VOCs, PNAs, and Pb	Assess former gasoline filling operations and potential contaminant migration from the north adjoining former drycleaners	**Soil:** None
	GW: (8.0-13.0)	VOCs, PNAs, and dissolved Pb		**Groundwater:** None
	Soil Gas: (4.5)	VOCs		**Soil Gas:** None

Location (feet bgs)	Sample/ Screened Interval Depth (feet bgs)	Analysis	Objectives	Compounds Exceeding the Part 201/213 GCC/RBSLs, and MDEQ RIASLs
PSB/TMW-7 (20.0)	**Soil:** (12.0-13.0)	VOCs, PNAs, PCBs, Cd, Cr, and Pb	Assess former gasoline filling operations	**Soil: VOCs – Residential and Nonresidential RIASLs**
	GW: (7.0-12.0)	VOCs, PNAs, and dissolved Pb		**Groundwater:** None
PSB/SG-8 (20.0)	**Soil:** (11.0-12.0 and 19.0-20.0)	VOCs, PNAs, PCBs, Cd, Cr, and Pb	Assess current/former service operations and interior gasoline UST	**Soil: VOCs – Residential and Nonresidential DWP, GSIP, and RIASLs**
	Soil Gas: (3.5)	VOCs		**Soil Gas:** None
PSB-9 (7.0)	**Soil:** (2.0-3.0)	VOCs, PNAs, PCBs, Cd, Cr, and Pb	Assess current/former service operations	**Soil: PNAs - GSIP**
PSB/TMW/ SG-10 (20.0)	**Soil:** (11.0-12.0)	VOCs, PNAs, and Pb	Assess historical gasoline UST	**Soil:** None
	GW: (7.0-12.0)	VOCs, PNAs, and dissolved Pb		**Groundwater:** None
	Soil Gas: (9.5)	VOCs		**Soil Gas:** None
PSB/TMW-11 (5.0)	**Soil:** 2.0-3.0	VOCs, PNAs, Glycols, and Pb	Assess the former radiator shop operations	**Soil:** None
	GW: (0.0-5.0)	VOCs, PNAs, Glycols, and dissolved Pb		**Groundwater:** None
PSB-12 (5.5)	**Soil:** (3.0-4.0)	VOCs, PNAs, and Pb	Assess former glassworks operations	**Soil:** None

Location (feet bgs)	Sample/ Screened Interval Depth (feet bgs)	Analysis	Objectives	Compounds Exceeding the Part 201/213 GCC/RBSLs, and MDEQ RIASLs
PSB/TMW/ SG-13 (5.0)	**Soil:** (0.0-1.0)	VOCs, PNAs, and Pb	Assess former glassworks operations	**Soil:** None
	GW: (0.0-5.0)	VOCs, PNAs, and dissolved Pb		**Groundwater:** None
	Soil Gas: (Sub-slab)	VOCs		**Soil Gas:** None
PSB/TMW-14/14R (20.0)	**Soil:** (0.5-1.5)	VOCs, PNAs, and PCBs	Assess former hydraulic scale house operations	**Soil: PNAs – Residential and Nonresidential DC**
	GW: (9.0-14.0)	NA (well did not produce)		**Groundwater:** None
PSB/TMW-15 (15.0)	**Soil:** (1.0-2.0)	VOCs and PNAs	Assess former fuel oil UST basin	**Soil:** None
	GW: (0.0-5.0)	VOCs and PNAs		**Groundwater:** None
PSB/TMW-16 (15.0)	**Soil:** (0.5-1.5)	MI-10 Metals	Assess former coal yard and rail operations	**Soil:** None
	GW: (0.0-5.0)	Dissolved MI-10 Metals		**Groundwater:** None
PSB-17 (15.0)	**Soil:** (0.5-1.5)	MI-10 Metals	Assess former coal yard and rail operations	**Soil: Chromium - Residential and Nonresidential DWP and GSIP**
PSB/TMW-18 (15.0)	**Soil:** (0.5-1.5)	MI-10 Metals	Assess former coal yard and rail operations	**Soil: Mercury - GSIP**
	GW: (0.0-5.0)	Dissolved MI-10 Metals		**Groundwater: Arsenic – Residential and Nonresidential DW and GSI**

Location (feet bgs)	Sample/ Screened Interval Depth (feet bgs)	Analysis	Objectives	Compounds Exceeding the Part 201/213 GCC/RBSLs, and MDEQ RIASLs
PSB/SG-19 (20.0)	**Soil:** (2.0-3.0)	VOCs, PNAs, PCBs, Cd, Cr and Pb	Assess historical vehicle service operations and in ground hoists	**Soil: VOCs and PNAs - Residential and Nonresidential DWP, GSIP and RIASLs; Residential DC**
	Soil Gas: (sub-slab)	NA		**Soil Gas:** None
PSB-20 (20.0)	**Soil:** (0.0-1.0)	VOCs, PNAs, PCBs, Cd, Cr and Pb	Assess historical vehicle service operations and in ground hoists	**Soil: VOCs and PNAs - Residential and Nonresidential DWP and GSIP; Residential DC**
PSB-21 (15.0)	**Soil:** (4.5-5.5)	VOCs, PNAs, PCBs, Cd, Cr and Pb	Assess historical 1,000 gallon used oil UST basin	**Soil:** None
PSB-22 (20.0)	**Soil:** (1.0-2.0 and 16.0-17.0)	VOCs, PNAs, PCBs, Cd, Cr and Pb	Assess historical used oil and fuel oil UST basin	**Soil: PNAs - Residential and Nonresidential GSIP and DC**
PSB/SG-23 (20.0)	**Soil:** (0.5-1.5)	VOCs, PNAs, PCBs, Cd, Cr and Pb	Assess historical vehicle service operations	**Soil: VOCs and PNAs – Residential and Nonresidential DWP, GSIP, and RIASLs**
	Soil Gas: (11.0)	VOCs		**Soil Gas:** None
PSB-24 (15.0)	**Soil:** (1.0-2.0)	VOCs, PNAs, PCBs, Cd, Cr and Pb	Assess historical vehicle service operations	**Soil:** None
PSB/SG-25 (20.0)	**Soil:** (11.0-12.0)	VOCs, PNAs, PCBs, and MI-10 Metals	Assess historical coal yard, petroleum dispensing, and gasoline release area	**Soil: Mercury – GSIP**
	Soil Gas: (8.5)	VOCs		**Soil Gas:** None

Location (feet bgs)	Sample/ Screened Interval Depth (feet bgs)	Analysis	Objectives	Compounds Exceeding the Part 201/213 GCC/RBSLs, and MDEQ RIASLs
PSB/TMW-26 (20.0)	**Soil:** (3.5-4.5)	VOCs, PNAs, PCBs, and MI-10 Metals	Assess historical coal yard, petroleum dispensing, and gasoline release area	**Soil:** None
	GW: (4.0-9.0)	VOCs, PNAs, and dissolved MI-10 Metals		**Groundwater: VOCs, PNAs and Arsenic - Residential and Nonresidential DW and GSI**
PSB/TMW-27 (1567.0)	**Soil:** (2.5-3.5)	VOCs, PNAs, PCBs, and MI-10 Metals	Assess historical coal yard, petroleum dispensing, and gasoline release area	**Soil: VOCs, PNAs, Mercury, and Selenium – Residential and Nonresidential DWP, GSIP, and RIASLs; Residential DC**
	GW: (1.0-6.0)	VOCs, PNAs, and dissolved MI-10 Metals		**Groundwater: VOCs, PNAs and Arsenic - Residential and Nonresidential DW and GSI, and Residential RIASLs**
PSB-28 (20.0)	**Soil:** (3.0-4.0)	VOCs, PNAs, PCBs, and MI-10 Metals	Assess historical coal yard, petroleum dispensing, and gasoline release area	**Soil: VOCs - Residential and Nonresidential GSIP and RIASLs**
PSB/TMW/SG-29 (20.0)	**Soil:** (2.0-3.0)	VOCs and PNAs	Assess former bulk petroleum storage ASTs	**Soil: VOCs, PNAs – GSIP**
	GW: (12.0-17.0)	VOCs and PNAs		**Groundwater:** None
	Soil Gas: (2.5)	VOCs		**Soil Gas:** None
PSB-30 (20.0)	**Soil:** (0.5-1.5)	VOCs and PNAs	Assess former bulk petroleum storage ASTs	**Soil: VOCs and PNAs – Residential and Nonresidential DWP and GSIP**
PSB/SG-31 (20.0)	**Soil:** (4.0-5.0)	VOCs and PNAs	Assess former bulk petroleum storage ASTs	**Soil: VOCs and PNAs – GSIP**
	Soil Gas: (4.5)	VOCs		**Soil Gas:** None
PSB-32 (20.0)	**Soil:** (2.0-3.0)	VOCs and PNAs	Assess former bulk petroleum storage ASTs and loading rack	**Soil: VOCs and PNAs – GSIP**

Location (feet bgs)	Sample/ Screened Interval Depth (feet bgs)	Analysis	Objectives	Compounds Exceeding the Part 201/213 GCC/RBSLs, and MDEQ RIASLs
PSB/TMW/ SG-33 (20.0)	**Soil:** (12.0-13.0)	VOCs and PNAs	Assess former bulk petroleum storage ASTs	**Soil:** None
	GW: (14.0-19.0)	VOCs and PNAs		**Groundwater:** None
	Soil Gas: (1.5)	VOCs		**Soil Gas:** None
PSB/SG-34 (20.0)	**Soil:** (1.0-2.0)	VOCs and PNAs	Assess former bulk petroleum storage ASTs	**Soil: VOCs – Residential and Nonresidential RIASLs**
	Soil Gas: (1.5)	VOCs		**Soil Gas:** None
PSB/TMW/SG-35 (20.0)	**Soil:** (2.0-3.0)	VOCs and PNAs	Assess potential migration from former bulk petroleum operations to the south	**Soil: VOCs – GSIP**
	GW: (7.0-12.0)	VOCs and PNAs		**Groundwater: VOCs - GSI and Residential RIASLs**
	Soil Gas: (1.5)	VOCs		**Soil Gas:** None
PSB/TMW/SG-36 (15.0)	**Soil:** (3.0-4.0)	VOCs and PNAs	Assess potential migration from former bulk petroleum operations to the south	**Soil: VOCs – Residential and Nonresidential RIASLs; Residential DWP**
	GW: (7.0-12.0)	VOCs and PNAs		**Groundwater:** None
	Soil Gas: (0.5)	VOCs		**Soil Gas:** None
PSB-37 (20.0)	**Soil:** (8.0-9.0)	VOCs, PNAs, PCBs, and MI-10 Metals	Assess former residential fill and migration from the north adjoining property	**Soil:** None
	Soil Gas: (8.5)	VOCs		**Soil Gas:** None
PSB-38 (30.0)	**Soil:** (2.0-3.0 and 29.0-30.0)	VOCs, PNAs, PCBs, and MI-10 Metals	Assess former residential fill and migration from the north adjoining parcel	**Soil:** None
PSB-39 (15.0)	**Soil:** (2.5-3.5)	VOCs, PNAs, PCBs, and MI-10 Metals	Assess former coal yard and rail operations	**Soil:** None

Location (feet bgs)	Sample/ Screened Interval Depth (feet bgs)	Analysis	Objectives	Compounds Exceeding the Part 201/213 GCC/RBSLs, and MDEQ RIASLs
PSB/TMW-40 (15.0)	**Soil:** (2.0-3.0)	VOCs, PNAs, PCBs, Cd, Cr and Pb	Assess historical vehicle service operations and in ground hoists	**Soil:** None
	GW: (2.0-7.0)	VOCs, PNAs, and dissolved Cd, Cr and Pb		**Groundwater:** None
PSB-41 (3.5)	**Soil:** (2.0-3.0)	VOCs, PNAs, PCBs, Cd, Cr and Pb	Assess interior used oil AST area	**Soil:** None
PSB/TMW-42 (20.0)	**Soil:** (9.0-10.0)	VOCs, PNAs, PCBs, Cd, Cr and Pb	Assess exterior orphan USTs	**Soil: VOCs - Residential DWP**
	GW: (11.0-16.0)	VOCs, PNAs, and dissolved Cd, Cr and Pb		**Groundwater: VOCs and PNAs - Residential and Nonresidential DW and GSI, and RIASLs**
PSB-43 (20.0)	**Soil:** (15.0-16.0)	VOCs, PNAs, PCBs, Cd, Cr and Pb	Assess exterior orphan USTs	**Soil:** None

DWP – Drinking Water Protection
GSIP – Groundwater Surface Water Interface Protection
DC: Soil Direct Contact
DW: Drinking Water
GSI: Groundwater Surface Water Interface
RIASL: Recommended Interim Action Screening Level for Vapor Intrusion

As summarized above, concentrations of various VOCs and PNAs, and the metals specie chromium, mercury, and selenium were identified in soil above the Part 201/213 Residential and Nonresidential DWP, GSIP, and/or DC criteria/RBSLs, and/or the MDEQ Residential and Nonresidential RIASLs.

Concentrations of various VOCs and PNAs, and the metals species arsenic were identified in groundwater above the Part 201/213 Residential; and Nonresidential DW and/or GSI criteria/RBSLs, and/or the MDEQ Residential and Nonresidential RIASLs.

No concentrations of PCBs were identified in any of the soil samples collected from the subject property above the laboratory MDLs. Similarly no concentrations of glycols were identified in soil or groundwater above laboratory MDLs.

No concentrations of VOCs were identified in any of the soil gas samples above MDEQ Residential and Nonresidential RIASLs and/or the USEPA Office of Solid Waste and Emergency

Response (OSWER) Residential screening levels for compounds where MDEQ RIASLs were not available.

2.2 Subject Property Facility/Site/Property Status

A location where a hazardous substance is present in excess of the concentrations, which satisfy the requirements of subsection 20120a(1)(a) or (17), is a facility pursuant to Part 201. Section 20120a(1)(a) requirements are the cleanup criteria for unrestricted residential usage.

As indicated in Sections 1.4 and 2.1, based upon documented exceedances of the Part 201 Residential and Nonresidential GCC and Part 213 Residential and Nonresidential RBSLs, and its status as an open LUST site, the subject property is a facility as defined under Part 201, and a property and a site as defined under Part 213.

3.0 PROPERTY INFORMATION

3.1 Legal Description of Subject Property

A copy of assessing information with the legal descriptions for the parcels comprising the subject property is included in Appendix D.

3.2 Survey Map of Subject Property

A map of the subject property that depicts the property boundaries is included as Figure 2.

3.3 Subject Location and Analytical Summary Maps

Figures 3, 4, and 5 provide scaled maps of the subject property with site structures and soil boring/temporary monitoring well/soil gas sample locations, along with a summary of the soil, groundwater, and soil gas analytical results from PM's December 2017 site investigation activities. The sample locations from previous site investigations are summarized in the contents of Section 10.4 of the February 2018 Phase I ESA (Appendix A).

