AGENDA
Committee on Development and Planning
Tuesday, June 16, 2020 @ 3:30 P.M.

Join Zoom Meeting https://us02web.zoom.us/j/83393027695
Meeting ID 833 9302 7695
Dial 312-626-6799
Email Comments prior to the meeting to sherrie.boak@lansingmi.gov

Councilmember Spitzley, Chair
Councilmember Garza, Vice Chair
Councilmember Betz, Member
Council Member Hussain, Member

1. **Call to Order**

2. **Public Comment on Agenda Items**

3. **Minutes**
   - March 3, 2020

4. **Discussion/Action:**

   A.) ORDINANCE - PILOT (Payment in Lieu of Taxes); Porter Senior Apartments; 505 Townsend Street

   B.) DISCUSSION – Lansing Community College Applications:
   - Z-1-2020; N. Capitol Avenue;
     Rezoning from E-1 Apartment Shop & DM-4 Residential to G-1 Business
   - SLU 2-2020; N. Capitol Avenue;
     Parking Deck

5. **Other**
6. **Adjourn**

With Executive Order 2020-4, Governor Whitmer declared a statewide State of Emergency due to the spread of the novel coronavirus (COVID-19). 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 above meetings will be conducted via audio/video conference.

The meetings are being held 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 or phone number above, and meeting ID provided. Michigan Executive Order 2020-75 provides temporary authorization of remote participation in public meetings and hearings.

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

DRAFT

MINUTES
Committee on Development and Planning
Tuesday, March 3, 2020 @ 3:30 p.m.
Council Conference Room, City Hall 10th Floor

CALL TO ORDER
Council Member Spitzley called the meeting to order at 3:30 p.m.

PRESENT
Council Member Spitzley, Chair-
Council Member Garza, Vice-Chair- excused
Council Member Betz, Member
Council Member Hussain, Member

OTHERS PRESENT
Sherrie Boak, Council Staff
Jim Smiertka, City Attorney
Lisa Hagen, Assistant City Attorney, Council Research Assistant
Amanda O'Boyle, Assistant City Attorney
Greg Venker, Assistant City Attorney
Doug Fleming, LHC Executive Director

PUBLIC COMMENT
No public comment at this time.

MINUTES
MOTION BY COUNCIL MEMBER HUSSAIN TO APPROVE THE MINUTES FROM FEBRUARY 18, 2020 AS AMENDED TO CHANGE PAGE 4 2ND PARAGRAPH 16TH SENTENCE FROM "2019" TO "2018". MOTION CARRIED 3-0.

DISCUSSION/ACTION
RESOLUTION – Introduction/Set Public Hearing; Ordinance Amendment to Chapter 260-Housing Commission
Council Member Spitzley stated to the Committee that she was asked to introduce the document at this Committee and has spoken to Council President Spadafore. The documents include the proposed amendments, but at this time she was also including the complete ordinance for Chapter 260 for a complete review and update.

Council Member Hussain asked who wrote the proposed amendments to 260.05, and Mr. Venker acknowledged the Office of the City Attorney.

Mr. Fleming presented to the Committee, beginning by stating he has spoken to Committee Members Hussain and Spitzley in the past on the long term plans for the Lansing Housing Commission (LHC) and are currently in the middle of that plan. Currently HUD has a mission to request LHC voluntarily convert all housing to Residential Assistance Demonstration (RAD); taking rentals to Section 8 housing. The primary reason, under the Act that created public housing, does not let LHC to take on debt. So even if there are maintenance items such as a bad boiler, they have no funds to fix and have to use the capital appropriations. By using the RAD program, LHC can convert units into Section 8, and use the low income program to use capital to convert those units, and then under that HUD Section 8 program they can have debt. From the perspective of the residents, nothing will change. Council Member Betz asked how many residents have "fixed rental". Mr. Fleming first confirmed that "fixed rental" is a flat rate under $0, and if they are under that program, and currently there only 8 out of the total 1,000 units, only those 8 would be impacted. In regards to the process, in order to go through the RAD process, they have to go through the low income tax program, and to do that LHC has to have a clear title. The LHC will see asset management for LaRoy Froh, S. Washington, Mt. Vernon and Hildabrant. To move into the Section 8 program, they have to sell to an entity that is fully owned and managed by LHC but because of the tax credit law, it has to be a different entity. As part of the sale, they will be selling those to themselves in order to obtain a clear title. When they did the research on the titles for those four (4) properties they found the titles are only with the LHC, however the scattered 230 homes are titled with the City of Lansing. Fifteen years ago, HUD told cities they needed to separate the housing properties, but the scattered homes were not done. To do the proposed legal transition now, they need to have a clear title on those. To do that the City needs to update their ordinance; currently in front of the Committee, then do a quit claim deed. Once the LHC owns them they will sell to themselves to begin the renovations of the 4 complexes. Regarding the scattered homes, HUD through public housing states they should own scattered housing to move people through-out the City. Mr. Fleming admitted it is hard to manage, and the city does get most complaints and code compliance violations on scattered 230 sites. As part of this LHC plan, LHC will sell those sites, with the only requirement by HUD is that the funds raised from the sale has to go back into LHC. So they will take those funds and invest into Mt. Vernon, S. Washington, Hildebrandt and LaRoy Froh. LHC will also hope to invest into other properties in the City. Mr. Fleming acknowledged his agreement in looking at the complete Chapter 260.

Council Member Betz asked what will happen to the 230 families currently living in the scattered sites. Mr. Fleming assured the Committee they will be given tenant protection vouchers to be used at other properties in the City, if accepted by those property owners/landlords. If they sell the scatter site or sites to an entity that entity will need to agree to keep the site affordable house and then the residents can stay there. Council Member Spitzley asked if the LHC has considered approaching the current residents in those sites to purchase and Mr. Fleming confirmed they have considered that and once the City process is complete, and they get through the HUD process, environmental reports, they will offer to the tenants. If they have the financing, they will be given a time frame from MSHDA on when they have to purchase the home. He added that everyone will get the right of first purchase. Council Member Spitzley recommended working with Capital Area Housing who have a program their resident have to go through on budgeting, small home repairs, and successful ownership. Mr. Fleming was also encouraged to speak to the Financial Empowerment Center for assistance to the tenants.

Council Member Hussain voiced a concern on the “entities” purchasing multiple scattered sites, because those groups tend to have continual issues. He asked Mr. Fleming how the LHC planned to combat that. Mr. Fleming informed the Committee that he has already spoken to the Mayor, and they do not want to 230 into the market as “market rent” because then that lowers the number of affordable housing. Even with the voucher, they will still have to find a landlord who will accept the voucher. The entities Mr. Fleming has spoken to already plan to keep them affordable. He added that his discussions with the Mayor have also included addressing the units in certain neighborhoods. They plan on putting together a spreadsheet on houses, locations and a market study on them. Council Member Spitzley asked what the vetting process was on the interested entities, and who will keep them affordable. Mr. Fleming stating that when vetting they will look at what their history is, do they do affordable housing regularly, where else do they have homes like these, do they operate those in the area, and are they keeping the current homes they own up to date. Under Section 18, if LHC sells to someone who will sign contact with HUD, they can sell it below the appraised value. If LHC sells to another group, they cannot sell below appraised value.

Council Member Spitzley referred to the complete Chapter 260, highlighting 260.07 (b), which states “The City shall be named on the Commission’s insurance policies as an additional insured..” and asked if the City has been. Mr. Fleming stated they were not, so she asked that the OCA remove that statement. In 260.07 (d), Council Member Spitzley pointed out “Council shall be responsible for the selection of the independent certified public accountant.”, and Mr. Fleming stated the City is not, and the OCA was asked to remove that statement as well.

Council Member Spitzley noted the discussion will continue on the ordinance amendments at the March 17th meeting, and Mr. Venker stated the OCA would have the draft ordinance prepared by then with all the updates. Mr. Fleming was informed that the Committee would introduce and set the hearing at the March 23rd Council meeting. Council Member Hussain stated that he would speak to Council Member Spadafore about having Mr. Fleming at the March 23rd Committee of the Whole meeting to provide an overview and answer questions on the recently submitted 2019 Annual Report. Council Member Spitzley invited him to the Council April 13th meeting when the public hearing will be held on the ordinance amendments to speak on those and the RAD program.

It was confirmed on the agenda for the March 17, 2020 meeting, the OCA will present on any and all amendments to Chapter 260; draft 2.

Adjourn

Adjourned at 3:57 p.m.
Submitted by, Sherrie Boak,
Recording Secretary,
Lansing City Council
Approved by the Committee

ORDINANCE NO. _____________

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO AMEND THE CODE OF ORDINANCES OF THE CITY OF LANSING BY ADDING A NEW SECTION 884.___ FOR THE PURPOSES OF PROVIDING FOR AN EXTENSION OF A SERVICE CHARGE IN LIEU OF TAXES FOR NINETY-EIGHT (98) LOW INCOME ELDERLY DWELLING UNITS IN A PROJECT KNOWN AS THE PORTER SENIOR APARTMENTS, PURSUANT TO THE PROVISIONS OF THE STATE HOUSING DEVELOPMENT AUTHORITY ACT OF 1966, AS AMENDED.

THE CITY OF LANSING ORDAINS:

SECTION 1. THAT CHAPTER 884 OF THE CODE OF ORDINANCES OF THE CITY OF LANSING, MICHIGAN BE AMENDED TO ADD A NEW SECTION 884.___ TO READ AS FOLLOWS:

884.___ THE PORTER SENIOR APARTMENTS

(A) *PURPOSE*. IT IS ACKNOWLEDGED THAT IT IS A PROPER PUBLIC PURPOSE OF THE STATE AND ITS POLITICAL SUBDIVISIONS TO PROVIDE HOUSING FOR ITS RESIDENTS OF LOW AND MODERATE INCOME AND TO ENCOURAGE THE DEVELOPMENT OF SUCH HOUSING BY PROVIDING FOR A SERVICE CHARGE IN LIEU OF PROPERTY TAXES IN ACCORDANCE WITH THE STATE HOUSING DEVELOPMENT AUTHORITY ACT OF 1966, BEING PUBLIC ACT 346 OF 1966, AS AMENDED [MCL 125.1401, ET SEQ.]. THE CITY IS AUTHORIZED BY SUCH ACT TO ESTABLISH OR CHANGE THE SERVICE CHARGE TO BE PAID IN LIEU OF TAXES BY ANY OR ALL CLASSES OF HOUSING EXEMPT FROM TAXATION UNDER SUCH ACT AT ANY AMOUNT IT CHOOSES, NOT TO EXCEED THE TAXES THAT WOULD

BE PAID BUT FOR THIS ACT. IT IS FURTHER ACKNOWLEDGED THAT SUCH HOUSING FOR ELDERLY PERSONS OF LOW AND MODERATE INCOME IS A PUBLIC NECESSITY, AND AS THE CITY WILL BE BENEFITED AND IMPROVED BY SUCH HOUSING, THE ENCOURAGEMENT OF THE SAME BY PROVIDING CERTAIN REAL ESTATE TAX EXEMPTION FOR SUCH HOUSING IS A VALID PUBLIC PURPOSE.

(B) *DEFINITIONS.*

(1) "*ACT*" MEANS THE STATE HOUSING DEVELOPMENT AUTHORITY ACT, BEING PUBLIC ACT 346 OF 1966, AS AMENDED.

(2) "*ANNUAL SHELTER RENTS*" MEANS THE TOTAL COLLECTIONS DURING AN AGREED ANNUAL PERIOD FROM ALL ELDERLY PERSONS OF LOW OR MODERATE INCOME, OCCUPYING THE HOUSING DEVELOPMENT REPRESENTING RENTS FOR OCCUPANCY, WHICH RENTAL AMOUNTS SHALL BE EXCLUSIVE OF CHARGES FOR GAS, ELECTRICITY, HEAT OR OTHER UTILITIES FURNISHED TO THE OCCUPANTS.

(3) "*AUTHORITY*" MEANS THE MICHIGAN STATE HOUSING DEVELOPMENT AUTHORITY.

(4) "*ELDERLY PERSON(S)*" MEANS (i) A SINGLE PERSON WHO IS 55 YEARS OF AGE OR OLDER OR A HOUSEHOLD IN WHICH AT LEAST ONE MEMBER IS 55 YEARS OF AGE OR OLDER OR (ii) A PERSON WITH DISABILITIES, A DISABLED FAMILY, OR DISPLACED FAMILY ALL AS DEFINED IN 24 CFR 5.403.

(5) "*HOUSING DEVELOPMENT " OR " DEVELOPMENT*" MEANS A DEVELOPMENT WHICH CONTAINS A SIGNIFICANT ELEMENT OF HOUSING FOR ELDERLY PERSONS OF LOW AND MODERATE INCOME AND SUCH ELEMENTS OF OTHER HOUSING, COMMERCIAL, RECREATIONAL, INDUSTRIAL, COMMUNAL AND EDUCATIONAL FACILITIES AS THE AUTHORITY MAY DETERMINE WILL IMPROVE THE QUALITY OF THE DEVELOPMENT AS IT RELATES TO HOUSING FOR ELDERLY PERSONS OF LOW AND MODERATE INCOME. FOR THE PURPOSE OF THIS SECTION, THE NAME OF THIS DEVELOPMENT IS THE PORTER SENIOR APARTMENTS, AND CONSISTS OF NINETY-EIGHT (98) UNITS OF RENTAL HOUSING LOCATED WITHIN LANSING AT PART OF LOTS 8, 9, 10, 11 & 12 COM NW COR BLOCK 148, E 122 FT, S 90 FT, SW 7.1 FT, S 72 FT, E 4 FT, S 163 FT, W 121 FT, N 330 FT TO BEG, ALSO E 36 FT OF W 99 FT LOT 7 BLOCK 148 ORIG PLAT, COMMONLY KNOWN AS 505 TOWNSEND STREET, LANSING (PARCEL ID: 33-01-01-16-380-073).

(6) "*HUD*" MEANS THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT OF THE UNITED STATES GOVERNMENT.

(7) "*LOW INCOME HOUSING TAX CREDIT PROGRAM*" MEANS THE PROGRAM ESTABLISHED BY SECTION 42 OF THE UNITED STATES INTERNAL REVENUE CODE.

(8) "*LOW OR MODERATE INCOME*" MEANS LOW OR MODERATE INCOME ELIGIBILITY UNDER THE AUTHORITY ACT OR RULES.

(9) "*MORTGAGE LOAN*" MEANS A LOAN TO BE MADE BY A PRIVATE ENTITY OR A LOAN INSURED BY HUD, OR A LOAN FROM THE AUTHORITY FOR THE

FINANCING OF THE PURCHASE OR REHABILITATION OF THE HOUSING DEVELOPMENT.

(9) "PREVAILING WAGE" MEANS THE WAGES AND FRINGE BENEFITS RECEIVED BY MECHANICS AND LABORERS THAT ARE AT LEAST THE PREVAILING WAGES AND FRINGE BENEFITS FOR CORRESPONDING CLASSES OF MECHANICS AND LABORERS, AS DETERMINED BY STATISTICS COMPILED BY THE UNITED STATES DEPARTMENT OF LABOR AND RELATED TO THE GREATER LANSING AREA, AND THAT ARE TO BE DESCRIBED AND POSTED UNDER SECTIONS 206.18 AND 206.19 OF THESE CODIFIED ORDINANCES FOR CITY CONTRACTS.

(10) "*SPONSOR*" MEANS A PERSON OR OTHER ENTITY WITH A HOUSING DEVELOPMENT WHICH IS FINANCED OR ASSISTED PURSUANT TO THE ACT. FOR PURPOSES OF THIS SECTION, THE SPONSOR OF THE PORTER SENIOR APARTMENTS IS GL HOLDINGS, LLC, OR ITS SUCCESSORS OR ASSIGNS.

(11) "*UTILITIES*" MEANS FUEL, WATER, HEAT, SANITARY SEWER AND/OR ELECTRICAL SERVICE, WHICH IS PAID FOR BY THE HOUSING DEVELOPMENT, AS DEFINED IN THE ACT.

(12) OTHER TERMS. ALL TERMS REFERENCING THE ACT BUT NOT DEFINED IN THIS SECTION SHALL HAVE THE SAME MEANING GIVEN IN THE ACT.

(C) *ESTABLISHMENT OF ANNUAL SERVICE CHARGE.*

(1) THE CITY ACKNOWLEDGES THAT THE SPONSOR AND THE AUTHORITY HAVE ESTABLISHED THE ECONOMIC FEASIBILITY OF THE PORTER SENIOR

APARTMENTS IN RELIANCE UPON THE ENACTMENT AND CONTINUING EFFECT OF THIS SECTION AND UPON THE QUALIFICATION OF THE NINETY-EIGHT (98) UNITS OF ELDERLY HOUSING IN THE HOUSING DEVELOPMENT FOR EXEMPTION FROM ALL PROPERTY TAXES AS ESTABLISHED IN THIS SECTION, AND PROVIDED THAT PREVAILING WAGE IS PAID FOR ALL WORK PERFORMED AT THE HOUSING DEVELOPMENT AFTER THE ENACTMENT OF THIS SECTION.

(2) SUBJECT TO THE CONDITIONS AND REQUIREMENTS OF THIS SECTION AND THE ACT, THE NINETY-EIGHT (98) UNITS IN THE ELDERLY HOUSING DEVELOPMENT FOR PERSONS OF LOW AND MODERATE INCOME IDENTIFIED AS THE PORTER SENIOR APARTMENTS AND THE PROPERTY ON WHICH THEY ARE CONSTRUCTED SHALL BE EXEMPT FROM ALL PROPERTY TAXES FOR FORTY (40) YEARS, COMMENCING WITH AND INCLUDING TAX YEAR 2021.

(3) IN LIEU OF ALL SAID PROPERTY TAXES ON THE NINETY-EIGHT (98) UNITS IN THE ELDERLY HOUSING DEVELOPMENT, THE SPONSOR SHALL PAY, AND THE CITY WILL ACCEPT, AN ANNUAL SERVICE CHARGE FOR PUBLIC SERVICES, IN THE SUM EQUAL TO, FIVE PERCENT (5%) OF THE DIFFERENCE BETWEEN THE ANNUAL SHELTER RENTS ACTUALLY COLLECTED AND THE ANNUAL AMOUNT OF UTILITIES PAID DURING THE SAME PERIOD.

(4) THE EXEMPTION PROVIDED UNDER THIS SECTION SHALL RESCIND AND REPLACE ANY PRIOR EXEMPTIONS AND SHALL COMMENCE EFFECTIVE AS OF JANUARY 1, 2021 WHEN THE SPONSOR COMPLIES WITH SECTION 15A(1)

OF 1966 PA 346, AS AMENDED, CODIFIED AS MCL 125.1415(a)(1), WHICH PROVIDES: THE OWNER OF A HOUSING PROJECT ELIGIBLE FOR THE EXEMPTION SHALL FILE WITH THE LOCAL ASSESSING OFFICER (THE CITY ASSESSOR) A NOTIFICATION OF THE EXEMPTION, WHICH SHALL BE IN AN AFFIDAVIT FORM AS PROVIDED BY THE AUTHORITY. THE COMPLETED AFFIDAVIT FORM FIRST SHALL BE SUBMITTED TO THE AUTHORITY FOR CERTIFICATION BY THE AUTHORITY THAT THE PROJECT IS ELIGIBLE FOR THE EXEMPTION. THE OWNER THEN SHALL FILE, OR CAUSE TO BE FILED, THE CERTIFIED NOTIFICATION OF THE EXEMPTION WITH THE LOCAL ASSESSING OFFICER BEFORE NOVEMBER 1 OF THE YEAR PRECEDING THE TAX YEAR IN WHICH THE EXEMPTION IS TO BEGIN.

(5) IN ADDITION TO THE CERTIFICATION REQUIRED PURSUANT TO SUBSECTION (C)(4), THE SPONSOR SHALL PROVIDE FOR THE HOUSING DEVELOPMENT ANNUALLY IN WRITING TO THE CITY ASSESSOR FOR THE PRECEDING YEAR IN WHICH THE PROPERTY TAX EXEMPTION WAS IN EFFECT:

A. THE ANNUAL AUDITED ACCOUNTING REPORT FOR THE PAYMENT IN LIEU OF TAXES; AND

B. A CERTIFIED STATEMENT IDENTIFYING ALL THE UNITS RENTED TO ELDERLY PERSONS OF LOW OF MODERATE INCOME; AND

C. IF REQUESTED BY THE CITY, PROOF THAT THE HOUSING DEVELOPMENT UNITS HAVE NOT INCREASED, DECREASED, OR BEEN ALTERED IN ANY MATERIAL FORM, WITH THE EXCEPTION OF LIKE

KIND REPLACEMENTS OR REPAIRS NEEDED IN THE ORDINARY COURSE OF BUSINESS, UNLESS THE CITY HAS OTHERWISE AMENDED THE PROVISIONS OF THIS SECTION; AND

D. IF REQUESTED BY THE CITY, PROOF, IN THE MANNER CONSISTENT WITH SECTION 206.18(A) OF THESE CODIFIED ORDINANCES, THAT ALL WORK IS CONTRACTED, AGREED OR ARRANGED TO BE PERFORMED OR IS DONE AT THE HOUSING DEVELOPMENT AT PREVAILING WAGE.

(D) *LIMITATION ON THE PAYMENT OF THE ANNUAL SERVICE CHARGE*. NOTWITHSTANDING SUBSECTION (C), THE SERVICE CHARGE TO BE PAID EACH YEAR IN LIEU OF TAXES FOR THE RENTAL HOUSING UNITS OF THE HOUSING DEVELOPMENT PROJECT THAT IS TAX EXEMPT AND OCCUPIED BY RESIDENTS OTHER THAN LOW OR MODERATE INCOME ELDERLY PERSONS SHALL BE EQUAL TO THE FULL AMOUNT OF THE TAXES THAT WOULD OTHERWISE BE DUE AND PAYABLE ON THAT PORTION OF THE HOUSING DEVELOPMENT PROJECT IF THE PROJECT WERE NOT TAX EXEMPT.

(E) *PAYMENT OF ANNUAL SERVICE CHARGE*. THE SERVICE CHARGE IN LIEU OF TAXES, AS ESTABLISHED UNDER THIS SECTION, SHALL BE PAYABLE IN THE SAME MANNER AS GENERAL PROPERTY TAXES ARE PAYABLE TO THE CITY, AND DISTRIBUTED TO THE SEVERAL UNITS LEVYING THE GENERAL PROPERTY TAX IN THE SAME PROPORTION AS PREVAILED WITH THE GENERAL PROPERTY TAX IN THE PREVIOUS YEAR, EXCEPT THAT THE ANNUAL PAYMENT SHALL BE MADE ON OR BEFORE JULY 1 OF THE YEAR FOLLOWING THE YEAR UPON WHICH SUCH CHARGE IS CALCULATED. COLLECTION

PROCEDURE SHALL BE IN ACCORDANCE WITH THE PROVISIONS OF THE GENERAL PROPERTY TAX ACT (1893 PA 206, AS AMENDED; MCL 211.1, ET SEQ.).

(F) *CONTRACTUAL EFFECT*. NOTWITHSTANDING THE PROVISIONS OF SECTION 15(A)(5) OF THE ACT TO THE CONTRARY, A CONTRACT BETWEEN THE CITY AND THE SPONSOR WITH THE AUTHORITY AS THIRD-PARTY BENEFICIARY UNDER THE CONTRACT, TO PROVIDE TAX EXEMPTION AND ACCEPT PAYMENT IN LIEU OF TAXES AS PREVIOUSLY DESCRIBED, IS EFFECTUATED BY THE ENACTMENT OF THIS SECTION.

(G) *COMMENCEMENT AND DURATION*. THE PROPERTY TAX EXEMPT STATUS OF THE HOUSING DEVELOPMENT PROJECT ACKNOWLEDGED BY THIS AGREEMENT SHALL REMAIN IN EFFECT AND SHALL NOT TERMINATE SO LONG AS THE MORTGAGE LOAN FOR THE HOUSING DEVELOPMENT PROJECT REMAINS OUTSTANDING AND UNPAID, BUT NOT TO EXCEED FORTY (40) YEARS, COMMENCING WITH AND INCLUDING TAX YEAR 2021, PROVIDED THAT THE SPONSOR COMPLIES WITH THE REQUIREMENTS OF THE ACT AND THIS SECTION, AND FURTHER PROVIDED THAT THE HOUSING DEVELOPMENT CONTINUES TO BE RENTED TO LOW OR MODERATE INCOME ELDERLY PERSONS AT RENTS DETERMINED UNDER THE LOW INCOME HOUSING TAX CREDIT PROGRAM OR AS DETERMINED BY THE HAP CONTRACT, AS THE SAME MAYBE FURTHER AMENDED OR SUPERSEDED, OR THERE IS AN AUTHORITY-AIDED OR FEDERALLY-AIDED MORTGAGE ON THE HOUSING DEVELOPMENT AS PROVIDED IN THE ACT, OR THE AUTHORITY OR HUD HAS AN INTEREST IN THE PROPERTY. IF THE SPONSOR CHANGES THE SCOPE OR PURPOSE OF THE

NINETY-EIGHT (98) UNITS OF HOUSING WITHIN THE DEVELOPMENT TO SOMETHING OTHER THAN PROVIDING HOUSING FOR ELDERLY RESIDENTS OF LOW OR MODERATE INCOME WITHOUT THE CONSENT OF THE CITY OF LANSING, BY AND THROUGH ITS REPRESENTATIVES, AND IN ACCORDANCE WITH THE REQUIREMENTS OF THE LANSING CITY CHARTER, THIS SECTION SHALL AUTOMATICALLY EXPIRE AND BE OF NO EFFECT. IF THE PREVAILING WAGE IS NOT PAID FOR ALL WORK PERFORMED AT CONSTRUCTION OF THE HOUSING DEVELOPMENT AFTER ENACTMENT OF THIS SECTION AND THE SPONSOR OR OTHER RESPONSIBLE PARTY DOES NOT CURE THE VIOLATION AFTER NOTICE IS GIVEN AS PROVIDED IN THE MANNER CONSISTENT WITH THE METHOD CONTAINED IN THESE CODIFIED ORDINANCES, THEN, THIS SECTION SHALL AUTOMATICALLY EXPIRE AND BE OF NO EFFECT. IF THE CONSTRUCTION OF THE HOUSING DEVELOPMENT DOES NOT COMMENCE WITHIN 2 YEARS FROM THE EFFECTIVE DATE OF THIS SECTION, THIS SECTION SHALL AUTOMATICALLY EXPIRE AND BE OF NO EFFECT.

Section 2. All ordinances, resolutions or rules, parts of ordinances, resolutions or rules inconsistent with the provisions hereof are hereby repealed as they pertain to the Porter Senior Apartments, as contemplated herein.

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 valid.

Section 4. This ordinance shall take effect on the 30th day after enactment unless given immediate effect by the City Council.

