AGENDA
Committee on Development and Planning Special Meeting
Tuesday, November 24, 2020 @ 3:30 P.M.

Access the meeting via: https://us02web.zoom.us/j/81514168211 ; ID 815 1416 8211 US: +1 301 715 8592
email comments prior to the meeting at sherrie.boak@lansingmi.gov
All Councilmembers will participate virtually & may be contacted prior to the meeting at city.council@lansingmi.gov 483-4177

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

1. **Call to Order**
2. **Public Comment on Agenda Items**
3. **Minutes**
   - November 17, 2020
4. **Discussion/Action:**

   A.) RESOLUTION – Lease Agreement; Lansing Shuffleboard and Social Club, LLC; 325 Riverfront

   B.) RESOLUTION – Lansing Economic Development Corporation (LEDC) Downtown Lansing Riverfront Project, Lansing Shuffleboard and Social Club, LLC

5. **Adjourn**

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 virtually in accordance with the Open Meetings Act, as amended in an effort to protect the health and safety of the public. Members of the public wishing to participate in the meeting may do so by logging into or calling into the meetings using the website or phone number above, and meeting ID provided. To provide input or ask questions on any item that is listed on the agenda, members of the public may contact the email address listed above under the meeting link.

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, November 17, 2020 @ 3:30 p.m.
https://us02web.zoom.us/j/87257635748 ; ID: 872 57635748 Dial In: (312) 626-6799
Held virtually in an effort to protect the health and safety of the public & to mitigate the spread of COVID 19

CALL TO ORDER
Council Member Spitzley called the meeting to order at 3:00 p.m.

PRESENT via audio/video
Council Member Spitzley, Chair remotely from Lansing, Michigan
Council Member Garza, Vice-Chair remotely from Lansing, Michigan
Council Member Betz, Member remotely from Lansing, Michigan
Council Member Hussain, Member remotely from Lansing, Michigan-arrived at 3:06 p.m.

OTHERS PRESENT via audio/video
Sherrie Boak, Council Staff
Mikki Droste, CAHP
Brian McGrain, EDP Director
Susan Stachowiak, EDP
Rawley Van Fossen, CAHP
Thomas Lapka, CAHP
Price Dobernick
Kirstie Hardy, Detroit Rising
Jon Hartzell, Detroit Rising
Karl Dorshimer, LEDC
Kris Klein, LEDC
Hannah Bryant, LEDC
Don Kulhanek, EDP
Rick Stanza, Detroit Rising
Lisa Hagen, OCA
Greg Venker, OCA

PUBLIC COMMENT
Mr. Dobernick spoke on the proposed former City Market project. He noted he has been in ongoing conversations with the developers, and the Plumbers and Pipefitters Union has asked for information and a list of local contractors. Mr. Dobernick confirmed the information was provided however he was asking the Committee to table the project at this time.

MINUTES

MOTION BY COUNCIL MEMBER GARZA TO APPROVE THE MINUTES FROM NOVEMBER 3, 2020 AS PRESENTED. ROLL CALL VOTE, MOTION CARRIED 3-0.

Discussion/Action

RESOLUTION – Reappointment; Jonathon Lun; Michigan Avenue Corridor Improvement Authority

MOTION BY COUNCIL MEMBER HUSSAIN TO APPROVE THE RESOLUTION FOR THE REAPPOINTMENT OF JONATHON LUN TO THE MICHIGAN AVENUE CORRIDOR IMPROVEMENT AUTHORITY. ROLL CALL VOTE, MOTION CARRIED 4-0.

RESOLUTION – Introduction and Setting of Public Hearing; Ordinance Amendment Chapter 1279, Appendix D; Expand W Saginaw Corridor Overlay District

Ms. Stachowiak noted this was a request to amend the overlay district, to include the property known as the St. Lawrence/Sparrow Campus, including the multi-story office building on the corner. It was stated it should have been included originally, but was overlooked. There has been some discussion on redevelopment on this site, and staff would support that. Lastly, it was noted the Planning Board supported amendment.

