MINUTES
Committee on Development and Planning
Monday, August 20, 2018 @ 4:00 p.m.
Council Conference Room, City Hall 10th Floor

CALL TO ORDER
Council Member Hussain called the meeting to order at 4:02 p.m.

PRESENT
Council Member Hussain, Chair
Council Member Spitzley, Vice-Chair
Council Member Washington, Member- arrived at 4:03 p.m.

OTHERS PRESENT
Sherrie Boak, Council Staff
Jim Smiertka, City Attorney
Greg Venker, Assistant City Attorney
James Bell
Angie Bennett, Finance Director
Bryan Crenshaw, Ingham County Commissioner
Kathy Miles
Bill Rieske, Economic Development & Planning
Susan Stachowiak, Economic Development & Planning
Jeanna Paluzzi. Ingham County Land Bank
Elaine Womboldt
Rina Risper
Pam Dutcher
Kyle Kaminski

PUBLIC COMMENT
Public Comment taken at each agenda items.

MOTION BY COUNCIL MEMBER SPITZLEY TO APPROVE THE MINUTES FROM AUGUST 6, 2018 AS PRESENTED. MOTION CARRIED 2-0.

DISCUSSION/ACTION
RESOLUTION – Appointment; Angie Bennett; Lansing Appointee; Joint Building Authority; Term to Expire June 30, 2022
Council Member Hussain read the overview of the duties of the Board, which is a three (3) member Board consisting of One (1) County, one (1) City and one joint appointed. Ms. Bennett

explained more, that when the Veterans Memorial was built it was a joint effort on the building and financing of it. The Building Authority oversees it until the debt service is paid, which she added is still 1-2 more years. The Board itself is a standing board and therefore positions have to be filled. Council Member Washington inquired into how much longer the debt would last, and Ms. Bennett was not able to answer at this time. Mr. Smiertka did acknowledge that when the debt service goes away the Board will then need to be dissolved by both entities. Council Member Hussain asked if there was a residency requirement, and Mr. Smiertka asked that it is a statutory board and does not require it.

Ms. Miles asked if there was a conflict with a member of the Administration to sit on the Board. Mr. Smiertka stated it is an ex-officio by office, this is an administrative joint board. Council Member Washington confirmed with Ms. Bennett that she also sits on the LEPFA Board in an ex-officio position.

Ms. Womboldt asked when the Board would dissolve, and Council Member Hussain reiterated it would be after the debt service ended; 1-2 years.

MOTION BY COUNCIL MEMBER SPITZLEY TO APPROVE THE RESOLUTION FOR THE APPOINTMENT OF ANGELA BENNETT TO THE JOINT BUILDING AUTHORITY. MOTION CARRIED 3-0.

RESOLUTION – Appointment; James Bell; At-Large Member; Historic District Commission; Term to Expire June 30, 2020

Council Member Hussain informed the Committee that at a previous meeting it was noted there were no more positions on this Commission, however staff has clarified there was one more.

Mr. Bell provided information on his past experience in historic buildings and teaching. Over the lasts 19 years, it was noted, he had been working for the Lansing School District and recently retired. Council Member Washington asked if Mr. Bell was on any other boards and it was confirmed he was not. Council Member Washington provided him information on the current Ad Hoc on Housing and their plans for a proposed historic district.

MOTION BY COUNCIL MEMBER WASHINGTON TO APPROVE THE RESOLUTION FOR THE APPOINTMENT OF JAMES BELL TO THE HISTORIC DISTRICT COMMISSION.

Ms. Womboldt and Ms. Risper recognized Mr. Bell.

MOTION CARRIED 3-0.

MINUTES- continued

MOTION BY COUNCIL MEMBER WASHINGTON TO APPROVE THE MINUTES FROM JULY 16, 2018 AS PRESENTED. MOTION CARRIED 3-0.

RESOLUTION – Release of Deed Restriction; 1416 New York Avenue

Mr. Venker provided the historical information the property which was originally platted at 30' wide, so in the 1970's-1980's the City purchased the vacant lots because they were too small to build on, and sold to adjacent lots so they could enlarge their lots. Mr. Venker went on to detail that in this case, the entire 30 fee was sold to 1416 New York and in turn they combined this parcel with their parcel put in a driveway and built a garage on this portion. At the time of the transfer, there was a requirement that the owners could not let the parcel become a nuisance, or it reverted back to the City. The original owners have since deceased and the son as the

executor, he is trying to sell, but the bank will not allow the sale because of the recorded revert clause, even though the only thing on that portion is the driveway and garage. In conclusion, Mr. Venker stated that the resolution in front of the Committee is to release the earlier mentioned revert clause, and since the value is less than $50,000 there is no hearing required and the document does not have to be placed on file for 30 days. Council Member Spitzley asked if there were many lots in this situation in the City. Mr. Venker and Mr. Smiertka confirmed there were more that were done in that mentioned time frame, so as they sell the City could see more of this request. It a large amount of these requests occur, they recommended the consideration of a blanket resolution to release them via the City Attorney office instead of a resolution by Council. Council Member Washington requested that the Committee Chairperson consider that option with the Council President.

