AGENDA
Committee on Development and Planning
February 16, 2021 @ 3:30 p.m.

Access the meeting via: https://us02web.zoom.us/j/81823851690 ; ID 818 2385 1690; Dial In (301) 715-8592
email comments prior to the meeting at sherrie.boak@lansingmi.gov
All Councilmembers will participate virtually & may be contacted prior to the meeting at city.council@lansingmi.gov 483-4177

Councilmember Spitzley, Chair
Councilmember Garza, Vice Chair
Councilmember Hussain, Member

1. Call to Order

2. Public Comment on Agenda Items

3. Minutes

- February 2, 2021

4. Discussion/Action:

A.) RESOLUTION – By-laws; S. Martin Luther King Jr. Blvd. Corridor Improvement Authority

B.) RESOLUTION – ACT-1-2021; Acquisition of Easements for road & Non-Motorized Improvements; Forest Road & Collins Road

5. Other

6. Adjourn

To mitigate the spread of COVID-19 and to provide essential protections to vulnerable Michiganders and this State's health care system and other critical infrastructure, it is crucial that all Michiganders take steps to-limit in-person contact, particularly in the context of large groups. Therefore, the above meetings will be conducted via audio/video conference.

The meetings are being held virtually in accordance with the Open Meetings Act, as amended in an effort to protect the health and safety of the public. Members of the public wishing to participate in the meeting may do so by logging into or calling into the meetings using the website or phone number above, and meeting ID provided. To provide input or ask questions on any item that is listed on the agenda, members of the public may contact the email address listed above under the meeting link.

Persons with disabilities who need an accommodation to fully participate in these meetings should contact the City Council Office at 517-483-4177 (TTY 711) 24 hour notice may be needed for certain accommodations. An attempt will be made to grant all reasonable accommodation requests.

DRAFT

MINUTES
Committee on Development and Planning
Tuesday, February 2, 2021@ 3:30 p.m.
https://us02web.zoom.us/j/81823851690; ID: 818 2385 1690 Dial In: (312) 626-6799
Held virtually in an effort to protect the health and safety of the public & to mitigate the spread of COVID 19

CALL TO ORDER
Council Member Spitzley called the meeting to order at 3:30 p.m.

PRESENT via audio/video
Council Member Spitzley, Chair remotely from Lansing, Michigan
Council Member Garza, Vice-Chair remotely from Lansing, Michigan
Council Member Betz, Member remotely from Lansing, Michigan
Council Member Hussain, Member remotely from Lansing, Michigan

OTHERS PRESENT via audio/video
Sherrie Boak, Council Staff
Greg Venker, OCA
Ashley Willis
Cathleen Edgerly, DLI
Melissa Jeffries
Thomas Morgan
Susan Stachowiak, EDP

PUBLIC COMMENT
No public comment at this time.

MINUTES
MOTION BY COUNCIL MEMBER GARZA TO APPROVE THE MINUTES FROM DECEMBER 15, 2020 AS PRESENTED. ROLL CALL VOTE, MOTION CARRIED 4-0.

Discussion/Action
RESOLUTION – Appointment; Ashlee Willis; Business Owner; Downtown Lansing Inc. Board; Term to Expire 6/30/2024
Ms. Willis spoke briefly on her business and passion for the City. Council Member Hussain confirmed this would be a business member appointment to fill a vacancy.

MOTION BY COUNCIL MEMBER HUSSAIN TO APPROVE THE RESOLUTION FOR THE APPOINTMENT OF ASHLEE WILLIS TO THE DOWNTOWN LANSING INC BOARD. ROLL CALL VOTE, MOTION CARRIED 4-0.

RESOLUTION – Appointment; Thomas Patrick Morgan; At-Large Member; Planning Board; Term to Expire 9/30/2024

Mr. Morgan introduced himself and his role currently on other boards, including Ingham County Commission, part of the County EDC Board and Brownfield Development Authority, and the founder of the Friends of Lansing Schools, and also a role in the East Lansing Planning Commission. Council Member Betz acknowledged Mr. Morgan for his roles so far and was encouraged in his role on this Commission. Council Member Garza acknowledged Mr. Morgan for all his service to the community thus far, and was looking forward to his new appointment. Council Member Hussain asked the OCA if there was a conflict because he has a family connection. Ms. Hagen stated there is no financial benefit to this appointment and with Council Member Hussain. Council Member Spitzley asked for his thoughts on transparency in this roll on the Commission. Mr. Morgan supported following the Master Plan whenever possible.

MOTION BY COUNCIL MEMBER BETZ TO APPROVE THE RESOLUTION FOR THE APPOINTMENT OF THOMAS PATRICK MORGAN TO THE PLANNING BOARD.

Council Member Hussain inquired with Mr. Morgan on his thoughts for the proposed Form Based Code. Mr. Morgan noted that there is a possibility of moving towards building towards place-making, and he would support Form Based Code. Mr. Morgan lastly noted to the Committee that the Planning Enabling Act, states the Planning Board should be called “Planning Commission”, and he will be approaching the EDP staff on making that change.

ROLL CALL VOTE, MOTION CARRIED 4-0.

RESOLUTION – Appointment; Melissa Jefferies; At-Large Member; Next Michigan Development Corporation Board; Term to Expire 4/15/2022

Ms. Jeffries spoke briefly on her experience and what she can bring to the Board. Council Member Spitzley informed the Committee that she was able to find out that the Next Michigan Development Corporation Board is a joint Board which is empowered by state legislation to issue certain tax incentives to spur the development efforts of airport related properties and the expansion of businesses utilizing multi-modal commerce as component of their business operations. The board is responsible for operating by-laws for the governance of the Next Michigan Development Corporation. Council Member Garza asked if she was contacted by the Mayor to serve on this Board, because it was not listed on her application, and Ms. Jefferies confirmed.

