AGENDA
Committee on Development and Planning
Monday, August 21, 2017 @ 4:00 p.m.
10th Floor Conference Room, City Hall

Councilmember Judi Brown Clarke, Chair
Councilmember Jessica Yorko, Vice Chair
Councilmember Tina Houghton, Member
Councilmember Adam Hussain, Member

1. **Call to Order**

2. **Public Comment on Agenda Items**

3. **Minutes**
   - July 17, 2017
   - August 7, 2017

4. **Discussion/Action:**

   A.) RESOLUTION- Appointment Tom Donaldson; Member Saginaw Street Corridor Improvement Authority; Term Expire June 30, 2019

   B.) RESOLUTION – Request for Extension of NEZ Certification No. 2007-0092; Capitol Properties, LLC

   C.) RESOLUTION – Appointment Tiffany Dowling; Business Owner Saginaw Street Corridor Improvement Authority; Term Expire June 30, 2020

   D.) ORDINANCE – Z-4-2017; 1219 Victor Avenue; B Residential to C Residential

   E.) DISCUSSION – City Attorney Update on Committee Contingencies to Developers

5) **Other**

6) **Adjourn**

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MINUTES
Committee on Development and Planning
Monday, July 17, 2017 @ 4:00 p.m.
Council Conference Room, City Hall 10th Floor

CALL TO ORDER
Called to order at 4:06 p.m.

PRESENT
Council Member Brown Clarke, Chair
Council Member Yorko, Vice-Chair
Council Member Houghton, Member
Council Member Hussain, Member -excused

OTHERS PRESENT
Sherrie Boak, Council Staff
Brandon Waddell, Assistant City Attorney
Michael Markey
Christopher Jackson
Anita Beavers
June Kenfield
Amy McBain
Jon Miles
Kathy Miles
Michael Morofsky
Kari Ross
Gregg McClintic
DG Frettier
Elaine Womboldt
Nick Tate, Assistant City Attorney

PUBLIC COMMENT
Public Comment was available during each agenda item and at this time. No public comment at this time.

MINUTES
MOTION BY COUNCIL MEMBER HOUGHTON TO APPROVE THE MINUTES FROM JUNE 19, 2017 AS PRESENTED. MOTION CARRIED 3-0.

DISCUSSION/ACTION

RESOLUTION – ACT-12-2016; Vacate Jerome Street between Pennsylvania and Holmes (Sparrow Hospital)

Council Member Brown Clarke noted that per the request from the Planning and Neighborhood Development Department, the request was requested to be placed as pending/tabled until a future date so they can continue to work with Sparrow Hospital on fine tuning the resolution.

Council Member Yorko confirmed she had conversations confirming the bike access on Jerome will be maintained.

ORDINANCE - Z-8-2016; Rezoning 3001 S Washington Avenue; D-1 Professional Office and J-Parking District to F- Commercial District

Ms. Stachowiak confirmed for the Committee that the required public hearing was held, and the Committee is now considering final action. She also added that currently there is a medical marihuana dispensary on site, illegally. In addition she noted that if it is rezoned there are issues with the required setbacks of that current illegal use from a church and park. The applicant is aware of this but still wants to see the rezoning and if it is approved the dispensary would have to go, and it would be able to be marketed for other F-Commercial uses.

Council Member Brown Clarke asked if the dispensary was currently still in use, and it was confirmed, however Mr. Waddell noted they were sent a letter and had until this Friday, July 21st to respond to the City Attorney Office. If Law determines the dispensary is in violation they will be given a cease and desist letter, and will be given 30 days to close the business. If the illegal activity continues they will go to Circuit Court.

Council Member Yorko stated her approval of the rezoning which she believed fits in the Master Plan, and felt confident in the enforcement if it is found the use is illegal. She concluded that the Committee’s role is not to address the legal issues.

Ms. Stachowiak assured the Committee that the staff recommends the approval because it too will not allow medical marihuana due to the required setbacks from other uses, but will allow other options. The property was F-1 Commercial 10 years ago, but the zoning was reduced for a day care at the site.

Council Member Houghton concurred with Council Member Yorko, and Council Member Brown Clarke reiterated that the Committee is charge of the zoning, and the illegal use is the secondary process addressed by Law.

Mr. Morofsky asked for the property location confirmation.

Ms. Womboldt stated she spoke in opposition on behalf of Old Everett Neighborhood after hearing their concerns and oppositions. She also spoke in opposition to the illegal use of the dispensary.

Council Member Brown Clarke reminded the Committee that at the last meeting this item was on the agenda, the owner informed the Committee he would have the tenant leave since it was illegal. Mr. Waddell to provide an update to the Committee on the dispensary by Friday after the deadline has based.

Council Member Yorko noted to the public that the Committee minutes will reflect to the Old Everett Neighborhood the statements made by Law, Ms. Stachowiak and Committee members on what the zoning does and does not allow. She concluded by reiterating that there will be a new tenant because the dispensary cannot be located in the proximity it is in relation to the Church property.

MOTION BY COUNCIL MEMBER YORKO TO APPROVE THE ORDINANCE FOR z-8-2016 FOR THE REZONNG AT 3001 S WASHINGTON AVENUE. MOTION CARRIED 3-0.

UPDATE - RESOLUTION – Introduction and Set a Public Hearing; Z-4-2017; Victor Avenue; Vacant Parcel (Tax ID# 33-01-01-29-259-1220)"B" Residential to "C" Residential
Ms. Stachowiak recapped the application which was to rezone the property to construct 3 duplexes instead of 5-6 single family homes which he could legally do without approval. The staff researched the neighborhood based on the last meeting, and it appeared here are currently 34 rentals in the 300ft notification area, which comes to about 80%. The issue of rentals is not the topic however; it is the rezoning to allow duplexes. Ms. Stachowiak also confirmed that the owner did meet with Colonial Village neighborhood.

Mr. Frettier asked if the association was notified, and was opposed of the removal of the trees which act as a buffer. Council Member Brown Clarke noted that the duplexes will also have green space, and potentially more than if the owner kept it as is, and built 6 homes in that same area.

Ms. Stachowiak assured the public that the zoning runs with the land, and has no effect on the ownership of the property. The zoning ordinance will them how to develop in regards to parking, number of units, setbacks, etc.

Ms. Kenfield with Colonial Village acknowledged the owner for their efforts to meet with them and they had extended an invitation to him to attend their Board meeting. Ms. Kenfield assured the Committee the owner represented Reid Machinery and the project very well. Ms. Kenfield then admitted that over the last couple years they have seen a rise in rentals and are discouraged with the proposed SLU to add duplexes which would add more rentals.

Ms. McBain, as a new resident in the area, asked if the master plan and master use allowed for the SLU proposed use, and then voiced her concern with the removal of the trees on the vacant lot. Council Member Brown Clarke assured her the plan does follow the master plan which calls for single family or duplexes. She added at as of right now the owner could put 6 houses in and cut every tree without Council approve, so the Committee is looking at the best use. She concluded by confirming the granting of the SLU would not be precedence setting, and the task before the Committee at this time is to continue with the due process the applicant is entitled to, and set the public hearing. At that point it will be in front of the whole Council. Ms. Stachowiak also confirmed the master plan calls for higher density single family and two family. Council Member Yorko noted to Ms. McBain that the City Master Plan was on the website under "Design Lansing", and is reviewed every 5 years.

Ms. Miles voiced her concern on additional traffic considering the route is a bus route and ambulance route. Council Member Brown Clarke acknowledged her concern, but reiterated that the task in front of the Committee at this time is not to approve or deny but to schedule the public hearing.

Mr. Markey, as a resident in the neighborhood for over 40 years, spoke in support of the rezoning, noting that the owner could put in 6 homes, and if homes are built that brings in more taxes, support for the schools and the businesses.

Ms. Beavers supported keeping the existing trees on the lot and opposed the SLU.

Council Member Brown Clarke again stated to the public that as the property currently sits the owner can cut all the trees down, and potentially build single family homes on the 6 lots. The public comment was acknowledged and appreciated by the entire Committee, however it was stated again this meeting was to set the hearing, not make the final decision.

Mr. Miles asked if the approval was granted, what could stop the owner from moving further into the neighborhood with other development. Council Member Brown Clarke noted that the agenda item for discussion, public comment and action is to set the public hearing for this application.

Ms. Womboldt spoke on behalf of Colonial Village whom she stated informed her they wanted it to stay the way it is.

Mr. Morofskey also stated he spoke to the neighborhood and his opinion was they all wanted single family not duplexes.

MOTION BY COUNCIL MEMBER HOUGHTON TO APPROVE THE RESOLUTION TO SET TH PUBLIC HEARING FOR AUGUST 14TH, 2017 FOR Z-4-2017. MOTION CARRIED 3-0.

Ms. Ross asked if the rezoning would allow for apartments, and Council Member Brown Clarke assured her the zoning would only allow for single family or duplexes.

<u>ORDINANCE- Z-1-2015; 930 W Holmes; Rezoning a portion from "F" Commercial District to "G-2" Wholesale District</u>

Council Member Brown Clarke note to the Committee that there are continued outstanding issues, however it was noted the project had already had its required public hearing in April, 2015. Prior to a final vote at Committee in 2015 these outstanding issues were asked to be addressed. The information on the issues of the owner meeting with the neighborhood and outstanding taxes we just presented to the Committee. Therefore the Committee held no discussions and asked for no comments, but set another meeting date of July 24th, 2017 @ 4:45 p.m. to address only this agenda item.

Ms. Womboldt spoke on the property, her understanding of the progress on the site, and spoke in opposition to the rezoning.

Council Member Brown Clarke assured the public that the Committee wants public comment, but want to make sure it is held and done in a supportive process to not be framed by one person or one groups perspective. Mr. Waddell confirmed that the public hearing requirement was met already and not required again, and also that there is not requirement that any applicant meet with the neighborhoods, not a charter requirement.

Council Member Brown Clarke provided Mr. Waddell with an email from Ms. Stachowiak on the request of the owner to move forward along with another email she had received inquiring on the process of the application. Mr. Waddell was asked to meet with the neighborhood representative. Council Member Yorko voiced a concern with the content of the email from Ms.

Stachowiak, and with the combination of both emails there was concern by all Committee members.

Mr. Tate was introduced as the newest assistant City Attorney.

Adjourn at 5:15 p.m.
Submitted by, Sherrie Boak,
Recording Secretary,
Lansing City Council
Approved by the Committee on_________________

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SUBMITTED AT MEETING

Opposing the zoning for 930 W. Holmes at July 17, 2017 Meeting
Development and Planning Committee Meeting

I believe it is important to talk about the history relating to the rezoning of 930 W. Holmes property.

February 3, 2015: I attended the Planning Board meeting. During public comment, I stated the reasons Rejuvenating South Lansing opposed the rezoning of this property.

March 3, 2015: Planning Board meeting, it approved for rezoning but only after the following 3 conditions were completed. This is part of the Conditional Zoning that was to be added to the property.

1) No Chain-link , wire, wood or vinyl fence will be constructed on the property,
2) Exclude an area along W. Holmes Rd and front property S Washington Avenue to help with the flooding issue relating to drainage;
3)Plans must be developed to show the landscaping changes in this area..
These conditions were sent onto the Development and Planning Committee
As of today, July 17, 2017 they have not been completed

On April 13, 2015: The issue of rezoning was brought before City Council. After Rejuvenating South Lansing, several neighborhood representatives and citizens made public comment it was decided to send the rezoning of this property back to Development and Planning where Councilmember Tina Houghton was Chair, Judi Brown Clarke, Vice Chair and Vincent Delgado Member. It was then decided by Mr. Yono to pull the request from rezoning the property.

September 2015: On September 23, 2015 . I attended the Development and Planning meeting opposing the rezoning in behalf of Rejuvenating South Lansing stating our reasons and also delivered a letter from Old Everett neighborhood opposing this rezoning. At that meeting ,it was decided that all the requirements made by the Planning Board must be fulfilled, taxes must be paid up, the issues with the semi parking was to be corrected, and Mr. Yono was to set up a meeting with area neighborhoods to discuss his plan**. No further action was taken by Mr. Yono and the item was dropped from the agenda.**
As of today, July 17, 2017, this has not been done.

Since the last request in September 2015 Mr. Yono's property has had:

- 27 code issues including a trash notice sent out on July 10, 2017
- Numerous letters sent from Zoning office concerning semi-truck parking on the property
- Behind in back taxes: 2016 Winter $5,120.36; 2016 Summer $37,538.99;
- 2015 Winter $6,549.64; 2015 Summer $36,750.77. ($85,959.76) And of course the current summer tax of approximately $37,000.
- Notice of Forfeiture: Ingham County 3/27/17 $48,815.64
- Martin Holmes LLC is owned by Salman Dominic Yono, 2458 Harness Dr. West Bloomfield Mi
- GRSY Holdings, LLC is owned by Randy Yono, 20 W Adams, Detroit, MI
- There have promises made during this process that were not kept

Mr. Yono has not proven to be a responsible property owner by proof of his previous actions. At the June 19, 2017 Development and Planning meeting, Mr. Yono he stated he will pay his taxes when he

DRAFT

gets the rezoning. His statement suggest to me that he is holding the City hostage for the payment of taxes. I believe he must be held accountable just like the rest of us do only on time.

Rejuvenating South Lansing strongly opposes the rezoning of 930 W. Holmes because of the past history of the property owner. I believe the facts support our reasons for opposing the rezoning. Our standards for property owners are the same as we have for residents, be contributors to the community and be responsible for your financial debts to pay for services you receive.

Thank you for your time.

Elaine M. Womboldt, Facilitator
Rejuvenating South Lansing
Where Everyone is a Neighbor

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MINUTES
Committee on Development and Planning
Monday, August 7, 2017 @ 4:00 p.m.
Council Conference Room, City Hall 10th Floor

CALL TO ORDER
Called to order at 4:04 p.m.