MOTION BY COUNCIL MEMBER SPTIZLEY TO APPROVE THE RESOLUTION FOR THE RELEASE OF DEED RESTRICTION FOR 1416 NEW YORK AVENUE. MOTION CARRIED 3-0.

RESOLUTION – Introduction & Setting Public Hearing Z-4-2018; 1141 N. Pine Street; D-1 Professional to DM-1 Residential

MOTION BY COUNCIL MEMBER SPITZLEY TO REMOVE THE ITEM FROM THE TABLE FOR DISCUSSION AND ACTION. MOTION CARRIED 3-0.

Ms. Stachowiak outlined the request for a DM-1 Residential zoning because the applicants would want to apply for the following SLU application also so they can have a residential treatment center on site. She noted that they would need both requests to be approved for them to consider moving on the use, however if they stay with what it is currently, D-1 Professional, they have more options with office and residential use, just not an option for a treatment facility.

Ms. Paluzzi informed the Committee that in September 2017 there was an offer and it was structured as acquiring the property like residential without any due diligence. The buyer, MMRS, and the Land Bank were under the impression their proposed use was allowable and therefore there was never a call made to City staff to confirm that. They did their due diligence and started the required meetings, at that point they then found out that the zoning was not appropriate. Ms. Paluzzi continued explaining that the Land Bank Board then passed a resolution that they would agree to continue with the purchase with the applicant, MMRS with the same terms to the last amendment to the last purchase offer as long as it was not contingent on rezoning by July 31, 2018. This date was put in to move the process along, but with the discussion of the process with MMRS, and a lack of any purchase offers from any on else, it does not preclude MMRS to submit another purchase offer if they get their rezoning from the City. Council Member Spitzley asked for confirmation that the applicant missed the Land Bank deadline, and Ms. Paluzzi confirmed it was July 31, 2018. Mr. Crenshaw added to the discussion that the according to the Ingham County minutes, they had to have a binding offer in writing. As of their August 6th meeting there was no written offer on file, so their attorney informed them the prospective buyer (MMRS) has no ownership because there was not a written offer by July 31, 2018. Council Member Spitzley asked Ms. Paluzzi if the Land Bank would accept a new offer, and Ms. Paluzzi stated the original offer had a July 31st deadline and if it was missed there was no discussion on precluding them from another offer, and at this time they have not accepted a new purchase offer.

Council Member Washington asked Law if in their opinion MMRS had any interest in the property at this time, and Mr. Smiertka confirmed that there is no interest. Mr. Crenshaw assured the Committee that the Land Bank Board has not taken any action.

MOTION BY WASHINGTON TO WITHDRAW THE REQUEST FOR THE REZONING AT 1141 N PINE BECAUSE THE APPLICANT HAS NO INTEREST IN THE PROPERTY.

Ms. Womboldt supported the action to deny.

Ms. Dutcher acknowledged the Committee for their action.

Mr. Smiertka confirmed there would not be any action required from Council on this item of the SLU.

MOTION CARRIED 3-0.

RESOLUTION – Set Public Hearing; SLU-1-2018; 1141 N. Pine Street; Residential Care Facility in DM-1 Residential for Mid-Michigan Recovery Services, Inc.
MOTION BY COUNCIL MEMBER SPITZLEY TO REMOVE THE ITEM FROM THE TABLE FOR DISCUSSION AND ACTION. MOTION CARRIED 3-0.

MOTION BY COUNCIL MEMBER SPITZLEY TO WITHDRAW THE REQUEST FOR THE SLU FOR 1141 N PINE BECAUSE THE APPLICANT HAS NO INTEREST IN THE PROPERTY. MOTION CARRIED 3-0.

Mr. Smiertka confirmed with Ms. Stachowiak that she would send a letter to the applicant, and it was confirmed it would be done.

OTHER
FY19/20 Budget Policies and Priorities
The Committee was asked to provide any suggestions to Council staff by September 7th.

Adjourn
Adjourned at 4:40 p.m.
Submitted by, Sherrie Boak,
Recording Secretary,
Lansing City Council
Approved by the Committee on September 17, 2018