MOTION BY COUNCIL MEMBER GARZA TO APPROVE THE RESOLUTION FOR THE APPOINTMENT OF MELISSA JEFFRIES. ROLL CALL VOTE, MOTION CARRIED 4-0.

RESOLUTION- Introduction and Setting of Public Hearing; SLU-5-2020; 727 Sparrow Avenue; Community Center/Outreach Facility and Transitional Housing Shelter in A-Residential District

Ms. Stachowiak outlined the plan, did confirm there were overwhelming support from the neighborhood, and also emails from the neighborhood. Council Member Garza asked about opposition and Ms. Stachowiak confirmed there were two (2) letters stating it was not appropriate in the neighborhood. Council Member Garza asked if these are tax exempt and it was confirmed they are non-profit and will remain tax exempt. Council Member Spitzley ask if the church will own, but was told by Ms. Stachowiak it would be Child and Family Charities, they are purchasing all the buildings and it is their intention to continue to allow the neighborhood activities.

MOTION BY COUNCIL MEMBER BETZ TO APPROVE THE RESOLUTION TO INTRODUCE AND SET THE PUBLIC HEARING FOR MARCH 8, 2021 FOR SLU-5-2020. ROLL CALL VOTE, MOTION CARRIED 4-0.

RESOLUTION – Introduction and Setting of Public Hearing; Z-9-2020; 3534 & 3538 W Jolly Road; Rezone from CUP-Community Unit Plan to "DM-1" Residential
Ms. Stachowiak noted the properties are adjoining, each with a duplex and the CUP zoning designation is an obsolete district. The applicants will rezone, but keep the duplexes. During the public hearing there were comments on drainage, but any new development on the site would be reviewed by site plan review and engineering. The staff current recommendation is for approval. Council Member Betz asked what would happen with this zoning designation with the future of Form Based Code, and if this action would be changed in the Form Based Code. Ms. Stachowiak acknowledged the department has already had conversations with the OCA any projects in the process before FBC becomes effective, under the current zoning. In the case of this property, FBC would not allow multi family. Council Member Betz noted this does not comply with the Master Plan, and asked what the Planning Board thought of this use in the context that CUP will disappear with FBC. Ms. Stachowiak informed the Committee that CUP was gone in the 1980's, and in this case there are duplexes. Ms. Stachowiak then noted that staff could make a case either way, and in the staff report, it has do to with criteria used to evaluate rezoning's, and how it fits in with the consistent land use in area. If the FBC goes into effect it would reduce the zoning of this, it would also make the other buildings to the East non-confirming. Council Member Betz noted there are legal issues and asked if this goes to FBC will the same issues exist. Council Member Spitzley asked the OCA, since the City is moving towards FBC, if it was approved before this is rezoned, would this then be non-conforming, and also what happens if the FBC is approved before this rezone is approved. Mr. Venker stated they are still treat zoning application under the current zoning code, trying to be consistent as possible with all legislation, so anything that comes in prior to the effective date of the FBC is adopted, will be what it was before FBC is adopted. Until the FBC passes, Council cannot use it to consider, and the FBC effectiveness will be 30 days after Council passes it, so instead of a moratorium, if this passes before FBC, zoning would take effect, and anything on the property will be consistent with that zoning. In the future it would be considered pre-existing, and allowed until something on property changes. Council Member Hussain spoke in opposition to the property, but would support the setting of the public hearing.

MOTION BY COUNCIL MEMBER HUSSAIN TO APPROVE THE RESOLUTION FOR INTRODUCTION AND SETTING OF THE PUBLIC HEARING FOR MARCH 8, 2021 FOR Z-9-2020. ROLL CALL VOTE, MOTION CARRIED 4-0.

ORDINANCE - Z-4-2020; 220 N Pennsylvania; Rezone from C Residential to DM-4 Residential
Council Member Spitzley confirmed the required public hearing was held, and this is the former Eastern High School purchased by Sparrow Hospital in Ward 1. It was also stated that there were concerns in the past on aesthetics of the building, but Sparrow has confirmed they intend to maintain the aesthetics. Council Member Betz asked if there was any way to ensure the promise of maintaining the aesthetics. Ms. Stachowiak informed the office has reached out to Sparrow and they stated under the purchase agreement to maintain the historical aesthetics along Pennsylvania to a certain extent.
Council Member Spitzley stated that public comment was at the beginning of the agenda, so if there are comments the public can reach out to the Committee individually, and speak at Council on 2/8/2021 when it is up for final passage.

MOTION BY COUNCIL MEMBER Betz TO APPROVE THE ORDINANCE FOR Z-4-2020. ROLL CALL VOTE, MOTION CARRIED 4-0.

ORDINANCE - Z-5-2020; Northeast Corner of E Miller and Orchard Court, Rezoning from F Commercial to DM-3 Residential

Council Member Spitzley confirmed the public hearing was held, and the owners intend to build on the site. Ms. Stachowiak confirmed it is not a big site, and if the applicant ever wishes they will have to buy land from the city cemetery, which would require a vote of the people. The site will contain 1 building, maybe 2, and after the last meeting a list of the applicants other properties and tenants letters of support were sent onto the Committee. Council Member Garza asked about objections, and was told there were two (2), however after seeing the details one of the objections was reversed and in support of.