3.4 Subject Property Location Map

Figure 1 provides a scaled area map depicting the subject property location in relation to the surrounding area. Figure 2 provides a scaled map of the subject property with site features.

3.5 Subject Property Address

As indicated in Section 1.0, The subject property consist of 18 parcels and alleyway totaling approximately 4.0 acres and is located on the east side of South Larch Street and on the south side of East Michigan Avenue in Lansing, Michigan (Figures 1 and 2). Please refer to the summary table included in Section 1.0 for a listing of the subject property's parcel address and identification numbers.

3.6 Subject Spatial Data

The subject property is located in the Township four North (T. 4N), Range two West (R. 2W), Section 16, Lansing, Ingham County, Michigan.

According to the MDEQ GeoWebFace Website, the center of the subject property is located at latitude 42.733198 north and a longitude of -84.544285 west.

4.0 FACILITY STATUS OF SUBJECT PROPERTY

As indicated in Section 2.2 based upon documented exceedances of the Part 201 Residential and Nonresidential GCC and Part 213 Residential and Nonresidential RBSLs, and its status as an open LUST site, the subject property is a facility as defined under Part 201, and a property and a site as defined under Part 213.

4.1 Summary Data Tables

The soil, groundwater, and soil gas analytical results for the soil, groundwater, and soil gas samples collected during PM's December 2017 site investigation are summarized on Tables 1 through 4. The soil and groundwater analytical results from previous site investigations are summarized in Section 1.4 of this BEA and included in Section 10.4 of PM's February 2018 Phase I ESA.

4.2 Laboratory Reports and Chain of Custody Documentation

The laboratory analytical reports and associated laboratory chain of custody documentation for the samples collected during PM's December 2017 site investigation are included in Appendix C. The soil, groundwater, and soil gas samples were submitted to Merit Laboratories, Inc. in East Lansing, Michigan. The laboratory analytical reports associated with previous site investigations are on file with the MDEQ.

5.0 IDENTIFICATION OF BEA AUTHOR

This BEA was conducted on February 28, 2017 by Mr. J. Adam Patton, Manager of Site Investigation Services, PM Environmental, Inc., which is prior to or within 45 days of initial operation. Qualification statements are provided as Appendix E.

I declare that, to the best of my professional knowledge and belief, I meet the definition of *Environmental Professional* as defined in §312.10 of 40 CFR 312 and I have the specific qualifications based on education, training, and experience to assess a property of the nature, history, and setting of the subject property. I have developed and performed the all appropriate inquires in conformance with the standards and practices set forth in 40 CFR Part 312.

J. Adam Patton, CHMM
Manager of Site Investigation Services

6.0 AAI REPORT OR ASTM PHASE I ESA

As indicated in Section 1.3, PM performed a Phase I ESA of the subject property dated February 2, 2018, in conformance with the scope and limitations of ASTM Practice E 1527-13 for the subject property. The scope of the Phase I ESA included consideration of hazardous substances as defined in Section 20101(1)(x) of P.A 451 of 1994, as amended, and constituted the performance of an All Appropriate Inquiry in conformance with the standards and practices set forth in 40 CFR Part 312.

A copy of PM's February 2018 Phase I ESA is included in Appendix A.

7.0 REFERENCES

- Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process, ASTM, ASTM Designation E 1527-13, Published November 2013;
- "Part 201 Cleanup Criteria and Part 213 Risk-Based Screening Levels," Revised December 2013 and in accordance with Section 20120a(1);
- MDEQ Operational Memorandum No. 2 "Sampling and Analysis," October 22, 2004, Revised July 5, 2007;
- MDEQ Guidance Document For The Vapor Intrusion Pathway, Policy and Procedure Number: 09-017, Appendix D Vapor Intrusion Screening Values, May 2013 (with the exception of the rescinded portions (June 2017) Appendix B.3 and Appendix D;
- MDEQ Media-Specific Volatilization to Indoor Air Interim Action Screening Levels, dated August 2017;
- MDEQ Baseline Environmental Assessment Submittal Form (EQP 4025), dated July 2017;
- Phase I ESA, PM, February 2, 2018.

Tables

Table 1: Amendment #2 Eligible Activities Cost Estimates

Item/Activity	Capital City Market - Approved Eligible Activities	Capital City Market - Estimated Total Incurred Eligible Activities	Clara's - 637 Michigan Estimated Eligible Activities	Amended Estimated Total Eligible Activities	Amended Total Local Only Eligible Activities	Amended Total MSF Eligible Activities	Amended Total EGLE Eligible Activities
Pre-Approved Activities							
Phase I ESA	$ 6,000	$ 7,750	$ 3,700	$ 11,450	$ 3,700		$ 7,750
Phase II ESA/BEA/DDCC	$ 46,685	$ 65,385		$ 65,385			$ 65,385
Hazardous Materials Survey	$ 21,680	$ 28,905	$ 3,400	$ 32,305	$ 3,400		$ 28,905
Pre-Approved Activities Sub-Total	**$ 74,365**	**$ 102,040**	**$ 7,100**	**$ 109,140**	**$ 7,100**	**$ -**	**$ 102,040**
Department Specific Activities							
Contaminated Soil Transport and Disposal	$ 479,100	$ 200,000		$ 200,000			$ 200,000
Utility Migration Barriers	$ 22,500	$ 10,000		$ 10,000			$ 10,000
Utility Gasketing	$ 25,000	$ 5,000		$ 5,000			$ 5,000
Hazardous Materials Removal and Disposal	$ 25,000	$ 25,000		$ 25,000	$ 25,000		$ -
Oversight, Sampling and Reporting by Environmental Professional	$ 135,150	$ 40,000		$ 40,000			$ 40,000
Department Specific Activities Sub-Total	**$ 686,750**	**$ 280,000**	**$ -**	**$ 280,000**	**$ 25,000**	**$ -**	**$ 255,000**
Demolition							
Building Demolition			$ 39,327	$ 39,327	$ 39,327		
Stabilization Demolition			$ 26,673	$ 26,673	$ 26,673		
Demolition Project Management			$ 3,300	$ 3,300	$ 3,300		
Site Demolition		$ 15,000		$ 15,000		$ 15,000	
Removal of Underground Storage Tanks	$ 50,000			$ -			
Removal of Hoists	$ 10,500	$ 1,000		$ 1,000			$ 1,000
Demolition Sub-Total	**$ 60,500**	**$ 16,000**	**$ 69,300**	**$ 85,300**	**$ 69,300**	**$ 15,000**	**$ 1,000**
Asbestos and Lead Activities							
Asbestos Abatement, Oversight, Air Monitoring and Reporting	$ 100,000	$ 1,000	$ 35,000	$ 36,000	$ 35,000		$ 1,000
Stabilization Abatement			$ 3,876	$ 3,876	$ 3,876		
Asbestos Abatement Project Management (5%)			$ 1,944	$ 1,944	$ 1,944		
Asbestos and Lead Activities Sub-Total	**$ 100,000**	**$ 1,000**	**$ 40,820**	**$ 41,820**	**$ 40,820**	**$ -**	**$ 1,000**
Infrastructure Improvements							
Urban Storm Water Management System	$ 255,784	$ 310,000		$ 310,000		$ 310,000	
Bioswales	$ 136,838	$ 120,000		$ 120,000		$ 120,000	
Green Roof	$ 72,250						
Gas Main	$ 109,470	$ 50,000		$ 50,000		$ 50,000	
Curbs and Gutters	$ 87,029	$ 150,000	$ 76,632	$ 226,632	$ 76,632	$ 150,000	
Side Walk Improvements	$ 114,944						
Public Lighting	$ 68,966	$ 70,000		$ 70,000		$ 70,000	
Public Parklet			$ 20,000	$ 20,000	$ 20,000		
Landscaping in ROW	$ 132,459	$ 135,000	$ 22,500	$ 157,500	$ 22,500	$ 135,000	
Associated GC General Conditions and Reimbursables, Project Management (5%), and Professional Fees Related to Geotechnical, Engineering & Design Work Directly Related to Infrastructure Activities	$ 50,000	$ 105,000	$ 16,696	$ 121,696	$ 16,696	$ 105,000	
Infrastructure Improvements Sub-Total	**$ 1,027,739**	**$ 940,000**	**$ 135,828**	**$ 1,075,828**	**$ 135,828**	**$ 940,000**	**$ -**
Site Preparation							
Temporary Construction Access	$ 3,831	$ 3,500		$ 3,500		$ 3,500	
Temporary Traffic Control	$ 8,210	$ 8,210		$ 8,210		$ 8,210	
Temporary Erosion Control	$ 8,210	$ 8,210		$ 8,210		$ 8,210	
Temporary Site Control (fencing, gates, signage and/or lighting)	$ 49,262	$ 49,262	$ 29,000	$ 78,262	$ 29,000	$ 49,262	
Temporary Facility	$ 17,242	$ 17,242		$ 17,242		$ 17,242	
Grading/Land Balancing & Cut/Fill Operations	$ 482,763	$ 550,000	$ 24,640	$ 574,640	$ 24,640	$ 550,000	
Relocation and/or Replacement of Active Utilities - Water, Sanitary, Storm	$ 58,019	$ 180,000	$ 50,568	$ 230,568	$ 50,568	$ 180,000	
Relocation of Active Utility - Electric	$ 180,626	$ 90,000		$ 90,000		$ 90,000	
Staking	$ 49,262	$ 45,000	$ 150	$ 45,150	$ 150	$ 45,000	
Geotechnical Survey	$ 10,947	$ 10,947		$ 10,947		$ 10,947	
Foundation Work to Address Special Soil Concerns	$ 232,624	$ 435,000		$ 435,000		$ 435,000	
Retaining Walls	$ 618,506	$ 200,000		$ 200,000		$ 200,000	
Associated GC General Conditions and Reimbursables (inc. temp facility, and controls), Project Management (5%), and Professional Fees Related to Geotechnical, Engineering & Design Work Directly Related to Site Preparation Activities	$ 50,000	$ 151,271	$ 15,957	$ 167,228	$ 15,957	$ 151,271	
Site Preparation Sub-Total	**$ 1,769,500**	**$ 1,748,642**	**$ 120,315**	**$ 1,868,957**	**$ 120,315**	**$ 1,748,642**	**$ -**
Brownfield Plan and Act 381 Workplan							
Brownfield Plan and Act 381 Work Plan Preparation	$ 30,000	$ 110,000	$ 30,000	$ 140,000	$ 110,000	$ 15,000	$ 15,000
Brownfield Pan and Act 381 Work Plan Implementation	$ 30,000	$ 30,000	$ 10,000	$ 40,000	$ 10,000	$ 15,000	$ 15,000
Brownfield Plan and Act 381 Workplan Sub-Total	**$ 60,000**	**$ 140,000**	**$ 40,000**	**$ 180,000**	**$ 120,000**	**$ 30,000.00**	**$ 30,000.00**
Eligible Activities Sub-Total	**$ 3,778,854**	**$ 3,227,682**	**$ 413,363**	**$ 3,641,045**	**$ 518,363**	**$ 2,733,642**	**$ 389,040**
15% Contingency*	$ 546,673	$ 447,846	$ 54,939	$ 502,786	$ 58,689	$ 405,546	$ 38,550
Developer Eligible Reimbursement Sub-Total	**$ 4,325,527**	**$ 3,675,528**	**$ 468,302**	**$ 4,143,830**	**$ 577,052**	**$ 3,139,188**	**$ 427,590**
Interest**		$ 1,438,788	$ 275,996	$ 1,714,784	$ 275,996	$ 1,302,084	$ 136,703
Construction Period Interest on Eligible Activities	$ 5,575,446	$ 79,776	$ 8,000	$ 87,776	$ 87,776		
EGLE Grant Bridge Debt Interest		$ 1,824		$ 1,824	$ 1,824		
Interest Sub-Total	$ 5,575,446	$ 1,520,387	$ 283,996	$ 1,804,384	$ 365,596	$ 1,302,084	$ 136,703
Developer Eligible Reimbursement Total	**$ 9,900,973**	**$ 5,195,915**	**$ 752,299**	**$ 5,948,214**	**$ 942,648**	**$ 4,441,272**	**$ 564,293**
LBRA Administrative Fee and Local Brownfield Revolving Fund (LBRF)	$ 543,925			$ 543,925			
State Brownfield Fund	$ 299,323			$ 299,323			
Total	**$ 10,744,220**			**$ 6,791,461**			

*15% Contingency excludes preparation of Brownfield Plan/381 Work Plan and Pre-Approved Activities

** 5% Simple Interest based on MSF and EGLE Interest Calculator

Table 2: Tax Increment Revenue Capture Estimates
Capital City Market Amendment #2

Estimated Taxable Value (TV) Increase Rate:	1% per year													
Plan Year	**0**	**1**	**2**	**3**	**4**	**5**	**6**	**7**	**8**	**9**	**10**	**11**	**12**	**13**
Calendar Year	2018	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033
Base Taxable Value - 600 E Michigan	$ 517,438	$ 517,438	$ 517,438	$ 517,438	$ 517,438	$ 517,438	$ 517,438	$ 517,438	$ 517,438	$ 517,438	$ 517,438	$ 517,438	$ 517,438	$ 517,438
Base Taxable Value - 637 E Michigan		$ 237,500	$ 237,500	$ 237,500	$ 237,500	$ 237,500	$ 237,500	$ 237,500	$ 237,500	$ 237,500	$ 237,500	$ 237,500	$ 237,500	$ 237,500
Estimated New Taxable Value - 600 E Michigan		$ 5,685,236	$ 5,742,088	$ 5,799,509	$ 5,857,504	$ 5,916,079	$ 5,975,240	$ 6,034,993	$ 6,095,343	$ 6,156,296	$ 6,217,859	$ 6,280,037	$ 6,342,838	$ 6,406,266
Estimated New Taxable Value - 637 E Michigan		$ -	$ -	$ 392,800	$ 396,728	$ 400,695	$ 404,702	$ 408,749	$ 412,837	$ 416,965	$ 421,135	$ 425,346	$ 429,600	$ 433,896
Estimated Total New TV		$ 5,685,236	$ 5,742,088	$ 6,192,309	$ 6,254,232	$ 6,316,775	$ 6,379,942	$ 6,443,742	$ 6,508,179	$ 6,573,261	$ 6,638,994	$ 6,705,384	$ 6,772,437	$ 6,840,162
Incremental Difference (New TV - Base TV)		**$ 4,930,298**	**$ 4,987,150**	**$ 5,437,371**	**$ 5,499,294**	**$ 5,561,837**	**$ 5,625,004**	**$ 5,688,804**	**$ 5,753,241**	**$ 5,818,323**	**$ 5,884,056**	**$ 5,950,446**	**$ 6,017,499**	**$ 6,085,224**