PRESENT
Council Member Brown Clarke, Chair
Council Member Yorko, Vice-Chair
Council Member Houghton, Member
Council Member Hussain, Member

OTHERS PRESENT
Sherrie Boak, Council Staff
Brandon Waddell, Assistant City Attorney –left the meeting at 4:51 p.m.
Nick Tate, Assistant City Attorney
Eric Pratt, LEAP
Deb Parrish
Gary Gartus
Michael Brogan
Tracey Sheldon
Carry Combs-Obel
Jon Snyder
Kathy Miles
Elaine Womboldt
Anita Beavers
Susan Stachowiak, Planning & Neighborhood Development
Ryan Wert
Stephanie Space
Joy Gleason

PUBLIC COMMENT
Public Comment was available during each agenda item and at this time. No public comment at this time.

MINUTES
Council Member Hussain stated he would be submitting comments on the July 17th meeting even though he was not in attendance at that meeting. Council Member Brown Clarke moved

action on those minutes to the next meeting asking Council Member Hussain to forward those comments to Council Staff.

DISCUSSION/ACTION

RESOLUTION – Appointment of Stephanie Space; Building Board of Appeals; Term Expire June 30, 2020

Council Member Brown Clarke confirmed for the Committee that Ms. Space would be replacing Mr. Barry Wood who moved out of the City.

Ms. Space briefly outlined her experience with working in downtown and desire to use her career skills as a designer with Studio Intrigue Architects, by giving back to the community.

It was confirmed that all positions on the Board are At-Large positions per the PA 230 of 1972.

MOTION BY COUNCIL MEMBER HOUGHTON TO APPROVE THE RESOLUTION FOR THE APPOINTMENT OF STEPHANIE SPACE TO THE BUILDING BOARD OF APPEALS WITH A TERM TO EXPIRE JUNE 30, 2020. MOTION CARRIED 4-0.

Council Member Brown Clarke stated she would ask the Council President to move action on this item up to the beginning of the Council agenda on August 14, 2017.

DISCUSSION – Request for Extension of NEZ Certification No. 2007-0092; Capitol Properties, LLC

Mr. Brogan noted that the request was for an extension. Effective 1/1/2016 last 3 years are at 90% tax, however they purchased in 2005 and worked with EDC at the time. The EDC does not address the Certificate from the 12 year time line to the 9 year time line which was established 1/1/2016. They are requesting a 15 year exemption so that they will catch up on the 3 years lost when the State changed the Certificates from 12 year certificates to 9 years certificates. Their request is because they were originally granted 12 years, and lost 3 of those years with the change in procedures so are requesting 15 years certificate to obtain those lost 3 years back. Council Member Brown Clarke asked what the City role would be in this request. Mr. Brogan stated that the City just needed to grant the resolution for the 15 years, with the original start date. There will not be overlapping Certificate, the State will change the time frame from 12 years to 15 years. Mr. Brogan added that they are excepting the tax increase from 2016, they are acceptable to time out in 2021.

Council Member Brown Clarke stated the Committee will review for action at their meeting on August 21, 2017 and then move it to Council for their meeting on August 28th.

DISCUSSION – Developers and Public Input

Council Member Brown Clarke stated to the Committee and Law the concern that when a developer comes into the Committee, the Committee asks the developer to reach out to the community and neighborhoods, however it appears the developer is then targeted and there is a question as to what extent the Committee can hold the developer accountable for initiating meetings with the neighborhoods, if it is not a neutral discussion, the question would be then what is the purpose of asking the developers to reach out to the community.

Council Member Brown Clarke then distributed copies of neighborhood meetings to the Committee where comments and statements were made, and the Committee reviewed the document.

Council Member Brown Clarke asked Mr. Waddell the question, if the Committee tells the developer and holds them accountable to reach out to the community, does the developer have to provide proof of that meeting, and if the Committee makes contingencies that they do meet for public input, what structure should that request or contingency have. Mr. Waddell informed the Committee that he did review the Council rules, and there is nothing wrong when the Committee asks the developer to speak to the public, and hear what they have to say. There is a fine line on what the Committee can require the developer to do, and a cause of action, if they require a developer to do something outside of a public hearing. The law can require a public hearing but requiring a hearing with another organization and denying them of not having that meeting could cause legal issues. The Committee can request and encourage, but cannot deny. Council Member Brown Clarke stated to the Committee and the public that her intention is to be consistent on expectations, and encourage them to reach out to the neighborhoods. She then asked Mr. Waddell what can be said and what expectations can be expected. Mr. Waddell stated the Committee could ask for a “good faith effort” , but at the end of the day they cannot require. The public hearing covers the neighbors meeting.

Council Member Hussain asked, in regards to a property at 930 W. Holmes, if a hearing 2 years ago satisfies they hearing requirement or if a 2nd hearing is required. Mr. Waddell stated he would double check, but added that at the end of the day, no neighborhood meeting is required.

Ms. Womboldt asked for a copy of the handout the Committee received at the beginning of the meeting, at which Council Member Brown Clarke stated she would get her a copy and Council Member Hussain gave her his. Ms. Womboldt defended the handout which was notes from Rejuvenating South Lansing, at which she stated the group promotes positive energies in South Lansing. She added that all information is provided to anyone who signs up for her emails. Ms. Womboldt also noted her belief that the notes were freedom of speech and her opinion that the Rejuvenating South Lansing was being harassed. Ms. Womboldt then moved her comments to the property at 930 W Holmes, and the history of meetings. She then referenced a brochure distributed by the developer which included comments from her. Lastly she spoke in opposition to the application for 930 W. Holmes, and recapped a conversation she had with the owner at the elevator, at which it was pointed out to her that that discuss was hear say. For clarification to Ms. Womboldt, Mr. Waddell defined “hear say” as an out of court statement, saying what someone told you without that person here is “hear say”.

Ms. Miles stated she spoke to June Kenfield who stated to her she kept a phone log and some to the owner on July 11th. Ms. Miles was informed that too was hear say, and she then stated should could provide Ms. Kentfield’s phone number.

Council Member Brown Clarke reiterated that the topic on the agenda today was to clarify what can be said to the developer and what the expectations are for appropriate public input.

Ms. Parrish asked if the handout today would be part of the minutes and Council Member Brown Clarke stated it would be.

Ms. Gleason asked if from this point going forward, will Council seek to find a way to more permanently clarify and define what should be the process for developers. And if there will be a process started to change the ordinance in the future. Council Member Brown Clarke agreed that she is looking at what can the Committee guide is when they we ask a developer to reach out to the residents and neighborhoods. The Committee needs clarification on what their ability is to use the neighborhood meeting as a compliance standard and what should they be expecting, because the Committee cannot overstep their bounds. Another question she noted, was if the Committee can require that the developer pay their taxes. Mr. Waddell was asked to bring back information on what the Committee can and cannot ask for Committee approval or conditions.

RESOLUTION – SLU-2-2017; 3600 N Grand River Ave.; Residential Land Use in the "H" Light Industrial District
MOTION BY COUNCIL MEMBER HOUGHTON TO APPROVE THE RESOLUTION FOR THE SLU-2-2017 ON 3600 N GRAND RIVER. MOTION CARRIED 4-0.

RESOLUTION – Set the Public Hearing; IFT-1-17 Certificate; Cameron Tool; 1800 Bassett
Mr. Pratt noted that in 2014 the District was created, and the applicant has met all the requirements and continues to be successful.

Ms. Sheldon informed the Committee that Cameron Tool intends to add on 20,000 of manufacturing space, with the hopes of adding 10-15 new employees over the next 5 years. Currently they staff 85 employees and 14 apprentices.

MOTION BY COUNCIL MEMBER HUSSAIN TO APPROVE THE RESOLUTION TO SET THE PUBLIC HEARING FOR AUGUST 28, 2017 FOR IFT-1-17 CERTIFICATE FOR CAMERON TOOL; 1800 BASSETT. MOTION CARRIED 4-0.

Mr. Pratt informed the Committee that the IFT Certificate abates 50%.

RESOLUTION – Set the Public Hearing; OPRA Certificate; 1101 S. Washington Avenue; Super Fancy Too, LLC
Mr. Pratt reminded the Committee that Council has already approved the District for this property and the property at 1103 S. Washington, and this would be for the Certificate for both properties. The intention is for the property at 1101 S. Washington to move into their site by year end, and 1103 S. Washington has plans to be in during 2018.

MOTION BY COUNCIL MEMBER HUSSAIN TO APPROVE THE RESOLUTION TO SET THE HEARING FOR AUGUST 28, 2017 FOR THE OPRA CERTIFICATE FOR 1101 S WASHINGTON AVENUE; SUPER FANCY TOO, LLC. MOTION CARRIED 4-0.

RESOLUTION – Set the Public Hearing; OPRA Certificate; 1103 S Washington Avenue; REO Life, LLC

MOTION BY COUNCIL MEMBER HOUGHTON TO APPROVE THE RESOLUTION TO SET THE PUBLIC HEARING FOR AUGUST 28, 2017 FOR THE OPRA CERTIFICATE FOR 1103 S WASHINGTON AVENUE, REO LIFE LLC. MOTION CARRIED 4-0.

RESOLUTION – Set the Public Hearing; An Amended OPRA Certificate; 629 W. Hillsdale; DED Development, LLC
Council Staff read a letter dated June 29, 2017 from Mr. Jared T. Belka that clarified the request to amend the application to seek approval of an additional reduction of half the school operating and stated education taxes. The original request included this request but when it was submitted to the Treasury a "checked" box was removed and the Treasury as not able to consider the request. Mr. Pratt confirmed it was an administration error which created disapproval by the Treasury due to the technical issue. It is permitted under the ACT, and will not affect the prior action and will make the schools whole.

MOTION BY COUNCILMEMBER HUSSAIN TO APPROVE THE RESOLUTION TO SET THE PUBLIC HEARING FOR THE AMENDED OPRA CERTIFICATE AT 629 W HILLSDALE, DED DEVELOPMENT LLC. MOTION CARRIED 4-0.

RESOLUTION – Introduction and Set Public Hearing; Z-5-2017; 1024 Lake Lansing Road; "B" Residential to "F-1" Commercial

Ms. Stachowiak detailed the location and current use of a vacant former party store. She also noted it has always been zoned residential because of the abutting residential properties. The applicant is asking to rezone to F-1 Commercial for a dispensary. Ms. Stachowiak noted that under all versions of the draft ordinances, this would qualify for a dispensary because it is more than 500 ft. from schools and churches.

Council Member Brown Clarke asked why this location was ever zoned residential in the first place. Ms. Stachowiak confirmed it was annexed into the City, and when properties come into the City they come in and the lowest residential density zoned property.

Ms. Miles asked if I was rezoned if it would qualify for medical marihuana potential, at which Ms. Stachowiak confirmed.

Ms. Parrish spoke in opposition to the rezoning, questioning their parking, also referred to an incident at 3001 S. Washington Avenue.

Council Member Houghton asked Ms. Stachowiak what the parking requirement would be, and Ms. Stachowiak informed the Committee it is based on the useable square footage of the building and the customer area. She noted that two (2) spaces may be enough.

Council Member Brown Clarke reminded the Committee of the due process requirement of a public hearing, and noted that after the public hearing it will come back to the Committee for consideration.

MOTION BY COUNCIL MEMBER HOUGHTON TO APPROVE THE RESOLUTION FOR INTRODUCTION AND SETTING THE PUBLIC HEARING FOR SEPTEMBER 11, 2017 Z-5-2017 FOR 1024 LAKE LANSING ROAD FROM B RESIDENTIAL TO F-1 COMMERCIAL. MOTION CARRIED 4-0.

Adjourn at 5:17 p.m.
Submitted by, Sherrie Boak,
Recording Secretary,
Lansing City Council
Approved by the Committee on_________________

Distributed @ mtg.

From: Rejuvenating South Lansing [mailto:emwomboldt@comcast.net]
Sent: Wednesday, July 19, 2017 4:03 PM
To: SLansing, Rejuvenating <emwomboldt@comcast.net>
Subject: Information about one of the emails discussed at the Committee on Development and Planning Meeting 7/17/2017

Dear Friends of Rejuvenating South Lansing,

In the past two days, I have sent you emails regarding the July 17, 2017 Development and Planning Committee meeting. There were specific details regarding the rezoning of 930 W. Holmes Rd. I also told you I was going to find out about the two emails that was continually referred to during the meeting. Councilmember Brown Clarke, Chair was so concerned about them that she would not continue the discussion and called a special meeting.

I pursued seeking the emails discussed by requesting a copy of them from on 7/18/17 to Sherrie Boak, City Council Office Manager. I informed her that the one email Councilmember Yorko spoke about being in the packet was not in the packet. Her reply back to was I would have to direct all request to Councilmember Brown Clarke, Chair of Development and Planning.

On 7/18/17, I received an email from Brandon Waddell, Assistant City Attorney. I believe if transparency and full disclosure, I decided I would share the documentation relating to one of the emails along with the full chain from the original email I mistakenly sent to Sherrie Boak, City Council Office Manager. I am sincerely sorry for my mistake but honestly thought I had corrected it by sending 3 emails to Sherrie Boak from Friday, July 14, 7:07PM and 8:38PM to Monday, July 17, 2017 11:03AM. As you will see, one of the emails was a reply from Ms. Boak at 10:07AM on Monday, July 17, 2017. I knew she had gotten the emails, must have read them, and as office manager would surely let Councilmember Brown Clarke know before the meeting that I had reached out to her to correct the problem.

Yes, I made a terrible mistake but I believe this reaction from Councilmember Brown Clarke was used for another purpose. I am still trying to get the 2nd email that was discussed by Councilmember Yorko which she stated was in the packet, but it was not. Again, I am very sorry I cause so much trouble because of my haste to contact people in time prepare and attend the Monday meeting. I will continue; which was discussed, a motion made and carried to oppose the rezoning of 930 W. Holmes Road at our June 27, 2017 meeting.

Elaine Womboldt, Facilitator

Rejuvenating South Lansing

Where Everyone is a Neighbor

Kindly, read all the emails below for all the information regarding the email. Thank you.