Council Member Hussain asked for the applicants to attend Committee meetings in the future. Ms. Stachowiak confirmed she does extend an invitation to all applicants along with the Committee agendas, and Council Member Spitzley acknowledged moving forward they will be invited.

MOTION BY COUNCIL MEMBER GARZA TO APPROVE THE ORDINANCE FOR Z-5-2020. ROLL CALL VOTE, MOTION CARRIED 4-0.

ORDINANCE - Z-6-2020; 2420, 2432, 2442, 2506 N Grand River Avenue, Rezoning from F Commercial, J Parking, A Residential, D-1 Professional Office and G-2 Wholesale to H Light Industrial

Council Member Spitzley asked if there is an end use to this rezoning or a cleanup situation of the zoning map. Ms. Stachowiak confirmed there will be a storage building for the owners business, but is it a cleanup of the zoning matching the master plan for industrial and the proposed Form Based Code shows industrial. Lastly, it was noted there were no objections from the neighbors.

MOTION BY COUNCIL MEMBER GARZA TO APPROVE THE ORDINANCE FOR Z-6-2020. ROLL CALL VOTE, MOTION CARRIED 4-0.

ORDINANCE - Z-8-2020; GDN Farms LLC, 2918 N East Street; Rezoning from F Commercial to H Light Industrial

Council Member Spitzley asked for confirmation that this property is a grow facility that was non-compliance, and Ms. Stachowiak confirmed detailing that the grow facility went it, and when it was found building safety cited it. As regards to zoning, there is currently one parcel of industrial to the east, however along N East Street it would be the only property zoned to industrial if this is approved. Ms. Stachowiak continued informing the Committee that this would be spot zoning, and conflict with the Master Plan and zoning pattern, and staff is recommending denial. The Planning Board did vote in support 4-1, but did not provide much as to why except they were pleased with the upgrades to the building.

Council Member Spitzley stated for the public that Public Comment was at the beginning of the meeting, and if there are additional comments on this any public can contact the Committee members directly.

Council Member Betz asked the Committee if the application can be denied in Committee or do they have to pass it out of Committee to the full Council action. Council Member Spitzley informed Council Member Betz that Council has been told in the past that they cannot deny or vote down zoning, but what they have to do is move it forward out of Committee. The Committee can inform the Council that the recommendation is for denial. Council Member Betz then asked if GDN Farms has a grow license, and was told by Council Member Spitzley they do not because they are out of compliance. Council Member Betz then noted that Council Member Spadafore did have a proposed ordinance amendment that would change locations of grow facilities, and asked if that would change this. Ms. Stachowiak informed the Committee that the State Statute requires grow facilities can only be located on industrial zoned properties in all communities in Michigan. The city cannot adopt a zoning ordinance to allow grow facilities in other areas, because that is not authorized. Council Member Betz spoke in opposition to rezoning a business with bad behavior after the fact, and Council Member Spitzley agreed. Ms. Stachowiak stated for the record that this should not be considered spot zoning because there is industrial in the area to the east, but not on N. East Street. Council Member Garza asked if the City shut the business down, and it was confirmed.

MOTION BY COUNCIL MEMBER GARZA TO APPROVE THE ORDINANCE FOR Z-8-2020.
ROLL CALL VOTE, MOTION CARRIED 4-0.

<u>Adjourn</u>

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

RESOLUTION #2021-###

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

A RESOLUTION TO APPROVE BYLAWS OF THE SOUTH MARTIN LUTHER KING JR. CORRIDOR IMPROVEMENT AUTHORITY OF THE CITY OF LANSING

WHEREAS, the City Council of the City of Lansing, MI, by Resolution 2019-334, passed on December 16, 2019, authorized the creation of the South Martin Luther King Jr. Boulevard Corridor Improvement Authority (the "Authority") by the provisions of the State of Michigan's Corridor Improvement Authority Act, previously Act 280 of 2005 (MCL 125.2871, et seq.), recently reorganized as Part 6 of Act 57 of 2018 (125.4602, et seq.), as amended (the "Act"); and

WHEREAS, the Board of Directors of the Authority approved and adopted updated bylaws on January 21, 2021 at the Authority's Annual Meeting; and

WHEREAS, the bylaws have been reviewed and approved as to form by the Office of the City Attorney of the City of Lansing; and

WHEREAS, the bylaws, attached hereto as Exhibit A are subject to the approval of the City Council of the City of Lansing, by the provisions of MCL 125.4608 Section 608(3);

NOW, THEREFORE, BE IT RESOLVED that, pursuant to applicable law, the City Council of the City of Lansing hereby consent to, and approve the South Martin Luther King Jr. Boulevard Corridor Improvement Authority bylaws.

BYLAWS OF THE SOUTH MLK CORRIDOR IMPROVEMENT AUTHORITY OF THE CITY OF LANSING

Rev: January 21, 2021

ARTICLE I - NAME

The name of this Authority is the South MLK Corridor Improvement Authority of the City of Lansing.

ARTICLE II - PURPOSE

The purpose of the Authority is to carry out those purposes and exercise those powers as conferred upon it by State of Michigan's Corridor Improvement Authority Act, Act 57 of 2018 (Formerly known as Act 280 of the Michigan Public Acts of 2005) as amended ("the Act"). The Authority shall be a public body corporate and shall have all the powers which now or hereafter may be conferred by law on authorities organized under the Act. These Bylaws are adopted as the Authority's rules governing procedure and holding regular meetings, in accordance with the Act.