Council Member Spitzley asked when the Planning Board met, and was told 11/4/2020. Council Member Spitzley then asked if there were any development plans at this time, and Ms. Stachowiak confirmed they do not have anything yet.

MOTION BY COUNCIL MEMBER GARZA TO APPROVE THE RESOLUTION FOR THE INTRODUCTION AND SETTING OF PUBLIC HEARING FOR CHAPTER 1279 APPENDIX D FOR JANUARY 11, 2021. ROLL CALL VOTE, MOTION CARRIED 4-0.

RESOLUTION – Introduction and Setting of Public Hearing; Z-4-2020 Rezoning 220 N Pennsylvania from C Residential to DM-4 Residential District

Ms. Stachowiak explained to the Committee that Sparrow has purchased the property formally known as Easter High School, will continue to stay at their location, and intend to expand in the future. The reason for DM-4 is because it is the appropriate zoning for hospitals. Council Member Garza asked if the property was going to be used for a new tower expansion, and was told that was the expectation. Council Member Spitzley asked if they were going to demolish Eastern High School, and Ms. Stachowiak noted they have not applied for demolition at this time, but it would be costly to bring it up to code. Council Member Hussain recalled in the past there was some historical covenants. Council Member Spitzley asked Ms. Stachowiak to find out any specifics on that by the 11/30/2020 City Council meeting. Mr. McGrain stated they will not be demolishing the main building and but incorporating into their future plans but other buildings on the property may be demolished.

MOTION BY COUNCIL MEMBER BETZ TO APPROVE THE RESOLUTION FOR THE INTRODUCTION AND SETTING OF PUBLIC HEARING FOR Z-4-2020 REZONING FOR JANUARY 11, 2021. ROLL CALL VOTE, MOTION CARRIED 4-0.

RESOLUTION – Introduction and Setting of Public Hearing; Z-5-2020 Rezoning NW Corner of E Miller and Orchard Court from F Commercial to DM-3 Residential

Ms. Stachowiak stated the applicant is interested in building apartments on the property, and this location is at the end of the commercial area. Staff and the Planning Board do support the rezoning, however there were two objections at the public hearing. Council Member Garza asked what the vote was at the Planning Board, and was told it was unanimous. Council Member Hussain asked what the nature of the opposition was. Ms. Stachowiak stated they were not in support of more apartments in the area. Council Member Spitzley asked if the applicant owns other apartment complexes in the area, and Ms. Stachowiak stated they do not. Council Member Spitzley then asked how many units they are looking to build, and Ms. Stachowiak stated with the current proposal they will not have many because of the restraints. There is potential to purchase a portion of the cemetery land to expand on. Council Member Spitzley asked about the cemetery property size and how it would impact the cemetery, and Ms. Stachowiak confirmed it was somewhat smaller and there have been discussions with Parks and Recreation who do not have objections to this. If the City did decide to sell to a developer, it would be taken to the electors. Council Member Spitzley asked if they are basing their decision on developing on the pending sale of the park land, because that is not a guarantee. Ms. Stachowiak assured the Committee the applicant will be present at the hearing and can answer that. Council Member Hussain asked if there are complaints on the applicant as a landlord, and Ms. Stachowiak stated she could provide a list that was submitted by the applicant of tenants who supported him as a landlord.

MOTION BY COUNCIL MEMBER GARZA TO APPROVE THE RESOLUTION TO INTRODUCE AND SET THE PUBLIC HEARING FOR JANUARY 11, 2021 FOR Z-5-2020; NW CORNER OF E MILLER AND ORCHARD COURT. ROLL CALL VOTE, MOTION CARRIED 4-0.

<u>RESOLUTION – Introduction and Setting of Public Hearing; Z-6-2020 Rezoning 2420, 2432, 242 & 2506 N Grand River Avenue from F Commercial, J Parking, A Residential, D-1 Professional Officer and G-2 Wholesale to H Light Industrial District</u>
Ms. Stachowiak referenced the zoning map in the packet, pointing out the way the land is zoned now, makes it very difficult to develop. The property is industrial to the north and east, and has a RR crossing at the north, therefore staff believes industrial zoning is the appropriate zoning. Ms. Stachowiak confirmed that staff supports the rezoning and there were no objections to the request at the Planning Board. Lastly, she noted the applicant has not provided a plan, but does run a construction company so could expand their facilities.