Brandon,

I am answering your email dated 7/18/17 3:30PM which said:

Elaine

At the direction of Judy Brown-Clark, I am reaching out to you to get clarification of the email sent from you to Sherri Boak on Friday July 14, 2017 requesting help "with language to oppose this project other than we don't want a storage facility." Can you let me know what you were actually asking for?

Brandon Waddell

Assistant City Attorney

Office of the City Attorney

July 19, 2017 at 1:55PM

Brandon, I wanted to provide the original email chain as evidence that apparently was not completely shared with you when Councilmember Brown Clarke handed you an email at the Development and Planning Committee Meeting on Monday, July 17, 2017 around 5:15PM. I would also like to point out Sherrie Boak, City Council Office Manager, was in attendance at this meeting. I cannot imagine how this could have possibly been so inaccurate from the truth which is in the chain of emails.

Please read the chain of the emails that were originally sent by scrolling down to the bottom of the page and them moving upwards.

Friday, July 14, 2017 at 7:07 PM. I sent the first email by mistake to Sherrie Boak with no one's name in the text of the email.

Friday, July 14, 2017at 8:38PM I sent another email to Sherrie Boak stating I made a mistake and it was not meant for her.

Monday, July 17, 2017 at 10:07AM I received an email sent to me from Sherrie.

Monday, July 17, 2017 at 11:03 AM I sent an email to Sherrie.

After reading the complete chain you will realize the email you are questioning me about was never intended for Sherrie Boak or Councilmember Judi Brown Clarke. Furthermore, I explained my mistake and asked Sherrie Boak (City Council Office Manager) to delete the email and not send it onto anyone else on Friday, 7/14/17 at 8:38PM.

The email you are referring to was intended for someone who has focused on the rezoning of the 930 W. Holmes property since 2015. It was based on comments made to me by Development and Planning Committee members during one of their meetings and I wanted to make sure we did not use that term again. Or as you refer to in your email, "with language to oppose this project other than we don't want a storage facility".

I hope this clarifies your question, "what you were actually asking for?" I was not asking for anything.

Sincerely,
Elaine Womboldt, Facilitator
Rejuvenating South Lansing
Where Every One is a Neighbor

-----Original Message-----
From: Rejuvenating South Lansing <emwomboldt@comcast.net>
To: Boak, Sherrie <Sherrie.Boak@lansingmi.gov>
Sent: Mon, Jul 17, 2017 11:03 am
Subject: RE: City of Lansing Committee on Development and Planning Agenda 7/17/2017

Hi, Sherrie,
Thanks for letting me know, it was my mistake and am sorry if I caused you any inconvenience.
Like I said, I should have slowed down and made sure I was sending it to the person I was working with in our group.
Hope you have a great day, and I'll see you at 4PM today.
Elaine
On July 17, 2017 at 10:07 AM "Boak, Sherrie" <Sherrie.Boak@lansingmi.gov> wrote:

Good Morning

There was no name directed on the first email, so I thought you wanted me to give to Council Member Brown Clarke, Committee Chairperson, for the record, so I already did it.

Sherrie Boak
City of Lansing
City Council Office Manager
517-483-7683
www.lansingmi.gov/City_Council

From: Rejuvenating South Lansing [mailto:emwomboldt@comcast.net]
Sent: Friday, July 14, 2017 8:38 PM
To: Boak, Sherrie
Subject: Re: City of Lansing Committee on Development and Planning Agenda 7/17/2017

Hi, Sherrie,

I just realized I made a terrible mistake and hope you can help me correct my error. I sent you the email (scroll below, it was sent at 7:07PM) I intended to send it to a person who I have been working on relating to the 930 W. Holmes issue which is on Monday's D & P agenda. I am sorry to cause you any inconvenience relating to this issue, but would you please delete it and not send the email I sent onto anyone else?

Thank you in advance for helping correct my mistake. I better slow down, and double check all my information before I hit the send button.
Elaine Womboldt

On July 14, 2017 at 7:07 PM Rejuvenating South Lansing <emwomboldt@comcast.net> wrote:

Just checked and the agenda came for the D & P meeting. Sure enough, the 930 W. Holmes is the last item on the agenda. We are screwed because Adam will not be there to protest and of the issues. I need help from you, pretty please, with language to oppose this project other than we don't want a storage facility. Elaine

Thank you to Kathy Miles for providing her notes from the Public Safety Committee Meeting held on Wednesday, April 5, 2017 at 3:30 PM, City Hall, 10th Floor, Council Chambers.

Councilmember Adam Hussain, Chair; Councilmember Carol Wood, Vice Chair; and Councilmember Tina Houghton, Member

Public Safety 4-5-17

Minutes for the 3-15 public safety meeting and the 3-30 meeting at 3200 S. Washington were approved.

Adam deferred to Mr. Smiertka after mentioning that the committee had vetted the first 15 pages.

Mr. Smiertka said that language that had been removed in Draft 7 was now being put back in after he attended the Municipal Attorneys Conference. He feels that it is an issue of performance standards and part of the Facilities Act as well as coming under the Licensing and Regulatory Affairs. He feels the city should deal with performance standards at the local level now since the State will not be ready to deal with them until December of 2018.

Carol Wood has concerns about Draft 7 and would prefer to move forward with Draft 6A. She is aware of duplicates by the State.

Mr. Smiertka took them out and is now being asked to put them back in after havng conversations with other municipalities and residents. He said some municipalities are allowing dispensaries and others are only allowing grow facilities. He said the committee could make the change today and go back to 6A.

Adam said he had been on Spring Break vacation at Niagara Falls with his family but came back because he felt it was important to be here for this meeting. He said he has been sitting here for 9 years

and feels like games are being played to delay an ordinance. Things were bad in 2008 and 2011 but are now out of control. He presented several options; they can go back to the ordinance passed by Council in 2011, which according to the the City Attorney is a legal ordinance, they can go by the 2013 decision upheld by the Supreme Court or go back to the 2016 proposed ordinance. He said they have done all they could do – they have met with neighborhood groups and residents, advocates and patients and dispensary owners. He feels that Draft 6A was a good ordinance. They spent a lot of thoughtful time on document language.

In September Mr. Smiertka asked for a 60-day delay. In October the Dykema law firm presented their own ordinance to the Planning Board. The 2016 ordinance was tabled. The planning board vetted the entire ordinance instead of just dealing with the zoning portion that was in their jurisdiction. In December Mr. Smiertka was supposed to get a scaled down versionof Draft 6A. Instead he *got an entirely new ordinance*. The *planning board engaged with the marijuhana industry but did not reach out to neighbors, businesses or anyone else.*

Adam said that ***rather than continue with Draft 7, they are going back to Draft 6A.***

Mr. Smiertka cited changes passed by the legislature for the addition of language back into the ordinance. He said that the Commission for the State will not be ready intul 2018. Definitions have changed and he cited internal consistency exercises and conversations with **some** Council members.

Carol questioned the change in the definition of parks and playgrounds and said that the City Charter and Master Plan already have definitions for them. Changing the language would be additional and would not present consistency.

Mr. Smiertka said they should used the defined term for a great product. *Using the Michigan Tracking Act and the Facility Licensing Act were the planning board recommendations.* He stated that he had nothing to do with the Dykema draft. . He had discussions regarding the establishment of the Commission and that will be kept in the reserve sectionof the ordinance until they find those willing to serve.

Adam said that with the changes and *addtion of the term "**buffering zone**"* and changes to the definition of playground ***the document became a completley new ordinance***. They are going back to 6A. The committee has spent hundreds of hours listening to all segments of the community to try to insure that all received fair and equal treatment. He feels that they can make changes to 6A that will relect that. ***The planning board changed the whole ordinance, not just the zoning which was their purview.***

Mr. Smiertka said he got the plan and the boards requests at the February meeting He gave them 3 pages having to do with the zoning portion of the ordinance. He told Adam they have the right to go back to draft 6A.

Carol said 6A was consistent that there be no drive-through window at dispensaries. In Draft 7 that had been deleted.

Mr. Smiertka said input on that deletion was for convenience of patients and cited pharmacies as an example. He said all the *changes were* on a compassionate basis for the committees consideration only.

Carol asked Mr. Smiertka how he saw the 2011 ordinance that is already on the books.

He said he would have to review it and that it makes no provision for a Commission.

Adam brought up that there was a motion to repeal the 2011 ordinance and that Mr. Smiretka had said it is better to have an ordinance on the books and was against repealing it. He said that the MMMA was on the books and they should go according to the act.

Tina Houghton said that she was on the committee that worked on the 2011 ordinance and that "her head hurts" and this all seems to be a convoluted mess. She wants to go forward and 6A seems to be ok to her. She feels they owe it to the public to present a concrete and enforceable ordinance when it is finished. She mentioned that other Council members have a plan and are concerned. *She would like the discussion to move to the Committee of the Whole.*

Carol said this is the first she has heard of any concerns from other Council members and asked Tina to enlighten them as to what the concerns are.

Adam also said he had not heard of any concerns.

Tina said she meant that some members of Development and Plannning have concerns.

Carol agrees that there are concerns and reiterated that they go back to draft 6A. She reminded Tina that since she had been on the committee in 2011 she should be aware that **discussion of an ordinance has always been under public safety.** Carol also stated that the ordinance will have to be discussed before COW before approval. Carol noted that several other Council members have previously attended the public hearings She stands behind her request to go back to draft 6A and make corrections to it to move forward.

Mr. Smiertka said there are 5 major issues that will have to be addressed: 1. whether the new Commission gets paid or is volunteer; 2. the term *"buffering" is just a zoning term* and they will have to define terms and control the number by zoning; 3. grow facilities are an industry and will be located in manufacturing zones. He thought the Commission would be up and running by December of last year; 4. the number of Commission members and the performance standards.

Adam brought the zoning change in recommendations for distance from child care facilities as defined in draft 6A. As far as abatement and a cap on numbers, they had those discussions last year and Adam believes they struck a balance then. Now it is the "wild,wild west" and totally unregulated. Both sides were listened to and they engaged the whole sommunity.

Mr. Smiertka said they can go back to draft 6A and the 5 areas will have to be debated. He understands that some Council members want things to stay the way they are now. All members had the opportunity to come to the many meetings held and it is his decision that the discussion stay with public safety until it is finished.

Heather, an asssitant city attorney, said that the law is not settled but is still in flux and once the Commission begins licensing that will not be the end of it. Next December they will begin *re*-licensing. This is a new economy and a new area of business. She cited poor drafting on the part to the State as part of the confusion.

Mr. Smiertka will go back to LARA with the changes.

Adam said he still has not heard anything that would prohibit them from going back to draft 6A.

Heather brought up a study being done by MSU for the City Pulse and suggested that Adam wait for those results before proceeeding.

Adam stated that he will not be waiting for Beryl Schwartz's study.

Adam said that "his head hurts too" and that he is open for suggestions.

Tina asked what the differences were between 7 and 6A.

Mr. Smiertka said that some language will have to go back in.

Adam disagrees with the new method of measuring distance and said whatever comes out of the committee will be a result of robust conversation and that is what got us here from last year. *The new ordinance will be called **6B.***

Carol asked Mr. Smiertka about the references about whether to pay the Commission .

Mr. Smiertka said he is not sure that they can be paid.

Carol said the section on the Commission will be left as reserved. In the past there had been discussion on hiring an expert to help with hiring of the Commission.

Mr. Smiertka said they can still discuss that.

Carol brought up the Moratorium passed in 2010. Registration of existing shops is not required under the current moratorium and the city attorney's office told them *not* to do registration. There are many more shops now, in violation of the moratorium. Should they be able now to register them and get a current number?

Mr. Smiertka aske Mark Dotson from the city attorney's office to answer. Mark said he has a list but it would not reflect the current number.

Tina asked if a new list would include "grandfathering rights" and was told no.

Adam said he knows for a fact that there are moratorium violations and that he has reported some of them himself. He said that some are "playing with the system".

Carol asked for a clarification of the moratorium and asked if it would take a resolution to get registration. How would shops be notified? By letter? How does Mr. Smiertka see regsitration?

Mr. Smiertka said they would have to identify them and then send out letters.

Adam said he is sorry if the put Mr. Smiertka on the spot.

Heather answered a question about signage. The ordinance on the books says that shops in downtown can only cover 20% of their windows with signs. She cited cell phone stores as an example of businesses that cover almost all their windows and also use signs that allow the business to see out while no one can see in. The complaints about the "High Lansing" billboards is a First Amendment 'free speech' issue that comes under strict government scrutiny and there is no way to affect them.

Adam said he takes exception to the concern for aesthetics only in downtown and it is an issue for all of the city.

Carol said that draft 6A addresses signage.

Mr. Smiertka said that the MMMA committee has the ability to deal with marketing.

Public Comment

A man asked what right religion has to do with Marijuhana and the distance it has to be from a church? He supposed that if a person lived next door to a church they would have to cross the city to get their meds. He said it makes no sense for the city to determine distances from schools and churches. He said that is saying that religion can determine public health. He suggested that then maybe dispensaries should call themselves churches.

Kathy Miles reminded the committee of her testimony at Council and the detrimental statistics presented from Colorado since legalization and the stress it has placed on police, fire, hospitals and the downturn in education and employment. She mentioned that Steve Jappinga has been told by Michigan Works that some manufacturers are planning on leaving Lansing because they cannot fine enough

drug-free people to hire. Andy Schor has stated that surrounding cities have no intention of "opting-in" to allow dispensaries since Lansing is willing to have them. Judge Garcia wrote a letter to the editor about his concern that the "High Lansing" billboards glorify durgs and will have a bad influence on our youth. She spoke about he horrendous recommendations made to the new ordinance by the planning board and thanked the committee for going back to draft 6A. She also said that she was at the planning board meeting in the fall and told how they had verbally gutted ordinance 6A at that time.

Mary Ann Prince said in the 60's people could not wait to move into Lansing because of the good schools. Cities around us do not have the dispensaries and she feels we should close them all down. She asked the committee why they are putting themselves through this. She finished by saying that *we need a city that people want to move into not move out of.*

A speaker has a question about the distance restrictions in 6A and wants to know about "relevant use".

Rich Hall wants to know about "relevant facility reference" in draft 7 and thinks they should address the inconsistency.