ARTICLE III - AUTHORITY BOARD OF DIRECTORS

Section 1. **Authority Board.** The Authority shall be under the supervision and control of a board consisting of seven members appointed by the Mayor of the City of Lansing subject to the approval of City Council. The board will also include the Mayor or a Mayoral Assignee. Not less than a majority of the members shall be persons having an ownership or business interest in property located in the Corridor Improvement Authority development area. At least one of the members shall be a resident of the development area or of an area within one-half mile of any part of the development area.

Section 2. **Terms, Replacement, and Vacancies.** Of the initial seven members appointed, two term shall expire on July 31, 2021, one term shall expire on July 31, 2022, three terms shall expire on July 31, 2023, and one term shall expire on July 31, 2024. Thereafter, each member appointed shall serve for a term of four years. A member shall hold office until the member's successor is appointed. An appointment to fill a vacancy shall be made by the Mayor for the unexpired term only. Before assuming the duties of office, a member shall qualify by taking and subscribing to the constitutional oath of office.

Section 3. **Removal.** A member of the Board may be removed for cause by the City Council after having been given notice and an opportunity to be heard.

ARTICLE IV - OFFICERS

Section 1. **Officers.** The officers of the Authority Board shall be a chairperson, a vice chairperson, a treasurer, and a recording secretary. All officers shall be members of the Authority Board, with the exception of the recording secretary who may, but need not be, a member of the Authority Board.

Section 2. **Removal of Officers.** An officer may be removed by the Authority Board whenever, in its judgment, the best interest of the Authority Board will be served.

Section 3. **Chairperson.** The chairperson shall preside at all meetings of the Authority Board and shall discharge the duties as a presiding officer.

Section 4. **Vice Chairperson.** In the absence of the chairperson or in the event of inability to serve as chairperson, the vice chairperson shall perform the duties of the chairperson and when so acting, shall have all the powers and be subject to all the restrictions of the chairperson.

Section 5. **Treasurer.** The treasurer shall prepare, with the assistance of appropriate staff, an annual financial report covering the fiscal year of the Authority. The fiscal year of the Authority shall be July 1 to June 30. An annual audit will be made each year. The treasurer shall provide a bond if necessary, in the amount prescribed by the Authority Board.

Section 6. **Recording Secretary.** The recording secretary, if not a member of the Authority Board, shall be a designee of the Authority Board. The recording secretary shall attend all meetings of the Authority Board and with the assistance of appropriate staff record all votes and the minutes of all proceedings, to be maintained for future reference. The recording secretary shall give, or cause to be given, notice of all meetings of the Authority Board, as required by law or these bylaws, and shall perform such other duties as may be prescribed by the Authority Board. The recording secretary shall, when authorized by the Authority Board, attest by signature to actions of the Authority Board, and shall maintain custody of the official seal, and of the records, books and all documents of the Authority.

Section 7. **Delegation of Duties of Officers.** In the absence of any officer of the Authority Board due to resignation or removal, the Authority Board may delegate the powers and duties of any officer to any Authority Board member provided a majority of a quorum of the Authority Board concurs therein.

Section 8. **Election of Officers.** Nominations shall be made from the floor at the annual meeting in January or at the initial meeting of the Authority Board. Officers shall be elected by majority vote of the Authority Board. The terms of office shall be for one year and begin at the close of the annual meeting at which they are elected, or until his or her successor shall be elected and qualified. No member shall hold more than one office at a time.

ARTICLE V - CONTRACTS, CHECKS, DEPOSITS AND FUNDS

Section 1. **Contracts.** The Board of Directors may authorize any officer or officers, agent or agents of the corporation in addition to the officers so authorized by the Act or these By-Laws, to enter into any contract or execute and deliver any instrument in the name of and on behalf of the Corporation, and such Board may be general or confined to specific instances.

Section 2. **Checks and Drafts.** All checks, drafts or orders for the payment of money, notes or other evidences of indebtedness issued in the name of the Corporation, shall be signed by such officer or officers, agent or agents of the Corporation and in such manner as shall from time to time be determined by resolution of the Board of Directors. In the absence of such determination by the Board of Directors, such instruments shall be signed by the Treasurer and countersigned by the Chairperson or Vice Chairperson of the Corporation.

Section 3. **Deposits.** All funds of the Corporation shall be deposited from time to time to the credit of the Board in such banks, trust companies or other depositaries as the Board of Directors may select.

ARTICLE VI - EMPLOYMENT OF DIRECTOR

The Authority Board may employ and fix compensation of a director subject to approval of the City Council. A member of the Board is not eligible to hold the position of Director. Before beginning his or her duties, the Director shall subscribe to the constitutional oath and furnish a bond as required by section 609 of Act 57 of 2018. The Director shall be the chief executive officer of the Authority. The Director shall serve at the pleasure of the Authority Board.

ARTICLE VII - MEETINGS

Section 1. **Organizational Meeting and Election of Officers.** Officers shall be elected at the first organizational meeting of the Authority Board after the adoption of the Bylaws and shall be appointed thereafter pursuant to Article VII - Section 2.

Section 2. **Annual Meeting.** Starting in the year 2021, an annual meeting shall be held in January at a time and place to be set by the Authority Board. Election of officers shall occur at the annual meeting. If the election of officers does not occur on the day designated or any adjournment thereof, the Authority Board shall cause the election to be held at a regular or special meeting of the Authority Board within 90 days of the annual meeting.