School Capture	Millage Rate														
State Education Tax (SET)	6.0000	$ 3,105	$ 29,582	$ 29,923	$ 32,624	$ 32,996	$ 33,371	$ 33,750	$ 34,133	$ 34,519	$ 34,910	$ 35,304	$ 35,703	$ 36,105	$ 36,511
School Operating Tax	18.0000	$ 9,314	$ 88,745	$ 89,769	$ 97,873	$ 98,987	$ 100,113	$ 101,250	$ 102,398	$ 103,558	$ 104,730	$ 105,913	$ 107,108	$ 108,315	$ 109,534
School Total	**24.0000**	**$ 12,419**	**$ 118,327**	**$ 119,692**	**$ 130,497**	**$ 131,983**	**$ 133,484**	**$ 135,000**	**$ 136,531**	**$ 138,078**	**$ 139,640**	**$ 141,217**	**$ 142,811**	**$ 144,420**	**$ 146,045**

Local Capture	Millage Rate														
Lansing Oper	19.4400	$ 10,059	$ 95,845	$ 96,950	$ 105,702	$ 106,906	$ 108,122	$ 109,350	$ 110,590	$ 111,843	$ 113,108	$ 114,386	$ 115,677	$ 116,980	$ 118,297
Lans Com College	3.8072	$ 1,970	$ 18,771	$ 18,987	$ 20,701	$ 20,937	$ 21,175	$ 21,416	$ 21,658	$ 21,904	$ 22,152	$ 22,402	$ 22,655	$ 22,910	$ 23,168
Ingham Intermed	4.7062	$ 2,435	$ 23,203	$ 23,471	$ 25,589	$ 25,881	$ 26,175	$ 26,472	$ 26,773	$ 27,076	$ 27,382	$ 27,692	$ 28,004	$ 28,320	$ 28,638
Ingham Cnty Sum	6.8000	$ 3,519	$ 33,526	$ 33,913	$ 36,974	$ 37,395	$ 37,820	$ 38,250	$ 38,684	$ 39,122	$ 39,565	$ 40,012	$ 40,463	$ 40,919	$ 41,380
Ingham County	3.2800	$ 1,697	$ 16,171	$ 16,358	$ 17,835	$ 18,038	$ 18,243	$ 18,450	$ 18,659	$ 18,871	$ 19,084	$ 19,300	$ 19,517	$ 19,737	$ 19,960
Airport Auth	0.6990	$ 362	$ 3,446	$ 3,486	$ 3,801	$ 3,844	$ 3,888	$ 3,932	$ 3,976	$ 4,022	$ 4,067	$ 4,113	$ 4,159	$ 4,206	$ 4,254
CATA	3.0070	$ 1,556	$ 14,825	$ 14,996	$ 16,350	$ 16,536	$ 16,724	$ 16,914	$ 17,106	$ 17,300	$ 17,496	$ 17,693	$ 17,893	$ 18,095	$ 18,298
CADL-Library	1.5600	$ 807	$ 7,691	$ 7,780	$ 8,482	$ 8,579	$ 8,676	$ 8,775	$ 8,875	$ 8,975	$ 9,077	$ 9,179	$ 9,283	$ 9,387	$ 9,493
Zoo Millage	0.4100	$ 212	$ 2,021	$ 2,045	$ 2,229	$ 2,255	$ 2,280	$ 2,306	$ 2,332	$ 2,359	$ 2,386	$ 2,412	$ 2,440	$ 2,467	$ 2,495
Local Total	**43.7094**	**$ 22,617**	**$ 215,500**	**$ 217,985**	**$ 237,664**	**$ 240,371**	**$ 243,105**	**$ 245,866**	**$ 248,654**	**$ 251,471**	**$ 254,315**	**$ 257,189**	**$ 260,090**	**$ 263,021**	**$ 265,981**

Non-Capturable Millages	Millage Rate														
Lansing Debt	0.2600	$ 135	$ 1,282	$ 1,297	$ 1,414	$ 1,430	$ 1,446	$ 1,463	$ 1,479	$ 1,496	$ 1,513	$ 1,530	$ 1,547	$ 1,565	$ 1,582
Lansing Sch Debt	4.6000	$ 2,380	$ 22,679	$ 22,941	$ 25,012	$ 25,297	$ 25,584	$ 25,875	$ 26,168	$ 26,465	$ 26,764	$ 27,067	$ 27,372	$ 27,680	$ 27,992
Total Non-Capturable Taxes	**4.8600**	**$ 2,515**	**$ 23,961**	**$ 24,238**	**$ 26,426**	**$ 26,727**	**$ 27,031**	**$ 27,338**	**$ 27,648**	**$ 27,961**	**$ 28,277**	**$ 28,597**	**$ 28,919**	**$ 29,245**	**$ 29,574**
Total Capturable Millages	**67.7094**														
Total Tax Increment Revenue (TIR) Available for Capture			$ 333,828	$ 337,677	$ 368,161	$ 372,354	$ 376,589	$ 380,866	$ 385,185	$ 389,549	$ 393,955	$ 398,406	$ 402,901	$ 407,441	$ 412,027

Table 2: Tax Increment Revenue Capture Estimates
Capital City Market Amendment #2

Estimated Taxable Value (TV) Increase Rate:

Plan Year	14	15	16	17	18	19	20	21	TOTAL
Calendar Year	2034	2035	2036	2037	2038	2039	2040	2041	
Base Taxable Value - 600 E Michigan	$ 517,438	$ 517,438	$ 517,438	$ 517,438	$ 517,438	$ 517,438	$ 517,438	$ 517,438	
Base Taxable Value - 637 E Michigan	$ 237,500	$ 237,500	$ 237,500	$ 237,500	$ 237,500	$ 237,500	$ 237,500	$ 237,500	
Estimated New Taxable Value - 600 E Michigan	$ 6,470,329	$ 6,535,032	$ 6,600,382	$ 6,666,386	$ 6,733,050	$ 6,800,381	$ 6,868,384	$ 6,937,068	
Estimated New Taxable Value - 637 E Michigan	$ 438,235	$ 442,617	$ 447,043	$ 451,513	$ 456,029	$ 460,589	$ 465,195	$ 469,847	
Estimated Total New TV	$ 6,908,563	$ 6,977,649	$ 7,047,426	$ 7,117,900	$ 7,189,079	$ 7,260,970	$ 7,333,579	$ 7,406,915	
Incremental Difference (New TV - Base TV)	**$ 6,153,625**	**$ 6,222,711**	**$ 6,292,488**	**$ 6,362,962**	**$ 6,434,141**	**$ 6,506,032**	**$ 6,578,641**	**$ 6,651,977**	
School Capture	Millage Rate								
State Education Tax (SET)	6.0000	$ 36,922	$ 37,336	$ 37,755	$ 38,178	$ 38,605	$ 39,036	$ 39,472	$ 39,912	$ 717,065
School Operating Tax	18.0000	$ 110,765	$ 112,009	$ 113,265	$ 114,533	$ 115,815	$ 117,109	$ 118,416	$ 119,736	$ 2,151,195
School Total	**24.0000**	**$ 147,687**	**$ 149,345**	**$ 151,020**	**$ 152,711**	**$ 154,419**	**$ 156,145**	**$ 157,887**	**$ 159,647**	**$ 2,868,260**
Local Capture	Millage Rate								
Lansing Oper	19.4400	$ 119,626	$ 120,970	$ 122,326	$ 123,696	$ 125,080	$ 126,477	$ 127,889	$ 129,314	$ 2,323,290
Lans Com College	3.8072	$ 23,428	$ 23,691	$ 23,957	$ 24,225	$ 24,496	$ 24,770	$ 25,046	$ 25,325	$ 455,002
Ingham Intermed	4.7062	$ 28,960	$ 29,285	$ 29,614	$ 29,945	$ 30,280	$ 30,619	$ 30,960	$ 31,306	$ 562,442
Ingham Cnty Sum	6.8000	$ 41,845	$ 42,314	$ 42,789	$ 43,268	$ 43,752	$ 44,241	$ 44,735	$ 45,233	$ 812,674
Ingham County	3.2800	$ 20,184	$ 20,410	$ 20,639	$ 20,871	$ 21,104	$ 21,340	$ 21,578	$ 21,818	$ 391,996
Airport Auth	0.6990	$ 4,301	$ 4,350	$ 4,398	$ 4,448	$ 4,497	$ 4,548	$ 4,598	$ 4,650	$ 83,538
CATA	3.0070	$ 18,504	$ 18,712	$ 18,922	$ 19,133	$ 19,347	$ 19,564	$ 19,782	$ 20,002	$ 359,369
CADL-Library	1.5600	$ 9,600	$ 9,707	$ 9,816	$ 9,926	$ 10,037	$ 10,149	$ 10,263	$ 10,377	$ 186,437
Zoo Millage	0.4100	$ 2,523	$ 2,551	$ 2,580	$ 2,609	$ 2,638	$ 2,667	$ 2,697	$ 2,727	$ 48,999
Local Total	**43.7094**	**$ 268,971**	**$ 271,991**	**$ 275,041**	**$ 278,121**	**$ 281,232**	**$ 284,375**	**$ 287,548**	**$ 290,754**	**$ 5,223,747**
										$ -
Non-Capturable Millages	Millage Rate									$ -
Lansing Debt	0.2600	$ 1,600	$ 1,618	$ 1,636	$ 1,654	$ 1,673	$ 1,692	$ 1,710	$ 1,730	$ 31,073
Lansing Sch Debt	4.6000	$ 28,307	$ 28,624	$ 28,945	$ 29,270	$ 29,597	$ 29,928	$ 30,262	$ 30,599	$ 549,750
Total Non-Capturable Taxes	**4.8600**	**$ 29,907**	**$ 30,242**	**$ 30,581**	**$ 30,924**	**$ 31,270**	**$ 31,619**	**$ 31,972**	**$ 32,329**	**$ 580,823**
Total Capturable Millages	**67.7094**									
Total Tax Increment Revenue (TIR) Available for Capture		$ 416,658	$ 421,336	$ 426,061	$ 430,832	$ 435,652	$ 440,519	$ 445,436	$ 450,401	

Table 3: Tax Increment Revenue Reimbursement Estimates
Capital City Market Amendment #2

Developer Maximum Reimbursement	Total Proportionality	School & Local Taxes	Local-Only Taxes	Total
State	35.45%	$ 1,774,250	$ -	$ 1,774,250
Local	64.55%	$ 3,231,270	$ 942,648	$ 4,173,919
TOTAL	100.00%	**$ 5,005,520**	**$ 942,648**	**$ 5,948,169**
EGLE	11.27%	$ 564,293		$ 564,293
MSF	88.73%	$ 4,441,272		$ 4,441,272
TOTAL	100.00%	**$ 5,005,565**		**$ 5,005,565**

Estimated Total Years of Plan: 21

		1	2	3	4	5	6	7	8	9	10
		2021	2022	2023	2024	2025	2026	2027	2028	2029	2030
Total State Incremental Revenue		$ 118,327	$ 119,692	$ 130,497	$ 131,983	$ 133,484	$ 135,000	$ 136,531	$ 138,078	$ 139,640	$ 141,217
State Brownfield Revolving Fund (3 mills of SET)		$ 14,961	$ 16,312	$ 16,498	$ 16,686	$ 16,875	$ 17,066	$ 17,260	$ 17,455	$ 17,652	$ 17,851
State Tax Increment to Taxing Unit (10%) ("Pass-Through")		$ 11,833	$ 11,969	$ 13,050	$ 13,198	$ 13,348	$ 13,500	$ 13,653	$ 13,808	$ 13,964	$ 14,122
State TIR Available for Reimbursement		**$ 91,533**	**$ 91,410**	**$ 100,949**	**$ 102,099**	**$ 103,261**	**$ 104,434**	**$ 105,618**	**$ 106,815**	**$ 108,024**	**$ 109,244**
Total Local Incremental Revenue		$ 215,500	$ 217,985	$ 237,664	$ 240,371	$ 243,105	$ 245,866	$ 248,654	$ 251,471	$ 254,315	$ 257,189
LBRF and Admin Fee Capture (10%)		$ 21,550	$ 21,799	$ 23,766	$ 24,037	$ 24,310	$ 24,587	$ 24,865	$ 25,147	$ 25,432	$ 25,719
Local Tax Increment to Taxing Unit (10%) ("Pass Through")		$ 21,550	$ 21,799	$ 23,766	$ 24,037	$ 24,310	$ 24,587	$ 24,865	$ 25,147	$ 25,432	$ 25,719
Local TIR Available for Reimbursement		**$ 172,400**	**$ 174,388**	**$ 190,131**	**$ 192,297**	**$ 194,484**	**$ 196,692**	**$ 198,923**	**$ 201,177**	**$ 203,452**	**$ 205,751**
Total State & Local TIR Available		**$ 263,933**	**$ 265,799**	**$ 291,081**	**$ 294,396**	**$ 297,744**	**$ 301,126**	**$ 304,542**	**$ 307,992**	**$ 311,476**	**$ 314,995**
DEVELOPER	Beginning Balance										
DEVELOPER Reimbursement Balance	***$ 5,948,214***	***$ 5,684,280***	***$ 5,418,482***	***$ 5,127,401***	***$ 4,833,005***	***$ 4,535,261***	***$ 4,234,135***	***$ 3,929,593***	***$ 3,621,601***	***$ 3,310,125***	***$ 2,995,130***
MSF Non-Environmental Costs	***$ 4,441,272***										
Eligible Activities Reimbursement	**$ 3,139,188**										
State Tax Reimbursement		$ 81,214	$ 81,105	$ 89,569	$ 90,589	$ 91,620	$ 92,661	$ 93,712	$ 94,773	$ 95,846	$ 96,929
Local Tax Reimbursement		$ 152,965	$ 154,729	$ 168,697	$ 170,618	$ 172,559	$ 174,519	$ 176,498	$ 178,497	$ 180,516	$ 182,556
Eligible Activities Reimbursement Balance		**$ 2,905,009**	**$ 2,669,174**	**$ 2,410,908**	**$ 2,149,700**	**$ 1,885,522**	**$ 1,618,342**	**$ 1,348,133**	**$ 1,074,862**	**$ 798,500**	**$ 519,015**
Interest Reimbursement	**$ 1,302,084**										
State Tax Reimbursement		$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Local Tax Reimbursement		$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Interest Reimbursement Balance		***$ 1,302,084***	***$ 1,302,084***	***$ 1,302,084***	***$ 1,302,084***	***$ 1,302,084***	***$ 1,302,084***	***$ 1,302,084***	***$ 1,302,084***	***$ 1,302,084***	***$ 1,302,084***
EGLE Environmental Costs	***$ 564,293***										
Eligible Activities Reimbursement	***$ 427,590***										
State Tax Reimbursement		$ 10,319	$ 10,305	$ 11,380	$ 11,510	$ 11,641	$ 11,773	$ 11,907	$ 12,042	$ 12,178	$ 12,315
Local Tax Reimbursement		$ 19,435	$ 19,659	$ 21,434	$ 21,678	$ 21,925	$ 22,174	$ 22,425	$ 22,679	$ 22,936	$ 23,195
Eligible Activities Reimbursement Balance		**$ 397,836**	**$ 367,872**	**$ 335,057**	**$ 301,869**	**$ 268,303**	**$ 234,356**	**$ 200,024**	**$ 165,304**	**$ 130,190**	**$ 94,679**
Interest Reimbursement	**$ 136,703**										
State Tax Reimbursement		$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Local Tax Reimbursement		$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Interest Reimbursement Balance		**$ 136,703**	**$ 136,703**	**$ 136,703**	**$ 136,703**	**$ 136,703**	**$ 136,703**	**$ 136,703**	**$ 136,703**	**$ 136,703**	**$ 136,703**
Local Only Costs	***$ 942,648***										
Local Tax Reimbursement	$ 942,648	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Total Local Only Reimbursement Balance		***$ 942,648***	***$ 942,648***	***$ 942,648***	***$ 942,648***	***$ 942,648***	***$ 942,648***	***$ 942,648***	***$ 942,648***	***$ 942,648***	***$ 942,648***
Total Annual Developer Reimbursement		***$ 263,933***	***$ 265,799***	***$ 291,081***	***$ 294,396***	***$ 297,744***	***$ 301,126***	***$ 304,542***	***$ 307,992***	***$ 311,476***	***$ 314,995***