Elaine Womboldt said she had a statement about draft 7 and thanked the commmittee for going back to 6A. She spoke about the 2011 ordinance and the Council discussion and subsequent decision not to revoke it. She asked if we could start licensing now. She held up the full-page ad in the City Pulse requesting donations to fight the marijuhana ordinance and said the paper is promoting something that is not good for residents or our children.

Lee Klien is in a wheelchair and has diabetes and other health problems. He could take hours to say all he wants to about the benefits of marijuhana. He agreed that this discussion is far from over. He asked who they used to draft the rgulations. Was it LARA? He said that no matter what they do, there will be lawsuits about who gets to stay where. He told the committee that as soon as they make a decision, they will sue. He disagreed with Kathy's statistics and said all is going extremely well in Colorado. Lots of people want to use marijuhana recreationally.

Adam had to stop him after his 3 minutes was up and said Lee was welcome to speak to them after the meeting was adjourned.

Brian is with the marijuhana industry and does not recall any conversation regarding drive-through windows not being allowed. He asked if it is legal to restrict them since pharmacies and banks use them. He said if they have to lift the moratorium to have people apply for licensing, what is the point of having one.

Lee requested another 3 mintues but Adam told himthat is not how it works, they have to be fair to everybody.

Adam acknowledged that some people need marijuhana as a medicine and reminded us that they have not closed the shops even though they could have. Draft 6A reflects the need for medicine and the MMMA allows for home growing. He invites the threatened litigation. The City Attorney has put the ordinance together and the shops have been doing business illegally.

Mr. Smiertka said that anything having to do with drive-up windows is a zoning issue.

Carol said that this body worked on the 2011 ordinance and it had a cap. They did not get l lawsuit based on that ordinance. They have worked just as hard on the current ordinance as they did then.

The next meeting will be Wednesday, April 12th at 4:00.

The following are informal and personal notes that Kathy Miles took during the Ways and Means Committee meeting on May 31, 2017 in order to share information with others. Thank you, Kathy, for your time and efforts putting the information down on paper so they can be discriminated.

Ways and Means 5-31-17

Jody explained that we were here to find out where the financing and authority to put a road through the middle of Ormond park are coming from.

Public Comment

Dayle Schrader is president of Preservation Lansing and said that we have lost so many parks under this administration. He was in Ormond park last night and said that there were kids playing basketball, walking dogs and using the climbing wall. He does not have a neighborhood park where he lives and confessed to being jealous of neighborhoods that do have one. He said it brings value to the neighborhood.

Ryan Smith believes the real issue is the legality and unethical method being used. He said that a road through the middle of the park means it will cease to exist as a park. He thinks this matter should be investigated legally and likened it to the Scott park situation. He had hoped that we learned a lesson from Scott park and wants a legal interpretation since it is still classified as a park. How can that be true if most of it gets destroyed by a road?

Elo is a resident whose grandmother has lived in the neighborhood for many years. He said

her children and grandchildren have used Ormond park and enjoyed it. This is a lower income working class neighborhood where the children have few advantages.

Bethany Stire bought her house on Green street because of the nearness of Ormond park. She said it is a peaceful area and the road through the park will destroy the quality of the neighborhood. Green space is vital for quality of life and health.

Judith Felice expressed strwardship concerns. She cited the last minute springing the road on citizens, the Parks board and Council. This is the 3rd time this issue has come up but was debated and turned down previously. **This park is part of the Tollgate drain** and wonders *what effect the paving will have on the drain*. She does not want to see the entry to Grosbeck be made through the park. There are 3 other possible entry points to Grosbeck and feels this could be easily resolved by choosing another entry point. She asked if alcohol will be served at Grosbeck and what effect drinking drivers will have on the neighborhood. She reminded us that we have an obligation to protect our gren spaces.

Elaine Womboldt said this annoucement came "out of the blue" and she just found out about it last Friday. She and her husband walked the park Saturday and said that Ormond park is a

diamond in the rough and a sanctuary in a deprived area. It is not right to take it away after 70 years. We have a responsibility to the children in the area to give them options. It is deplorable what is happening to recreation sites in Lansing. Parks are part of the city and one person should not be able to take them away. Putting a road down the middle of the park would be an injustice and undemocratic. We *heard during the budget hearings that there was no money and now we are being told that there is a surplus carried over of $380,000.*

Mary Stanford lives on Green street and is committed to saving the park. The children in this neighborhood do not have many assetts; their parents cannot take them to soccer leagues or to participate in organized sports. No one wants a road through this park. Her husband interviewed 28 golfers on Saturday and 26 of them were against this plan. One was in favor of it and another said if they destroy Ormond park, he would boycott Grosbeck. Wood street has an entrance that could be used. *If the neighbors, golfers and the Parks board do not want this park destroyed who is pushing this plan?*

Kathy Badgley said that the City Council has the power to pass a resolution to stop all activity until information has been vetted. There are no engineering plans available for this road. There is no business plan presented. This information is a matter of public record and nothing should proceed until that information is available. She heard *Mr. Bernero* on the radio *describe himself as the "implementor" and said that residents just have resistance to change.*

Kathy Miles also hear Mr. Bernero on the radio and he stated that the road will go through the park whether LEPFA takes over Grosbeck or not.

Harold Leeman said that this issue has come up before and been dropped.

Jody Washington agrees with all the comments and said that if she worked for the administration she would be mortified. She was surprised to find out about plans for Ormond park and only found out about it from neighbors. She addressed Brian, head of Parks board and appointed by Mr. Bernero, and said there has been *no transparency* and this s*hould go through* the *proper vetting*. The supposedly surplus of $380,000 being 'carried over' is a surprise. The Parks board did not support this plan and it was listed as the 5th item on their agenda.
Where is this money coming from and who wants this plan? This is not a safety issue. Has signage been explored? She is horrified about this plan and said if she worked for the administration she would be horribly embarrased. This is a low-income area and this is their only park. She has been told that Lansing residents do not golf at Grosbeck and knows that is not true. She asked if LEPFA has obtained a liquor license for Grosbeck? **Are they doing this just because Mr. Bernero says he can?**

Carol Wood wants information on the funding aspects.

Angela Bennett said what is being proposed is not a **road** and the $380,000 is leftover parks millage carried forward from parks projects.

Carol said the parks budget had $250,000 for paving.

Angela said that they have the capacity to carry money forward and are exempt from Council oversight. They have spent some of the funds for design consultations.

Carol asked about priorities and asked in there were any other parks in need of paving now.

Brent said that the Pacer rating on parks and trails was done and re-paving was done on Foster community center and the Bancroft Loop.

Carol asked if they did not do the Ormond park project this year would they have done Foster this year?How much paving is waiting now?

Angela again mentioned the $380,000 being carried over. She said there is $56,000 available for design.

Brent said they rate all parking lots.

Carol asked about the repairs needed to the river trails and mentioned Grants that the city gets from the County to fix them. She said they could have used the leftover $380,000 to fix trails and may not have needed the Grants from the County. She also added that if trails had been properly maintained the trails would not need Grants. She mentioned sections of the trails that are currently closed because of needed repairs.

Brent denied that there are any sections closed for repairs.

Carol reminded him of several sections that are currently closed. She also told him that the statistics hej ust used were from 2013.

When Council was discussing budget information on Capital Improvements Ormond park was **never** part of that information. How can this money be spent without Councl approval? She asked Joe Abood about the legality of this.

Joe Abood said that was in interesting question but did say that they do not need Council approval for "carry forward" monies.He has no idea why it was never discussed before.

*Carol asked Angela and Brent what their **intent** was for not informing Council*? Why did they not bring up the mention of a road through Ormond park?

Brent said that it is in the 5-year Master Plan and that 2 options for entry off Wood street were discussed and disregarded. He said everyone knew about it.

Carol said that the decision to move forward with that part of the Master Plan was **not** made public and Council was not privy to it. Why not?

Angela said that the information was rather general and didn't specify it.

Carol said *Council did ask for specifics* and that Angela and Brent knew what they were doing

when they *withheld* information.

Brent said they have paid for design work already and the decision has been made.

Jody said that the neighborhood did not know that the decision had been made. **Who made that decision-Virg Bernero and Chad Gamble?** What have you spent so far?

Brent said they have spent $1,400 for desing planning and people did know. They made the decision for a safer neighborhood.

Carol asked if there had been any accidents due to drinking?

Jody said that Council, neighbors and the Parks board did not know. She asked who makes up the Master Plan? Is there any input? It seems like they write the book and follow it if the feel like it. She is not happy and asked how much they expect this neighborhood to take. Parks are not just for people; wildlife and migratory birds use it also. Jody said she is horrified at the cavalier attitude.

Eric Hewitt, City Auditor, asked if the proposed project should have been on the list and cited the CIP budget with a total of $455,000 to do improvements like the new clubhouse and liquor. Golf revenues statistically **do not** increase when these types of improvements are made and often expenses increase. There is no business plan to show recovery of funds.

Carol said that because of strife the and the Council being disenfranchised they need to stop the project for now and allow for communtiy input.

Brent said they have already been part of the overall plan.

Carol said that during input, ideas are without "legs" and now that it does have legs this is the time for public input.

Jody wants Parks board approval before moving forward.

Brent mentioned the March meeting and said they looked at the option at that time for Ormond park.

Carol said that maybe they need to start attending all the Park board meetings.

Jody said that there were other prioritites on the list and asked if they had been taken care of. Even though the funding is all part of 1 lump sum, there are different priorities. Jody just got a transcript of the Parks board meeting today and said that almost all of the board were not in favor of this road. The administration want it and also for Grosbeck golf course to be turned over to LEPFA.

Is there any way that everybody can win and not just the administration? It is difficult to deal with issues when you hear about them at the last minute. There has been no transparency. Halt the project now and give everybody a chance to win.

Judith Felice asked Jody if it is possible for control of park land to be retained by the Parks board and the entertainment aspects of Grosbeck when it is controlled by LEPFA.

Carol said the Parks board would maintain control.

Jody said there is no RFP and no business plan.

Kathy Badgley cited the Master Plan and said Ormond park is listed in the Action Plan. There is no number assigned for the Ormond park entrance to Grosbeck. The public can ask how millage money is spent There are 4 or 5 more areas for a pathways. Out of a list of priorities for millage money to be spent, a golf course was 15th with a BMX course finishing the list at 16th.

Mary Sanford said that Brent said *golfers* want the new entrance to the golf course. What data does he have to back that claim up? What has been done in the paln to make safety in the neighborhood better since he claimed that was the reason for the road?

Brent said that traffic on residential streets is a safety concern and those types of questions have to be referred to public safety.

Jody said that once there is no park, childrens only option will be to play in the street.

Angela said that fiscal year 15-16 have paving dollars in the budget.

Carol requested that information amount in writing.

Jody asked what the carryover is and why it is so much? What is not getting done?

Brent cited examples going back to 2013.

Eric said that CIP carry-forward might cross fiscal years.

Jody wants the 'idiots guide' to that information. She **asked Brent if they had a date to start digging**? She said if there is no date, if they would go to the administration and plead with them to have decency.

Elaine is disappointed and frustrated. She attended the budget hearings and never heard a word about **excess funds.** She mentioned all the neglected parks in the city such as Washington and the needed repairs at the Frnces park pavilion. Taxpayers are appalled at the neglect and have distrust of this administration.

Jody asked people to remember that they voted for the parks millage and have been misled.

Carol asked Joe Abood to submit any legal restrictions in writing.

Adjourned.

The following are informal and personal notes that Kathy Miles took during the Special Council Meeting on May 31, 2017 in order to share information with others. The purpose of the meeting was to override the Mayor's Veto. Thank you, Kathy, for your time and efforts putting the information down on paper so they can be discriminated.

Special meeting of Council to Override Mayor's Veto 5-31-17

Carol Wood was Chair.

Patricia Spitzley was not there. Her father is in the hospital and she was with him.

Judi Browne Clarke was having a seminar with her students.

Jessica Yorko cited 'parental duties' and said if she had come, she would have vote to uphold the Mayor's decision.

This meant that there was no chance to override the veto which would have taken a vote of 6.

Chambers were packed. Carol went right to public comment.

Public Comment

Bethany said the issue is contentious and ignores the long-term interests of the residents and the city. She quoted Jody's comment from the Ways and Means meeting just prior, asking if there was any way that everybody can win in this situation. LEPFA is irresponsible and this plan lacks vetting, planning and transparency. She asked Council members to keep their oath of office and do what is best for all citizens.

Kathy Miles stated that Mr. Bernero has said many times that he wants to sell all the golf courses in Lansing. We are almost there. The proposed paving of Ormond park was a well-kept secret until a few weeks ago. The public was deliberately not informed. The destruction of this well-used park is taking place against the strong opposition of the Parks board and without any input from residents of the city. There is to be no vote or even the "pretense" of repurposing.

The Mayor's statement on the radio this morning said that the roads will be built whether LEPFA takes over Grosbeck golf course or not. Calling the road through the middle of Ormond park an "*entrance*" is just dishonest semantics. LPEFA has failed to make the City Market or Common Ground financially sound.

Changes to Ormond park and Grosbeck are being made as a means to make sale of the golf course more attractive to developers. **The cost of these "improvements" are being made at taxpayers expense.** Apparently stripping residents and the city of assetts, especially our irreplaceable green spaces, will continue right up to the time that this administration leaves office. It is the Mayor's intention to sell off our small neighborhood parks and put high-density housing on them according to statements made at LINCS meetings by the Mayor's neighborhood specialist. Don't wait until the park in your neighborhood falls under the administrations axe; get involved now to save our parks.

Loretta Stanaway said that this is a very uncommon way to do business. It is discrimination against residents of that area. She feels that the Mayor is throwing a lifeline to LEPFA by giving them control of Grosbeck golf course. This is the first step to selling the golf course which has been the Mayor's goal all along. Some members of Council have good excuses for not being here but not having a Mayoral candidate here is inexcusable. Those running for re-election better remember that they will not have Virgil there any more. She encouraged Council to step up and do the right thing.