Section 3. **Regular Meetings.** Regular meetings of the Authority Board shall be held at a time and place to be set by the Authority Board at its annual meeting. Notice of regular meetings shall be published in accordance with the Michigan Open Meetings Act, Act 267 of the Public Acts of 1976, as amended. The Authority Board records shall be open to the public.

Section 4. **Special Meetings.** Special meetings of the Authority Board may be called by the chairperson, the vice chairperson in the absence of the chairperson, or by any three Authority members by giving 24 hours' notice of the meeting to other board members, stating the purpose of the meeting, and by posting sufficient public notice in accordance with the Michigan Open Meetings Act.

Section 5. **Notice of Meetings.** All meetings other than regularly scheduled meetings shall be preceded by public notice posted 18 hours prior to the meeting in accordance with the Michigan Open Meetings Act.

Section 6 **Agenda and Minutes.** The recording secretary together with appropriate staff shall prepare the agendas for all regular meetings and send them to the Authority Board members at least 24 hours prior to the meeting. Any member of the Authority Board may request any item to be placed on the agenda. Minutes of all meetings shall be prepared and kept in accordance with the Michigan Open Meetings Act. Proposed Minutes of a meeting shall be made available to the public no more than 8 days after the meeting. The Board shall vote to approve or amend and approve minutes from any prior meeting, at the next regular meeting.

Section 7 **Quorum and Voting.** A quorum shall constitute a majority of the Authority Board members appointed and serving at the time. A majority vote of a quorum of the Authority Board shall constitute the action of the Authority Board unless the vote of a larger number is required by statute, or elsewhere in these rules. In the event that effective membership is reduced because of a conflict of interest, a majority of the remaining members eligible to vote shall constitute the action of the Authority Board.

Section 8 **Rules of Order.** *Robert's Rules of Order* will govern the conduct of all meetings.

Section 9 **Open and Closed Meetings.** All regular and special meetings of the Authority Board shall be open to the public, and each agenda shall include a time for public comment. Closed meetings of the Authority Board may be called for the purposes listed in the Michigan Open Meetings Act, if approved by the Authority.

Section 10 **Conflict of Interest.** An Authority Board member who has a direct conflict of interest of more than a de minimis nature as defined by MCL 15.322 and 15.323 in any matter before the Authority Board shall disclose that interest prior to the Authority Board taking any action with respect to the matter. This disclosure shall become part of the record of the Authority Board's official proceedings. Any member making such disclosure shall, with the approval of the Authority Board, refrain from participating in the Authority Board's decision-making process, to include all discussions, motions made and votes taken, relative to such matters, unless required by law. In addition, an Authority Board member shall be subject to the conflict of interest provisions of section 5-505 of the Lansing City Charter and the Ethics Ordinance in Part 2, Title 10, Chapter 290 of the Lansing Codified Ordinances.

Section 11 **Mandatory Voting.** Except when a member is excused from participating on a matter by the chair because of a disclosed conflict of interest, all members present shall vote on all matters before the Authority Board.

Section 12 **Physical Presence Required.** Members may not be counted as in attendance and may not vote unless they are physically present at the meeting. Members may not send a proxy to a meeting, and members may not vote by proxy. The physical presence requirement may be suspended by majority vote of the Directors serving, if virtual appearance is still in compliance with the Michigan Open Meetings Act.

ARTICLE VIII - EXECUTIVE COMMITTEE

The officers of the Authority Board, including chairperson, vice chairperson, treasurer, and recording secretary, shall constitute the executive committee. The executive committee shall have general supervision of the affairs of the Authority Board between its business meetings, fix the hours and place of meetings, make recommendations to the Authority Board, and shall perform such other duties as specified in these Bylaws or as may be specified by the Authority Board.

ARTICLE IX - AUTHORITY BOARD COMMITTEES AND ADVISORY COMMITTEES

Section 1 **Authority Board Committees.** The Authority Board, by resolution, may designate and appoint one or more committees to advise the Authority Board. Committee members shall be members of the Authority Board. The chairperson of the Authority Board shall appoint the members and select the chairperson of the Authority Board committees. The committees may be terminated by vote of the Authority Board. At the annual meeting, the committees will be evaluated and reappointed or dissolved. A majority of the committee will constitute a quorum. A majority of the members present at the meeting at which a quorum is present shall be the action of the committee.

Section 2 **Advisory Committees.** The Authority Board may, by resolution, authorize the establishment of advisory committees to the Authority Board. The chairperson shall select, with the advice and consent of the Authority Board members, the members of each advisory committee. The advisory committees shall elect their own officers and establish rules governing their action.

ARTICLE X - INDEMNIFICATION

Section 1 **Indemnification and Defense.** Matters involving a claim or civil action against any officer or employee of the Authority, while acting within the scope of their authority, are subject to the Government Liability for Negligence Act, Act 170 of the Public Acts of 1964, as amended.

Section 2. **Reimbursement.** Any action by the Authority Board on behalf of an officer or employee under Section 1 shall be made by the Authority Board only as authorized in the specific case upon a determination that such action is appropriate. Such determination shall be made in either of the following ways:

1. By a majority vote of the members of the Authority Board who were not parties to such claim, action, suit or proceedings, or
2. If such quorum is not obtainable, or even if obtainable, a quorum of disinterested members so directs, supported by the recommendation of legal counsel in a written opinion.

Section 3. **Insurance.** The Authority Board may purchase and maintain insurance on behalf of any person who is or was an officer or employee of the Authority against any liability asserted against the officer or employee and incurred by them in any such capacity or arising out of their status as such.

