

**REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF LANSING, MICHIGAN
CITY COUNCIL CHAMBERS, 10TH FLOOR
LANSING CITY HALL
124 W. MICHIGAN AVENUE**



AGENDA FOR JANUARY 14, 2019

TO THE HON. MAYOR AND MEMBERS OF THE CITY COUNCIL:

The following items were listed on the agenda in the City Clerk's Office in accordance with Section 3-103(2) of the City Charter and will be ready for your consideration at the regular meeting of the City Council on Monday, January 14, 2019 at 7:00 p.m. at the Council Chambers, 10th Floor, City Hall.

I. ROLL CALL

II. MEDITATION AND PLEDGE OF ALLEGIANCE

III. READING AND APPROVAL OF PRINTED COUNCIL PROCEEDINGS

Approval of the Printed Council Proceedings of January 7, 2019

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

V. TABLED ITEMS

VI. SPECIAL CEREMONIES

1. Tribute; Recognition of Dr. Martin Luther King, Jr. Commission on their Annual Luncheon

VII. COMMENTS BY COUNCIL MEMBERS AND CITY CLERK

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

IX. SPEAKER REGISTRATION FOR PUBLIC COMMENT ON LEGISLATIVE MATTERS

X. MAYOR'S COMMENTS

XI. SHOW CAUSE HEARINGS (Only persons who have received notice from the City as an interested party or the interested party's agent with written permission may speak for up to a total of 3 minutes. Speakers must sign up on green form.)

1. In consideration of Orders to Make Safe or Demolish; 2500 W. Jolly Rd.
2. In consideration of Orders to Make Safe or Demolish; 1414 Ballard

XII. PUBLIC COMMENT ON LEGISLATIVE MATTERS (Legislative matters consist of the following items on the agenda: public hearings, resolutions, ordinances for introduction, and ordinances for passage. The public may comment for up to three minutes. Speakers must sign up on **blue** form.)

A. SCHEDULED PUBLIC HEARINGS

1. In consideration of Z-5-2018; 136 E. Malcolm X Street and Vacant Parcel to its East, Rezoning from "DM-4" Residential & "J" Parking Districts to "G-1" Business District
2. In consideration of Z-6-2018; 522 Leshar Place, Rezoning from "DM-3" Residential District to "D-1" Professional Office District
3. In consideration of Z-7-2018; Two Vacant Lots at the Northwest Corner of W. Cavanaugh Road & Lowcroft Avenue, Rezoning from "A" Residential District to "C" Residential District

XIII. COUNCIL CONSIDERATION OF LEGISLATIVE MATTERS

A. REFERRAL OF PUBLIC HEARINGS

B. CONSENT AGENDA

1. BY COUNCIL MEMBERS DUNBAR, GARZA, HUSSAIN, JACKSON, SPADAFORÉ, SPITZLEY, WASHINGTON, WOOD
 - a. Tribute; Recognition of Dr. Martin Luther King Jr. Commission on their Annual Luncheon
2. BY THE COMMITTEE ON GENERAL SERVICES
 - a. Claim Disposition; Claim #1592, Odasi Hamenyimana for \$395.00 for grass mowing fee at 915 Vine Street
 - b. Claim Disposition; Claim #1611, Michael Sdao for \$2,537.00 in trash fees at 600 Jessop Street
 - c. Claim Disposition; Claim #1594, Bobbie Maxwell for \$330.00 in grass violations at 2319 Greenbelt
3. BY THE COMMITTEE OF THE WHOLE
 - a. Setting a Public Hearing in consideration of Sale of City Property; Townsend Parking Ramp located at 221 Townsend Street to the Michigan Senate

C. RESOLUTIONS FOR ACTION

D. REPORTS FROM COUNCIL COMMITTEES

E. ORDINANCES FOR INTRODUCTION and Setting of Public Hearings

1. BY THE COMMITTEE ON PUBLIC SAFETY

- a. Fire Code Amendment; Adoption of Chapter 39 of the 2018 International Fire Code

F. ORDINANCES FOR PASSAGE

XIV. SPEAKER REGISTRATION FOR PUBLIC COMMENT ON CITY GOVERNMENT RELATED MATTERS

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

A. REPORTS FROM CITY OFFICERS, BOARDS, AND COMMISSIONS

- 1. Letter(s) from the City Clerk re:
 - a. Minutes of Boards, Commissions, and Authorities placed on file in the Clerk's Office
- 2. Letter(s) from the Mayor re:
 - a. Special Assessment Roll, Glenburne Commons, Trash & Grass Abatement
 - b. Brownfield Plan #62-Amended, Oliver Towers, 310 N. Seymour
 - c. Lansing Economic Development Corporation REO Town Project, Pablo's Mexican Restaurant, 1102 S. Washington Avenue and W. Elm Street
 - d. Appointment, Robert Fryling as an At-Large Member of the Board of Zoning Appeals for a term to expire June 30, 2021
 - e. Reappointment, Michael DeMartelaere as an At-Large Member of the Income Tax Board of Review for a term to expire June 30, 2022
 - f. Sale of Townsend Parking Ramp, TIFA Amendment 6
 - g. Sale of Townsend Parking Ramp, Accepting Deed from Lansing Business Authority
 - h. Sale of Townsend Parking Ramp, Resolution Defeating Bonds

B. COMMUNICATIONS AND PETITIONS, AND OTHER CITY RELATED MATTERS

1. Letters from the Michigan Liquor Control Commission re:
 - a. Transfer Ownership 2018 SDD & SDM licensed business with Sunday Sales Permit (AM & PM) at 3127 Turner St, Lansing 48906 from Rachna Inc. to Kajal Liquor Inc.
 - b. Transfer Location 2018 Resort Class C & SDM License With Sunday Sales Permit (AM), Sunday Sales Permit (PM), Outdoor Service (1 Area), Catering Permit, (2) Bars And Dance-Entertainment Permit, (Original 550 Resort License, Not At Its Original Location, Must Meet Seating And Food Requirements) From 7786 E Us 10, Walhalla To 419 Spring St, Lansing And Transfer Governmental Unit From Branch Twp, Mason County To Lansing City, Ingham County
2. Affidavit of Disclosure; Timothy Mapley, Lansing Police Officer

XVI. MOTION OF EXCUSED ABSENCE

XVII. REMARKS BY COUNCIL MEMBERS

XVIII. REMARKS BY THE MAYOR OR EXECUTIVE ASSISTANT

XIX. PUBLIC COMMENT ON CITY GOVERNMENT RELATED MATTERS (City government related matters are issues or topics relevant to the operation or governance of the city. The public may comment for up to three minutes. Speakers must sign up on yellow form.)

XX. ADJOURNMENT



CHRIS SWOPE, CITY CLERK

Persons with disabilities who need an accommodation to fully participate in this meeting should contact the City Clerk's Office at (517) 483-4131 (TDD (517) 483-4479). 24 hour notice may be needed for certain accommodations. An attempt will be made to grant all reasonable accommodation requests.



ECONOMIC PLANNING & DEVELOPMENT CODE ENFORCEMENT SECTION

316 N. Capitol Avenue, Suite C-2 • Lansing, MI 48933-1238
(517) 483-4361 • FAX: (517) 377-0100

12/07/2018

Certified Number: 7017 1000 0000 8687 5659

Maurice Randall
4556 Old Lansing Road
Lansing, MI 48917

Dear Mr. Randall

RE: DANGEROUS BUILDING AT 2500 W. Jolly Road SHOW CAUSE HEARING

TAKE NOTICE: In accordance with the provisions of City of Lansing Housing & Premises Code Section 1460.11 and MCL 125.538 et. seq., a Show Cause Hearing concerning the building and/or any accessory structure(s) located at 2500 W. Jolly Road., Lansing, Michigan, is scheduled before the City Council of the City of Lansing.

HEARING TIME: January 14, 2019 @ 7:00 p.m.
HEARING PLACE: Council Chambers 10th Floor City Hall
124 W. Michigan Lansing, Michigan 48933

The Demolition Board has determined that the subject building, and/or any accessory structure, is "Dangerous" as defined in the aforesaid laws. THE PURPOSE OF THE HEARING is to give interested parties an opportunity to take exception to the determination made by the Demolition Board and to otherwise give testimony and SHOW CAUSE WHY THE SUBJECT BUILDING(S) SHOULD NOT BE ORDERED TO BE DEMOLISHED by the City Council.

Issuance of any building and/or trade permit(s) does not, in any way, alter the demolition schedule or give rise to a cause of action to prevent the demolition of this property. The permit applicant/owner assumes any risks and costs associated with obtaining the permit(s) for the property listed above.

Sincerely,

Scott Sanford
Lead Housing Inspector

SS/lmp

Attachment

2500 W. JOLLY RD.

● Original Red Tag Date

● 12/05/2017

● Submitted Into Make Safe Or Demolish Process

● 06/29/2018

● Property Vacant/Repairs Exceed Building SEV

● Property vacant more than 180 days

● Repairs exceed building SEV

● Title Information

● Maurice Randall

2500 W. JOLLY RD.

Property Value Information

● SEV

● \$29,100.00 (*as of 11/16/2018*)

● Structure

● \$42,621.00 (*as of 11/16/2018*)

● Land

● \$15,519.00 (*as of 11/16/2018*)

● Estimate of Repairs

● \$79,000.00

2500 W. JOLLY RD.

Housing Code Correction Letters

- Code Compliance Inspection Date

- 12/05/2017

- Code Compliance Letter Written

- 12/05/2017

- Code Compliance Due Date

- 1/04/2018

2500 W. JOLLY RD.

Demolition Board Actions

- Demolition Board Show Cause Hearings

- 8/23/2018

- Order by Demolition Board

- MS or D by 10/23/2018

- Request Sent To City Council for Show Cause Hearing

- 11/02/2018

2500 W. JOLLY RD.

City Council Actions

- Show Cause Hearing Held
- Public Safety Committee Meeting
- Resolution passed by City Council
- Extension Requested By Owner

2500 W JOLLY RD.

General Comments

- None of the required permits have been pulled as of 11/16/2018.

RECOMMENDATIONS

● FOR NEW CASES:

- Recommend time frame for MS or D. This requires a resolution be passed by City Council –
 - 60 days for regular demolitions
 - 30 days for fire-damaged demolitions
- Table case – Stays at PS Committee level for future review.

● FOR EXTENSION REQUESTS:

- Grant extension if requested. Requires new resolution be passed by City Council.
- Deny extension requested. Case will proceed in demo process and be sent out to bid for demolition.

● FOR TABLED CASES:

- Recommend time frame for MS or D. This requires a resolution be passed by City Council –
 - 60 days for regular demolitions
 - 30 days for fire-damaged demolitions
- Return case to table – Stays at PS Committee level for future review.

CITY OF LANSING - DEMOLITION BOARD
REPORT FOR CITY COUNCIL
CASE OVERVIEW SHEET

ADDRESS:	2500 W. Jolly Road
PARCEL NUMBER:	33-01-01-31-476-211

SHOW CAUSE HEARING DATE:	
DEMOLITION CASE FILE #:	

LISTED TAXPAYER:	Maurice Randall
INTERESTED PARTIES:	Maurice Randall
SEV INFORMATION:	\$29,100.00
LAND VALUE:	\$15,519.00
BUILDING VALUE:	\$42,621.00
LOT SIZE:	100 x 175

HOUSING CODE VIOLATION LTR:	
ORIGINAL RED TAG DATE:	
ZONING:	
ESTIMATE OF REPAIRS:	
PICTURES:	
OTHER:	

LEGAL DESCRIPTION:	S 175 FT LOT 71 ECO FARMS
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ORDER OF DEMOLITION BOARD

DEMOLITION BOARD MEETING DATE:	8/23/2018
ORDER:	60 Days make safe or demolish
REASON/CONDITIONS:	unsafe
HEARING OFFICER:	David Muylle

CURRENT PERMIT ACTIVITY

BUILDING:	Required, not yet pulled
ELECTRICAL:	Required, not yet pulled
MECHANICAL:	Required, not yet pulled
PLUMBING:	Required, not yet pulled
DEMOLITION:	na

CURRENT CITY COUNCIL ACTIVITY

REQUEST FOR SHOW CAUSE SENT:	
SHOW CAUSE HEARING DATE:	
PUBLIC SAFETY COMMITTEE WILL REVIEW:	



ECONOMIC PLANNING & DEVELOPMENT CODE ENFORCEMENT SECTION

316 N. Capitol Avenue, Suite C-2 • Lansing, MI 48933-1238
(517) 483-4361 • FAX: (517) 377-0100

12/07/2018

Certified Number: 7017 1000 0000 8687 5673

Douglas J. Brockway
920 Middle Street
Lansing, MI 48915

Dear Mr. Brockway

RE: DANGEROUS BUILDING AT 1414 Ballard Street SHOW CAUSE HEARING

TAKE NOTICE: In accordance with the provisions of City of Lansing Housing & Premises Code Section 1460.11 and MCL 125.538 et. seq., a Show Cause Hearing concerning the building and/or any accessory structure(s) located at 1414 Ballard Street., Lansing, Michigan, is scheduled before the City Council of the City of Lansing.

HEARING TIME: January 14, 2019 @ 7:00 p.m.
HEARING PLACE: Council Chambers 10th Floor City Hall
124 W. Michigan, Lansing, Michigan 48933

The Demolition Board has determined that the subject building, and/or any accessory structure, is "Dangerous" as defined in the aforesaid laws. THE PURPOSE OF THE HEARING is to give interested parties an opportunity to take exception to the determination made by the Demolition Board and to otherwise give testimony and SHOW CAUSE WHY THE SUBJECT BUILDING(S) SHOULD NOT BE ORDERED TO BE DEMOLISHED by the City Council.

Issuance of any building and/or trade permit(s) does not, in any way, alter the demolition schedule or give rise to a cause of action to prevent the demolition of this property. The permit applicant/owner assumes any risks and costs associated with obtaining the permit(s) for the property listed above.