Table 3: Tax Increment Revenue Reimbursement Estimates
Capital City Market Amendment #2

Estimated Capture	
Administrative and LBRF	$ 543,925
State Revolving Fund	$ 299,323

	11	12	13	14	15	16	17	18	19	20	21	
	2031	2032	2033	2034	2035	2036	2037	2038	2039	2040	2041	TOTAL
Total State Incremental Revenue	$ 142,811	$ 144,420	$ 146,045	$ 147,687	$ 149,345	$ 151,020	$ 152,711					$ 2,358,488
State Brownfield Revolving Fund (3 mills of SET)	$ 18,052	$ 18,256	$ 18,461	$ 18,668	$ 18,877	$ 19,089	$ 19,302					$ 299,323
State Tax Increment to Taxing Unit (10%) ("Pass	$ 14,281	$ 14,442	$ 14,605	$ 14,769	$ 14,935	$ 15,102	$ 15,271					$ 235,849
State TIR Available for Reimbursement	**$ 110,477**	**$ 111,722**	**$ 112,980**	**$ 114,250**	**$ 115,533**	**$ 116,829**	**$ 118,138**					**$ 1,823,317**
Total Local Incremental Revenue	$ 260,090	$ 263,021	$ 265,981	$ 268,971	$ 271,991	$ 275,041	$ 278,121	$ 281,232	$ 284,375	$ 287,548	$ 290,754	$ 5,439,247
LBRF and Admin Fee Capture (10%)	$ 26,009	$ 26,302	$ 26,598	$ 26,897	$ 27,199	$ 27,504	$ 27,812	$ 28,123	$ 28,437	$ 28,755	$ 29,075	$ 543,925
Local Tax Increment to Taxing Unit (10%) ("Pass	$ 26,009	$ 26,302	$ 26,598	$ 26,897	$ 27,199	$ 27,504	$ 27,812	$ 28,123	$ 28,437	$ 28,755	$ 29,075	$ 543,925
Local TIR Available for Reimbursement	**$ 208,072**	**$ 210,417**	**$ 212,785**	**$ 215,177**	**$ 217,593**	**$ 220,033**	**$ 222,497**	**$ 224,986**	**$ 227,500**	**$ 230,039**	**$ 232,603**	**$ 4,351,397**
Total State & Local TIR Available	**$ 318,549**	**$ 322,139**	**$ 325,765**	**$ 329,427**	**$ 333,126**	**$ 336,862**	**$ 340,635**	**$ 224,986**	**$ 227,500**	**$ 230,039**	**$ 232,603**	**$ 6,174,714**
DEVELOPER												
DEVELOPER Reimbursement Balance	***$ 2,676,581***	***$ 2,354,441***	***$ 2,028,676***	***$ 1,699,249***	***$ 1,366,123***	***$ 1,030,512***	***$ 737,694***	***$ 512,708***	***$ 285,208***	***$ 55,170***	***$ 45***	
MSF Non-Environmental Costs												
Eligible Activities Reimbursement												
State Tax Reimbursement	$ 98,023	$ 99,128	$ 7,536									$ 1,112,704
Local Tax Reimbursement	$ 184,616	$ 129,713										$ 2,026,484
Eligible Activities Reimbursement Balance	**$ 236,377**	**$ 7,536**	**$ -**									
Interest Reimbursement												
State Tax Reimbursement	$ -	$ -	$ 83,670	$ 101,370	$ 102,509	$ 103,658	$ 70,321					$ 461,529
Local Tax Reimbursement	$ -	$ 40,524	$ 188,797	$ 190,919	$ 193,063	$ 195,228	$ 31,979					$ 840,510
Interest Reimbursement Balance	***$ 1,302,084***	***$ 1,261,560***	***$ 989,092***	***$ 696,802***	***$ 401,231***	***$ 102,345***	***$ -***					
EGLE Environmental Costs												
Eligible Activities Reimbursement												
State Tax Reimbursement	$ 12,454	$ 12,595	$ 11,143									$ 151,562
Local Tax Reimbursement	$ 23,457	$ 35,031										$ 276,028
Eligible Activities Reimbursement Balance	**$ 58,768**	**$ 11,143**	**$ -**									
Interest Reimbursement												
State Tax Reimbursement	$ -	$ -	$ 10,631	$ 12,880	$ 13,024	$ 11,920						$ 48,455
Local Tax Reimbursement	$ -	$ 5,149	$ 23,988	$ 24,258	$ 24,530	$ 10,324						$ 88,248
Interest Reimbursement Balance	**$ 136,703**	**$ 131,555**	**$ 96,936**	**$ 59,798**	**$ 22,244**	**$ -**						
Local Only Costs												
Local Tax Reimbursement	$ -	$ -	$ -	$ -	$ -	$ 14,481	$ 190,518	$ 224,986	$ 227,500	$ 230,039	$ 55,125	$ 942,648
Total Local Only Reimbursement Balance	***$ 942,648***	***$ 942,648***	***$ 942,648***	***$ 942,648***	***$ 942,648***	***$ 928,167***	***$ 737,649***	***$ 512,663***	***$ 285,163***	***$ 55,125***	***$ -***	
Total Annual Developer Reimbursement	***$ 318,549***	***$ 322,139***	***$ 325,765***	***$ 329,427***	***$ 333,126***	***$ 335,611***	***$ 292,818***	***$ 224,986***	***$ 227,500***	***$ 230,039***	***$ 55,125***	***$ 5,948,169***

CITY OF LANSING BROWNFIELD PLAN #75 AMENDMENT #2
CAPITAL CITY MARKET AND 637 E. MICHIGAN AVE. DEVELOPMENT PROJECT
PROPOSED BROWNFIELD PLAN APPROVAL PROCESS SCHEDULE

DATE	BOARD/ COMMITTEE	ACTION	ATTENDANCE BY APPLICANT
Friday April 2, 2021	LEAP/LBRA	Final Draft Brownfield Plan Amendment and Associated Documents Sent to LBRA Board.	
Friday April 9, 2021 8:30 AM	Lansing Brownfield Redevelopmen t Authority	LBRA Approves Brownfield Plan #75 Amendment #2.	YES
Monday April 12, 2021 7:00PM	Lansing City Council	Receives Amended Brownfield Plan and refers it to the Committee on Development and Planning.	
Tuesday April 20, 2021 3:30 PM	Committee on Development and Planning	Applicant Presents Project to the D&P Committee to review and Approve Resolution to set Public Hearing.	YES
Monday April 26, 2021 7:00PM	Lansing City Council	Council passes resolution setting the Public Hearing for Monday, May 10 at 7:00PM. *Public Hearing Notice - 10 Days (Mail/Paper)*	YES
Monday May 10, 2021 7:00PM	Lansing City Council	Public hearing held at Council for Amended Brownfield Plan. Referred back to the D&P Committee for approval.	YES
Tuesday May 18, 2021 3:30 PM	Committee on Development and Planning	D&P Committee passes resolution to approve the Amended Brownfield Plan.	(if requested)
Monday June 7, 2021 7:00PM	City Council Meeting	City Council Approves Amended Brownfield Plan.	YES

BY THE COMMITTEE _____
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor has made the appointment of Trevor Benoit as a Resident member of the Downtown Lansing Inc. Board for a term to expire June 30th 2025; 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 _____ met on _____ and took affirmative action.

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the appointment of Trevor Benoit as a Resident member of the Downtown Lansing Inc. Board for a term to expire June 30th 2025.

BY THE COMMITTEE _____
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor has made the appointment of Jennifer Estill as a Business Owner member of the Downtown Lansing Inc. Board for a term to expire June 30th 2025; 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 _____ met on _____ and took affirmative action.

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the appointment of Jennifer Estill as a Business Owner of the Downtown Lansing Inc. Board for a term to expire June 30th 2025.

BY THE COMMITTEE _____
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor has made the appointment of Danielle Lentz as an At-Large member of the Lansing Entertainment and Public Facilities for a term to expire June 30th 2024; 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 _____ met on _____ and took affirmative action.

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the appointment of Danielle Lentz as an At-Large member of the Lansing Entertainment and Public Facilities for a term to expire June 30th 2024.

Danielle M. Lenz

lenzdaniellem@gmail.com
517.282.2330

EXPERIENCE

Edge Partnerships *Director of Public Relations and Digital Strategies* Lansing, MI Jan. 2014 – Present

- Manage all digital strategy for Edge Partnerships and clients.
    - Michigan Lodging & Tourism Association
    - Farm Bureau Insurance of Michigan
    - Douglas J Aveda
    - Lansing Brewing Company
    - Silver Bells in the City
- Director of accounts for Edge Partnerships' clients.
- Act as liaison to local, state and national media.
- Compose and edit digital strategies, releases and social for clients.
- Manage Edge Partnerships' intern program including interviews, hires and reviews.
- Coordinate special events.
    - Pure Michigan Governor's Conference on Tourism (1,000 attendees)
    - Michigan Press Association (400 attendees)
    - Grand Openings
    - Press Conferences

Angela Witwer for State Representative *Campaign Manager* Lansing, MI Oct. 2017 – Nov. 2018

- Facilitated all campaign activities according to schedule and budget of $200,000.
- Helped flip the MIRS rated Top 5 seat in 2018
- Maintained the candidates schedule.
- Managed all communications during the campaign period, including press releases, media advisories and social media outreach.
- Ensured all mailings and letters were sent and received by recipients on time.
- Organized fundraising and volunteer efforts.
- Recruited, managed and coordinated volunteers.
- Managed data collection and entry into VAN.

Edge Partnerships *Public Relations & Social Media Specialist* Lansing, MI Jan. 2011 – Dec. 2014

- Manage online and media communications for Edge Partnerships and clients.
- Manage client accounts.
- Act as liaison to local, state and national media.
- Develop public relations, social media and communication plans.
- Compose and edit written materials, including blogs, social media posts and news releases.
- Conduct focus groups to obtain pertinent information for clients.
- Assist in planning, implementation and monitoring of long- and short-term strategies for use of social media with Edge and clients.
- Assist in the development of written responses to RFPs (Request for Proposals) issued by government entities and others.

Classic Travel *Marketing Coordinator* Lansing, MI Sept. 2006 – Dec. 2010

- Development of strategic marketing plan that included tactics that generated an additional $35,000 in revenue by selling advertisement in the company's annual newsletter.
- Create and manage a dynamic social media program targeting desired demographic which resulted in increased exposure.
- Increased revenue by $6,000 by increasing the profile of the affiliated companies.

- Plan and organize special events and destination weddings.
- Manage all aspects of coordinating client parties for several hundred guests, including arranging awards, cocktail party, dinner, logistics and event entertainment.
- Organize large incentive groups to exotic destinations including organizing group activities, agendas and itineraries.

Edge Partnerships *Public Relations Assistant* Lansing, MI Nov. 2007 – Jan. 2011

- Assist with event coordination and implementation.
    - HurleyFest – A centennial celebration for the city of Flint, Michigan for 5,000 including children's activities, catering, technology festival and hired American Idol entertainment.
- Develop special event spreadsheets and database in order to have smooth coordination of all events and event tactics.
- Draft and release all media inquiries, news releases, public service announcements and community calendar releases for all events and client news items.

Lansing Entertainment & Public Facilities Authority *Marketing Intern* Lansing, MI April 2010 – Aug. 2010

- Help with coordination of Common Ground Music Festival, Michigan's largest week-long outdoor music festival.
- Assistance with meet & greets with event entertainment.
- Develop and implement social media contest for festival attendees.
- Assistance with Home Run for Hope and Board of Water and Light Chili Cook Off.

Michigan State Senate *Senate Page* Lansing, MI June 2005 – Aug. 2006

- Develop and maintained a trusted working relationship with all 38 Michigan Senators.
- Worked directly with state Senators and staff to assist in carrying out their duties and responsibilities.
- Courier service of Senate materials within the State Capital and Capitol complex.

EDUCATION

Michigan State University East Lansing, MI Aug. 2005 – May 2010
Diploma: Bachelor of Arts, Communication

AFFILIATIONS

Cristo Rey Community Center Board Chair Nov. '15 – present
Downtown Lansing Inc. Promotions Committee June 2012 - present
Country Club of Lansing Membership Committee Jan. 2014 – present
Habitat for Humanity Women's Build Committee October 2019 - present
Central Michigan Public Relations Society of America Board Member, Communications Chair May '15 – Dec. '17

Jessica L. Yorko
815 Bancroft Ct.
Lansing MI 48915

March 26, 2021

Members of the Lansing City Council
124 W. Michigan Ave.
Lansing MI 48933

RE: Updated letter to City Council and Mayor regarding police funding, with police and population data 1994-present

Greetings Councilmembers,

I am writing in support of the most recent demands made by Black Lives Matter – Lansing Chapter. I wish to state explicitly that this is my personal position as a 21-year resident of the city of Lansing. The views expressed in this letter are my own and do not necessarily reflect the views or position of my employer. As a resident of the city, I am heartened to see investments in non-law enforcement approaches to violence prevention. I am heartened to City Council repealing ordinances that create grounds of issuance of citations and arrests for actions that do not impact public safety. And I am heartened to see restoration of funding to MY Lansing MY Brother's Keeper. I am curious and remain cautiously optimistic about investments aimed at creating a culture of racial justice in city government.