ARTICLE XI - AMENDMENTS OF BYLAWS

These Bylaws may be amended at any regular meeting of the Authority Board by a majority vote of a quorum, provided that the amendment has been submitted in writing at the previous regular meeting; provided, however, that no such amendment shall take effect until approved by resolution of the City Council.

Adopted: January 21, 2021

Chairperson Secretary

The foregoing bylaws of the South MLK Corridor Improvement Authority of the City of Lansing were approved by resolution of the Lansing City Council duly adopted at a regular meeting of the Council held pursuant to statutory notice on the ___ day of ________, 2021.

________________________________ __________, City Clerk

An Act 33 Review is a planning level review of the **location, character and extent** of public improvements and City property transactions. Act 33 Reviews are conducted by the City of Lansing pursuant to the provisions of the Michigan Planning Enabling Act (P.A. 33 of 2008) and Section 208 of the Lansing Code of Ordinances.

APPLICANT AND PROPOSAL:	A request by the City of Lansing - Public Service Dept. to acquire permanent easements to add a center turn lane to Forest Rd., construct a shared use pathway, and construct a roundabout at the intersection of Forest & Collins Roads.
LOCATION:	Forest Rd. and Collins Rd.
CURRENT OWNER(S):	City of Lansing
EXISTING LAND USE & ZONING:	Use: Public right-of-way, local street. Zoning: Unzoned
PROPERTY SIZE AND SHAPE:	Multiple. Please see attachment "Forest/Collins Area Permanent Easement List" for specific parcels.
SURROUNDING LAND USE & ZONING:	North: Golf course, "F", Commericial South: Office, hospital, "D-1", Professional Office West: n/a East: Farmland, "A", Residential

ANALYSIS

LOCATION:

Forest and Collins Roads, central Lansing, just east of I-496/US-127. The pathway will be constructed on Michigan State University, State of Michigan, McLaren Hospital, and MSU Foundation land.

CHARACTER:

These easements will allow for street and other improvements including a non-motorized connection from the Bear Lake Pathway to the new McLaren Hospital, the University Club, the MSU Foundation, and the non-motorized facilities on Forest Rd. The center turn lane on Forest Rd. will increase safety. The new roundabout will improve safety and traffic flow at the Forest – Collins intersection.

EXTENT:

The extent of the pathways and street improvements extend from Forest Rd., east of I-496/US-127 to the Forest Rd.-Collins Rd. intersection and then extending slightly further east and south. Exact measurements are detailed on attachment "Forest/Collins Area Permanent Easement List".

AGENCY REFERRALS

Lansing Board of Water and Light (BWL)

- Did not receive response.

***Public Service Department*:**

- Department is serving as the applicant.

***Building Safety Office*:**

- No objections.

***Lansing Fire Department*:**

- Did not receive response.

***Lansing Parks and Recreation*:**

- Is part of the 5 year master plan and in support of this project

STAFF RECOMMENDATION

Staff recommends approval of Act-1-2021 as proposed, on a finding that access to new businesses and area greenspace will be improved and traffic flow and safety will be improved as well.

Andy Schor, Mayor

ACT 33 REVIEW APPLICATION

CITY OF LANSING
PLANNING OFFICE

Reset Form

Print

FILE NUMBER: ACT- Act-1-2021

DATE SUBMITTED: 1/21/21

Applicant: City of Lansing (Public Service Department)

Address *(including zip code)*: 124 W. Michigan Ave, 7th Floor, Lansing 48933

Phone number: 517-483-4455

Fax number: ______ Email: andrew.kilpatrick@lansingmi.gov

Interest in Property:

- ☐ Owner
- ☒ Represent owner
- ☐ Option to buy
- ☐ Other: ______

If applicant of not the owner, or if there is more than one owner, provide the following information *(attach additional sheets if necessary)*:

Name of owner(s): McLaren, MSU Foundation, MSU

Address *(including zip code)*: Will provide all contact information with parcel list

Phone number(s): ______

Fax number: ______ Email: ______

SUBJECT PROPERTY GENERAL INFORMATION:

Address *(if any)*: Multiple (will attach map with acquisition descriptions)

Location description: Forest Road between I-496/US-127 and Collins Road

Permanent parcel #: ______

Legal description *(see note below)*: ______

Applicant's proposal: Acquire permanent easements from property owners to add a center turn lane to Forest Road, construct a shared us pathway and construct a roundabout at the intersection of Forest & Collins

REQUESTED ACTION: (please check one)

✔ City Acquisition of Property　　_____ Street or Alley Closure　　_____ City Sale of Property

_____ Vacation of R.O.W　　_____ Significant Change of Use of City Property

_____ Other: ____

What positive impacts (if any) will occur as a result of approving this proposal?

This will provide a non-motorized connection from the Bear Lake Pathway to the new McLaren hospital, the University Club, MSU Foundation and the non-motorized facilities on Forest Road east of Harrison and Harrison to the north. The center turn lane will increase safety for vehicles turning off Forest into McLaren, the University Club, Candlewood Suites/Forest Akers West. Roundabout will improve safety at the Forest/Collins intersection

What negative impacts (if any) will occur if this proposal is not approved?

The improvements will not be able to be built and the road will not be able to be resurfaced.

What negative impacts (if any) will occur as a result of approving and implementing your proposal?

The amount of stormwater from Forest Road will increase, however, this will be accommodated in the stormwater pond constructed for McLaren hospital. Some trees along Forest Road will also be impacted, but new trees and landscaping will be put in with the project.

