



MINUTES
Committee on Development and Planning
Monday, November 18, 2019 @ 3:30 p.m.
Council Conference Room, City Hall 10th Floor

CALL TO ORDER

Council Member Hussain called the meeting to order at 3:31 p.m.

PRESENT

Council Member Hussain, Chair
Council Member Garza, Vice-Chair
Council Member Washington, Member

OTHERS PRESENT

Sherrie Boak, Council Staff
Lisa Hagen, Assistant City Attorney, Council Research Assistant
Greg Venker, Assistant City Attorney
Jonathan Lucko
Brent Forsberg
Susan Stachowiak, Economic Development & Planning
Karl Dorshimer, LEAP
Kris Klein, LEAP
Joan Bauer
David Burns, Land Bank Real Estate Specialist

PUBLIC COMMENT

No public comment.

MINUTES

MOTION BY COUNCIL MEMBER WASHINGTON TO APPROVE THE MINUTES FROM OCTOBER 28, 2019 AS PRESENTED. MOTION CARRIED 3-0.

DISCUSSION/ACTION

RESOLUTION – Saginaw Street Corridor Improvement Authority Development and Finance Plan

Council Member Hussain recapped that the public hearing was held for the 15-year TIF plan with capture on new taxes. The representatives had no additional updates or changes.

MOTION BY COUNCIL MEMBER WASHINGTON TO APPROVE THE RESOLUTION FOR THE SAGINAW CORRIDOR IMPROVEMENT AUTHORITY DEVELOPMENT AND FINANCE PLAN. MOTION CARRIED 3-0.

RESOLUTION – Michigan Avenue Corridor Improvement Authority Development and Finance Plan

Council Member Hussain confirmed the required public hearing was held for this one also. Ms. Bauer informed the group that they would be scheduling public input sessions.

MOTION BY COUNCIL MEMBER WASHINGTON TO APPROVE THE RESOLUTION FOR THE MICHIGAN AVENUE CORRIDOR IMPROVEMENT AUTHORITY DEVELOPMENT AND FINANCE PLAN. MOTION CARRIED 3-0.

DISCUSSION/ORDINANCE –Conditional Rezoning; Z-5-2018; 136 E. Malcom X Street & Vacant Parcel East

Council Member Hussain recapped that the hearing was held earlier in the year in January 2019 but has been on hold per the developer request. Recently Council staff received a request for the item to be before the Committee again, but this time as a conditional rezoning.

Mr. Forsberg acknowledged that in January, they were finishing environmental reports on the site and since that time have been working with the Land Bank and Mr. Burns was introduced. Mr. Forsberg continued by stating they do not have a hotel confirmed on the site, but have submitted this conditional rezoning request to work with the Land Bank and the City. They still hope to plan for a hotel but with no confirmation, they are looking at residential and limited commercial. They are currently working with PM Environmental on the due care and clean-up of the site. Council Member Washington spoke in opposition to more residential and apartments in the area. Mr. Forsberg supported the need for apartments based on their market research from 9 months ago, which he stated he could send to the Committee as well.

Council Member Hussain asked Ms. Stachowiak, other than what the developer has proposed as a condition, what else could be placed in G-1 zoning, and Ms. Stachowiak confirmed that the conditional uses proposed are already permitted in G-1. Mr. Forsberg admitted their intent is a commercial building not a stand alone retail or office, and he was asking the Committee for input on how to write the condition to have room for something on the site. Council Member Hussain informed the applicant that it appears based on their request the condition is not needed because it is already permitted. Council Member Washington asked if any marijuana use could go there and Ms. Stachowiak stated that if it is rezoned to G-1 there cannot be any marijuana use of any kind. Mr. Venker reminded the Committee the City cannot propose language for conditions because it would be a violation of the statute. Council Member Hussain asked Mr. Forsberg if he wished to move forward now with the current application, or if he wishes to propose conditions and come back. Mr. Forsberg retracted his conditional rezoning request and will plan to come back at the 12/2/2019 Committee meeting with an update on the project and details on their intention.

The item will appear on the Committee agenda on 12/2/2019 along with the Council agenda on 12/2/2019.

DISCUSSION – Brownfield Plan #77; 500 Block Redevelopment at 501 S. Capitol Avenue and 520 S. Washington Avenue

Council Member Hussain recapped for the group that the public hearing was held on October 28, 2019, however since that time there has been changes brought to the Council Members attention and asked Mr. Klein for an update. Mr. Klein first noted that the language in the

Universal Development Agreement (UDA), the Brownfield and the incentive had a “cross-default”. The project needs to be complete in whole, and any portioning would be a default. They want the project completed in whole because that is how it represented to all partner, which the developer agreed to. The first building will be the existing Lake Trust headquarters with 4 floors residential and 2 floors commercial and the building two will be a new building along Capital with primary residential. Council Member Hussain stated he had heard concerns with the general contractor, Wieland. Mr. Klein stated the developer does have new agreement language, and they are waiting on some information from the developer but once they have that they can execute it. The developer also has a meeting with labor coming up to address issues. He then asked the Committee what they are looking for to move forward. Committee Members Garza and Hussain provided examples they were informed of where there are no licensed contractors or journeyman contractors on work sites being constructed by Wieland. They were asking for language in the UDA that states the contractors have to be licensed with the State. Mr. Dorshimer stated if they are violating the law it should be reported to LARA, and asked if anyone had reported it to LARA. To add it to the UDA, Mr. Dorshimer deferred to the City Attorney to see if there is a mechanism. Ms. Stachowiak asked if the City Building inspectors and other inspectors are on those sites to check on licensing, however Council Member Garza noted the sites are inspected by the State. Mr. Dorshimer noted again it is a violation of State law if it is an unsafe work environment, but that is the State to enforce, and if they do not find a violation, there is nothing to enforce. Council Member Hussain asked Mr. Venker if there was anything that prohibited Council from putting language in the UDA and use City resources to enforces those. Mr. Venker stated that if the developer does not meet everything in the UDA they do not get the incentives, and there is already a general statement in the UDA that states they have to abide by State and Federal laws. Labor standards are governed by the State and the City could not enforce. If someone one finds evidence they are not complying with State law, they can say they are violating the UDA and not get any incentives, but it needs to be demonstrated. If there is a default, they will have to be provided a timeline to clear the default. Council Member Hussain asked the OCA and LEAP what steps need to be taken by the City to have LARA on the job sites, and was told that a complaint needs to be filed with LARA. He asked Ms. Stachowiak to see if the City has someone that goes to the job sites to see if things are happening, and if not do, they reach out to the State. Ms. Stachowiak noted the only people on sites would be City inspectors, but according to what Council Member Garza stated those are inspected by the State. Council Member Washington encouraged the Mayor put a process in place. Mr. Klein and Mr. Dorshimer again asked if official complaints had been filed with the State. There was no confirmation that complaints had been filed. Council Member Hussain stated at the 12/2/2019 meeting the Committee should see the new Universal Developers Agreement, and verification that the contractor and developer met with local labor. Council Member Washington noted that out of that meeting, she wants to make sure the developer and contractor understand the process and what the consequences are. Council Member Hussain added that Wieland should be made aware that because they have issues at other projects future incentives might not always be approved.

Council Member Hussain noted that the discussion will continue at the 12/2/2019 Committee meeting with the possibility of action at Council the same night.

Other

Adjourn

Adjourned at 4:23 p.m.

Submitted by, Sherrie Boak, Recording Secretary, Lansing City Council

Approved by the Committee December 2, 2019