Sharon is mad as hell and sees another park being destroyed. LEPFA has not made a success of anything. The Parks department needs to learn how to manage. All the trees at the Scott park location are gone and nothing is being done there. We need to stop this 'lame duck' mayor.

Elaine Womboldt said this is an important issue and even though there are not 6 Council members here and an override is not possible, that does not excuse members not fulfilling their resposibilities to be here. **Parks are resources**. She opposes LEPFA and the Mayor's veto. We need to keep control of our parks and the golf course. Virgil is taking away a location that has been a park for 70 years. It is a hidden gem for that neighborhood. Council needs to stand strong and listen to constituents. This is not going away and it is our tax dollars that are at stake.

Kath Raffone is a candidate for 4th Ward Council and opposes the veto of this part of the budget. It is a despicable move and procedures were not followed. The Mayor goes around procedures to get his way no matter who it hurts as long as he gets what he wants. There is no reason to give Grosbeck to LEPFA and it might even be illegal to do so. Judi Brown Clarke is not here to defend her position from the last meeting supporting the takeover of Grosbeck. Some Council members are not responsible enough to face the music. **Parks are for quality of life and not to make money.**

Roxanne Course said she was nervous because she does not usually speak but felt it was important to be here. She wants to save our green spaces and lives next to Ormond park. Her kids and grankids play there. This is a low-income neighborhood with very few other options for play. All parks are important. **Ormond park is part of the longest eskar in North America.** Animals, birds and insects live there. Parks are good for mental and physical health.

John Course agrees with all statements by previous speakers. He feels that there is unseemly haste in this procedure and a lack of honesty. *Judi Brown Clarke told him last week that there would not be a road in Ormond park but did not have knowledge* *about an entryway*. Politiciansask us to "trust" them to do the right thing but we usually get betrayed. This park is always full and well used.

Troy Harmon lives with his parents by Ormond park. They have lived there 32 years. There are many animals living there and there are always children playing there. Putting an access road off Wood street and building a parking lot there would preserve Ormond park.

Peter Wood said that Virgil's statements take his breath away. He calls himself the "implementor". Peter talked to 28 golfers and 26 of them are against the road in Ormond park. The community does not want the road there and most of Council and the Parks board are against it. In an **interview on WLNS the Mayor said that this is an adminitrative decision and "the people be damned; he is the decider and he has decided".** This is clearly not about saving the city money but is the Mayor's hidden agenda. He stands with the community and the Parks board and would have asked them to overturn the Mayor's veto if enough members had shown up.

Jim McClurken is a candidate for 4th Ward Council and serves on the Parks board. He said that it is untrue that the Parks board voted for this change. They sent a strong letter to Council making it clear that they were opposed. He has had many calls asking them to save Ormond park and Grosbeck golf course. The *issue before the Parks board was about building a covered patio.* **There was never any discussion of a takeover by LEPFA**. He also is insulted by comments made by the Mayor on WKAR. Shady decisions were made outside the public view and with no accountability to the citizens. The residents are not afraid of change as accused by the Mayor. *LEPFA taking over Grosbeck will not save the city money.*

Beth Monteith said shame on the Mayor and the administration as well as the absent Council members. This is an unnecessary tradgedy.

Judith Felice is pleading to save Ormond park. Little of due process has been followed She addressed members of Council who voted for the takeover in hopes that they have changed their minds . Tina looked bored and yawned while she was being addressed. Judith served on the Parks board for 20 years and mentioned the 2 park millages residents passed as proof that we are not afraid of change. She also cautioned that it may be harder to get future millages passed in light of what of what is being proposed.

Mary Stanford talked about the low-income children that do not have soccer leagues or martial arts or organized sports available to them. Parks allow kids to just be kids there. The Mayor says we are powerless. She wants Council and citizens to think outside the box. She would like to keep Grosbeck golf course and see it be used year round. She also asked us to think about *ethical responsibility.*

Keisha said that we need to be informed about and included in decisions. *Parks bring fewer crimes to a neighborhood and support health benefits. They are a venue for fun and games, provide oxygen and enhance property values as well as attract retirees. It is a top residential selling point and increases the quality of life by 33% according to real estate studies.*

Elo agreed with the speakers and is a college student majoring in a field of goeography called "Political Ecology". It helps people who are unable to defend themselves politically, which is a sinister thing. The Mayor said we do not have the power to oppose him. Elo asked what we mean when we said the Pledge of Allegiance at the beginning of the meeting by the words "with liberty and justice for all".

Claude Beavers said he learns a lot by coming to these metings. He said the Mayor gave 'fake news' regarding LEPFA when he guaranteed that we would have 60,000 golfers by the year 2018. Claude asked if perhaps this was a typo and could not possibly be substantiated. He also said that it is a 'pipe dream' to keep the golf course and want it to prosper. His grandsons grew up playing golf on Lansing's many municipal courses. One of his gransons is going to be in the State conference and is a product of Lansing courses. We need to keep our remaining golf course. Don't give it to LEPFA.

Michael Ruddock lives in the 1st Ward and said that this proposal if a "house of cards". He is personally disappointed that there has been no public engagement. Potential developers and the Mayor must be very happy. He made reference to the debacle at Scott park. He asked which Council member will stand up and propose that this will not happen again. We need to solve the takeover of our parks without due process to see that this does not happen again.

Dale Schrader said that this hearing is a farce without 6 members present to override the veto. It is an embarrassment and asked Council members to take note of all the people in Chambers. He said this is just the tip of the iceberg and that those up for election better be aware . He also said that Judi Brown Clarke's candidancy is 'dead' by her actions and that the public is watching. LEPFA has not made a success of anything and the point of this is to have it fail so that the Mayor can sell Grosbeck to develpers. He then went on a rant about Virgil and Trump which I will not repeat.

Ms. Smith said that she will be less polite that her neighbors who have spoken. She discussed money given to Janine McIntyre and Peter Lark and said *to find the root of the corruption to follow the money trail*. Who are the elected officials that will help the Mayor perpetrate this insanity. Were is the study of the volume of traffic this will bring? Will the road have to be widened? When the park is gone will the kids have to play in the street? There has not been a lot of thinking going on by a lot of people.

Ryan, Cherry Hill neighborhood assocation, said he *feels like he is going to a funeral.* Legal issues need to be investigated. The **City Attorney should be standing up for the residents not looking for loopholes for the Mayor to exploit to take our rights away.** He encouraged any attorneys watching to come forward and contact him to do a legal investigation.

Kathy Badgley asked who owns our land and is Ormond a dedicated park? It **is** a dedicated park but she was denied access to the file to find out details. **Council can pass a resolution to halt progress** until there are more answers. She objects to LEPFA because they have never turned a profit on any of their ventures. Losses will come out of the Parks budget. We will never progress as a city or nation withour coming together for solutions.

Mike Dobrowsky said that there is no money to fix our roads and our Pacer rating is 2 levels below acceptable. It is irresponsible to build another road. He agrees with previous speakers and reminded Council members that the ballot box is out there.

Harold Leeman dealt with this issue on Ormond park 12 years ago when he was on Council. He told Carol that she has the power to request absent members to appear immediately and she can use it.

A resolution was made by Jody and Carol to move to overturn the Mayor's veto.

Kathy Dunbar conferred with the City Attorney and asked if there was a precedent for knowing if it would fail. Is there an option for future consideration?

Mr. Smiertka said it would not be subject to reconsideration under the Charter and the Open Meetngs act. It would be practically impossible to get it done by tomorrow which would be the deadline.

Jody said she is sickened that 3 members did not show up and wants a vote taken not to allow them excused abscences. She has never done that before and does feel that there have been an incredible amount of absences on this Council. There are loopholes in the ballot language and she would like to change that language on how we deal with park land in the future. She will watch closely how colleagues vote on that language change. She is already getting pushbacks from some Council members. She apologized to those there and to residents over this lost battle.

Adam Hussain said that residents here have proven that they are well versed and informed. Subsidizing LEPFA is not a competent business plan and he does not have confidence in them. He liked Claudes story of the grandsons learning golf on the municipal courses we used to have. There have been no additional bids taken on management of Grosbeck and no input from the Parks board or the community. He has not heard from 1 person who is in favor of this move. He never votes out of concern for his re-election but always keeps the best interest of residents as his priority.

Tina Houghton said that she has been here listening to us. Kathy gave her a thumbs down sign and she said "thanks a lot Kathy" from the dais. Kathy told her she is welcome. Tina said that the move to LEPFA is the issue here and not Ormond park. That drew groans from the residents there. She said the transfer *is going to happen*. She talked to Brett and there is no reason for no community engagement. She said she is a big advocate for saving the park. She believes the move to LEPFA is the right move. She considers Grosbeck as a "special interest". **She may be wrong but is "willing to take the risk".** Someone in the audience shouted out "who is paying you" and Tina declined to speak further. **(Note that at the 5-15-17 COW meeting Tina made the statement that "we should sell Grosbeck golf course").**

Carol asked if there were any further questions for the City Attorney. She asked if the could suspend the meeting by going into recess and continue it again on June 12th.

Mr. Smiertka read the Charter for a few mintues on veto language and then said that the Charter trumps the issue and that would not be possible.

Carol spoke of her frustration that the topic of a LEPFA takeover did not come up during budget considerations. LEPFA has no training in managing a golf course, ther is no RFP, no business plan. She understands the need to do something different and again asked if signage had been investigated or any marketing had been done. She asked if everything possible had been done to make it profitable. We pay 3 Mills yearly. At the Ways and Means meeting her concern was that there was no real decision or community discussion or listening to residents. She hopes to be able to look at the next steps going forward. She is here and has heard you.

Carol took a roll call vote. **The only person not voting to override the veto was Tina Houghton.**

Randy Hannnon spoke for the Mayor. He said the vote had nothing to do with Ormond park and that Grosbeck loses money yearly. Paying $24 for a round of golf is not going to sustain Grosbeck. LEPFA is a enterprenurial enterprise and the status quo is not an option. The 5-year Master Plan includes Ormond park and the road through it.

The next meeting is June 12th.

The following are informal and personal notes Kathy Miles took during the Committee of Development and Planning Meeting on Monday, June 5, 2017. Kathy has provided her notes in order to share information with others. For your information, these are the members of the Committee of Development and Planning: Councilmembers: Judi Brown Clarke, Chair; Jessica Yorko, Vice Chair; Tina Houghton and Adam Hussain, Members. I also want to let you know that Councilmember Adam Hussain is Chair and Tina Houghton is a member of Public Safety.

Development and Planning 6-5-17

Meeting started at 3:07. Minutes were approved.

Resolutions

A was deferred to the next meeting.

B Appointment of Katie Johnson to At- Large member of the Planning Board. Approved. This is an approval to a vacant position for 1 year.

Katie was asked to tell a little about herself. She works for Michigan Fitness Program which helps children walk and bike to school safely. She has a Masters degree from Wayne. Judi said that she knows her and is happy to see her coming forward to serve. Jessica also knows her. Adam is excited to see that her first choice is to serve on Planning. He said that her knowledge of Form-Based code and the Master plan will be appreciated. The motion was approved and she will be sworn in at Monday's Councl meeting.

C The development of the old Belens flower store at 513 and 515 Ionia street is welcome. The building has been vacant for 5 years. Scott Schmidt will be putting in retail on the ground floor and housing on the top floor. The Brownfield request was given unanimous approval. Judi said this development is appreciated and Adam said it is rare to see one that has total support. Elaine Womboldt asked to see the architects renderings and said they are lovely.

Kevin McKinney has his office around the corner from the building and is total support of this development. The approval will come before Council on Monday.

D Eric from Leap said that this is the 3rd time this old church has been before them. Twelve years ago it was granted an OPRAH and development began. The deeloper ran into environmental issues with asbestos and now it must be deemed a Brownfield before remediation can proceed. It received unanimous support. Carol asked if it had any impact of taxing and was told no.

Judi was happy with the visible improvement.

E Draft 6D of the marijuhana ordinance and another version from development and planning were compared and notes were made of where changes had been made. There were several areas where substantial changes were proposed. Committee members circled areas where changes had made on their copies. There was <u>no discussion of what the changes were and the public had no copies to review so they were only able to listen with frustration as to what was occurring.</u>

After the ordinance had been gone through, Judi said that she will come in and go over a combined copy with Sheri and have a new draft ready for Council members by noon tomorrow.

Public Comment

Elaine Womboldt and Judi had a rather heated discussion about the changes. Elaine said that Public Safety has been working on the ordinance for 17 months. It was her understanding that Draft 6D would be brought forth to Committee of the Whole meeting on Monday. T<u>his committee was supposed to deal only with zoning issues</u>. Many things have been discussed today that have nothing to do with zoning, such as playground equipment. She asked **why development and planning seems to be re-writing this ordinance.** Why were 2 of the 4 members of this commmittee never at the public safety meetings when the ordinance was gone over line by line? Public Safety reached out to all segments of the public and **Carol met with all Council members individually to apprise them of what was in the ordinance, as revealed by her at a previous meeting.**

Judi angrily informed Elaine that she has a job and the times of the public safety hearings were not convenient for her.

Elaine said she is still waiting for Draft 6D to be discussed *as written* and said that the back and forth between copies was very confusing. She has promised to give members of RSL an update on this meeting and does not know what to tell them at this point.

Judi said that all committees have a scope of responsibility and that issued pertaining to public safety and Code have been addressed. There were a lot of changes last year and it is up to us to do changes now. She said that *duration of time has no bearing on their job.* Playground equipment **is** part of zoning and the are working as fast as they can. Any committee can make changes and that is not unprofessional. She is making an effort to ensure that members of this committee reconcile information between drafts.

Elaine said she hasn't heard from any other committee members present and that she did not get a chance to have an input. *Re-writing a draft without any public input means that you should have to call it a new draft tomorrow.*

Mr. Smiertka said that you don't need to be a member of a committee to submit a draft and anyone could submit one.

Judi said that best practices were used by the committee and they can't discuss draft 6D without their input. The committee had zoning recommendations and will front-load all comments.

Elaine said that they are circumventing public knowledge and they need to have transparency. There needs to be more input than just from 4 committee members.