Approved as to form:

____
James D. Smiertka, City Attorney
Dated: ________________________

Income Statement

Period = Jan 2014-Feb 2020
Book = Cash ; Tree = r4r_tb

	Period to Date	%	Year to Date	%
Structual Repairs & Maintenance	6,086.66	0.12	6,086.66	0.12
Structual Repairs & Maintenance- R4R	17,403.49	0.34	17,403.49	0.34
Hardscape	7,781.58	0.15	7,781.58	0.15
Appliance Replacement - Other	4,240.52	0.08	4,240.52	0.08
Appliance Replacement - Oven	18,577.94	0.37	18,577.94	0.37
Appliance Replacement - Range Hood	988.80	0.02	988.80	0.02
Appliance Replacement - Refrigerator	14,747.52	0.29	14,747.52	0.29
Carpet Replacement	78,756.77	1.55	78,756.77	1.55
Door Replacement - R4R	4,040.96	0.08	4,040.96	0.08
Electrical-Supplies	3,437.05	0.07	3,437.05	0.07
Lighting Supplies	7,139.84	0.14	7,139.84	0.14
Elevator Repair R4R	9,120.90	0.18	9,120.90	0.18
HVAC - Apts R4R	40,810.21	0.81	40,810.21	0.81
HVAC - Central - R4R	4,853.22	0.10	4,853.22	0.10
Plumbing - Faucet replacement Non-R4R	2,206.22	0.04	2,206.22	0.04
Plumbing - Toilet replacement Non-R4R	3,684.62	0.07	3,684.62	0.07
Plumbing - Sink replacement Non-R4R	78.43	0.00	78.43	0.00
Plumbing - Tub/Shower replacement Non-R4R	40.97	0.00	40.97	0.00
Plumbing - Other Replacements Non-R4R	2,549.64	0.05	2,549.64	0.05
Plumbing - Supplies & Replacements - R4R	12,601.17	0.25	12,601.17	0.25
Vinyl/Tile Floor Replacement - R4R	56,131.50	1.11	56,131.50	1.11
Windows & Screens - R4R	2,258.65	0.04	2,258.65	0.04
Window Covering Replacement - R4R	257.62	0.01	257.62	0.01
R & M Supplies-Other	19,154.44	0.38	19,154.44	0.38
Appliance Repairs & Parts	4,534.62	0.09	4,534.62	0.09
Countertops & Cabinet Replacements - Kitchen	1,145.48	0.02	1,145.48	0.02
Cabinet Repairs & Parts - Kitchen	313.55	0.01	313.55	0.01
Vanity & Medicine Cabinet Replacements - Bath	1,781.24	0.04	1,781.24	0.04
Countertop & Cabinet Replacements - R4R	5,697.12	0.11	5,697.12	0.11
Door Repairs & Hardware	2,658.26	0.05	2,658.26	0.05
Tub, Shower & Sink Resurfacing	920.00	0.02	920.00	0.02
Window Covering Repairs & Cleaning	70.25	0.00	70.25	0.00
Equipment & Tools -New	4,719.18	0.09	4,719.18	0.09
Equipment Supplies	578.37	0.01	578.37	0.01
Parking Lot Repairs	2,471.88	0.05	2,471.88	0.05
Parking Lot R4R	1,902.08	0.04	1,902.08	0.04
Landscaping Supplies	840.13	0.02	840.13	0.02
Alarms & Monitoring	5,425.02	0.11	5,425.02	0.11
Alarms & Monitoring - R4R	109.05	0.00	109.05	0.00
Fire Extinguisher-Supplies	4,967.91	0.10	4,967.91	0.10

Submitted @ mtg

Development	Porter
Financing	Tax Exempt
MSHDA No.	
Step	Notice of Intent to Apply
Date	02/14/2020
Type	Acquisition/Rehab

Mortgage Assumptions:

Debt Coverage Ratio	1.15	
Mortgage Interest Rate	4.625%	
Pay Rate	4.625%	
Mortgage Term	40	years
Income from Operations	Yes	

Instructions

			Per Unit	Total	Initial Inflation Factor	Beginning in Year	Future Inflation Factor
Total Development Income Potential							
Annual Rental Income			8,712	853,776	1.0%	1	2.0%
Annual Non-Rental Income			71	7,000	1.0%	1	2.0%
Total Project Revenue			8,783	860,776			
Total Development Expenses							
						Future Vacancy	
Vacancy Loss	3.00%	of annual rent potential	261	25,613		1	3.0%
Management Fee	534	per unit per year	534	52,332	3.0%	1	3.0%
Administration			1,115	109,260	3.0%	1	3.0%
Project-paid Fuel			286	28,000	3.0%	1	3.0%
Common Electricity			367	36,000	4.0%	1	3.0%
Water and Sewer			1,061	104,000	5.0%	1	5.0%
Operating and Maintenance			765	74,950	3.0%	1	3.0%
Real Estate Taxes			0		5.0%	1	5.0%
Payment in Lieu of Taxes (PILOT)	5.00%	Applied to: All Units	337	33,008			
Insurance			271	26,600	3.0%	1	3.0%
Replacement Reserve	300	per unit per year	300	29,400	3.0%	1	3.0%
Other:			0		3.0%	1	3.0%
Other:			0		3.0%	1	3.0%

	% of Revenue			
Total Expenses	60.31%	**5,298**	**519,163**	
Base Net Operating Income		3,486	341,613	Override
Part A Mortgage Payment	34.51%	3,031	297,054	
Part A Mortgage		**55,197**	**5,409,298**	
Non MSHDA Financing Mortgage Payment		0		
Non MSHDA Financing Type:		**0**		
Base Project Cash Flow (excludes ODR)	5.18%	455	44,558	

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Instructions

TOTAL DEVELOPMENT COSTS		Per Unit	Total	% in Basis	Included in Tax Credit Basis	Included in Historic TC Basis
Acquisition						
Land		6,735	660,000	0%	0	0
Existing Buildings		38,163	3,740,000	100%	3,740,000	0
Other:		0		0%	0	0
	Subtotal	44,898	4,400,000			
Construction/Rehabilitation						
Off Site Improvements		0		100%	0	0
On-site Improvements		0		100%	0	0
Landscaping and Irrigation		0		100%	0	0
Structures		45,000	4,410,000	100%	4,410,000	4,410,000
Community Building and/or Maintenance Facility		0		100%	0	0
Construction not in Tax Credit basis (i.e.Carports and Commercial Space)		0		0%	0	0
General Requirements	% of Contract 6.00% Within Range	2,700	264,600	100%	264,600	264,600
Builder Overhead	% of Contract 1.89% Within Range	900	88,200	100%	88,200	88,200
Builder Profit	% of Contract 5.56% Within Range	2,700	264,600	100%	264,600	264,600
Permits, Bond Premium, Tap Fees, Cost Cert.		898	88,000	100%	88,000	88,000
Other:		0		100%	0	0
	Subtotal	52,198	5,115,400			
	15% of acquisition and $15,000/unit test:		met			
Professional Fees						
Design Architect Fees		1,939	190,000	100%	190,000	190,000
Supervisory Architect Fees		765	75,000	100%	75,000	75,000
Engineering/Survey		102	10,000	100%	10,000	10,000
Legal Fees		1,684	165,000	100%	165,000	165,000
	Subtotal	4,490	440,000			
Interim Construction Costs						
Property & Causalty Insurance		714	70,000	100%	70,000	70,000
Construction Loan Interest	Override	2,495	244,513	15%	36,677	36,677
Title Work		663	65,000	100%	65,000	0
Construction Taxes		561	55,000	100%	55,000	55,000
Other:		0		100%	0	0
	Subtotal	4,434	434,513			
Permanent Financing						
Loan Commitment Fee to MSHDA	2%	1,328	130,186	0%	0	0
Other:		0		0%	0	0
	Subtotal	1,328	130,186			
Other Costs (In Basis)						
Application Fee		674	66,100	100%	66,100	66,100
Market Study		184	18,000	100%	18,000	18,000
Environmental Studies		459	45,000	100%	45,000	45,000
Cost Certification		375	36,750	100%	36,750	36,750
Equipment and Furnishings		107	10,500	100%	10,500	0
Temporary Tenant Relocation		2,100	205,800	100%	205,800	205,800
Construction Contingency		5,130	502,740	100%	502,740	502,740
Appraisal and C.N.A.		236	23,100	100%	23,100	23,100
Other:		0		100%	0	0
	Subtotal	9,265	907,990			
Other Costs (NOT In Basis)						
Start-up and Organization		61	6,000	0%	0	0
Tax Credit Fees (based on 2017 QAP)	25,772 Within Range	261	25,611	0%	0	0
Compliance Monitoring Fee (based on 2017 QAP)		475	46,550	0%	0	0
Marketing Expense		0		0%	0	0
Syndication Legal Fees		459	45,000	0%	0	0
Rent Up Allowance	0.0 months	0	0	0%	0	0
Other:		0		0%	0	0
	Subtotal	1,257	123,161			

Summary of Acquisition Price		As of	TBD
Attributed to Land	660,000	1st Mortgage Balance	1,110,000
Attributed to Existing Structure:	3,740,000	Subordinate Mortgage(s)	
Other:	0	Subordinate Mortgage(s)	
Fixed Price to Seller	4,400,000	Subordinate Mortgage(s)	
		Premium/(Deficit) vs Existing Debt	3,290,000

Construction Loan Term	Months
Construction Contract	12
Holding Period (50% Test)	6
Construction Loan Period	18

Appraised Value	Value As of:
"Encumbered As-Is" value as determined by appraisal:	
Plus 5% of Appraised Value:	0
LESS Fixed Price to the Seller:	4,400,000
Surplus/(Gap) Out of Range	(4,400,000)

Override

		Per Unit	Total	% in Basis	Included in Tax Credit Basis	Included in Historic TC Basis
Project Reserves						
Operating Assurance Reserv	6.0 months Funded in Cas	4,236	415,156	0%	0	0
Replacement Reserve	Required	700	68,600	0%	0	0
Operating Deficit Reserve	Not Required	0	0	0%	0	0
Rent Subsidy Reserve		0	0	0%	0	0
Syndicator Held Reserve		0	0	0%	0	0
Rent Lag Escrow		0	0	0%	0	0
Tax and Insurance Escrows		0	0	0%	0	0
Other:		0		0%	0	0
Other:		0		0%	0	0
	Subtotal	4,936	483,756			
Miscellaneous						
Deposit to Development Operating Account (1MGRF	Required	726	71,148	0%	0	0
Other (Not in Basis):		0	0	0%	0	0
Other (In Basis):		0	0	100%	0	0
Other (In Basis):		0	0	100%	0	0
	Subtotal	726	71,148			
Total Acquisition Costs		44,898	4,400,000			
Total Construction Hard Costs		52,198	5,115,400			
Total Non-Construction ("Soft") Costs		26,436	2,590,754			
Developer Overhead and Fee						
Maximum 1,449,641		14,792	1,449,641	100%	1,449,641	1,449,641
7.5% of Acquisition/Project Reserves	Override		5% Attribution Test		LIHTC Basis	Historic Basis
15% of All Other Development Costs			met			
Total Development Cost		138,324	13,555,795		11,879,708	8,064,208

TOTAL DEVELOPMENT SOURCES		% of TDC	Per Unit	Total
MSHDA Permanent Mortgage		39.90%	55,197	5,409,298
Conventional/Other Mortgage		0.00%	0	0
Equity Contribution from Tax Credit Syndication		26.46%	36,607	3,587,437
MSHDA NSP Funds		0.00%	0	
MSHDA HOME or Housing Trust Funds		0.00%	0	
Mortgage Resource Funds		8.11%	11,224	1,100,000
Other MSHDA:		0.00%	0	
Local HOME		0.00%	0	
Income from Operations		2.46%	3,407	333,925
Other Equity	Historic Tax Credit Equity	6.65%	9,203	901,857
Transferred Reserves:		1.84%	2,551	250,000
Other:	Seller Note	9.21%	12,739	1,248,457
Other:		0.00%	0	
Deferred Developer Fee		5.35%	7,396	724,821
Total Permanent Sources				13,555,795

# of Units	Gap to Hard Debt Ratio
0.00	20%
0.00	

Deferred Dev Fee
50.00%

Sources Equal Uses?	Balanced
Surplus/(Gap)	0

3rd Party Construction Loan	52.00%	71,929	7,049,013
Construction Loan Rate	4.500%		
Repaid from equity prior to final closing			1,639,715

Eligible Basis for LIHTC/TCAP			Value of LIHTC/TCAP		
Acquisition	3,960,000		Acquisition	126,324	
Construction	8,198,927		Construction	261,546	Override
Acquisition Credit %		3.19%	Total Yr Credit	387,870	
Rehab/New Const Credit %		3.19%	Equity Price	$0.9250	
Qualified Percentage		100.00%	Equity Effective Price	$0.9250	Override
QCT/DDA Basis Boost		130%	Equity Contribution	3,587,437	
Historic?		Yes			

Existing Reserve Analysis	
DCE Interest:	
Insurance:	
Taxes:	
Rep. Reserve	250,000
ORC:	
DCE Principal:	
Other:	

Initial Owner's Equity Calculation	
Equity Contribution from Tax Credit Syndication	3,587,437
Brownfield Equity	
Historic Tax Credit Equity	901,857
General Partner Capital Contributions	
Other Equity Sources	
New Owner's Equity	4,489,294

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Amenities Check List

	Ceiling Fan				
	Coat Closet				
	Dishwasher				
	Exterior Storage				
	Frost Free Refridgerator				
	Garbage Disposal				
	Individual Entry				
	Microwave				
x	Mini-blinds				
	Patio/balcany				
x	Self-cleaning oven				
	Walk-in closet				
	Basketball Court				
	Playground				
	Clubhouse				
x	Community room				
x	Computer / Business Center				
x	Elevator				
	Exercise room				
x	On-site management				
	Picnic area				
	Other:				
x	Laundry Type:	Laundry room			
	Air Conditioning:				
x	Security: Lighting				
	Security: Intercom				
	Security: Other				
x	Carport	Fee ($):	$ 30	# of spaces:	55
	Attached Garage	Fee ($):		# of spaces:	
	Detached Garage	Fee ($):		# of spaces:	

Congregate Facilities

	24-hour on-site management
	Activities
x	Emergency Pullcord
	Healthcare services
	Housekeeping
	Activities director
	Library
	Movie theatre
	Transportation services

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Replacement Reserve Analysis

Cost Inflation	103%
RR Period	20

Min. Deposit	68,600
15 Year	0
20 Year	0

Required Initial Deposit **68,600**
Per Unit **700**

Year	Starting Balance	RR Needs	Contribution	Net Annual Change	Interest	Ending Balance
1	68,600		29,400	29,400	2,058	100,058
2	100,058		30,282	30,282	3,002	133,342
3	133,342		31,190	31,190	4,000	168,532
4	168,532		32,126	32,126	5,056	205,715
5	205,715		33,090	33,090	6,171	244,976
6	244,976		34,083	34,083	7,349	286,408
7	286,408		35,105	35,105	8,592	330,105
8	330,105		36,158	36,158	9,903	376,167
9	376,167		37,243	37,243	11,285	424,695
10	424,695		38,360	38,360	12,741	475,796
11	475,796		39,511	39,511	14,274	529,581
12	529,581		40,696	40,696	15,887	586,165
13	586,165		41,917	41,917	17,585	645,667
14	645,667		43,175	43,175	19,370	708,212
15	708,212		44,470	44,470	21,246	**773,929**
16	773,929		45,804	45,804	23,218	842,951
17	842,951		47,178	47,178	25,289	915,418
18	915,418		48,594	48,594	27,463	991,474
19	991,474		50,052	50,052	29,744	1,071,270
20	1,071,270		51,553	51,553	32,138	**1,154,961**

Total Units	98
Interest Rate on Reserves	3%
Year 1 RR Deposits	300
Min Initial Deposit ($700/unit)	68600

Cash Flow Projections

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	Initial Inflator	Starting in Yr	Future Inflator		2022 1	2	3	4	5	6	7	8	9	10
Income														
Annual Rental Income	1.0%	1	2.0%		853,776	870,852	888,269	906,034	924,155	942,638	961,490	980,720	1,000,335	1,020,341
Annual Non-Rental Income	1.0%	1	2.0%		7,000	7,140	7,283	7,428	7,577	7,729	7,883	8,041	8,202	8,366
Total Project Revenue					860,776	877,992	895,551	913,462	931,732	950,366	969,374	988,761	1,008,536	1,028,707
Expenses														
Vacancy Loss	3.0%	1	3.0%		25,613	26,126	26,648	27,181	27,725	28,279	28,845	29,422	30,010	30,610
Management Fee	3.0%	1	3.0%		52,332	53,902	55,519	57,185	58,900	60,667	62,487	64,362	66,293	68,281
Administration	3.0%	1	3.0%		109,260	112,538	115,914	119,391	122,973	126,662	130,462	134,376	138,407	142,560
Project-paid Fuel	3.0%	1	3.0%		28,000	28,840	29,705	30,596	31,514	32,460	33,433	34,436	35,470	36,534
Common Electricity	4.0%	1	3.0%		36,000	37,080	38,192	39,338	40,518	41,734	42,986	44,275	45,604	46,972
Water and Sewer	5.0%	1	5.0%		104,000	109,200	114,660	120,393	126,413	132,733	139,370	146,338	153,655	161,338
Operating and Maintenance	3.0%	1	3.0%		74,950	77,199	79,514	81,900	84,357	86,888	89,494	92,179	94,944	97,793
Real Estate Taxes	5.0%	1	5.0%		0	0	0	0	0	0	0	0	0	0
Payment in Lieu of Taxes (PILOT)					33,008	33,480	33,953	34,426	34,899	35,372	35,843	36,312	36,780	37,244
Insurance	3.0%	1	3.0%		26,600	27,398	28,220	29,067	29,939	30,837	31,762	32,715	33,696	34,707
Replacement Reserve	3.0%	1	3.0%		29,400	30,282	31,190	32,126	33,090	34,083	35,105	36,158	37,243	38,360
Other:	3.0%	1	3.0%		0	0	0	0	0	0	0	0	0	0
Other:	3.0%	1	3.0%		0	0	0	0	0	0	0	0	0	0
Subtotal: Operating Expenses					519,163	536,044	553,517	571,603	590,328	609,714	629,787	650,574	672,102	694,399
Debt Service														
Debt Service Part A					297,054	297,054	297,054	297,054	297,054	297,054	297,054	297,054	297,054	297,054
Debt Service Conventional/Other Financing					0	0	0	0	0	0	0	0	0	0
Total Expenses					816,218	833,099	850,571	868,658	887,382	906,768	926,842	947,629	969,156	991,454
Cash Flow/(Deficit)					44,558	44,893	44,980	44,805	44,350	43,598	42,532	41,132	39,380	37,253
Cash Flow Per Unit					455	458	459	457	453	445	434	420	402	380
Debt Coverage Ratio on Part A Loan					1.15	1.15	1.15	1.15	1.15	1.15	1.14	1.14	1.13	1.13
Debt Coverage Ratio on Conventional/Other Financing					N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Interest Rate on Reserves	3%				Average Cash Flow as % of Net Income									
Operating Deficit Reserve (ODR) Analaysis														
Maintained Debt Coverage Ratio (Hard Debt)	1.00													
Maintained Operating Reserve (No Hard Debt)	250			Initial Deposit										
Initial Balance				7,047	7,047	7,258	7,476	7,700	7,931	8,189	8,414	8,667	8,927	9,194
Total Annual Draw to achieve 1.0 DCR					0	0	0	0	0	0	0	0	0	0
Total Annual Deposit to achieve Maintained DCR					(0)	0	0	0	0	0	0	0	0	0
Total 1.0 DCR and Maintained DCR					(0)	0	0	0	0	0	0	0	0	0
Interest					211	218	224	231	238	245	252	260	268	276
Ending Balance at Maintained DCR					7,258	7,476	7,700	7,931	8,169	8,414	8,667	8,927	9,194	9,470
Maintained Cash Flow Per Unit					455	458	459	457	453	445	434	420	402	380
Maintained Debt Coverage Ratio on Part A Loan					1.15	1.15	1.15	1.15	1.15	1.15	1.14	1.14	1.13	1.13
Maintained Debt Coverage Ratio on Conventional/Other					N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Standard ODR				0										
Non-standard ODR				7,047										
Operating Assurance Reserve Analysis				408,109										
Required in Year:	1			Initital Deposit										
Initial Balance				408,109	408,109	420,352	432,963	445,952	459,330	473,110	487,303	501,922	516,980	532,490
Interest Income					12,243	12,611	12,989	13,379	13,780	14,193	14,619	15,058	15,509	15,975
Ending Balance					420,352	432,963	445,952	459,330	473,110	487,303	501,922	516,980	532,490	548,464
Deferred Developer Fee Analysis														
Initial Balance					724,821	680,263	635,370	590,389	545,585	501,235	457,637	415,105	373,973	334,593
Dev Fee Paid					44,558	44,893	44,980	44,805	44,350	43,598	42,532	41,132	39,380	37,253
Ending Balance	Repaid in yı #N/A				680,263	635,370	590,389	545,585	501,235	457,637	415,105	373,973	334,593	297,339
Mortgage Resource Fund Loan														
Interest Rate on Subordinate Financing	3%			Initial Balance										
Principal Amount of all MSHDA Soft Funds				1,100,000	1,100,000	1,100,000	1,100,000	1,100,000	1,100,000	1,100,000	1,100,000	1,100,000	1,100,000	1,100,000
Current Yr Int					33,000	33,000	33,000	33,000	33,000	33,000	33,000	33,000	33,000	33,000
Accrued Int					0	33,000	66,000	99,000	132,000	165,000	198,000	231,000	264,000	297,000
Subtotal				% of Cash Flow	1,133,000	1,166,000	1,199,000	1,232,000	1,285,000	1,298,000	1,331,000	1,364,000	1,397,000	1,430,000
Annual Payment Due				50%	0	0	0	0	0	0	0	0	0	0
Year End Balance					1,133,000	1,166,000	1,199,000	1,232,000	1,265,000	1,298,000	1,331,000	1,364,000	1,397,000	1,430,000

Cash Flow Projections

	Initial Inflator	Starting in Yr	Future Inflator		11	12	13	14	15	16	17	18	19	20
Income														
Annual Rental Income	1.0%	1	2.0%		1,040,748	1,061,563	1,082,794	1,104,450	1,126,539	1,149,070	1,172,051	1,195,493	1,219,402	1,243,790
Annual Non-Rental Income	1.0%	1	2.0%		8,533	8,704	8,878	9,055	9,236	9,421	9,609	9,802	9,998	10,198
Total Project Revenue					1,049,281	1,070,267	1,091,672	1,113,506	1,135,776	1,158,491	1,181,661	1,205,294	1,229,400	1,253,988
Expenses														
Vacancy Loss	3.0%	1	3.0%		31,222	31,847	32,484	33,134	33,796	34,472	35,162	35,865	36,582	37,314
Management Fee	3.0%	1	3.0%		70,330	72,440	74,613	76,851	79,157	81,532	83,977	86,497	89,092	91,764
Administration	3.0%	1	3.0%		146,836	151,241	155,779	160,452	165,266	170,224	175,330	180,590	186,008	191,588
Project-paid Fuel	3.0%	1	3.0%		37,630	38,759	39,921	41,119	42,353	43,623	44,932	46,280	47,668	49,098
Common Electricity	4.0%	1	3.0%		48,381	49,832	51,327	52,867	54,453	56,087	57,769	59,503	61,288	63,126
Water and Sewer	5.0%	1	5.0%		169,405	177,875	186,769	196,108	205,913	216,209	227,019	238,370	250,288	262,803
Operating and Maintenance	3.0%	1	3.0%		100,727	103,748	106,861	110,067	113,369	116,770	120,273	123,881	127,597	131,425
Real Estate Taxes	5.0%	1	5.0%		0	0	0	0	0	0	0	0	0	0
Payment in Lieu of Taxes (PILOT)					37,706	38,162	38,615	39,061	39,501	39,934	40,358	40,774	41,179	41,572
Insurance	3.0%	1	3.0%		35,748	36,821	37,925	39,063	40,235	41,442	42,685	43,966	45,285	46,643
Replacement Reserve	3.0%	1	3.0%		39,511	40,696	41,917	43,175	44,470	45,804	47,178	48,594	50,052	51,553
Other:	3.0%	1	3.0%		0	0	0	0	0	0	0	0	0	0
Other:	3.0%	1	3.0%		0	0	0	0	0	0	0	0	0	0
Subtotal: Operating Expenses					717,496	741,422	766,211	791,896	818,512	646,095	874,684	904,318	935,038	966,888
Debt Service														
Debt Service Part A					297,054	297,054	297,054	297,054	297,054	297,054	297,054	297,054	297,054	297,054
Debt Service Conventional/Other Financing					0	0	0	0	0	0	0	0	0	0
Total Expenses					1,014,550	1,038,477	1,063,266	1,088,951	1,115,566	1,143,150	1,171,739	1,201,372	1,232,093	1,263,942
Cash Flow/(Deficit)					34,731	31,790	28,407	24,555	20,209	15,341	9,922	3,922	(2,692)	(9,954)
Cash Flow Per Unit					354	324	290	251	206	157	101	40	(27)	(102)
Debt Coverage Ratio on Part A Loan					1.12	1.11	1.10	1.08	1.07	1.05	1.03	1.01	0.99	0.97
Debt Coverage Ratio on Conventional/Other Financing					N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Interest Rate on Reserves	3%													
Operating Deficit Reserve (ODR) Analaysis														
Maintained Debt Coverage Ratio (Hard Debt)	1.00													
Maintained Operating Reserve (No Hard Debt)	250			Initial Deposit										
Initial Balance				7,047	9,470	9,754	10,047	10,348	10,659	10,979	11,308	11,647	11,997	9,664
Total Annual Draw to achieve 1.0 DCR					0	0	0	0	0	0	0	0	(2,692)	(9,954)
Total Annual Deposit to achieve Maintained DCR					0	0	0	0	0	0	0	0	0	0
Total 1.0 DCR and Maintained DCR					0	0	0	0	0	0	0	0	(2,692)	(9,954)
Interest					284	293	301	310	320	329	339	349	360	290
Ending Balance at Maintained DCR					9,754	10,047	10,348	10,659	10,979	11,308	11,647	11,997	9,664	(0)
Maintained Cash Flow Per Unit					354	324	290	251	206	157	101	40	0	0
Maintained Debt Coverage Ratio on Part A Loan					1.12	1.11	1.10	1.08	1.07	1.05	1.03	1.01	1.00	1.00
Maintained Debt Coverage Ratio on Conventional/Other					N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Standard ODR				0										
Non-standard ODR				7,047										
Operating Assurance Reserve Analysis				408,109										
Required in Year:	1			Initial Deposit										
Initial Balance				408,109	548,464	564,918	581,866	599,322	617,301	635,820	654,895	674,542	694,778	715,621
Interest Income					16,454	16,948	17,456	17,980	18,519	19,075	19,647	20,236	20,843	21,469
Ending Balance					564,918	581,866	599,322	617,301	635,820	654,895	674,542	694,778	715,621	737,090
Deferred Developer Fee Analysis														
Initial Balance					297,339	262,608	230,818	202,412	177,857	157,648	142,306	132,384	128,462	128,462
Dev Fee Paid					34,731	31,790	28,407	24,555	20,209	15,341	9,922	3,922	FALSE	FALSE
Ending Balance	Repaid in yı #N/A				262,608	230,818	202,412	177,857	157,648	142,306	132,384	128,462	128,462	128,462
Mortgage Resource Fund Loan														
Interest Rate on Subordinate Financing	3%			Initial Balance										
Principal Amount of all MSHDA Soft Funds				1,100,000	1,100,000	1,100,000	1,100,000	1,100,000	1,100,000	1,100,000	1,100,000	1,100,000	1,100,000	1,100,000
Current Yr Int					33,000	33,000	33,000	33,000	33,000	33,000	33,000	33,000	33,000	33,000
Accrued Int					330,000	363,000	396,000	429,000	462,000	495,000	528,000	561,000	594,000	627,000
Subtotal				% of Cash Flow	1,463,000	1,496,000	1,529,000	1,562,000	1,595,000	1,628,000	1,661,000	1,694,000	1,727,000	1,760,000
Annual Payment Due				50%	0	0	0	0	0	0	0	0	0	0
Year End Balance					1,463,000	1,496,000	1,529,000	1,562,000	1,595,000	1,628,000	1,661,000	1,694,000	1,727,000	1,760,000

Lansing Police Department

Central Records/Freedom of Information
120 West Michigan Avenue
Lansing, MI 48933
Phone: (517) 483-4690
Fax: (517) 483-4688

Andy Schor, Mayor

Daryl Green, Chief

Fire and Police Calls for Service for 505 Townsend St

January 1, 2017 to March 9, 2020

Lansing Fire Department Calls by Year and Type (2017-2019 full year; 2020 through March 9)

Call Type	Year				Row Totals
Lansing Fire	**2017**	**2018**	**2019**	**2020**	
CITAST- fallen and can't get up			3		**3**
FALARM- fire alarm			1		**1**
FMAJOR- commercial bldg fire				1	**1**
MED - start emd	2	18	2		**22**
MEDIC- medical response		4			**4**
MEDICA- alpha response		12			**12**
MEDICB- bravo response	1	1			**2**
MEDICC- charlie response		11	1		**12**
MEDICD- delta response		17	3		**20**
MEDICE- echo response		1			**1**
Lansing Fire Response Totals	**3**	**64**	**10**	**1**	**78**

Lansing Police Department Calls by Year and Type (2017-2019 full year; 2020 through March 9)

Call Type	Year				Row Totals
Lansing Police	**2017**	**2018**	**2019**	**2020**	
ADMIN- administrative call			1		**1**
ALARMH- hold up alarm			1		**1**
ALARMO- other alarm		2			**2**
ASSAULT- assault complaint	5	4	4		**13**
ATL- attempt to locate		1			**1**
BURG- home invasion/B&E	4	2	1		**7**
COMMTG- community meeting	1	2			**3**
CSC- sexual asslt	1		1		**2**
DOA- deceased subject		5	1		**6**
DOMES- domestic assault	3	2	1		**6**
DRUGS- suspected drug activit	5	2	2		**9**
FIGHT- fight	7	4	7	1	**19**
FIREL- police assist on fire	1	1		1	**3**

Call Type	Year				Row Totals
Lansing Police	2017	2018	2019	2020	
FOLLOW- followup	14	10	11	1	**36**
FOOT- foot patrol	1				**1**
FRAUD - fraud		3	1		**4**
HARASS- harassment	6	2	1		**9**
HITRUN- hit and run accident			1		**1**
JUVIE- juvenile complaint			1		**1**
LARCEN - larceny	6	8	5		**19**
MDOP- mal. dest. property	5	3	1		**9**
MEDICL- police asst on medical	10	14	11	3	**38**
MISSIN- missing person		2			**2**
NEIGHBOR- neighbor complaint	1	1			**2**
NOISE- noise complaint	4	3	5	1	**13**
OBSCEN- obscenity complaint		3			**3**
OIWARRANT- ofcr init warr pu	1				**1**
PARK- parking complaint	1	1			**2**
PASST- police assist	3	1	2		**6**
PEACE- peace officer			1		**1**
PPO- personal protection order	2	5	5		**12**
PPPDA- Private Prop accident	1		1		**2**
PRT- person requiring treatment	1	3	2		**6**
PUPROP- pick up property		1			**1**
SECUR- check security of bldg	2				**2**
SHOTS- shots fired	3	1			**4**
STALK- stalking complaint	4				**4**
SUBJDOWN- subject down		2			**2**
SUICID- suicidal subject	2	1			**3**
SUSPER- suspicious person	20	20	15		**55**
SUSSIT- suspicious situation	3	3	2		**8**
SUSVEH- suspicious vehicle	6	7	5		**18**
TBLSUB- trblsom subj no asslt	20	7	12		**39**
THREAT- threats complaint	8	3	5		**16**
TRASH- illegal dumping complaint			1		**1**
TRESP- trespassing complaint	9	5	7		**21**
TSTOP- traffic stop		1			**1**
UDAA - stolen auto			1		**1**
UNKTBL- unknown trouble	7	3			**10**
UNWANT- unwanted guest	32	17	25		**74**
UTIL- utility complaint	1				**1**
VPC- visual/vacation prop chk	1	2			**3**

Call Type	Year				Row Totals
Lansing Police	**2017**	**2018**	**2019**	**2020**	
WARRANT- warrant pick up	2		1		**3**
WEAPON- incident inv a weapon	4	3	2		**9**
WELFAR- check welfare	32	27	30	3	**92**
Lansing Police Response Totals	**239**	**187**	**173**	**10**	**609**

Total Calls for Service for Police and Fire

Year	2017	2018	2019	2020	Total
Police and Fire	**242**	**251**	**183**	**11**	**687**

PORTER SENIOR APPARTMENTS
ANSWERS TO QUESTIONS ABOUT PILOT

1. Council Member Garza then inquired into past ownership since the applicants just purchased 15 years earlier, and what those previous owners spent.
   This building was bought out of foreclosure and there for the historical information is extremely limited. We are not aware of any previous owner expenses, but we do know that the building has not undergone a major rehab for quite some time - this is a very old building that needs the significant upgrades in order to preserve the useful life into the foreseeable future.