MOTION BY COUNCIL MEMBER GARZA TO APPROVE THE RESOLUTION FOR THE INTRODUCTION AND SETTING OF PUBLIC HEARING FOR Z-6-2020 REZONING FOR JANUARY 11, 2021. ROLL CALL VOTE, MOTION CARRIED 4-0.

Council Member Spitzley asked Ms. Stachowiak to provide copies of the opposition letters she mentioned for Z-5-2020.

<u>RESOLUTION – Introduction and Setting of Public Hearing; SLU-3-2020, 900 Southland Avenue, Suite 910; Special Land Use of Church in F Commercial District</u>
Ms. Stachowiak referenced an earlier approval from Council for a church at the same location, at the other end of the building in 2019. This applicant is off the side street, and staff supports this request because of the location a “destination” spot and this use would be appropriate for that. Council Member Hussain spoke in support of the 2019 church approval, and agreed that corridor is difficult to fill the spaces.

MOTION BY COUNCIL MEMBER HUSSAIN TO APPROVE THE RESOLUTION FOR THE INTRODUCTION AND SETTING OF PUBLIC HEARING FOR SLU-3-2020 FOR JANUARY 11, 2021. ROLL CALL VOTE, MOTION CARRIED 4-0.

RESOLUTION – Lansing Economic Development Corporation (LEDC) Downtown Lansing Riverfront Project; Lansing Shuffleboard and Social Club, LLC

Mr. Klein went through the project, background of the property, and referenced the presentations in the packet. Regarding the lease agreement, Mr. Klein informed the Committee that it has been changed to 20 years from the original 40 years, adding the rent rate remains the same, and will increase over time with the CPI. Mr. Klein then spoke on the LEDC Project plan, with a loan request of $65,000 with a short term, and payments over time, not part of the project plan currently or the lease is the option for a future Brownfield Plan. Ms. Hardy shared her screen with a presentation of the Lansing Shuffleboard, project inspiration and the investment of $3,219,000 for the site. Council Member Garza asked how long they have been in business, and Mr. Hartzell stated Detroit Shipping Company started in 2016, and then Detroit Rising came from that with partnering with Jim Stanza. Council Member Garza asked if they have worked with the local building trades in Detroit. Mr. Hartzell stated he does not have that close experience, but Rick Stanza has. Council Member Spitzley asked if they are subject to the development agreement, which requires them to reach out to local contractors. Mr. Dorshimer stated there is language in the lease. Mr. Hartzell confirmed they have a UDA and plan to submit it. Council Member Garza asked Mr. Stanza what his partnership was and asked him the question of working with organization labor on projects. Mr. Stanza confirmed he is a business partner with Mr. Hartzell, and they own the majority of the business. Regarding union projects in the last 2 years, they have not, but he confirmed the projects he has worked on were prevailing wages, union projects, and provided examples of projects he has worked on. He concluded by stating they have no issues with prevailing wages, and are looking for a local general contractor to assist them with local labor and wages. Council Member Garza stated during public comment that Mr. Dobernick mentioned some concerns and that the conversation had stalled. Mr. Stanza stated he spoke to Mr. Dobernick last week, and one of the first things was speaking to him on the phone and answered questions. He thought the conversation went well. Mr. Hartzell stated there were emails on 11/12/2020 and 11/13/2020 from Mr. Dobernick and being Tuesday they are working on it.

MOTION BY COUNCIL MEMBER GARZA TO TABLE ACTION UNTIL DISCUSSION CAN CONTINUE WITH THE APPLICANT AND LOCAL LABOR.