Judi said she will clean up the language and re-name a new draft after talking to Jim. She asked him if it would be disingenuous to call it 6D? She then asked Adam what his comfort level was to calling the new draft 6D?

Adam said that 6D comes before COW on Monday and he is confused. He thought this meeting was to discuss changes and he is not seeing eye to eye with Judi. This has always been under the purview of public safety and he wants to ensure that an ordinance makes it through Council. His impression was that after discussion with development and planning that the draft would go back to public safety.

Judi said she would be silent on public safety issues. COW will discuss draft 6D and then development and planning will present their changes. It will all be discussed at the same time.

She also mentioned that she has some other suggestions that she will introduce at the COW meeeting.

Adam said this is very confusing for him and he is not sure if this would be proper procedure.

Judi said that she will send all members a clean copy and they will meet on Monday.

<u>Adam</u> said that she didn't ask for a concensus and **wanted to know where the new language came from**. He said that <u>public safety had gone line by line so that everyone knew and understood what was being discussed.</u>

Judi said that he had the luxury of time and she has not had that. She is using new best practices and State language. She also mentioned that she has <u>consulted with colleagues in Colorado and California.</u>

Adam said this has always been harbored in public safety and all thought the Patricia was supposed to have comprehensive conversation. <u>When it was moved to zoning the language **had** been looked at.</u>

Judi thought that after public safety development and planning would have their say. She aske dwhat her role should be on Monday.

Adam said that he was the chair of development and planning last year and thought that under Patricia things would go forward since she was on the board and he was certain she knew that <u>public safety had vetted all of draft 6D.</u>

Judi asked if it was his impression that the ordinance never came to development and planning.
Adam said that is how it was done with the Home-Grow ordinance. He said process is process.

Judi said *this is process* and she wants it to go public.

Elaine said she came to let them know her suggestions and the public so far has only been informed on draft 6D.

Judi said she only made suggestions; not changes.

Mr. **Smiertka said** that everybody is correct. He said that **changes made by development and planning are <u>significant</u>.**

Judi said it was not her intent to have competing ordinances. Best practices from Colorado and Californnia right now show what suggested language should be within the 6D format. She asked Mr. Smiertka if they should call it a new draft.

<u>Mr. Smiertka said yes, call it a new draft.</u>

Elaine said she does not want to send incorrect information out to her members and asked if the initial discussion will begin with 6D and then bring up additions from development and planning.
Judi said it is on the agenda and now all is up to Patricia. There are 3 areas of differences:

1. community vs committees
2. the number of centers
3. zoning and distance.

Elaine thanked the committee for their time.

Judi said the new document will be very readable and will flow.

Kathy Miles wanted to be assured that Monday will just be discussion and no decisions will be made until the public has input regarding their concerns about proposed changes by development and planning.

Judi assured her that was correct.

Adam said that challenging the chair of develoopemnt and planning is difficult and how do they navigate changes. How do they say there are changes when he does not want changes presented as concerns.

Judi said they are one meeting away from Maonday and she will stand alone on the committee and zoning.

Mr. Smiertka said that **there are major conflicts present and 4 major areas of change.**

Judi said she will make a cover sheet with the 5 overarching changes.

Heather said Monday maybe they should pause on the major changes.

Mr. Smiertka said they don't have to me to go thought the ordinance line by line anymore.

Juid does not want to negate what Adam and public safety has done. She will talk to Patricia and wants the least amount of confusion and wants to do this with finesse.

Adjourned.

Date	7/28/2017
First Name	THOMAS
Middle	JAMES
Last Name	DONALDSON
Other name(s) by which you have been known, including maiden names	*Field not completed.*
Date of Birth	1/20/1956
Address	3604 SAWGRASS
City	Lansing
State	MI
Zip Code	48911
Email	donaldt2@lcc.edu
Gender	Gender
Ward	3
Precinct	*Field not completed.*
Best phone number to contact you	517-483-1921
Last 4 digits of social security	[redacted]

number	
In what year did you move to Lansing?	1956
Additional information regarding experience and credentials	Active Member of SOCA: Saginaw-Oakland Commercial Association (formerly Westside Commercial Association) Active with many local business groups including LEAP, Lansing Regional Chamber, Allen MarketPlace and many more.
Occupational Background	Current: Director of Small Business Development Center at Lansing Community College Previous: Vice President, Daniels Group Companies and Delphi Glass Corp.
Educational Background	BA Business -- Michigan State University
Please attach a resume if available	Tom Donaldson Bio 2016.doc
First choice for board to serve on	Saginaw St. Coodinator Improvement Authority
Second choice of a board to serve on	Local Development Finance Authority
Third choice of a board to serve on	*Field not completed.*
Fourth choice of a board to serve on	*Field not completed.*
Please comment briefly on why you wish to serve on a particular board or commission. Please be specific as to your goals and ideas	Lansing Community College is located on the Saginaw Street-Oakland Avenue corridor and is committed to improving the commercial corridor. My work at LCC's Small Business Development Center and specifically with the Saginaw Oakland Commercial Association has made me aware of business concerns and I am dedicated to

about how you wish to contribute to the work of the board or commission	improving the area.
Qualifications and Eligibility – At this time, if you do not meet one or more of the qualifications or eligibility requirements listed at the top, please state here the requirement to be met and explain how you will be qualified or eligible before you would be sworn in to an appointed office	*Field not completed.*
Background Check Authorization	I agree
Please type your name in this box to signify that you can serve on a board or commission and the information in this application is accurate to the best of your knowledge	T. Donaldson
Date & Time	7/28/2017 11:30 AM

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

WHEREAS, the Mayor made the appointment of Tom Donaldson as a Representative on the Saginaw Street Corridor Improvement Authority for a term to expire June 30, 2019; and

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

WHEREAS, the Committee on Development and Planning met on August 21, 2017 and took affirmative action.

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the appointment of Tom Donaldson as a Representative on the Saginaw Street Corridor Improvement Authority for a term to expire June 30, 2019.

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

WHEREAS, the residential property owner Capital Properties Group, LLC was granted a Neighborhood Enterprise Zone Exemption Certificate for the property located at 220 S. Washington Square, Units #3 & #5, City of Lansing, on March 13, 2006 with Resolution 2006-094; and

WHEREAS, this Neighborhood Enterprise Zone Exemption Certificate is effective December 31, 2006 and ending December 30, 2018; and

WHEREAS, PA 147 of 1992 was amended effective January 3, 2006, allowing for an extension of Neighborhood Enterprise Zones for a duration of 15 years from the effective date, for all certificates granted after December 31, 2005; and

WHEREAS, the Lansing City Council established a Neighborhood Enterprise Zone for this property on March 13, 2006 as required under PA 147 of 1992; and

WHEREAS, in 2016 the property owner, Capital Properties Group, LLC paid property taxes for property located at 220 S. Washington Square, Units #3 & #5, City of Lansing in the amount of 5/8 mills, as described in 207.779 Sec. 9(6) of PA 147 of 1992; and

WHEREAS, in years 2017, 2018 and 2019 the assessed valuation for property located at 220 S. Washington Square, Units #3 & #5 shall be and remain frozen as that established in the Certificate; and

WHEREAS, property owner Capital Properties Group LLC will resume tax assessments as described in 207.779 Sec. 9(7) and (8) of PA 147 of 1992 beginning in 2020; and

WHEREAS, the applicant Capital Properties Group LLC is not delinquent on any taxes related to the facility.

NOW THEREFORE BE IT RESOLVED, by the City Lansing City Council hereby approves amending the Neighborhood Enterprise Zone Exemption Certificate No.N2007-0092 & N2007-0094 granting to Capital Properties Groups LLC for the residential property located at 220 S. Washington Square Units #3 & #5 City of Lansing, from a period of 12 years to a period of 15 years from effective date, beginning December 31, 2006 and ending December 31, 2021 pursuant to the provisions of PA 147 as amended.

RESOLUTION #094

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

Neighborhood Enterprise Zone Property Tax Abatement Certificate Approval for 220 S. Washington Square, Unit #3 and #5, Lansing, Michigan.

WHEREAS, the proposed property is located within a Neighborhood Enterprise Zone established by resolution #193 adopted May 3, 1999; and

WHEREAS, an application was filed with the City of Lansing on February 23, 2006 by Timothy Brogan, Capitol Properties Group, L.L.C. for a rehabilitation project located at 220 S. Washington Square, Lansing, Michigan in Neighborhood Enterprise Zone No. 10 Washington Square Area for two loft condominium units; and

WHEREAS, the primary use of the property following rehabilitation will be two loft condominium rental units #3 and #5 on the second floor; and

WHEREAS, the City wishes to encourage residential housing in areas that are economically distressed through the use of Public Act 147 of 1992 as amended and recognizes that use of the NEZ program is a vital resource to further the goals of creating residential opportunities and redevelopment in the City of Lansing's urban core areas and promoting new construction and rehabilitation of existing buildings for the purpose of creating unique residential housing; and

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council acknowledges receipt of the application filed by Timothy Brogan, Capitol Properties Group, L.L.C. for 220 S. Washington Square, Unit #3 and #5, Lansing, Michigan, and finds that it complies with the requirements of Public Act 147 of 1992 as amended.

BE IT FURTHER RESOLVED that City Council finds that the application meets the requirements necessary for approval of an NEZ Certificate so that it hereby approves the issuance of a Neighborhood Enterprise Zone Certificate for 220 S. Washington Square, Unit #3 and #5, Lansing, Michigan in Zone No. 10 Washington Square Area for a period not to exceed twelve (12) years.

BE IT FINALLY RESOLVED, that the City Clerk provide three certified copies of this resolution to the Lansing Economic Development Corporation for submission of this action to the State Tax Commission.

By Councilmember Jeffries

Carried Unanimously

Frank S. Curtis X no address given spoke about some books and newsletters that he brought with him.

Darnell E. Oldham Sr of 3815 Berwick Dr spoke about concerns that he has with the Mayor and how he talks about the children in Lansing.

Ronald Kreuger of 3333 Moores River Dr spoke about concerns that he has with all these tax abatements that are being given to companies.

Brenda Graham of 609 W. Mt Hope spoke about concems that she has with the City and her home that the City helped fix it for her.

Christine Timmon of 339 E. St Joseph spoke about who will be the representative of the 23rd Senate Seat. She also spoke about not needing police in the schools.

John Pollard of 1718 Blair spoke about something that happened at last weeks council meeting.

Dru Vinson of 606 S. Fairview spoke about not needing police in the schools. He also spoke about things that are a history of Lansing.

Michael Cole of 3424 Braeburn spoke about the lack of Councilmembers at the meetings. He also spoke about the Safe School Task Force that was started but never implemented.

LEGISLATIVE MATTERS
RESOLUTIONS

RESOLUTION #093

BY COUNCILMEMBER BAUER
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, James W Butler, III earned a degree in Electrical Engineering from Howard University and a degree in Computer Science from the University of the District of Columbia; and

WHEREAS, he has a long history of community service, including serving as a Platoon Sergeant in the U.S. Army during the Vietnam War where he earned two Purple Hearts and four Bronze Stars, with Oak Leaf Clusters for heroism in ground combat; and

WHEREAS, Mr. Butler has served the community as a member of the Board of Directors at the Greater Lansing Urban League, Junior Achievement, Sparrow Foundation, and the Economic Development Corporation. He also served as a Commissioner for the Michigan Agent Orange Commission, Chairman of the Board at the Lansing Regional Chamber of Commerce and the Lansing Entertainment & Public Facilities Authority; and

WHEREAS, he has received numerous community and business awards including the Lansing Regional Chamber of Commerce Minority Business Advocate of the Year, two awards for the YMCA "Y" Achievers Program Achiever of the Year, the Mayor's World Class Corporate Award, the Rev. Joseph E. Graves NAACP President's Award, and the Lansing Chamber of Commerce Community Service Award; and

WHEREAS, Mr. Butler was appointed as Vice President of the Michigan Broadband Development Authority in February 2003 by Governor Jennifer M. Granholm and confirmed by the Senate; and

WHEREAS, Governor Granholm honored him in a statement where she remarked, "I am excited to have someone of James' caliber join our team to further develop Michigan's infrastructure and demand for broadband services".

NOW, THEREFORE, BE IT RESOLVED that James W. Butler's remarkable dedication and generosity in serving the community is inspirational and undoubtedly puts him among a short list of community leaders that carve new paths for the rest of us to draw strength and hope in our every day lives.

BE IT FURTHER RESOLVED that the Lansing City Council hereby congratulates James W. Butler, III on being the proud recipient of the 2006 Lansing Black Lawyers Association Award and extend a warm "thank you" for his service to the community. We wish you continued success in all your future endeavors!

By Councilmember Bauer

Carried Unanimously

RESOLUTION #094

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

Neighborhood Enterprise Zone Property Tax Abatement Certificate Approval for 220 S. Washington Square, Unit #3 and #5, Lansing, Michigan.

WHEREAS, the proposed property is located within a Neighborhood Enterprise Zone established by resolution #193 adopted May 3, 1999; and

WHEREAS, an application was filed with the City of Lansing on February 23, 2006 by Timothy Brogan, Capitol Properties Group, L.L.C. for a rehabilitation project located at 220 S. Washington Square, Lansing, Michigan in Neighborhood Enterprise Zone No. 10 Washington Square Area for two loft condominium units; and

WHEREAS, the primary use of the property following rehabilitation will be two loft condominium rental units #3 and #5 on the second floor; and

WHEREAS, the City wishes to encourage residential housing in areas that are economically distressed through the use of Public Act 147 of 1992 as amended and recognizes that use of the NEZ program is a vital resource to further the goals of creating residential opportunities and redevelopment in the City of Lansing's urban core areas and promoting new construction and rehabilitation of existing buildings for the purpose of creating unique residential housing; and

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council acknowledges receipt of the application filed by Timothy Brogan, Capitol Properties Group, L.L.C. for 220 S. Washington Square, Unit #3 and #5, Lansing, Michigan, and finds that it complies with the requirements of Public Act 147 of 1992 as amended.