2. Council Member Betz asked if the 5% is going to be able to cover the cost of the public services.
   We are waiting on information from the City re: this question; however, our proposed municipal fee agreement was meant to alleviate this concern.

   Development Office Note: the administration does not support a separate municipal fee agreement. In further answer, this question does not lend itself to a ready answer in that it's not possible to determine the cost of "public services" on an individual or unit basis.

3. Council Member Betz aske about 5 C. and 5 D. in the proposed PILOT ordinance; "if requested can get proof" and asked it to be changed to state "if requested SHALL get proof".
   I believe you are referring to Sec 1.C.5.C and 1.C.5.D, in which "shall" is a part of these sections as it is prefaced in Sec 1.C. If not, please clarify but, we are an open book, and as a reminder, audited annually by the federal government.

4. Council Member Betz asked it to address the use of prevailing wage.
   The Ordinance includes a Prevailing Wage requirement in Sec 1.C.5.D.

5. Council Member Betz asked for the number of low-income tenants.
   All units will be restricted to 60% AMI or less. At the time of this email, over 90% of tenants are at or below 30% AMI, which speaks to the dire need for affordable housing in this community as well as the vulnerable population that this building serves.. All current residents will continue to qualify for housing at their current income rates.

6. Council Member Hussain asked if they back out the utilities from the percentage.
   Yes, per the statute.

7. Council Member Betz asked a request be relayed to the owner that they present what the number is that they will use, and if the number it is based on what number will be and what is the 4% net the City and what will the 5% be.

   The proposed net income less utilities is approximately $667,000. Below is an outline of the various tax outcomes and their impact on debt to financing the project.

PILOT	*Tax*	*Leverageable Debt*
4%	*$26,680*	*$5,515,000*
5%	*$33,350*	*$5,400,000*
10%	*$66,700*	*$4,800,000*

   With the 4% PILOT, we'd be able to finance more upgrades for the building. All of this money will go directly to benefit the building and its residents as it allows us to leverage private funds to renovate the property at the highest level we can.

8. Council Member Spitzley asked if the Porter tenants are required to pay their utilities.

   Tenants pay their electric bill, which is covered by the utility allowance from HUD. The Owner pays all other utilities and common area electric. The largest energy consumption and cost at the building relates to the steam utility (paid by the owner), which has extreme variance in cost, making it nearly impossible for the Owner to plan major capital expenditures and improvements at the building. Part of our proposed development would be to improve the efficiency of this utility through extensive repairs and replacements of the current system (last estimate to replace the steam system was $850,000 which was over 7 years ago - construction costs have gone up approximately 20-30% since then).

9. The Committee asked when the last rental inspection was, when the rental certificate expires, and what it was written up for on the last inspection.

   Porter Apartment's last Rental Inspection was 7/25/2019 and all corrective action was taken prior to the compliance due date. A copy of the Rental Inspection is attached. The majority of defects in our inspection were issued as a result of residential smoke detectors having been manipulated by the residents. Part of our renovation would include protection for smoke alarms so that they could not be manipulated by tenants as well as converting the units to smoke-free.

10. Council Member Hussain also asked for the number of calls-for-service in the last 3 years at the property, and if the 5% cover the service charges.

    Please see our response to Council Member Betz's question above and let us know if we can provide any further information.

11. Council Member Hussain asked them to ask the owners to provide details on what they have been doing with the 96% profit since they have had a 4% PILOT for the last 40 years.

To clarify, the PILOT is a mechanism reducing property tax to be proportional to gross rental income. An extension of the PILOT would allow us to fix the tax expense proportionate to real income, which would allow us to further leverage the property for increased renovation. As it stands, the current owner inherited the PILOT which has allowed it to keep the property running using preventative maintenance. We believe it is time to start replacing components as opposed to fixing.

As for details on activities, we purchased Porter Apartments out of foreclosure 15 years ago, so we are unable to speak to the previous owners activities. However, we can say that our operational issues have been present since we took ownership of the building. As to our activities since taking ownership, we have continued to maintain and manage the building's immediate needs while maintaining required reserves ($1000/door) and for the last couple periods, distributing 2-3% to investors annually. In our proforma, you will see our proposed use of existing reserves for a tax credit renovation, but if it does not go forward, we intend to use these reserves for a ramp replacement ($55,000) and various capital expenditures and repair work on a smaller scale as we attempt to continue to extend the existing life of the building. If we obtain the PILOT and our rehab project moves forward, a sale will occur to a tax credit partnership.

12. Council Member Betz asked what the applicants will do if they do not get the PILOT.

    Without the PILOT, the rehab project is unviable and we will forego the redevelopment. We are asking for this PILOT in order to effectuate a tax credit renovation, which will rehab the entire building, bring the standard of living up for residents, preserve the building's affordability for the next 30 years, and keep tenants in place. We, as owner/developers, are proposing to contribute approximately $2,500,000 to this project through a combination of funds (seller proceeds, deferred developer fee, existing reserves, and building income). The tax credit program is lauded for its leveraging of private and public sources to build and preserve affordable housing nationwide. Without the PILOT, we cannot leverage enough debt to have significant enough renovation to make a tax credit transaction viable to extend the life of this historic building.

13. Council Member Betz asked them if they could trim back on some of the items.

    Reducing our scope of work and the development budget directly impacts the amount of tax credits generated, and with fewer tax credits, the market for tax credit investors shrinks as does the amount of their investment. Additionally, this building has not undergone a major renovation since it was converted to housing and it needs the proposed scope to maximize its useful life. Once the credit transaction occurs, the *building will not be eligible for another credit transaction for at least 15 years so it is imperative that this scope is as comprehensive as possible.*

14. Council Member Garza asked the owners to bring details on the revenue, less the expenses over the last couple years, compared to the profit.

    We would be happy to share this information and will bring to the council meeting. Please note that this PILOT would ONLY effectuate if the NEW owner is successful in obtaining tax credits. In other words, the PILOT extension would not benefit the previous owner but only the owner performing the credit renovation. Although there is an overlap in the operating company (CCI), the underlying investors will completely change.

15. Council Member Spitzley asked the applicant to provide a performance sheet, and respond to the other questions before the hearing so Council can review.

    Please clarify - if requesting a proforma, please see attached.

I. Development Types

New Construction	*Newly developed property, building from the ground up.*
Adaptive Reuse	*Changing development from existing non-residential use to hous*
Acquisition/Rehabilitation	*Acquiring and developmenting market-rate housing to affordable*
Preservation - LIHTC	*Preservation of a Low Income Housing Tax Credit development* (i.e. Section 8, Section 236, Section 202, or RD).*
Preservation - Subsidized	*Preservation of a property receiving a federal subsidy (i.e. Sectio*

II. Financing Types

Taxable	*Developments that have received a 9% LIHTC award from MSH financing from MSHDA.*
Tax-Exempt	*Developments that are applying for a 4% LIHTC must receive "T*
Support Housing	*Developments that only apply for "Support Housing" assistance*
Conventional	*Typically developments that only apply for Federal funding from from a "Conventional" source.*

III. Financing Steps

See Parameters *click here*

IV. Acronyms

MSHDA	*Michigan State Housing Development Authority*
QAP	Qualified Allocation Plan *click here*
AM	*Asset Management*
C.N.A.	*Capital Needs Assessment*
TDC	*Total Development Cost*
DDF	*Deferred Developer Fee*
IRP	*Interest Reduction Payment*
HAP	*Housing Assistance Payment*
RAP	*Rental Assistance Payment*
ACC	*Annual Contributions Contract*
AMI	*Area Median Income*

ing.

.

that does not receive a federal subsidy

on 8, Section 236, Section 202, or RD).

DA can only apply for "Taxable"

ax-Exempt" financing from MSHDA.

from MSHDA.

MSHDA and have permanent financing

Economic Development & Planning
Code Enforcement Office

316 N. Capitol Ave Lansing, MI 48933-1238
(517) 483-4361 FAX (517) 377-0100

n

Notice Printed: July 25, 2019

Rental Inspection Sign and Return Notice

PORTER APARTMENTS
4530 E THOUSAND OAKS BLVD STE 100
WESTLAKE VILLAGE, CA 91362-3897

Inspection Type:	Rental
Inspection Date:	07/25/2019
Compliance Due Date:	08/24/2019

Warning: ***Failure to comply with the requirements of this notice may result in the issuance of a Municipal Civil Infraction Violation Ticket. (Fines: $500 per day for each violation)***

Violation Location:	505 TOWNSEND ST
Parcel No:	33-01-01-16-380-073

The above referenced address was found to have certain violations of the Lansing Housing and Premises Code, Chapter 107 of the Code of Ordinances. **The violations are listed below and must be corrected by the compliance due date**.

BUILDING: 1
AREA: Basement
Sec 504.1 Water heater installed. Permit for water heater installation has not been issued and lacks inspection and approval by the City of Lansing Plumbing Inspector. You must have a licensed plumbing contractor pull a plumbing permit, check the installation, make any corrections and then; contact Building Safety at 483-4355 for final inspection and approval.

INSPECTOR COMMENTS: ***2 HTP water heaters***

Sec 304.15 All windows and exterior doors, including storm windows and doors, shall be weather-tight and in good repair. During the months of May through October, every opening directly from a dwelling unit to outdoor space shall have supplied screens and self-closing device, and every window or door with openings to outdoor space, used or could be used for ventilation, shall likewise be supplied with screens. All screen doors and screens shall be in good repair.

A complete inspection of this multi-unit building was done and the following violations were found:

INSPECTOR COMMENTS: ***be sure to submit all fire supression reports and elevator reports and inclued any other reports that might be ralavant Thanks Mike***

UNIT: 102

Sec 704.2 Lack of operational smoke detector at ceiling or walls outside each separate sleeping area, in each room used for sleeping purposes, on each story, including basement and cellars.

UNIT: 103
Dwelling unit(s) #   is being remodeled and or updated. All repairs and improvements must be completed before this unit can be reoccupied. NOTE: Some corrections may require mechanical, plumbing, electrical, demolition or building permits from The Building Safety Office. You can call (517-483-4355) to determine if State Law requires a permit for your particular repair / correction.

UNIT: 105
SEC 305.3 Plaster / Gypsum board at ceiling / wall is damaged / loose

INSPECTOR COMMENTS: *living room*

SEC 305.3 Peeling, chipping, flaking, or abraded paint on interior surfaces of a structure must be properly removed or covered.

UNIT: 108
Sec 704.2 Lack of operational smoke detector at ceiling or walls outside each separate sleeping area, in each room used for sleeping purposes, on each story, including basement and cellars.

INSPECTOR COMMENTS: *check all smoke alarms*

UNIT: 112
Dwelling unit(s) #   is being remodeled and or updated. All repairs and improvements must be completed before this unit can be reoccupied. NOTE: Some corrections may require mechanical, plumbing, electrical, demolition or building permits from The Building Safety Office. You can call (517-483-4355) to determine if State Law requires a permit for your particular repair / correction.

UNIT: 114
Sec 704.2 Lack of operational smoke detector at ceiling or walls outside each separate sleeping area, in each room used for sleeping purposes, on each story, including basement and cellars.

INSPECTOR COMMENTS: *check all smoke alarms*

UNIT: 115
SEC 305.3 Plaster / Gypsum board at ceiling / wall is damaged / loose

INSPECTOR COMMENTS: *bathroom*

SEC 305.3 Peeling, chipping, flaking, or abraded paint on interior surfaces of a structure must be properly removed or covered.

INSPECTOR COMMENTS: *bathroom*

UNIT: 201
Sec 704.2 Lack of operational smoke detector at ceiling or walls outside each separate sleeping area, in each room used for sleeping purposes, on each story, including basement and cellars.

INSPECTOR COMMENTS: *check all smoke alarms*

UNIT: 202
Dwelling unit(s) #   is being remodeled and or updated. All repairs and improvements must be completed before this unit can be reoccupied. NOTE: Some corrections may require mechanical, plumbing, electrical, demolition or building permits from The Building Safety Office. You can call (517-483-4355) to determine if State Law requires a permit for your particular repair / correction.

UNIT: 203
Sec 704.2 Lack of operational smoke detector at ceiling or walls outside each separate sleeping area, in each room used for sleeping purposes, on each story, including basement and cellars.

UNIT: 207
Sec 704.2 Lack of operational smoke detector at ceiling or walls outside each separate sleeping area, in each room used for sleeping purposes, on each story, including basement and cellars.

UNIT: 208
Sec 704.2 Lack of operational smoke detector at ceiling or walls outside each separate sleeping area, in each room used for sleeping purposes, on each story, including basement and cellars.

UNIT: 209
Sec 309.1 Infestation of insects / vermin / rodents inside the dwelling. Certified Pest Controller required for extermination and to provide written verification to the Code Compliance Officer

UNIT: 213
Dwelling unit(s) #   is being remodeled and or updated. All repairs and improvements must be completed before this unit can be reoccupied. NOTE: Some corrections may require mechanical, plumbing, electrical, demolition or building permits from The Building Safety Office. You can call (517-483-4355) to determine if State Law requires a permit for your particular repair / correction.

UNIT: 214
Sec 704.2 Lack of operational smoke detector at ceiling or walls outside each separate sleeping area, in each room used for sleeping purposes, on each story, including basement and cellars.

INSPECTOR COMMENTS: *check all smoke alarms*

UNIT: 215
Sec 504.1 Garbage disposer is inoperable/installed improperly.

Sec 309.1 Infestation of insects / vermin / rodents inside the dwelling. Certified Pest Controller required for extermination and to provide written verification to the Code Compliance Officer

UNIT: 303
SEC 305.3 Plaster / Gypsum board at ceiling / wall is damaged / loose

Sec 504.1 Toilet is loose at connection to floor / tank lid is broken or missing / flush mechanism is defective.

UNIT: 304
SEC 305.3 Peeling, chipping, flaking, or abraded paint on interior surfaces of a structure must be properly removed or covered.
INSPECTOR COMMENTS: ***tub***

UNIT: 305
Sec 704.2 Lack of operational smoke detector at ceiling or walls outside each separate sleeping area, in each room used for sleeping purposes, on each story, including basement and cellars.
INSPECTOR COMMENTS: ***hall***

SEC 305.3 Plaster / Gypsum board at ceiling / wall is damaged / loose
INSPECTOR COMMENTS: ***bedroom***

UNIT: 306
Sec 605.3 Light fixtures missing - inadequate.
INSPECTOR COMMENTS: ***not working in hall***

UNIT: 307
Dwelling unit(s) #   is being remodeled and or updated. All repairs and improvements must be completed before this unit can be reoccupied. NOTE: Some corrections may require mechanical, plumbing, electrical, demolition or building permits from The Building Safety Office. You can call (517-483-4355) to determine if State Law requires a permit for your particular repair / correction.

UNIT: 308
Sec 704.2 Lack of operational smoke detector at ceiling or walls outside each separate sleeping area, in each room used for sleeping purposes, on each story, including basement and cellars.
INSPECTOR COMMENTS: ***check all smoke alarms***

UNIT: 309
Sec 605.3 Light fixtures missing - inadequate.
INSPECTOR COMMENTS: ***missing globes***

UNIT: 310
Dwelling unit(s) #   is being remodeled and or updated. All repairs and improvements must be completed before this unit can be reoccupied. NOTE: Some corrections may require mechanical, plumbing, electrical, demolition or building permits from The Building Safety Office. You can call (517-483-4355) to determine if State Law requires a permit for your particular repair / correction.

UNIT: 312
Sec 605.3 Light fixtures missing - inadequate.
INSPECTOR COMMENTS: ***missing globes***

UNIT: 313
Sec 704.2 Lack of operational smoke detector at ceiling or walls outside each separate sleeping area, in each room used for sleeping purposes, on each story, including basement and cellars.

Sec 504.1 Garbage disposer is inoperable/installed improperly.

UNIT: 316
Sec 704.2 Lack of operational smoke detector at ceiling or walls outside each separate sleeping area, in each room used for sleeping purposes, on each story, including basement and cellars.

UNIT: 401
Sec 605.3 Light fixtures missing - inadequate.
INSPECTOR COMMENTS: *missing globes*

UNIT: 402
Sec 605.3 Light fixtures missing - inadequate.
INSPECTOR COMMENTS: *missing globes*

UNIT: 403
Sec 704.2 Lack of operational smoke detector at ceiling or walls outside each separate sleeping area, in each room used for sleeping purposes, on each story, including basement and cellars.
INSPECTOR COMMENTS: *check all smoke alarms*

UNIT: 406
Sec 309.1 Infestation of insects / vermin / rodents inside the dwelling. Certified Pest Controller required for extermination and to provide written verification to the Code Compliance Officer
INSPECTOR COMMENTS: *bed bugs*

UNIT: 408
Sec 309.1 Infestation of insects / vermin / rodents inside the dwelling. Certified Pest Controller required for extermination and to provide written verification to the Code Compliance Officer
INSPECTOR COMMENTS: *bed bugs*

UNIT: 412
SEC 305.3 Plaster / Gypsum board at ceiling / wall is damaged / loose
INSPECTOR COMMENTS: *in bathroom*

UNIT: 416
Sec 704.2 Lack of operational smoke detector at ceiling or walls outside each separate sleeping area, in each room used for sleeping purposes, on each story, including basement and cellars.
INSPECTOR COMMENTS: *bedroom*

UNIT: 501
Sec 504.1 Clogged drain at the bathtub/sink

Sec 305.3 Countertop in kitchen - bathroom is deteriorated - damaged - lacks nonabsorbent capacity.

Sec 308.1 Accumulation of trash - debris - combustibles - feces - soiled clothing - deteriorated furniture - deteriorated appliances throughout the dwelling - in basement - in garage - in yard

UNIT: 502
Dwelling unit(s) # is being remodeled and or updated. All repairs and improvements must be completed before this unit can be reoccupied. NOTE: Some corrections may require mechanical, plumbing, electrical, demolition or building permits from The Building Safety Office. You can call (517-483-4355)

to determine if State Law requires a permit for your particular repair / correction.

UNIT: 503
Sec 309.1 Infestation of insects / vermin / rodents inside the dwelling. Certified Pest Controller required for extermination and to provide written verification to the Code Compliance Officer
INSPECTOR COMMENTS: *bed bugs*

UNIT: 504
Sec 704.2 Lack of operational smoke detector at ceiling or walls outside each separate sleeping area, in each room used for sleeping purposes, on each story, including basement and cellars.
INSPECTOR COMMENTS: *check all smoke alarms*

UNIT: 506
Sec 704.2 Lack of operational smoke detector at ceiling or walls outside each separate sleeping area, in each room used for sleeping purposes, on each story, including basement and cellars.

UNIT: 507
Sec 504.1 Garbage disposer is inoperable/installed improperly.

UNIT: 508
Sec 605.3 Light fixtures missing - inadequate.
INSPECTOR COMMENTS: *missing globes*

UNIT: 510
Sec 504.1 Garbage disposer is inoperable/installed improperly.

UNIT: 513
Sec 309.1 Infestation of insects / vermin / rodents inside the dwelling. Certified Pest Controller required for extermination and to provide written verification to the Code Compliance Officer
INSPECTOR COMMENTS: *bed bugs*

UNIT: 515
Sec 704.2 Lack of operational smoke detector at ceiling or walls outside each separate sleeping area, in each room used for sleeping purposes, on each story, including basement and cellars.
INSPECTOR COMMENTS: *hall*

UNIT: 601
Sec 309.1 Infestation of insects / vermin / rodents inside the dwelling. Certified Pest Controller required for extermination and to provide written verification to the Code Compliance Officer
INSPECTOR COMMENTS: *bed bugs*

UNIT: 602
Sec 605.3 Light fixtures missing - inadequate.
INSPECTOR COMMENTS: *missing globes*

UNIT: 603
Sec 504.1 Garbage disposer is inoperable/installed improperly.

Sec 506.1 Waste pipe is clogged - not approved material - improperly sloped uphill.

INSPECTOR COMMENTS: *dissconnected under sink*

UNIT: 606
Sec 704.2 Lack of operational smoke detector at ceiling or walls outside each separate sleeping area, in each room used for sleeping purposes, on each story, including basement and cellars.
INSPECTOR COMMENTS: *check all smoke alarms*

UNIT: 607
Sec 704.2 Lack of operational smoke detector at ceiling or walls outside each separate sleeping area, in each room used for sleeping purposes, on each story, including basement and cellars.
INSPECTOR COMMENTS: *check all smoke alarms*

UNIT: 608
Sec 704.2 Lack of operational smoke detector at ceiling or walls outside each separate sleeping area, in each room used for sleeping purposes, on each story, including basement and cellars.
INSPECTOR COMMENTS: *did not enter sick person*

UNIT: 610
Sec 605.3 Light fixtures missing - inadequate.
INSPECTOR COMMENTS: *missing globes*

SEC 305.3 Peeling, chipping, flaking, or abraded paint on interior surfaces of a structure must be properly removed or covered.
INSPECTOR COMMENTS: *tub needs to be refinished*

UNIT: 612
Sec 504 Cabinet floor is deteriorated at sink - vanity.

UNIT: 613
Sec 704.2 Lack of operational smoke detector at ceiling or walls outside each separate sleeping area, in each room used for sleeping purposes, on each story, including basement and cellars.
INSPECTOR COMMENTS: *check all smoke alarms*

UNIT: G115
Sec 604.3 Cover plates missing and or damaged at outlets - switches.

UNIT: G14
Dwelling unit(s) # is being remodeled and or updated. All repairs and improvements must be completed before this unit can be reoccupied. NOTE: Some corrections may require mechanical, plumbing, electrical, demolition or building permits from The Building Safety Office. You can call (517-483-4355) to determine if State Law requires a permit for your particular repair / correction.

UNIT: g16
Sec 704.2 Lack of operational smoke detector at ceiling or walls outside each separate sleeping area, in each room used for sleeping purposes, on each story, including basement and cellars.

This dwelling has been declared to have violations Of the Lansing Housing Code defined in section 107 of the Lansing Housing and Premises Code. If vacant, or should it become vacant before all repairs are completed, then it shall remain vacant until this office has approved all corrections.

Failure to comply by the compliance due date may result in the issuance of a Municipal Civil Infraction Violation with **Fines: $500 per day for each violation and may result in the property being vacated by this office.**

The Owner or agent must complete, sign and return affidavit.

I certify that all violations have been corrected with approved materials and methods. All required permits have been obtained. Repairs requiring a permit have been inspected and approved by the appropriate inspector.

Signature:___________________________________

Printed Name:________________________________

____**Owner or** ____ **Manager, Date**________________

Registered Owner's Copy for property located at - 505 TOWNSEND ST

Pursuant to Section 107.2 of the IPMC, you have the right to appeal this notice of violation. In accordance with Section 106.3 any action taken by the City on such premises shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.

If you have any questions or concerns about complying within the time indicated, you may contact at (517) 483 4052 Monday through Friday between the hours of **8-9** - AM or **12-1** - PM.

Officer: Mike Morrison Mike.Morrison@lansingmi.gov

This does not guarantee discovery or reporting of all code violations or property defects, manifest or latent, which exist at the property inspected. The City of Lansing, its officers and employees, shall not be liable for any injury or damage, including incidental or consequential damages, claimed to be a result of any failure to discover or report code violations or property defects.

As specified by section 107- Notices and Orders - a copy of this violation was sent to:
Registered Rental Owner: PORTER APARTMENTS, 4530 E THOUSAND OAKS BLVD STE 100, WESTLAKE VILLAGE, CA 91362-3897

The following is for
informational purposes and
can include historical information
on the application/site

RESOLUTION #2018-027

BY THE COMMITTEE ON DEVELOPMENT & PLANNING

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, February 26, 2018 at 7 p.m. in City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of supporting and/or opposing the Ordinance amending the Payment in Lieu of Taxes (PILOT) for PORTER SENIOR APARTMENTS.

OFFICIAL PROCEEDINGS OF THE CITY COUNCIL CITY OF LANSING FEBRUARY 12, 2018

City Council Chambers
Lansing, Michigan

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

PRESENT: Council Members Dunbar, Garza, Jackson, Hussain, Spadafore, Spitzley, Wood

ABSENT: Council Member Washington

Council President Wood asked people to remember retired Lansing Fire Battalion Chief Rob Hecksel, 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 Wood

APPROVAL OF PRINTED COUNCIL PROCEEDINGS

By Council Member Sptizley

To approve the printed Council Proceedings of January 22, 2018

Motion Carried

CONSIDERATION OF LATE ITEMS

By Council Member Spitzley

To suspend City Council Rule #9 to allow for Consideration of Late Items

Motion Carried

The following item was added to the agenda:

Emergency Ordinance Re-adopting the Codified Ordinances of the City of Lansing.

COMMENTS BY COUNCIL MEMBERS AND THE CITY CLERK

Council Member Jackson shared details about his monthly constituent meeting.

Council Member Hussain shared details about the Lewton-Rich Neighborhood Meeting, thanked the Mayor's Office for their transparency effort and the Public Service workers for clearing streets in Lansing. He also expressed interest in a future presentation to Council or the Public Service Committee about the City's response to snow events.

Council Member Spadafore expressed interest in a future presentation to Council or the Public Service Committee about the City's response to snow events.

Council Member Garza shared details about his upcoming monthly community meeting on the second Saturday of the month, Old Everett Neighborhood Association, and the Bluebell Neighborhood Association.

Council President Wood shared details about the Eastside Neighborhood Organization's Spring Souper.

City Chief Deputy Clerk Brian P. Jackson talked about voter registration drives and how the Clerk's Office can assist with them.

SPEAKER REGISTRATION FOR PUBLIC COMMENT ON LEGISLATIVE MATTERS

City Chief Deputy Clerk Brian P. Jackson announced that the public comment registration form(s) for those intending to address Council on legislative matters will be collected and that only those persons who have fully completed the form(s) will be permitted to speak.

MAYOR'S COMMENTS

Mayor Schor spoke about his experiences, during a ride-along with snow plows during the two snow storms over the weekend. Mayor Shor also gave big thanks for the city workers for their 16-hour work days to clear the snow.

LEGISLATIVE MATTERS

Ricky Figueroa spoke in support to the PILOT for Porter Senior Apartments.

Elaine Womboldt spoke in opposition to the PILOT for Porter Senior Apartments.

CONSENT AGENDA

By Council Member Spitzley

To approve items 1b, 1c, 1d on the Consent Agenda.

Motion Carried

RESOLUTION #2018-013
BY COUNCIL MEMBERS DUNBAR, GARZA, HUSSAIN, JACKSON, SPADAFORE, SPITZLEY, WASHINGTON AND WOOD
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Delta Sigma Theta Sorority, Inc. is a private, non-profit organization whose purpose is to provide assistance and support through established programs in local communities throughout the world; and

WHEREAS, the members of the Lansing Alumnae Chapter of Delta Sigma Theta Sorority have been actively involved in a wide variety of public service projects for the Lansing community, and the program has provided over $100,000 in scholarships to individuals graduating from the Lansing area high schools within the past several years; and

WHEREAS, the Lansing Alumnae Chapter of Delta Sigma Theta Sorority annual "Red & White Affair" will be held on February 10, 2018; and

WHEREAS, the "Red & White Affair" event serves as an annual

RESOLUTION 2018-035
BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, a second hearing date is needed due to the verification by the City Clerk's office that the required notification was not published in required time for the hearing.