Sincerely,

Scott Sanford
Lead Housing Inspector

SS/Imp

Attachment

1414 BALLARD STREET

- Original Red Tag Date

- 7/12/2018

- Submitted Into Make Safe Or Demolish Process

- 7/13/2018

- Property Vacant/Repairs Exceed Building SEV

- Property vacant more than 180 days
 - Repairs exceed building SEV

- Title Information

- Douglas J. Brockway
 - RAL Realty

1414 BALLARD STREET

Property Value Information

● SEV

● \$20,000.00 (as of 11/16/2018)

● Structure

● \$35,625 (*as of 11/16/2018*)

● Land

● \$4,361.00 (*as of 11/16/2018*)

● Estimate of Repairs

● \$72,000.00

1414 BALLARD ST.

Housing Code Correction Letters

- Code Compliance Inspection Date

- 7/12/2018

- Code Compliance Letter Written

- 7/12/2018

- Code Compliance Due Date

- 8/11/2018

1414 BALLARD ST.

Demolition Board Actions

- Demolition Board Show Cause Hearings

- 8/23/2018

- Order by Demolition Board

- MS or D by 10/23/2018

- Request Sent To City Council for Show Cause Hearing

- 11/02/2018

1414 BALLARD ST.

City Council Actions

- Show Cause Hearing Held
- Public Safety Committee Meeting
- Resolution passed by City Council
- Extension Requested By Owner

1424 Pontiac St.

General Comments

- None of the required permits have been pulled as of 11/16/2018.

RECOMMENDATIONS

● FOR NEW CASES:

- Recommend time frame for MS or D. This requires a resolution be passed by City Council –
 - 60 days for regular demolitions
 - 30 days for fire-damaged demolitions
- Table case – Stays at PS Committee level for future review.

● FOR EXTENSION REQUESTS:

- Grant extension if requested. Requires new resolution be passed by City Council.
- Deny extension requested. Case will proceed in demo process and be sent out to bid for demolition.

● FOR TABLED CASES:

- Recommend time frame for MS or D. This requires a resolution be passed by City Council –
 - 60 days for regular demolitions
 - 30 days for fire-damaged demolitions
- Return case to table – Stays at PS Committee level for future review.

**CITY OF LANSING - DEMOLITION BOARD
REPORT FOR CITY COUNCIL
CASE OVERVIEW SHEET**

ADDRESS:	1414 Ballard Street
PARCEL NUMBER:	33-01-01-10-157-001

SHOW CAUSE HEARING DATE:	
DEMOLITION CASE FILE #:	2018-D005

LISTED TAXPAYER:	Brockway, Douglas
INTERESTED PARTIES:	RAL Realty
SEV INFORMATION:	\$20,000.00
LAND VALUE:	\$4,361.00
BUILDING VALUE:	\$35,625.00
LOT SIZE:	34 x 66

HOUSING CODE VIOLATION LTR:	7/12/2018
ORIGINAL RED TAG DATE:	7/12/2018
ZONING:	C Residential
ESTIMATE OF REPAIRS:	\$72,000.00
PICTURES:	yes
OTHER:	

LEGAL DESCRIPTION:	N 34 FT OF W 4 R LOT 17 BLOCK 2 HANDY HOME ADD
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ORDER OF DEMOLITION BOARD

DEMOLITION BOARD MEETING DATE:	8/23/2018
ORDER:	60 days make safe or demolish
REASON/CONDITIONS:	unsafe
HEARING OFFICER:	David Muylle

CURRENT PERMIT ACTIVITY

BUILDING:	Required, not yet pulled
ELECTRICAL:	Required, not yet pulled
MECHANICAL:	Required, not yet pulled
PLUMBING:	Required, not yet pulled
DEMOLITION:	na

CURRENT CITY COUNCIL ACTIVITY

REQUEST FOR SHOW CAUSE SENT:	
SHOW CAUSE HEARING DATE:	
PUBLIC SAFETY COMMITTEE WILL REVIEW:	

**CITY OF LANSING
NOTICE OF PUBLIC HEARING**

Z-5-2018, 136 E. Malcolm X Street and Vacant Parcel to its East
Rezoning from “DM-4” Residential & “J” Parking Districts to “G-1” Business
District

The Lansing City Council will hold a public hearing on Monday, January 14, 2019 at 7:00 p.m. in Council Chambers, 10th Floor, Lansing City Hall, 124 W. Michigan Avenue, Lansing, Michigan to consider Z-5-2018. This is a request by Reo Gateway, LLC & Funk Zone Investors, LLC to rezone the property at 136 E. Malcolm X Street and the vacant 2.086 parcel to its east from “DM-4” Residential & “J” Parking Districts to “G-1” Business District. The purpose of the rezoning is to permit a mixed-use (hotel, retail/commercial and multiple family residential) development on the subject properties.

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

Chris Swope, Lansing City Clerk, MMC/CMMC
www.lansingmi.gov/Clerk
www.facebook.com/LansingClerkSwope



ORDINANCE # _____

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING FOR THE REZONING OF A PARCEL OF REAL PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE OF ORDINANCES.

The City of Lansing ordains:

Section 1. That the district maps adopted by and incorporated as Section 1246.02 of the Code of Ordinances of the City of Lansing, Michigan be amended to provide as follows:

To change the zoning classification of the property described as follows:

Case Number: Z-5-2018

Parcel Number's: 33-01-01-21-203-003 & 33-01-01-21-203-020

Address: 136 E. Malcolm X Street & Vacant Parcel to its East

Legal Descriptions: Lots 6 through 11, Inclusive, Block 177 Original Plat, from "DM-4" Residential & "J" Parking Districts to "G-1" Business District.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance was duly adopted by the Lansing City Council on _____, 2019, and a copy is available in the office of the Lansing City Clerk, 9th Floor, City Hall, 124 W. Michigan Avenue, Lansing, MI 48933.

Section 4. This ordinance shall take effect upon the expiration of seven (7) days from the date this notice of adoption is published in a newspaper of general circulation.

GENERAL INFORMATION

APPLICANT: REO Gateway LLC & Funk Zone Investors, LLC
2422 Jolly Road, Suite 200
Okemos, MI 48864

OWNERS: Ingham County Land Bank
3024 Turner Street
Lansing, MI 48906

REQUESTED ACTIONS: Rezone from “DM-4” Residential & “J” Parking districts to
“G-1” Business District

EXISTING LAND USE: 136 E. Malcolm X – vacant land
East of 136 E. Malcolm X – vacant commercial building

EXISTING ZONING: “DM-4” Residential & “J” Parking Districts

PROPOSED ZONING: “G-1” Business District

PROPERTY SIZE: 2.531 acres – total area to be rezoned

SURROUNDING LAND USE: N: I-496
S: River/Apartment Building
E: Apartment Building
W: BWL Substation

SURROUNDING ZONING: N: “G-1” Business District
S: “DM-4” Residential District
E: “DM-4” Residential District
W: “DM-4” Residential District

MASTER PLAN: The Design Lansing Master Plan designates the subject property for District Mixed-Use Center. S. Washington and E. Malcolm X are designated as minor arterials.

DESCRIPTION:

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

AGENCY RESPONSES

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

REZONING ANALYSIS**COMPATIBILITY WITH SURROUNDING LAND USE:**

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

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

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

COMPLIANCE WITH MASTER PLAN:

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

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

With respect to placemaking characteristics, the Plan states that:

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

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

IMPACT ON VEHICULAR AND PEDESTRIAN TRAFFIC:

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

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

IMPACT ON PUBLIC FACILITIES:

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

ENVIRONMENTAL IMPACT:

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

IMPACT ON FUTURE PATTERNS OF DEVELOPMENT:

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

SUMMARY

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

The findings of fact as outlined in this staff report support a positive recommendation for the requested rezoning. The proposed rezoning will be consistent with the existing land use patterns in the area and with the future land use pattern being advanced in the Design Lansing Comprehensive Plan. Additionally, the proposed rezoning will have no negative impacts on traffic patterns, the environment or future patterns of development in the area.

RECOMMENDATIONS

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

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

Respectfully Submitted,

Susan Stachowiak
Zoning Administrator

BOARD OF WATER AND LIGHT MEMO

September 27, 2018

TO: City of Lansing – Planning Department, Susan Stachowiak
FROM: Andy Baumgartner, Real Property Analyst, Legal Services, 517-702-6795
RE: COL Rezoning Z-5-2018_136 E. Malcolm X Comments

BWL Electric: Rezoning Request- Approved

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

BWL Street Lighting: Rezoning Request- Approved

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

BWL Water & Steam Distribution: Approved

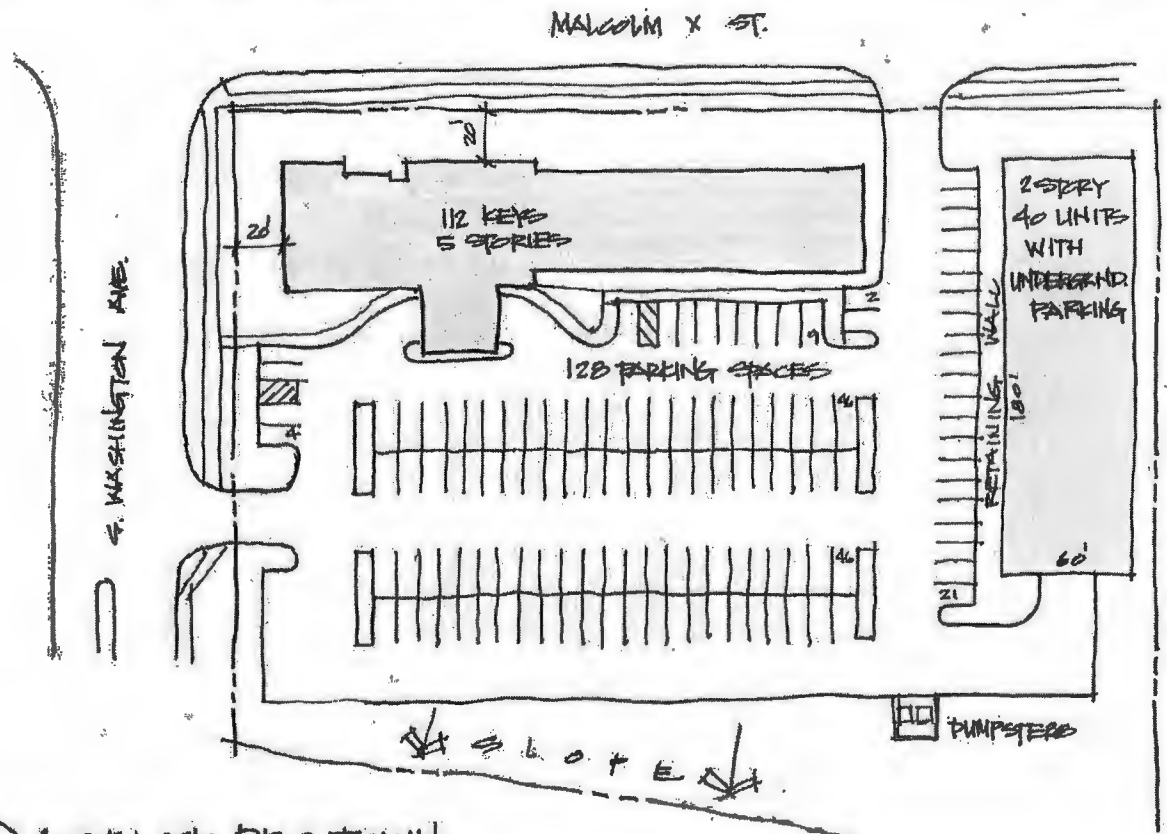
- Contact person: Steve Conn, Utility Designer: 517-702-6726

BWL Water Operations: Randall Roost- Approved

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

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

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



© 800 BLOCK RED TOWN
LANSING, MI

PRE 6/26/10

0 40 80

Scale bar and north arrow.

Buildings at 136 E. Malcolm X



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





Zoning

Legend

-  roads_final
-  Tax Parcels
-  A Residential-Single
-  B Residential-Single
-  C Residential-2 Unit
-  NONE
-  CUP Community Unit Plan
-  D-1 Professional Office
-  D-2 Residential/Office
-  DM-1 Residential-Multiple
-  DM-2 Residential-Multiple
-  DM-3 Residential-Multiple
-  DM-4 Residential-Multiple
-  E-1 Apartment Shop
-  E-2 Local Shopping
-  F Commercial
-  F-1 Commercial
-  G-1 Business
-  G-2 Wholesale
-  H Light Industrial
-  I Heavy Industrial
-  J Parking
-  ROW Right of Way



**CITY OF LANSING
NOTICE OF PUBLIC HEARING**

Z-6-2018, 522 Lesher Place

Rezoning from “DM-3” Residential District to “D-1” Professional Office District

The Lansing City Council will hold a public hearing on Monday, January 14, 2019 at 7:00 p.m. in Council Chambers, 10th Floor, Lansing City Hall, 124 W. Michigan Avenue, Lansing, Michigan to consider Z-6-2018. This is a request by Neogen Corporation to rezone the property at 522 Lesher Place from “DM-3” Residential District to “D-1” Professional Office District. The purpose of the rezoning is to permit the building at this location to be used for additional office space to support the Neogen Corporation offices already existing in the area.

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

Chris Swope, Lansing City Clerk, MMC/CMMC
www.lansingmi.gov/Clerk
www.facebook.com/LansingClerkSwope



ORDINANCE # _____

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING FOR THE REZONING OF A PARCEL OF REAL PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE OF ORDINANCES.

The City of Lansing ordains:

Section 1. That the district maps adopted by and incorporated as Section 1246.02 of the Code of Ordinances of the City of Lansing, Michigan be amended to provide as follows:

To change the zoning classification of the property described as follows:

Case Number: Z-6-2018

Parcel Number: 33-01-01-15-104-351

Address: 522 Leshner Place

Legal Descriptions: Lot 5, Block 2, Assessors Plat No. 7, from "DM-3" Residential District to "D-1" Professional Office District.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance was duly adopted by the Lansing City Council on _____, 2019, and a copy is available in the office of the Lansing City Clerk, 9th Floor, City Hall, 124 W. Michigan Avenue, Lansing, MI 48933.