All that said, I am deeply concerned about recommendations to increase funding to police agencies, and I want to explain my reasons for my concerns. First and foremost, like many residents of the city, I am appalled that yet another human life was taken by police officers in the downtown lock up/jail in the spring of 2020. I am appalled that this murder was not disclosed to residents at the moment that it happened and that the officers involved were permitted to continue on the job. I am appalled that a resident of the city who was looking for help was brutally beaten by police over the summer in 2020, and again that this was not disclosed to the public the moment that it happened and that the officers involved were permitted to continue working and being paid by city taxpayer dollars. In my personal opinion, the individuals and families impacted by these incidents deserve transparency and accountability. I fail to see how increasing funding to agencies causing repeated harm to residents creates accountability. I have to ask myself, "When does it end?", and "Who is next?"

Over-policing in Lansing has and continues to have devastating impacts on Black people in our city and I cannot remain silent about my feelings about this. It has also impacted my own family personally on more than one occasion, and I believe this is because we live in a neighborhood that is a "Black majority" area. Shortly after one of my family members began driving two years ago, he was driving from our home to his place of employment. He was indeed driving over the speed limit. He deserved to be stopped and ticketed two blocks from our house because he was speeding. What he did not deserve was to have two law enforcement vehicles surround him and approach him demanding that he put his hands on the dashboard and asking him if he had guns or drugs in the vehicle. This was not an isolated incident. In the early morning hours of Monday, March 22, 2021, another family member was walking through downtown Lansing with three friends. It was roughly 4:00 a.m. when they were surrounded by vehicles from multiple units of law enforcement (LPD, State Police and Capitol Security) and interrogated as to whether or not they had been drinking or using drugs (which they were not), harassed by officers for choosing to remain silent, and then followed by law enforcement vehicles after asking to

leave the scene if they were not being detained. These family members were 16 years old in the first incident and 18 years old in the second incident.

I have contacted my city council representative who is also a public defender and criminal defense attorney to find out if there was a curfew for 18-year olds in Lansing and what would have caused such harassment and interrogation experienced by our family and friends. I have asked my family member to walk me through every second of that evening to try to ascertain what they might have been doing that would have been such cause for concern by law enforcement. No one was drinking. No one was using drugs. No one damaged any property. One young man did pick up a traffic cone and dance around with it on his head before putting the cone back. One of the boys had also taken a sign from one of the parking ramps that signaled Mask Requirements upon entrance. He was told by the police to put the sign back, and he did. While that request/directive by police was reasonable and justified, what was not reasonable or justified in my opinion was the police attempting to force all four of to take breathalyzer tests even though they were on foot and no one had been drinking or was intoxicated. What was not reasonable or justified in my opinion was attempting to force one of the young men to speak during this interaction after they had answered the questions asked but then had nothing more to say. One of the officers continually asked him, "Why are you so quiet? What do you have to hide?" in a manner that felt very aggressive to these young people. I have discussed this incident with my Councilmember and asked those involved if they would like to file an official complaint. In this instance, three of the people being stopped were white and one was Mexican. I am horrified to think of what is happening to young men of color in our city who may not have their rights respected -- that they don't have to submit to a breathalyzer, and that they can leave if they are not being detained. I am horrified to think of what is happening to young Black men and women in our city who I imagine could have been treated even worse in an encounter like this.

I have grappled for 14 months with my own personal feelings about the BLM demand to defund the police. I have known and worked with many kind and compassionate people from Lansing Police Department and other law enforcement units for many, many years. I have also wondered if perhaps we had already defunded the police in Lansing, based on my recollections of previous year budgets and stories I have heard from officers about working 12-16 hour shift with inadequate numbers to properly respond to violent incidents and officers being dispatched from one scene to the next without breaks event to use the bathroom. I have gone through a number of previous budget reports, police department reports and other reports to track the changes in the number of sworn officers and budget allocations to police in Lansing, MI over time as compared to the total population. **Attached is a summary of police budgets, numbers of sworn officers, and total population of Lansing from 1990 to present, based on the available data sources (Attachment A).**

The largest single year-to-year increases to the LPD budget took place in 2006, when the police budget increased 55%, from $18M to $28M despite no considerable increase in city population. The second largest increase was in 2015, when the LPD budget went from $35M to $40M, or 14%, despite no considerable increase in population of the city. **Most alarmingly is the format of the FY22 city budget recommendation from the administration, which appears to have reconfigured the calculation of the police budget in order to avoid transparency about this number. The FY22 recommendation lists the Police budget at $26M on Page 7.** It is doubtful that the proposal is to decrease the police budget by $22M, from the previous year, but if that is indeed the recommendation then I will stand corrected.

I know that many officers respond to mental health crises, domestic violence assaults and other conflicts and situations that would benefit from the skills and training of social workers vs. law enforcement. I understand that officers are often in the position of risking their own lives to protect the lives of others, and the toll that this takes on them.

The trauma, conflicts and despair that occurs in our community impacts all of us. I have myself been in the position of interrupting violent acts taking place in front of me where individuals had reached their boiling point in a conflict and it turned physical. I have been in such situations where guns had been drawn or the threat of a shooting had been issued. The energy in those situations is most often that of profound despair, hopelessness, anger, frustration, betrayal, and lack of any form of respite or safety net, power or peace of mind for those at the center of the conflicts. I have always and will continue to believe that another person with a gun isn't what is most often needed in those situations.

Two years ago, I was also in the position of being asked to assist a minor child who was being sexually assaulted by a family member. In this situation, the young woman had contacted the police for help. They came to her home and interviewed the family members, including the perpetrator. The perpetrator denied, and the police left. They left her alone in a home where someone assaulting her regularly had access to come and go as they pleased. She reached out to my son for help, and he then in turn reported this situation to me. The person who helped me help this young women get to safety was Tashmica Torok from The Firecracker Foundation. She spent countless hours over the course of four days communicating with me, the young woman, and the appropriate social services agencies to help her understand her rights and how to exercise them. When you hear people like Tashmica say "We keep us safe", she is correct. Women experiencing sexual violence are rarely listened to or protected by law enforcement. In my experience, it has always been up to "us", to women in these situations, to keep each other safe.

In closing, I want to encourage the members of the Lansing City Council and the City Administration to receive and genuinely consider the findings of the Lansing Peoples' Assembly. I had the honor of being part of the sessions of this community-based process in 2020 and it was the most racially diverse and person-centered discussion about public safety that I have ever witnessed. Hundreds of Lansing residents have participated in these sessions, and their voices deserve to be heard and honored in the upcoming budget process.

Sincerely,

Jessica L. Yorko

Attachment A

Attachment to March 30, 2021 Letter from Jessica L. Yorko to Lansing City Council and Mayor

- In 1990, the Lansing Police Department employed roughly 240 sworn officers and population of Lansing was **127,321** people. [1]
- In 1994, the Lansing Police Department employed 228 sworn and funded by General Fund, 12 sworn by grants, 2 by HUD, 1 court officer and 88 civilians (331 total, with 228 being sworn officers).[1]
- In 2001 the total budget to Lansing Police Department was **$16M** and population of the city was **119,100** [2, 4]
- In 2002, the total budget to Lansing Police Department was **$17M** and the population of the city was **118,500** [2, 4]
- In 2003 the total budget to Lansing Police Department was **$18M** and the population of the city was **118,000** [2, 4]
- In 2004 the total budget to Lansing Police Department was **$18M** and the population of the city was **118,000** [2, 4]
- In 2005 the total budget to Lansing Police Department was **$18M** and the population of the city was **118,000** [2, 4]
- In 2006 the total budget to Lansing Police Department was **$28M** and the population of the city was **117,500**. This changed represented the largest single year increase to the LPD budget to go from $18M to 2005 to $28M in 2006 despite no considerable change in the population of the city. This was a budget increase of more than 55% to LPD. [2, 4]
- In 2007 the total budget to Lansing Police Department was **$31M** and the population of the city was **117,000** [2, 4]
- In 2008 the total budget to Lansing Police Department was **$33M** and the population of the city was **116,000** [2, 4]
- In 2009 the total budget to Lansing Police Department was **$34M** and the population of the city was **115,000** [2, 4]
- In 2010 the total budget to Lansing Police Department was **$34M** and the population of the city was **114,309** people [3, 4]
- In 2011 the total budget to Lansing Police Department was **$34M** and the population of the city was **114,533** people [3, 4]
- In 2012 the total budget to Lansing Police Department was **$31M** and the population of the city was **114,653** people [3, 4]
- In 2013 the total budget to Lansing Police Department was **$32M** and the population of the city was **114,736** people [3, 4]
- In 2014 the total budget to Lansing Police Department was **$35M** and the population of the city was **115,102** people. LPD was authorized for 202 sworn officers and 34 civilian = 236 total [3, 4]

- In 2015 the total budget to Lansing Police Department was **$40M** and the population of the city was **115,358.** The increase from 2014 to 2015 was 14%, despite no considerable change in the population of the city between these two years. [4, 5]

- In 2016 the total budget to Lansing Police Department was **$39M** and the population of the city was **116,335** [4, 6]

- In 2017 the total budget to Lansing Police Department was **$41M** and the population of the city was **117,882** [4, 7]

- In 2018 the total budget to Lansing Police Department was **$43M** and the population of the city was **114,309**, and LPD employed 202 sworn officers [4, 8, 14]

- In 2019 the total budget to Lansing Police Department was **$45M** and the population of the city was **118,210**, and LPD employed 195 sworn officers [4, 9, 13]

- In 2020 the total budget to Lansing Police Department was **$48M** and the population of the city was **118,768** [4, 11]

- In 2021 the total budget to Lansing Police Department was **$48M** and the population of the city was **118,768**, [4, 12]

- The FY2021/2022 fiscal year budget proposal from Mayor Schor indicates a total budget to Lansing Police Department of **$26M**. However, it appears that this number, shown on Page 7 does not show the entire LPD budget. It appears that the line item on Page 7 in the budget book for LPD has been recalculated/reformulate to avoid providing transparency of the actual change in the LPD budget between FY21 and FY22.

Data Sources

1 - *Community Policing in Lansing, MI Final Report* by Donald L. Carter, Bonnie Bucqueroux and Andra J. Katz.

2 - Lansing Police Department 2010 Annual Report

3 - Lansing Police Department 2014 Annual Report

4 – U.S. Census Bureau, 10-year population counts and estimates

5 – City of Lansing FY14/15 Adopted Budget

6 – City of Lansing FY15/16 Adopted Budget

7 – City of Lansing – FY16/17 Adopted Budget

8 – City of Lansing FY17/18 Adopted Budget

9 – City of Lansing FY18/19 Adopted Budget

10 – City of Lansing FY19/20 Adopted Budget

11 – City of Lansing FY20/21 Adopted Budget

12 - City of Lansing FY22/22 Proposed Budget

13 – *How diverse are police departments in Greater Lansing?* Lansing State Journal, June 21, 2020

AFFIDAVIT OF PUBLICATION

I, Earlisha Scott, am a resident of Lansing, County of Ingham, State of Michigan, and do hereby certify, swear or affirm, that I am competent to give the following declaration based on my personal knowledge, unless otherwise stated, and that the following facts are true and correct to the best of my knowledge: That the attached advertisement - CP#21-076 - Notice of Public Hearing - Revised - Repeal Chapter 656, Section 656.04 - appeared Wednesday, April 7, 2021 and that City Pulse satisfies the requirements of 1963 PA 247 MCL 691.1051.

WITNESS my signature 7th day of April, 2021

Signature of Declarer

State of Michigan
County of Ingham

This instrument was acknowledged before me on April 7, 2021

By Earlisha Scott

Suzi Smith, Notary Public

My commission expires February 26, 2025

AFFIDAVIT OF PUBLICATION

I, Earlisha Scott, am a resident of Lansing, County of Ingham, State of Michigan, and do hereby certify, swear or affirm, that I am competent to give the following declaration based on my personal knowledge, unless otherwise stated, and that the following facts are true and correct to the best of my knowledge: That the attached advertisement - CP#21-077 - Notice of Public Hearing - Revised - Repeal Chapter 656, Section 656.06 - appeared Wednesday, April 7, 2021 and that City Pulse satisfies the requirements of 1963 PA 247 MCL 691.1051.

WITNESS my signature 7th day of April, 2021

Signature of Declarer

State of Michigan
County of Ingham

This instrument was acknowledged before me on April 7, 2021

By Earlisha Scott

Suzi Smith, Notary Public

My commission expires February 26, 2025

AFFIDAVIT OF PUBLICATION

I, Earlisha Scott, am a resident of Lansing, County of Ingham, State of Michigan, and do hereby certify, swear or affirm, that I am competent to give the following declaration based on my personal knowledge, unless otherwise stated, and that the following facts are true and correct to the best of my knowledge: That the attached advertisement - CP#21-078 - Notice of Public Hearing - Revised - Repeal Chapter 658, Section 658.03 - appeared Wednesday, April 7, 2021 and that City Pulse satisfies the requirements of 1963 PA 247 MCL 691.1051.

WITNESS my signature 7th day of April, 2021

Signature of Declarer

State of Michigan
County of Ingham

This instrument was acknowledged before me on April 7, 2021

By Earlisha Scott

Suzi Smith, Notary Public

My commission expires February 26, 2025

AFFIDAVIT OF PUBLICATION

I, Earlisha Scott, am a resident of Lansing, County of Ingham, State of Michigan, and do hereby certify, swear or affirm, that I am competent to give the following declaration based on my personal knowledge, unless otherwise stated, and that the following facts are true and correct to the best of my knowledge: That the attached advertisement - CP#21-079 - Notice of Public Hearing - Revised - Repeal Chapter 680, Section 680.03 - appeared Wednesday, April 7, 2021 and that City Pulse satisfies the requirements of 1963 PA 247 MCL 691.1051.

WITNESS my signature 7th day of April, 2021

Signature of Declarer

State of Michigan
County of Ingham

This instrument was acknowledged before me on April 7, 2021

By Earlisha Scott

Suzi Smith, Notary Public

My commission expires February 26, 2025

AFFIDAVIT OF PUBLICATION

I, Earlisha Scott, am a resident of Lansing, County of Ingham, State of Michigan, and do hereby certify, swear or affirm, that I am competent to give the following declaration based on my personal knowledge, unless otherwise stated, and that the following facts are true and correct to the best of my knowledge: That the attached advertisement - CP#21-080 - Notice of Public Hearing - Revised - Repeal Chapter 630, Section 630.14 - appeared Wednesday, April 7, 2021 and that City Pulse satisfies the requirements of 1963 PA 247 MCL 691.1051.

