



MINUTES
Committee on Development and Planning
Tuesday, September 1, 2020 @ 3:30 p.m.

<https://us02web.zoom.us/j/89558236280>; ID: 895 5823 6280; Dial In: (312) 626 6799

CALL TO ORDER

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

PRESENT via audio/video

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

OTHERS PRESENT via audio/video

Sherrie Boak, Council Staff
Lisa Hagen, Assistant City Attorney, Council Research Assistant
Greg Venker, Assistant City Attorney
Steve Swan, City Building Official
Susan Stachowiak, EDP
Price Dobernick
Hannah Bryant, LEAP
James Bell
Dianne Byrum
Gary Gerritt
Pat Lennon
Brian Kandler
Jon Gilmore
Kevin Blair
Jeff Steffani
Shamus Smith
T Cooper
Bruce (no last name given)
Michael (no last name given)

MINUTES

MOTION BY COUNCIL MEMBER BETZ TO APPROVE THE MINUTES FROM AUGUST 18, 2020 AS PRESENTED. MOTION CARRIED 4-0.

PUBLIC COMMENT

Ms. Byrum spoke on the outreach process for the rezoning for 5400 S Cedar Street.

Mr. Lennon spoke on behalf of the 5400 S Cedar Street applicant as their lawyer and spoke on the conditional rezoning for the property overall. He noted it was supported by City staff and the Planning Board and briefly outlined the 7 legal standards that this applicant meets.

Mr. Gerritt spoke in opposition to the 5400 S Cedar conditional rezoning.

Mr. Smith spoke in support of the proposed rezoning for 5400 S Cedar Street and the UHaul business. He voiced concerns on the current condition of the vacant Kmart property with the support towards their plans for the building and the outlots.

DISCUSSION/ACTION

Council Member Spitzley noted to the public that have spoken on the rezoning for 5400 S. Cedar to stay on the meeting in case there are questions at that agenda item.

RESOLUTION – Reappointment; J Bell; Member; Historic District Commission; Term to Expire 6/30/2023

Council Member Spitzley asked Mr. Bell how long he was on the Commission and was told one (1) term. Council Member Betz and Hussain acknowledged Mr. Bell for his service. Council Member Hussain asked how often the Commission meets and asked about any updates and efforts for Cherry Hill Neighborhood. Mr. Bell stated they were working on getting a grant to go back and study the area again to make determinations. Council Member Garza supported the reappointment.

MOTION BY COUNCIL MEMBER HUSSAIN TO APPROVE THE RESOLUTION TO REAPPOINT JAMES BELL TO THE HISTORIC DISTRICT COMMISSION. ROLL CALL VOTE, MOTION CARRIED 4-0.

RESOLUTION – Appointment; P Dobernick; Member; S. MLK Jr. Blvd. Corridor Improvement Authority Board; Term to Expire 7/31/2023

Council Member Garza informed the Committee he is also a member of the Local 333, the same member as the union Mr. Dobernick is with and asked if the Committee had an issue with him being involved in the discussions and motion. Council Member Spitzley stated she had no concerns.

Mr. Dobernick spoke on his work with the Local 333, volunteer work in the south Lansing area, and their efforts in the S MLK Corridor. Council Member Hussain spoke in support of the appointment, and asked what his vision was for the S MLK corridor and what the biggest obstacles would be in that area. Mr. Dobernick spoke on his goal to work towards addressing the dilapidate buildings. Council Member Garza also inquired on his mission for his service on the Commission. Mr. Dobernick stated the Local 333 takes pride in being in south Lansing and plan to be there for decades.

MOTION BY COUNCIL MEMBER BETZ TO APPROVE THE RESOLUTION FOR THE APPOINTMENT OF PRICE DOBERNICK TO THE S MLK JR. BLVD. CORRIDOR IMPROVEMENT AUTHORITY BOARD. ROLL CALL VOTE, MOTION CARRIED 4-0.

RESOLUTION – Introduction & Setting Public Hearing; Z-8-2019 Conditional Rezoning; 5400 S Cedar; “F” Commercial & “J” Parking to “G-2” Wholesale District

Ms. Stachowiak outlined that in 2019 the Planning Board recommended 5-1 vote to approve the

conditional rezoning for 5400 S Cedar. She outlined the conditions as no marihuana facilities on the property, the storage unit at the north of the property will have architectural design, site improvements on the plan, including landscaping access to the bike trail and mixed used in the out lots. Council Member Hussain stated the City Master Plan called for a community mixed used center and asked what those uses would be. Ms. Stachowiak noted that designation is primary commercial, this would require G-2, and G-2 would allow commercial uses also. There are only 2 things that separate wholesale and commercial; wholesale allows storage and does not allow residential. Ms. Stachowiak continued that it was felt this is a unique site, and it was felt this use would make the best advantage of this property and conditions on this rezoning would improve the site. A statement was made that this conditional rezoning was similar to what was done at 930 W. Holmes. Council Member Hussain admitted he had concerns with 930 W. Holmes and worked with them to assure they kept their promises. He then asked for the vote at the Planning Board and opposition. Ms. Stachowiak stated she would research the action. Council member Garza acknowledge the outreach, referenced the map and asked if the proposed frontage set back is 100' from Cedar. Ms. Stachowiak confirmed it was actually more, it measure more than 2 acres. Council Member Hussain asked what the proposed 15 new jobs would be and what the hourly rate would be. Mr. Gilmore noted housekeeping, grounds keeping and customer service representatives at \$12-\$15/hour. Council Member Hussain then asked how many units were filled in their other Lansing sites. Mr. Gilmore confirmed they are still building out the tower site, and open units are the exterior sites. They are currently at full capacity on what they have now. He was then asked if they would keep their Jolly/Cedar site, and Mr. Gilmore confirmed they would. Council Member Hussain asked who retains ownership of the out lots, and was told ownership is retained by U-Haul. Council Member Hussain stated he would be interested in a marketing plan for the area by the time rezoning is up for adoption.