Section 4. This ordinance shall take effect upon the expiration of seven (7) days from the date this notice of adoption is published in a newspaper of general circulation.

GENERAL INFORMATION

APPLICANT/OWNER: Neogen Corporation
620 Leshar Place
Lansing, MI 48912

REQUESTED ACTION: Rezone 522 Leshar Place from "DM-3"
Residential to "D-1" Professional Office

EXISTING LAND USE: Vacant Single Family Dwelling

EXISTING ZONING: "DM-3" Residential District

PROPOSED ZONING: "D-1" Professional Office District

PROPERTY SIZE & SHAPE: 42.5' x 59.5' = 2,529 square feet

SURROUNDING LAND USE: N: Neogen Offices
S: Single Family Residential
E: 3-unit Residential Building
W: Oak Park

SURROUNDING ZONING: N: "D-1" Professional Office District
S: "DM-3" Residential District
E: "DM-3" Residential District
W: "A" Residential District

MASTER PLAN DESIGNATION: The Design Lansing Comprehensive Plan
designates the subject property for medium
density residential use. Leshar Place and
Linden Grove area designated as local roads.

SPECIFIC INFORMATION

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

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

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

AGENCY RESPONSES:

Assessor:

BWL: Approved for BWL concerns.

Building Safety: The Building Safety Office has no objections to the rezoning. This project is subject to building plan review.

Fire Marshal:

Parks & Rec.: Neogen has been a great partner with Oak Park adjacent to the proposed site and have been an excellent anchor tenant/business in this area. They have done a great job of keeping the history and architecture of the neighborhood with the changes going on in the main building and adjacent properties they own.

Public Service: No comments.

Transportation: No comments or requirements. Any changes planned to the sites would still have to go through the appropriate approval processes.

ANALYSIS**COMPATIBILITY WITH SURROUNDING LAND USE**

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

COMPLIANCE WITH MASTER PLAN

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

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

IMPACT ON VEHICULAR AND PEDESTRIAN TRAFFIC

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

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

ENVIRONMENTAL IMPACT

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

IMPACT ON FUTURE PATTERNS OF DEVELOPMENT

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

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

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

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

SUMMARY

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

“Lot 5, Block 2, Assessors Plat No. 7”

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

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

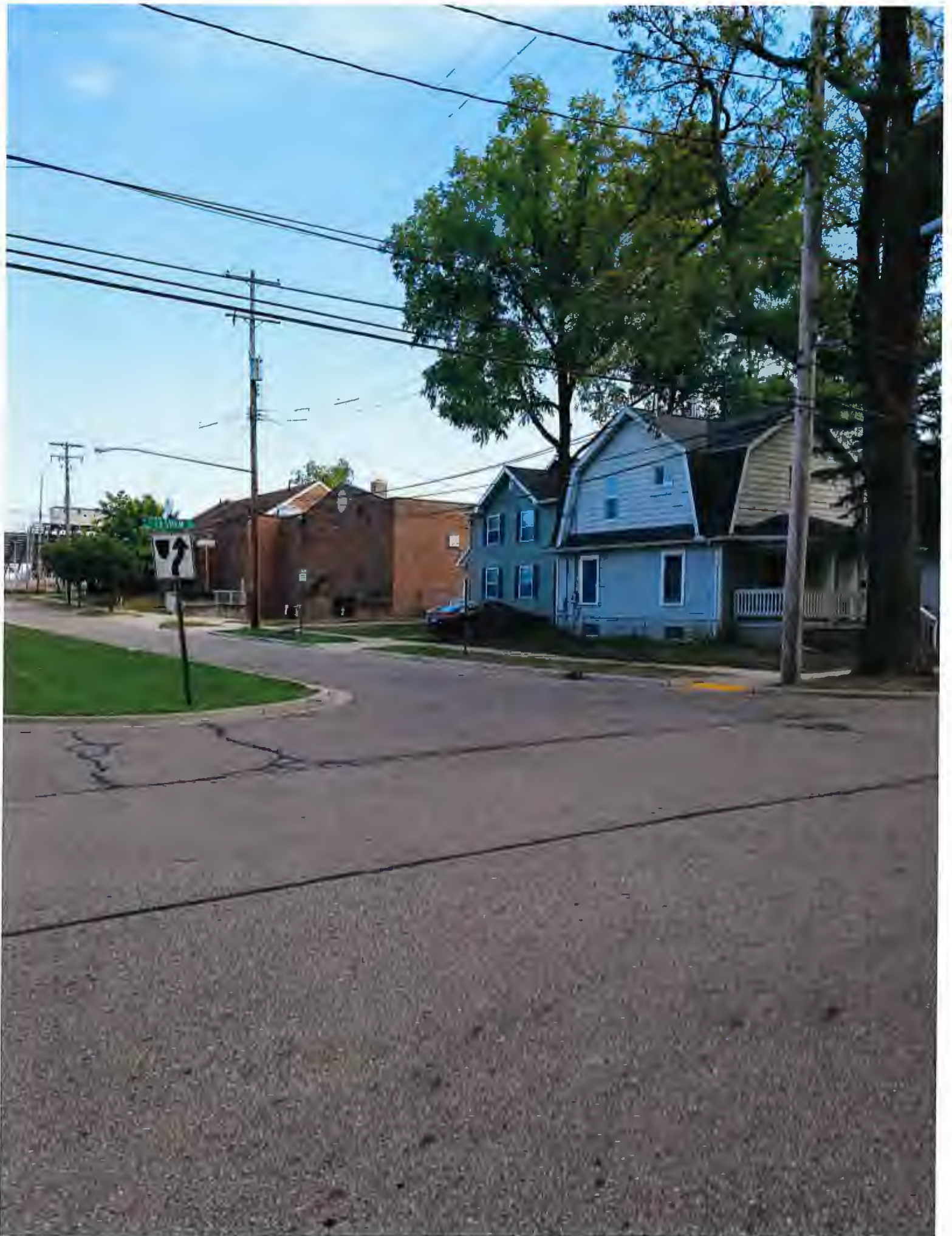
RECOMMENDATION

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

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

Respectfully Submitted,

**Susan Stachowiak
Zoning Administrator**







Legend

roads_final

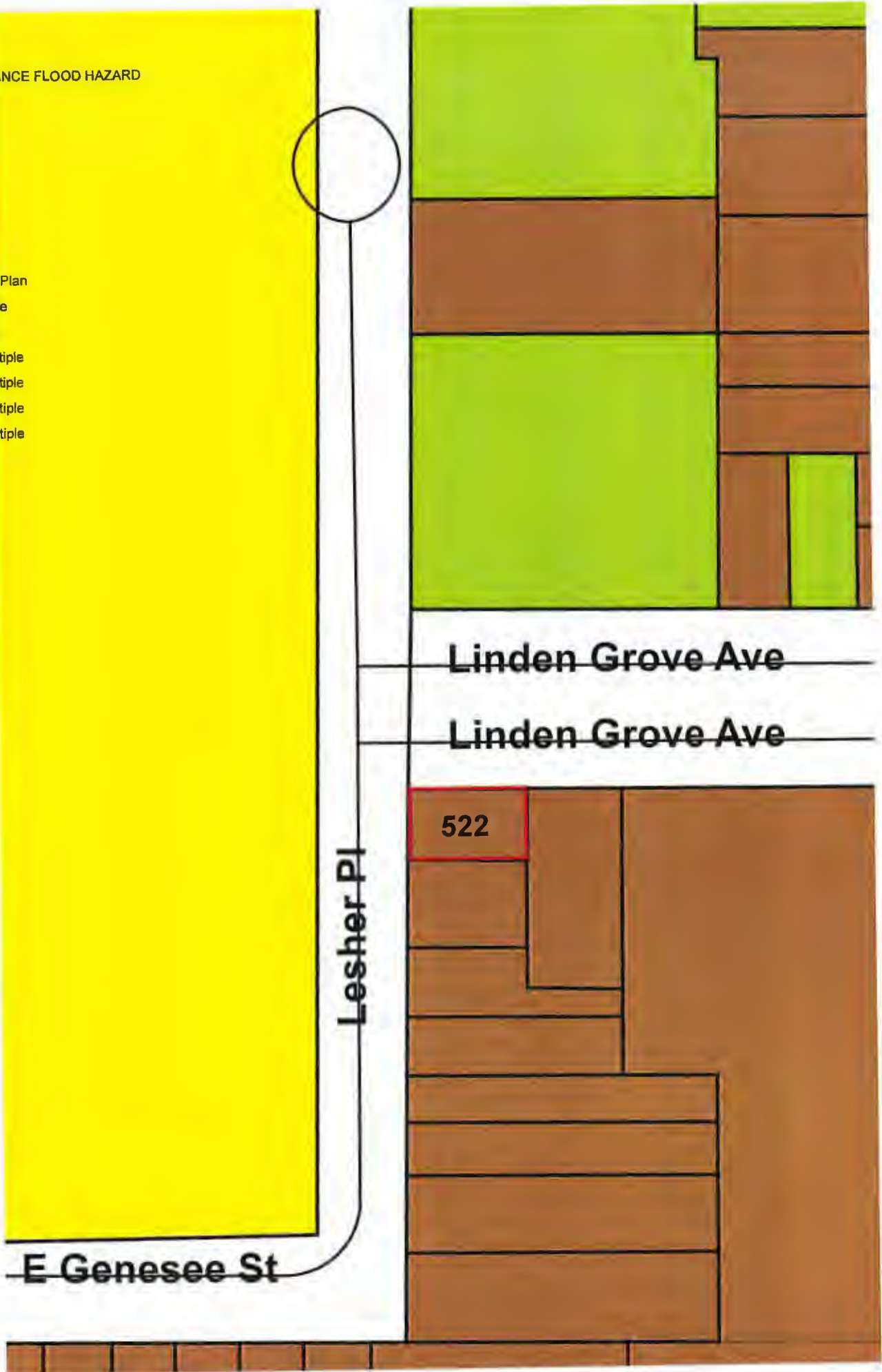
FEMA Flood Zones

Flood Zone

0.2 PCT ANNUAL CHANCE FLOOD HAZARD

- A
- AE
- Tax Parcels
- A Residential-Single
- B Residential-Single
- C Residential-2 Unit
- NONE
- CUP Community Unit Plan
- D-1 Professional Office
- D-2 Residential/Office
- DM-1 Residential-Multiple
- DM-2 Residential-Multiple
- DM-3 Residential-Multiple
- DM-4 Residential-Multiple
- E-1 Apartment Shop
- E-2 Local Shopping
- F Commercial
- F-1 Commercial
- G-1 Business
- G-2 Wholesale
- H Light Industrial
- I Heavy Industrial
- J Parking
- ROW Right of Way

Zoning



**CITY OF LANSING
NOTICE OF PUBLIC HEARING**

**Z-7-2018, Vacant Lots, Northwest Corner of W. Cavanaugh Road & Lowcroft
Avenue**

Rezoning from "A" Residential District to "C" Residential District

The Lansing City Council will hold a public hearing on Monday, January 14, 2019 at 7:00 p.m. in Council Chambers, 10th Floor, Lansing City Hall, 124 W. Michigan Avenue, Lansing, Michigan to consider Z-7-2018. This is a request by Andrew Pauly to rezone the two vacant parcels of land at the northwest corner of W. Cavanaugh Road and Lowcroft Avenue from "A" Residential District to "C" Residential District. The purpose of the rezoning is to permit the construction of a duplex on the subject property.

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

Chris Swope, Lansing City Clerk, MMC/CMMC
www.lansingmi.gov/Clerk
www.facebook.com/LansingClerkSwope

DRAFT

ORDINANCE # _____

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING FOR THE REZONING OF A PARCEL OF REAL PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE OF ORDINANCES.

The City of Lansing ordains:

Section 1. That the district maps adopted by and incorporated as Section 1246.02 of the Code of Ordinances of the City of Lansing, Michigan be amended to provide as follows:

To change the zoning classification of the property described as follows:

Case Number: Z-7-2018

Parcel Number's: 33-01-01-32-278-121 & 33-01-01-32-278-131

Address: Two Vacant Lots, Northwest corner of W. Cavanaugh Road & Lowcroft Avenue

Legal Descriptions: Lots 54 & 55, Foster S. Holmes Road Subdivision, from "A" Residential District to "C" Residential District.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance was duly adopted by the Lansing City Council on _____, 2019, and a copy is available in the office of the Lansing City Clerk, 9th Floor, City Hall, 124 W. Michigan Avenue, Lansing, MI 48933.

Section 4. This ordinance shall take effect upon the expiration of seven (7) days from the date this notice of adoption is published in a newspaper of general circulation.

GENERAL INFORMATION

APPLICANT/OWNER: Andrew Pauly
1535 Ridgewood Drive
East Lansing, MI 48823

REQUESTED ACTIONS: Rezone the 2 vacant parcels of land at the northwest corner of
W. Cavanaugh Road and Lowcroft Avenue from "A"
Residential District to "C" Residential District

EXISTING LAND USE: Vacant

EXISTING ZONING: "A" Residential

PROPOSED ZONING: "C" Residential

PROPERTY SIZE: 125' x 92.2' = 11,525 square feet
.26 acres (both parcels combined)

SURROUNDING LAND USE: N: Single Family Residential
S: Duplex
E: Single Family Residential
W: Duplex

SURROUNDING ZONING: N: "A" Residential
S: "C" Residential
E: "A" Residential
W: "C" Residential

MASTER PLAN: The Design Lansing Comprehensive Plan designates the
subject property for low density residential land use. W.
Cavanaugh Road is designated as a collector road and
Lowcroft Avenue is designated as a local road.

SPECIFIC INFORMATION

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

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

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

AGENCY RESPONSES

Assessor:

BWL: See attached.

Building Safety: The Building Safety Office has no objections to the rezoning. This project is subject to building plan review.

Fire Marshal:

Parks & Rec.: No comments.

Public Service: No comments.

Transportation: No comments or requirements. Any changes planned to the site would still have to go through the appropriate approval processes.