WITNESS my signature 7th day of April, 2021

Signature of Declarer

State of Michigan
County of Ingham

This instrument was acknowledged before me on April 7, 2021

By Earlisha Scott

Suzi Smith, Notary Public

My commission expires February 26, 2025

AFFIDAVIT OF PUBLICATION

I, Earlisha Scott, am a resident of Lansing, County of Ingham, State of Michigan, and do hereby certify, swear or affirm, that I am competent to give the following declaration based on my personal knowledge, unless otherwise stated, and that the following facts are true and correct to the best of my knowledge: That the attached advertisement - CP#21-081 - Notice of Public Hearing - Revised - Repeal Chapter 650, Section 650.14 - appeared Wednesday, April 7, 2021 and that City Pulse satisfies the requirements of 1963 PA 247 MCL 691.1051.

WITNESS my signature 7th day of April, 2021

Signature of Declarer

State of Michigan
County of Ingham

This instrument was acknowledged before me on April 7, 2021

By Earlisha Scott

Suzi Smith, Notary Public

My commission expires February 26, 2025

AFFIDAVIT OF PUBLICATION

I, Earlisha Scott, am a resident of Lansing, County of Ingham, State of Michigan, and do hereby certify, swear or affirm, that I am competent to give the following declaration based on my personal knowledge, unless otherwise stated, and that the following facts are true and correct to the best of my knowledge: That the attached advertisement - CP#21-082 - Notice of Public Hearing - Revised - Repeal Chapter 696, Section 696.02 - appeared Wednesday, April 7, 2021 and that City Pulse satisfies the requirements of 1963 PA 247 MCL 691.1051.

WITNESS my signature 7th day of April, 2021

Signature of Declarer

State of Michigan
County of Ingham

This instrument was acknowledged before me on April 7, 2021

By Earlisha Scott

Suzi Smith, Notary Public

My commission expires February 26, 2025

AFFIDAVIT OF PUBLICATION

I, Earlisha Scott, am a resident of Lansing, County of Ingham, State of Michigan, and do hereby certify, swear or affirm, that I am competent to give the following declaration based on my personal knowledge, unless otherwise stated, and that the following facts are true and correct to the best of my knowledge: That the attached advertisement - CP#21-083 - Notice of Public Hearing - Revised - Repeal Chapter 680, Section 680.06 - appeared Wednesday, April 7, 2021 and that City Pulse satisfies the requirements of 1963 PA 247 MCL 691.1051.

WITNESS my signature 7th day of April, 2021

Signature of Declarer

State of Michigan
County of Ingham

This instrument was acknowledged before me on April 7, 2021

By Earlisha Scott

Suzi Smith, Notary Public

My commission expires February 26, 2025

AFFIDAVIT OF PUBLICATION

I, Earlisha Scott, am a resident of Lansing, County of Ingham, State of Michigan, and do hereby certify, swear or affirm, that I am competent to give the following declaration based on my personal knowledge, unless otherwise stated, and that the following facts are true and correct to the best of my knowledge: That the attached advertisement - CP#21-088 - Notice of Public Hearing - Repeal Chapter 630, Section 630.12 - Lansing City Clerk - appeared Wednesday, April 21, 2021 and that City Pulse satisfies the requirements of 1963 PA 247 MCL 691.1051.

WITNESS my signature 21st day of April, 2021

Signature of Declarer

State of Michigan
County of Ingham

This instrument was acknowledged before me on April 21, 2021

By Earlisha Scott

Suzi Smith, Notary Public

My commission expires February 26, 2025

AFFIDAVIT OF PUBLICATION

I, Earlisha Scott, am a resident of Lansing, County of Ingham, State of Michigan, and do hereby certify, swear or affirm, that I am competent to give the following declaration based on my personal knowledge, unless otherwise stated, and that the following facts are true and correct to the best of my knowledge: That the attached advertisement - CP#21-089 - Notice of Public Hearing - Repeal Chapter 650, Section 650.05 - Lansing City Clerk - appeared Wednesday, April 21, 2021 and that City Pulse satisfies the requirements of 1963 PA 247 MCL 691.1051.

WITNESS my signature 21st day of April, 2021

Signature of Declarer

State of Michigan
County of Ingham

This instrument was acknowledged before me on April 21, 2021

By Earlisha Scott

Suzi Smith, Notary Public

My commission expires February 26, 2025

AFFIDAVIT OF PUBLICATION

I, Earlisha Scott, am a resident of Lansing, County of Ingham, State of Michigan, and do hereby certify, swear or affirm, that I am competent to give the following declaration based on my personal knowledge, unless otherwise stated, and that the following facts are true and correct to the best of my knowledge: That the attached advertisement - CP#21-090 - Notice of Public Hearing - Amend Chapter 280 Section 280.03 - Lansing City Clerk - appeared Wednesday, April 21, 2021 and that City Pulse satisfies the requirements of 1963 PA 247 MCL 691.1051.

WITNESS my signature 21st day of April, 2021

Signature of Declarer

State of Michigan
County of Ingham

This instrument was acknowledged before me on April 21, 2021

By Earlisha Scott

Suzi Smith, Notary Public

My commission expires February 26, 2025

AFFIDAVIT OF PUBLICATION

I, Earlisha Scott, am a resident of Lansing, County of Ingham, State of Michigan, and do hereby certify, swear or affirm, that I am competent to give the following declaration based on my personal knowledge, unless otherwise stated, and that the following facts are true and correct to the best of my knowledge: That the attached advertisement - CP#21-091 - Notice of Public Hearing - Annual Action Plan - Lansing City Clerk - appeared Wednesday, April 21, 2021 and that City Pulse satisfies the requirements of 1963 PA 247 MCL 691.1051.

WITNESS my signature 21st day of April, 2021

Signature of Declarer

State of Michigan
County of Ingham

This instrument was acknowledged before me on April 21, 2021

By Earlisha Scott

Suzi Smith, Notary Public

My commission expires February 26, 2025

AFFIDAVIT OF PUBLICATION

I, Earlisha Scott, am a resident of Lansing, County of Ingham, State of Michigan, and do hereby certify, swear or affirm, that I am competent to give the following declaration based on my personal knowledge, unless otherwise stated, and that the following facts are true and correct to the best of my knowledge: That the attached advertisement - CP#21-092 - Notice of Public Hearing - Amend Chapter 608, Section 608.4 - Lansing City Clerk - appeared Wednesday, April 21, 2021 and that City Pulse satisfies the requirements of 1963 PA 247 MCL 691.1051.

WITNESS my signature 21st day of April, 2021

Signature of Declarer

State of Michigan
County of Ingham

This instrument was acknowledged before me on April 21, 2021

By Earlisha Scott

Suzi Smith, Notary Public

My commission expires February 26, 2025

AFFIDAVIT OF PUBLICATION

I, Earlisha Scott, am a resident of Lansing, County of Ingham, State of Michigan, and do hereby certify, swear or affirm, that I am competent to give the following declaration based on my personal knowledge, unless otherwise stated, and that the following facts are true and correct to the best of my knowledge: That the attached advertisement - CP#21-093 - Notice of Public Hearing - Repeal Chapter 664, Section 664.02 - Lansing City Clerk - appeared Wednesday, April 21, 2021 and that City Pulse satisfies the requirements of 1963 PA 247 MCL 691.1051.

WITNESS my signature 21st day of April, 2021

Signature of Declarer

State of Michigan
County of Ingham

This instrument was acknowledged before me on April 21, 2021

By Earlisha Scott

Suzi Smith, Notary Public

My commission expires February 26, 2025

AFFIDAVIT OF PUBLICATION

I, Earlisha Scott, am a resident of Lansing, County of Ingham, State of Michigan, and do hereby certify, swear or affirm, that I am competent to give the following declaration based on my personal knowledge, unless otherwise stated, and that the following facts are true and correct to the best of my knowledge: That the attached advertisement - CP#21-094 - Notice of Public Hearing - Notice of Public Hearing - Proposed Budget - Lansing City Clerk - appeared Wednesday, April 21, 2021 and that City Pulse satisfies the requirements of 1963 PA 247 MCL 691.1051.

WITNESS my signature 21st day of April, 2021

Signature of Declarer

State of Michigan
County of Ingham

This instrument was acknowledged before me on April 21, 2021

By Earlisha Scott

Suzi Smith, Notary Public

My commission expires February 26, 2025

AFFIDAVIT OF PUBLICATION

I, Earlisha Scott, am a resident of Lansing, County of Ingham, State of Michigan, and do hereby certify, swear or affirm, that I am competent to give the following declaration based on my personal knowledge, unless otherwise stated, and that the following facts are true and correct to the best of my knowledge: That the attached advertisement - CP#21-095 - Notice of Public Hearing - Notice of Public Hearing - Repeal Chapter 622, Section 622.01 - Lansing City Clerk - appeared Wednesday, April 21, 2021 and that City Pulse satisfies the requirements of 1963 PA 247 MCL 691.1051.

WITNESS my signature 21st day of April, 2021

Signature of Declarer

State of Michigan
County of Ingham

This instrument was acknowledged before me on April 21, 2021

By Earlisha Scott

Suzi Smith, Notary Public

My commission expires February 26, 2025

AFFIDAVIT OF PUBLICATION

I, Earlisha Scott, am a resident of Lansing, County of Ingham, State of Michigan, and do hereby certify, swear or affirm, that I am competent to give the following declaration based on my personal knowledge, unless otherwise stated, and that the following facts are true and correct to the best of my knowledge: That the attached advertisement - CP#21-098 - Public Accuracy Test - Lansing City Clerk - appeared Wednesday, April 21, 2021 and that City Pulse satisfies the requirements of 1963 PA 247 MCL 691.1051.

WITNESS my signature 21st day of April, 2021

Signature of Declarer

State of Michigan
County of Ingham

This instrument was acknowledged before me on April 21, 2021

By Earlisha Scott

Suzi Smith, Notary Public

My commission expires February 26, 2025

AFFIDAVIT OF PUBLICATION

I, Earlisha Scott, am a resident of Lansing, County of Ingham, State of Michigan, and do hereby certify, swear or affirm, that I am competent to give the following declaration based on my personal knowledge, unless otherwise stated, and that the following facts are true and correct to the best of my knowledge: That the attached advertisement - CP#21-099 - Notice of Election - Lansing City Clerk - appeared Wednesday, April 21, 2021 and that City Pulse satisfies the requirements of 1963 PA 247 MCL 691.1051.

WITNESS my signature 21st day of April, 2021

Signature of Declarer

State of Michigan
County of Ingham

This instrument was acknowledged before me on April 21, 2021

By Earlisha Scott

Suzi Smith, Notary Public

My commission expires February 26, 2025

CHARTER TOWNSHIP OF LANSING
SYNOPSIS OF PROPOSED MINUTES

A REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE CHARTER TOWNSHIP OF LANSING WAS HELD ON TUESDAY, APRIL 13, 2021 AT 7:00 P.M. IN COMPLIANCE WITH MICHIGAN PUBLIC ACT 254, THIS MEETING WAS CONDUCTED VIA ZOOM PLATFORM.

MEMBERS PRESENT: Supervisor Hayes, Clerk Sanders, Treasurer McKenzie
Trustees: Harris, Broughton, Brewer, Ruiz
MEMBERS ABSENT: None
ALSO PRESENT: Michael Gresens, Attorney
Todd Hendy, Fire Chief

ACTION TAKEN BY THE BOARD:
Meeting called to order by Supervisor Hayes.
Approved minutes of meetings held on March 30, 2021.
Agenda approved as presented.
Approved recommendation for vacation payout for Fire Chief Hendy.
Approved recommendation to raise part-time wages as presented.
Approved publication of annual Noxious Weed Notice.
Approved Resolution 21-06 as presented.
Approved moving into Executive Session.
Approved return to Regular Session.
Approved claims as presented.
Meeting adjourned.

Diontrae Hayes, Supervisor
Maggie Sanders, Clerk

CP#21-096

CITY OF LANSING
NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a Public Hearing will be held on Monday, April 26, 2021 at 7:00 p.m. via ZOOM Conferencing, Meeting ID 859 4003 6219 for the purpose of considering:

An Ordinance of the City of Lansing, Michigan, to repeal Chapter 650, Section 650.05, a criminal misdemeanor under the General Offenses Code of the Codified Ordinances to eliminate parental responsibility.

Members of the public wishing to participate in the meeting may do so by logging into or calling into the meeting using the website https://us02web.zoom.us/j/85940036219 or by phone number 312-626-6799 using Meeting ID: 859 4003 6219.

Persons with disabilities who need an accommodation to fully participate in these meetings should contact the City Council Office at 517-483-4177 (TDD (517) 483-4479) 24 hour notice may be needed for certain accommodations. An attempt will be made to grant all reasonable accommodation requests.

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

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

CP#21-089

CITY OF LANSING
NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a Public Hearing will be held on Monday, April 26, 2021 at 7:00 p.m. via ZOOM Conferencing, Meeting ID 859 4003 6219 for the purpose of considering:

An Ordinance of the City of Lansing, Michigan, to amend the City of Lansing Codified Ordinances by amending Chapter 280 Section 280.03, to provide that the Elected Officer Compensation Commission shall meet in even-numbered years to determine the compensation of elected officers in the manner provided in Chapter 280.

Members of the public wishing to participate in the meeting may do so by logging into or calling into the meeting using the website https://us02web.zoom.us/j/85940036219 or by phone number 312-626-6799 using Meeting ID: 859 4003 6219.

Persons with disabilities who need an accommodation to fully participate in these meetings should contact the City Council Office at 517-483-4177 (TDD (517) 483-4479) 24 hour notice may be needed for certain accommodations. An attempt will be made to grant all reasonable accommodation requests.

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

CITY OF LANSING
NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a Public Hearing will be held on Monday, April 26, 2021 at 7:00 p.m. via ZOOM Conferencing, Meeting ID 859 4003 6219 for the purpose of considering:

An ordinance of the City of Lansing, Michigan, for the purpose of amending the Lansing codified ordinances by amending Chapter 608, Section 608.04, to allow for consumption of alcoholic beverages within certain locations at Frances Park.

Members of the public wishing to participate in the meeting may do so by logging into or calling into the meeting using the website https://us02web.zoom.us/j/85940036219 or by phone number 312-626-6799 using Meeting ID: 859 4003 6219.

Persons with disabilities who need an accommodation to fully participate in these meetings should contact the City Council Office at 517-483-4177 (TDD (517) 483-4479) 24 hour notice may be needed for certain accommodations. An attempt will be made to grant all reasonable accommodation requests.

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

Chris Swope, Lansing City Clerk, MMC/MiPMC
www.lansingmi.gov/Clerk
www.facebook.com/LansingClerkSwope **CP#21-092**

CITY OF LANSING
NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a Public Hearing will be held on Monday, April 26, 2021 at 7:00 p.m. via ZOOM Conferencing, Meeting ID 859 4003 6219 for the purpose of considering:

An ordinance of the City of Lansing, Michigan, to repeal Chapter 664, Section 664.02, a criminal misdemeanor under the general offenses code of the codified ordinances to eliminate that no person shall disturb, without lawful authority, any public assembly or meeting of persons.

