



MINUTES
Committee on Development and Planning
Tuesday, December 7, 2021@ 3:30 p.m.
City Council Conference Room

CALL TO ORDER

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

PRESENT via audio/video

Council Member Spitzley, Chair - excused
Council Member Garza, Vice-Chair
Council Member Hussain, Member

OTHERS PRESENT via audio/video

Sherrie Boak, Council Staff
Greg Venker, OCA
Dan Danke, Public Service
Andy Kilpatrick, Public Service
Kris Klein, LEAP
Barb Kimmel, EDP
Andrew Fedewa, EDP
Susan Stachowiak, EDP
Brett Kaschinske, Parks and Recreation Director
Kevin Myer
Nicholas Pop
Chris MacKersie, LCC
Brent Titus, Attorney with LCC
Joseph Scott Bell
Margaret Tassaró
Jennie Gies

MINUTES

MOTION BY COUNCIL MEMBER HUSSAIN TO APPROVE THE MINUTES FROM NOVEMBER 16, 2021 AS PRESENTED. MOTION CARRIED 2-0.

PUBLIC COMMENT

No public comment at this time.

Discussion/Action

ACTION – ACT1-2020; Street Vacation; Jerome and W. Holmes

COUNCIL MEMBER GARZA DISCHARGED THE ITEM TO THE COMMITTEE OF THE WHOLE FOR THEIR MEETING ON 12/13/2021.

Council Member Garza noted the Planning Board will be reviewing and making recommendations to Council during their Board meeting tonight at 6:30 p.m. The Committee of the Whole will meet on 12/13/2021 at 5 p.m.

Ms. Gies with Eastfield Neighborhood Association spoke in opposition to the ACT speaking for action on a noise concern.

Ms. Tassaro in opposition to the ACT without action on a noise concern.

RESOLUTION – ACT-7-2021; Vacation of Schoolcraft Dr. and part of the North Washington Avenue

Mr. MacKersie and Mr. Titus were representing LCC and they spoke briefly on the current parking ramp construction and the master plan for closing Schoolcraft Dr. and N. Washington Avenue for LCC to obtain and maintain.

Council Member Garza asked to confirm the cost to close was with LCC, and that was confirmed.

Mr. Kilpatrick noted for the Committee that in discussions with LCC on their project Schoolcraft was to become part of LCC with the City creating the connections and once the project is done they will close them off. Mr. MacKersie confirmed the curb cuts are complete. Mr. Kilpatrick made the LCC representatives aware that there are sewer that might be a connection on Schoolcraft, so LCC might need an agreement with MDOT in the future.

MOTION BY COUNCIL MEMBER HUSSAIN MADE A MOTION TO APPROVE THE RESOLUTION FOR ACT-7-2021. MOTION CARRIED 2-0.

Mr. MacKersie acknowledged the collaboration with the City thus far.

RESOLUTION – Objecting to the Transfer of All Unsold Tax Reverted Properties from the Eaton County Treasurer to the City of Lansing

Ms. Kimmel stated the City does not have interest in the properties listed in the resolution.

MOTION BY COUNCIL MEMBER HUSSAIN TO APPROVE THE RESOLUTION TO OBJECT TO A TRANSFER OF UNSOLD TAX REVERTED PROPERTIES FROM EATON COUNTY. MOTION CARRIED 2-0.

RESOLUTION – Objecting to the Transfer of All Unsold Tax Reverted Properties from the Ingham County Treasurer to the City of Lansing

Ms. Kimmel stated the City does not have any interest in the properties listed in the resolution.

MOTION BY COUNCIL MEMBER HUSSAIN TO APPROVE THE RESOLUTION TO OBJECT TO A TRANSFER OF UNSOLD TAX REVERTED PROPERTIES FROM INGHAM COUNTY. MOTION CARRIED 2-0.

Ms. Boak noted to the Committee that it was also confirmed with Ms. Kimmel that she checked to confirm that none of the properties in either resolution abuts a City parcel that Parks would be interested in.

RESOLUTION – Setting Public Hearing; SLU-1-2021; 611 N Butler to allow for the construction of a surface parking lot in the R-6B Urban Detached Residential Zoning District

Council Member Garza asked about the recommendation in the report. Ms. Stachowiak confirmed staff recommends not to approve, but the Planning Board approved 4-3. Council Member Garza asked how this would impact the residential neighborhood next to it, and Ms. Stachowiak noted that is why staff recommended denial, and quickly spoke to the concerns. She also noted there were no neighbors at the Planning Board public hearing.

MOTION BY COUNCIL MEMBER HUSSAIN TO APPROVE THE RESOLUTION TO SET THE PUBLIC HEARING FOR SLU-1-2021 FOR JANUARY 10, 2022. MOTION CARRIED 2-0.

RESOLUTION – Setting a Public Hearing in Consideration of an Ordinance and Amend Chapter 1218 to Conform to the Soil Erosion and Sedimentation Control Act Michigan Codified Law 324.9101

Ms. Boak made the Committee aware that the Draft in the packet is 2020, however she confirmed with Mr. Danke before the meeting it is the current proposed amendment.