If the lease could be amended to include local labor, Council Member Spitzley stated, and the applicants have agreed to the local labor component, she would see moving forward from Committee. Council Member Garza stated municipalities have the right to implement prevailing wages, at which Mr. Venker stated the ordinance applies to the property because the property is City owned. Council Member Garza asked again on the term of the lease, and if it was recapped for the Committee that it was reduced from 40 years to 20 years. Mr. Venker stated the lease as written does say 40 years, but once the applicant signs the changed document it will be brought to Council. Council Member Hussain asked about the reallocation amount based on 40 year lease and asked if it was still part of this, and Mr. Venker confirmed. Council Member Hussain asked about the funds in the revolving fund, and Mr. Klein stated there is approximately $1.5 million and it is a revolving fund that will be replenished and recaptured. Council Member Hussain asked for a list of the projects that were supported by the revolving fund. Council Member Garza asked if the property already had a brownfield plan when the City market was developed and can they use another brownfield. Mr. Klein confirmed and said it would be within that original brownfield plan. Mr. Dorshimer responded to the questions on the revolving fund, noting there are funds in and out, and there should be sufficient funds and has to be used on eligible projects. Council Member Spitzley referenced the earlier comment by Mr. Venker that the Committee does not have the current lease in front of them and was opposed to take action on the next agenda item without have the current lease. She then asked the term of the

Brownfield, and Mr. Klein stated the repayment is 2-3 years of tax capture. Council Member Spitzley asked Mr. Venker to speak to the request on action for an incorrect lease. Mr. Venker stated it is not incorrect, and the parties did agree to make a change from 40 years to 20 years, and his opinion would be a short amendment, adding that the document can be signed by the Mayor then presented to Council. Council Member Spitzley recapped for the record that the Council is being asked to approve a lease of 40 years, and then the Mayor would sign an amendment for 20 years. Mr. Venker concluded that 20 years would be a benefit and not something that would require the lease to sit on file. Council Member Spitzley spoke in opposition to a request for action on the lease with a significant change in the document. Mr. Venker stated that there was a determination made that the change is a benefit to the City and the amendment would be signed by the applicant and the Mayor. To address the issues and the two actions, Council Member Spitzley noted that however OCA sees fit to address would be appropriate. Mr. Stanza asked if there are other documents they will need for their general contractors. Council Member Spitzley asked that the lease accurately reflects the terms of the lease and any other language that needs to be addressed based on this meeting. Council Member Spitzley noted that the City created a Universal Developer Agreement so that these items can be addressed. Currently it would not be in line with Council concerns if the UDA is not in place before action is taken place. Council Member Hussain stated that what triggers the UDA is economic incentives, and that being said Council can request the UDA be signed. He then spoke briefly on not having the correct lease agreement, no true commitment on the UDA, so moving forward he wanted to support the document before sending to Council. Mr. Hartzell stated they are comfortable with the UDA, but is nervous that a meeting with Mr. Dobernick is not a requirement and a third party, but is confused why Council would delay on a third party that is not a requirement. He assured the Committee hey will work within the ordinance and the UDA, and they understand local labor is important. Council Member Spitzley stated to the applicant that her concern is that currently the Committee is being asked to act on a lease that is being changed but that document is not what is front of the Committee, and a second concern is that the UDA is not signed, not knowing when it was actually sent to the applicant. Council Member Betz agreed that the local labor portion is important, and asked OCA if the UDA can get signed before passage, along with the amendment changing from 40-20 years, and looked to move to Council contingent on those documents. Mr. Venker clarified that this is a lease document, and initially had a conversation on if this would be subject to the UDA, and the OCA determined it was not because the funds will be used to improve property they City still owns. Also, much of the UDA contemplates the number of jobs, investment and in this case that is what the lease calls for.

ROLL CALL VOTE, MOTION CARRIED 3-1.

<u>RESOLUTION – Lease Agreement; Lansing Shuffleboard and Social Club, LLC; 325 RIVERFRONT</u>
Mr. Klein provided details on the lease agreement during the previous agenda item overview.

MOTION TO TABLE BY COUNCIL MEMBER GARZA UNTIL NOVEMBER 24, 2020. ROLL CALL VOTE, MOTION CARRIED 3-1.