THEREFORE BE IT RESOLVED that a second public hearing be set for Monday, March 12, 2018 at 7 p.m. in City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of supporting and/or opposing the Ordinance amending the Payment in Lieu of Taxes (PILOT) for PORTER SENIOR APARTMENTS.

OFFICIAL PROCEEDINGS OF THE CITY COUNCIL CITY OF LANSING MARCH 12, 2018

City Council Chambers
Lansing, Michigan

The City Council of the City of Lansing met in regular session and was called to order at 7:02 p.m. by President Wood

PRESENT: Council Members Dunbar, Garza, Jackson, Hussain, Spadafore, Washington, Wood

ABSENT: Council Member Spitzley

President Wood asked people to remember Leon Hilton, 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 Wood

CONSIDERATION OF LATE ITEMS

By Vice President Washington

To suspend City Council Rule #9 to allow for Consideration of Late Items

Motion Carried

The following item was added to the agenda:

Fireworks Display by Melrose Pyrotechnics Inc for Lansing Lugnuts games at Thomas M. Cooley Law School Stadium, 505 E. Michigan Avenue on various dates

SPECIAL CEREMONIES

1. Recognition of City of Lansing Retirees

President Wood recognized the City of Lansing Retirees who retired from July 1, 2017 to December 31, 2018 who were in attendance and thanked them for their service.

Michelle Bryant and Guy Pace thanked the Council for the recognition.

2. Recognition of the Michigan Recreation and Parks Association Award Winners Emily Stevens, Jodi Ackerman, and Marcus Wells

Brett Kaschinske, Director of the City of Lansing Parks and Recreation Department, recognized Michigan Recreation and Parks Association Award Winners Emily Stevens, Jodi Ackerman, and Marcus Wells.

COMMENTS BY COUNCIL MEMBERS AND THE CITY CLERK

Council Member Washington shared her concern with the recently renamed Cesar E. Chavez street signs and the Grand River street signs both being up for a year.

Council Member Hussain and Council Member Garza will host joint constituent contact meetings.

Mayor Schor responded to Council Member Washington's concern, stating he understood that it was following past procedures and legal requirements, but that he would follow up to confirm.

City Clerk Swope shared that Google Maps has incorrect information listed for East and West Cesar E. Chavez Street, and that he encourages the public to report it to Google like he has done.

COMMUNITY EVENT ANNOUNCEMENTS

Samantha Wilbur announced the Lansing Cannabis Caucus fundraising event for Attorney General Candidate Dana Nessel and that the Lansing for Revolution is hosting the "Neighbors Helping Neighbors: Health Fair Day".

MAYOR'S COMMENTS

Mayor Schor spoke about Neighborhoods in Bloom Grants, the Mobile Food Pantry, the Mayor's Infrastructure Summit, Bond Construction Updates, changes within the Mayor's staff, the creation of the Diversity Advisory Committee, and the upcoming Financial Health Team meeting.

SPEAKER REGISTRATION FOR PUBLIC COMMENT ON LEGISLATIVE MATTERS

City Clerk Swope announced that the public comment registration form(s) for those intending to address Council on legislative matters will be collected and that only those persons who have fully completed the form(s) will be permitted to speak.

PUBLIC COMMENT ON LEGISLATIVE MATTERS

Legislative Matters included the following public hearings:

1. In consideration of the Ordinance to Amend Chapter 656.05; Park Hours

Council Member Spadafore gave an overview of the public hearing.

- <u>Public Comment on Legislative Matters</u>:

James Gromer spoke in support of the PILOT for Camelot Hills.

Elaine Womboldt spoke about various city matters.

Loretta Stanaway spoke about various city matters.

LEGISLATIVE MATTERS

REFERRAL OF PUBLIC HEARINGS

1. In consideration of the Ordinance to Amend Chapter 656.05; Park Hours

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

RESOLUTIONS

Re: Porter
(page 2)

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

CALL TO ORDER
Called to order at 4:01 p.m.

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

OTHERS PRESENT
Sherrie Boak, Council Staff
Don Kulhanek, Planning & Neighborhood Development
Brian McGrain, Planning & Neighborhood Development
Susan Stachowiak, Planning & Neighborhood Development
Greg Venker, Assistant City Attorney – arrived at 4:07 pm.
Kevin McKinney
Thadd Goimes
Jeff Deehan
Elaine Womboldt

PUBLIC COMMENT
No public comment at this time.

Council Member Hussain passed the gavel to Council Member Spitzley.

MINUTES
MOTION BY COUNCIL MEMBER HUSSAIN TO PLACE THE MINUTES FROM NOVEMBER 27, 2017 ON FILE. MOTION CARRIED 2-0.

Council Member Spitzley passed the gavel to Council Member Hussain.

DISCUSSION/ACTION
RESOLUTION – SLU-4-2017; 735 E. Hazel Street; Residential Use in Heavy Industrial
Ms. Stachowiak recapped the development as a renovation of a vacant industrial parcel, with mixed use first floor office, and a maximum of 160 residential units on the second floor. Because it is zoned industrial they need the special land use approval. During the public

hearings, Ms. Stachowiak noted there were no negative comments, and the department recommends approval.

Mr. Deehan was present to answer any questions on the proposed development, which will incorporate shipping containers into the construction. Council Member Hussain asked if there would be onsite parking. Mr. Deehan noted there is 2 acres of surface parking across Hosmer that they are renting. The parking ratio is only parking .5 per unit, and Ms. Stachowiak confirmed parking does not need to be on site as long as it is within 300 ft.

MOTION BY COUNCIL MEMBER SPTIZLEY TO APPROVE THE SLU -4-2017 FOR 735 HOSMER. MOTION CARRIED 2-0.

RESOLUTION – Introduction and Setting of Public Hearing; PILOT; Porter Senior Apartments; 505 Townsend Street

Council Member Hussain informed the Committee and confirmed with the staff that the applicant will be present at the February 12, 2018 Council meeting to speak and answer any questions.

Mr. Kulhanek reviewed the project which is senior housing and Section 8 subsidized, with 100 units, and built in 1920. The site currently already has a 4% PILOT, which they received in 1982 and will expire in 2022. Mr. Kulhanek explained that the owners need this new PILOT to be on the same term as their funding from MSDHA, so this is to extend the PILOT to 2033. The applicant will be present at the February 12, 2018 meeting and will go into further details on the improvements, but they will include elevators, windows, a generator, roofing, and general maintenance. Some apartments will also get new appliances and cabinets. It was noted that they are expected to spend a total of $30,000 per unit with an overall investment of approximately $3 million. This is a project to enhance moderate-income housing for the elderly.

Council Member Hussain spoke on his concerns and admitted he struggled with the fact that they have had a 4% PILOT since 1982, and the list of repairs appears to be large and the buildings are faulty. He asked Law if there was something Council could do if they do not make good on the repairs, specifically inquiring whether the PILOT could be terminated if the repairs are not made. Mr. Kulhanek answered that termination has never been considered as an option, and there would be problems if it was terminated. He assured them that MSHDA is responsible for the inspections and he is not sure if a PILOT can be revoked. The way PILOTS are written is that they have a contractual effect and a "promise" is given with the PILOT approval and they "promise" to do the work.

Council Member Hussain continued his opposition to the PILOTS, stating with MSHDA it appears they receive more points with a PILOT however the PILOTS never come back on the tax rolls and it's not clear whether they receive more points for having a lower percentage PILOT. Council Member Spitzley stated that the applicants do get more points on their LIHTC application for securing a lower percentage, but asked that if this was a contractual agreement, why can't the City look at the PILOT contract and add consequences if they are not living up to the expectations. Mr. Kulhanek referred to the ordinance in front of the Committee, noting it has to be written to meet MSHDA approval. Council Member Spitzley asked if then Council can do a side contract similar to a development agreement. Mr. Venker agreed with Mr. Kulhanek that the Ordinance has to meet MSDHA and it is also statutory and if the City contracts a right they have under the statute, the City would be in trouble. Council Member Spitzley referred to Brownfield agreements and their conditions. Mr. Venker stated in development agreements the City usually owns a portion so they can set guidelines, and in a Brownfield there are things for payment timelines and necessary actions. Council Member Hussain asked Mr. Venker to look into what restrictions and protections can be established, and Council Member Spitzley added she did not want something taken out of the ordinance as required to be written by MSHDA, but would be interested in something similar to a developers agreement where the City can say they have to do what they are proposing to do.

Mr. McGrain stated they can verify whether applicants receive more points for lower percentage PILOTS, but assured the Committee that there will be a huge element of compliance at the State level if the funds don't go in to what they state, and then they won't get the State tax credit. He too suggested speaking to the developer on February 12th on what their goals are to complete.

Council Member Hussain noted a concern that when it is noted as "senior living" it is general and not always 55 and over. Mr. McGrain assured them that this development (Porter) is 55 and over and they have not had any complaints. He would review the HUD definition for "senior living" also. Mr. Kulhanek referred back to the ordinance, and noted that the ordinance does say specifically "age 55", and they do have to submit every year to the Assessor's office that verifies the project.

Ms. Womboldt asked for accountability for developers that obtain advantages from the City.

MOTION BY COUNCIL MEMBER SPITZLEY TO APPROVE THE RESOLUTION TO SET THE PUBLIC HEARING FOR FEBRUARY 26, 2018 FOR THE PILOT FOR PORTER SENIOR APARTMENTS AT 505 TOWNSEND STREET. MOTION CARRIED 2-0.

Other
No other comments.

Adjourn
Adjourn at 4:26 p.m.
Submitted by, Sherrie Boak,
Recording Secretary,
Lansing City Council
Approved by the Committee on February 19, 2018

Re: PILOT Discussion
(page 4)

MINUTES
Committee on Development and Planning
Monday, March 19, 2018 @ 4:00 p.m.
Council Conference Room, City Hall 10th Floor

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

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

OTHERS PRESENT
Sherrie Boak, Council Staff
Susan Stachowiak, Economic Development & Planning
Brian McGrain, Economic Development & Planning
Don Kulhanek, Economic Development & Planning
Karl Dorshimer, LEAP
Elaine Womboldt
Greg Venker, Assistant City Attorney -arrived at 4:03p.m.
John Helmuth, Tecomet
Darren Dodson, Tecomet
Sheryl Landgraf, FTX Labs
Jeff Landgraf, FTX Labs

PUBLIC COMMENT
No public comment at this time.

MINUTES
MOTION BY COUNCIL MEMBER WASHINGTON TO APPROVE THE MINUTES FROM MARCH 5, 2018 AS PRESENTED. MOTION CARRIED 2-0.

DISCUSSION/ACTION
RESOLUTION- Set Public Hearing; IFT-01-18; Industrial Facilities Exemption Certificate for Tecomet, Inc.; 5858 Enterprise Drive
Mr. Dorshimer informed the Committee that the District was created in 2000, and this is a new certificate.

Mr. Helmuth provided a sheet outlining their business, Tecomet Lansing, and their proposed business expansion. The company began in 1985, privately owned with a focus on forging for medical and aerospace equipment and materials. This expansion, it was noted on the handout, will take the current staffing levels from 380 to an additional 70 in year one, then another 25 in year two, and a total of 160 after year 3. Mr. Dorshimer confirmed the project cost will be at $14.5 million. The building where they are putting in the expansion is currently occupied, which received an IFT in the past. Tecomet will be taking 40-45% of space on a 5-yr lease with this proposed expansion, and the reason they are choosing this option is because they have run out of space at their current location. The building itself is 17 years old, and not exposed to heavy manufacturing. Since the property is already in an IFT District they can apply for a tax abatement to make space suitable for their operations. This will improve the property and the tax abatement will be 50% for 5 years. Mr. Dorshimer continued with a breakdown of funds. The developer will save approximately $78,000 over 5 years, and of that $78,000, $20,000 will be abated by the City. Because there will be at least 160 new jobs, one thing the City will still see is $20,000 over five years and with those new employees at $40,000-$50,000 in salary, they will bring in an estimated income tax of $225,000 over those 5 years.

Council Member Washington asked if they anticipate a difficulty in filling jobs. Mr. Helmuth acknowledged it is difficult, but they use a multi-State recruiter, and trade schools.

Mr. Dorshimer provided the Committee with a timeline which would be setting the hearing on March 26th for April 23rd with potential final approval on May 7th, 2018.
Council Member Hussain asked Mr. Dorshimer what LEAP does to make sure they are putting forth efforts in getting the project done in earnest and working to consider local talent for employees, contractors and subcontractors. Mr. Dorshimer acknowledged they do not enforce but the applicants pledge and if Council, Mayor or anyone asked for evidence they would have to produce it. The findings could then be used in deliberations for future tax abatements.

Council Member Washington asked if the applicants would be using local labor for their expansion. Mr. Helmuth confirmed they have in the past on other locations, and collaborated with Eyde, so plan to continue with local labor.

Ms. Womboldt questioned the address of the property listed in the documents. Mr. Dorshimer confirmed it was 5840 Enterprise, but then the parcel was split to 5850 Enterprise and the correct address is on the development agreement.

MOTION BY COUNCIL MEMBER WASHINGTON TO APPROVE THE RESOLUTION TO SET THE PUBLIC HEARING FOR IFT-01-18 FOR APRIL 23, 2018. MOTION CARRIED 2-0.

<u>RESOLUTION – Introduction and Set Public Hearing; Z-8-2017; 3440 N East Street; Rezone from "F" Commercial to "G-2" Wholesale District</u>
Ms. Stachowiak highlighted the property which was requesting to be rezoned to G-2 Wholesale District for a medical marihuana safety/testing facility. After review, Ms. Stachowiak stated that the majority of the west side of the street in the area is G-2 and consists of industrial storage and repairs shops. Mr. Stachowiak stated that she believed the request was consistent with the master plan, and there were no objections at the public hearing of the Planning Board, and they in turn recommended approval.

Council Member Washington stated she had driven the area, and recognized that the property shares a property line with residential and that was one of her concerns. In response to information provided by the applicant in the request for rezoning, Council Member Washington corrected the statement that there were no other facilities in the city by acknowledging the two currently in the City; one on Hazel and one on north MLK. Her opposition, she stated, was not the use itself, however, but the rezoning to G-2 next to residential and that it is a major corridor from DeWitt.

The owner admitted they are currently doing some renovating, and they chose the site because it met the criteria for the setback also for a lab.

Council Member Hussain voiced his concerns with rezoning approvals where the uses and buffers do not meet the intent of the requested zoning, noting once it is rezoned it is done and any use in G-2 can go on that site.

Ms. Stachowiak reminded the Committee that the only request at this meeting is to set the public hearing which she stated they are entitled to. Council Member Hussain noted to the staff present that just as the Planning Board cannot take action on something, once it gets to Council they too cannot take action. He did not want to proceed with passing something to the full Council if he believed it was a bad policy. Ms. Stachowiak assured the Committee that when applicants approach their office, if it is something the staff cannot support because it does not meet the ordinance, master plan or design plan, they tell them immediately. Even if they cannot support a specific proposal, they cannot stop someone from applying to the Board and Council.

Mr. Venker stepped away from the meeting at 4:25 p.m.

Council Member Hussain acknowledged he struggled with the planning department not stopping the process but telling the Council. Council Member Hussain decided to hold the question on what the Committee is allowed to do until Mr. Venker returned from the meeting. Ms. Stachowiak apologized for any miscommunication in her explanation earlier.

Mr. Venker returned to the meeting at 4:26 p.m.

Ms. Stachowiak explained that her department has an obligation up front to inform any applicants if staff can or cannot support a proposal or application before they go through the process. The Planning Board is an advisory board providing their recommendation to Council. Mr. McGrain clarified that the department advises people up front, not specific to the use itself, but if anyone comes forward they try to advise them. Ms. Stachowiak referenced the Master Plan which stated the typical uses for G-2 includes general commercial and light industrial with special approval. It was also noted by Ms. Stachowiak that there is case law that consideration for similar uses can also be consider if adjacent across the street if the right of way is no more than 100'.

Council Member Washington assured the applicants it was not about the use, but the rezoning and what could possibly go there once it is rezoned because the zoning stays with the property. Council Member Hussain stated his concern that it appeared as spot zoning, and he needs to look at applications on a case by case basis.

Council Member Hussain asked Mr. Venker if the City Council Committee had to set the public hearing. Mr. Venker stated that was not the question he heard being asked. Ms. Stachowiak restated the question is can the request "die" at the Committee level or do they have to make a decision, or is the applicant entitled to the due process and a public hearing at Council. Mr. Venker confirmed in general they are entitled to the process, but it is also permitted to "die" in Committee. He then referred to the zoning act and stated he would need time to review it to see what can and cannot be placed "on the table", for points of consideration. Ms. Stachowiak provided Mr. Venker with the zoning ordinance, 1240.04 (f), which Mr. Venker then read aloud that for rezonings, after a public hearing at the Planning Board, the Board shall make a report to Council. Then, after referral to Committee, Council shall hold a public hearing.

Council Member Hussain informed the applicants that it will be on the agenda March 26, 2018 to set the hearing for April 23, 2018. Council Member Hussain then stated the issue will be referred back to the Committee which will meet May 7th.

Ms. Womboldt spoke on her frustration in finding board and committee agendas on the website, and her opinion that some people who should get notifications are not getting them. Mr. McGrain stated he would follow up on the process, and Council Member Hussain verified the agendas on the website, but clarified that the concern is that the agendas might not be getting on the website until the day of or day after the meetings. Regarding the mailings, Ms. Stachowiak stated they are sent to the owner, taxpayer and occupant, via the GIS Mapping program. Their information is imported from the Assessing office, and currently her department is working with IT because the information is not updated in a timely manner.

MOTION BY COUNCIL MEMBER WASHINGTON TO APPROVE THE RESOLUTION TO SET THE PUBLIC HEARING FOR Z-8-2017; 3440 N EAST STREET FOR APRIL 23, 2018. MOTION CARRIED 2-0.

DISCUSSION – Ordinance Amendments for PILOTS
Council Staff recapped previous meetings where Council Member Spitzley had requested options to hold PILOT applicants accountable. Mr. Venker concurred there can be no side agreement, the PILOT ordinance is an agreement he clarified. The agreement is if the PILOT is less than 10%, how long it will last, the percentage and set by statues. Mr. Venker gave an example that if some units did not meet the PILOT, the PILOT would be reduced by that. He recalled that at earlier Committee meetings, if Council wants something more than what is already in place, then Council needs to consider what they want and ask Law if it can be added to the ordinance itself. The City does not own the properties where PILOTS are applied, so the City cannot do a development agreement. Council Member Hussain understood, and added that the Council in the past have had PILOTS that have not done what they said they would do. His opinion was that Council needs to consider this when they do not even have the funds to address City debt and provide public services. Mr. McGrain assured the Committee that his department is also looking at PILOT's and had a meeting scheduled with the senior officials at MSHDA to discuss PILOTS to see what is expected. He proposed coming back at a later meeting on how they plan to handle them in the future in his department. The department is exploring options internally, and debt structures, but always want to bring the Council the best package. Council Member Hussain acknowledged Law and the Economic Development & Planning department on their assistance in the process.

Other
No other topics.

Adjourn
Adjourned at 4:48 p.m.
Submitted by, Sherrie Boak,
Recording Secretary,
Lansing City Council
Approved by the Committee on April 16, 2018

Never came out of Committee

DRAFT #2
November 27, 2017

ORDINANCE NO. ____________

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO AMEND THE CODE OF ORDINANCES OF THE CITY OF LANSING BY ADDING A NEW SECTION 884.___ FOR THE PURPOSES OF PROVIDING FOR AN EXTENSION OF A SERVICE CHARGE IN LIEU OF TAXES FOR NINETY-EIGHT (98) LOW INCOME ELDERLY DWELLING UNITS IN A PROJECT KNOWN AS THE PORTER SENIOR APARTMENTS, PURSUANT TO THE PROVISIONS OF THE STATE HOUSING DEVELOPMENT AUTHORITY ACT OF 1966, AS AMENDED.

THE CITY OF LANSING ORDAINS:

SECTION 1. THAT CHAPTER 884 OF THE CODE OF ORDINANCES OF THE CITY OF LANSING, MICHIGAN BE AMENDED TO ADD A NEW SECTION 884.___ TO READ AS FOLLOWS:

884.___ THE PORTER SENIOR APARTMENTS

(A) *PURPOSE.* IT IS ACKNOWLEDGED THAT IT IS A PROPER PUBLIC PURPOSE OF THE STATE AND ITS POLITICAL SUBDIVISIONS TO PROVIDE HOUSING FOR ITS RESIDENTS OF LOW AND MODERATE INCOME AND TO ENCOURAGE THE DEVELOPMENT OF SUCH HOUSING BY PROVIDING FOR A SERVICE CHARGE IN LIEU OF PROPERTY TAXES IN ACCORDANCE WITH THE STATE HOUSING DEVELOPMENT AUTHORITY ACT OF 1966, BEING PUBLIC ACT 346 OF 1966, AS AMENDED [MCL 125.1401, ET SEQ.]. THE CITY IS AUTHORIZED BY SUCH ACT TO ESTABLISH OR CHANGE THE SERVICE CHARGE TO BE PAID IN LIEU OF TAXES BY ANY OR ALL CLASSES OF HOUSING EXEMPT FROM TAXATION UNDER SUCH ACT AT ANY AMOUNT IT CHOOSES, NOT TO EXCEED THE

TAXES THAT WOULD BE PAID BUT FOR THIS ACT. IT IS FURTHER ACKNOWLEDGED THAT SUCH HOUSING FOR ELDERLY PERSONS OF LOW AND MODERATE INCOME IS A PUBLIC NECESSITY, AND AS THE CITY WILL BE BENEFITED AND IMPROVED BY SUCH HOUSING, THE ENCOURAGEMENT OF THE SAME BY PROVIDING CERTAIN REAL ESTATE TAX EXEMPTION FOR SUCH HOUSING IS A VALID PUBLIC PURPOSE.

(B) *DEFINITIONS.*

(1) "*ACT*" MEANS THE STATE HOUSING DEVELOPMENT AUTHORITY ACT, BEING PUBLIC ACT 346 OF 1966, AS AMENDED.

(2) "*ANNUAL SHELTER RENTS*" MEANS THE TOTAL COLLECTIONS DURING AN AGREED ANNUAL PERIOD FROM ALL ELDERLY PERSONS OF LOW OR MODERATE INCOME, OCCUPYING THE HOUSING DEVELOPMENT REPRESENTING RENTS FOR OCCUPANCY, WHICH RENTAL AMOUNTS SHALL BE EXCLUSIVE OF CHARGES FOR GAS, ELECTRICITY, HEAT OR OTHER UTILITIES FURNISHED TO THE OCCUPANTS.

(3) "*AUTHORITY*" MEANS THE MICHIGAN STATE HOUSING DEVELOPMENT AUTHORITY.

(4) "*ELDERLY PERSON(S)*" MEANS (i) A SINGLE PERSON WHO IS 55 YEARS OF AGE OR OLDER OR A HOUSEHOLD IN WHICH AT LEAST ONE MEMBER IS 55 YEARS OF AGE OR OLDER OR (ii) A PERSON WITH DISABILITIES, A DISABLED FAMILY, OR DISPLACED FAMILY ALL AS DEFINED IN 24 CFR 5.403.

(5) "*HOUSING DEVELOPMENT " OR " DEVELOPMENT*" MEANS A DEVELOPMENT WHICH CONTAINS A SIGNIFICANT ELEMENT OF HOUSING FOR ELDERLY PERSONS OF LOW AND MODERATE INCOME AND SUCH ELEMENTS OF OTHER HOUSING, COMMERCIAL, RECREATIONAL, INDUSTRIAL, COMMUNAL AND EDUCATIONAL FACILITIES AS THE AUTHORITY MAY DETERMINE WILL IMPROVE THE QUALITY OF THE DEVELOPMENT AS IT RELATES TO HOUSING FOR ELDERLY PERSONS OF LOW AND MODERATE INCOME. FOR THE PURPOSE OF THIS SECTION, THE NAME OF THIS DEVELOPMENT IS THE PORTER SENIOR APARTMENTS, AND CONSISTS OF NINETY-EIGHT (98) UNITS OF RENTAL HOUSING LOCATED WITHIN LANSING AT PART OF LOTS 8, 9, 10, 11 & 12 COM NW COR BLOCK 148, E 122 FT, S 90 FT, SW 7.1 FT, S 72 FT, E 4 FT, S 163 FT, W 121 FT, N 330 FT TO BEG, ALSO E 36 FT OF W 99 FT LOT 7 BLOCK 148 ORIG PLAT, COMMONLY KNOWN AS 505 TOWNSEND STREET, LANSING (PARCEL ID: 33-01-01-16-380-073).

(6) "*HUD*" MEANS THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT OF THE UNITED STATES GOVERNMENT.

(7) "*LOW INCOME HOUSING TAX CREDIT PROGRAM*" MEANS THE PROGRAM ESTABLISHED BY SECTION 42 OF THE UNITED STATES INTERNAL REVENUE CODE.

(8) "*LOW OR MODERATE INCOME*" MEANS LOW OR MODERATE INCOME ELIGIBILITY UNDER THE AUTHORITY ACT OR RULES.

(9) "*MORTGAGE LOAN*" MEANS A LOAN TO BE MADE BY A PRIVATE ENTITY AND INSURED BY HUD, OR A LOAN FROM THE AUTHORITY FOR THE FINANCING OF THE PURCHASE AND REHABILITATION OF THE HOUSING DEVELOPMENT.

(10) "*SPONSOR*" MEANS A PERSON OR OTHER ENTITY WITH A HOUSING DEVELOPMENT WHICH IS FINANCED OR ASSISTED PURSUANT TO THE ACT. FOR PURPOSES OF THIS SECTION, THE SPONSOR OF THE PORTER SENIOR APARTMENTS IS GLTC PARTNERS, LLC, OR ITS SUCCESSORS OR ASSIGNS.

(11) "*UTILITIES*" MEANS FUEL, WATER, HEAT, SANITARY SEWER AND/OR ELECTRICAL SERVICE, WHICH IS PAID FOR BY THE HOUSING DEVELOPMENT, AS DEFINED IN THE ACT.

(12) OTHER TERMS. ALL TERMS REFERENCING THE ACT BUT NOT DEFINED IN THIS SECTION SHALL HAVE THE SAME MEANING GIVEN IN THE ACT.

(C) *ESTABLISHMENT OF ANNUAL SERVICE CHARGE.*

(1) THE CITY ACKNOWLEDGES THAT THE SPONSOR AND THE AUTHORITY HAVE ESTABLISHED THE ECONOMIC FEASIBILITY OF THE PORTER SENIOR APARTMENTS IN RELIANCE UPON THE ENACTMENT AND CONTINUING EFFECT OF THIS SECTION AND UPON THE QUALIFICATION OF THE NINETY-EIGHT (98) UNITS OF ELDERLY HOUSING IN THE HOUSING DEVELOPMENT FOR EXEMPTION FROM ALL PROPERTY TAXES AS ESTABLISHED IN THIS SECTION.

(2) SUBJECT TO THE CONDITIONS AND REQUIREMENTS OF THIS SECTION AND THE ACT, THE NINETY-EIGHT (98) UNITS IN THE ELDERLY HOUSING DEVELOPMENT FOR PERSONS OF LOW AND MODERATE INCOME IDENTIFIED AS THE PORTER SENIOR APARTMENTS AND THE PROPERTY ON WHICH THEY ARE CONSTRUCTED SHALL BE EXEMPT FROM ALL PROPERTY TAXES FOR NOT MORE THAN FIFTEEN (15) YEARS, COMMENCING WITH AND INCLUDING TAX YEAR 2019.

(3) IN LIEU OF ALL SAID PROPERTY TAXES ON THE NINETY-EIGHT (98) UNITS IN THE ELDERLY HOUSING DEVELOPMENT, THE SPONSOR SHALL PAY, AND THE CITY WILL ACCEPT, AN ANNUAL SERVICE CHARGE FOR PUBLIC SERVICES, IN THE SUM EQUAL TO, FOUR PERCENT (4%) OF THE DIFFERENCE BETWEEN THE ANNUAL SHELTER RENTS ACTUALLY COLLECTED AND UTILITIES.

(4) THE EXEMPTION PROVIDED UNDER THIS SECTION SHALL COMMENCE WHEN THE SPONSOR COMPLIES WITH SECTION 15A(1) OF 1966 PA 346, AS AMENDED, CODIFIED AS MCL 125.1415(a)(1), WHICH PROVIDES: THE OWNER OF A HOUSING PROJECT ELIGIBLE FOR THE EXEMPTION SHALL FILE WITH THE LOCAL ASSESSING OFFICER (THE CITY ASSESSOR) A NOTIFICATION OF THE EXEMPTION, WHICH SHALL BE IN AN AFFIDAVIT FORM AS PROVIDED BY THE AUTHORITY. THE COMPLETED AFFIDAVIT FORM FIRST SHALL BE SUBMITTED TO THE AUTHORITY FOR CERTIFICATION BY THE AUTHORITY THAT THE PROJECT IS ELIGIBLE FOR THE EXEMPTION. THE OWNER THEN SHALL FILE, OR CAUSE TO BE FILED,

THE CERTIFIED NOTIFICATION OF THE EXEMPTION WITH THE LOCAL ASSESSING OFFICER BEFORE NOVEMBER 1 OF THE YEAR PRECEDING THE TAX YEAR IN WHICH THE EXEMPTION IS TO BEGIN.

