



AGENDA
Committee on Development and Planning
Monday, October 23, 2017 @ 5:15 p.m. (note day/time)
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**
 - October 9, 2017
- 4. Discussion/Action:**
 - A.)** RESOLUTION –IFT-1-17 Certificate; Cameron Tool; 1800 Bassett
 - B.)** RESOLUTION –Amended OPRA Certificate; 629 W Hillsdale; DED
- 5) Other**
- 6) Adjourn**



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MINUTES

Special Meeting of Committee on Development and Planning Monday, October 9, 2017 @ 5:00 p.m. Council Conference Room, City Hall 10th Floor

CALL TO ORDER

Called to order at 5:00 p.m.

PRESENT

Council Member Brown Clarke, Chair
Council Member Yorko, Vice-Chair- arrived at 5:01 p.m.
Council Member Houghton, Member
Council Member Hussain, Member

OTHERS PRESENT

Sherrie Boak, Council Staff
Greg Venker, Assistant City Attorney – arrived at 5:03 p.m.
Jim Smiertka, City Attorney – arrived at 5:07 p.m.
Susan Stachowiak, Planning & Neighborhood Development
Deb Parrish
Kathy Miles
Mr. McGilley
Jon Miles
Andrew Burrows

PUBLIC COMMENT

No public comment at this time.

MINUTES

MOTION BY COUNCIL MEMBER HOUGHTON TO APPROVE THE MINUTES FROM SEPTEMBER 18, 2017. MOTION CARRIED 3-0.

DISCUSSION/ACTION

ORDINANCE – Z-5-2017; 1024 Lake Lansing Road; Conditional Rezoning from “B” Commercial to “F-1”

Ms. Stachowiak recapped that at the last meeting there was a discussion on parking and the earlier statement by the owner that he would not apply for a medical marihuana dispensary license. Since that meeting, the applicant has provided a letter from the neighbor for additional parking, and also referenced in a certified letter that he would definitely not apply for a medical

marihuana license. Ms. Stachowiak added that this condition will run with the property, so no one, no matter who owns it can apply for that license.

Council Member Brown Clarke acknowledged the owner for his assistance in addressing the concerns of Council Members.

Mr. McGilley had no additional information to provide.

Council Member Houghton asked about the status of the liquor license that used to be with the party story. Mr. McGilley states his belief that it was not in the owner's name.

Council Member Yorko asked Ms. Stachowiak and the Committee if it was a new protocol to ask applicants to place conditions on their applications for rezoning. Ms. Stachowiak acknowledged it has been done in the past, but the owner offered to do the conditional rezoning to address concerns from the public and Committee at the last meeting. Council Member Brown Clarke added that at the public hearing he stated he would not apply for a license because he knew there was a concern. She assured Council Member Yorko that the Committee did not make this action of a conditional letter an actual condition to move the process forward. Council Member Hussain agreed that he had voiced to the public that he was rezoning for a dispensary, and agreed that the City cannot impose conditional rezoning. He added that he was still concerned, and his opinion would be that it would be spot zoning.

Ms. Parrish asked how many extra parking spots the neighboring property was offered, at which Mr. McGilley stated there were 4, and they have always utilized them, however now it was in writing. Ms. Parrish stated her concerns of a change of use at the site. Ms. Stachowiak confirmed that it can continue as retail because it has been less than a year since they closed. In regards to the parking, the required is based on the usable floor area, and since they will reopen within a year, they will be grandfathered.

MOTION BY COUNCIL MEMBER HOUGHTON TO APPROVE THE ORDINANCE FOR Z-5-2017; 1024 LAKE LANSING ROAD; CONDITIONAL REZONING FRIN "B" COMMERCIAL TO "F-1", WITH THE CONDITION THAT THEY WILL NOT MAKE ANY APPLICATION FOR A MEDICAL MARIHUANA PROVISIONING CENTER LICENSE. MOTION CARRIED 3-1.

Adjourn

Adjourn at 5:09 p.m.