COMPATIBILITY WITH SURROUNDING LAND USE:

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

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

COMPLIANCE WITH MASTER PLAN:

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

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

IMPACT ON VEHICULAR AND PEDESTRIAN TRAFFIC:

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

IMPACT ON PUBLIC FACILITIES:

The site is already served by all necessary public facilities.

ENVIRONMENTAL IMPACT:

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

IMPACT ON FUTURE PATTERNS OF DEVELOPMENT:

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

SUMMARY

This is a request by Andrew Pauly to rezone the two vacant parcels of land at the northwest corner of W. Cavanaugh Road and Lowcroft Avenue from "A" Residential District to "C" Residential District. The purpose of the rezoning is to permit the construction of a duplex on the subject property.

The findings of fact as outlined in this staff report support a positive recommendation for the requested rezoning. The proposed rezoning will be consistent with the existing zoning and land use patterns in the area. Additionally, the proposed rezoning will have no negative impacts on traffic patterns, the environment or future patterns of development in the area.

RECOMMENDATION

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

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

Respectfully Submitted,

**Susan Stachowiak
Zoning Administrator**



BOARD OF WATER AND LIGHT MEMO

October 23, 2018

TO: City of Lansing – Planning Department, Susan Stachowiak
FROM: Andy Baumgartner, Real Property Analyst, Legal Services, 517-702-6795
RE: COL Rezoning- Z-7-2018_W. Cavanaugh Comments
BWL Electric: Approved with the following comments:

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

BWL Street Lighting: Approved

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

BWL Water & Steam Distribution:

Approved

Please note that this approval does not constitute an agreement for service, and is subject to the following conditions:

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

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

BWL Water Operations: Approved

I have no comments or concerns. R. Roost

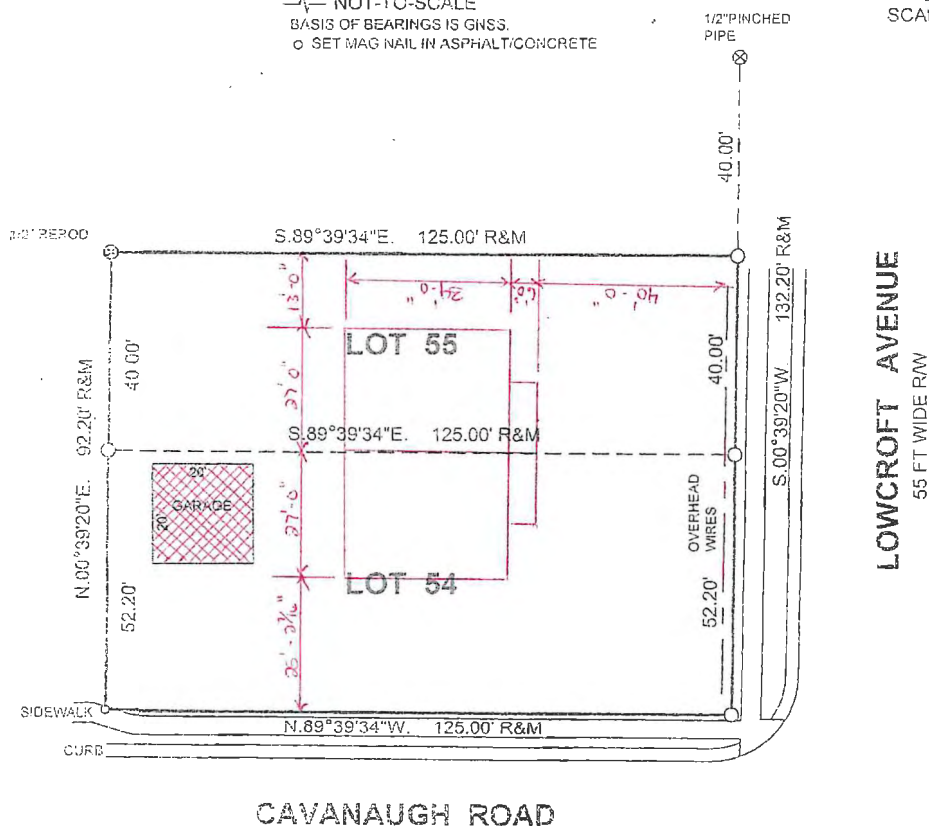
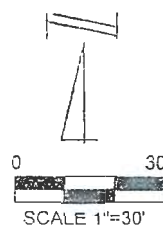
BWL Environmental Wellhead Protection: Angie Goodman, Water Quality

We have no wellhead protection concerns in this area.

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

CERTIFIED SURVEY MAP

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



LOWCROFT AVENUE
 55 FT WIDE RW

CAVANAUGH ROAD

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

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

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

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

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



03/27/18

SES
 517-337-8270

SHELLENBARGER **E**NGINEERING AND **S**URVEYING, P.C.
 5910 N. Hagadorn Road
 East Lansing, Michigan 48823



Legend

roads_final

FEMA Flood Zones

Flood Zone

0.2 PCT ANNUAL CHANCE FLOOD HAZARD

- A
- AE
- Tax Parcels
- A Residential-Single
- B Residential-Single
- C Residential-2 Unit
- NONE
- CUP Community Unit Plan
- D-1 Professional Office
- D-2 Residential/Office
- DM-1 Residential-Multiple
- DM-2 Residential-Multiple
- DM-3 Residential-Multiple
- DM-4 Residential-Multiple
- E-1 Apartment Shop
- E-2 Local Shopping
- F Commercial
- F-1 Commercial
- G-1 Business
- G-2 Wholesale
- H Light Industrial
- I Heavy Industrial
- J Parking
- ROW Right of Way

Zoning



BY COUNCIL MEMBERS DUNBAR, GARZA, HUSSAIN, JACKSON,
SPADAFORE, SPITZLEY, WASHINGTON AND WOOD
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Dr. Martin Luther King Commission of Mid-Michigan will host its 34th Dr. Martin Luther King Jr. Annual Luncheon on January 21, 2019, with the theme “Be the Change You Wish to See in the World”; and

WHEREAS, humility, justice, freedom, and love measure the character of this year’s Keynote Speaker, Governor L. Douglas Wilder. He became the first African-American elected governor in U.S. history, leading the Commonwealth of Virginia from 1990-1994, he also was the first African-American state senator in Virginia since Reconstruction and served five terms; and

WHEREAS, Governor Wilder persisted in sponsoring legislation that eventually led to establishing a state holiday honoring Dr. Martin Luther King, Jr. He is also known as a distinguished Professor at Virginia Commonwealth University, a newspaper columnist, and the driving force for establishing a national slavery museum in Fredericksburg, Virginia; and

WHEREAS, the Dr. Martin Luther King Commission of Mid-Michigan is also proud to welcome the Grammy Award winning gospel music recording artist Pastor Donnie McClurkin, Jr. as the 2019 special guest vocalist. Donnie McClurkin Jr. is the Pastor of Perfecting Faith Church of New York, a top selling gospel music artist and the winner of numerous Stellar, BET Awards, Soul Train Awards, NAACP Image Awards, and Dove Awards; and

WHEREAS, as one of the most anticipated events in the City of Lansing, the annual Martin Luther King Jr. celebration brings people together and reminds us to all be tolerant, kind, and accepting of one another for our similarities and our differences.

NOW BE IT RESOLVED, the Lansing City Council commends the Dr. Martin Luther King Commission of Mid-Michigan for their continued dedication and service to our youth and residents of the City of Lansing and wishes them the best of luck on this uplifting celebration.

BE IT RESOLVED, that the City Council commemorates the efforts of Dr. Martin Luther King, Jr. and encourages all residents of the City of Lansing to share in Dr. King’s dream and work toward, justice, good will, and brotherhood for all people.

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Hamenymana Odasi sought to eliminate a special assessment of \$395.00 for tall grass removal fees, and all associated penalties and interest, on the property tax bill for 915 Vine Street (Tax ID #33-01-01-15-152-141); and

WHEREAS, upon filing a claim to the Committee on General Services, the claim in the amount of \$395.00 was denied on December 11, 2018.

THEREFORE, BE IT RESOLVED, that the City Council, hereby, denies the claim of Hamenymana Odasi in the amount of \$395.00 for tall grass removal fees, and all associated penalties and interest on the property tax bill for 915 Vine Street (Tax ID #33-01-01-15-152-141).

BE IT FURTHER RESOLVED, that the City Attorney shall take the appropriate steps to process this claim.

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Michael Sdao sought to eliminate a special assessment of \$2,537.00 for trash removal fees, tag monitoring fees and all associated penalties and interest, on the property tax bill for 600 Jessop Street (Tax ID #33-01-01-33-286-001); and

WHEREAS, upon filing a claim to the Committee on General Services, the claim in the amount of \$2,537.00 was denied on December 11, 2018.

THEREFORE, BE IT RESOLVED, that the City Council, hereby, denies the claim of Michael Sdao in the amount of \$2,537.00 for trash removal fees, tag monitoring and all associated penalties and interest on the property tax bill for 600 Jessop Street (Tax ID #33-01-01-33-286-001).

BE IT FURTHER RESOLVED, that the City Attorney shall take the appropriate steps to process this claim.

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Bobbie Maxwell sought to eliminate a special assessment of \$330.00 for tall grass removal fees and all associated penalties and interest on the property tax bill for 2319 Greenbelt Drive (Tax ID #33-01-01-31-278-261); and

WHEREAS, upon filing a claim to the Committee on General Services, the Committee met on December 11, 2018 and partially granted the claim in the amount of \$265.00, leaving a remaining balance owing of \$65.00.

THEREFORE, BE IT RESOLVED, that the City Council, hereby, partially grants the claim in the amount of \$265.00 for tall grass removal fees, and all associated penalties and interest on the property tax bill for 2319 Greenbelt Drive (Tax ID #33-01-01-31-278-261), leaving a balance owing of \$65.00.

BE IT FURTHER RESOLVED, that the City Attorney shall take the appropriate steps to process this claim.

RESOLUTION #2019-_____
ACT 33: _____
BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, a certain real estate purchase agreement relating to the Townsend Parking Ramp between the City of Lansing and the Michigan Senate has been submitted for the approval of this Council, having been on file with the City Clerk since December 20, 2018; and

WHEREAS, the City of Lansing Building Authority will convey title to the Townsend Parking Ramp to the City of Lansing for receipt by this Council; and

WHEREAS, a certain resolution authorizing the defeasance of bonds has been submitted for this Council's approval, including an Amendment #6 to a contract of lease; and

WHEREAS, an Act 33 review of the preceding purchase agreement is being conducted by the City of Lansing Planning Board, pursuant to its procedures; and

WHEREAS, a resolution authorizing the substitution of property under contract with the tax increment finance authority has been submitted for this Council's approval; and

WHEREAS, a public hearing is required on the above.

NOW, THEREFORE, BE IT RESOLVED that a public hearing be set for Monday, January 28, 2019, 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 above items.

BE IT FURTHER RESOLVED that the Lansing City Clerk is hereby directed to provide notice of this public hearing, as is required by City Charter.

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INTRODUCTION OF ORDINANCE

The Committee on Public Safety introduced:

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO AMEND THE LANSING
CODIFIED ORDINANCES BY AMENDING CHAPTER 1610 – UNIFORM FIRE CODE
AND UNIFORM FIRE CODE STANDARDS

The Ordinance is read a first time by its title and referred to the Committee on Public
Safety

INTRODUCTION OF ORDINANCE

Council Member Wood introduced:

An Ordinance of the City of Lansing, Michigan, to amend the Lansing Codified Ordinances by amending Chapter 1610 – Uniform Fire Code and Uniform Fire Code Standards by adopting by reference Chapter 39 Processing and Extraction Facilities of the 2018 International Fire Code.

The Ordinance is referred to the Committee on Public Safety

RESOLUTION SETTING PUBLIC HEARING BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL, CITY OF LANSING, that a public hearing be set for January 28, 2019 at 7:00 p.m. in the City Council Chambers, 10th Floor Lansing City Hall, 124 W. Michigan Ave., Lansing, MI for the purpose of considering amending Chapter 1610- Uniform Fire Code and Uniform Fire Code Standards by adopting by reference Chapter 39 Processing and Extraction Facilities of the 2018 International Fire Code.

Interested Persons are invited to attend this Public Hearing

DRAFT

DRAFT #2
October 10, 2018

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO AMEND THE
LANSING CODIFIED ORDINANCES BY AMENDING CHAPTER 1610 – UNIFORM FIRE
CODE AND UNIFORM FIRE CODE STANDARDS.

THE CITY OF LANSING ORDAINS:

Section 1. That Chapter 1610 – Uniform Fire Code, Section 1610.01 – Adoption of 2009
International Fire Code, of the Codified Ordinances of the City of Lansing, Michigan, be and is
hereby amended to read as follows:

1610.01 –Adoption of 2009 International Fire Code AND ADOPTION OF CHAPTER 39 OF
THE 2018 INTERNATIONAL FIRE CODE.

(a) For the purpose of establishing the minimum requirements consistent with nationally
recognized good practice for providing a reasonable level of life safety and property
protection from the hazards of fire, explosion, or dangerous conditions in new and
existing buildings, structures, and premises and to provide safety to firefighters and
emergency responders during emergency operations, the City hereby adopts the 2009
International Fire Code, including Appendices B, C, D, E, F, G, H, AND I, published by
the International Code Council, Inc. with the additions, deletions, and revisions contained
in this chapter. ADDITIONALLY, THE CITY HEREBY ADOPTS BY REFERENCE
CHAPTER 39 - PROCESSING AND EXTRACTION FACILITIES, OF THE 2018
INTERNATIONAL FIRE CODE. A copy of this Code is on file in the Office of the City
Clerk.

DRAFT

***DRAFT #2
October 10, 2018***

(b) References throughout these codified ordinances to the International Fire Code shall be deemed to mean the International Fire Code adopted in subsection (a) and it may be so cited. References throughout these codified ordinances to the Fire Prevention Code of the City of Lansing shall be synonymous with this International Fire Code, including its amendments adopted herein.

