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March 6, 2017

Via Electronic Mail

tdempse@cityofeastlansing.com - Tim Dempsey, Director of Planning, Building & Development
tjohnso@cityofeastlansing.com - East Lansing Planning Commission, Secretary & Planning & Zoning Administrator

Mr. Tim Johnson, Secretary, Planning & Zoning Administrator
Mr. Tim Dempsey, Director of Planning, Building & Development
East Lansing Planning Commission
East Lansing City Hall
410 Abbot Road
East Lansing, MI 48823

Re: Center City District Development Project proposed by Harbor Bay Real Estate Advisors
Public Hearing scheduled for Wednesday, March 8, 2017 at 7:00 p.m.

Mr. Johnson and Mr. Dempsey:

Please be advised that our law firm has been retained by East Lansing Grand River LLC, which is the current owner of the property located at 115-119 E. Grand River Avenue, in East Lansing, Michigan. Our client has hired us to represent its interests, while protecting and securing its rights as it pertains to the proposed development and site plan for the Center City District Project. In advance of the public hearing scheduled for this Wednesday, March 8, 2017 at 7:00 p.m., we wish to express and share our major, yet reasonable and rational, concerns regarding the proposed Project.

As you know, the building owned by our client is situated directly in the middle of the newly proposed development project at issue. As a result of the location, many problems will arise that will negatively impact the use, enjoyment and value of our client's property should the development project be approved, both over the course of the two-year construction time frame and in the long term.

First off, the primary access to our client's building is via the alleyway immediately adjacent to the proposed parking structure for the new development. The increased traffic that will undoubtedly exist during a lengthy two-year (possibly longer) construction period, as well as the permanent flow of traffic due to the construction of a six-story parking structure (sharing the same alley way for ingress and egress), will result in a drastic economic loss to our client. With such a significant economic loss, it will diminish the use, enjoyment and value for the tenants in our client's building.

The influx of new traffic is estimated to be at least six-fold and is a serious cause for concern. How will our retail and residential tenants, not to mention any patrons, access our client's property with barricades and endless construction in and off the alley, as well as on Grand River? Keep in mind our retail tenants require use of this same alleyway for deliveries, where large trucks need to park for extended periods of time; patrons of our retail tenants also require access to the alley, using the current municipal parking lot for the patrons of their business. Additionally, the proposed parking structure may significantly increase parking costs for retail patrons, negatively affecting the sales for our retail and business tenants; ultimately, this will severely and negatively impact our client's ability to retain its tenants and/or gain other tenants in the future.

Moreover, our client provides housing for students occupying the loft spaces above the retail storefronts. A hike in parking costs and significant additional traffic to the area will negatively impact future leasing of this space in our client's building. College students, on limited budgets, are particularly impacted from even a small change in their limited budgets, and parking is a major concern for any tenant upon the signing of a new lease. We need more information to understand the effects of this massive new development, impact on our client's property and the tenants in the building (present and future). For example, will the new parking garage and all the spaces be accessible and available to our tenants and retail customers? Can our tenants and customers be able to park for the same costs, or less, than they do now?

A major concern on future leases, retail or residential, is the added noise during a two-year construction project. College students cannot effectively study with ongoing and loud construction banging away outside their windows. Likewise, businesses cannot effectively operate and maintain its foot traffic from customers when conditions are noisy, as well as dusty and dirty from construction outside their storefronts.

The development proposed by Harbor Bay Real Estate Advisors has been described as "full of energy and life for all ages." As such, the proposed three hundred sixty four (364) housing units across two apartment buildings, a grocery store, retail shops, a six-story parking structure and a six-story senior housing complex will unequivocally pose major traffic concerns; and, as noted above, will have a negative ripple effect on our client's property and its' tenants.

Another area of significant concern regarding this project is the obstruction of views and air rights, impairing our client's ability to conduct its own potential expansion in the future. A twelve-story building behind (to the north) our client's property will completely change the view, sight lines and the atmosphere for the residential housing units that sit atop retail store fronts. Put simply, our client does not want to be land-locked and engulfed by a massive project that eliminates its ability to build vertically in the future. The tall structure in the proposed development completely changes the marketability of our client's existing property, and may affect its air rights on any future development plans of its own.

While a vibrant and useful downtown area for East Lansing and its residents can be good for the City and the economy, it must be tempered with a reasonable project, taking into consideration how it affects the land and residents nearby. Our clients are concerned that the City of East Lansing may be giving favorable treatment to this development while overlooking the very negative implications. The

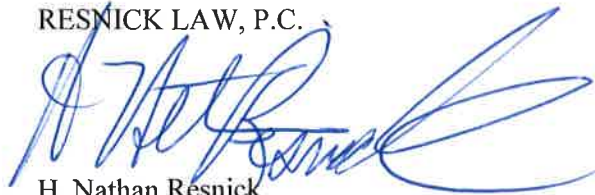
City should not allow a project to move forward without knowing more information, especially regarding the use of its land for the parking garage. What will the pricing be and will parking costs be comparable to the current prices? Will the number of spaces provided in the garage be adequate for those needing it? Consistent with the City's goals of (1) mandating any new development or re-development in the B-3 District be a minimum of six (6) stories, and (2) that there be no on-site parking provided in such cases, we require some assurances. We need to understand that the parking provided in connection with any re-development project of the municipal lot, be accessible at the same price and terms to the general public and residents at large, as well as current and future tenants of *all* adjacent properties. Additionally, we need to know that no preferences are, or will be, given to residents, retail tenants, customers or guests of the proposed development, whether in access or pricing.

It is the position of our client, East Lansing Grand River LLC, that this proposed development poses real issues with serious negative consequences. We ask that our concerns are addressed adequately with major modifications to the proposal and plans of Harbor Bay Real Estate Advisors and its Center City District Development Project. We require more information and ask the City to mandate the same in order to properly and adequately evaluate this project and its effects.

Please contact our office to address this letter if you should want to do so prior to this Wednesday evening's public hearing to attempt to resolve the concerns of our client.

Very truly yours,

RESNICK LAW, P.C.



H. Nathan Resnick

HNR/JTH/jb

cc: Harbor Bay Real Estate Advisors, CEO: mark@harbor-bay.com
East Lansing Planning Commission, Council Liaison: mmeadows@cityofeastlansing.com
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