Members of the public wishing to participate in the meeting may do so by logging into or calling into the meeting using the website https://us02web.zoom.us/j/85940036219 or by phone number 312-626-6799 using Meeting ID: 859 4003 6219.

Persons with disabilities who need an accommodation to fully participate in these meetings should contact the City Council Office at 517-483-4177 (TDD (517) 483-4479) 24 hour notice may be needed for certain accommodations. An attempt will be made to grant all reasonable accommodation requests.

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

Chris Swope, Lansing City Clerk, MMC/MiPMC
www.lansingmi.gov/Clerk
www.facebook.com/LansingClerkSwope **CP#21-093**

ADVERTISEMENT FOR BIDS

MONTGOMERY DRAIN MAINTENANCE AND IMPROVEMENT PROJECT
DIVISION X – 2022 RESTORATION AND PLANTINGS

NOTICE IS HEREBY GIVEN that I, Patrick Lindemann, Ingham County Drain Commissioner, being Chair of the Montgomery Drain Chapter 20 Drainage Board, will receive bids until **Wednesday, May 12, 2021, at 10:00 a.m.** Due to the COVID-19 pandemic, Social Distancing protocols are being implemented for this Project by conducting a Virtual Bid Letting only and will only accept bids submitted through the QuestCDN website, unless further advised via Addendum. Bids relative to Division X will then be publicly opened and announced on Wednesday, May 12, 2021, at 10:00 a.m. and, after a meeting of the Montgomery Drain Drainage Board, will be publicly awarded for work to be undertaken in connection with a drain known and designated as the "Montgomery Drain." The format of the bid opening will be via a Zoom web conference available through the following link or telephone conference number:

page, or by using this link:
https://qap.questcdn.com/qap/projects/prj_browse/ipp_browse_grid.html?projType=all&provider=6901061&group=6901061.

Please contact QuestCDN Customer Support at (952) 233-1632 or info@questcdn.com for assistance in free membership registration, downloading, and working with the digital project information. Bidding documents are also available at www.geiconsultants.com (click on the "GEI Bidding" link).

A MANDATORY pre-bid conference will be held on Monday, May 3, 2021, at 3:00 p.m. Due to the COVID-19 Social Distancing protocols, this pre-bid conference will be conducted via video and/or telephone conference. Please find the zoom link and call-in information below.

Link for MANDATORY Pre-Bid Conference:
https://zoom.us/j/99351175627

county data shows. Hospital capacity at McLaren and Sparrow are also reaching capacity, though Vail expects to see the

designed to address increases in cases among younger residents over the last few weeks. The statewide order also continues to limit all indoor residential

wide peak of 737.8 cases per million residents tracked in November.

State officials are also working to

have received this treatment, with 65% reporting feeling better within two days of treatment.

— **KYLE KAMINSKI**

CITY OF LANSING
NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a Public Hearing will be held on Monday, April 26, 2021 at 7:00 p.m. via ZOOM Conferencing, Meeting ID 859 4003 6219 for the purpose of considering:

An Ordinance of the City of Lansing, Michigan, to repeal Chapter 622, Section 622.01, a criminal misdemeanor under the General Offenses Code of the Codified Ordinances to eliminate drug paraphernalia.

Members of the public wishing to participate in the meeting may do so by logging into or calling into the meeting using the website https://us02web.zoom.us/j/85940036219 or by phone number 312-626-6799 using Meeting ID: 859 4003 6219.

Persons with disabilities who need an accommodation to fully participate in these meetings should contact the City Council Office at 517-483-4177 (TDD (517) 483-4479) 24 hour notice may be needed for certain accommodations. An attempt will be made to grant all reasonable accommodation requests.

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

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

CP#21-095

CITY OF LANSING
NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a Public Hearing will be held on Monday, April 26, 2021 at 7:00 p.m. via ZOOM Conferencing, Meeting ID 859 4003 6219 for the purpose of considering:

An Ordinance of the City of Lansing, Michigan, to repeal Chapter 630, Section 630.12, a criminal misdemeanor under the General Offenses Code of the Codified Ordinances to eliminate loitering in places where controlled substances or drug paraphernalia is sold, used, etc.

Members of the public wishing to participate in the meeting may do so by logging into or calling into the meeting using the website https://us02web.zoom.us/j/85940036219 or by phone number 312-626-6799 using Meeting ID: 859 4003 6219.

Persons with disabilities who need an accommodation to fully participate in these meetings should contact the City Council Office at 517-483-4177 (TDD (517) 483-4479) 24 hour noti may be needed for certain accommodations. An attempt will be made to grant all reasonal accommodation requests.

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

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

CP#21-088

CITY OF LANSING
NOTICE OF ELECTION
FOR THE TUESDAY, MAY 4, 2021 SPECIAL ELECTION

To the qualified electors of the City of Lansing:

Please take notice that the City of Lansing will hold an Election on Tuesday, May 4, 2021.

For the purpose of voting on the following proposals:

HOLT PUBLIC SCHOOLS
GENERAL OBLIGATION UNLIMITED TAX BOND PROPOSAL
FOR BUILDING AND SITE PURPOSES IN THE AMOUNT OF
NOT TO EXCEED $148,000,000

Full text of the ballot proposition may be obtained at the administrative offices of Holt Public Schools, 5780 W. Holt Road, Holt, Michigan 48842-1197, telephone: (517) 694-0401.

WAVERLY COMMUNITY SCHOOLS
GENERAL OBLIGATION UNLIMITED TAX BOND PROPOSAL
FOR BUILDING AND SITE PURPOSES IN THE AMOUNT OF
NOT TO EXCEED $125,000,000

Full text of the ballot proposition may be obtained at the administrative offices of Waverly Community Schools, 515 Snow Road, Lansing, Michigan 48917-4502, telephone: (517) 321-7265.

Voting Precincts and Polling Places are:

Lansing Ward 2
Pct. 20 – North School

Lansing Ward 3
Pct. 22 - Southside Community Center

Lansing Ward 4
Pct. 41 – Cumberland School

To comply with the Help America Vote Act (HAVA), voting instructions will be available in audio format and in Braille. Arrangements for obtaining the instructions in these alternative formats can be made by contacting the Clerk's Office in advance of the election. All polling locations are accessible for voters with disabilities.

To see if you are registered or to find your polling location, check the Secretary of State Voter Information web site at www.lansingvotes.com.

Photo Identification OR Affidavit Required to Vote:
Under a Michigan law upheld by the Michigan Supreme Court, ALL voters will be asked to show photo identification to vote at the polls. Voters without identification will be required to fill out and sign an affidavit in order to receive a ballot.

Anyone who qualifies as an elector may register to vote in person with proof of residency (MCL 168.492) at the following locations and times:

Location	Address	Regular Business Hours
Lansing City Clerk – City Hall	124 W Michigan Ave. Lansing, MI 48933	Mon – Fri 8am - 5pm
Lansing City Clerk – Election Unit	2500 S Washington Ave. Lansing, MI 48910	Mon - Fri 8am - 5pm

Additional times outside of the above listed regular business hours are as follows:

Location	Address	Additional Hours
Lansing City Clerk – City Hall	124 W Michigan Ave. Lansing, MI 48933	Election Day May 4 7am - 8pm
Lansing City Clerk – Election Unit	2500 S Washington Ave. Lansing, MI 48910	Saturday May 1 10am – 2pm Sunday May 2 12pm - 2pm Election Day May 4 7am – 8pm

ABSENT VOTER BALLOTS
Any registered voter may request an Absent Voter Ballot. No reason required.

The Lansing City Clerk's Office must have a signed application to issue an Absent Voter Ballot. Applications are available at the locations referenced in the above table or by visiting our website at lansingmi.gov/clerk.

Monday, May 3, 2021 at 4:00 pm is the deadline to request an absentee ballot except for those who register to vote on Election Day. Ballots issued on Monday, May 3, 2021 must be requested and voted in person at the Lansing City Clerk's Office, locations referenced in the above table.

Those registering to vote on Election Day, Tuesday, May 4, 2021, are eligible to receive an absent voter ballot at the Lansing City Clerk's Office, locations referenced in the above table.

Chris Swope, MMC/MIPMC
Lansing City Clerk
Phone: 517-483-4131
Email: City.clerk@lansingmi.gov

CP#21-099

CITY OF LANSING
PUBLIC ACCURACY TEST
FOR THE TUESDAY, MAY 4, 2021 SPECIAL ELECTION

Notice is hereby given that the public test of the program, which will be used for tabulating the results of the Election to be held Tuesday, May 4, 2021 in the City of Lansing, will be conducted at the Lansing City Clerk's Election Unit located at the South Washington Office Complex at 2500 South Washington Avenue on Tuesday, April 27, 2021 at 2:00 p.m.

The public accuracy test is conducted to determine that the program used to tabulate the results of the election counts the votes in the manner prescribed by law.

ABSENT VOTER BALLOTS
Any registered voter may request an Absent Voter Ballot. No reason required.

We must have a signed application to issue an Absent Voter Ballot. Applications are available at www.lansingmi.gov/Clerk or by calling 517-483-4131.

The Lansing City Clerk's Office, 124 W. Michigan Ave., 9th Floor, will be open Monday thru Friday from 8 a.m. to 5 p.m. to register and issue absentee ballots to qualified electors.

The Lansing City Clerk's Election Unit, 2500 S. Washington Ave (rear entrance), will be open:
- Weekdays from 8 a.m. to 5 p.m.;
- Saturday, May 1, 2021 from 10 a.m. to 2 p.m.
- Sunday, May 2, 2021 from 12 p.m. to 4 p.m.

to register voters and to issue absentee ballots to qualified electors.

Monday, May 3, 2021 at 4:00 pm is the deadline to request an absentee ballot except for those who register to vote on Election Day. Ballots issued on Monday, May 3, 2021 must be requested and voted in person at the Lansing City Clerk's Office or the Lansing City Clerk's Election Unit.

Those registering to vote on Election Day, Tuesday, May 4, 2021 are eligible to receive an absent voter ballot at the Lansing City Clerk's Office or the Lansing City Clerk's Election Unit.

Chris Swope, MMC/MiPMC
Lansing City Clerk
Phone: 517-483-4131
Email: City.Clerk@lansingmi.gov
Website: www.lansingvotes.com
www.facebook.com/LansingClerkSwope

CP#21-098

CITY OF EAST LANSING

EAST LANSING CITY COUNCIL

RESOLUTION ESTABLISHING PUBLIC HEARING ON PRELIMINARY FY2022 BUDGET AND TAX RATE

WHEREAS, a public hearing on the proposed budget for the City of East Lansing is required by City Charter and the State Budget Law; and,

WHEREAS, a public hearing is required under the provisions of the Truth in Taxation Law; and,

WHEREAS, the general appropriations act must set forth the total number of mills to be levied and the purposes for the millage;

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of East Lansing does hereby establish the date of Tuesday, May 11, 2021 at 7:00 p.m., held electronically and broadcasted live at https://cityofeastlansing.civicweb.net/Portal/ and on WELG local channel 22, as the date, time, and place for the required public hearing; and be it further resolved that for the purposes of the hearing it shall be assumed that the total tax rate will be **16.3552 mills consisting of 12.5362 mills for operating purposes, 1.8250 mills for solid waste, and 1.9940 mills for the Library pursuant to section 1 of 1877 PA164.**

The property tax millage rate proposed to be levied to support the proposed budget will be a subject of this hearing.

The budget is available for public inspection at the East Lansing Library and City Clerk and Finance Office at City Hall; along with the City's website: cityofeastlansing.com under Finance.

This meeting and public hearing will be held by electronic means only pursuant to the Open Meetings Act (1) because the City is operating under a local state of emergency declared pursuant to law, charter, and ordinance, (2) because of the gathering restrictions set forth in the MDHHS's epidemic orders, and (3) to protect the public health, safety, and welfare against the potential spread of COVID-19.

Public comments, either oral or written, are welcome at the Public Hearing. To speak during this public hearing (audio only), call: 312-626-6799 or 888-788-0099 Enter meeting ID: 860-4891-1764. Written comments or questions for City Council members may be emailed to council@cityofeastlansing.com in advance of the meeting.

The City of East Lansing will provide reasonable auxiliary aids and services, such as signers for the hearing impaired and audio tapes of printed materials being considered at this meeting upon seven (7) calendar days' notice to the City of East Lansing. Individuals with disabilities requiring auxiliary aids or services should write or call: City Manager's Office, 410 Abbot Road, East Lansing, MI 48823, (517) 319-6920, nmostel@cityofeastlansing.com.

This notice is published by Jennifer Shuster, City Clerk, City of East Lansing, Michigan, 410 Abbot

also agreed to let recreating families use LCC's new parking ramp during off-peak class times, scheduled for completion in 2022, just across the street from the playground.

Shaded shelters, tables and benches are placed all around the playground, giving pooped parents a place to recharge.

Baumer is most proud of the playground's universally accessible design. Every feature of the playground is accessible to children with disabilities, including children with sensory disabilities such as visual impairment or developmental disabilities such as autism or Down's syndrome.

A "sensoried climber," an arched tube where kids can climb to the top, is designed in such a way that kids in wheelchairs can hoist themselves up alongside other kids who climbed up the tube on their hands and knees.

The net climber has three sides, each side designed to accommodate a different level of physical challenge. The track ride has a universally accessible seat, with back and neck support, alongside a more rough and ready handle to hang from.

A "linear swing," favored by many kids with autism, swings side-to-side instead of front-to-back. Kids with disabilities (and their disabled grandparents) can take a ride in a spinning platform without getting out of their wheelchairs.

The central deck has everything from drums and climbing towers for "sensory seekers" to quiet shaded spaces for "sensory avoiders."

The riverside boardwalks are wide enough for two wheelchairs, with a gentle grade of less than 5 percent. People seated in wheelchairs are often frustrated to find the thickest part of a fence, railing or other barriers smack in front of whatever is of interest. Baumer says the designers made sure the planned playground, the River Trail and the deck on the river are all clear.

Lansing-based Wieland, the construction manager for Rotary Park, will build the project. Wieland recommended Viridis of Grand Rapids and Kalamazoo, a firm specializing in accessible playgrounds, to handle the design. Holland-based Sinclair Recreation will provide the playground equipment.

Environmental studies on the site are underway, Baumer said. The final design will depend on the amount of money raised. Site work will begin in the fall, with completion scheduled for 2022.

— **LAWRENCE COSENTINO**

CITY OF LANSING
NOTICE OF PUBLIC HEARING
ANNUAL ACTION PLAN
COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG),
HOME AND EMERGENCY SOLUTIONS GRANT (ESG) PROGRAMS
FOR FISCAL YEAR 2021-2022

The City Council of the City of Lansing will conduct a public hearing on Monday, April 26, 2021 at 7:00 P.M. during the regularly schedule City Council Meeting, via ZOOM Conferencing, Meeting ID 859 4003 6219, for the purpose of receiving comments on the proposed CDBG resources for the Annual Action Plan submission to HUD for FY 2021-2022.