Mr. Danke explained that EGLE audited the City Soil Erosion program, and in that review of the program they made recommendations. Mr. Danke assured the Committee that the City worked with EGLE and have created the draft in front of them. The Committee asked if this version now conforms with the State Codified Law and it was confirmed noting there would be another audit in five (5) years.

MOTION BY COUNCIL MEMBER HUSSAIN TO APPROVE THE RESOLUTION TO SET THE PUBLIC HEARING FOR 1/10/2022. MOTION CARRIED 2-0.

RESOLUTION – Cell Tower Land Lease Contract Renewals

Mr. Kaschinske briefly highlighted the locations in the resolution, Clippert, Sunset, Dadson, David. Mr. Kaschinske explained they are all renewals of existing leases, the rent went up from \$12,000 annually to \$20,000 annually with the escalation increase of 3% per year, 15% over each term on a five year term. The City will get 50% of revenue starting with second broad band on the towers and each lease is a 5 year lease, with 5 terms, totaling 25 years each. The leases were sent out to outside counsel Varum who specialize in telecommunications law.

Council Member Garza asked if the revenue is common with a cell tower lease, and Mr. Kaschinske noted each cell tower varies by area and the number of co-locates. Council Member Garza then asked about ownership of the towers. Mr. Kaschinske confirmed ownership was SBA Communications in the land lease, and carriers on the tower have a lease with SBA.

MOTION BY COUNCIL MEMBER HUSSAIN TO APPROVE THE RESOLUTION FOR THE CELL TOWER LAND LEASE CONTRACT RENEWALS. MOTION CARRIED 2-0.

Mr. Kaschinske asked if he needed to attend Council on 12/13/2021 and the Committee asked for his presence.

RESOLUTION – Set Public Hearing; OPRA District 1102 S Washington Avenue

Mr. Klein recapped that earlier in 2021 the applicant was seeking an OPRA District and OPRA Certificate, however since that time the project has changed. At this time they are working on having District approved at this time with qualifying for the Certificate in the future. This project will not include any tax abatement benefits, just establishing the district. Mr. Pope with REO Ventures, LLC. Spoke briefly on the property and their plans for a Food Truck court similar to Little Fleet in Traverse City.

Council Member Garza asked if they would be coming back for a brownfield in the future since the site was a former gas station, and Mr. Pope confirmed they have worked with PM Environmental, and at this point they will not seek a brownfield.

Council Member Hussain asked Mr. Klein if the OPRA District is granted if it runs with the property. Mr. Klein confirmed it would, but if this owner gets the OPRA Certificate and then leaves, it can be transferred.

MOTION BY COUNCIL MEMBER HUSSAIN TO APPROVE THE RESOLUTION TO SET THE PUBLIC HEARING FOR THE OPRA DISTRICT AT 1102 S WASHINGTON AVENUE FOR JANUARY 10, 2022. MOTION CARRIED 2-0.

RESOLUTION – Set Public Hearing; OPRA District; 1247 Center Street LLC for property at 224 S Washington Square

Mr. Klein briefly stated that the applicant is working towards closing on the property, and then the project will be underway.

The applicants spoke briefly on their plans for the property including renovating the structure, and turn it into a performance venue. This would be used as an event space for their entertainment business and also rental options. They confirmed it would not be a night club venue.

Mr. Klein added to the discussion that this building has been deemed functionally obsolete.

MOTION BY COUNCIL MEMBER HUSSAIN TO APPROVE THE RESOLUTION TO SET THE PUBLIC HEARING FOR JANUARY 10, 2022 FOR THE OPRA DISTRICT AT 224 S WASHINGTON SQUARE FOR 1247 CENTER STREET LLC. MOTION CARRIED 2-0.

Mr. Klein confirmed he would be present at Council on 12/13/2021 and 1/10/2022.

RESOLUTION – Establishment of Red Cedar Redevelopment Projects Area

Mr. Klein explained to the Committee that this is connected to a future liquor license the development will request. In areas where there is an establishment those would go under that development district. In areas where there is no established district or there are new buildings, the State requires a Redevelopment District to get the liquor license. There is also a threshold of a \$50 million investment, and he referenced the map in the packet outlining the area. In these cases the applicant also has to prove they have searched for other licenses that are for sale, and if a liquor license is granted for businesses in this redevelopment district they are not transferrable, they have to stay with the property they were issued for. Mr. Venker added for clarification they can reapply within project area, but cannot take it out of area.

MOTION BY COUNCIL MEMBER HUSSAIN TO APPROVE THE RESOLUTION FOR THE ESTABLISHMENT OF RED CEDAR REDEVELOPMENT PROJECTS AREA. MOTION CARRIED 2-0.

Other

Ms. Boak noted to the Committee the next meeting would be 12/21/2021 if one is needed based on referrals on 12/13/2021.

Adjourn

Adjourned at 4:19 p.m.

Submitted by Sherrie Boak

Recording Secretary, Lansing City Council

Approved by the Committee on December 21, 2021