<u>RESOLUTION – Introduction & Set Public Hearing; Payment in Lieu of Taxes (PILOT) Walter French- Capital Area Housing Partnership</u>
Mr. Van Fossen outlined the property and historical preservation with the 76 units, referencing the presentation in the packet. Ms. Droste went through the PILOT request acknowledging they originally looked at a 10%, but because of the cost increases, the financing does not work as it would have 2 years ago, so they are now in front of the City looking for a 6% PILOT for 10

years, specifically on the residential piece. The 76 units will be affordable housing with supportive services; 30,000 sq ft of commercial, officer and community space; parking and an acre south of the parking lot with power co-generation partnership with LBWL. Other notes in the presentation highlighted financing for the renovation from HOME, CDBG, LHC, LIHTC and Historic Tax Credits. Lastly, the figures broken down for the project noted an obtained mortgage of $441,789 with the difference in cost savings between at 10% PILOT and a 6% PILOT. The Capital Area Housing Partnership has committed $1,324,908.

MOTION BY COUNCIL MEMBER HUSSAIN TO APPROVE THE RESOLUTION TO INTRODUCE AND SET THE PUBLIC HEARING FOR DECEMBER 14, 2020 FOR THE PILOT FOR WALTER FRENCH. ROLL CALL VOTE, MOTION CARRIED 4-0.

Adjourn

Adjourned at 4:58 p.m.
Submitted by, Sherrie Boak, Recording Secretary,
Lansing City Council
Approved by the Committee

FIRST AMENDMENT TO LEASE AGREEMENT

This First Amendment (the "Amendment") is made as of ______________, 2020, between Lansing Shuffleboard and Social Club, LLC, a Michigan limited liability company, whose address is 1515 West Lafayette Boulevard, Suite 201, Detroit, MI 48216 (the "Lessee"), and the City of Lansing, a Michigan municipal corporation, whose principal business address is 124 West Michigan Avenue, Lansing, MI 48933 (the "City") (the Lessee and the City are collectively the "Parties"), and amends the Lease Agreement between the Parties as placed on file with the Clerk of the City of Lansing on September 12, 2020.

This First Amendment is being offered by the Lessee to the City for consideration by the City Council prior to any vote approving or rejecting the Agreement. Any vote by Council approving the Agreement shall also include the provisions of this Amendment and shall authorize the Mayor's signature on this Amendment as well as the Agreement.

NOW THEREFORE, in consideration of the promises hereinafter contained and other good and valuable consideration, the receipt of which is acknowledged, the Parties agree as follows:

AMENDMENTS TO THE AGREEMENT

1. In Section 2, Lease Term, the year 2060 is removed and replaced with 2040.
2. In Section 6, Requirements of the City, subsection (f), the word "third" is removed and replaced with "second".
3. In Section 8, Requirements of the Lessee, subsection (j) is added:

   (j) Lessee shall abide by the terms of Subsection B, Commitment to Hiring Local Labor and Lansing-based Firms, of Section V. of the City's Universal Development Agreement, as established by Executive Order 2019-07 on October 1, 2019, including the definitions contained within the Universal Development Agreement, a relevant excerpt of which is attached hereto for reference.

[SIGNATURES ON FOLLOWING PAGE]

The Parties have signed this Agreement as of the date first above written.

CITY OF LANSING

By:________________________________
Andy Schor, Mayor

By:________________________________
Chris Swope, Clerk

LESSEE

By: Jonathan Hartzell
Its: Jonathan Hartzell, Member

By:________________________________
Its:

Approved as to form:

By:________________________________
James Smiertka, City Attorney

I certify that funds are available in Account No. _____

By:________________________________
Jeff Scharnowske, City Controller

EXHIBIT A

Excerpt of UDA

V. TERMS AND CONDITIONS FOR PROJECT COMPLETION

…

B. Commitment to Hiring Local Labor and Lansing-based Firms:

The Parties, in order to clarify the intent that projects receiving development incentives from the City employ as much Local Labor as is reasonably possible agree as follows:

1. The Applicant agrees and commits to employing and contracting with as much Local Labor and Lansing-based Firms as commercially practical to complete the Construction Phase of the Project. After Local Labor and Lansing-based Firms have been deemed exhausted, the Applicant agrees and commits to employing and contracting with Regional, and then Michigan, Labor and Firms, with notice to the LEDC at each step, as described below.