BE IT FURTHER RESOLVED that City Council finds that the application meets the requirements necessary for approval of an NEZ Certificate so that it hereby approves the issuance of a Neighborhood Enterprise Zone Certificate for 220 S. Washington Square, Unit #3 and #5, Lansing, Michigan in Zone No. 10 Washington Square Area for a period not to exceed twelve (12) years.

BE IT FINALLY RESOLVED, that the City Clerk provide three certified copies of this resolution to the Lansing Economic Development Corporation for submission of this action to the State Tax Commission.

By Councilmember Jeffries

Carried Unanimously

RESOLUTION #095

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

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

WHEREAS, the residential property owner Capital Properties Group, LLC was granted a Neighborhood Enterprise Zone Exemption Certificate for the property located at 222 S. Washington Square, Units #4 & #6, City of Lansing, on March 13, 2006 with Resolution 2006-095; and

WHEREAS, this Neighborhood Enterprise Zone Exemption Certificate is effective December 31, 2006 and ending December 30, 2018; and

WHEREAS, PA 147 of 1992 was amended effective January 3, 2006, allowing for an extension of Neighborhood Enterprise Zones for a duration of 15 years from the effective date, for all certificates granted after December 31, 2005; and

WHEREAS, the Lansing City Council established a Neighborhood Enterprise Zone for this property on March 13, 2006 as required under PA 147 of 1992; and

WHEREAS, in 2016 the property owner, Capital Properties Group, LLC paid property taxes for property located at 222 S. Washington Square, Units #4 & #6, City of Lansing in the amount of 5/8 mills, as described in 207.779 Sec. 9(6) of PA 147 of 1992; and

WHEREAS, in years 2017, 2018 and 2019 the assessed valuation for property located at 222 S. Washington Square, Units #4 & #6 shall be and remain frozen as that established in the Certificate; and

WHEREAS, property owner Capital Properties Group LLC will resume tax assessments as described in 207.779 Sec. 9(7) and (8) of PA 147 of 1992 beginning in 2020; and

WHEREAS, the applicant Capital Properties Group LLC is not delinquent on any taxes related to the facility.

NOW THEREFORE BE IT RESOLVED, by the City Lansing City Council hereby approves amending the Neighborhood Enterprise Zone Exemption Certificate No.N2007-0093 & N2007-0095 granting to Capital Properties Groups LLC for the residential property located at 222 S. Washington Square Units #4 & #6 City of Lansing, from a period of 12 years to a period of 15 years from effective date, beginning December 31, 2006 and ending December 31, 2021 pursuant to the provisions of PA 147 as amended.

RESOLUTION #095
BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Neighborhood Enterprise Zone Property Tax Abatement Certificate Approval for 222 S. Washington Square, Unit #4 and #6, Lansing, Michigan.

WHEREAS, the proposed property is located within a Neighborhood Enterprise Zone established by resolution #193 adopted May 3, 1999; and

WHEREAS, an application was filed with the City of Lansing on February 23, 2006 by Timothy Brogan, Capitol Properties Group, L.L.C. for a rehabilitation project located at 222 S. Washington Square, Lansing, Michigan in Neighborhood Enterprise Zone No. 10 Washington Square Area for two loft condominium units; and

WHEREAS, the primary use of the property following rehabilitation will be two loft condominium rental units #4 and #6 on the second floor; and

WHEREAS, the City wishes to encourage residential housing in areas that are economically distressed through the use of Public Act 147 of 1992 as amended and recognizes that use of the NEZ program is a vital resource to further the goals of creating residential opportunities and redevelopment in the City of Lansing's urban core areas and promoting new construction and rehabilitation of existing buildings for the purpose of creating unique residential housing; and

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council acknowledges receipt of the application filed by Timothy Brogan, Capitol Properties Group, L.L.C. for 222 S. Washington Square, Unit #4 and #6, Lansing, Michigan, and finds that it complies with the requirements of Public Act 147 of 1992 as amended.

BE IT FURTHER RESOLVED that City Council finds that the application meets the requirements necessary for approval of an NEZ Certificate so that it hereby approves the issuance of a Neighborhood Enterprise Zone Certificate for 222 S. Washington Square, Unit #4 and #6, Lansing, Michigan in Zone No. 10 Washington Square Area for a period not to exceed twelve (12) years.

BE IT FINALLY RESOLVED, that the City Clerk provide three certified copies of this resolution to the Lansing Economic Development Corporation for submission of this action to the State Tax Commission.

By Councilmember Jeffries

Carried Unanimously

Neighborhood Enterprise Zone Property Tax Abatement Certificate Approval for 222 S. Washington Square, Unit #4 and #6, Lansing, Michigan.

WHEREAS, the proposed property is located within a Neighborhood Enterprise Zone established by resolution #193 adopted May 3, 1999; and

WHEREAS, an application was filed with the City of Lansing on February 23, 2006 by Timothy Brogan, Capitol Properties Group, L.L.C. for a rehabilitation project located at 222 S. Washington Square, Lansing, Michigan in Neighborhood Enterprise Zone No. 10 Washington Square Area for two loft condominium units; and

WHEREAS, the primary use of the property following rehabilitation will be two loft condominium rental units #4 and #6 on the second floor; and

WHEREAS, the City wishes to encourage residential housing in areas that are economically distressed through the use of Public Act 147 of 1992 as amended and recognizes that use of the NEZ program is a vital resource to further the goals of creating residential opportunities and redevelopment in the City of Lansing's urban core areas and promoting new construction and rehabilitation of existing buildings for the purpose of creating unique residential housing; and

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council acknowledges receipt of the application filed by Timothy Brogan, Capitol Properties Group, L.L.C. for 222 S. Washington Square, Unit #4 and #6, Lansing, Michigan, and finds that it complies with the requirements of Public Act 147 of 1992 as amended.

BE IT FURTHER RESOLVED that City Council finds that the application meets the requirements necessary for approval of an NEZ Certificate so that it hereby approves the issuance of a Neighborhood Enterprise Zone Certificate for 222 S. Washington Square, Unit #4 and #6, Lansing, Michigan in Zone No. 10 Washington Square Area for a period not to exceed twelve (12) years.

BE IT FINALLY RESOLVED, that the City Clerk provide three certified copies of this resolution to the Lansing Economic Development Corporation for submission of this action to the State Tax Commission.

By Councilmember Jeffries

Carried Unanimously

RESOLUTION #096

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

Z-15-2005
125/127 W. Barnes Avenue
"C" Residential District to "DM-3" Residential District

WHEREAS, Matt Fisher has requested a Zoning Map Amendment from "C" Residential District to "DM-3" Residenital District for the property located at 125/127 W. Bames Avenue; and

WHEREAS, the purpose of the rezoning is to permit the building at 125/127 W. Barnes Avenue to be used for four residential units; and

WHEREAS, the Planning Board held a public hearing on January 3, 2006, at which no comments were received; and

WHEREAS, the Planning Board found, based on testimony, evidence, and the staff report that the proposed rezoning the property to "DM-3" Residential District would be contrary to the future land use pattern being advanced in the Southwest Area Comprehensive Plan; and

WHEREAS, the Planning Board also found that there is inadequate parking on the property to accommodate a four unit dwelling; and

WHEREAS, the Planning Board, at it's meeting held on January 17, 2006, voted unanimously (6-0) to recommend denial of the petition; and

WHEREAS, the Committee on Planning and Development of Council reviewed the request and the report of the Planning Board and concurred therewith; and

WHEREAS, the City Council held a public hearing on this re-zoning request on March 6, 2006.

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby denies the request (Z-15-2005) by Matt Fisher for a Zoning Map Amendment from "C" Residential District to "DM-3" Residential District for the property located at 125/127 W. Barnes Avenue for the reason that it would be contrary to the future land use plan for the area and would have inadequate parking for the proposed use.

By Councilmember Jeffries

Carried Unanimously

RESOLUTION #097

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

Dean Transportation Property (Part), 4812 Aurelius Road (Ref. Act-12-02, PPN 33-01-01-34-476-143), Acquire for River Trail South

WHEREAS, Dean Transportation Inc. has offered to donate one of the properties necessary to complete the River Trail South Extension project; and

WHEREAS, the Michigan Department of Natural Resources Trust Fund and Ingham County Park have committed funding to the development of the River Trail South; and

WHEREAS, the Parks & Recreation Department has committed funding through the Park Millage for the development of the River Trail South in account number 412.933890.970000.13030; and

WHEREAS, the Michigan Department of Transportation is going make their grant award and announcement regarding additional grant funding for the development of this project in July 2006; and

WHEREAS, the total funding for the development of this project is:

Park Millage	$300,000
Ingham County Parks	$182,500
MDNR Trust Fund	$426,500
MDOT TEA -21	$534,412 (pending)

WHEREAS, the subject property, straddling Sycamore Creek, will be accessible from the south, Maguire Park, and from property retained by Dean Transportation; and

WHEREAS, the subject property is presently a vacant site adjacent to the Sycamore Creek with a gross land area of 5.46 acres, more or less, including a 4.37 acre upland area; and

WHEREAS, at its meeting on August 21, 2002, Park Board

Date	7/24/2017
First Name	Tiffany
Middle	*Field not completed.*
Last Name	Dowling
Other name(s) by which you have been known, including maiden names	Anteau
Date of Birth	3/5/1970
Address	500 E. Michigan Ave.
City	Lansing
State	MI
Zip Code	48912
Email	Tiffany@m3group.biz
Gender	Female
Ward	1
Precinct	6
Best phone number to contact you	5172908739
Last 4 digits of social security	[redacted]

number	
In what year did you move to Lansing?	2015
Additional information regarding experience and credentials	I live in Lansing and also own a business in downtown Lansing.
Occupational Background	Business owner and publisher M3 Group, full service branding, PR, marketing and ad agency, for 15 years Publish: Greater Lansing Business Monthly, Capital Area Women's LifeStyle and ing magazine
Educational Background	bachelor's degree in journalism and PR
Please attach a resume if available	*Field not completed.*
First choice for board to serve on	Saginaw St. Coodinator Improvement Authority
Second choice of a board to serve on	*Field not completed.*
Third choice of a board to serve on	*Field not completed.*
Fourth choice of a board to serve on	*Field not completed.*
Please comment briefly on why you wish to serve on a particular board or commission. Please be specific as to your goals and ideas about how you wish to	I love Lansing and want to see the community grow and succeed.

contribute to the work of the board or commission	
Qualifications and Eligibility – At this time, if you do not meet one or more of the qualifications or eligibility requirements listed at the top, please state here the requirement to be met and explain how you will be qualified or eligible before you would be sworn in to an appointed office	*Field not completed.*
Background Check Authorization	I agree
Please type your name in this box to signify that you can serve on a board or commission and the information in this application is accurate to the best of your knowledge	Tiffany Dowling
Date & Time	7/24/2017

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

WHEREAS, the Mayor made the appointment of Tiffany Dowling as a Business Owner Member of the Saginaw Street Corridor Improvement Authority for a term to expire June 30, 2020; and

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

WHEREAS, the Committee on Development and Planning met on August 21, 2017 and took affirmative action.

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the appointment of Tiffany Dowling as a Business Owner Member of the Saginaw Street Corridor Improvement Authority for a term to expire June 30, 2020.

OFFICE OF THE MAYOR
9th Floor, City Hall
124 W. Michigan Avenue
Lansing, Michigan 48933-1694
(517) 483-4141 (voice)
(517) 483-4479 (TDD)
(517) 483-6066 (Fax)

Virg Bernero, Mayor

TO: City Council President Patricia Spitzley and Councilmembers

FROM: Mayor Virg Bernero

DATE: 6-9-17

RE: Z-4-2017, Rezoning, Vacant Parcel east of 1219 Victor Avenue

---

The attached correspondence is forwarded for your review and appropriate action.

VB/rh
Attachment

LANSING MICHIGAN

Virg Bernero, Mayor

City of Lansing

Inter-Departmental Memorandum

WORKING TOWARD A CLEANER GREENER LANSING

To: Virg Bernero, Mayor

From: Susan Stachowiak, Zoning Administrator

Subject: CITY COUNCIL AGENDA ITEM
Z-4-2017, Rezoning, Vacant Parcel east of 1219 Victor Avenue

Date: June 7, 2017

The Lansing Planning Board, at its regular meeting held on June 6, 2017, voted (4-0) to recommend approval of Z-4-2017, a request by Reid Machinery, Inc. to rezone the vacant, .57 acre parcel of land located immediately east of 1219 Victor Avenue from "B" Residential to "C" Residential. The purpose of the rezoning is to permit the construction of 3 duplexes on the site.

The Planning Board found, based on testimony, evidence and the staff report, that the proposed rezoning is consistent with the future land use pattern being advanced in the Design Lansing Comprehensive Plan. The Board also found that the request would create a zoning pattern consistent with proper planning and zoning principles, as described in the staff report.

At the Planning Board public hearing held on June 6, 2017, the applicant's representative spoke in favor and 5 area property owners spoke in opposition to the request.

Please forward this resolution to City Council for placement on the Agenda.

If you have any questions, or need additional information, please give me a call.

Attachments

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

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, _____________________, 2017, at 7 p.m. in City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of approving and/or opposing the Ordinance for rezoning:

Z-4-2017: Vacant parcel (33-01-01-29-259-120) east of 1219 Victor Avenue, Rezoning from “B” Residential District to “C” Residential District

GENERAL INFORMATION

APPLICANT/OWNER:	Reid Machinery, Inc. 3030 S. ML King Lansing, MI 48910
EXISTING LAND USE:	Vacant property
EXISTING ZONING:	"B" Single Family Residential District
PROPOSED ZONING:	"C" Two-Family Residential District
PROPERTY SIZE:	264.8' x 94' = 24,891.2 square feet – .57acres
SURROUNDING LAND USE:	N: Single Family Residential S: Warehouse/Storage/Office E: Repair Shop W: Single Family Residential
SURROUNDING ZONING:	N: "B" Residential District S: "G-2" Wholesale District E: "F" Commercial District W: "B" Residential District
MASTER PLAN:	The Design Lansing Master Plan designates the subject property for medium–low density residential use. Victor Avenue is designated as a local road.