(c) Unless otherwise expressly provided, in the event of a conflict between any of the provisions of the International Fire Code, herein adopted, and a provision of this chapter, or any other provision of these Codified Ordinances, or any other local ordinance, resolution, rule or regulation, the local provision shall control. In the event of a conflict between any of the provisions of the International Fire Code, herein adopted, and State law, including rules and regulations promulgated pursuant to State law, the State law shall control. In the event of a conflict between any of the provisions of the International Fire Code, herein adopted, and a provision of any other standard technical code adopted by reference by the City of Lansing, the stricter or higher standard shall control.

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

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

Section 4. This ordinance shall take effect on the 30th day after enactment, unless given immediate effect by City Council and shall expire on December 31, 2027.

DRAFT

DRAFT #2
October 10, 2018

Approved as to form:

City Attorney

Dated: _____

Approved as to form:

ORDINANCE REVIEW COMMITTEE

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Chris Swope
Lansing City Clerk

January 11, 2019

Members of the Lansing City Council
10th Floor City Hall
Lansing, MI 48933

Dear Councilmembers:

The Minutes from the Meetings of the following Boards, Commissions, and Authorities of the City of Lansing were placed on file in the City Clerk's Office and are available for review in the City Clerk's Office and at the following website:
<http://lansingmi.gov/AgendaCenter>

BOARD NAME

DATE OF MEETING

Board of Ethics

November 14, 2018

Park Board

November 14, 2018
December 12, 2018

If my staff or I can provide further assistance or information relative to the filing of these minutes, please contact us at 483-4131.

Sincerely,

A handwritten signature in cursive script that reads "Chris Swope".

Chris Swope, CMC, CMMC
Lansing City Clerk

BY THE COMMITTEE ON PUBLIC SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING
CONFIRMATION GLENBURNE GRASS & TRASH ASSESSMENT ROLL SUMMER 2019

WHEREAS, pursuant to resolution 2019- 000 , adopted by this Council, the City Council held a public hearing on 00, 2018 and 00, 2018 regarding Assessment Roll GB-2019 for the removal of trash and grass in the Glenburne Commons are adjacent to certain properties; and

WHEREAS, the cost incurred between May 22, 2018 and November 5, 2018, by the City totals \$29,638.00; and

WHEREAS, the Committee on Public Services met on 00, 00 and 00, 2018 to review the public hearing findings; and

NOW, THEREFORE, BE IT RESOLVED, the Lansing City Council hereby directs that special assessment roll number GB-2019 as returned by the City Assessor, be ratified and confirmed.

FURTHER BE IT RESOLVED, the Lansing City Council hereby directs the City Assessor notify the owners of properties affected by this roll in accordance with City Ordinance 1020.06.

Contiguous Boundaries of properties benefitted to include all the parcels within the following subdivisions in their entirety as follows:

Glenburne Subdivision

Glenburne Subdivision No. 2

Glenburne Subdivision No. 3

Glenburne Subdivision No. 4

Glenburne Subdivision No. 5

Part of the North $\frac{1}{2}$ and South East $\frac{1}{4}$ of Section 36, T4N, R3W

City of Lansing, Eaton County, Michigan

BE IT FURTHER RESOLVED THAT Special Assessment Roll No. GB-2019 as presented and as returned by the City Assessor, is hereby ratified and confirmed, and the Mayor is authorized to affix within ten days his warrant directing the City Treasurer to collect this special assessment tax. If payment is not received by May 15, 2019, this special assessment tax will be placed on the July 2019 tax roll without interest or penalty.

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING
RESOLUTION TO SET A PUBLIC HEARING FOR
AMENDED BROWNFIELD PLAN #62
OLIVER TOWERS BROWNFIELD REDEVELOPMENT PROJECT

WHEREAS, the Lansing Brownfield Redevelopment Authority has prepared and forwarded an approved Brownfield Plan pursuant to and in accordance with the provisions of the Brownfield Redevelopment Financing Act, Public Act 381 of 1996, as amended, for property commonly referred to as 310 North Seymour Avenue located in the City of Lansing; and

WHEREAS, prior to Council's action on this request, it is necessary to hold a public hearing on the Plan, to allow for any resident, taxpayer or ad valorem taxing unit the right to appear and be heard; and

WHEREAS, maps, plats, and a description of the brownfield plan are available for public inspection at the Lansing Economic Area Partnership, 1000 South Washington, Suite 201, Lansing, MI 48912, and that all aspects of the brownfield plan are open for discussion at the public hearing.

NOW, THEREFORE, BE IT RESOLVED that a public hearing be held in the City Council Chambers of the City of Lansing, 10th Floor, Lansing City Hall, Lansing, Michigan, on February 11, 2019 at 7:00 p.m. on Amended Brownfield Plan #62 – Oliver Towers Brownfield Redevelopment Project under the Brownfield Redevelopment Financing Act, for property more particularly described as:

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

And that the City Clerk cause notice of such hearing to be published twice in a publication of general circulation, no less than 10 days or more than 40 days prior to the date of the public hearing, and that the City Clerk also cause the legislative body of each taxing unit levying ad valorem taxes on this property, to be notified of Brownfield Plan #62 – Oliver Towers Brownfield Redevelopment Project and the scheduled public hearing.

City of Lansing
Notice of Public Hearing

The Lansing City Council will hold a public hearing on February 11, 2019 at 7:00 p.m. in the City Council Chambers, 10th Floor, Lansing City Hall, Lansing, MI, for the purpose stated below:

To afford an opportunity for all residents, taxpayers of the City of Lansing, other interested persons and ad valorem taxing units to appear and be heard on the approval of Amended Brownfield Plan #62 – Oliver Towers Brownfield Redevelopment Project pursuant to and in accordance with the provisions of the Brownfield Redevelopment Financing Act, Public Act 381 of 1996, as amended, for property commonly referred to as 310 North Seymour Avenue located in the City of Lansing, but more particularly described as:

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

Approval of this Brownfield Plan will enable the Lansing Brownfield Redevelopment Authority to capture incremental tax increases which result from the redevelopment of the property to pay for costs associated therewith. Further information regarding this issue, including maps, plats, and a description of the brownfield plan will be available for public inspection and may be obtained from Karl Dorshimer – Director of Business Development, Lansing Economic Area Partnership, 1000 South Washington, Suite 201, Lansing, MI 48912, (517) 702-3387.

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

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

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING
RESOLUTION APPROVING AMENDED BROWNFIELD PLAN #62
OLIVER TOWERS BROWNFIELD REDEVELOPMENT PROJECT

WHEREAS, the Brownfield Redevelopment Authority (the 'Authority') of the City of Lansing, pursuant to and in accordance with the provisions of the Brownfield Redevelopment Financing Act, Public Act, Public Act 381 of 1996, as amended, (the 'Act') has prepared a Brownfield Plan, submitted to Council and placed on file in the office of City Clerk, LBRA Amended Brownfield Plan #62 – Oliver Towers Brownfield Redevelopment Project (the 'Plan'); and

WHEREAS, a public hearing was held by the Lansing City Council on November 19, 2018 and at least 10 days before the public hearing the taxing jurisdictions were provided notice to be fully informed about the fiscal and economic implications of the proposed Plan and given a reasonable opportunity to express their views and recommendations regarding the Plan in accordance with Section 13 (10) and 14(1) of the Act; and

WHEREAS, the Lansing City Council, before and during its public hearing on February 11, 2019 reviewed testimony and evidence regarding the Plan, and found that:

1. the Plan provides for the reimbursement of costs attributable to eligible activities to the developer and the Authority,
2. the Project includes, in addition to the eligible activities identified in the Plan, the redevelopment of the property,
3. the Project may result in new private investment of approximately \$14,700,000,
4. the Plan provides for the capture of property tax increment revenues due to the private investment on the site, and devotes them to repaying the Authority for its costs associated with eligible activities it performs, and to repaying the developer for their costs associated with eligible activities they perform, in accordance with the Plan,

WHEREAS, the Authority Board of Directors, at its meeting on December 7, 2018, unanimously recommended approval of the Plan, for this Project;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, after having duly considered the Plan, finds it is in compliance with the provisions of the Act and further finds:

- The Plan constitutes a public purpose under the Act;
- The Plan meets all of the requirements for a Brownfield Plan set forth in Section 13 of the Act;

- The proposed method of financing the costs of the eligible activities, as described in the Plan, is feasible and the Authority has the ability to arrange the financing;
- The costs of the eligible activities proposed in the Plan are reasonable and necessary to carry out the purposes of the Act; and
- The amount of the captured taxable value estimated to result from the adoption of the Plan is reasonable.

IT IS FINALLY RESOLVED that the Lansing City Council hereby approves the 'Amended Brownfield Plan #62 – Oliver Towers Brownfield Redevelopment Project'.

*Lansing Brownfield
Redevelopment Authority*



Lansing Brownfield Redevelopment Authority
Oliver Towers Redevelopment Project

*Brownfield Plan #62
Amendment #1*

310 North Seymour Avenue
Lansing, Michigan

PREPARED BY:

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

REVIEWED BY:

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

November 30, 2018

Approved by the LBRA on December 7, 2018

Adopted by the Lansing City Council on _____

Table of Contents

<u>Section</u>	<u>Page</u>
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FIGURES

Figure 1: Property Location Map

Figure 2: Property Boundary Diagram

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

TABLES

Table 1: Brownfield Eligible Activities

Table 2: Tax Increment Revenue Capture Estimates

Table 3: Tax Increment Revenue Reimbursement Allocation Table

ATTACHMENTS

Attachment A: Legal Description of the Property Conditions

Attachment B: Summary of Known Environmental

Attachment C: Letter of Functional Obsolescence

1. Project Summary Sheet

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

Project Name: Oliver Towers Redevelopment Project

Developer: George F. Eyde Family, LLC

Property Location: 310 N. Seymour Avenue, Lansing, Michigan

Parcel Information: Parcel ID 33-01-01-16-177-022

Type of Eligible Property: “Facility” and “Functionally Obsolete”

Project Description: A complete rehabilitation of the vacant, 8-story “Oliver Towers” site located in heart of Downtown Lansing just north of the State Capitol. The Mixed-use Development includes rehabilitation of the building including office/retail on the first floor and 96 residential units on floors two through eight. Brownfield Eligible activities include asbestos surveys and abatement, extensive interior demolition, Baseline Environmental Assessment activities, due care and additional response activities and public infrastructure improvements.

Total Capital Investment: Property and Building Improvements: Estimated at \$14,700,000 of which \$1,373,761 is estimated as eligible for Brownfield Reimbursement.

Estimated Job Creation/Retention: This redevelopment will result in the creation/retention of 20 to 40 temporary construction related jobs. In addition to the construction related jobs, the redevelopment is anticipated to generate 10 new full-time equivalent jobs in the commercial/office and retail components of the project.

Duration of Plan: 12 years (starting in 2020)

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

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

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

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

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

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

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

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

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

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

3. Brownfield Project Description

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

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

4. Developer Eligible Activities

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

STATE AND LOCAL ELIGIBLE ACTIVITIES

DEQ Eligible Activities

Department Specific Activities

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

MSF Eligible Activities

Asbestos and Lead Activities

Asbestos Survey	\$6,200
<i>Subtotal Asbestos and Lead Activities.....</i>	<i>\$6,200</i>

Demolition

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

Infrastructure Improvements

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

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

* Contingency calculation excludes costs for Phase I ESA, Phase II ESA, BEA, Asbestos Survey, Due Care Investigation/Planning, Brownfield Plan and Act 381 Work Plan activities.

** Interest is calculated annually at 5% simple interest on Developer unreimbursed eligible activities

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

5. Captured Taxable Value and Tax Increment Revenues

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

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

The captured incremental taxable value and associated tax increment revenue will be determined by the City Assessor. The actual increased taxable value of the land and all future taxable improvements on the Property may vary. Furthermore, the amount of tax increment revenue available under this Plan will be based on the actual millage levied annually by each local taxing jurisdiction on the increase in tax value resulting from the redevelopment project that is eligible and approved for capture.

6. Method of Brownfield Plan Financing

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

The LBRA will provide financing for its costs to implement and administer the Plan by utilizing 5% of the new local taxes captured per year for the duration of the Plan. The LBRA will also deposit 5% of the new local taxes captured per year for the duration of the Plan for deposit into

its Revolving Fund.

7. Amount of Note or Bonded Indebtedness Incurred

None.

8. Duration of the Brownfield Plan

Unless amended by the Lansing City Council, the Plan is anticipated to remain in effect until all approved activities in this plan are covered or until the end of the year 2031, whichever occurs first.

9. Estimated Impact on Taxing Jurisdictions

The following table presents a summary of the new tax revenues generated by the taxing jurisdictions whose millage is subject to capture by the LBRA under this Plan. These are estimations based on the residential and commercial components of the proposed redevelopment. The estimations take into account the impact of an OPRA Certificate.

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

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

* Increased by investment, but not captured for TIF reimbursement

Additional information related to the impact of tax increment financing on the various taxing jurisdictions is presented in Table 2.

10. Legal Description & Site Map

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

11. Personal Property

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

12. Displacement of Persons

No persons will be displaced as a result of this project.

13. LBRA Local Site Remediation Revolving Fund

No Local Site Remediation Revolving Funds will be used on this Brownfield Project. The LBRA will deposit 5% the new local taxes captured per year for the duration of the Plan into the LBRA's Revolving Fund as permitted by Act 381 of 1996, as amended ("the Act"). Any excess local tax capture not used to reimburse the Developer will be deposited in the Revolving Fund as permitted by the Act.

14. Other Information

The LBRA and the Lansing City Council, in accordance with the Act, may amend this Plan in the future in order to fund additional eligible activities associated with the Project described herein.