(5) IN ADDITION TO THE CERTIFICATION REQUIRED PURSUANT TO SUBSECTION (C)(4), THE SPONSOR SHALL PROVIDE FOR THE HOUSING DEVELOPMENT ANNUALLY IN WRITING TO THE CITY ASSESSOR FOR THE PRECEDING YEAR IN WHICH THE PROPERTY TAX EXEMPTION WAS IN EFFECT:

A. THE ANNUAL AUDITED ACCOUNTING REPORT FOR THE PAYMENT IN LIEU OF TAXES; AND

B. A CERTIFIED STATEMENT IDENTIFYING ALL THE UNITS RENTED TO ELDERLY PERSONS OF LOW OF MODERATE INCOME; AND

C. IF REQUESTED BY THE CITY, PROOF THAT THE HOUSING DEVELOPMENT UNITS HAVE NOT INCREASED, DECREASED, OR BEEN ALTERED IN ANY FORM, UNLESS THE CITY HAS OTHERWISE AMENDED THE PROVISIONS OF THIS SECTION.

(D) *LIMITATION ON THE PAYMENT OF THE ANNUAL SERVICE CHARGE.* NOTWITHSTANDING SUBSECTION (C), THE SERVICE CHARGE TO BE PAID EACH YEAR IN LIEU OF TAXES FOR THE PART OF THE HOUSING DEVELOPMENT PROJECT THAT IS TAX EXEMPT AND OCCUPIED BY OTHER THAN LOW OR MODERATE INCOME ELDERLY PERSONS SHALL BE EQUAL TO THE FULL AMOUNT OF THE TAXES THAT WOULD OTHERWISE BE DUE AND

PAYABLE ON THAT PORTION OF THE HOUSING DEVELOPMENT PROJECT IF THE PROJECT WERE NOT TAX EXEMPT.

(E) *PAYMENT OF ANNUAL SERVICE CHARGE.* THE SERVICE CHARGE IN LIEU OF TAXES, AS ESTABLISHED UNDER THIS SECTION, SHALL BE PAYABLE IN THE SAME MANNER AS GENERAL PROPERTY TAXES ARE PAYABLE TO THE CITY, AND DISTRIBUTED TO THE SEVERAL UNITS LEVYING THE GENERAL PROPERTY TAX IN THE SAME PROPORTION AS PREVAILED WITH THE GENERAL PROPERTY TAX IN THE PREVIOUS YEAR, EXCEPT THAT THE ANNUAL PAYMENT SHALL BE MADE ON OR BEFORE JULY 1 OF THE YEAR FOLLOWING THE YEAR UPON WHICH SUCH CHARGE IS CALCULATED. COLLECTION PROCEDURE SHALL BE IN ACCORDANCE WITH THE PROVISIONS OF THE GENERAL PROPERTY TAX ACT (1893 PA 206, AS AMENDED; MCL 211.1, ET SEQ.).

(F) *CONTRACTUAL EFFECT.* NOTWITHSTANDING THE PROVISIONS OF SECTION 15(A)(5) OF THE ACT TO THE CONTRARY, A CONTRACT BETWEEN THE CITY AND THE SPONSOR WITH THE AUTHORITY AS THIRD-PARTY BENEFICIARY UNDER THE CONTRACT, TO PROVIDE TAX EXEMPTION AND ACCEPT PAYMENT IN LIEU OF TAXES AS PREVIOUSLY DESCRIBED, IS EFFECTUATED BY THE ENACTMENT OF THIS SECTION.

(G) *DURATION.* THIS SECTION SHALL REMAIN IN EFFECT AND SHALL NOT TERMINATE FOR FIFTEEN (15) YEARS, COMMENCING WITH AND INCLUDING TAX YEAR 2019, PROVIDED THAT THE SPONSOR COMPLIES WITH THE REQUIREMENTS OF THE ACT AND THIS SECTION, AND FURTHER PROVIDED

THAT THE HOUSING DEVELOPMENT CONTINUES TO BE RENTED TO LOW OR MODERATE INCOME ELDERLY PERSONS AT RENTS DETERMINED UNDER THE LOW INCOME HOUSING TAX CREDIT PROGRAM, AS THE SAME MAYBE FURTHER AMENDED OR SUPERSEDED, OR THERE IS AN AUTHORITY-AIDED OR FEDERALLY-AIDED MORTGAGE ON THE HOUSING DEVELOPMENT AS PROVIDED IN THE ACT, OR THE AUTHORITY OR HUD HAS AN INTEREST IN THE PROPERTY; BUT IN NO EVENT BEYOND DECEMBER 31, 2018. IF THE SPONSOR CHANGES THE SCOPE OR PURPOSE OF THE NINETY-EIGHT (98) UNITS OF HOUSING WITHIN THE DEVELOPMENT WITHOUT THE CONSENT OF THE CITY OF LANSING, BY AND THROUGH ITS REPRESENTATIVES, AND IN ACCORDANCE WITH THE REQUIREMENTS OF THE LANSING CITY CHARTER, THIS SECTION SHALL AUTOMATICALLY EXPIRE AND BE OF NO EFFECT.

Section 2. All ordinances, resolutions or rules, parts of ordinances, resolutions or rules inconsistent with the provisions hereof are hereby repealed as they pertain to the Porter Senior Apartments.

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 valid.

Section 4. This ordinance shall take effect on the 30th day after enactment unless given immediate effect by the City Council.

Approved as to form:

____
James D. Smiertka, City Attorney
Dated: ________________________

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CCI

9/14/2017

Donald J. Kulhanek
Development Manager, Development Office
Department of Planning and Neighborhood Development
316 N. Capitol Ave., Suite D-2
Lansing, MI 48933

RE: Porter Senior Apartments
PILOT Extension Request
Executive Summary

Dear Mr. Kulhanek,

Per our conversations, please find below a detailed description of the proposed Porter Senior Apartments rehab project at 505 Townsend St. Lansing, MI 48933 as it relates to our request for a maximum-allowed PILOT agreement extension.

I. TYPE OF PROJECT:

Porter Senior Apartments is a proposed acquisition/rehab of a 6 story mid-rise building located 505 Townsend St. Lansing, Michigan 48933. The building was built 1920 on .97 acres or 42,100sqft. in the heart of Lansing. The project seeks to bring the building up to modern standards of affordable living by expending approximately $30,000/unit on new windows, flooring, roof, pull cord system, generator, appliances and fixtures, elevator upgrades, a conversion of the current steam energy system to a water radiant system and more. For a full description and pricing, please see the enclosed preliminary proposed scope of work.

II. TENANTS SERVED:

Porter Senior Apartments provides affordable housing to the elderly and disabled communities of Lansing and the surrounding areas. Porter Senior Apartments is the beneficiary of a Section 8 HAP Contract that provides rental subsidy to all of its 98 units. The contract is currently in process of being renewed for 20 years. A recent Rent Schedule is provided for your review.

III. PORTER'S CURRENT CONDITION:

The current condition at Porter Senior Apartments is the result of an old building with few opportunities for rehab. The last investment made into Porter was in 2005 by the previous owner who, in contemplation of a sale to the current owner, Porter Partners LDHA, LLC, spent approximately $294,000 on repairs. Prior to the 2005 sale, the previous owner installed and transitioned utilities to a steam-power system that has, over time, proven to be a very costly utility due to the high cost of steam generation and the few vendors available to maintain the unit. For these reasons and more, Porter Senior Apartments has fallen behind in maintenance and fears slipping further below the standard for affordable housing conditions. Currently, many units can be found with damaged, unsecure, or missing windows, window screens, and window seals, faulty electrical systems (GFIs), holes in or deteriorated walls, paint peeling, damaged toilets and tubs, damaged doors, damaged or inoperable appliances, and more.

IV. REASON FOR REQUEST:

For the reasons stated above, Porter Senior Apartments is in need of a major rehabilitation. The proposed method to rehabilitate the building is to undergo a low income housing tax credit (LIHTC) acquisition and rehabilitation of the property through Michigan State Housing Development Authority (MSHDA). This transaction only works through a competitive process to obtain 9% LIHTCs and in order to obtain the maximum amount of points possible, MSHDA requests that buildings obtain a Payment in Lieu of Taxes agreement that extends beyond 15 years of their compliance period, which if we are successful in our application would begin in 2018. For this reason, we request an extension of our current rents which began which began in 1982 and ends in 2022, pursuant to Lansing City Ordinance 884.01. In order to comply with the MSHDA requirement, the PILOT would need to be extended, at a minimum, to 2033. However, for conservative purposes (in the chance that we are not awarded this year) we would like to request an extension for the longest period of time the committee would allow.

Finally, as requested, attached is a list of our proposed Development Team.

Thank you very much for your time and your consideration towards this matter. We look forward to continually serving the low-income community of Lansing and the greater Lansing area. If you have any questions or concerns, please do not hesitate to contact me at ricky@ccinvest.com or (805) 495-8400 ext. 627.

Best Regards,

Ricky Figueroa, JD
Acquisitions Project Manager
California Commercial Investment Group, Inc.

DEVELOPMENT TEAM INFORMATION:

Proposed Owner:
Porter TC Senior Apartments, LP
Ricky Figueroa
4530 Thousand Oaks Blvd., Suite 100
Westlake Village, CA 91362
805.495.8400 x 627
ricky@ccinvest.com

Proposed Owner GP:
Porter TC GP, LLC
Ricky Figueroa
4530 Thousand Oaks Blvd., Suite 100
Westlake Village, CA 91362
805.495.8400 x 627
ricky@ccinvest.com

Sponsor/Developer:
GLTC Partners, LLC
Ricky Figueroa
4530 Thousand Oaks Blvd., Suite 100
Westlake Village, CA 91362
805.495.8400 x 627
ricky@ccinvest.com

Management Entity:
California Commercial Investment Group, Inc.
Scott Heaton
4530 Thousand Oaks Blvd., Suite 100
Westlake Village, CA 91362
805.495.8400
scott@ccinvest.com

Project Attorney:
Cox, Castle, & Nicholson, LLC
Steven Ryan
555 California Street, 10th Floor
San Francisco, CA 94104
(415) 262-5150
Sryan@coxcastle.com

Project Accountant:
Tidwell Group
Garrick Gibson
3102 Bee Caves Road, Suite 102
Austin, TX 78746
(512) 693-2183
garrick.gibson@thefctgroup.com

General Contractor:
Wolverine Group
Aaron Jonker
4045 Barden SE
Grand Rapids, MI 49512
616-949-3360
ajonker@wolvgroup.com

Architect:
Progressive AE
Paul Weber
1811 4 Mile Rd. NE
Grand Rapids, MI 49525
616.447.3404
weberp@progressiveae.com

(98) 1 BR UNITS

PORTER TAX CREDIT WISHLIST ver.3

Revised 01.27.2016

ITEM	*QUANTITY*	*CCIG COST ESTIMATE*	MSHDA	*NOTES*
Site, Exterior, Common Areas & Bldg Systems:				
2. Full elevator modernizations	2	$275,000 ($137,500/each)		original traction elevators
4. Replace all windows	686	$463,050 ($675/each) **Added back to cost estimate*		Replace all fixed and operations Vinyl double-hung - fixed & operational
5. Replace exterior doors & intercoms	2	$66,300 ($33,150/each)		Replace storefront doors w/key fob access control systems/intercoms
6. Replace exterior fire doors/panic bars	4	$19,080 ($4,770/each)		Exterior fire doors/frames/audible alarmed panic bars
7. Replace original generator	1	$34,640		50 Kw diesel fuel generator with transfer switch
8. Replace entire roof	1 LS	$86,308.50 (4.89/ Sq Ft - 50 mil systyem)		17,650 Sq Ft (176.5 roofing squares) - DuroLast Roofing System
9. Replace pull cord system	1 LS	$48,500		Install wirerless pullcord system (Systems Technologies)
10. Replace fire pump/kitchen suppression system	1 LS	$27,500		Replace existing fire pump & C/A kitchen suppression system (auto club)
Site, Exterior, Common Areas & Bldg Systems:				
11. Replace all C/A flooring	1 LS	$111,000 $18,500/floor)	X	Replace all C/A flooring with LVT plank flooring - Will be Low/No Volatile Organic Compound
12.Replace parking lot & H/C ramp	1 LS	$60,177 ($2.60/SqFt @ 4" depth)		Replace parking lot @ 23,145 SqFt
15. Common area paint	1 LS	$21,550	X	Re-paint all common areas with Low/No VOC primer/paint
16. New laundry equipment	1 LS	$9,000	X	3 washers (1 front-load) & 3 dryers (1 stackable) All Energy Star rated
17. New water heater/storage tank	1	$48,000	X	Replace existing with high efficiency water heater/storage tank * Cost estimate from Steam Heating Study
18. Replacement of steam system	1 LS	$850,000	X X	Replace entire steam heating system with hot water radiant system * Cost estimate from Steam Heating Study Energy Star rated 94 AFUE or greater Current system is 1,329 MBH (1,329,740 BTU's/Hour)
21. Indoor lighting efficiency upgrades *(Common areas & units)*	1 LS	$39,400	X	New LED light fixtures and ceiling fans - will meet or exceed Energy Star efficiency levels in all high-use rooms (kitchen, bedrooms, dining/living rooms, bathrooms and hallways
22. Outdoor lighting efficiency upgrades	1 LS	$12,500	X	Install Energy Star rated LED light fixtures and install daylight sensors, motion sensors or timers on all outdoor lighting
Dwelling Units:				
2. Replace electric ranges	98	$60,858 ($621/each)	X	Replace 24" electric ranges with Energy Star units *All units to have forward controls*
3. Replace refrigerators	98	$56,448 ($576/each)	X	Replace refrigerators with Energy Star units
4. Replace kitchen & bathroom plumbing fixtures	294	$37,436 ($382/unit)	X	Kitchen/Bath faucets & shower valves All 2.0 GPM or less
5. Replace kitchen cabinets/countertops and bathroom vanities	98	$184,240 ($1,880/unit)		Replace all kitchen cabinets/tops/vanities/medicine cabinets (5 ADA units)
6. Replace flooring in units	98	$120,050 ($1,225/unit)	X	Replace all flooring in units w/ LVT plank (extra $$ for floor prep) Will be Low/No VOC flooring throughout
7. Replace entry & interior doors	98	$45,178 ($461/unit)		Replace entry & interior doors - all solid core/raised panel *Need door count
8. Replace toilets	98	$43,414 ($443/unit)	X	Existing are rear flush - include pressure assist flush valves 1.3 GPF or less
10. Visitable units requirements	1 LS	$57,500	X	Complete Visitable Units requirements/steps a - f *See Sheet 2
11. Barrier – Free unit requirements	10	$155,000 ($15,500/unit)	X	Complete 10 units (10% required) Barrier Free unit requirements

Miscellaneous				
1. Lead-safe work practices			X	Use lead-safe work practices, consistant with the EPA's Renovation, Repair and Painting Regulation and applicable HUD requirements
2. Recycling			X	Provide one or more easily accessible, permanently dedicated area for collection of recycled materials for the entire project
3. Resident and staff manual			X	Provide a guide for tenants and staff that explains the intent, benefits, use and maintenance of green building features
Total	2,932,129.50	$ 29,919.69		

**Cost estimates from BNI 2016 Facilities Manager's Costbook, 2016 Architect's Square Footage Costbook, HD Supply and previous CCIG property projects.*

Foley01.27.2016

Development	Porter Senior Apartments	Use Revenue Page:	Section 8
Financing	Tax Exempt		
MSHDA No.		**Mortgage Assumptions:**	
Step	Preliminary Assessment	Debt Coverage Ratio	1.2
Date	9.14.17	Mortgage Interest Rate	5.000%
Type	Acquisition/Rehab	Pay Rate	5.000%
		Mortgage Term	30 years
		Delayed Amortization	Yes

Instructions

Total Development Income Potential			Per Unit	Total	Initial Inflation Factor	Beginning in Year	Future Inflation Factor
Annual Rental Income			7,740	758,520	2.0%	1	2.0%
Annual Excess Section 8			0	0			
Annual IRP Income			0				
Annual Non-Rental Income			95	9,300	2.0%	1	2.0%
Total Project Revenue			7,835	767,820			
Total Development Expenses						Future Vacancy	
Vacancy Loss	6.00%	of annual rent potential	464	45,511		1	5.0%
Management Fee	504	per unit per year	504	49,392	3.0%	1	3.0%
Administration			635	62,264	3.0%	1	3.0%
Project-paid Fuel			472	46,300	3.0%	1	3.0%
Common Electricity			306	30,000	3.0%	6	3.0%
Water and Sewer			629	61,650	3.0%	1	3.0%
Operating and Maintenance			1,510	148,000	3.0%	1	3.0%
Real Estate Taxes			0	0	5.0%	1	5.0%
Payment in Lieu of Taxes (PILOT)	3.75%		220	21,565			
Insurance			338	33,130	3.0%	1	3.0%
Replacement Reserve	300	per unit per year	300	29,400	3.0%	1	3.0%
Other: Payroll Taxes			150	14,700	3.0%	1	3.0%
Other:			0		3.0%	1	3.0%

	% of Revenue	Per Unit	Total	Override
Total Expenses	70.58%	**5,530**	**541,912**	
Base Net Operating Income (excludes Excess Section 8 and IRP Income)		2,305	225,908	Override
Part A Mortgage Payment	24.52%	1,921	188,257	
Part A Mortgage		**29,820**	**2,922,398**	
Non MSHDA Financing Mortgage Payment		0		
Non MSHDA Financing Type:		0		
Base Project Cash Flow (excludes ODR and Part B)	4.90%	384	37,651	

Level Debt Service and Part B Loan Analysis				Override
Part B Term In Months			0	0
Part B Debt Coverage Ratio			1.00	
Level Debt Service Requirement		0	0	
Excess Section 8 Income	0.00%	0	0	
IRP Income	0.00%	0	0	Override
Part B Mortgage Payment		0	0	
Part B Mortgage		0	0	

Summary	Annual Payment		Total Loan Amount	
	Per Unit	Total	Per Unit	Total
Part A Mortgage	1,921	188,257	29,820	2,922,398
Part B Mortgage	0	0	0	0
Total Mortgage	**1,921**	**188,257**	**29,820**	**2,922,398**

Development: Porter Senior Apartments
Financing: Tax Exempt
WSHFC No.: [illegible]
Step: Preliminary Assessment
Date: 8.14.17
Type: Acquisition/Rehab

Instructions

TOTAL DEVELOPMENT COSTS

		Per Unit	Total	% in Basis	Included in Tax Credit Basis	Included in Historic TC Basis
Acquisition						
Land		6,735	660,000	0%	0	0
Existing Buildings		38,163	3,740,000	100%	3,740,000	0
Other:		0		0%	0	0
	Subtotal	44,898	4,400,000			
Construction/Rehabilitation						
Off-Site Improvements		0		100%	0	0
On-site Improvements		30,102	2,950,000	100%	2,950,000	0
Landscaping and Irrigation		0		100%	0	0
Structures		0		100%	0	0
Community Building and/or Maintenance Facility		0		100%	0	0
Construction not in Tax Credit basis (i.e. Carports and Commercial Space)		0		0%	0	0
General Requirements — % of Contract 1.07% Within Range		1,531	150,000	100%	150,000	150,000
Builder Overhead — % of Contract 1.61% Within Range		918	90,000	100%	90,000	90,000
Builder Profit — % of Contract 4.75% Within Range		1,531	150,000	100%	150,000	150,000
Permits, Bond Premium, Tap Fees, Cost Cert.		102	10,000	100%	10,000	10,000
Other:		0		100%	0	0
	Subtotal	33,776	3,310,000			
	10% of acquisition and $15,000/unit test:		met			
Professional Fees						
Architectural Fees		1,327	130,000	100%	130,000	130,000
Engineering/Survey		459	45,000	100%	45,000	45,000
Lender Legal		1,020	100,000	75%	75,000	75,000
	Subtotal	2,806	275,000			
Interim Construction Costs						
Construction Insurance		342	33,500	10%	3,335	3,335
Construction Period Interest — 18 months — 350,000		4,056	302,938	10%	30,294	30,294
Title Work		306	30,000	100%	30,000	0
Legal Fees (in Tax Credit Basis)		1,275	125,000	60%	75,000	0
Construction Taxes		229	22,330	10%	2,233	2,233
Other: Construction origination and cost (2%)		1,338	131,308	100%	195,368	195,368
	Subtotal	[illegible]	[illegible]			
Permanent Financing						
Loan Commitment Fee to WSHFC — 2%		752	73,718	0%	0	0
Other:		0		0%	0	0
	Subtotal	752	73,718			
Other Costs (In Basis)						
Application Fee		255	25,000	0%	0	0
Market Study		51	5,000	100%	5,000	5,000
Environmental Studies		135	13,500	100%	13,500	13,500
Cost Certification		102	10,000	0%	0	0
Equipment and Furnishings		0		100%	0	0
Temporary Tenant Relocation		510	50,000	100%	50,000	50,000
Construction Contingency		3,904	382,879	100%	382,879	382,879
Other: Appraisal and PCNA		122	12,000	100%	12,000	12,000
	Subtotal	[illegible]	[illegible]			
Other Costs (NOT In Basis)						
Syndication Costs		459	45,000	0%	0	0
Tax Credit Fees (based on 2016 QAP) — 44.07% Out of Range		217	21,296	0%	0	0
Compliance Monitoring Fee (based on 2016 QAP)		475	46,550	0%	0	0
Marketing Expense		102	10,000	0%	0	0
Other: Syndication Legal Fees		153	15,000	0%	0	0
	Subtotal	1,407	137,846			

Summary of Acquisition Price		As of	January 15, 2018
Attributed to Land	660,000	1st Mortgage Balance	1,296,122
Attributed to Existing Structure	3,740,000	Subordinate Mortgage(s)	
Other	0		
Fixed Price to Seller	4,400,000	Premium/(Deficit) vs Existing Debt	3,103,878

Appraised Value	Value As of	TBD
"Encumbered As-Is" value as determined by appraisal		4,400,000
Plus 5% of Appraised Value		0
LESS Fixed Price to the Seller		4,400,000
Surplus/(Gap)	Within Range	0

Override

			Per Unit	Total	% in Basis	Included in Tax Credit Basis	Included in Historic TC Basis
Project Reserves							
Rent-up Allowance	months		0	0	0%	0	0
Operating Assurance Reserve	months		453	44,384	0%	0	0
Replacement Reserve		Required	700	68,600	0%	0	0
Operating Deficit Reserve		Less than DRT	0	0	0%	0	0
One Month Gross Rent Potential		Required	645	63,210	0%	0	0
Remarketing Reserve		Not Required	0	0	0%	0	0
Rent Lag Reserve		Not Required	0	0	0%	0	0
Tax and Insurance Escrows			0		0%	0	0
			0		0%	0	0
Other:			0		0%	0	0
	Subtotal		1,799	176,194			
Miscellaneous							
Other (Not in Basis)			0	0	0%	0	0
Other (Not in Basis)			0	0	0%	0	0
Other (In Basis)			0	0	100%	0	0
Other (In Basis)			0	0	100%	0	0
	Subtotal		0	0			
Total Acquisition Costs			44,898	4,400,000			
Total Construction Hard Costs			33,776	3,310,000			
Total Non-Construction ("Soft") Costs			18,550	1,818,120			

Developer Overhead and Fee			
Maximum: 1,088,084		11,102	1,088,084
7.0% of Acquisition/Project Reserves	Override	5% Attribution Test	
15% of All Other Development Costs		met	

100% — 1,088,084 — 1,088,084

LIHTC Basis	Historic Basis
9,193,347	2,307,347

Total Development Cost — 108,112 — 10,594,084

TOTAL DEVELOPMENT SOURCES	% of TDC	Per Unit	Total
WSHFC Permanent Mortgage	17.03%	18,410	1,804,196
Conventional/Other Mortgage	0.00%	0	0
Equity Contribution from Tax Credit Syndication	65.49%	71,008	6,954,080
WSHFC NSP Funds	0.00%	0	
WSHFC HOME	0.00%	0	
WSHFC Preservation Fund	0.00%	0	
Other WSHFC	0.00%	0	
Local HOME	0.00%	0	
Other Equity	0.00%	0	
Other: Income from Operations	1.93%	1,863	200,000
Other	0.00%	0	
Other	0.00%	0	
Deferred Developer Fee	2.92%	3,161	309,700
Total Permanent Sources			10,614,[illegible]

# of Units: 98 / 98

0.00%

Deferred: 28.5[illegible]%

Sources Equal Uses?	Balanced
Surplus/(Gap)	0

Construction Loan	0.00%	0	
Construction Loan Rate			
Repaid from equity prior to final closing			0

Eligible Basis for LIHTC/TCAP			Value of LIHTC/TCAP		
Acquisition	3,980,000		Acquisition	131,640	Override
Construction	6,695,241		Construction	623,054	
Acquisition Credit %		3.40%	Total Yr Credit	756,094	
Rehab/New Const Credit %		9.00%	Equity Price	$0.9200	Override
Qualified Percentage		100.00%	Equity Effective Price	$0.9200	
QCT/DDA Basis Boost		130%	Equity Contribution	6,954,080	
Historic?		No			

Initial Owner's Equity Calculation
Equity Contribution from Tax Credit S[illegible]
Brownfield Equity
Historic Tax Credit Equity
General Partner Capital Contributions
Other Equity Sources

New Owner's Equity

Existing Reserve Analysis			
DCR (Interest)	0	Current Owner's Reserves	411,000
Insurance	0	Reserves Captured/Transferred into Project	0
Taxes	0	Reserves Transferred into Project	0
Rep. Reserve	0		

Cash Flow Projections

Development Name: [illegible] Apartments
Financing: Tax Exempt
MSHDA No.: [illegible]
Step: Preliminary Assessment
Date: [illegible]
Type: Acquisition/Rehab

	Annual Inflator	Starting in Yr	Future Inflator	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027
				1	2	3	4	5	6	7	8	9	10
Income													
Annual Rental Income	2.0%	1	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Annual Excess Section 8				0	0	0	0	0	0	0	0	0	0
Annual IPP Income				0	0	0	0	0	0	0	0	0	0
Annual Non-Rental Income	2.0%	1	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Total Project Revenue				[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Expenses													
Vacancy Loss	[illegible]	1	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Management Fee	[illegible]	1	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Administration	[illegible]	1	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Project-paid Fuel	[illegible]	1	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Common Electricity	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Water and Sewer	[illegible]	1	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Operating and Maintenance	[illegible]	1	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Real Estate Taxes	[illegible]	1	[illegible]	0	0	0	0	0	0	0	0	0	0
Payment in Lieu of Taxes (PILOT)				[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Insurance	[illegible]	1	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Replacement Reserve	[illegible]	1	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Other: Payroll Taxes	[illegible]	1	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Other	[illegible]	1	[illegible]	0	0	0	0	0	0	0	0	0	0
Subtotal: Operating Expenses				[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Debt Service													
Debt Service Part A				[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Debt Service Part B				0	0	0	0	0	0	0	0	0	0
Debt Service Conventional/Other Financing				0	0	0	0	0	0	0	0	0	0
Total Expenses				[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Cash Flow/(Deficit)				[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Cash Flow Per Unit				[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Debt Coverage Ratio on Part A Loan				[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Debt Coverage Ratio on Conventional/Other Financing				N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A

Interest Rate on Reserves [illegible]

Average Cash Flow as % of Net Income

Operating Deficit Reserve (ODR) Analysis

Maintained Debt Coverage Ratio (Hard Debt) [illegible]
Maintained Operating Reserve (No Hard Debt) [illegible]

Initial Deposit [illegible]

	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027
Initial Balance	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Total Annual Draw to achieve 1.0 DCR	0	0	0	0	0	0	0	0	0	0
Total Annual Deposit to achieve Maintained DCR	0	0	0	0	0	0	0	0	0	0
Total 1.0 DCR and Maintained DCR	0	0	0	0	0	0	0	0	0	0
Interest	0	0	0	0	0	0	0	0	0	0
Ending Balance at Maintained DCR	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Maintained Cash Flow Per Unit	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Maintained Debt Coverage Ratio on Part A Loan	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Maintained Debt Coverage Ratio on Conventional/Other	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A

Standard ODR: 0
Non-standard ODR: [illegible]

Operating Assistance Reserve Analysis

Required in Year 1

Initial Deposit 0

	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027
Initial Balance	0	0	0	0	0	0	0	0	0	0
Interest Income	0	0	0	0	0	0	0	0	0	0
Ending Balance	0	0	0	0	0	0	0	0	0	0