Submitted by, Sherrie Boak,

Recording Secretary,

Lansing City Council

Approved by the Committee on _____

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

WHEREAS, the Lansing City Council has previously created Lansing Industrial Development District (IDD-01-14) on October 27, 2014, on the property located at 1800 Bassett, Lansing MI; and

WHEREAS, the City of Lansing received and filed an application from Cameron Tool Corporation requesting an Industrial Facilities Exemption Certificate (IFT-01-17) for real property investments pursuant to Public Act 198 of 1974, as amended; and

WHEREAS, a public hearing was held on August 28, 2017, on the Industrial Facilities Exemption Certificate (IFT-01-17) filed by Cameron Tool Corporation, at which all owners of real and personal property within IDD-01-14 and, other City residents and taxpayers, the assessor and the representatives of the legislative body of each taxing unit that levies ad valorem taxes for the IDD-01-14 had the opportunity to appear and be heard; and

WHEREAS, Cameron Tool Corporation has substantially met all of the requirements for said Exemption Certificate as required by Public Act 198 and by the policies of this Council;

WHEREAS, the SEV of real property exempt from ad valorem taxes within the City of Lansing, after granting this certificate, will not exceed 5% of an amount equal to the sum of the SEV of the unit, plus the SEV of real property thus exempted, and

WHEREAS, the Industrial Facilities Exemption Certificate, when issued, shall be and remain in force for a period of twelve (12) years after completion of the facility.

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council finds and determines that the granting of this Industrial Facilities Exemption Certificate for real property under Public Act 198, shall not have the effect of substantially impeding the operation of the City of Lansing, nor impairing the financial soundness of any taxing unit which levies ad valorem taxes in the City of Lansing.

BE IT FURTHER RESOLVED that the Lansing City Council hereby approves the application of Cameron Tool Corporation for an Industrial Facilities Exemption Certificate (IFT-01-17), for real property investments in the areas of IDD-01-14 legally described as:

N 3 FT LOT 2 SHIRLEY PARK, ALSO LOTS 1 THRU 9 INCL, OUTLOTS A & B, ALL VAC SHIRANN ST SHIRANN SUB, ALSO PARTS LOTS 27 THRU 34 ASSESSORS PLAT NO 11 COM N LINE BASSETT ST 163 FT W OF E LINE LOT 30, TH N 231 FT TO N LINE LOT 31, W 1.5 FT, N 165 FT, W 167.76 FT, S 66 FT, W 169.65 FT, S 197.64 FT, E 85.66 FT TO POINT 90.34 FT W OF NE COR LOT 29, S 14.91 FT, E 80.99 FT, S 117.34 FT TO N LINE BASSETT ST, E 172.3 FT TO BEG; ASSESSORS

PLAT NO 11 Tax ID 33-01-01-08-126-004, and

PARTS LOTS 31, 33 & 34 COM SW COR LOT 31, TH E 125 FT, N TO S LINE LOT 34, E 169.65 FT, N 66 FT, W 283.88 FT TO E LINE LMRR, S'LY 264.03 FT ALONG R/W TO BEG; ASSESSORS PLAT NO 11 Tax ID 33-01-01-08-126-093, and

LOTS 27, 28 & W 25.7 FT LOT 29, EXC COM 9.3 FT W OF NE COR LOT 29, TH S 14.66 FT, W 80.99 FT, N 14.91 FT, E 81.04 FT TO BEG, EXC PARTS ABOVE LOTS USED AS BASSETT ST R/W ASSESSORS PLAT NO 11, Tax ID 33-01-01-08-126-082,

for a period of 12 years, after project completion, provided that this resolution shall be effective upon the execution of a written Industrial Facilities Exemption Certificate Agreement between Cameron Tool Corporation and the City of Lansing, in the form as filed with the City Clerk.

BE IT FINALLY RESOLVED that the Mayor, on behalf of the City, is authorized to execute the afore stated agreement, subject to prior approval thereof as to form by the City Attorney.