FIGURES

Figure 1: Property Location Map

Figure 2: Property Boundary Diagram

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

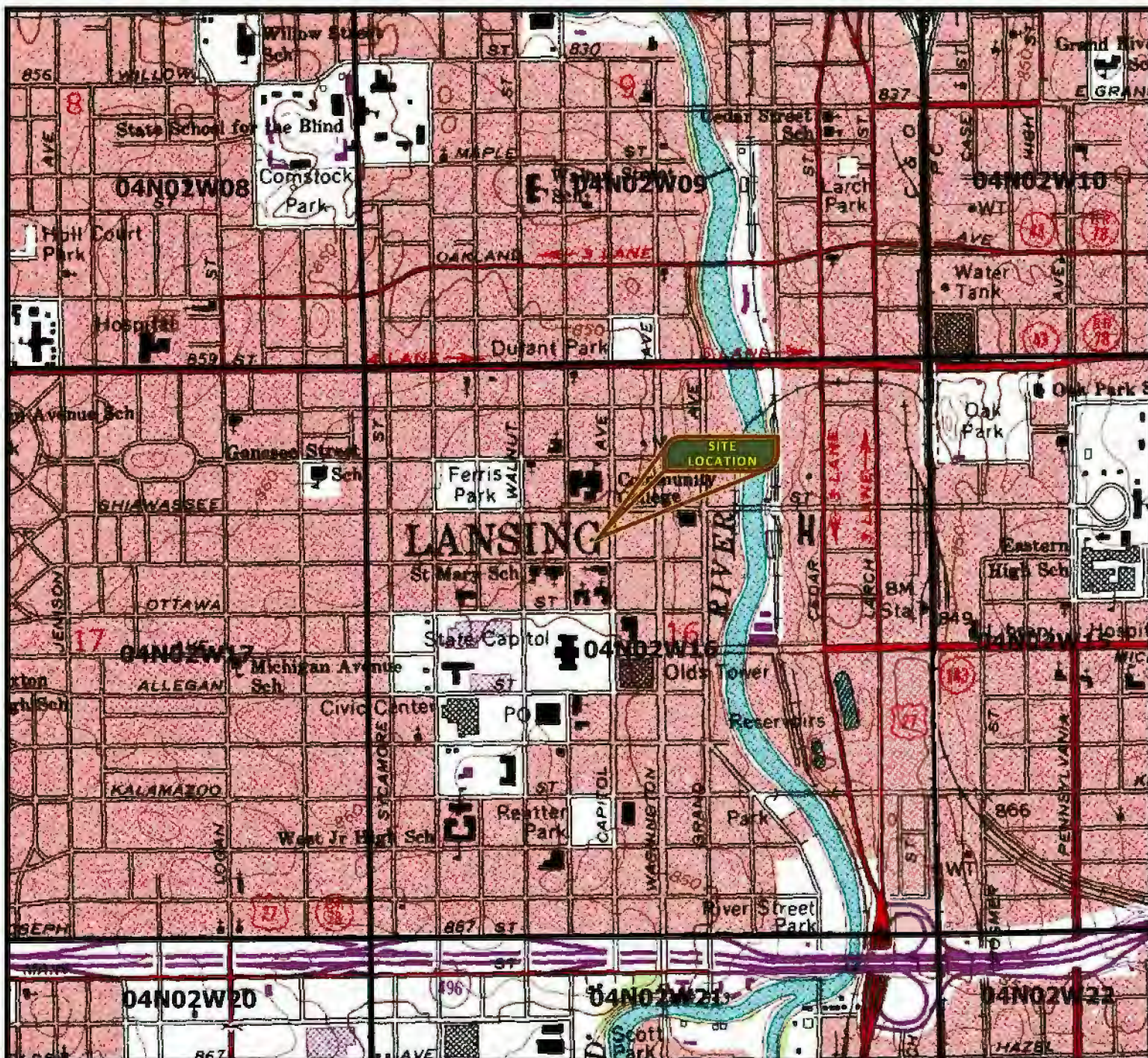


FIGURE 1 SITE LOCATION

310 NORTH SEYMOUR AVENUE
LANSING, MICHIGAN 48933

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

PROJECT NUMBER: 15-1450

ADAPTED FROM MI GEOGRAPHIC DATA LIBRARY DRG

TRI TERRA



1:16,000



Lansing Community College
Parking Lot

Oliver Towers (Vacant)

City of Lansing
316 N. Capitol Ave

Residential

N. SEYMOUR AVENUE

N. CAPITOL AVENUE

Approximate Property Boundary

W. IONIA STREET

State of Michigan
220 N. Setmour Ave

First Baptist Church
235 N. Capitol Ave



TRI TERRA

FIGURE 2

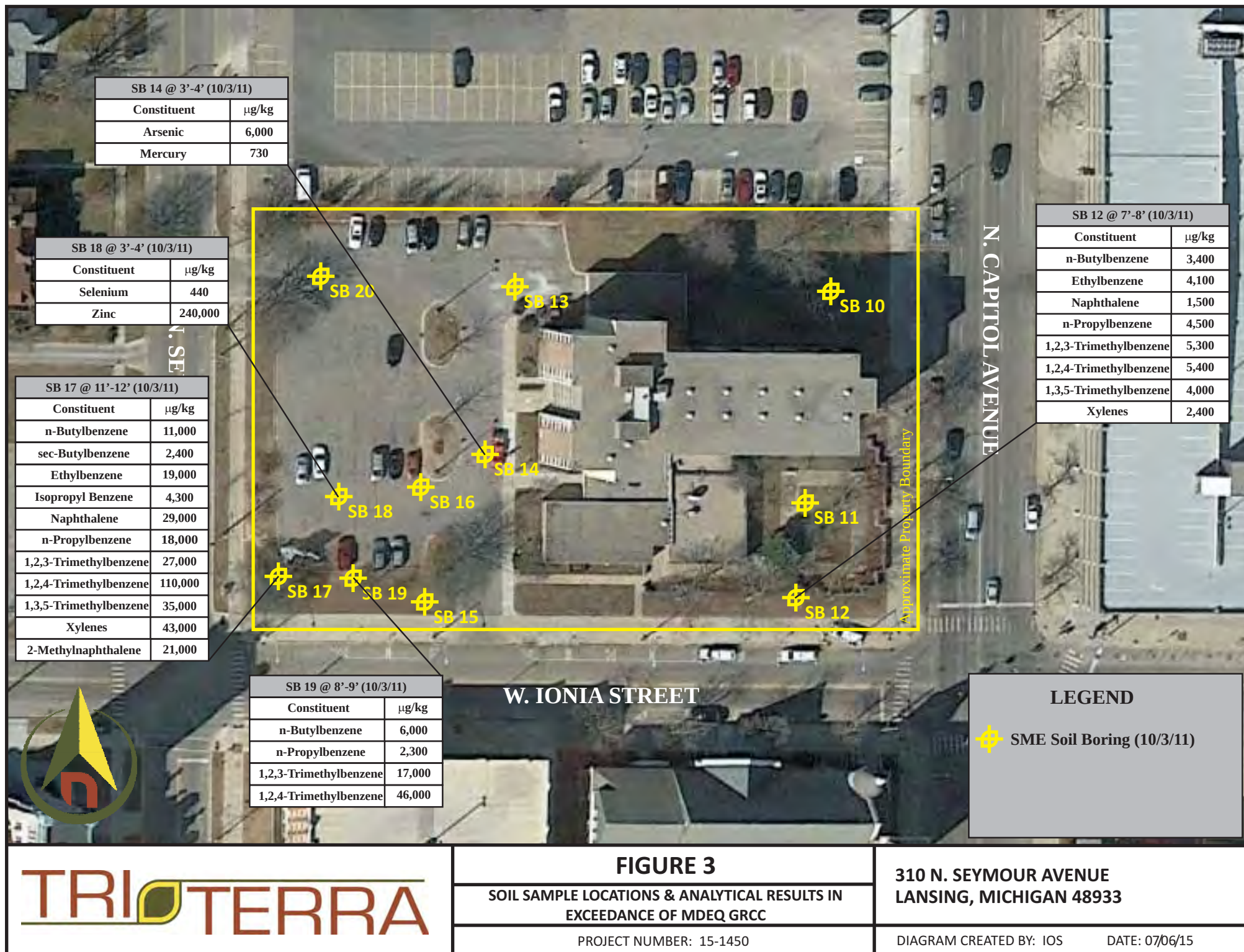
PROPERTY ORIENTATION DIAGRAM

PROJECT NUMBER: 15-1450

310 N. SEYMOUR AVENUE
LANSING, MICHIGAN 48933

DIAGRAM CREATED BY: IOS

DATE: 07/06/15



TABLES

Table 1: Brownfield Eligible Activities

Table 2: Tax Increment Revenue Capture Estimates

Table 3: Tax Increment Revenue Reimbursement Allocation Table

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

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

NOTES:

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

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

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

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

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

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

Estimated Total
Years of Plan: 12

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

* During the life of the Plan

	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	TOTALS
	1	2	3	4	5	6	7	8	9	10	11	12		
Available Tax Increment Revenue (TIR)														
Total State Tax Capture Available	\$ -	\$ 67,488	\$ 68,163	\$ 68,845	\$ 69,533	\$ 70,229	\$ 70,931	\$ 71,640	\$ 72,357	\$ 73,080	\$ -	\$ -	\$ -	
Capture for State Brownfield Revolving Fund (3 mills of SET) (25-Yrs)	\$ -	\$ 8,470	\$ 8,555	\$ 8,641	\$ 8,727	\$ 8,814	\$ 8,902	\$ 8,991	\$ 9,081	\$ 9,172	\$ -	\$ -	\$ -	\$ 79,355
State Tax Increment to Taxing Unit (10%) ("Pass-Through")	\$ -	\$ 5,902	\$ 5,961	\$ 6,020	\$ 6,081	\$ 6,141	\$ 6,203	\$ 6,265	\$ 6,328	\$ 6,391	\$ -	\$ -	\$ -	\$ 55,291
State TIR Available for Reimbursement to Developer	\$ -	\$ 53,116	\$ 53,647	\$ 54,184	\$ 54,726	\$ 55,273	\$ 55,826	\$ 56,384	\$ 56,948	\$ 57,517	\$ -	\$ -	\$ -	
Total Local Tax Capture Available	\$ -	\$ 6,770	\$ 6,838	\$ 6,906	\$ 6,975	\$ 128,422	\$ 129,707	\$ 131,004	\$ 132,314	\$ 133,637	\$ 134,973	\$ 136,323	\$ 127,786	
Local Tax Increment to Taxing Unit (10%) ("Pass-Through")	\$ -	\$ 677	\$ 684	\$ 691	\$ 698	\$ 12,842	\$ 12,971	\$ 13,100	\$ 13,231	\$ 13,364	\$ 13,497	\$ 13,632	\$ 12,779	\$ 108,165
Capture for BRA Administrative Fees (5% of available Local TIR)	\$ -	\$ 305	\$ 308	\$ 311	\$ 314	\$ 5,779	\$ 5,837	\$ 5,895	\$ 5,954	\$ 6,014	\$ 6,074	\$ 6,135	\$ 5,750	\$ 48,674
Capture for Local Brownfield Revolving Fund (LBRF) (5% of available Local TIR)	\$ -	\$ 305	\$ 308	\$ 311	\$ 314	\$ 5,779	\$ 5,837	\$ 5,895	\$ 5,954	\$ 6,014	\$ 6,074	\$ 6,135	\$ 5,750	\$ 48,674
Local TIR Available for Reimbursement to Developer	\$ -	\$ 5,484	\$ 5,539	\$ 5,594	\$ 5,650	\$ 104,022	\$ 105,062	\$ 106,113	\$ 107,174	\$ 108,246	\$ 109,328	\$ 110,422	\$ 103,507	
Total State & Local TIR Available for Reimbursement to Developer	\$ -	\$ 58,600	\$ 59,186	\$ 59,778	\$ 60,376	\$ 159,295	\$ 160,888	\$ 162,497	\$ 164,122	\$ 165,763	\$ 109,328	\$ 110,422	\$ 103,507	
DEVELOPER and LBRA	Beginning Balance													
	\$ 1,373,761	\$ 1,373,761	\$ 1,315,161	\$ 1,255,975	\$ 1,196,197	\$ 1,135,821	\$ 976,526	\$ 815,638	\$ 653,141	\$ 489,019	\$ 323,256	\$ 213,928	\$ 103,506	\$ (0)
MSF Eligible Activities	\$ 967,796	\$ 967,796	\$ 910,258	\$ 852,144	\$ 793,449	\$ 734,167	\$ 577,757	\$ 419,783	\$ 260,230	\$ 99,081	\$ (0)	\$ -	\$ -	\$ -
State Tax Reimbursement	\$ 488,607	\$ -	\$ 52,154	\$ 52,676	\$ 53,202	\$ 53,734	\$ 54,272	\$ 54,814	\$ 55,363	\$ 55,916	\$ 56,475	\$ -	\$ -	\$ -
Local Tax Reimbursement	\$ 479,189	\$ -	\$ 5,384	\$ 5,438	\$ 5,493	\$ 5,548	\$ 102,138	\$ 103,159	\$ 104,191	\$ 105,233	\$ 42,606	\$ -	\$ -	\$ -
DEQ Eligible Activities	\$ 17,854	\$ 17,854	\$ 16,793	\$ 15,720	\$ 14,638	\$ 13,544	\$ 10,659	\$ 7,744	\$ 4,801	\$ 1,828	\$ (0)	\$ (0)	\$ (0)	\$ (0)
State Tax Reimbursement	\$ 9,014	\$ -	\$ 962	\$ 972	\$ 981	\$ 991	\$ 1,001	\$ 1,011	\$ 1,021	\$ 1,032	\$ 1,042	\$ -	\$ -	\$ -
Local Tax Reimbursement	\$ 8,840	\$ -	\$ 99	\$ 100	\$ 101	\$ 102	\$ 1,884	\$ 1,903	\$ 1,922	\$ 1,941	\$ 786	\$ -	\$ -	\$ -
LOCAL-ONLY Activities	\$ 388,110	\$ 388,110	\$ 388,110	\$ 388,110	\$ 388,110	\$ 388,110	\$ 388,110	\$ 388,110	\$ 388,110	\$ 388,110	\$ 323,256	\$ 213,928	\$ 103,507	\$ (0)
Local-Only Tax Reimbursement	\$ 388,110	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 64,854	\$ 109,328	\$ 110,422	\$ 103,507
TOTAL ANNUAL DEVELOPER/LBRA REIMBURSEMENT	\$ -	\$ 58,600	\$ 59,186	\$ 59,778	\$ 60,376	\$ 159,295	\$ 160,888	\$ 162,497	\$ 164,122	\$ 165,763	\$ 109,328	\$ 110,422	\$ 103,507	

Attachment A

Legal Description of the Property

Legal Description

George F. Eyde Family, LLC

Oliver Towers Redevelopment Project

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

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

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

Attachment B

Summary of Known Environmental Conditions

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

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

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

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

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

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

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

Attachment C

Letter of Functional Obsolescence



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

Virg Bernero, Mayor

Sharon L Frischman, Assessor

April 22, 2016

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

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

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

Respectfully,

A handwritten signature in black ink, which appears to read "Sharon L. Frischman".