Deferred Developer Fee Analysis

	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027
Initial Balance	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	0	0
Dev Fee Paid	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	0	0
Ending Balance (Repaid in yr [illegible])	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	0	0	0

Subordinate MSHDA Financing

Interest Rate on Subordinate Financing [illegible]

Initial Balance 0

% of Cash Flow [illegible]

	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027
Principal Amount of all MSHDA Soft Funds	0	0	0	0	0	0	0	0	0	0
Current Yr Int	0	0	0	0	0	0	0	0	0	0
Accrued Int	0	0	0	0	0	0	0	0	0	0
Subtotal	0	0	0	0	0	0	0	0	0	0
Annual Payment Due	0	0	0	0	0	0	0	0	0	0
Year End Balance	0	0	0	0	0	0	0	0	0	0

Cash Flow Projections

D

	Initial Inflator	Starting in Yr	Future Inflator	2028	2029	2030	2031	2032	2033	2034	2035	2036	2037
				11	12	13	14	15	16	17	18	19	20
Income													
Annual Rental Income	2.0%	1	###	924,632	943,124	961,987	981,227	1,000,861	1,020,668	1,041,285	1,062,111	1,083,353	1,105,020
Annual Excess Section 8				0	0	0	0	0	0	0	0	0	0
Annual IRP Income				0	0	0	0	0	0	0	0	0	0
Annual Non-Rental Income	2.0%	1	###	11,337	11,563	11,795	12,031	12,271	12,517	12,767	13,022	13,283	13,548
Total Project Revenue				935,969	954,688	973,781	993,257	1,013,132	1,033,185	1,054,052	1,075,133	1,096,636	1,118,569
Expenses													
Vacancy Loss	5.0%	1	###	46,232	47,156	48,099	49,061	50,043	51,043	52,064	53,106	54,168	55,251
Management Fee	3.0%	1	###	66,379	68,370	70,421	72,534	74,710	76,951	79,260	81,637	84,087	86,609
Administration	3.0%	1	###	83,678	86,188	88,774	91,437	94,180	97,005	99,916	102,913	106,000	109,180
Project paid Fuel	3.0%	1	###	62,223	64,090	66,013	67,993	70,033	72,134	74,298	76,527	78,823	81,187
Common Electricity	3.0%	6	###	40,317	41,527	42,773	44,056	45,378	46,739	48,141	49,585	51,073	52,605
Water and Sewer	3.0%	1	###	82,852	85,336	87,896	90,535	93,251	96,049	98,930	101,898	104,955	108,104
Operating and Maintenance	3.0%	1	###	196,900	204,867	211,013	217,343	223,863	230,579	237,497	244,621	251,960	259,519
Real Estate Taxes	5.0%	1	###	0	0	0	0	0	0	0	0	0	0
Payment in Lieu of Taxes (PILOT)				25,946	26,438	26,695	27,359	27,631	28,309	28,794	29,287	29,766	30,280
Insurance	3.0%	1	###	44,524	45,860	47,235	48,653	50,112	51,615	53,164	54,759	56,402	58,094
Replacement Reserve	3.0%	1	###	39,511	40,696	41,917	43,175	44,470	45,804	47,178	48,594	50,052	51,553
Other Payroll Taxes	3.0%	1	###	19,756	20,348	20,959	21,587	22,235	22,902	23,589	24,297	25,026	25,777
Other	3.0%	1	###	0	0	0	0	0	0	0	0	0	0
Subtotal: Operating Expenses				710,359	730,876	751,997	773,723	796,105	819,131	842,831	867,224	892,332	918,174
Debt Service													
Debt Service Part A				188,257	188,257	188,257	188,257	188,257	188,257	188,257	188,257	188,257	188,257
Debt Service Part B				0	0	0	0	0	0	0	0	0	0
Debt Service Conventional/Other Financing				0	0	0	0	0	0	0	0	0	0
Total Expenses				898,616	919,133	940,254	961,980	984,362	1,007,388	1,031,088	1,055,481	1,080,589	1,106,431
Cash Flow/(Deficit)				37,352	35,553	33,528	31,277	28,770	25,797	22,964	19,652	16,047	12,138
Cash Flow Per Unit				361	353	342	319	293	265	234	201	164	124
Debt Coverage Ratio on Part A Loan				1.20	1.19	1.18	1.17	1.15	1.14	1.12	1.10	1.09	1.06
Debt Coverage Ratio on Conventional/Other Financing				N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A

Interest Rate on Reserves	0%

Operating Deficit Reserve (ODR) Analysis

			2028	2029	2030	2031	2032	2033	2034	2035	2036	2037
Maintained Debt Coverage Ratio (Hard Debt)	1.15											
Maintained Operating Reserve (No Hard Debt)	250	Initial Deposit 44,394										
Initial Balance			44,394	44,394	44,394	44,394	44,394	44,394	42,152	36,878	28,292	16,101
Total Annual Draw to achieve 1.0 DCR		Add to OAR	0	0	0	0	0	0	0	0	0	0
Total Annual Deposit to achieve Maintained DCR			0	0	0	0	0	(2,242)	(5,274)	(8,586)	(12,191)	(16,101)
Total 1.0 DCR and Maintained DCR			0	0	0	0	0	(2,242)	(5,274)	(8,586)	(12,191)	(16,101)
Interest			0	0	0	0	0	0	0	0	0	0
Ending Balance at Maintained DCR			44,394	44,394	44,394	44,394	44,394	42,152	36,878	28,292	16,101	0
Maintained Cash Flow Per Unit			361	353	347	319	290	288	288	285	284	286
Maintained Debt Coverage Ratio on Part A Loan			1.20	1.19	1.18	1.17	1.15	1.15	1.15	1.15	1.15	1.15
Maintained Debt Coverage Ratio on Conventional/Other			N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Standard ODR		0										
Non-standard ODR		44,394										

Operating Assurance Reserve Analysis

			2028	2029	2030	2031	2032	2033	2034	2035	2036	2037
		0										
Required in Year	1	Initial Deposit 0										
Initial Balance			0	0	0	0	0	0	0	0	0	0
Interest Income			0	0	0	0	0	0	0	0	0	0
Ending Balance			0	0	0	0	0	0	0	0	0	0

Deferred Developer Fee Analysis

		2028	2029	2030	2031	2032	2033	2034	2035	2036	2037
Initial Balance		0	0	0	0	0	0	0	0	0	0
Dev Fee Paid		0	0	0	0	0	0	0	0	0	0
Ending Balance	Repaid in yr 2025	0	0	0	0	0	0	0	0	0	0

Subordinate MSHDA Financing

			2028	2029	2030	2031	2032	2033	2034	2035	2036	2037
Interest Rate on Subordinate Financing	3%	Initial Balance 0										
Principal Amount of all MSHDA Soft Funds			0	0	0	0	0	0	0	0	0	0
Current Yr Int			0	0	0	0	0	0	0	0	0	0
Accrued Int			0	0	0	0	0	0	0	0	0	0
Subtotal		% of Cash Flow	0	0	0	0	0	0	0	0	0	0
Annual Payment Due		50%	0	0	0	0	0	0	0	0	0	0
Year End Balance			0	0	0	0	0	0	0	0	0	0

Development Porter Senior Apartments
Financing Tax Exempt
MSHDA No. 0
Step Preliminary Assessment
Date 9.14.17
Type Acquisition/Rehab

Replacement Reserve Analysis

Cost Inflation	103%		Min. Deposit	68,600
RR Period	20		15 Year	0
			20 Year	0

Required Initial Deposit **68,600**
Per Unit **700**

Year	Starting Balance	RR Needs	Contribution	Net Annual Change	Interest	Ending Balance
1	68,600		29,400	29,400	0	98,000
2	98,000		30,282	30,282	0	128,282
3	128,282		31,190	31,190	0	159,472
4	159,472		32,126	32,126	0	191,599
5	191,599		33,090	33,090	0	224,689
6	224,689		34,083	34,083	0	258,771
7	258,771		35,105	35,105	0	293,876
8	293,876		36,158	36,158	0	330,035
9	330,035		37,243	37,243	0	367,278
10	367,278		38,360	38,360	0	405,638
11	405,638		39,511	39,511	0	445,149
12	445,149		40,696	40,696	0	485,846
13	485,846		41,917	41,917	0	527,763
14	527,763		43,175	43,175	0	570,938
15	570,938		44,470	44,470	0	**615,408**
16	615,408		45,804	45,804	0	661,212
17	661,212		47,178	47,178	0	708,391
18	708,391		48,594	48,594	0	756,984
19	756,984		50,052	50,052	0	807,036
20	807,036		51,553	51,553	0	**858,589**

Total Units	98
Interest Rate on Reserves	0%
Year 1 RR Deposits	300
Min Initial Deposit ($700/unit)	68600

Re: PILOT's
(page 5)

MINUTES
Committee on Development and Planning
Monday, April 16, 2018 @ 4:00 p.m.
Council Conference Room, City Hall 10th Floor

CALL TO ORDER
Called to order at 4:01 p.m.

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

OTHERS PRESENT
Sherrie Boak, Council Staff
Brian McGrain, Economic Development & Planning
Kathy Miles
Bill Rieske, Economic Development & Planning
Susan Stachowiak, Economic Development & Planning
Joe Abood, Chief Deputy City Attorney- left at 4:11 p.m.
Greg Venker, Assistant City Attorney – arrived at 4:11 p.m.
Eilab Kihaia
Sumer Bashi
Sal Kosto
Fred Schaible
Donna McMillan, MHT
Peter Tallerico, MHT
Jim Gromer, MHT
Lyndsy DeForest
Elaine Womboldt
Joslin Monahan, Attorney
Cathy Heckinen, Consumers Energy
Jeff Parker, Consumers Energy
Susan Simmons

PUBLIC COMMENT
No public comment at this time.

MINUTES

MOTION BY COUNCIL MEMBER WASHINGTON TO APPROVE THE MINUTES FROM MARCH 19, 2018 AS PRESENTED. MOTION CARRIED 3-0.

MOTION BY COUNCIL MEMBER SPITZLEY TO APPROVE THE MINUTES FROM APRIL 2, 2018. MOTION CARRIED 3-0.

DISCUSSION/ACTION

RESOLUTION – Appointment; Fred Schaible; Lansing Economic Development Corp/TIFA/Brownfield Authority; At Large Member; Term to Expire 2/28/23

Council Member Hussain referenced the application. Council Member Spitzley referred to his job and his work with the State of Michigan budgets, and asked if there was a conflict with his appropriations work and incentives the City gets. Mr. Schaible outlined his job which is to coordinate and schedule the appropriations, but assured the Committee he does not vote or make decisions. His work, he noted was on the policy side but not in the role of what communities receive. Mr. Schaible's opinion was that his work has afforded him with the existing laws out there and would serve as a benefit, and not a conflict. Mr. Abood was asked about any conflict and responded that he was not aware of specifics on what Mr. Schaible does, but there was no conflict on a voting position in his career. His job will have him up-to-speed on the items this board will review. Council Member Spitzley noted she had some concerns because it appears his career does influence policy, and has a potential of a conflict. Mr. Schaible admitted that one of the reasons he was interested in the EDC/TIFA was because of his working knowledge. He also wanted the Committee to know that his supervisor is term limited, and will be up at the end of this year, which in turn will mean he too will be without a job. Council Member Washington asked if he influenced his voting Board, and Mr. Schaible confirmed he does provide guidance, but his supervisor is not on the committee, but is part of legislature to vote in the end. Council Member Washington asked if he has an interest for other boards, at which he stated he was eager to serve. Council Member Hussain encouraged Mr. Schaible to attend the Council meeting on April 23, 2018 to answer questions. Mr. Schaible also volunteered to reach out to the City Attorney office to address any questions on conflicts he might have and steps to recuse himself from those.

Council Member Hussain made a point to the Committee that he has a concern that the majority of the appointments from the Mayor have been from the 4th Ward, and not City wide.

MOTION BY COUNCIL MEMBER WASHINGTON TO APPROVE THE RESOLUTION TO APPOINT FRED SCHAIBLE TO THE LEDC/TIFA/BROWNFIELD AUTHORITY AS AN AT-LARGE MEMBER.

Ms. Womboldt supported Council Member Hussain overview of recent appointments.

MOTION CARRIED 3-0.

Committee brief discussion on concern with all appointments coming from the 4th ward, and appearing that no representation from the City as a whole.

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

Council Member Hussain acknowledged that this resolution was before the Committee and Council with a general overview. The easement is to replace a pipeline that was previously installed in 1940 and covers four (4) BWL properties. The representatives from Consumers

Energy were present to answer questions and made note there were no changes from the original time the Committee saw the request.

MOTION BY COUNCIL MEMBER WASHINGTON TO APPROVE THE RESOLUTION FOR ACT-4-2017 FOR THE EASEMENT FOR CONSUMERS ENERGY'S NORTH LANSING PIPELINE PROJECT. MOTION CARRIED 3-0.

<u>RESOLUTION – ACT-5-2017; 1620 Sunset Avenue; Consumers Energy North Lansing Pipeline Project</u>
Council Member Hussain informed the Committee that this item was also connected to the previous request on the same pipeline, but this was for the portion that went on the WWTP property. The funds from this ACT will stay with the City. The representatives from Consumers Energy were present to answer questions and made note there were no changes from the original time the Committee saw the request.

MOTION BY COUNCIL MEMBER SPITZLEY TO APPROVE THE RESOLUTION FOR ACT-5-2017 FOR THE EASEMENT FOR 1620 SUNSET AVENUE FOR THE CONSUMERS ENERGY NORTH LANSING PIPELINE PROJECT. MOTION CARRRIED 3-0.

<u>RESOLUTION – Introduction and Set Public Hearing; Z-1-2017; 4215 N Grand River; Rezone from "D-1" Professional Office to "F" Commercial District</u>
Ms. Stachowiak referenced the property and zoning maps, noting the Master Plan itself calls for suburban commercial in the location, and the staff and Planning Board recommend approval.

Ms. Monahan, on behalf of the owners, noted to the Committee the property had been vacant for thirteen (13) years prior to them moving in, the property in its current zoning is hard to be put to use. The commercial zoning she noted will help the area and the neighborhood is happy with an active business.

Council Member Spitzley asked if the business was a medical marihuana provisioning center and currently in operation. The owner stated it was operating pre-moratorium, and since the passage of the laws have applied to the City and State, however their license is pending. He clarified that the State license with LARA is pending, the City application was denied and they have appealed that decision. According to the denial it was not zoned properly. The applicants confirmed they had originally applied for a rezoning in 2016 and then withdrew it during the medical marihuana ordinance process. Once it was complete they applied to rezone again. Council Member Washington asked if they continued operating during the moratorium, and they confirmed they had, but they were open before the moratorium was in place.

MOTION BY COUNCIL MEMBER WASHINGTON TO APPROVE THE RESOLUTION TO INTRODUCE AND SET PUBLIC HEARING FOR MAY 14, 2018, FOR Z-1-2017; 4215 N GRAND RIVER; REZONE FROM D-1 PROFESSIONAL OFFICE TO F COMMERCIAL DISTRICT.

Council Member Hussain voiced his concerns with the rezoning, noting the Master Plan does designate for suburban commercial, however that designation should also benefit the people in the area. Ms. Stachowiak disputed that the rezoning does not meet the legal definition of spot zoning, and in her opinion the whole corridor in this area should all be commercial. It is a major throughway, and the properties to the rear are multi-family, where they are stepping down to lower density to the south. The proposed rezoning would meet the definition of commercial she added, and gave the example of a similar area in South Lansing, Edgewood Blvd. Council

Member Spitzley agreed with the definition given, but noted her opinion is that she does not want to rezone someone just so they will come into compliance with the ordinance, therefore rezoning them to make them compliant. Council Member Hussain agreed, and asked Mr. Venker to explain to the Committee why they have to move it forward out of Committee now. Mr. Venker stated it must go out for public hearing and must go to the full Council for the hearing which is consistent and compliant with the Zoning Enabling Act.

Ms. Womboldt asked for information on when the business opened and closed and voiced her opposition that these businesses are coming to the City for a rezoning after they were denied for a medical marihuana license.

Ms. Miles spoke in opposition to the rezoning and the concern that anyone who is denied a license, can apply for a rezoning.

Ms. DeForest, the manager of Skyline apartments, which she noted sits adjacent to the property in question, supports the rezoning. She informed the Committee that prior to this tenant occupying the property there were a lot of issues to the neighbors and since they moved in the criminal element has been eliminated.

Ms. Monahan noted it is inappropriate for an applicant to applying for rezoning, without the process. She added that the challenge is that it does not say that you are not permitted to the rezone their property. Council Member Spitzley clarified to Ms. Monahan that the issue is not the fact he cannot apply, but the ordinance requires theses uses to be zoned first to get a license. In this case, she added they do not have the correct zoning so they cannot have the license. She concluded that no one has ever said they cannot apply for rezoning. The issue of concern is that they have been an operating medical marihuana provisioning center and then applied for rezoning. Ms. Monahan asked if the owner could have applied for the rezoning before, and Council Member Hussain confirmed they could have asked before.

Ms. Simmons spoke in support of the rezoning and admitted she was a former employee when they were open.

MOTION CARRIED 3-0.

<u>ORDINANCE – PILOT; 601 Sadie Court, Camelot Hills</u>
Council Member Hussain stated to the all present to recap that the application was before this Committee on April 2 and tabled at that time. The request is for a PILOT to commence 2019 and run until 2054 at 4%. There is currently a 4% PILOT, but the applicants are requesting an extension for 35 years with $1.8 million invested into it and putting $1.2 million in reserves. Council Member Spitzley, who chaired the April 2, 2018 meeting, stated that at the meeting it was clear to everyone that with only two members present, it would not be voted out of Committee, and therefore she felt she needed to step back and wait for the Committee Chairperson to attend and have input. Her opinion on the renewal of a 4% PILOT, she continued was to vote it out so the full Council can consider it and act on it.

Mr. Gromer first acknowledged the Committee and noted his appreciation on the time and discussions they have had. He went on appealing his opinion that Camelot Hills is different because they are non-profit, and he went on to address earlier questions on if 10% is feasible and he had a determination from MSHDA. Council Member Hussain reiterated that at earlier meetings it was stated by the applicant that they would be more competitive with a 4% PILOT, but the Committee knows they could get a 10% without Council approval. Mr. Gromer clarified that his statement on competitive at earlier meetings was to be competitive to receive HOME funds, and they have to meet certain economic requirements. Mr. McGrain assured the Committee that his department is working on new PILOT's coming forward but did feel sympathetic with this application because its current PILOT was structured under previous MSHDA guidelines, which is no fault of their own, but now causes the need to restructure. His office supports the PILOT.

Council Member Washington spoke in opposition to the PILOT stating that a 4% PILOT at 35 years is too much, and her job is to look at the City budget.

Council Member Hussain spoke in opposition to 4% PILOTS, and a decision that will impact the City for 35 years. When the State Statue was written they created the standard that anything under 10% has to have local approval, so they knew the local municipalities would need to consider. His concerns included the fact that the City cannot currently afford to provide public service and public safety that is needed to the residents.

Ms. Miles spoke in opposition and her belief the Financial Health Team does not support PILOTS.

Ms. Womboldt spoke in opposition to the PILOT.

Council Member Hussain encouraged the applicants to consider 10% with some replanning and recalculations.

Ms. McMillan stated to the Committee that the program is set up by the Federal government and this is the process that the City has to access. This PILOT is 20% of the low housing, where there are 550 families on Section 8. If this is not approved it will affect 20% of those. This is PILOT is an opportunity for the City to access Federal dollars. Council Member Hussain stated his opinion was that a 4% PILOT is a detriment to the people who live there.

Council Member Spitzley said she wanted the full Council to have an opportunity to comment on it, and because it is a controversial topic, the Committee should pass along to Council.

MOTION BY COUNCIL MEMBER SPITZLEY TO APPROVE THE ORDINANCE FOR THE PILOT FOR CAMELOT HILLS, 609 SADIE COURT.

Council Member Hussain went through the process that has been followed so far, which included earlier meetings at the Committee and the required public hearing at the Council meeting where all Council Members had an opportunity to weigh in. He noted that this Committee is tasked to vet the agenda item and determine if there is a bad policy or application and make the determination if they do not feel it is appropriate to put before the full Council for a vote.

MOTION FAILED 1-2. COUNCIL MEMBER HUSSAIN PLACED IT ON FILE.

Mr. Venker asked for pause because there needed to be a discussion on the disclaimer, rules in the Council Rules for action and the opinion on further action reporting to Council. Council Member Spitzley asked why the legal concern or opinion was not raised before the vote. The Committee then asked why it has to come out of Committee since it failed. Mr. Venker cited the Council Rules which he read that Committee duties are to investigate in a timely manner and he needed time to clarify it. Council Member Hussain asked, now that they have voted, and Law now say it has to has to come out and go to Council. Mr. Venker said if Law reviews the process and clarifies that it does need to go to the full Council, it will be a no-recommendation from the Committee. Council Member Washington asked if that was an option or not a mandate. Mr. Venker did not have the answer and would have to check. Mr. McGrain asked if the action from the Committee will be at Council Monday, April 23rd because the applicant has MSHDA deadlines to meet. Council Member Hussain stated it would not go to Council until the opinion from Law. Based on today's meeting, the application is "dead", unless the legal opinion states it has to go to the full Council. Council Member Spitzley stated again to Mr. Venker that the need for clarification by Law should have been conveyed before the vote. Council Member Washington remembered the same discussion on this process before the Committee before, and Council Member Hussain noted in the past was if it "died" at Committee it never came out to the full Council. Mr. Venker stated he would speak to the Council Members outside of this meeting.

Ms. Womboldt asked for consistency.

Council Member Spitzley assured the Committee she did not disagree with the decision to move to the full Council, but the clarification on the rules should have been done before the vote on the agenda item it would affect. The Committee needs to make informed decisions, good bad or indifferent. Council Member Hussain had concerns with clarification outside of the meeting, and Council Member Spitzley agreed asking for a formal City Attorney opinion as soon as possible.

Council Member Hussain called a Special Committee on Development and Planning meeting for Monday, April 23, 2018 at 5:00 p.m. for clarification from law.

Ms. Womboldt asked for a copy of a court case that addressed a recent BZA case.

Council Member Hussain instructed the Committee that they will meet on April 23rd and as it currently stands the request for a PILOT for Camelot Hills is denied. If the City Attorney's office at that meeting determines the decision has to come out to the full Council, it will be added that night at Council as a "Late Item".

Ms. McMillan asked if they could seek reconsideration, which was stated at the last meeting. Mr. Venker was not able to provide an answer, and the Committee agreed to meet on April 23rd at 5:00 p.m. to review his determination on the action and next steps.

<u>DISCUSSION – Economic Development & Planning Update on a PILOT process</u>
Council Member Hussain moved this discussion to the next regularly scheduled meeting.

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

<u>Adjourn</u>
Adjourned at 5:16 p.m.
Submitted by, Sherrie Boak,
Recording Secretary,
Lansing City Council
Approved by the Committee on May 7, 2018

Re: PILOTS

MINUTES
Committee on Development and Planning
~~Special Meeting~~
Monday, April 23, 2018 @ 5:15 p.m.
Council Conference Room, City Hall 10th Floor

CALL TO ORDER
Called to order at 5:16 p.m.

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

OTHERS PRESENT
Sherrie Boak, Council Staff
Brian McGrain, Economic Development & Planning
Susan Stachowiak, Economic Development & Planning
Jim Smiertka, City Attorney
Kathy Miles
Elaine Womboldt

PUBLIC COMMENT
No public comment at this time.

DISCUSSION/ACTION
Clarification from the City Attorney
Mr. Smiertka provided an overview of the memo he submitted to the Committee on the analysis of legal requirements related to certain development and planning matters. He noted that when there is a rezoning, which is an amendment to the zoning ordinance, the Zoning Enabling Act requires a hearing only at the Planning Board level, however the City Charter states the City Council has to have a hearing as well. The Zoning Enabling Act, although only requiring a public hearing at the Planning Board level, does require that the legislative body consider and vote on any rezoning request. Therefore, when combining the requirements of the Zoning and Enabling Act and City Charter, amendments to our zoning code are required to have a public hearing and vote by the full body. Mr. Smiertka then assured the Committee that everything else that the Committees reviews and takes action on can be kept in Committee unless Council refers it to the Committee and requests a report. Council Member Spitzley asked for clarification, once it is acted on and voted down, is it considered "dead" at Committee. Mr. Smiertka clarified that once it is voted on, they have to report to Council the findings or action, in whatever formats the

Committee determines, although Council can discharge matters from the Committee. According to the Council Rules, to discharge an issue from committee, a 2/3 vote of the members at a Committee of the Whole or City Council meeting is needed. In 2016, Law determined that the 2/3's applied to the members at that meeting. Council can interpret their own rules, but if there are 8 Members at the meeting, it would need 6 members to pass, if there are 7 Members at the meeting it would need 5 Members. Council Member Spitzley asked Mr. Smiertka if someone at the Council meeting tonight asked for this PILOT to be discharged, would they need 5 votes since there will only be 7 members present, and Mr. Smiertka confirmed stating that is what the Council Rules state. If Council wants to amend the Rules, that would require another vote. Council Member Hussain asked if the discharge has to be done immediately following the meeting where the Committee reports out their determination, and Mr. Smiertka referred to Council Rule 17 which states "any Council Meeting".

Ms. Womboldt asked if a discharge from Committee requires a roll call vote of Council. Mr. Smiertka stated that a roll call vote is only required would be for the ordinance itself.

Council Member Hussain asked what occurs with a Special Land Use. Mr. Smiertka confirmed that the requirement to Council is only for zoning amendments.

Ms. Miles asked if Mr. Venker's objection from the last Committee meeting negated the denial vote. Mr. Hussain confirmed for her it did not, the question was if the PILOT discussion from the last Committee meetings needed to come out of Committee for final action. The discussion today is also about what steps are taken if a Member calls for reconsideration.

Ms. Miles asked why the Council has Committees. Council Member Spitzley assured her that Committees vet proposals, make sure applications are complete, and there is always a reason for Committee review and action. There is a process in place and allowable.

Council Member Hussain assured Ms. Miles and Ms. Womboldt that the Committee also wanted the legal opinion from the City Attorney himself since the opinions from Law have been contrary to what has been stated from that office in the past.

Mr. Smiertka reiterated the earlier statement from Council Member Spitzley, that the Committees are part of the process to provide vetting on applications. He then encouraged the Council to also review the Council Rules, Rule 4 which speaks to "no more than four (4) members on any standing committee".

Other
No other topics.

Adjourn
Adjourned at 5:28 p.m.
Submitted by, Sherrie Boak,
Recording Secretary,
Lansing City Council
Approved by the Committee on May 8, 2018

GENERAL INFORMATION

APPLICANT/OWNER:	Lansing Community College 315 N. Grand Avenue Lansing, MI 48933
REQUESTED ACTIONS:	Rezoning from "E-1" Apartment Shop & "DM-4" Residential districts to "G-1" Business district Special Land Use Permit to construct a 5 level parking ramp
EXISTING LAND USE:	Surface parking lot
PROPERTY SIZE & SHAPE:	186' x 330' = 61,380 square feet (1.4 acres)
SURROUNDING LAND USE:	N: Office building S: Apartment building E: Parking ramp/offices W: Residential/offices
SURROUNDING ZONING:	N: "G-1" Business District S: "G-1" Business District E: "G-1" Business District W: "D-1" Professional Office District
MASTER PLAN DESIGNATION:	The Design Lansing Master Plan designates the subject property as "Downtown Mixed Use Center: Edge". N. Capitol Avenue is designated as a major arterial. Shiawassee Street is designated as a collector road and Seymour is designated as a local road.

Requests

Z-1-2020 and SLU-2-2020 are requests by Lansing Community College to rezone the 1.4 acre parcel of land located on the south side of W. Shiawassee Street between Seymour Avenue and N. Capitol Avenue from "E-1" Apartment Shop & "DM-4" Residential districts to "G-1" Business district and for a special land use permit to allow the construction of a 5 level parking deck on the property. Parking facilities are permitted as the sole use of a parcel of land in the "G-1" Business district, if a special land use permit is approved by the City Council, following a review and recommendation by the Lansing Planning Board.

AGENCY RESPONSES:

BWL:	See attached
Building Safety:	The Building Safety Office has no objections. The project will be subject to site plan and building plan reviews.
Development:	
Fire Marshal:	
Parks & Recreation:	No issues for Parks. Riverfront Park events use the Gannon lot for special event parking and this ramp is also used at a shelter as part of the emergency inclement weather plan for large events in the park.
Public Service:	The project engineer, NTH, has contacted Public Service to discuss stormwater handling for both parking ramps. Director Andy Kilpatrick has met with LCC about regarding the construction of the two ramps.
Transportation:	No comments or requirements relative to the SLU or zoning requests based on the fact that both areas are currently parking facilities. Any issues surrounding the actual structures will be addressed during the site plan review process. LCC has already been coordinating with the City regarding the conversion of Grand and Capitol Avenues to two-way operation to ensure that facilities will work with two way traffic operations.