2. Local Labor Preference:

   a. Applicant agrees that if it deems necessary to not hire Local Labor or Lansing-based Firms for any portion of the Construction Phase of the Project, Applicant must, within 30 business days of Commencement of Project, provide to the LEDC a written statement of that fact and an explanation of why it was necessary.

   b. Applicant agrees that once it has deemed necessary to not use Local Labor or Lansing-based Firms, it will focus next on Regional Labor or Regional-based Firms to complete the Construction Phase of the Project. If Applicant deems necessary to not hire Regional Labor or Regional-based Firms for any portion of the Construction Phase of Project, Applicant must, within 30 business days of Commencement of the Project, provide to the LEDC a written statement of that fact and an explanation of why it was necessary.

   c. Applicant agrees that once it has deemed necessary to not use Regional Labor or Regional-based Firms, it will focus next on Michigan Labor or Michigan-based Firms to complete the Construction Phase of the Project. If Applicant deems necessary to not hire Michigan Labor or Michigan-based Firms for any portion of the Construction Phase of Project, Applicant must, within 30 business days of Commencement of the Project, provide to the LEDC a written statement of that fact and an explanation of why it was necessary.

3. Applicant (if applicable) agrees to post, and to contractually require its agents to post, all initial bid solicitations or request for bids ("Bid Solicitations") by the Applicant

or their agents for a minimum of 15 days ("Posting Period") on the Builders Exchange of Lansing and Central Michigan ("Builders Exchange") and to document such Bid Solicitations, unless Applicant deems the use of certain contractors or subcontractors are critical to the success of the Project or portions of the Project. If Applicant bypasses Builders Exchange because it deems the use of a certain contractor or subcontractor as critical to the success of the Project or portions of the Project, Applicant must, within 30 business days of such hiring, provide to the LEDC a written statement of that fact and an explanation of why the use of the contractor or subcontractor was so critical. The Bid Solicitations must be available to all Builders Exchange users.

4. Within 45 business days of the Commencement of Construction and at the close of each quarter of the fiscal year thereafter, the Applicant must provide to the LEDC, a list of all contractors and subcontractors selected to enter into an agreement to perform all or part of the work solicited in the Bid Solicitation ("Selected Bidders List"). The Selected Bidders List must include the following information:

a. Business Name
b. Address (number, street, and apt. or suite no.)
c. City, state, and ZIP code
d. Telephone Number
e. Employer ID Number (EIN)
f. Primary Contact Person (Authorized Representative)
g. Corresponding Builders Exchange Bid Solicitation Number

5. The Applicant will not be required to participate in the above Bidding Process, if doing so would result in the violation of federal rules, including but not limited to, homeland security or the disclosure of classified information.

6. The City acknowledges and agrees that some information submitted by Applicant is confidential and proprietary. Accordingly, the City agrees to reasonably assert to the extent applicable to the information provided and as allowable by law, that such information reported by Applicant to the City is exempt from disclosure pursuant to, including without limitation Section 13 of, the Michigan Freedom of Information Act, 1976 PA 442, as amended.

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

WHEREAS, the City of Lansing is the owner of a structure and real property located at 325 Riverfront Drive (formerly “City Market Drive”), Lansing, MI 48912, collectively known as the New Lansing City Market (the “Market”); and

WHEREAS, the City has negotiated a long term lease for possession and operation of the Market, for greater than 5 years, with Lansing Shuffleboard and Social Club, LLC, (the “Lessee”) wherein Lessee will use the Market as a food hall and events space while continuing to provide City Parks and Recreation related activities for the benefit of the public, including, but not limited to, vending refreshments, providing public entertainment, community events, and space for public gatherings; and

WHEREAS, a certain Lease Agreement signed by the Lessee was placed on file with the Lansing City Clerk pursuant to Section 208.08 of the Codified Ordinances, on September 12, 2020, and has been on file for a period greater than thirty days; and

WHEREAS, pursuant to Section 208.08 of the Codified Ordinances a duly noticed public hearing to consider whether to approve or reject the Lease Agreement was held on November 9, 2020, and at least one week has passed since the public hearing.