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

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

FROM: DAVE VAN HAAREN - TRITERRA

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

DATE: NOVEMBER 30, 2018

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

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

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

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

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

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

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

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

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

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

Parcel Number: 33-01-01-21-178-040

N 1/2 LOT 1 & E 46 FT OF N 1/2 LOT 2 BLOCK 195 ORIG PLAT, CITY OF LANSING, INGHAM COUNTY, MICHIGAN

Parcel #2: W ELM ST, LANSING, MI 48910

Parcel Number: 33-01-01-21-178-030

E 4 FT OF W 20 FT OF N 82.5 FT LOT 2 BLOCK 195 ORIG PLAT, CITY OF LANSING, INGHAM COUNTY, MICHIGAN

Parcel #3: W ELM ST, LANSING, MI 48910

Parcel Number: 33-01-01-21-178-021

COM S LINE ELM ST 49 FT E OF NE COR LOT 4, TH E 33 FT, S 82.5 FT, W 33 FT, N 82.5 FT TO BEG; BLOCK 195 ORIG PLAT, CITY OF LANSING, INGHAM COUNTY, MICHIGAN

Parcel #4: W ELM ST, LANSING, MI 48910

Parcel Number: 33-01-01-21-178-011

E 43 FT OF W 49 FT OF N 1/2 LOT 3 BLOCK 195 ORIG PLAT, CITY OF LANSING, INGHAM COUNTY, MICHIGAN

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

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

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

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

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

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

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

- a. The Project Plan meets the requirements set forth in Section 8 of the Act.
- b. The persons who will be active in the management of the Project for not less than one year after the approval of the Project Plan have sufficient ability and experience to manage the plan properly.
- c. The proposed method of financing the Project is feasible and the LEDC has the ability to arrange the financing of a not to exceed loan in the amount of \$143,100.00 to complete building renovation, obtain operational licenses, and purchase inventory necessary to open a restaurant at the property.
- d. The Project is reasonable and necessary to carry out the purpose of the Act.

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

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

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

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

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

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

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

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

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

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

NOW, THEREFORE, BE IT RESOLVED that a public hearing be held in the City Council Chambers of the City of Lansing, 10th Floor, Lansing City Hall, Lansing, Michigan, on February 11, 2019 at 7:00 p.m. on the Pablo's Mexican Restaurant - REO Town Project for the Project Plan and Project Area, as designated by the LEDC, under Public Act 338 of 1974 more particularly described as:

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

Parcel Number: 33-01-01-21-178-040

Legal Description: N 1/2 LOT 1 & E 46 FT OF N 1/2 LOT 2 BLOCK 195 ORIG PLAT,
CITY OF LANSING, INGHAM COUNTY, MICHIGAN

Parcel #2: W ELM ST, LANSING, MI 48910

Parcel Number: 33-01-01-21-178-030

Legal Description: E 4 FT OF W 20 FT OF N 82.5 FT LOT 2 BLOCK 195 ORIG PLAT, CITY OF LANSING, INGHAM COUNTY, MICHIGAN

Parcel #3: W ELM ST, LANSING, MI 48910

Parcel Number: 33-01-01-21-178-021

Legal Description: COM S LINE ELM ST 49 FT E OF NE COR LOT 4, TH E 33 FT, S 82.5 FT, W 33 FT, N 82.5 FT TO BEG; BLOCK 195 ORIG PLAT, CITY OF LANSING, INGHAM COUNTY, MICHIGAN

Parcel #4: W ELM ST, LANSING, MI 48910

Parcel Number: 33-01-01-21-178-011

Legal Description: E 43 FT OF W 49 FT OF N 1/2 LOT 3 BLOCK 195 ORIG PLAT, CITY OF LANSING, INGHAM COUNTY, MICHIGAN

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

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

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

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

Pablo's Mexican Restaurant, LLC

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

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

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

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

Chris Swope, City Clerk

BY THE COMMITTEE _____
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

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

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

WHEREAS, the Committee _____ took affirmative action;

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

BY THE COMMITTEE _____
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor made the following reappointment as stated below:

Income Tax Board of Review:

Michael DeMartelaere as an At-Large Member for a term to expire June 30, 2022; and

WHEREAS, the Mayor's office has verified that the nominees has been vetted and meets the qualifications as required by the City Charter; and

WHEREAS, the Committee _____ took affirmative action;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the reappointment as stated below:

Income Tax Board of Review:

Michael DeMartelaere as an At-Large Member for a term to expire June 30, 2022.

**City of Lansing
Counties of Ingham and Eaton, State of Michigan**

**RESOLUTION AUTHORIZING SUBSTITUTION OF PROPERTY
UNDER CONTRACT WITH TAX INCREMENT FINANCE AUTHORITY**

WHEREAS, the City of Lansing Michigan (the "City") has previously created the Tax Increment Finance Authority of the City of Lansing (the "Authority") under and in pursuance of the provisions of Act 450, Public Acts of Michigan, 1980, as amended (the "TIFA Act"); and

WHEREAS, pursuant to the TIFA Act, the Authority has prepared its amended Development Plan and Tax Increment Financing Plan for the Phase III – Lansing Convention/Exhibition Center and Associated Facilities and Parking System Project (such Plan, as it may be amended or supplemented in the future, is referred to herein as the "Plan"); and

WHEREAS, in order to implement the Plan, the City leases various automobile parking structures and lots (the "Project") to the Authority pursuant to a Contract of Lease dated December 20, 1994 (the "Contract"); and

WHEREAS, under Section 10 of the Contract, the Authority may agree to release a portion of the Project and substitute other property of value equal to or greater than the value of the property being released; and

WHEREAS, the City wishes to release the portion of the Project described on Exhibit A of this resolution (the "Released Property") from the Contract; and

WHEREAS, the City wishes to substitute the property described on Exhibit B of this resolution (the "Substituted Property") for the Released Property;

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The City hereby requests that the Authority accept the Substituted Property as a portion of the Project subject to the Contract, and in exchange therefor that the Authority release the Released Property from the terms of the Contract. The actions authorized in this section are subject to the condition that the City Attorney is able to provide the Authority with an opinion that the conveyances are in compliance with the City Charter and applicable state law and City ordinances.
2. The City hereby determines that the value of the Project, after the consummation of such substitution of property, is equal to or greater than the value of the Project prior to the substitution.
3. Either the City Attorney or Finance Director is hereby directed to provide the Authority with an adequate legal description of that portion of the Project being released and of property to be substituted therefor, together with a survey thereof.
4. The City Council hereby approves Amendment No. 6 to Contract of Lease in substantially the form on file with the City Clerk, with such changes or revisions as may be

necessary or advisable as approved by the Mayor or the City Attorney. The Mayor and the City Clerk are hereby authorized to execute Amendment No. 6 and deliver it to the Authority.

5. The Mayor, City Clerk, City Finance Director, City Attorney, and other officers, administrators, agents and attorneys of the City are authorized and directed to execute such documentation and take all other actions necessary and convenient to facilitate the transactions authorized by this resolution.

6. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution are rescinded.

I certify that the foregoing is a true and complete copy of a resolution duly adopted by the City Council of the City of Lansing, Counties of Ingham and Eaton, State of Michigan, at a Regular meeting held on _____, 201____, at 7:30 p.m., Eastern Time, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available as required by said Act 267.

I further certify that the following Members were present at said meeting: _____

_____ and that the following Members were absent: _____.

I further certify that Member _____ moved for adoption of said resolution and that Member _____ supported said motion.

I further certify that the following Members voted for adoption of said resolution: _____ and that the following Members voted against adoption of said resolution: _____.

City Clerk

AMENDMENT NO. 6 TO CONTRACT OF LEASE

THIS AMENDMENT No. 6 TO CONTRACT OF LEASE (the "Contract") IS MADE AND EXECUTED as of _____, 201__ by and between the CITY OF LANSING (the "City"), 124 W. Michigan Ave., Lansing, Michigan 48933, a Michigan corporation organized and existing under the Constitution and laws of the State of Michigan, and the TAX INCREMENT FINANCE AUTHORITY OF THE CITY OF LANSING (the "Authority" or "TIFA") 124 W. Michigan Ave., Lansing, Michigan 48933, a public body corporate organized and existing under the authority of Act 450, Public Acts of Michigan, 1980, as amended.

WITNESSETH:

WHEREAS, pursuant to the TIFA Act, the Authority has prepared its amended Development Plan and Tax Increment Financing Plan for the Phase III – Lansing Convention/Exhibition Center and Associated Facilities and Parking System Project (such Plan, as it has or may be amended or supplemented in the future, is referred to herein as the "Plan"); and

WHEREAS, in order to implement the Plan, the City leases various automobile parking structures and lots (the "Project") to the Authority pursuant to the Contract; and

WHEREAS, under Section 10 of the Contract, the Authority may release a portion of the Project from the Contract if the City substitutes other property therefor of value equal to or greater than the value of the property being released; and

WHEREAS, pursuant to Lansing City Council Resolution No. _____ adopted _____, 20__, the City has expressed its intent to release the portion of the Project described in Exhibit A attached hereto (the Released Property), from the Contract and to substitute the property described in Exhibit B attached hereto (the Substituted Property), in place of the Released Property; and

WHEREAS, [the City Finance Director certified to the City Council] \ [City Council has determined] that the value of the Project, after the consummation of such substitution of property, is equal to or greater than the value of the Project prior to the substitution.

IT IS, THEREFORE, AGREED BY AND BETWEEN THE PARTIES HERETO, for and in consideration of the agreement and covenants of each other and monies to be paid out to the other, as follows:

1. The Contract is hereby amended to release the Released Property described in Exhibit A from the terms and restrictions of the Contract and to substitute therefor the Substituted Property legally described in Exhibit B, subject to easement, restrictions, and agreements of record, and to make the Substituted Property subject to the terms and restrictions of the Contract.

2. The Authority acknowledges that the release from the Contract of the Released Property for the Substituted Property will not abate or diminish the Cash Rentals (as defined in

the Contract) or other obligations payable under the Contract. The Authority has determined that the purpose of the substitution is permitted under the Plan and will not adversely affect the obligations of the Authority under the Contract.

3. The Authority and the City hereby determine that the Contract, as amended by this Amendment No. 6, continues to constitute an "other protected obligation" as defined in the TIFA Act.

4. The City and the Authority agree that all conditions precedent to the release of the Released Property and substitution of the Substituted Property under the Contract have been met.

5. The Authority hereby determines that the purpose of the substitution is permitted under the Plan. The Authority and the City hereby determine that this Amendment will not adversely affect the obligations of the Authority hereunder.

IN WITNESS WHEREOF, the CITY OF LANSING, as authorized by its City Council, and the TAX INCREMENT FINANCE AUTHORITY OF THE CITY OF LANSING, as authorized by its Board, have each caused its name to be signed to this instrument by its duly authorized officers and its seal to be affixed hereto the day and year first above written.

CITY OF LANSING

By _____
Mayor

By _____
Clerk

TAX INCREMENT FINANCE AUTHORITY
OF THE CITY OF LANSING

By _____
Chairperson

By _____
Secretary

· EXHIBIT A ·
Description of the Portion of the Project
to be Released

TOWNSEND RAMP

Lots 7 through 10 inclusive, also South approximately 28 feet of Lot 11, Block 118 of the original plat, City of Michigan (now Lansing), Ingham County, Michigan, described as: Commencing at a point on the East line of Lot 11 a distance of 104.04 feet Southerly from the Northeast corner of Lot 12; thence Southerly 291.81' to the Southeast corner of Lot 7; thence Westerly 165' along the South line of Lot 7 to the Southwest Corner of Lot 7; thence Northerly 291.98' along the East line of Townsend Street to the point of beginning. Contains approximately 1.10 acres, including the parking structure on the described parcel but excluding the air rights above the horizontal plane of 950'3" elevation of the described parcel.

EXHIBIT B
Description of the Portion of the Project
to be Substituted

32594880.1\050796-00054

RESOLUTION # _____
BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, a certain quit claim deed dated January 9, 2019, has been presented to the City conveying property known as the Townsend Parking Ramp by the City of Lansing Building Authority.

BE IT RESOLVED that the City of Lansing hereby accepts the conveyance of the quit claim deed attached hereto as Exhibit A.

Exhibit A

space above this line for recording purposes

QUIT CLAIM DEED

City of Lansing Building Authority, a public body corporate, organized and existing pursuant to the provisions of Act 31, Public Acts of Michigan, 1948 (First Extra Session), as amended, whose address is c/o City of Lansing, 124 W. Michigan Avenue, Lansing, Michigan 48933, for consideration of One Dollar (\$1.00), quit claims to **CITY OF LANSING**, a Michigan municipal corporation, whose address is 124 W. Michigan Avenue, Lansing, Michigan 48933, the following described real property situated in the City of Lansing, County of Ingham, State of Michigan:

See Exhibit A attached hereto and made a part hereof

Tax Parcel Numbers: 33-01-01-16-327-013
33-01-01-16-327-040

Property Address: 221 Townsend Street, Lansing, Michigan 48933

Subject to conditions, restrictions, easements, limitations and rights-of-way of record, liens for property taxes, any matters which would be disclosed by a current survey, and zoning or other governmental restrictions.

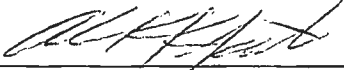
This conveyance is exempt from transfer taxes pursuant to MCL 207.505 (a), MCL 207.505(h)(i), MCL 207.526(a) and MCL 207.526(h)(i).