Please fill out this application **COMPLETELY** and make sure that the following items are included:

Maps describing proposal. Maps should be readable and drawn to a specific scale.

Any other materials, brochures, pictures, etc. which will further explain the proposal.

NOTE:

If the action applied for will result in transfer of legal title from the City to the applicant or another or if the City otherwise requires, the applicant agrees to provide at the applicant's expense:

- A certified legal description
- Title insurance
- An appraisal
- An environmental report for the property

or to pay for same at closing, whichever the City determines.

FEES:

Involving land sales over $50,000	$100.00
Involving land sales under $50,000	$50.00

Signature of applicant:

_______________ / 1/21/2021
Date

Signature of owner(s):

_______________ / _______________
Date

_______________ / _______________
Date

_______________ / _______________
Date

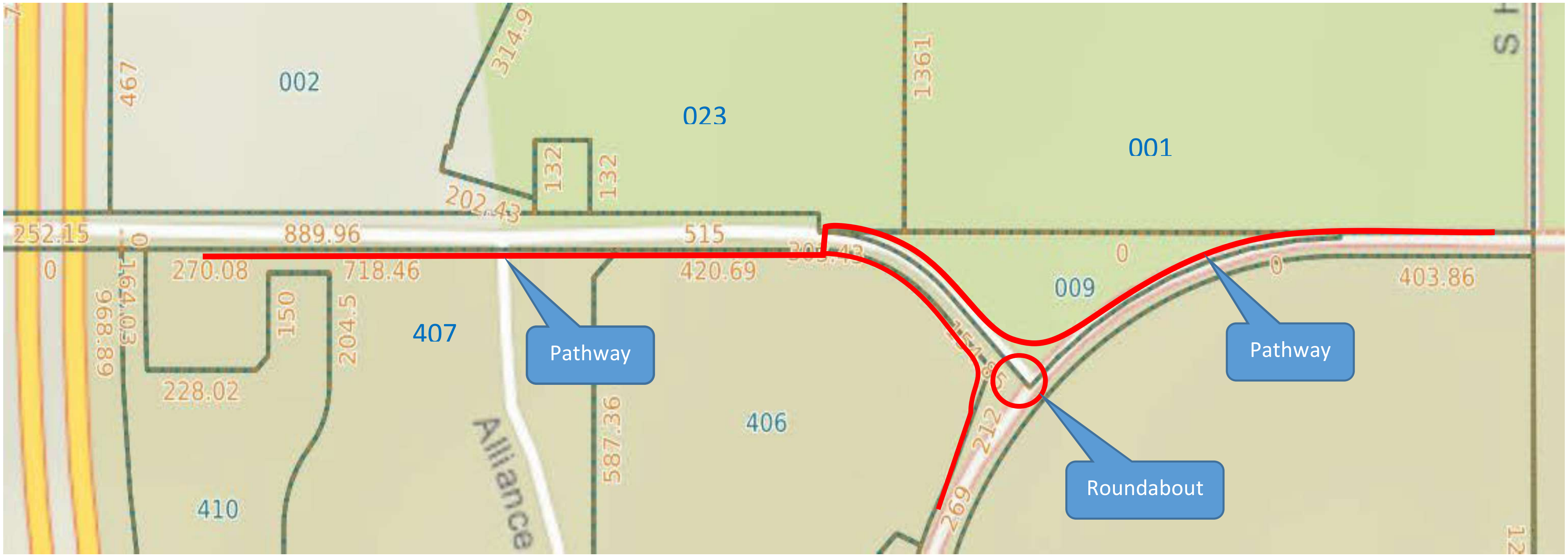
SUBMIT THE FULLY COMPLETED APPLICATION TO THE ADDRESS BELOW.

For assistance, please contact:

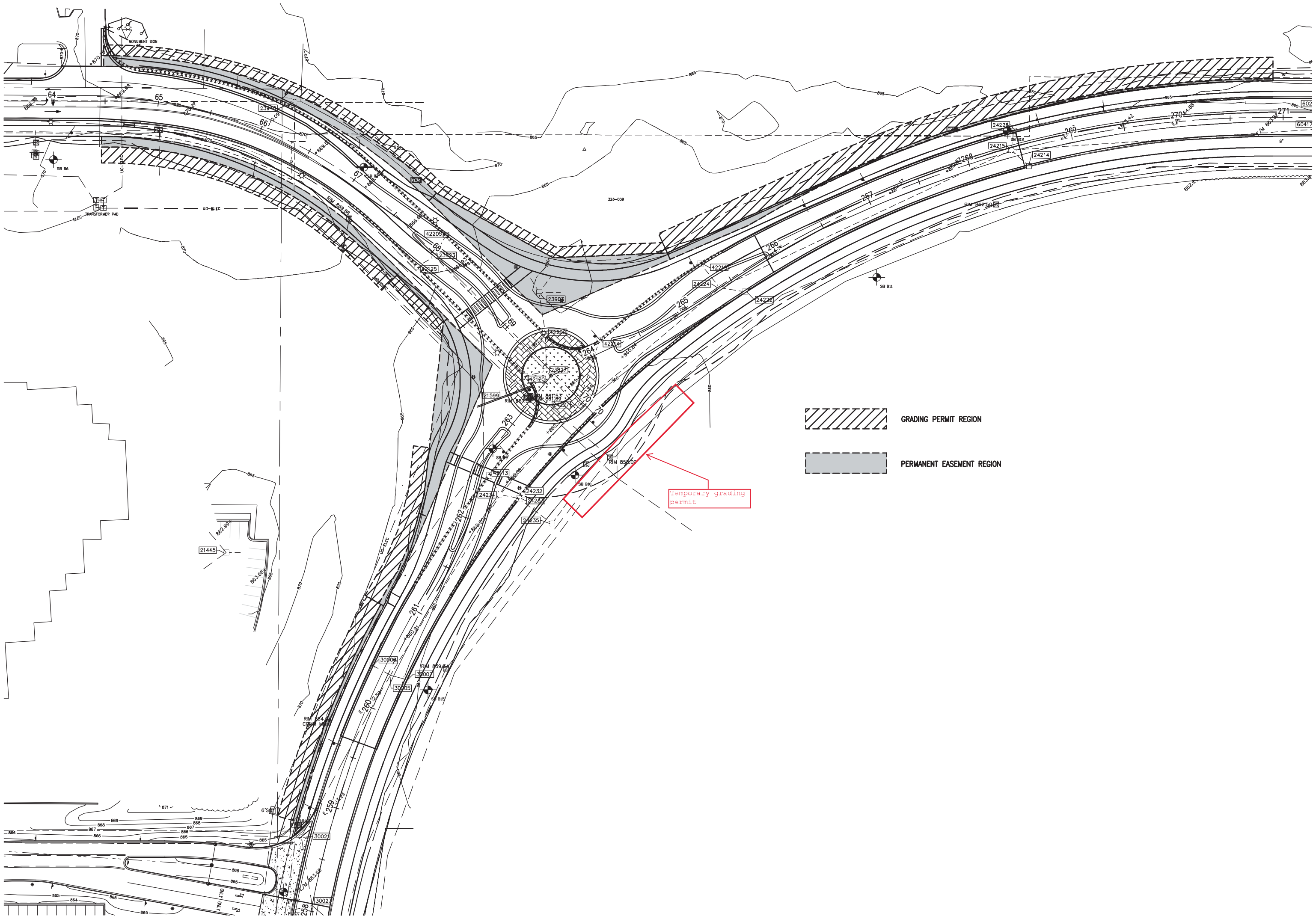
PLANNING OFFICE
316 N. CAPITOL AVE., SUITE D-1
LANSING, MI 48933
(517) 483-4066
FAX: (517) 483-6036


I-496 & US-127
Forest Rd
Collins Rd

Forest/Collins Area Permanent Easement List



Parcel (33-01-01-)	Owner	Need	Size
25-151-023	Michigan State University – Henry Center	Pathway	15' x 170'
25-326-009	Michigan State University – Golf Course	Pathway/Roundabout	10' x 100' (Forest -west) 140' x 160' triangle 5' x 125' (Forest – east) 2' x 150'
25-101-001	State of Michigan – Golf Course	Pathway	2' x 250'
25-301-407	McLaren Health Care Corporation - Hospital	Pathway	10' x 96'
25-301-406	University Corporate Research Park – MSU Foundation	Pathway	10' x 420' (Forest) 50' x 150' triangle 5' x 250' (Collins)


GRADING PERMIT REGION
PERMANENT EASEMENT REGION
Temporary grading permit
MONUMENT SIGN
TRANSFORMER PAD

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

Act-1-2021, Forest Road Easements and Pathway

WHEREAS, the City of Lansing Public Service Department to requesting approval of Act-1-2021 to acquire permanent easements on parcels 33-01-01-25-151-023, 33-01-01-25-326-009, 33-01-01-25-101-001, 33-01-01-25-301-406 & 33-01-01-25-301-407 for the purpose of adding a center turn lane to Forest Road, constructing a roundabout at the intersection of Forest Road & Collins Road and constructing a non-motorized pathway connection from Bear Lake Pathway to the new McLaren Hospital, the University Club, MSU Foundation and the existing non-motorized facilities on Forest Road and Harrison Road; and

WHEREAS, on February 2, 2021, the Planning Board reviewed the proposal in accordance with its Act 33 Review procedures, and found that:

- The street improvements and non-motorized pathways will improve pedestrian safety in the area and will accommodate the increase in traffic volumes resulting from the new hospital in a safe and efficient manner; and

WHEREAS, on February 2, 2021, the Planning Board voted unanimously (6-0) to recommend approval of Act-1-2021 to acquire the necessary easements to construct a left turn lane on Forest Road, a roundabout at the intersection of Forest and Collins Roads, and a non-motorized pathway connection from Bear Lake Pathway to the new McLaren Hospital, the University Club, MSU Foundation and the existing non-motorized facilities on Forest Road and Harrison Road; and

WHEREAS, the Committee on Development and Planning has reviewed the report and recommendation of the Planning Board and concurs therewith.

NOW THEREFORE BE IT RESOLVED, the Lansing City Council hereby approves Act-1-2021 to authorize the acquisition of permanent easements on parcels 33-01-01-25-151-023, 33-01-01-25-326-009, 33-01-01-25-101-001, 33-01-01-25-301-406 & 33-01-01-25-301-407 for the purpose of adding a center turn lane to Forest Road, constructing a roundabout at the intersection of Forest Road & Collins Road and constructing a non-motorized pathway connection from Bear Lake Pathway to the new McLaren Hospital, the University Club, MSU Foundation and the existing non-motorized facilities on Forest Road and Harrison Road

BE IT FINALLY RESOLVED, that the Mayor, on behalf of the City, is authorized to execute all documents necessary to complete this transaction, subject to the prior approval as to content and form by the City Attorney.