Mr. Cooper arrived after public comment, and Council Member Spitzley recognized him. Mr. Cooper spoke in opposition to the U-Haul on the South side of Lansing and opposed to the rezoning of this property.

Ms. Stachowiak stated the Planning Board member who opposed the rezoning did not state why they opposed.

MOTION BY COUNCIL MEMBER GARZA TO APPROVE THE RESOLUTION TO INTRODUCE AND SET THE PUBLIC HEARING FOR THE Z-8-2019 CONDITIONAL REZONING FOR 5400 S. CEDAR FOR OCTOBER 12, 2020.

Council Member Spitzley asked Mr. Gilmore to be prepared for questions on saturation of storage units on the south side, and be prepared to discuss the plans for the out lots. Council Member Hussain asked OCA, if when looking at the Charter, Ordinances and the Zoning Enabling Act, the Committee has to set the public hearing, and when it is referred back to Committee it has to be pushed back to Council; it cannot "die" in Committee. Ms. Hagen was not able to provide the answer and referred the question to Mr. Venker. The OCA representatives were asked to announce themselves and their role at the meetings in the future. Mr. Venker confirmed the statement by Council Member Hussain that the action cannot "die" in Committee; once an application is put into motion, it has to come out of Committee and a vote has to go to Council to approve or deny.

ROLL CALL VOTE, MOTION CARRIED 4-0.

Council Member Spitzley noted for the Council will set the hearing on September 14, 2020 for a hearing on October 12, 2020.

RESOLUTION – Introduction & Set Public Hearing: Ordinance Amendment to Consolidate Building Board of Appeals, Board of Plumbing, Mechanical Board and Electrical Board into a Construction Board of Appeals

MOTION BY COUNCIL MEMBER HUSSAIN TO REMOVE THE ITEM FROM THE TABLE FOR CONTINUED DISCUSSION. ROLL CALL VOTE, MOTION CARRIED 4-0.

Council Member Spitzley noted for the record the item was tabled at the last meeting because the OCA requested more time to make minor amendments to the document. Mr. Venker explained that currently there are problems getting members to fill the three (3) boards, and each has specific requirements, and functionality but they do not need three (3) boards. The ordinance proposed would allow the new Construction Board of Appeals to meet quarterly. Mr. Swan had no additional comments to add. Council Member Garza asked what role the current members will have. Mr. Swan reiterated they have had issues maintaining members on the boards and getting a quorum to hold a meeting. He acknowledged that they should not lose any members because there are many current members whose term has expired. Mr. Dobernick, speaking on behalf of Local 333, he stated he was told that members of the Plumbing Board have not had any meetings recently. Council Member Spitzley voiced her concerns with licensed contractors making determinations on other contracted services they are not licensed for. She then noted that at the last meeting Mr. Venker with OCA stated there were changes and amendments and so it was tabled, then acknowledged an email prior to this meeting from the OCA stating there are no amendments and so if the Committee chooses they can proceed today. Mr. Venker explained that the additional changes contemplated at last meeting were the additional language changes with more content and other chapters specific to the electrical code. At this time, Mr. Venker stated those would not affect this ordinance of consolidating the boards, so they would propose addressing those procedures in a separate ordinance. The current ordinance to establish a Construction Board of Appeals falls under what the Construction Code Act authorizes. Council Member Spitzley asked that the OCA be prepared at the September 14, 2020 Council meeting and the September 21, 2020 public hearing to discuss the consolidation.

MOTION BY COUNCIL MEMBER GARZA TO INTRODUCE AND SET THE PUBLIC HEARING FOR THE ORDINANCE AMENDMENTS TO CREATE A CONSTRUCTION BOARD OF APPEALS, FOR SEPTEMBER 21, 2020. ROLL CALL VOTE, MOTION CARRIED 4-0.

Mr. Dobernick asked about the membership of the proposed Construction Board of Appeals. Mr. Venker referred him to page 3 of the document which outlined the three (3) professional architects or engineers, one (1) residential builder, one (1) master or journey plumber, one (1) master or journey electrician and one (1) mechanical contractor. Council Member Garza voiced a concern with contractors and Mr. Swan clarified they did not choose those designations but the State plan.

DISCUSSION – Fiscal Year 2021/2022 Budget Priorities

Council Member Spitzley recommended \$50,000 be placed in the Financial Empowerment Center for business technical assistance, after a discussion with Council Member Betz. Council Member Betz noted he would consider more than \$50,000. Council Member Spitzley continued by outlining the position to be a contracted employee or FTE to assist with small businesses, female owned and minority businesses. Council Member Hussain acknowledged the suggestion and supported it, then suggested reinstating the façade program. This should include the language for small business owners. Council Member Spitzley added it should also include a return on investment study on those that have already gotten grants, a review of

where the grants have gone in the past. Council Member Garza asked if façade grant applications could be given more points in vetting if they use local businesses, unless that business doesn't exist in Lansing. Mr. Venker state he would have to look at that because it was currently set up as a program with LEAP to administer. He also was not sure if the Council can make a requirement at the time of application, because the applicants might not even have a contractor at that time. Council Member Spitzley asked that it be part of the budget priorities to get a return on investment on the grants that have been given already, and when the applications are created it should include an incentive to receipts who use local small business.

Committee Members were asked to provide any additional recommendations to the Council Office manager by the September 15, 2020 meeting.

Other

No other topics of discussion.

Adjourn

Adjourned at 5:13 p.m.

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

Approved by the Committee September 15, 2020