To mitigate the spread of COVID-19 and to provide essential protections to vulnerable Michiganders and this State's health care system and other critical infrastructure, it is crucial that all Michiganders take steps to-limit in-person contact, particularly in the context of large groups. Therefore, the public hearing will be conducted via audio/video conference.

The public hearing will be electronically in accordance with the Open Meetings Act in an effort to protect the health and safety of the public. Members of the public wishing to participate in the meeting may do so by logging into or calling into the meetings using the website **https://zoom.us/j/859400036219** (Note: this option requires downloading Zoom software. If you have not already installed the software, this may take a few minutes) or by calling 646-876-9923 and entering Meeting ID: 859 4003 6219.

Copies of the proposed Annual Action Plan 2020 for the use of funds are available for review in the City Clerk's Office, downtown Capital Area District Library and in the Development Office of the Department of Economic Development and Planning. In light of the closure of public buildings due to the current state of emergency, the proposed Annual Action Plan 2021-2022 for the use of funds is available for review in the at https://www.lansingmi.gov/230/Development-Office. The Plan will be a part of the publicly available Council packet for the April 26, 2020 City Council meeting. If a member of the public wishes to review copies of the Annual Action Plan 2020 in-person, please contact the above listed public facilities to schedule an appointment that ensures the safety of both employees and public.

Persons with disabilities who need an accommodation to fully participate in these meetings should contact the City Council Office at 517-483-4177 (TDD (517) 483-4479) 24 hour notice may be needed for certain accommodations. An attempt will be made to grant all reasonable accommodation requests.

For more information, please call 517-483-4177. If you are interested in this matter, please view the public hearing via Zoom web conferencing which will provided on the April 26, 2021 City Council Agenda. Written comments will be accepted if received by the close 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.

Playground

from page 9

but t
raised. Baumer said the original estimate of $1.3 million had to be scrapped when construction costs soared in the wake of the COVID-19 pandemic.

Several locations were considered for the playground, but Adado Riverfront Park was the clear favorite because i visible to traffic on Grand Avenue y tucked into a natural berm next to t river, and it's within biking and walki distance of downtown and surroun ing neighborhoods. Even the perenni problem plaguing downtown attra tions — parking — will not present problem. Not only will there be a de icated parking lot a few steps from t playground, but Lansing Communi College President Steve Robinson h

NOTICE OF PUBLIC HEARING ON THE CITY OF LANSING'S PROPOSED FISCAL YEAR 2021/2022 BUDGET

The City Council of the City of Lansing will conduct a Public Hearing on Monday, May 3, 2021 at 7:00 p.m. via ZOOM Conferencing, Meeting ID 859 4003 6219., on the proposed City of Lansing budget and capital improvements. **The property tax millage rate proposed to be levied to support the proposed budget will be a subject of this hearing.**

The proposed budget is available for public inspection on weekdays, in the City Cl gov/1401/ floor City Hall, between 8:00 a.m. and 5:00 p.m. and online at htt Documents-Placed-on-File.

persons desiring to express the proposed city budget, the tax rate, or proposed ital improvement attend this public hearing or submit written comments.

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/MiPMC
www.lansingmi.gov/Clerk
www.facebook.com/LansingClerkSwope

CP#21-094

City of East Lansing
City Council

NOTICE OF PUBLIC HEARING AT ELECTRONIC MEETING
Tuesday, May 11, 2021 at 7:00 p.m.

The City Council of the City of East Lansing, Ingham County, Michigan ("City") will hold a public hearing on **Tuesday, May 11, 2021, at 7:00 p.m.**, concerning the following:

The purpose of the public hearing is to consider a special use permit application from Collegiate Catering East Lansing, LLC for the property at 133 Evergreen Avenue to allow for restaurants to serve alcoholic beverages. The subject property is zoned B-3, City Center Commercial District.

to meeting will only be held electronically pursuant to the Open Meetings Act, Act 267 of 76, and the capacity restrictions and social distancing requirements set forth in the Michigan Department of Health and Human Services (MDHHS) Director's Emergency Orders. The purpose of the meeting will be to hold the public hearing described above and consider any other business that comes before the City Council. Pursuant to the Open Meetings Act, the City gives notice of the following:

1. **Reason for Electronic Meeting**. The City is holding this meeting by electronic means only due to the restrictions imposed by the MDHHS Director's Emergency Orders. If the Orders are revised and if an in-person meeting is to be held instead of an electronic meeting, the meeting may be rescheduled to a different date and time. Notice of any such change will be posted at the City Hall and on the City's website.

2. **Procedures**. The public may participate in the meeting and may make public comment electronically by video/telephone using the following method:

Join Zoom Meeting by Video: https://us02web.zoom.us/j/86048911764

Or Dial In By Telephone - Call in: 312-626-6799, Toll Free: 888-788-0099**
Meeting ID: 860 4891 1764
Password: Not required

**To unmute microphone from a cell phone dial *6 (star 6)
To raise your hand from a cell phone dial *9 (star 9)

ontact Information. For those who desire to contact members of the City Council to provide or ask questions on the business that will come before the public body at the meeting, please contact Jennifer Shuster, City Clerk, at (517) 319-6881 prior to the start of the meeting.

4. **Persons with Disabilities**. Persons with disabilities may participate in the meeting through the methods set forth in paragraph 2. Individuals with disabilities requiring auxiliary aids or services in order to attend electronically should notify City Manager's Office, 410 Abbot Road, East Lansing, MI 48823 (517) 319-6920, TDD 1-800-649-377, within a reasonable time in advance of the meeting.

Jennifer Shuster
City Clerk

CP#21-100

CITY OF LANSING
NOTICE OF PUBLIC HEARING - CORRECTED

NOTICE IS HEREBY GIVEN that a Public Hearing will be held on Monday, April 12, 2021 at 7:00 p.m. via ZOOM Conferencing, Meeting ID 859 4003 6219 for the purpose of considering:

An Ordinance of the City of Lansing, Michigan, to repeal Chapter 696, Section 696.02, a criminal misdemeanor under the General Offenses Code of the Codified Ordinances to eliminate that no person shall carry any firearm, air rifle, bow and arrow, slingshot, crossbow, or other dangerous weapon in any public place.

Members of the public wishing to participate in the meeting may do so by logging into or calling into the meeting using the website https://us02web.zoom.us/j/85940036219 or by phone number 312-626-6799 using Meeting ID: 859 4003 6219.

Persons with disabilities who need an accommodation to fully participate in these meetings should contact the City Council Office at 517-483-4177 (TDD (517) 483-4479) 24 hour notice may be needed for certain accommodations. An attempt will be made to grant all reasonable accommodation requests.

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

Chris Swope, Lansing City Clerk, MMC/MiPMC
www.lansingmi.gov/Clerk
www.facebook.com/LansingClerkSwope **CP#21-082**

CITY OF LANSING
NOTICE OF PUBLIC HEARING - CORRECTED

NOTICE IS HEREBY GIVEN that a Public Hearing will be held on Monday, April 12, 2021 at 7:00 p.m. via ZOOM Conferencing, Meeting ID 859 4003 6219 for the purpose of considering:

An Ordinance of the City of Lansing, Michigan, to repeal Chapter 680, Section 680.06, a criminal misdemeanor under the General Offenses Code of the Codified Ordinances to eliminate borrowing money or a thing of value from a student at any school.

Members of the public wishing to participate in the meeting may do so by logging into or calling into the meeting using the website https://us02web.zoom.us/j/85940036219 or by phone number 312-626-6799 using Meeting ID: 859 4003 6219.

Persons with disabilities who need an accommodation to fully participate in these meetings should contact the City Council Office at 517-483-4177 (TDD (517) 483-4479) 24 hour notice may be needed for certain accommodations. An attempt will be made to grant all reasonable accommodation requests.

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

Chris Swope, Lansing City Clerk, MMC/MiPMC
www.lansingmi.gov/Clerk
www.facebook.com/LansingClerkSwope **CP#21-083**

CITY OF LANSING
NOTICE OF PUBLIC HEARING - CORRECTED

NOTICE IS HEREBY GIVEN that a Public Hearing will be held on Monday, April 12, 2021 at 7:00 p.m. via ZOOM Conferencing, Meeting ID 859 4003 6219 for the purpose of considering:

An Ordinance of the City of Lansing, Michigan, to repeal Chapter 656, Section 656.04, a criminal misdemeanor under the General Offenses Code of the Codified Ordinances to eliminate prohibition of bicycles on Riverfront park during an organized event.

Members of the public wishing to participate in the meeting may do so by logging into or calling into the meeting using the website https://us02web.zoom.us/j/85940036219 or by phone number 312-626-6799 using Meeting ID: 859 4003 6219.

Persons with disabilities who need an accommodation to fully participate in these meetings should contact the City Council Office at 517-483-4177 (TDD (517) 483-4479) 24 hour notice may be needed for certain accommodations. An attempt will be made to grant all reasonable accommodation requests.

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

Chris Swope, Lansing City Clerk, MMC/MiPMC
www.lansingmi.gov/Clerk
www.facebook.com/LansingClerkSwope **CP#21-076**

CITY OF LANSING
NOTICE OF PUBLIC HEARING - CORRECTED

NOTICE IS HEREBY GIVEN that a Public Hearing will be held on Monday, April 12, 2021 at 7:00 p.m. via ZOOM Conferencing, Meeting ID 859 4003 6219 for the purpose of considering:

An Ordinance of the City of Lansing, Michigan, to repeal Chapter 680, Section 680.03, a criminal misdemeanor under the General Offenses Code of the Codified Ordinances, to eliminate using profane language in a building or on any property adjacent to any building in the city occupied as public, private, or parochial school.

Members of the public wishing to participate in the meeting may do so by logging into or calling into the meeting using the website https://us02web.zoom.us/j/85940036219 or by phone number 312-626-6799 using Meeting ID: 859 4003 6219.

Persons with disabilities who need an accommodation to fully participate in these meetings should contact the City Council Office at 517-483-4177 (TDD (517) 483-4479) 24 hour notice may be needed for certain accommodations. An attempt will be made to grant all reasonable accommodation requests.

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

Chris Swope, Lansing City Clerk, MMC/MiPMC
www.lansingmi.gov/Clerk
www.facebook.com/LansingClerkSwope **CP#21-079**

CITY OF LANSING
NOTICE OF PUBLIC HEARING - CORRECTED

NOTICE IS HEREBY GIVEN that a Public Hearing will be held on Monday, April 12, 2021 at 7:00 p.m. via ZOOM Conferencing, Meeting ID 859 4003 6219 for the purpose of considering:

An Ordinance of the City of Lansing, Michigan, to repeal Chapter 658, Section 658.06, a criminal misdemeanor under the General Offenses Code of the Codified Ordinances to eliminate that no person shall beg in any public place or go door-to-door requesting donations for personal gain.

Members of the public wishing to participate in the meeting may do so by logging into or calling into the meeting using the website https://us02web.zoom.us/j/85940036219 or by phone number 312-626-6799 using Meeting ID: 859 4003 6219.

Persons with disabilities who need an accommodation to fully participate in these meetings should contact the City Council Office at 517-483-4177 (TDD (517) 483-4479) 24 hour notice may be needed for certain accommodations. An attempt will be made to grant all reasonable accommodation requests.

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

Chris Swope, Lansing City Clerk, MMC/MiPMC
www.lansingmi.gov/Clerk
www.facebook.com/LansingClerkSwope **CP#21-077**

CITY OF LANSING
NOTICE OF PUBLIC HEARING - CORRECTED

NOTICE IS HEREBY GIVEN that a Public Hearing will be held on Monday, April 12, 2021 at 7:00 p.m. via ZOOM Conferencing, Meeting ID 859 4003 6219 for the purpose of considering:

An Ordinance of the City of Lansing, Michigan, to repeal Chapter 658, Section 658.03, a criminal misdemeanor under the General Offenses Code of the Codified Ordinances to eliminate annoying persons.

Members of the public wishing to participate in the meeting may do so by logging into or calling into the meeting using the website https://us02web.zoom.us/j/85940036219 or by phone number 312-626-6799 using Meeting ID: 859 4003 6219.

Persons with disabilities who need an accommodation to fully participate in these meetings should contact the City Council Office at 517-483-4177 (TDD (517) 483-4479) 24 hour notice may be needed for certain accommodations. An attempt will be made to grant all reasonable accommodation requests.

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

Chris Swope, Lansing City Clerk, MMC/MiPMC
www.lansingmi.gov/Clerk
www.facebook.com/LansingClerkSwope **CP#21-078**

CITY OF LANSING
NOTICE OF PUBLIC HEARING - CORRECTED

NOTICE IS HEREBY GIVEN that a Public Hearing will be held on Monday, April 12, 2021 at 7:00 p.m. via ZOOM Conferencing, Meeting ID 859 4003 6219 for the purpose of considering:

An Ordinance of the City of Lansing, Michigan, to repeal Chapter 630, Section 630.14, a criminal misdemeanor under the General Offenses Code of the Codified Ordinances to eliminate loitering in places where prostitution or solicitation for lewd conduct occurs.

Members of the public wishing to participate in the meeting may do so by logging into or calling into the meeting using the website https://us02web.zoom.us/j/85940036219 or by phone number 312-626-6799 using Meeting ID: 859 4003 6219.

Persons with disabilities who need an accommodation to fully participate in these meetings should contact the City Council Office at 517-483-4177 (TDD (517) 483-4479) 24 hour notice may be needed for certain accommodations. An attempt will be made to grant all reasonable accommodation requests.

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

Chris Swope, Lansing City Clerk, MMC/MiPMC
www.lansingmi.gov/Clerk
www.facebook.com/LansingClerkSwope **CP#21-080**

CITY OF LANSING
NOTICE OF PUBLIC HEARING - CORRECTED

NOTICE IS HEREBY GIVEN that a Public Hearing will be held on Monday, April 12, 2021 at 7:00 p.m. via ZOOM Conferencing, Meeting ID 859 4003 6219 for the purpose of considering:

An Ordinance of the City of Lansing, Michigan, to repeal Chapter 650, Section 650.04, a criminal misdemeanor under the general offenses code of the Codified Ordinances to eliminate playing in streets.

Members of the public wishing to participate in the meeting may do so by logging into or calling into the meeting using the website https://us02web.zoom.us/j/85940036219 or by phone number 312-626-6799 using Meeting ID: 859 4003 6219.

Persons with disabilities who need an accommodation to fully participate in these meetings should contact the City Council Office at 517-483-4177 (TDD (517) 483-4479) 24 hour notice may be needed for certain accommodations. An attempt will be made to grant all reasonable accommodation requests.

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

Chris Swope, Lansing City Clerk, MMC/MiPMC
www.lansingmi.gov/Clerk
www.facebook.com/LansingClerkSwope **CP#21-081**