REZONING ANALYSIS

COMPATIBILITY WITH SURROUNDING LAND USE

The applicant is requesting that the 1.4 acre property bounded by Shiawassee Street to the north, Seymour Street to the west and N. Capitol Avenue to the east be rezoned from "DM-4" Residential and "E-1" Apartment Shop districts to the "G-1" Business district. The applicant intends to construct a 5 level parking ramp on the subject property, which is currently a surface parking lot, to serve the parking needs of Lansing Community College. Parking facilities, as the sole use of a parcel of land in the "G-1" Business district, are permitted subject to approval of a special land use permit which is also being sought at this time by the applicant.

As depicted on the attached zoning map, the subject property is surrounded to its north, south and east by "G-1" Business district zoning and therefore, the proposed "G-1" zoning will be consistent with the zoning pattern already established in the area.

According the plans that have been submitted by the applicant, the proposed parking facility will be developed in a manner that is consistent with the existing development pattern in the area in terms of having multiple stories and being located at or very near the front property lines.

COMPLIANCE WITH MASTER PLAN

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

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

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

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

The use of the subject property for a parking ramp is consistent with one of the primary goals of the Comprehensive Plan which is to eliminate surface parking lots, particularly in the downtown. While a parking ramp without any first floor office or commercial space is not the most desirable use of the subject property, it is far more desirable than the surface parking lot that currently exists. Furthermore, the ramp will be designed to accommodate conversion of all or part of the first floor to other uses at some time in the future, should there be a viable opportunity to do so.

From a planning standpoint, parking in the downtown should be accommodated either below ground or in multi-level parking ramps. This not only eliminates the unappealing appearance of surface parking lots but maximizes the use of land in the downtown so that it is available for the types of uses that contribute to its economic vitality. As mentioned multiple times throughout the Comprehensive Plan, surface parking lots, on corner lots in particular, should be discouraged and replaced with buildings whenever possible. Buildings on corner lots define the blocks on which they are located and provide a sense of vitality and activity not associated with surface parking lots, even when the sole use of the building is for parking.

IMPACT ON VEHICULAR AND PEDESTRIAN TRAFFIC

Access to the proposed parking ramp will be from Capitol Avenue and Seymour Street, both of which are designed to carry a high volume of traffic. Furthermore, the necessary traffic controls are already in place to ensure the safety of pedestrians in the area.

The following information has been provided by the City of Lansing Transportation Division of the Public Service Department in response to the questions that were raised at the March 3, 2020 Planning Board meeting:

* As a design standpoint, we would only eliminate parking on Seymour if there is a line of sight issue at the driveway for exiting vehicles. The roadway on Seymour is 33 feet wide and

could accommodate a southbound left turn lane or two-way left turn lane if needed but would require elimination of parking (this is not planned by our office at this time).

* The current traffic volumes we have are old but (in general) traffic volumes remain fairly consistent in the downtown area and indicate Seymour can handle an additional 7000 vehicles but could impact the Shiawassee intersection. As discussed in the last meeting with LCC, we would need to have estimates for the ramp to see how the intersection would operate. Using averages from City facilities indicates one exit/entrance would need 3 ingress and 3 egress lanes if gated. If not gated, it is possible that 2 ingress and 2 egress may work.

Review of a traffic study is a component of the administrative site plan review process. Based on the results of the traffic study, the City transportation engineers will determine what, if any, changes to the transportation system in the area are necessary to safely and efficiently accommodate the traffic that would be generated by the proposed project. The issues to be determined by the Planning Board and City Council involve whether the proposed zoning is consistent with the existing zoning pattern in the area and whether the proposed use will be compatible with the existing land uses in the area. As described in greater detail in other sections of this report, the proposed "G-1" zoning is consistent with the current "G-1" zoning designation of the properties to the north, south and east of the subject property. Furthermore, the proposed ramp is merely intended to provide parking for the existing LCC facilities located to the north and northeast of the subject property. The rezoning and special land use permit requests are therefore, approvable on those bases. The transportation issues (turn-lanes, driveway locations, on-street parking, etc.) are matters of design rather than matters of zoning and land use and thus, are not relevant in determining whether to approve or deny such requests.

ENVIRONMENTAL IMPACT

Redevelopment of the site will have little to no impact on the physical environment as it is already covered almost entirely by impervious surface.

IMPACT ON PUBLIC FACILITIES

The proposed ramp must be approved through the administrative site plan review process before any permits can be issued for construction on the site. A primary component of the site plan review process is a review and approval of a storm-water management plan by the City's Public Service Department.

IMPACT ON FUTURE PATTERNS OF DEVELOPMENT

The proposed rezoning of the site to the "G-1" Business district will not adversely impact future patterns of development in the area. As evidenced by the attached zoning map, the subject property is surrounded on three sides by "G-1" zoning. The request therefore, will make the zoning of the subject property consistent with the zoning pattern already established in the area. One of the reasons that the downtown area is predominantly zoned "G-1" Business is because it is the only zoning district that has no building height limitations, lot coverage restrictions, setback requirements or parking requirements and thus, it allows for maximum usage of properties, many of which are so small that they would be rendered unbuildable if they were subject to such requirements/limitations.

While that is not true of the subject property, given its relatively large size, it is located in a downtown setting where development with little to no building setbacks, multi-stories and maximum lot coverage is appropriate and which can only be accommodated by "G-1" zoning.

SPECIAL LAND UE PERMIT ANALYSIS

Section 1282.03(f)(1)-(2) sets forth the criteria which must be used to evaluate a Special Land Use permit request. The criteria and evaluation are as follows.

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

   The site is surrounded by a newly renovated multi-level apartment building to the south, a 5 level City owned parking ramp to the east, an LCC educational and historical building to the north and a mix of office and residential uses to the west. The proposed 5 level parking ramp will be consistent with the scale of the existing buildings in the area, the majority of which are at least as tall, if not taller than the proposed parking ramp. In addition, the building will be designed to make it architecturally pleasing and as compatible as possible with the surrounding area. The plan also includes a landscape buffer around all three road frontages to soften its appearance at the streetscape.

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

   The proposed parking ramp will not change the essential character of the area as there is already a 5-level City owned parking ramp directly across the street on Capitol Avenue and a State of Michigan owned 5-level parking ramp located half of a block to the south. The proposed parking ramp will be constructed on an existing surface parking lot and is intended to provide additional parking to serve the needs of Lansing Community College, the downtown campus of which is located at the same intersection, just northeast of the subject property. Furthermore, the new parking ramp will reduce the demand for on-street parking in the area and will eliminate the need for LCC to demolish buildings in the area to create more surface parking.

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

   The proposed parking ramp is not anticipated to interfere with the enjoyment of adjacent properties. The proposed parking ramp will diminish the views, to a certain extent, from the windows of the apartment building to the south and the office/residential buildings on the west side of Seymour Street. The existing zoning designations, however, allow buildings up to 100 feet in height and thus, the applicant's proposal will not impact the surrounding land uses to any greater extent than development that would be permitted by right under the current zoning. Additionally, the applicant will be designing the building to ensure that the lights do not glare into the windows of the adjoining apartment 3

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

The proposed parking ramp will have no impact on the natural environment since the site is already covered almost entirely by an asphalt parking lot. The proposed ramp is considered to be an "improvement" to the property as it will make better use of the land and provide much needed parking for the LCC facilities to its north and northeast.

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

The parking lot will not generate any nuisances or hazardous conditions.

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

No negative comments have been received from any of the reviewing departments or agencies with regard to impacts on public facilities and services. The proposed parking ramp will need to be reviewed and approved through the City's administrative site plan review process, a primary component of which will involve review and approval of a storm-water management plan.

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

The proposed parking ramp is not anticipated to increase demands on public services and facilities in excess of current capacity. The street system in the area is designed to accommodate a high volume of vehicular traffic and the necessary traffic controls are already in place to accommodate pedestrian traffic. The only other public service that will be impacted by this proposal involves the storm sewer system. The engineers that are preparing the plans for LCC are already working with the City engineers to develop a storm water management plan for the site, the specifics of which will be reviewed during the site plan review process.

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

The Design Lansing Master Plan designates the subject property for Downtown Mixed-Use Center: Edge. The purpose of this designation as described in the Plan is:

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

The use of the subject property for a parking ramp is consistent with one of the primary goals of the Comprehensive Plan which is to eliminate surface parking lots, particularly in the downtown. While a parking ramp without any first floor office or commercial space is not the most desirable use of the subject property, it is far more desirable than the surface parking lot that currently exists. Furthermore, the ramp will be designed to accommodate conversion of all or part of the first floor to other uses at some time in the future, should there be a viable opportunity to do so.

From a planning standpoint, parking in the downtown should be accommodated either below ground or in multi-level parking ramps. This not only eliminates the unappealing appearance of surface parking lots but maximizes the use of land in the downtown so that it is available for the types of uses that contribute to its economic vitality. As mentioned multiple times throughout the Comprehensive Plan, surface parking lots, on corner lots in particular, should be discouraged and replaced with buildings whenever possible. Buildings on corner lots define the blocks on which they are located and provide a sense of vitality and activity not associated with surface parking lots, even when the sole use of the building is for parking.

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

There are no setback or lot coverage requirements and no building height limitations under the proposed "G-1" zoning district. The proposed parking ramp will be located at or within 3 feet of the property lines to the north, south and for a short distance along the east property lines. The ramp will have setbacks of 14.5 feet and 15.1 feet along the west and the majority of the east property lines, respectively. These areas will be landscaped in accordance with the attached plan.

SUMMARY

Z-1-2020 and SLU-2-2020 are requests by Lansing Community College to rezone the 1.4 acre parcel of land located on the south side of W. Shiawassee Street between Seymour Avenue and N. Capitol Avenue from "E-1" Apartment Shop & "DM-4" Residential districts to "G-1" Business district and for a special land use permit to allow the construction of a 5 level parking deck on the property. Parking facilities are permitted as the sole use of a parcel of land in the "G-1" Business district, if a special land use permit is approved by the City Council, following a review and recommendation by the Lansing Planning Board.

Based on the findings contained in this staff report, the proposal complies with all of the criteria of Section 1282.03(f)(1)-(9) of the *Zoning Code* for evaluating Special Land Use permits.

1. The proposed Special Land Use will be harmonious with the character of adjacent properties and surrounding uses.
2. The proposed Special Land Use will not change the essential character of the surrounding properties.
3. The proposed Special Land Use will not interfere with the general enjoyment of adjacent properties.
4. The proposed Special Land Use does represent an improvement to the lot as it currently exists.
5. The proposed Special Land Use will not be hazardous to adjacent properties.
6. The proposed Special Land Use can be adequately served by public services and utilities.
7. The proposed Special Land Use will not place any demand on public services and facilities in excess of current capacities.
8. The proposed Special Land Use is consistent with the specific designations of the Zoning Code and the goals of the Design Lansing Comprehensive Plans.
9. The proposed Special Land Use will comply with the dimensional requirements of the Zoning Ordinance.

RECOMMENDATION

Staff recommends approval of Z-1-2020 to rezone the 1.4 acre parcel of land located on the south side of W. Shiawassee Street between Seymour Avenue and N. Capitol Avenue from "E-1" Apartment Shop & "DM-4" Residential districts to "G-1" Business district and SLU-2-2020 for a special land use permit to allow the construction of a 5 level parking ramp on the property, based upon the findings of fact as outlined in this staff report.

Respectfully Submitted,

Susan Stachowiak
Zoning Administrator

LANSING BWL
Hometown People. Hometown Power.

BOARD OF WATER AND LIGHT MEMO

April 2, 2020

TO: City of Lansing – Planning Department, Susan Stachowiak

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

RE: COL 2-1-2020 & SLU-2-2020_N Capitol_Comments

BWL Electric: Approved with the following comments:

- The BWL can provide an (underground and/or overhead) electric service to serve the new development based on the Board's Rules and Regulations for Electric Service.
- A copy of the final site, grading, and electrical plans for the proposed development must be supplied to the Customer Projects Department before a final cost for electric service and service agreement can be provided to the owner/ developer.
- Owner/ developer must contact BWL Customer Projects Department, Jerry Wheeler @ 517-702-6644, to initiate service agreement process.
- There are no apparent conflicts with the proposed development and the existing BWL electric distribution facilities.
- Rezoning request approved with no comments.

BWL Street Lighting:

- Rezoning creates a conflict with the streetlight facilities on the property.
- The BWL will need to remove poles and lighting facilities on the property to accommodate the redevelopment.
- A service agreement for the cost of construction will need to be reviewed, signed, and returned with payment prior to removal.
- Owner/ developer must contact BWL Customer Projects Department, Gary Simpson @ 517-702-6647, to initiate service agreement process.

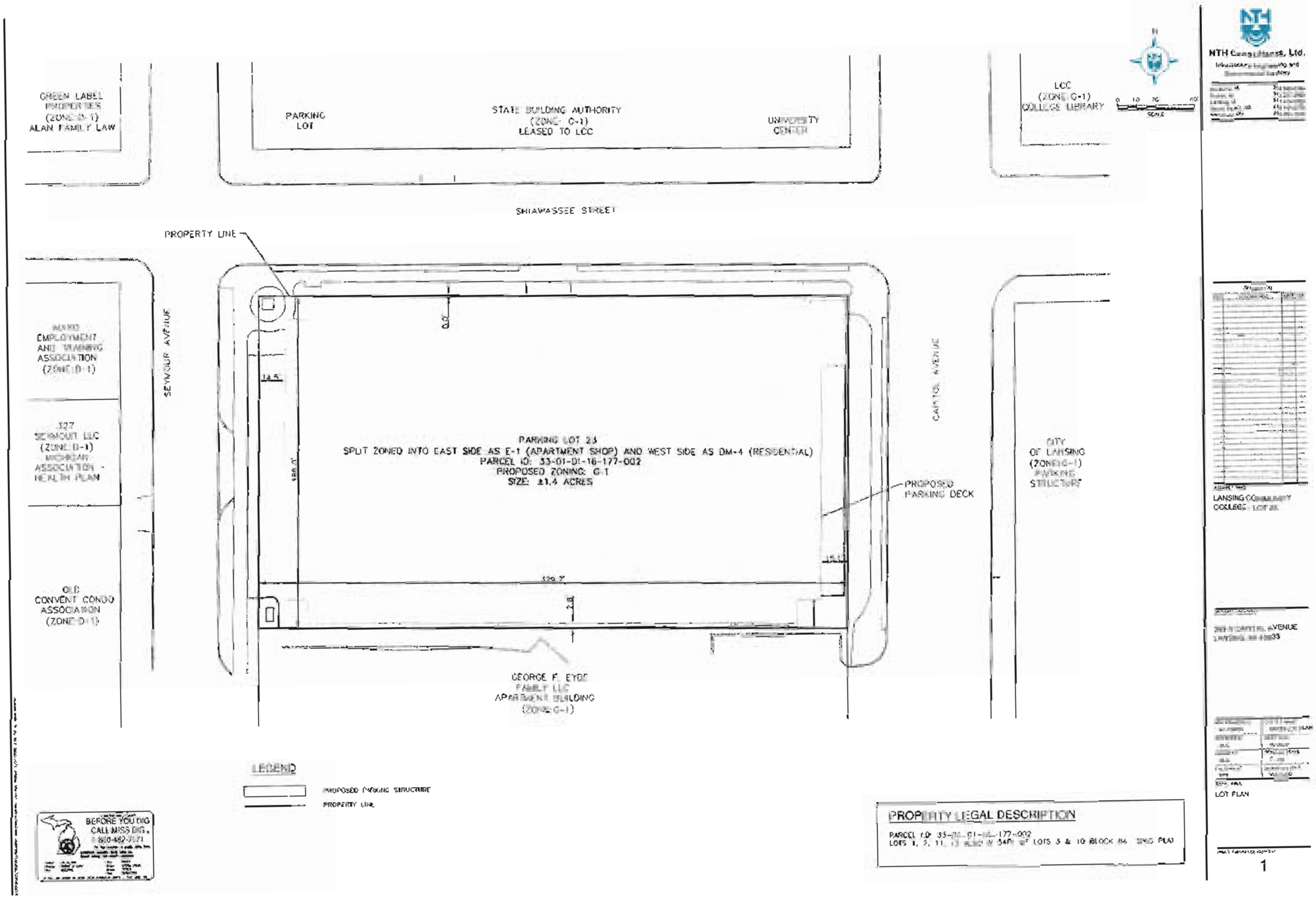
BWL Water & Steam Distribution:
Approved
Please note that this approval does not constitute an agreement for service, and is subject to the following conditions:

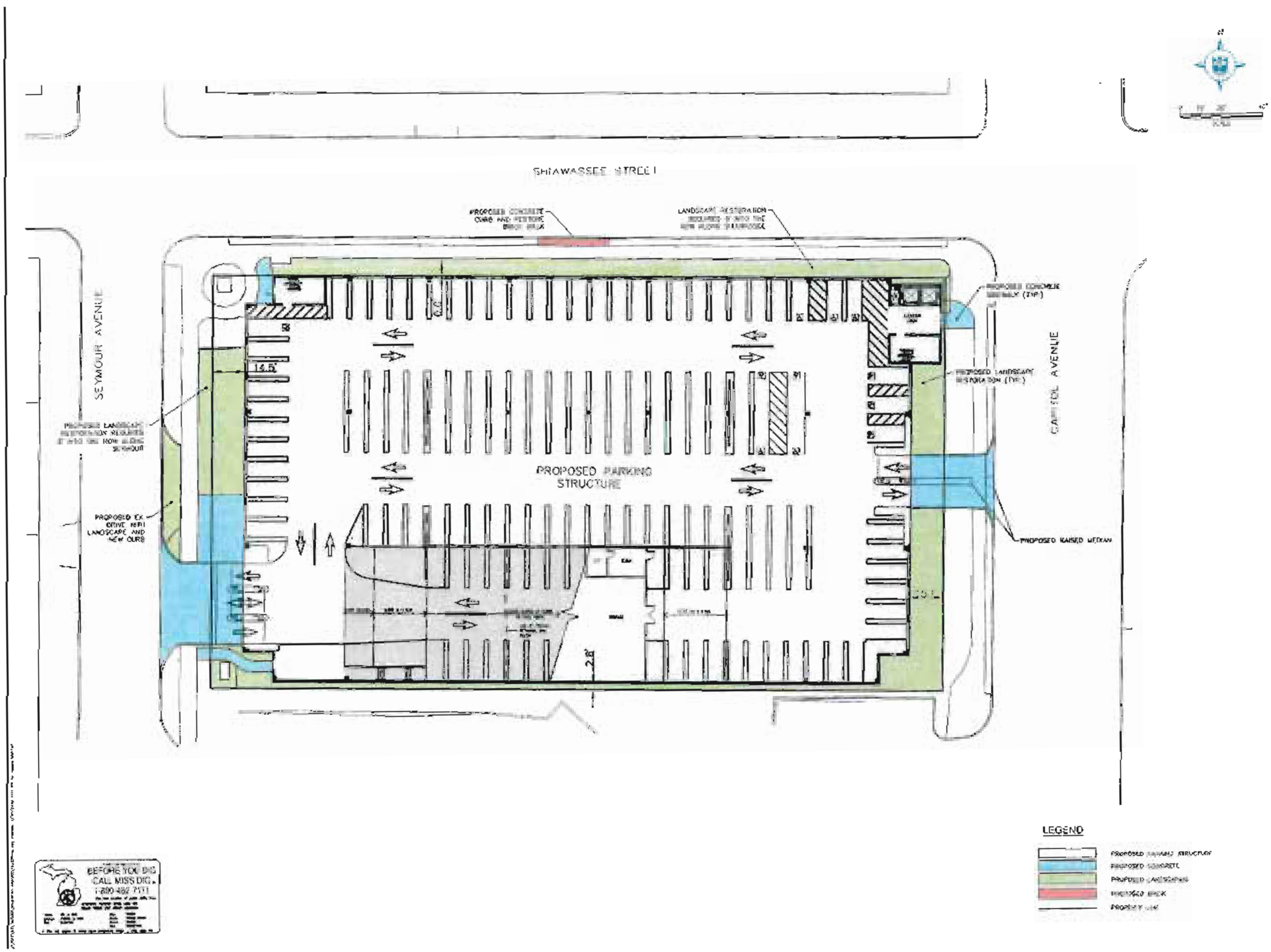
- Site Specific Comments:
    - The proposed rezoning does not appear to impact existing BWL water facilities.
- General Comments:
    - The customer is responsible for verifying the precise location and depths of the existing water mains or services prior to construction. The LBWL will not be responsible for unanticipated conflicts caused by inaccuracies in the customer's design documents or MISS-DIG staking in the field.
- Any questions about specific water service requirements may be directed to the LBWL Water Distribution Department; Jerrod Wade via phone at 517-702-6564 or e-mail at Jerrod.Wade@lbwl.com.

BWL Water Operations: Randall Roost
No comments or concerns.

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

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


GREEN LABEL PROPERTIES (ZONE D-1) ALAN FAMILY LAW
PARKING LOT
STATE BUILDING AUTHORITY (ZONE G-1) LEASED TO LCC
UNIVERSITY CENTER
LCC (ZONE G-1) COLLEGE LIBRARY
SHIAWASSEE STREET
PROPERTY LINE
SEYMOUR AVENUE
CAPITOL AVENUE
EMPLOYMENT AND TRAINING ASSOCIATION (ZONE D-1)
327 SEYMOUR LLC (ZONE D-1) MICHIGAN ASSOCIATION - HEALTH PLAN
OLD CONVENT CONDO ASSOCIATION (ZONE D-1)
PARKING LOT 23
SPLIT ZONED INTO EAST SIDE AS E-1 (APARTMENT SHOP) AND WEST SIDE AS DM-4 (RESIDENTIAL)
PARCEL ID: 33-01-01-16-177-002
PROPOSED ZONING: G-1
SIZE: ±1.4 ACRES
PROPOSED PARKING DECK
CITY OF LANSING (ZONE G-1) PARKING STRUCTURE
GEORGE F. EYDE FAMILY LLC APARTMENT BUILDING (ZONE G-1)
LEGEND
PROPOSED PARKING STRUCTURE
PROPERTY LINE
BEFORE YOU DIG CALL MISS DIG
PROPERTY LEGAL DESCRIPTION
PARCEL I.D: 33-01-01-16-177-002
NTH Consultants, Ltd.
LANSING COMMUNITY COLLEGE - LOT 23
CAPITOL AVENUE
LANSING, MI 48933
LOT PLAN
1



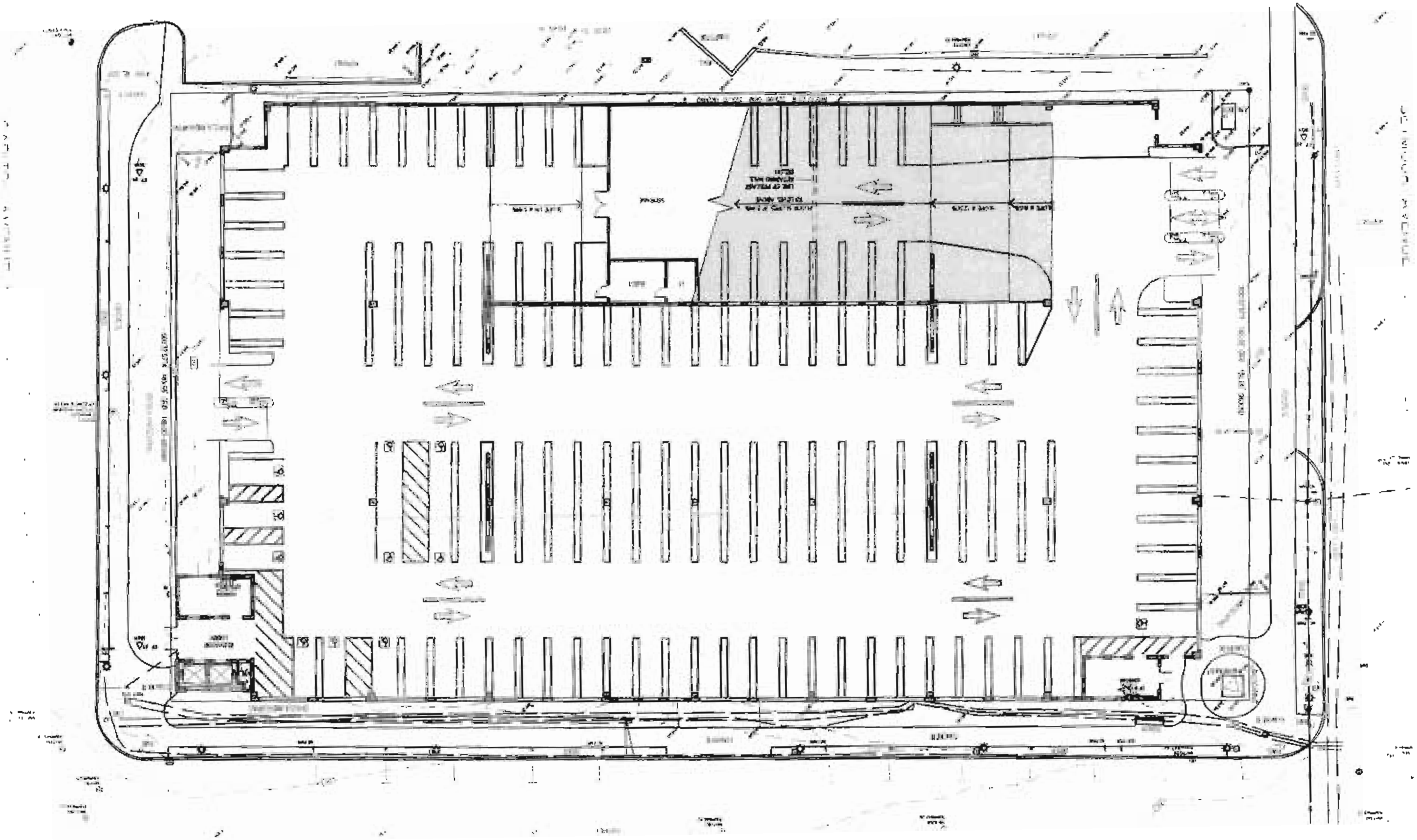
NTH Consultants, Ltd.