(Execution occurs on following page)

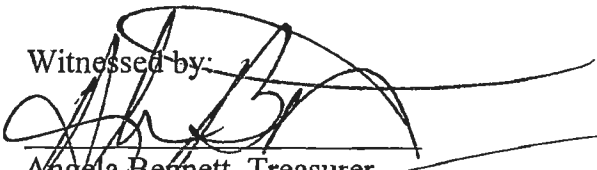
CITY OF LANSING BUILDING

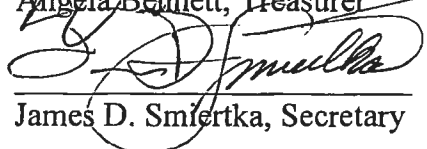
AUTHORITY, a public body corporate, organized and existing pursuant to the provisions of Act 31, Public Acts of Michigan, 1948 (First Extra Session), as amended

Dated: JAN 9, 2019

By: 
Andy Kilpatrick
Chairperson

Witnessed by:


Angela Bennett, Treasurer


James D. Smierka, Secretary

STATE OF MICHIGAN)
)SS
COUNTY OF INGHAM)

I hereby certify that on January 9, 2019, before me, the subscriber, a Notary Public of the State aforesaid, personally appeared Andy Kilpatrick, the Chairperson of the City of Lansing Building Authority, a public body corporate, organized and existing pursuant to the provisions of Act 31, Public Acts of Michigan, 1948 (First Extra Session), as amended, and each being authorized so to do, executed the foregoing for the purposes therein contained on behalf of the City of Lansing Building Authority.


Holly Elie, Notary Public
Macomb County, State of Michigan
Acting in Ingham County
My Commission Expires: 08/02/2022

This instrument prepared by
and when recorded return to:


James D. Smierka
City Attorney of the City of Lansing
124 W. Michigan Avenue, 5th Floor
Lansing, Michigan 48933

Exhibit A – Legal Description

Land situated in the **City of Lansing, County of Ingham, State of Michigan**, and described as follows:

Lots 7, 8, 9, and 10, ALSO that part of Lot 11 described as beginning at a point on the East line of Lot 11 a distance of 104.04 feet Southerly from the Northeast corner of Lot 12; thence Southerly along the East line of Lot 11 to the Southeast corner of Lot 11; thence Westerly along the South line of Lot 11 to the Southwest corner of Lot 11; thence Northerly along the West line of Lot 11 to a point on the West line of Lot 11 a distance of 104.33 feet Southerly from the Northwest corner of Lot 12; thence Easterly to the point of beginning of Block 116, of the Original Plat of the City of Lansing, according to the recorded Plat as thereof recorded in Liber 2 of Plats, Page 36, Ingham County Records.

Subject to easements, encumbrances, and restrictions of record.

Tax Parcel Numbers: 33-01-01-16-327-013
33-01-01-16-327-040

Property Address: 221 Townsend Street, Lansing, Michigan 48933

**City of Lansing
Counties of Ingham and Eaton, State of Michigan**

RESOLUTION AUTHORIZING DEFEASANCE OF BONDS

WHEREAS, the City of Lansing, Counties of Ingham and Eaton, State of Michigan (the "City") has previously issued its \$7,200,000 General Obligation Limited Tax Refunding Bonds, Series 2012 (Taxable) dated December 27, 2012 (the "2012 Bonds") and its General Obligation Refunding Bonds (Limited Tax), Series 2018, dated September 27, 2018 (the "2018 Bonds" and together with the 2012 Bonds, the "Bonds"); and

WHEREAS, proceeds of the Bonds were used to refinance prior issues of bonds previously issued to finance the Townsend Parking Ramp; and

WHEREAS, the City has accepted an offer to sell the Townsend Parking Ramp, and it wishes to use a portion of the proceeds of the sale to purchase securities to defease the Bonds, and to enter into an escrow agreement to provide for defeasance of the Bonds.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Proceeds of the sale of the Townsend Parking Ramp shall be applied first to purchase of securities to defease the Bonds.

2. U.S. Bank National Association, Lansing, Michigan is selected to serve as Escrow Trustee (the "Escrow Trustee"). The Finance Director is authorized to enter into an Escrow Agreement (the "Escrow Agreement") on behalf of the City to provide for the creation and disposition of an Escrow Fund (the "Escrow Fund") for deposit of monies for the payment of the Bonds which are defeased. The Escrow Agreement shall irrevocably direct the Escrow Trustee to hold the Escrow Fund in trust for the payment of the principal of and interest on the Bonds being defeased, and to take all necessary steps to call for redemption any Bonds which can be called for redemption prior to maturity. The Finance Director is authorized to execute and deliver the Escrow Agreement and to purchase escrow securities to deposit to the Escrow Fund. The Finance Director is authorized to transfer monies from the debt retirement funds for the Bonds to the Escrow Fund. Costs of the defeasance and related matters shall be paid from a fund established for that purpose in the Escrow Agreement, including but not limited to including but not limited to costs of notices of call and defeasance of the Bonds, escrow trustee fees, verification agent fees, bond counsel fees, municipal advisor fees and bidding agent fees.

3. The Finance Director is directed to select an independent certified public accountant to serve as verification Trustee to verify that the securities and cash to be deposited to the Escrow Fund will be sufficient to provide, at the times and in the amounts required, sufficient moneys to pay the principal of and interest on the Bonds being defeased as the principal and interest becomes due upon maturity or call for redemption.

4. The City requests PFM Financial Advisors LLC (the "Municipal Advisor") to act as municipal advisor to the City with respect to defeasance of the Bonds.

5. The City requests Miller, Canfield, Paddock and Stone, P.L.C. to act as counsel to the City with respect to defeasance of the Bonds.

6. The Finance Director is authorized, in her discretion, to select a bidding agent, which may be the Municipal Advisor, to assist the City with purchase of the securities to be deposited to the Escrow Fund.

7. In the event that the Finance Director is not available to undertake responsibilities delegated to her under this resolution, then a person designated by the Finance Director is authorized to take such actions. The officers, administrators, agents and attorneys of the City are authorized and directed to take all other actions necessary and convenient to facilitate defeasance of the Bonds, and to execute and deliver all other agreements, documents and certificates and to take all other actions necessary or convenient to complete the defeasance of the Bonds in accordance with this resolution, and to pay costs of the defeasance including but not limited to costs of notices of call and defeasance of the Bonds, escrow trustee fees, verification agent fees, bond counsel fees, municipal advisor fees and bidding agent fees.

8. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution are rescinded.

I certify that the foregoing is a true and complete copy of a resolution duly adopted by the City Council of the City of Lansing, Counties of Ingham and Eaton, State of Michigan, at a Regular meeting held on _____, 201____, at 7:30 p.m., Eastern Time, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available as required by said Act 267.

I further certify that the following Members were present at said meeting: _____

_____ and that the following Members were absent: _____.

I further certify that Member _____ moved for adoption of said resolution and that Member _____ supported said motion.

I further certify that the following Members voted for adoption of said resolution: _____ and that the following Members voted against adoption of said resolution: _____.

City Clerk



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

ORLENE HAWKS
DIRECTOR

January 2, 2019

Kajal Liquor Inc
Kulbir Singh
(kulbirsingh74@yahoo.com)

**RID # 1811-16065 Reference/Transaction: Transfer Ownership 2018 SDD & SDM
licensed business with Sunday Sales Permit (AM & PM) from Rachna Inc.**

Please let this letter serve as notice the Michigan Liquor Control Commission has referred your application to our Enforcement Division for investigation of your request.

Applicant/Licensee: Kajal Liquor Inc

Business address and phone number: 3127 Turner St, Lansing 48906

Home address and phone number of partner(s)/subordinates:

1. Kulbir Singh: 909 Pepperwood Dr, Lansing 48917 C: 517-204-8880

As part of the licensing process, an investigation is required by the Michigan Liquor Control Commission Enforcement Division. The Enforcement investigation will be conducted from the following designated District Office:

Lansing District Office (866) 813-0011

You may contact your designated District Office regarding any appointments or questions on documentation requested by the Investigator. **Failure to provide requested information or to keep scheduled appointments will cause the application to be returned to the Lansing office for cancellation.**

Since this request is a transfer under MCL 436.1529(1), approval of the local unit of government is not required. However, a copy of this notice is also being provided to **Local Governmental Unit** should they wish to submit an opinion on the application or advise of any local non-compliance issues.

Under administrative rule R 436.1105, the Commission shall consider the opinions of the local residents, local legislative body, or local law enforcement agency with regard to the proposed business when determining whether an applicant may be issued a license or permit.

Under administrative rule R 436.1003, the licensee shall comply with all state and local building, plumbing, zoning, sanitation, and health laws, rules, and ordinances as determined by the state and local law enforcements officials who have jurisdiction over the licensee. The licensee must obtain all other required state and local licenses, permits, and approvals before using this license for the sale of alcoholic liquor. Approval of this license by the Michigan Liquor Control Commission does not waive any of these requirements.

MICHIGAN LIQUOR CONTROL COMMISSION
Retail Licensing Division
(866) 813-0011

cc: City of Lansing (chris.swope@lansingmi.gov)



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

ORLENE HAWKS
DIRECTOR

January 9, 2019

John Simmons
c/o Simmons Properties, LLC
info@glelevators.com

RID # 1901-00057 Reference/Transaction: Transfer Location 2018 Resort Class C & SDM License With Sunday Sales Permit (AM), Sunday Sales Permit (PM), Outdoor Service (1 Area), Catering Permit, (2) Bars And Dance-Entertainment Permit, (Original 550 Resort License, Not At Its Original Location, Must Meet Seating And Food Requirements) From 7786 E Us 10, Walhalla To 419 Spring St, Lansing And Transfer Governmental Unit From Branch Twp, Mason County To Lansing City, Ingham County

Please let this letter serve as notice the Michigan Liquor Control Commission has referred your application to our Enforcement Division for investigation of your request.

Applicant/Licensee: Simmons Properties, LLC

Business address and phone number: 419 Spring St, Lansing MI 48912, Ingham County

Home address and phone number of partner(s)/subordinates:

As part of the licensing process, an investigation is required by the Michigan Liquor Control Commission Enforcement Division. The Enforcement investigation will be conducted from the following designated District Office:

Lansing District Office (866) 813-0011

You may contact your designated District Office regarding any appointments or questions on documentation requested by the Investigator. **Failure to provide requested information or to keep scheduled appointments will cause the application to be returned to the Lansing office for cancellation.**

Since this request is a transfer under MCL 436.1529(1), approval of the local unit of government is not required. However, a copy of this notice is also being provided to **Local Governmental Unit** should they wish to submit an opinion on the application or advise of any local non-compliance issues.

Under administrative rule R 436.1105, the Commission shall consider the opinions of the local residents, local legislative body, or local law enforcement agency with regard to the proposed business when determining whether an applicant may be issued a license or permit.

Under administrative rule R 436.1003, the licensee shall comply with all state and local building, plumbing, zoning, sanitation, and health laws, rules, and ordinances as determined by the state and local law enforcements officials who have jurisdiction over the licensee. The licensee must obtain all other required state and local licenses, permits, and approvals before using this license for the sale of alcoholic liquor. Approval of this license by the Michigan Liquor Control Commission does not waive any of these requirements.

MICHIGAN LIQUOR CONTROL COMMISSION
Retail Licensing Division
(866) 813-0011

cc: Lansing City Clerk

AFFIDAVIT OF DISCLOSURE
LANSING CITY CLERK

DATE: 11/26/2018

6/10

4

PLEASE DESCRIBE IN DETAIL YOUR REASON(S) FOR SUBMITTING THIS DISCLOSURE AND EXPLAIN WHY YOU THINK A CONFLICT MAY/MAY NOT EXIST.

I am submitting this disclosure in an effort to request permission to operate a privately owned photography business. It is unlikely I will do business for the city, but if I do I will follow all steps necessary to complete the same way any other private business would.

I hereby certify that this disclosure is complete and accurate to the best of my knowledge, information, and belief.

The foregoing Affidavit of Disclosure was executed on this 10th day of December, 2018. Tim Maple 12/10/2018

Ammar Al-Yasari, Notary Public

State of Michigan, County of Ingham

Subscribed and sworn to before me this 10th day of December, 2018

Ammar Al-Yasari

Notary Public/or Deputy Clerk

Ingham

County, Michigan

My Commission Expires: 05/08/2023

AMMAR AL-YASARI
NOTARY PUBLIC, STATE OF MI
COUNTY OF INGHAM
MY COMMISSION EXPIRES May 8, 2023
ACTING IN COUNTY OF Ingham

ATTACHMENT TO AFFIDAVIT OF DISCLOSURE

Please provide additional information about your outside business or employment. Of special interest to the Board is how the activities of the business or employment may directly or indirectly affect the City. This disclosure is about information and is not an indication of any anticipated conflict of interest or suspected wrongdoing. Therefore, please describe for the Board what it is you actually do and be detailed and specific. You are not required to limit your disclosure only to the following questions. For each business, include in your answer such things as:

- What is the form of your business entity and what percentage do you own
Single owner
100 %
- Are you self-employed? yes
- Who is your employer, if applicable? N/A
- What are the things you actually do in the business?
Provide photography services to public service agencies.
- Who are your clients and who receives your goods or services?
Police departments, fire departments, military
- How and where are your services performed?
In the field, upon request of the client
- How often do you do outside work?
As requested by the client

Does your business or employer contract with the City? _____

No

- In performing your business or outside employment, do you use any City facilities or equipment?

No If so, describe: _____

- Is any of your business or employment conducted in the City? yes If so, describe:

Photo locations are often within city limits and my business address is in the city as well.

- Does your business advertisement or circulars, if any, contain any reference to the City or your City employment? No

- Is there any additional information that you believe would assist the Board of Ethics in its review of your business or personal activities for potential conflicts of interest? If so, please describe: No

In providing this additional information, the Board of Ethics asks that you give special attention to the Conflicts of Interest section of the Charter found at 5-505.1 – 5-505.3. A copy is enclosed for your convenience.