NOW THEREFORE, BE IT RESOLVED, that the Lansing City Council hereby approves Lease Agreement filed with the City Clerk on September 12, 2020, between the City of Lansing and Lansing Shuffleboard and Social Club, LLC for lease of the New Lansing City Market to; and

BE IT FINALLY RESOLVED, that the Mayor, on behalf of the City, is hereby authorized to sign and execute all documents necessary to effectuate the aforementioned transactions, subject to their prior approval as to content and form by the City Attorney.

BY THE COMMITTEE ON DEVELOPMENT & PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING
RESOLUTION APPROVING PROJECT PLAN
(Lansing Shuffleboard and Social Club, LLC Project)

WHEREAS, the Lansing Economic Development Corporation (LEDC) Board of Directors has identified the New Lansing City Market area and Downtown Lansing Riverfront as a major economic development project investment area; and

WHEREAS, in an effort to foster business development, expansion and renovation of properties within and surrounding the project investment areas, the LEDC has initiated a Business Financing Assistance Program and believes this project has a significant impact on the New Lansing City Market area and Downtown Lansing Riverfront; and

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

WHEREAS, Lansing Shuffleboard and Social Club LLC has made application with the LEDC for a business loan for operational licenses necessary to open a proposed food hall concept and event space at the property located at 325 Riverfront Drive, formerly City Market Drive, Lansing and legally described as:

> 325 RIVERFRONT DRIVE, FORMERLY CITY MARKET DRIVE, LANSING, MI 48933
> Parcel Number: 33-01-01-16-253-002
>
> COM 360 FT W OF NE COR LOT 1, TH S 00DEG 05MIN 21SCD W 323 FT, S 32DEG 43MIN 09SCD E 212.85 FT, SE'LY ON 451.57 FT RAD CURVE TO RT CHORD BEARING S 25DEG 08MIN 02SCD W 480.55 FT, S 07DEG 00MIN 46SCD E 12.59 FT, N 24DEG 26MIN 12SCD W 37.25 FT, N 89DEG 58MIN 20SCD W 140.91 FT TO GRAND RIVER, N'LY ALONG RIVER TO S R/W LINE OF SHIAWASSEE ST, S 89DEG 58MIN 20SCD E 167.38 FT TO BEG; BLOCK 245 ORIG PLAT

WHEREAS, the Project will result in new private investment of approximately $2,963,534; and

WHEREAS, Section 8 of Act No. 338 of the Michigan Public Acts of 1974, as amended (the Act), requires that before the LEDC acquires an interest in property or incurs obligations for a specific project, the corporation shall prepare a project plan, conduct a public hearing on the matter and secure the recommendations of the local governing body; and

WHEREAS, the LEDC has prepared a Project Plan for the Lansing Shuffleboard and Social Club LLC Project (Project Plan), submitted it to Council and placed it on file in the office of the City Clerk in accordance with the Act; and

WHEREAS, at such hearing held on November 9, 2020, the fullest opportunity was given for expression of opinion, for arguments on the merits, and for introduction of documentary evidence pertinent to the Project Plan, and further, this City Council has given due consideration to all communications received in writing with reference thereto; and

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

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, approves the Lansing Shuffleboard and Social Club LLC Project Plan submitted by the LEDC after determining the following:

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

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

c. The proposed method of financing the Project is feasible and the LEDC has the ability to arrange the financing of a not to exceed loan in the amount of $65,000.00 to obtain operational licenses necessary to open a proposed food hall concept and event space at the property.

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

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

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