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

Resolution to Amend an Obsolete Property Rehabilitation Act Certificate
At 629 West Hillsdale Street

WHEREAS, pursuant to the Michigan Obsolete Property Rehabilitation Act, being Public Act 146 of 2000 (PA 146 of 2000), DED Development, LLC has filed a request to amend ("Amendment") the application for an Obsolete Property Rehabilitation Exemption Certificate (OPRA Certificate) on file with the Lansing City Clerk, for the obsolete facility at 629 West Hillsdale Street, Lansing, Michigan (Obsolete Property); and

WHEREAS, DED Development, LLC (the Developer) owns the Obsolete Property; and

WHEREAS, the Obsolete Property is located within an Obsolete Property Rehabilitation District legally established by resolution adopted on April 10, 2017, after a public hearing was held on March 27, 2017, as provided by section 3 of PA 146 of 2000; and

WHEREAS, on April 10, 2017, the Lansing City Council adopted a resolution granting a Obsolete Property Rehabilitation Act Certificate at 629 West Hillsdale Street, legally described as LOT 1 CAPITOL COMMONS URBAN RENEWAL PLAT NO 1, Ingham County, Michigan -- Parcel Number: 33-01-01-16-360-002; and

WHEREAS, on June 5, 2017, the Michigan State Tax Commission issued an Obsolete Property Rehabilitation Act Certificate for the Obsolete Property; and

WHEREAS, as provided by section 6 of PA 146 of 2000, due to an error in the original Obsolete Property Rehabilitation Exemption application, DED Development, LLC requests an amend the application and petition the State Treasurer for the additional reduction of one-half of the local operating and State education taxes for a period not to exceed six (6) years; and

WHEREAS, the taxable value of the property proposed to be exempt plus the aggregate taxable value of property already exempt under Public Act 146 of 2000 and under Public Act 198 of 1974 (IFT's) does not exceed 5% of the total taxable value of the City of Lansing; and

WHEREAS, a public hearing was held on August 28, 2017 in order to provide an opportunity for the applicant, the City Assessor, a representative of the affected taxing units, the residents, and other taxpayers of the City of Lansing general public appear and be heard regarding the approval of the OPRA Certificate; and

WHEREAS, DED Development, LLC has been certified in writing by the City of Lansing Treasurer to be not delinquent in any taxes related to the facility; and

WHEREAS, the application is for 7 years and under no circumstances or criteria will an extension of the exemption be considered; and

WHEREAS, the application is for obsolete property as defined in section 2(h) of Public Act 146 of 2000; and

WHEREAS, the applicant DED Development, LLC has provided answers to all required questions under the application instructions to the City of Lansing; and

WHEREAS, the City of Lansing requires that rehabilitation of the facility shall be completed by December 31, 2018; and

WHEREAS, the commencement of the rehabilitation of the facility did not occur before the establishment of the Obsolete Property Rehabilitation District; and

WHEREAS, the application relates to a rehabilitation program that when completed constitutes a rehabilitated facility within the meaning of Public Act 146 of 2000 and that is situated within an Obsolete Property Rehabilitation District established in the City of Lansing eligible under Public Act 146 of 2000 to establish such a district; and

WHEREAS, completion of the rehabilitated facility is calculated to, and will at the time of issuance of the certificate, have the reasonable likelihood to, increase commercial activity, create employment, revitalize an urban area, and increase the number of residents in the community in which the facility is situated; and

WHEREAS, the rehabilitation includes improvements aggregating 10% or more of the true cash value of the property at commencement of the rehabilitation as provided by section 2(l) of Public Act 146 of 2000.

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby approves the amendment to the Obsolete Property Rehabilitation Exemption application requesting the State Treasurer approve the additional reduction of one-half of the local operating and State education taxes for a period not to exceed six (6) years for the real property, excluding land, located in an Obsolete Property Rehabilitation District at 629 West Hillsdale Street legally described as LOT 1 CAPITOL COMMONS URBAN RENEWAL PLAT NO 1, Ingham County, Michigan -- Parcel Number: 33-01-01-16-360-002.

BE IT FINALLY RESOLVED that the City Clerk shall cause the Application for Obsolete Property Rehabilitation Certificate to be completed, including the "Clerk Certification" and shall file the completed application, together with a certified copy of this resolution with the State Tax Commission.