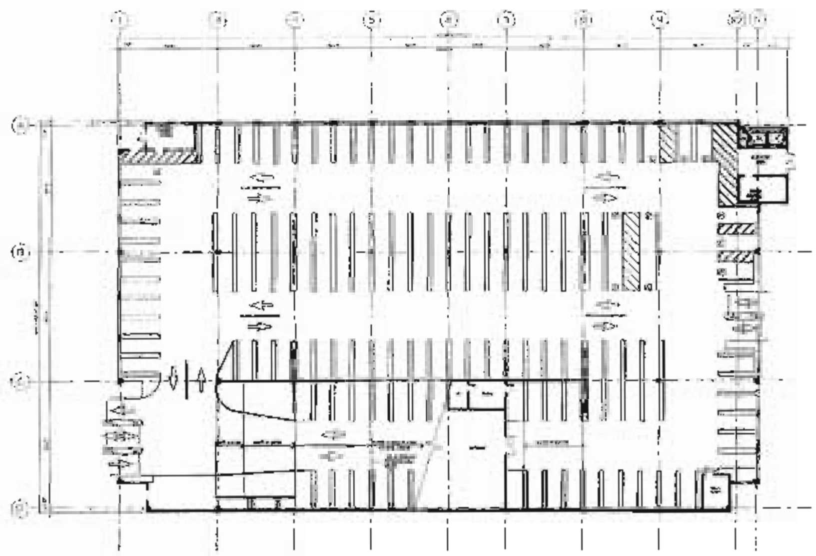
LANSING COMMUNITY COLLEGE - LOT 23

309 N CAPITAL AVENUE
LANSING, MI 48933

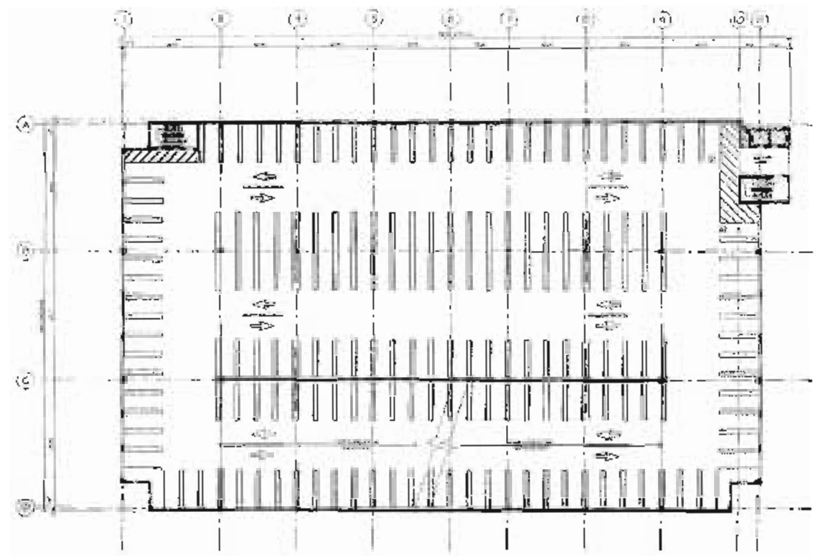
SITE PLAN

2





LEVEL 1 FLOOR PLAN



LEVEL 2 FLOOR PLAN

LOT 23 [illegible] CAR COUNT

[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]

PARKING GARAGE OCCUPANT CAPACITY

LEVEL	[illegible]	[illegible]	[illegible]		[illegible]	
			[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
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[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
TOTAL	[illegible]	[illegible]				

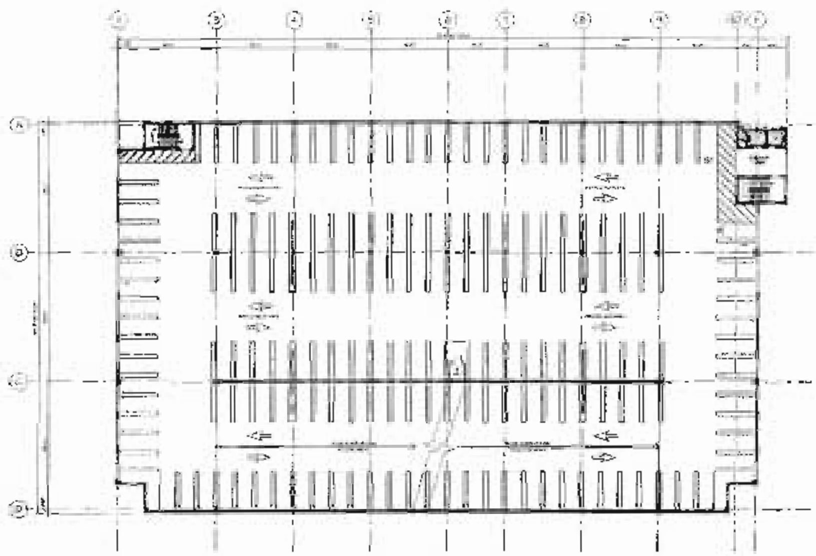
CHRISTMAN
SINCE [illegible]

LANSING COMMUNITY COLLEGE

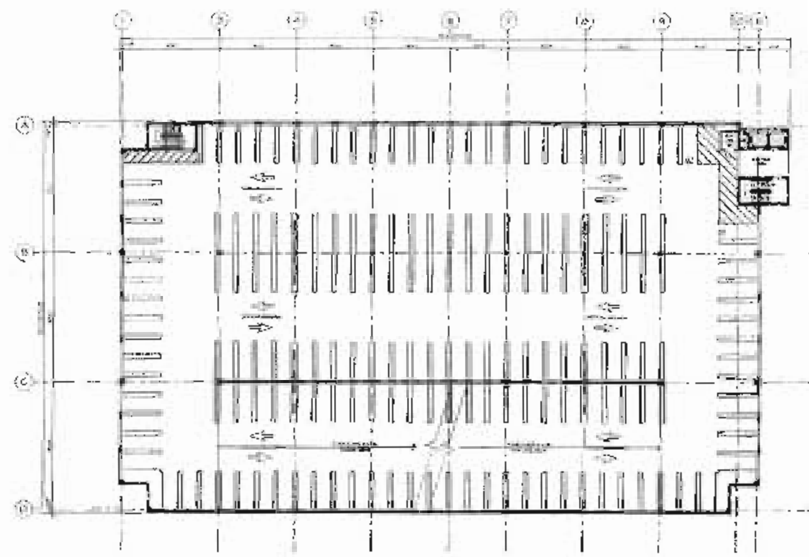
A-1 LEVEL 1 & 2 FLOOR PLANS

LANSING COMMUNITY COLLEGE

LOT 23 PARKING STRUCTURE DESIGN



LEVEL 3 FLOOR PLAN



LEVEL 4 FLOOR PLAN

LOT 23 [illegible]			
[illegible]	[illegible]	[illegible]	[illegible]
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[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]

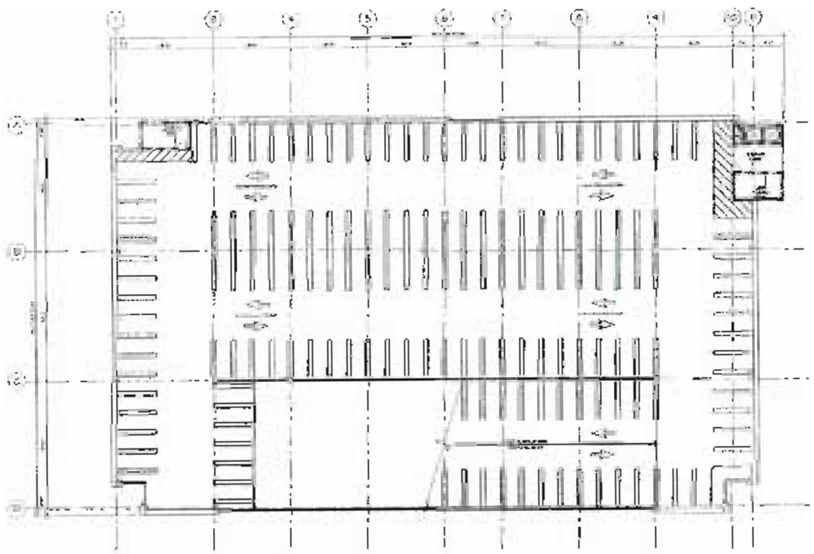
CHRISTMAN
SINCE 1894

LANSING COMMUNITY COLLEGE

A-2 LEVEL 3 & 4 FLOOR PLANS

LANSING COMMUNITY COLLEGE

LOT 23 PARKING STRUCTURE DESIGN



LEVEL 5 FLOOR PLAN

CHRISTMAN

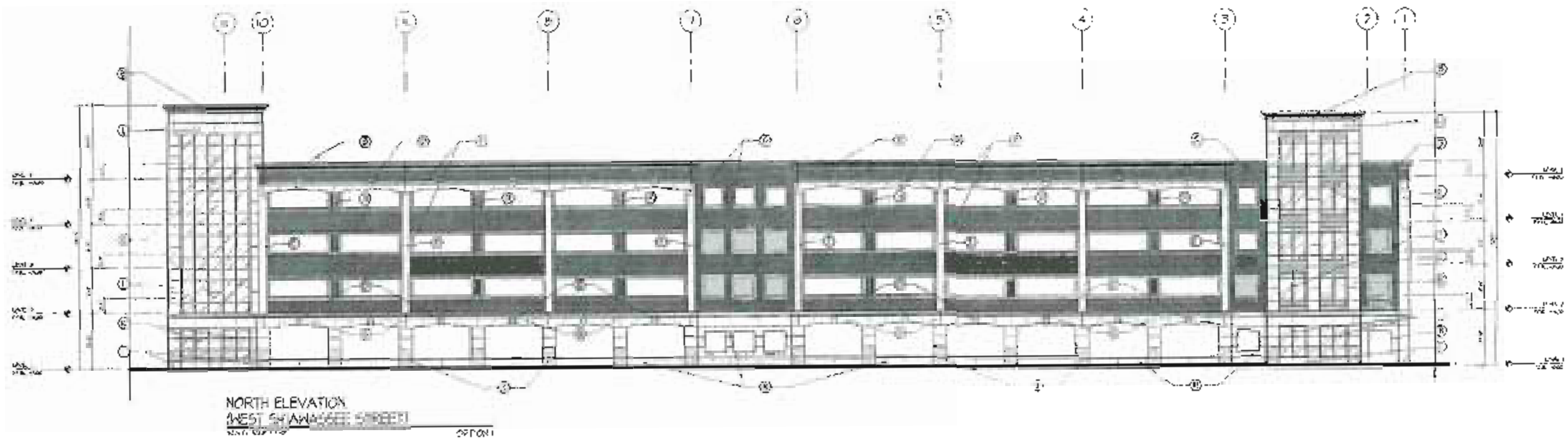
SINCE 1894

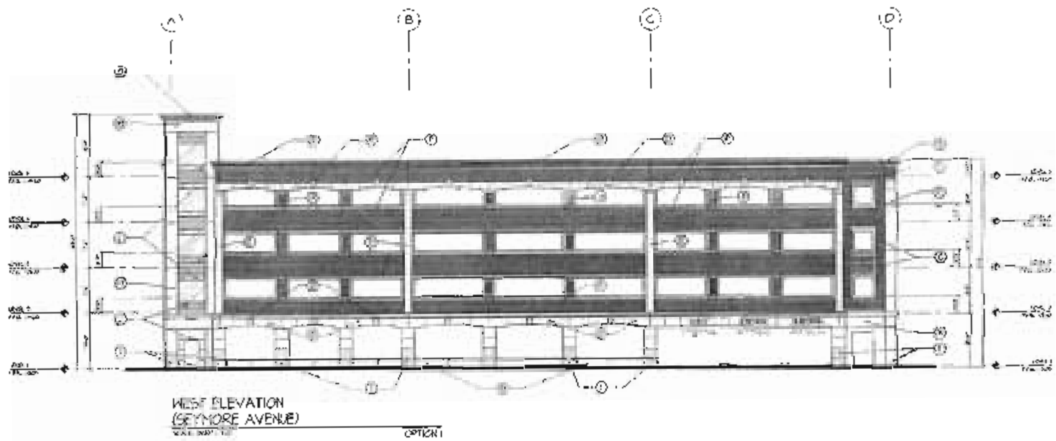
LANSING COMMUNITY COLLEGE

A-3 LEVEL 5 FLOOR PLAN

LANSING COMMUNITY COLLEGE

LOT 23 PARKING STRUCTURE DESIGN





KEY NOTES

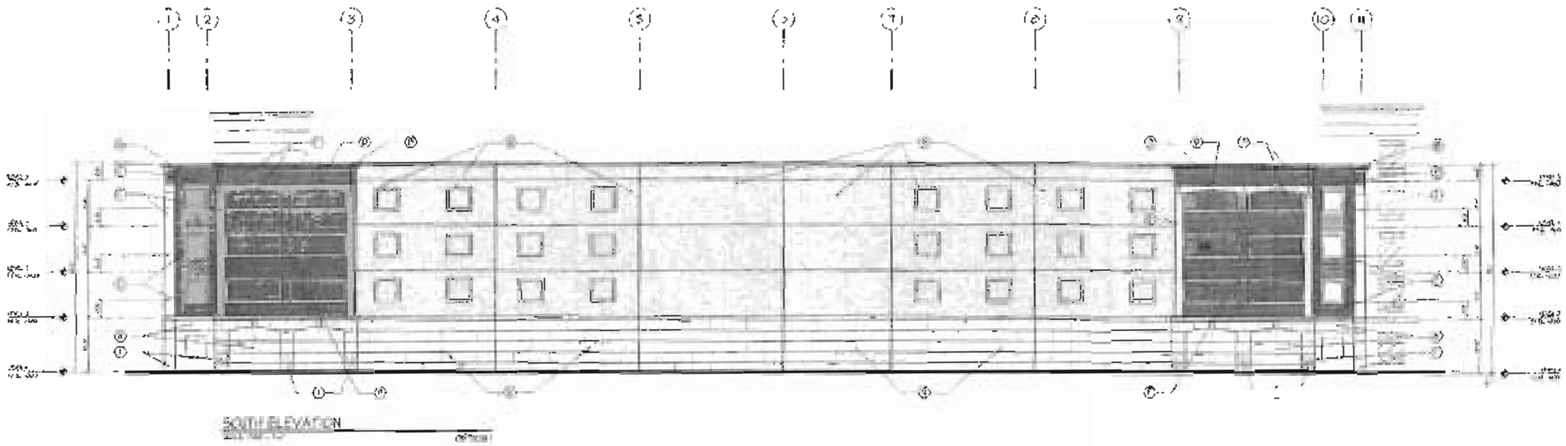
CHRISTMAN SINCE 1894

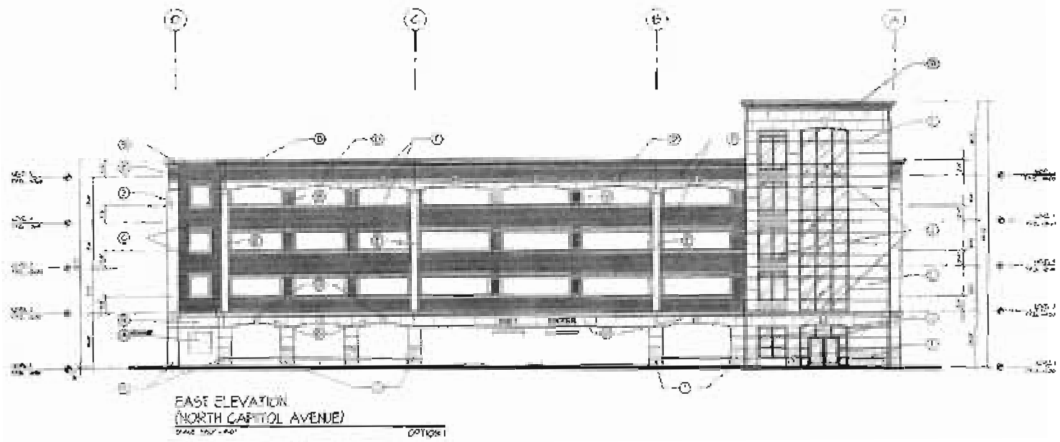
LANSING COMMUNITY COLLEGE

A-4 ELEVATIONS - OPTION 1

LANSING COMMUNITY COLLEGE

LOT 23 PARKING STRUCTURE DESIGN





KEY NOTES

CHRISTMAN

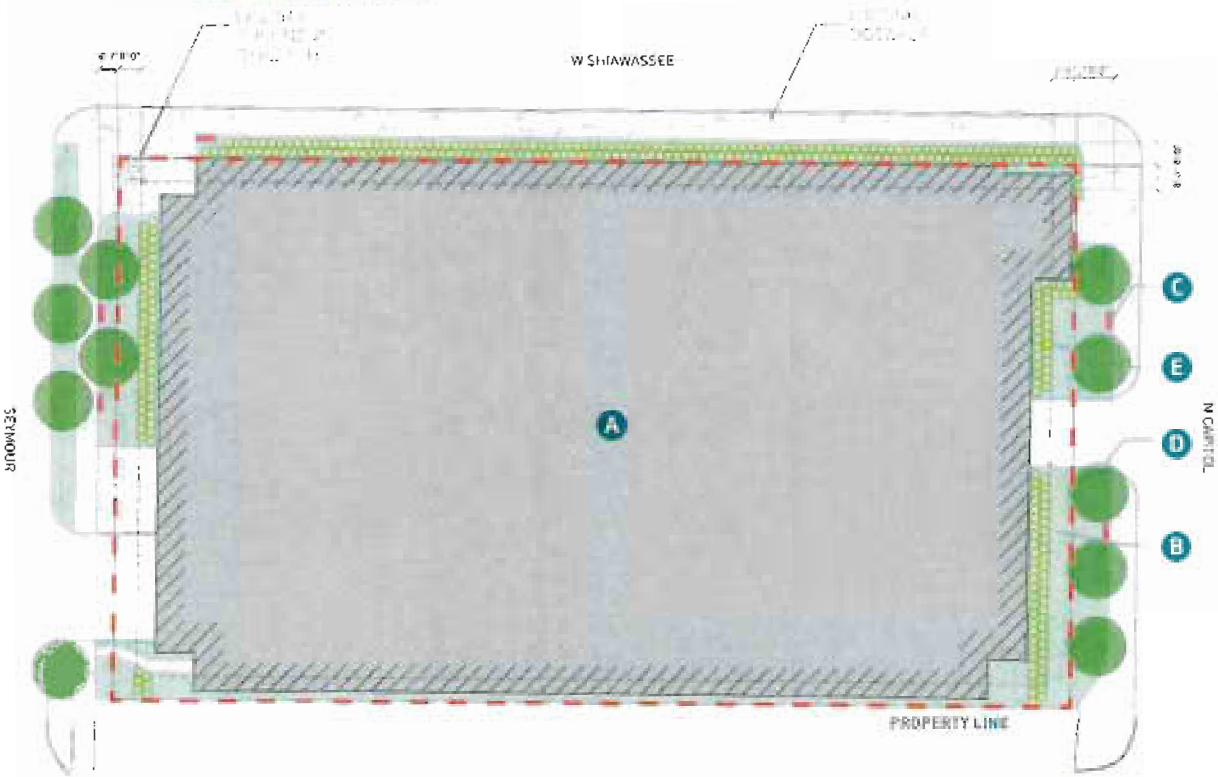
LANSING COMMUNITY COLLEGE

A-5 ELEVATIONS - OPTION 1

LANSING COMMUNITY COLLEGE

LOT 23 PARKING STRUCTURE DESIGN

LANDSCAPE RECOMMENDATIONS



Proposed Parking Deck Footprint

Proposed Landscaped Area (Groundcover or Sod)

Typical Bench

Typical Street Tree, 30' OC

Typical Shrub, 30" OC

NTH Consultants, Ltd.

Lansing Community College Lot S23
PHOTO LOG

PROJECT NAME:	LCC Parking Decks			PROJECT NO:	62-190259		
DATE:	11/04/2019	REPORT NO.:	001	PHOTOGRAPHER:	D. Lutz	Page	1 of 4

Photo 1: Northeast corner of the property - looking southeast at Capitol and Shiawassee

Photo 2: North Property Limits - looking south from Shiawassee

Lansing Community College Lot S23
PHOTO LOG

PROJECT NAME: LCC Parking Decks				PROJECT NO.: 62-190259	
DATE: 11/04/2019	REPORT NO.: 001	PHOTOGRAPHER:	D. Lutz	Page	2 of 4

Photo 3: Southwest area of the property – looking east at parking lot

Photo 4: North Property Limits – looking east along Shiawassee

NTH Consultants, Ltd.

Lansing Community College Lot S23
PHOTO LOG

PROJECT NAME: LCC Parking Decks		PROJECT NO: 62-190259	
DATE: 11/04/2019	REPORT NO.: 001	PHOTOGRAPHER: D. Lutz	Page 3 of 4

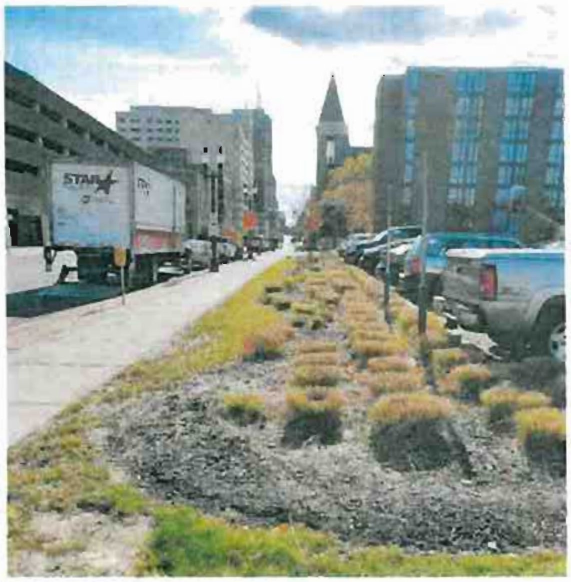


Photo 5: East Property Limits – looking south along Capitol

Photo 6: South Property Limits – looking west along parking lot limits

NTH Consultants, Ltd

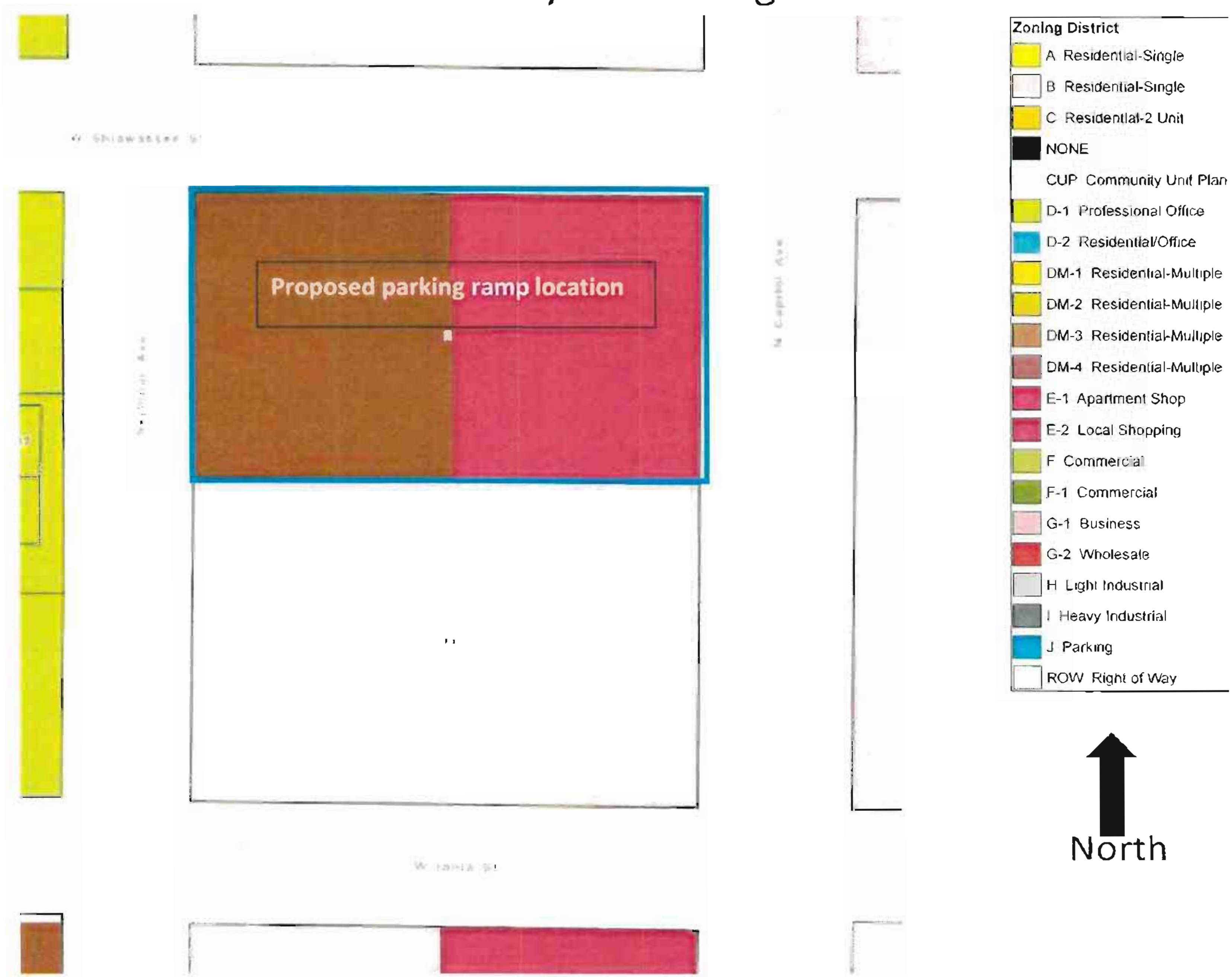
Lansing Community College Lot S23
PHOTO LOG

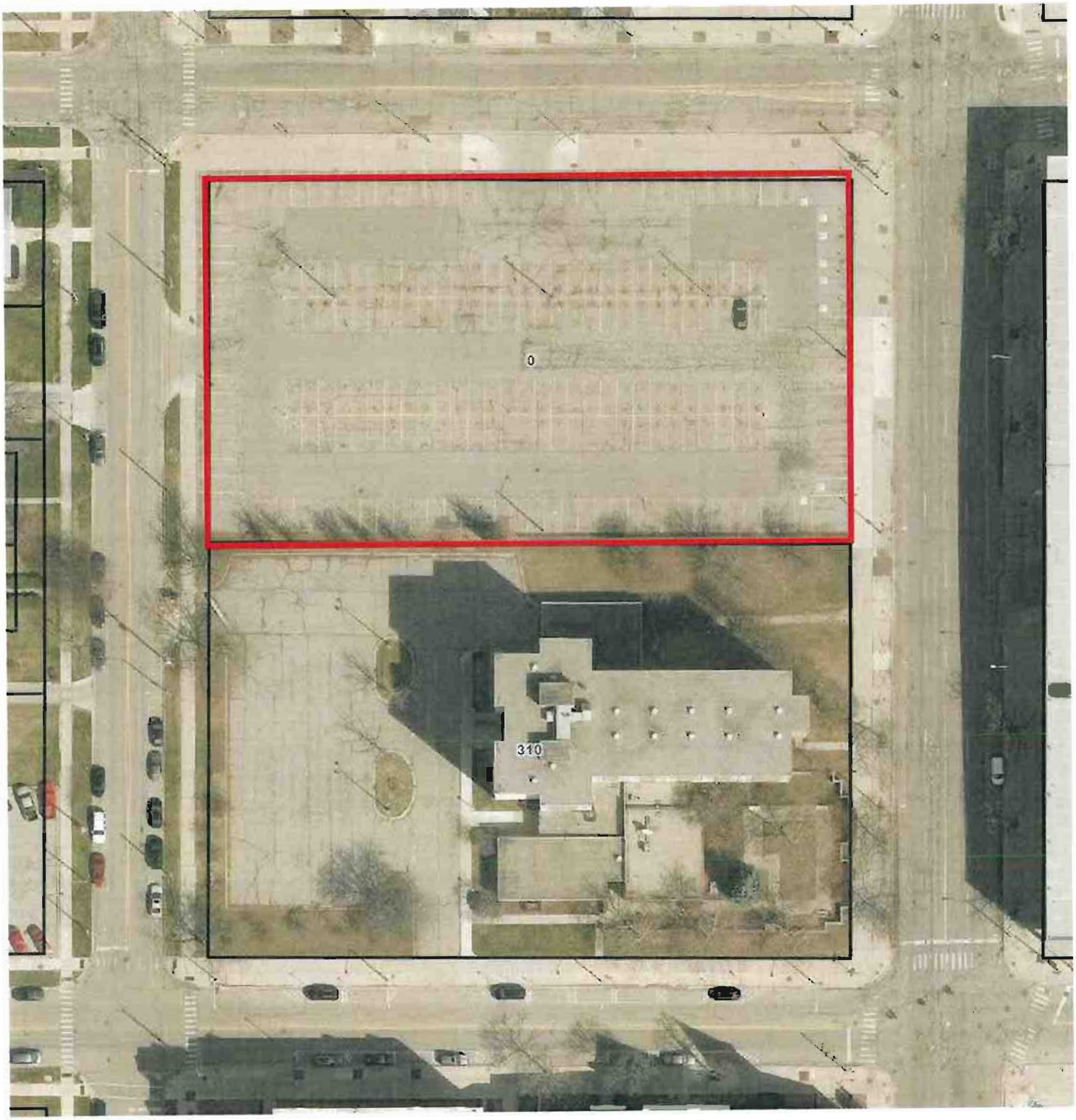
PROJECT NAME: LCC Parking Decks				PROJECT NO.: 62-190259	
DATE: 11/04/2019	REPORT NO.: 001	PHOTOGRAPHER:	D. Lutz	Page 4 of 4	

Photo 7: West Property Limits – looking north along Seymour

Photo 8: Southern Property Area – looking south at adjacent Oliver Towers

City of Lansing

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CITY OF LANSING
NOTICE OF PUBLIC HEARINGS

Z-1-2020 & SLU-2-2020, N. Capitol Avenue
Rezoning from "E-1" Apartment Shop & "DM-4" Residential to "G-1" Business
Special Land Use Permit – Parking Deck

The Lansing City Council will hold public hearings on Monday, 2020 at 7:00 p.m. in Council Chambers, 10th Floor, Lansing City Hall, 124 W. Michigan Avenue, Lansing, Michigan to consider Z-1-2020 & SLU-2-2020. These are requests by Lansing Community College to rezone the 1.4 acre parcel of land located on the south side of W. Shiawassee Street between Seymour Avenue and N. Capitol Avenue from "E-1" Apartment Shop & "DM-4" Residential districts to "G-1" Business district and for a special land use permit to allow the construction of a 5 level parking deck on the property.

For more information, please call Lansing City Council at 517-483-4177. If you are interested in these matters, please attend the public hearings or send a representative. Written comments will be accepted between 8 a.m. and 5 p.m. on City business days if received before 5 p.m., Monday, , 2020 at the City Clerk's Office, Ninth Floor, City Hall, 124 West Michigan Ave., Lansing, MI 48933 or email city.clerk@lansingmi.gov.

Chris Swope, City Clerk

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

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, ______________________, 2020, at 7 p.m. in City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of approving and/or opposing the Ordinance for rezoning:

Z-1-2020: Parcel No. 33-01-01-16-177-002, 300 Block of N. Capitol Avenue, Rezoning from “E-1” Apartment Shop & “DM-4” Residential districts to “G-1” Business district

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

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, ______________________________, 2020, at 7 p.m. in City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of approving and/or opposing the Ordinance for rezoning:

SLU-2-2020: Parcel No. 33-01-01-16-177-002, 300 Block of N. Capitol Avenue, Special Land Use Permit, Parking deck in the “G-1” Business zoning district