DESCRIPTION:

This is a request by Reid Machinery, Inc. to rezone the vacant, .57 acre parcel of land located immediately east of 1219 Victor Avenue, legally described as:

> Lot 7, except the East 20 feet thereof, also Lots 8-12 and the East 30 Feet of Lot 13; Block 29, Elmhurst Subdivision

from "B" Residential to "C" Residential. The purpose of the rezoning is to permit the construction of 3 duplexes on the site.

AGENCY RESPONSES

BWL:

Building Safety: The Building Safety Office has no objections to the rezoning.

Development Office:

Parks & Recreation: No comments.

Public Service:

Traffic Engineer: The Transportation and Non-Motorized Section of the Public Service Department doesn't have any comments or requirements

REZONING ANALYSIS

COMPATIBILITY WITH SURROUNDING LAND USE:

The applicant is requesting the rezoning for the purpose of constructing 3 duplexes on the site. Under the current zoning, the applicant could split up the parcel into 6 separate parcels, each of which could contain a single family dwelling. Therefore, the proposed density will be consistent with the density allowed under the current zoning and the predominant density of the neighborhood.

Since the site adjoins quasi-industrial uses to the south and east, it is unlikely that it would be developed for new single family dwellings, which are typically constructed for owner-occupancy. The duplexes, by contrast, would likely be used as rentals which makes them more desirable given the surrounding land uses. The duplexes would also provide a proper transition between the nonresidential uses and the existing single family neighborhood. A transitional or step-down zoning pattern is an accepted planning practice as it provides a buffer between intensive and low impact uses.

COMPLIANCE WITH MASTER PLAN:

The Design Lansing Master Plan designates the subject property for low-medium density residential land use. The Plan specifies the following for this land use classification:

> "To provide an environment for medium-low-density single-family detached; single-family attached (townhomes); **and two-family dwelling units**."

The proposed duplexes are therefore, consistent with the land use pattern being advanced in the Master Plan for the subject property.

IMPACT ON VEHICULAR AND PEDESTRIAN TRAFFIC:

The proposed duplexes will not have any negative impacts on vehicular or pedestrian traffic in the area.

IMPACT ON PUBLIC FACILITIES:

The utility systems in the area are capable of accommodate three duplexes. It is anticipated that the site would be split up into 3 separate parcels of land, each containing one duplex. If this is the case, the construction of the duplexes will not require site plan review but will require building permits. If the property were to be developed as one parcel containing all 3 duplexes, it would have to be approved through the Planned Residential Development (PRD) process and reviewed and approved through the City's administrative site plan review process.

ENVIRONMENTAL IMPACT:

The proposed duplex development will not have any negative impacts on the environment. The proposed "C" Residential zoning allows 60% maximum lot coverage for structures and all other impervious surface combined. Therefore, no storm water detention will be required.

IMPACT ON FUTURE PATTERNS OF DEVELOPMENT:

The proposed rezoning will not negatively impact future patterns of development in the area and will not set a negative precedent for future rezonings in the area. With the exception of the subject property, the residential lots on Victor Avenue are exclusively zoned "B" Residential and contain single family residences. The "C" Residential requires a minimum lot width of 60 feet for the construction of a duplex or for the conversion of single family homes into duplexes. The majority of the lots in the area are 40-50 feet wide which would disqualify them from being used as duplexes even if they were to be rezoned to the "C" Residential district.

SUMMARY

This is a request by Reid Machinery, Inc. to rezone the vacant .57 acre parcel of land located immediately east of 1219 Victor Avenue, legally described as:

> Lot 7, except the East 20 feet thereof, also Lots 8-12 and the East 30 Feet of Lot 13; Block 29, Elmhurst Subdivision

from "B" Residential to "C" Residential. The purpose of the rezoning is to permit the construction of 3 duplexes on the site.

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

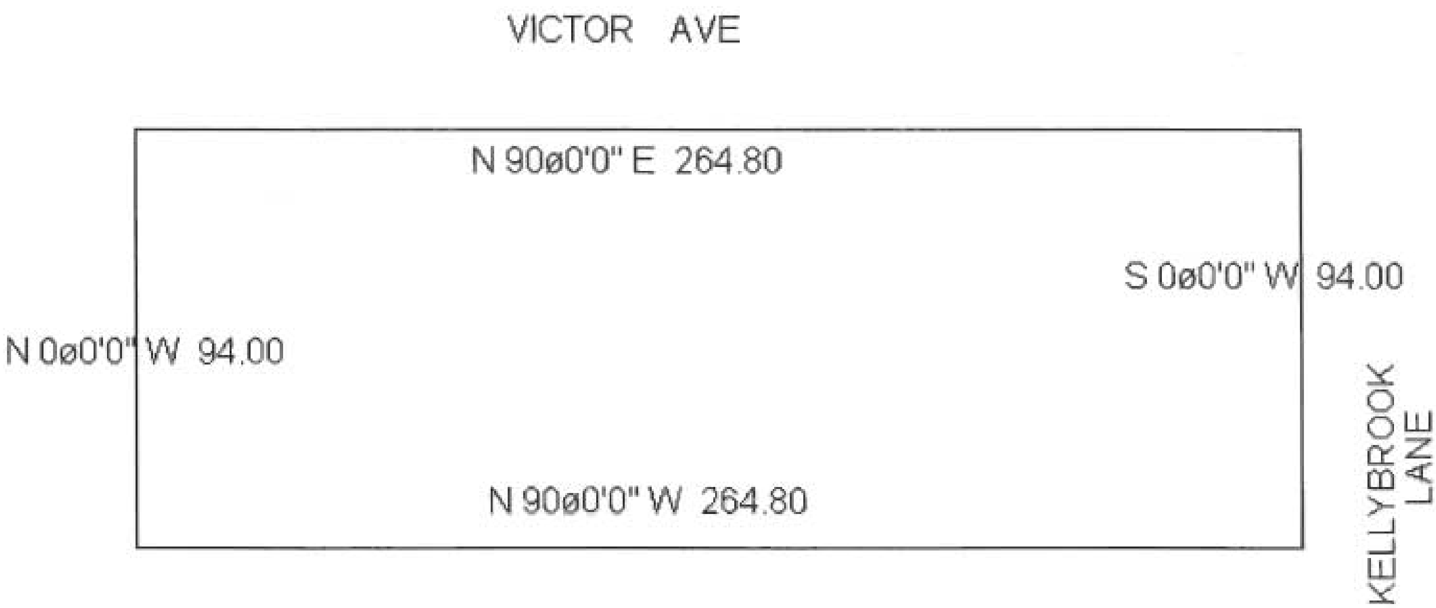
RECOMMENDATION

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

> Staff recommends that Z-4-2017 be approved to rezone the vacant .57 acre parcel of land located immediately east of 1219 Victor Avenue, based on the findings of fact as outlined in this staff report.

Respectfully Submitted,

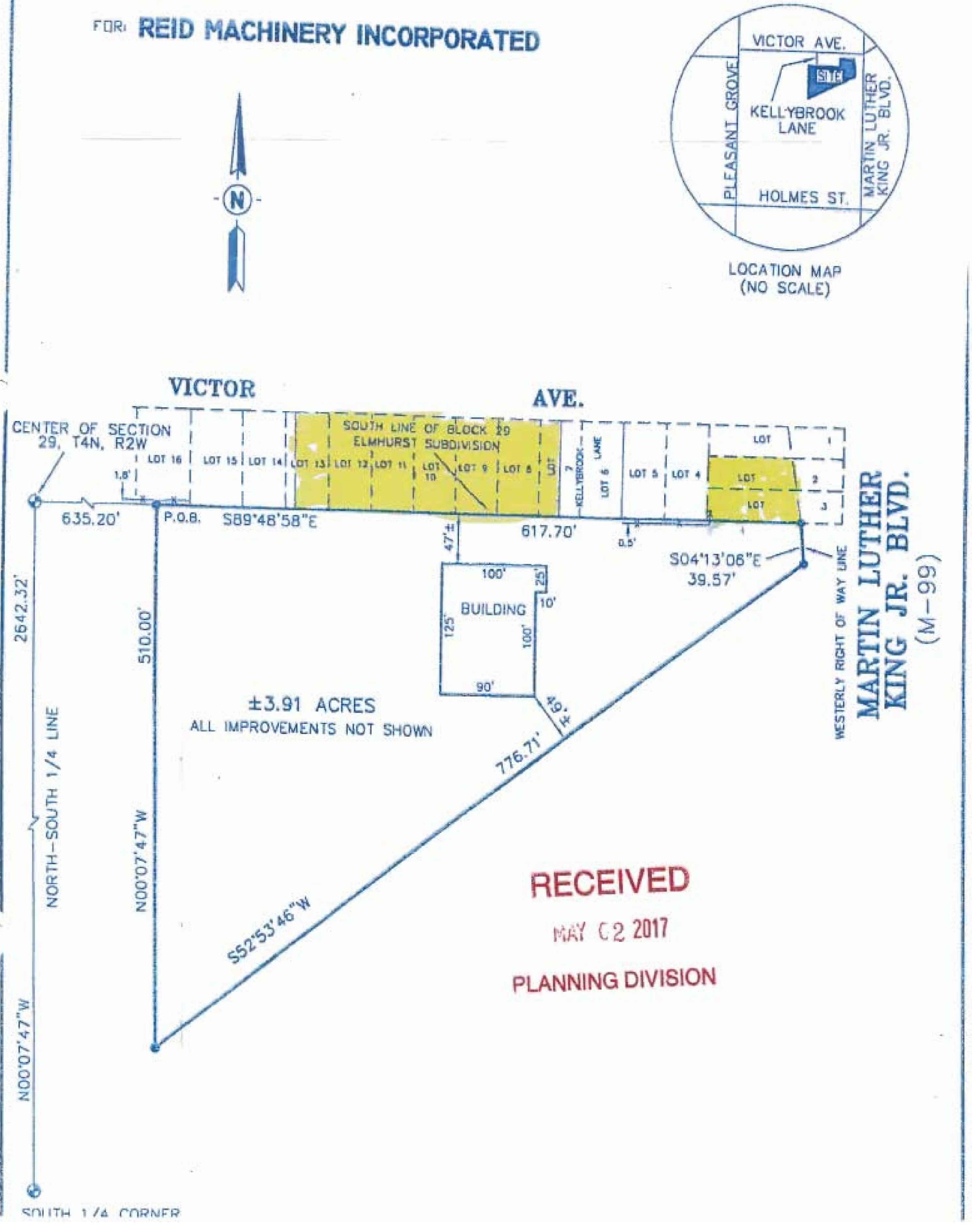
Susan Stachowiak
Zoning Administrator


VICTOR AVE
N 90ø0'0" E 264.80
S 0ø0'0" W 94.00
N 0ø0'0" W 94.00
N 90ø0'0" W 264.80
KELLYBROOK LANE


Victor Ave
Google

CERTIFIED BOUNDARY SURVEY

FOR: **REID MACHINERY INCORPORATED**



RECEIVED
MAY 02 2017
PLANNING DIVISION

CERTIFIED BOUNDARY SURVEY

CERTIFICATE OF SURVEY:

I hereby certify only to the parties named hereon that we have surveyed at the direction of said parties, a parcel of land previously described as:

A part of the Southeast 1/4 of Section 29, T4N, R2W, City of Lansing, Ingham County, Michigan.

and that we have found or set, as noted hereon, permanent markers to all corners and angle points of the boundary of said parcel and that the more particular legal description of said parcel is as follows:

A part of the Southeast 1/4 of Section 29, T4N, R2W, City of Lansing, Ingham County, Michigan, the surveyed boundary of said parcel described as: Commencing at the South 1/4 corner of said Section, thence N00°07'47"W 2642.32 feet to the Center of said Section; thence S89°48'58"E along the South line of Block 29, Elmhurst Subdivision as recorded Liber 6 of Plats, Page 13, Ingham County Records, 635.20 feet to the point of beginning of this description; thence S89°48'58"E continuing along said South line 617.70 feet to the Westerly right of way line of Martin Luther King Jr. Blvd; thence S04°13'06"E along said right of way line 39.57 feet; thence S52°53'46"W parallel with the Southerly right of way line of N.Y.C. Railroad 776.71 feet; thence N00°07'47"W parallel with said North-South 1/4 line 510.00 feet to the point of beginning; said parcel containing 3.91 acres more or less; said parcel subject to easements and restrictions if any.

WITNESSES TO SECTION CORNERS:

South 1/4 corner Section 29, T4N, R2W, Liber 6, Page 264.
Found 1" iron in monument box, centerline of Holmes Road.
Found nail & tag #16053 North side of power pole, South, 24.52'
Northeast corner of brick house, S45°W, 86.17'
Found 3/4" pipe, South, 32.70'
Southeast corner of foundation house #1506, 126.90'
Top center of fire hydrant, N50°E, 88.17'

Center of Section 29, T4N, R2W, Liber 4, Page 34.
Found 1/2" bar in 1/2" pipe on fence line East, West & North.
Southwest corner of garage foundation, N20°E, 15.20'
Southeast corner of garage foundation, N40°W, 60.0'
Found concrete monument, West, 25.00'

This survey complies with the requirements of Public Act 132 of 1970, as amended, and was performed with an error of closure no greater than a ratio of 1 in 5000.

All bearings are derived from the South line of Section 29, which is shown to bear N89°53'19"E on previous survey No. 92-B-37229 by Bryan Land Surveys.

Larry A. Bryan 12-22-97

Larry A. Bryan   Date:
Professional Surveyor No. 25832

RECEIVED
MAY 02 2017
PLANNING DIVISION


Victor Ave
Property to be rezoned
N

City of Lansing Zoning Map

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-4-2017
Parcel Number:	33-01-01-29-259-120
Legal Descriptions:	Lot 7, except the East 20 feet thereof, also Lots 8-12 and the East 30 Feet of Lot 13; Block 29, Elmhurst Subdivision, City of Lansing, Ingham County, MI, from “B” 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 _________, 2017, 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.

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